



**CITY OF COVINGTON**  
**CITY COUNCIL REGULAR MEETING AGENDA**  
[www.covingtonwa.gov](http://www.covingtonwa.gov)

**Tuesday, October 23, 2018**  
**7:00 p.m.**

**City Council Chambers**  
**16720 SE 271<sup>st</sup> Street, Suite 100, Covington**

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*Note: A Joint Study Session with the Planning Commission is scheduled from 6:00 to 7:00 p.m.*

**CALL CITY COUNCIL REGULAR MEETING TO ORDER**

**ROLL CALL/PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PUBLIC COMMUNICATION**

- Legislative Report (Briahna Murray, City Lobbyist)
- Soos Creek Water & Sewer District Presentation on Regional Sewer Conveyance Project and Lift Station Site (Ron Speer)
- Presentation to Richard Hart (Council)

**PUBLIC COMMENT** Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows. \*

NOTICE to all participants: Pursuant to state law, RCW 42.17A.555, campaigning for any ballot measure or candidate in City Hall and/or during any portion of the council meeting, including the audience comment portion of the meeting, is PROHIBITED.

**APPROVE CONSENT AGENDA**

- C-1. Minutes: September 25, 2018 Special & Regular Meeting (Scott)
- C-2. Vouchers (Hendrickson)

**REPORTS OF COMMISSIONS**

- Economic Development Council Chair Josh Lyons
- Parks & Recreation Chair Laura Morrissey
- Planning Chair Chele Dimmett
- Youth Council Member
- Human Services Chair Leslie Hamada
- Arts Chair Ed White

**PUBLIC HEARING**

1. To Receive Public Testimony and Presentation from Staff Regarding the 2019 Revenue Sources and Possible Increase in Property Tax Revenues (Hendrickson)
2. To Receive Public Testimony and Consider Ordinance Adopting New Temporary and Permanent Sign Regulations (Hart)

**NEW BUSINESS**

3. Consider 2019 Legislative Priorities and Policies (Bolli)
4. Present Financial Strategic Plan - ECONorthwest (Hendrickson)
5. Consider 2019 Appointments to Regional Forums (Council)

**FUTURE AGENDA ITEMS**

**COUNCIL/STAFF COMMENTS**

**PUBLIC COMMENT** \*See Guidelines on Public Comments above in First Public Comment Section

**EXECUTIVE SESSION – if needed**

**ADJOURN**

**Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).**

**Consent Agenda Item C-1**

Covington City Council Meeting

Date: October 23, 2018

SUBJECT: APPROVAL OF MINUTES: SEPTEMBER 25, 2018 CITY COUNCIL SPECIAL & REGULAR MEETING MINUTES

RECOMMENDED BY: Sharon G. Scott, City Clerk

ATTACHMENT(S): Proposed Minutes

PREPARED BY: Joan Michaud, Senior Deputy City Clerk

EXPLANATION:

ALTERNATIVES:

FISCAL IMPACT:

CITY COUNCIL ACTION: \_\_\_\_\_ Ordinance \_\_\_\_\_ Resolution  X  Motion \_\_\_\_\_ Other

**Councilmember \_\_\_\_\_ moves, Councilmember \_\_\_\_\_ seconds, to approve the September 25, 2018 City Council Special & Regular Meeting Minutes.**

**City of Covington  
Special & Regular City Council Meeting Minutes  
Tuesday, September 25, 2018**

**INTERVIEWS:** The Council conducted interviews for the Youth Council from 6:00 to 7:00 p.m. Applicants interviewed included: Taye Ansah, Anna McLaughlin, and Ruby Kollasch.

The Regular Meeting of the City Council of the City of Covington was called to order in the City Council Chambers, 16720 SE 271<sup>st</sup> Street, Suite 100, Covington, Washington, Tuesday, September 25, 2018, at 7:00 p.m., with Mayor Wagner presiding.

**COUNCILMEMBERS PRESENT:**

Jeff Wagner, Joe Cimaomo, Margaret Harto, Fran Hollums, Paul Selland, and Sean Smith.

**COUNCILMEMBERS ABSENT:**

Marlla Mhoon.

**Council Action: Councilmember Hollums moved and Mayor Pro Tem Smith seconded to excuse Councilmember Mhoon who was out of the country kayaking in Croatia. Vote: 6-0. Motion carried.**

**STAFF PRESENT:**

Richard Hart, Acting City Manager/Community Development Director; Andrew McCurdy, Covington Police Chief; Don Vondran, Public Works Director; Kathy Hardy, City Attorney; Kelly Thompson, Sr. Permit Center Coordinator; and Sharon Scott, City Clerk/Executive Assistant.

Mayor Wagner opened the meeting with the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

**Council Action: Councilmember Cimaomo moved and Mayor Pro Tem Smith seconded to approve the Agenda. Vote: 6-0. Motion carried.**

**PUBLIC COMMUNICATION:**

- Mayor Wagner read the Safe Schools Week Proclamation and noted he would deliver the proclamation to the Kent School District at his meeting with Superintendent Dr. Watts the following day.
- Puget Sound Regional Fire Authority Captain Kyle Ohashi accepted the Fire Prevention Week Proclamation.
- Isabella Fernando gave a presentation on Shadow Lake Bog.

**PUBLIC COMMENT:**

Mayor Wagner called for public comments.

There being no comments, Mayor Wagner closed the public comment period.

**APPROVE CONSENT AGENDA:**

- C-1. Minutes: August 28, 2018 City Council Special & Regular Meeting Minutes and September 11, 2018 City Council Special & Regular Meeting Minutes.
- C-2. Vouchers: Vouchers #37957 - #38017, including ACH payments in the amount of \$318,396.77, dated August 31, 2018; Vouchers #38018 - #38076, including ACH payments in the amount of \$605,462.41, dated September 14, 2018; and Paylocity Payroll Vouchers #1009161905 - #1009161913 inclusive, plus employee direct deposits and wire transfers, in the amount of \$210,133.56, dated September 7, 2018.
- C-3. Authorize City Manager to Execute Amendment No. 1 to the Agreement for Services with McDonough & Sons, Inc. for Joint Covington/Maple Valley Street Sweeping.

**Council Action: Mayor Pro Tem Smith moved and Councilmember Harto seconded to approve the Consent Agenda. Vote: 6-0. Motion carried.**

**REPORTS OF COMMISSIONS:**

**Economic Development Council** – No report.

**Parks & Recreation Commission** – Chair Laura Morrissey gave the report.

**Planning Commission** – Chair Chele Dimmett gave the report.

**Youth Council** – Member Anna McLaughlin gave the report.

**Human Services Commission** – Chair Leslie Hamada gave the report.

**Arts Commission** – Chair Ed White gave the report.

**PUBLIC HEARING:**

1. To Receive Testimony from the Public and Consider Ordinance adopting the Kent School District Six-Year Capital Facilities Plan for 2018-2019 – 2023-2024 and amending the Capital Facilities and Utilities Element, Appendix, and Existing Conditions Report of the Covington Comprehensive Plan to include the same, including the Kent School District Impact Fee Schedule for 2019.

Community Development Director Richard Hart gave the staff report on this item.

Mayor Wagner called for public comments for the public hearing.

**Elizabeth Porter, Covington resident**, commented that the Kent School District appeared to have surplus money for capital projects more than the recent bonds approved by the voters. Mr. Hart provided clarification.

There being no further comments, Mayor Wagner closed the public comment period.

At the request of Council, Mr. Hart provided a response on the limitations of the bond funding for the Kent School District to fund capital projects.

ORDINANCE NO. 06-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, ADOPTING THE KENT SCHOOL DISTRICT SIX-YEAR CAPITAL FACILITIES PLAN FOR 2018-19 TO 2023-24 AMENDING THE CAPITAL FACILITIES AND UTILITIES ELEMENT, APPENDIX, AND EXISTING CONDITIONS REPORT OF THE COVINGTON COMPREHENSIVE PLAN TO INCLUDE THE SAME; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**Council Action:** Councilmember Harto moved and Councilmember Cimaomo seconded to pass Ordinance No. 06-2018, in substantial form as that provided in the agenda packet, adopting the updated Kent School District Six-Year Capital Facilities Plan for 2019-2024, including the 2019 School Impact Fee Schedule, and amending the Capital Facilities and Utilities Element, Appendix, and Existing Conditions Report of the City’s Comprehensive Plan to include the same. Vote: 6-0. Motion carried.

**NEW BUSINESS:**

2. Consider Appointment to Covington Economic Development Council.

**Council Action:** Councilmember Hollums moved and Mayor Pro Tem Smith seconded to appoint Taylor Rose to fill a position on the Covington Economic Development Council with a term expiring July 31, 2020. Vote: 6-0. Motion carried.

3. Consider Appointments to Youth Council.

**Council Action:** Councilmember Harto moved and Councilmember Hollums seconded to appoint Taye Ansah, Anna McLaughlin, and Ruby Kollasch to fill positions on the Youth Council with terms expiring September 30, 2019. Vote: 6-0. Motion carried.

4. Consider Ordinance Amending Business License Threshold.

Sr. Permit Center Coordinator Kelly Thompson gave the staff report on this item.

ORDINANCE NO. 07-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON TO REPEAL AND REPLACE COVINGTON MUNICIPAL CODE CHAPTER 5.10 BUSINESS LICENSE ACQUISITION.

**Council Action:** Councilmember Cimaomo moved and Mayor Pro Tem Smith seconded to pass Ordinance No. 07-2018, in substantial form as that provided in the agenda packet, to

**repeal and replace Covington Municipal Code 5.10 Business License Acquisition. Vote: 6-0. Motion carried.**

**FUTURE AGENDA ITEMS:**

Councilmembers reviewed future agenda items.

**COUNCIL/STAFF COMMENTS:**

Councilmembers and staff made comments.

Mayor Pro Tem Smith informed the Council that he would be sending a letter to the Seattle Times in support of the Land and Water Conservation Fund and that he would be clear that he was not speaking on behalf of the Council.

**PUBLIC COMMENT:**

Mayor Wagner called for public comments.

**Mary Pritchard, Covington resident,** spoke in support of the newly appointed Youth Council member’s vision of adding color to Covington. She also requested Council to ban plastic straws and Styrofoam in Covington.

**Chele Dimmett, Covington resident,** spoke on her enjoyment in working with the Youth Council. She also mentioned her concerns regarding crime and public safety.

There being no further comments, Mayor Wagner closed the public comment period.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 8:21 p.m.

Prepared by:

Submitted by:

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Joan Michaud  
Senior Deputy City Clerk

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Sharon Scott  
City Clerk

**Consent Agenda Item C-2**

Covington City Council Meeting

Date: October 23, 2018

SUBJECT: APPROVAL OF VOUCHERS

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): (Provided under separate cover.) Vouchers: Vouchers #38151 - #38209, including ACH payments in the amount of \$604,197.13, dated October 12, 2018; and Paylocity Payroll Vouchers #1009289933 - #1009289945 inclusive, plus employee direct deposits and wire transfers, in the amount of \$220,085.83, dated October 5, 2018.

PREPARED BY: Casey Parker, Senior Accountant

CITY COUNCIL ACTION: \_\_\_\_\_ Ordinance \_\_\_\_\_ Resolution  X  Motion \_\_\_\_\_ Other

**Councilmember \_\_\_\_\_ moves, Councilmember \_\_\_\_\_ seconds, to approve for payment Vouchers: Vouchers #38151 - #38209, including ACH payments in the amount of \$604,197.13, dated October 12, 2018; and Paylocity Payroll Vouchers #1009289933 - #1009289945 inclusive, plus employee direct deposits and wire transfers, in the amount of \$220,085.83, dated October 5, 2018.**



**Agenda Item 1**  
Covington City Council Meeting  
Date: October 23, 2018

SUBJECT: PUBLIC HEARING TO RECEIVE TESTIMONY FROM THE PUBLIC AND PRESENTATION FROM STAFF REGARDING 2019 REVENUE SOURCES AND POSSIBLE INCREASE IN PROPERTY TAX REVENUES

ATTACHMENT(S):

1. Description of 2019 Revenue Sources
2. Property Tax Worksheet

**COUNCILMEMBERS AND STAFF: PLEASE REMEMBER TO BRING YOUR PRELIMINARY 2019 BUDGET WORKBOOK BINDERS TO THE MEETING. THANK YOU!**

RECOMMENDED BY: Rob Hendrickson, Finance Director

EXPLANATION:

This public hearing is required under state law (RCW 84.55.120) to consider possible increases in property tax revenues and to review other revenue sources that support the City's general fund. The Finance Director will review the history of Covington's revenue collections, the current year's collections, and 2019's revenue projections.

This hearing, mandated by law, should focus on the City's revenue sources and potential adjustments to property tax revenues. The deadline for setting 2019 property tax levies for cities in King County is November 30, 2018.

It is the policy of the City to follow applicable laws as they relate to the budget process.

ALTERNATIVES:

N/A

FISCAL IMPACT:

CITY COUNCIL ACTION: \_\_\_ Ordinance \_\_\_ Resolution \_\_\_ Motion \_\_\_ **X** Other

**NO COUNCIL ACTION REQUIRED AT THIS MEETING**



**DESCRIPTION OF 2019 REVENUE SOURCES**

This summary describes each of the major revenue sources that appear in the 2019 budget by category. Budget amounts are based on the best available information at the time of budget preparation.

**Beginning Fund Balance**

**All Funds**

This is the estimate of funds remaining at the end of the previous budget year and available for use in the following budget year. This amount will fluctuate annually depending on the amount of reserves, under or over collection of revenues, and under or over expenditure of appropriations. Minimum fund balance availability is governed by City policy.

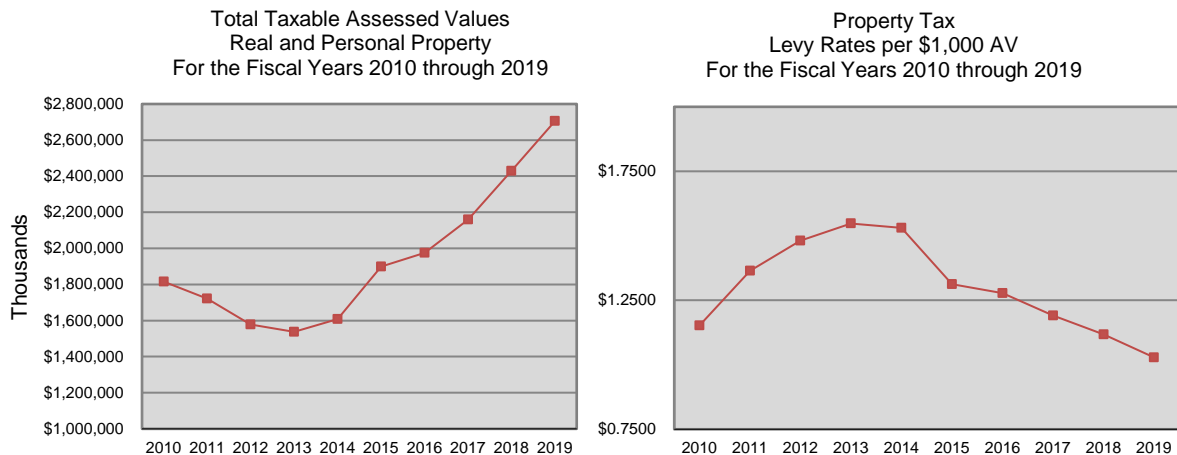
**TAXES**

**Property Taxes**

**General Fund**

Property taxes are one of the largest and most stable sources of revenue for the City. The City has budgeted, as state law limits allow, a levy increase of 101%. An increment for new construction is also added to this amount. The levy for 2019 is \$2,782,380. The taxable assessed valuation (AV) is \$2,705,228,996 which includes \$21,289,860 in new construction. The estimated levy rate is \$1.02852/\$1,000 AV.

Total assessed value has increased 11.4% from 2018 to 2019.



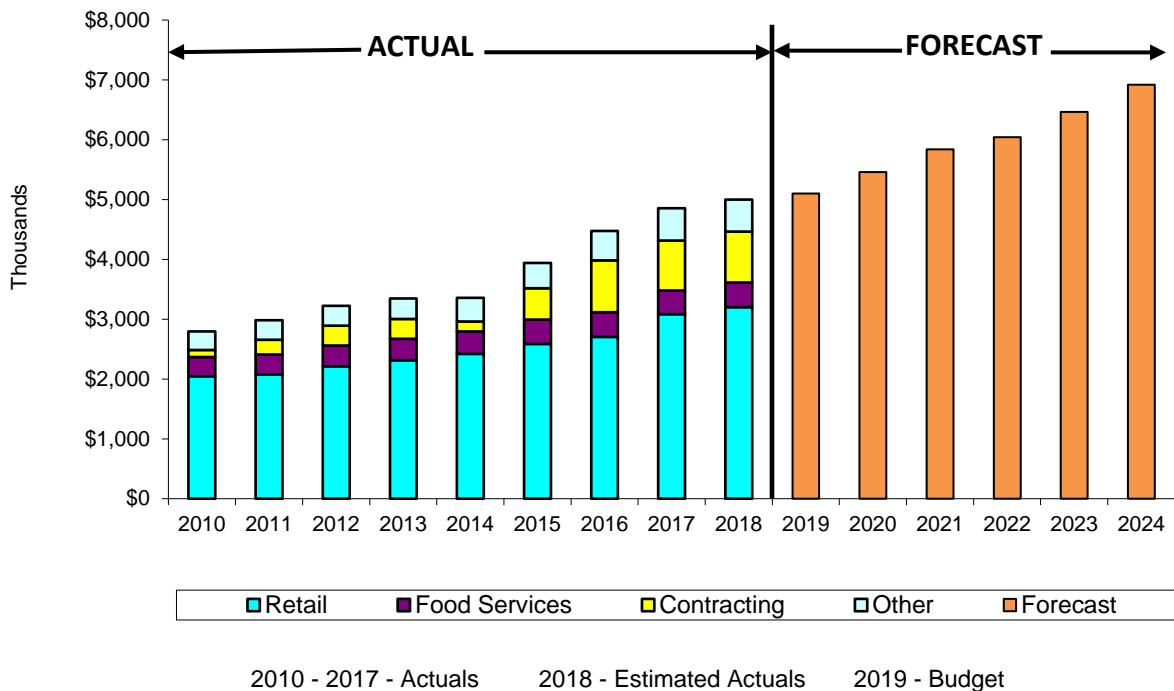
**Sales Taxes**

**General Fund**

Sales taxes are subject to fluctuation from year to year due to changes in the economy and the buying habits of consumers. Sales tax is distributed monthly to the City and is based on sales from two months previous. Revenues for 2019 are estimated at \$5,100,000 which is an increase of 2.0% from the 2018 estimated actuals. The total sales tax of 8.6% is distributed among public agencies as follows:

Sales Tax Distribution	
Agency	Tax Rate
State of Washington	6.500%
<b>City of Covington Regular Rate</b>	<b>0.425%</b>
<b>City of Covington Optional Rate</b>	<b>0.500%</b>
<b>City of Covington Criminal Justice</b>	<b>0.001%</b>
King County/METRO	0.900%
King County	0.075%
King County Criminal Justice Levy	0.099%
King County Mental Health	<u>0.100%</u>
<b>Total Sales Tax Rate</b>	<b><u>8.600%</u></b>

Sales Tax by Classifications  
For the Fiscal Years 2010 through 2024

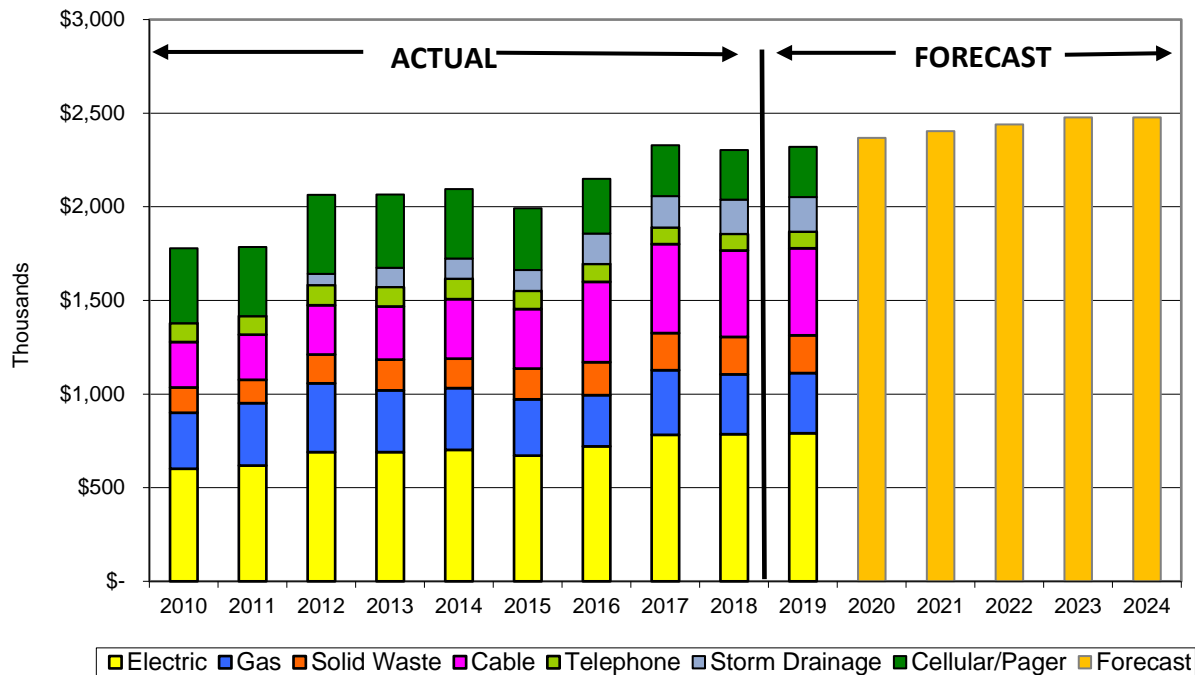


**Utility Taxes**

**General Fund**

Utility taxes are imposed on utilities such as electricity, natural gas, solid waste, cable, telephones, storm drainage, and cellular phones. In 2016, the City increased the rate for solid waste, cable, and storm drainage to 8%, while electricity, natural gas, telephones, and cellular phones remain at 6%. The new rate took effect March 1, 2016. Revenues for 2019 are estimated at \$2,319,500.

Utility Tax by Classification  
For the Fiscal Years 2010 Through 2024



2010 – 2017 Actuals      2018 - Estimated Actuals      2019 - Budget

**Criminal Justice Sales Tax**

**General Fund**

King County levies an optional 0.1% sales tax to support criminal justice programs, under authority granted by the State. This optional tax, collected by the State, is distributed as follows: 10% to the County, and the remainder to cities and towns on the basis of population. The 2019 estimate of \$530,000 is based on inflation and population growth. This tax is distributed monthly to cities.

**Real Estate Excise Tax (REET)**

**Real Estate Excise Tax Funds**

The real estate excise tax is levied on all sales of real estate. The state levies this tax at the rate of 1.28%. The City has also authorized a locally imposed tax of 0.5%, in two 0.25% increments, replacing that tax formerly levied by King County. Both increments must be spent for local capital improvements, identified under the capital facilities plan element of the City’s Comprehensive Plan. The amount of tax collected depends totally upon real estate sales activity for residential and non-residential, including new construction and economic fluctuations. The 2019 estimates are based on estimated changes in real estate prices, new residential development increases, and new non-residential development increases. Distribution occurs on the 10<sup>th</sup> of each month to cities in King County. The 2019 revenue estimate is \$982,500.

**Transportation Benefit District Vehicle Fee**

**Street Fund**

In 2016, the City adopted a \$20 vehicle license fee. The sole purpose of the funds are to provide, construct, and fund transportation improvements within the City. The fee took effect in May 2016. The 2019 revenue estimate is \$330,000.

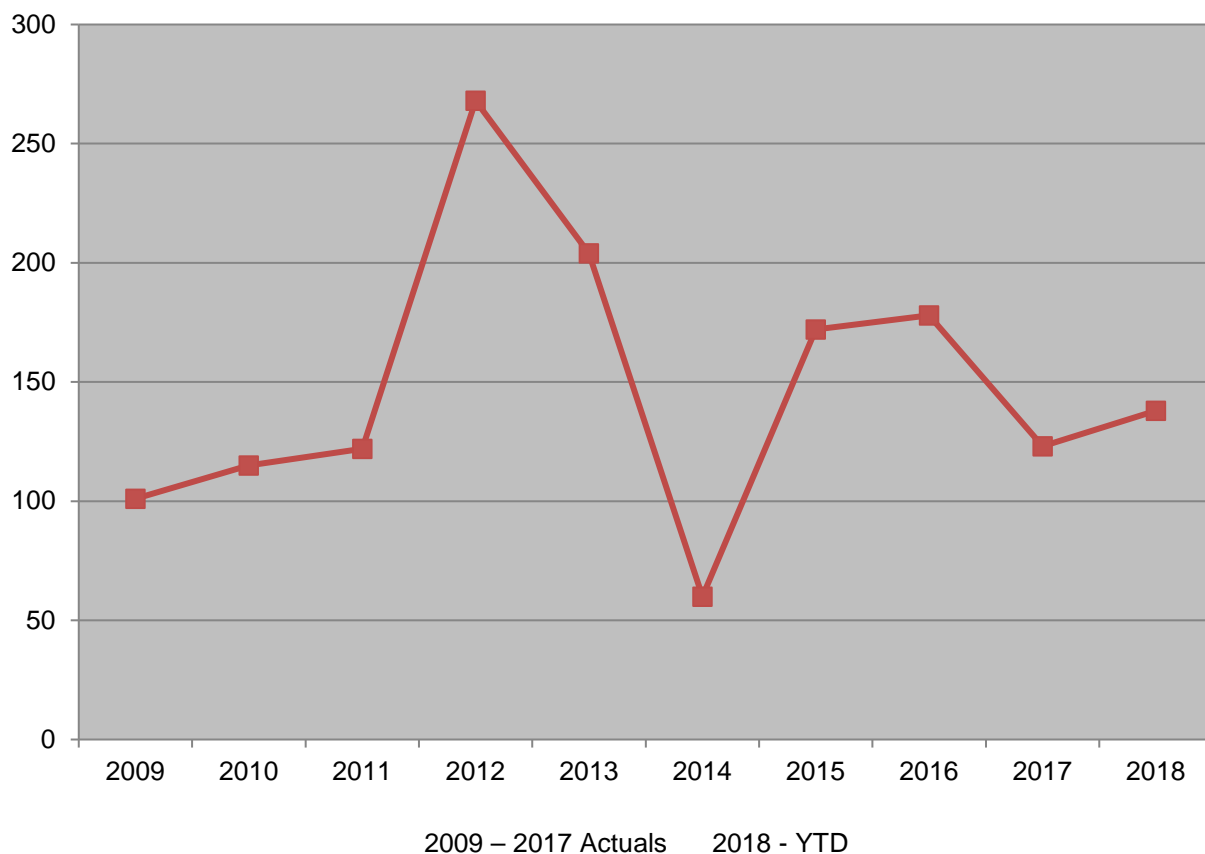
**LICENSES AND PERMITS**

**Building, Permits, Misc.**

**Development Services Fund**

Licenses and permit activities are user fees derived from various regulatory activities of the City. Building permit revenues are based on staff estimates and are applied to the Development Services Fund. In 2019, \$789,600 is estimated based on 103 new single-family permits, anticipated commercial fees, and land use revenues. A fee of \$60 is collected for business licenses from those businesses that conduct activities within the City. This fee is collected annually and is also applied to the Development Services Fund. The 2019 revenue estimate for this license fee is \$62,800. For 2019, all other permits and licenses such as sign permits, and peddler’s permits are estimated at \$10,812.

Number of Building Permits Issued  
For Fiscal Years 2009 Through 2018



**Cable TV Franchise**

**Street Fund**

Cable TV franchise fees, which are applied to the Street Fund, are based on population growth. For 2019, the estimated fees are \$259,000.

**Solid Waste Administration**

**General Fund**

In 2013, the City entered into a contract with Republic Services. For 2019, the estimated revenue is \$81,765.

**INTERGOVERNMENTAL/STATE SHARED REVENUE**

**Liquor Excise Tax**

**General Fund**

The 2019 estimate of \$103,210 is based on the City's population and per capita estimates provided by Municipal Research Services Center. This money is distributed quarterly.

**Liquor Board Profits**

**General Fund**

The State is now collecting revenue in the form of license fees from distributors and retailers. A portion of these "liquor profits" come to the City. To be eligible to receive this revenue along with Liquor Excise Taxes, a city must devote at least 2% of its distribution to support an approved alcoholism or drug addiction program, as well as enhanced public safety programs. The 2019 estimate of \$163,845 is based on estimates provided by Municipal Research Services Center. This money is distributed quarterly beginning in March.

**Motor Vehicle Fuel Tax**

**Street Fund**

State law provides that the State-levied tax on gasoline be shared with cities and towns. Of the base tax amount of 23 cents per gallon, 6.92% is redistributed to cities and towns to be used for street maintenance as well as construction, improvement, chip sealing, seal coating, and repair of arterial highways and city streets. These funds will be deposited in the Street Fund and used for the described purposes. Estimates are based on the City's population and per capita estimates provided by Municipal Research Services Center. This tax is distributed on the last day of the month. For 2019, we are estimating \$430,000.

**Criminal Justice Shared Revenues**

**General Fund**

Municipal Criminal Justice Funding has shifted from application based to a per capita distribution. Estimates are based on the City's population and per capita estimates provided by Municipal Research Services Center. For 2019, we are estimating \$66,445.

**Recycling Grants**

**General Fund**

The City partners with King County and the State of Washington in an effort to encourage recycling. The City offers events in the spring and fall of every year. Costs for these events are reimbursed to the City through the grant process. For 2019, we estimate being awarded \$46,030.

**CHARGES FOR SERVICES**

**Interfund Service Payments/Overhead**

**General Fund**

These fees are collected from other funds within the City for their percentage of General Fund services that they require. There are two interfund payments - central services overhead and interfund service payments. Central services overhead is allocated to every fund excluding the General Fund based on the number of full-time equivalents. Each fund pays their proportional share of the Central Services Department which consists of things such as the building lease, office supplies, and IT. The central services overhead payments are a direct reduction to the City's Central Services Department base budget, therefore no revenue is recorded.

The interfund service payment is for each fund's share of the assistance they receive from the Executive, Finance, Legal, and Human Resource offices. The 2019 budget is estimated at \$794,209.

**Land Use/Inspection/Engineering Fees**

**Development Services Fund**

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction or capital improvements, and for services related to the review of plans for compliance with aspects of the various codes. Fees are generally collected at a level estimated to recover the cost of the service. The 2019 budget for these fees is estimated at \$721,260.

**Parks User Fees**

**General Fund**

These fees are collected for services related to the Aquatic Center, Athletics, and Recreation programs. Athletics includes programs such as baseball, soccer, flag football, and volleyball. The 2019 revenues are estimated at \$958,300.

**Surface Water Management Fees**

**Surface Water Management Fund**

These fees are collected on developed properties within the City to maintain storm and surface water runoff in the City. These dedicated fees provide for things such as maintenance, repair, and construction of storm water facilities. The 2019 budget is estimated at \$2,580,000.

**FINES AND FORFEITURES**

**District Court, False Alarm, and Miscellaneous Fines**

**General Fund**

The City is entitled to money received in payment of fines, forfeitures, fees, costs and penalties associated with enforcement of local ordinances. Based on current collections we are estimating \$91,150 in revenue for 2019. In 2019, the City will again be utilizing King County for its court services through an interlocal agreement. As part of the agreement, King County receives 100% of revenues collected which offset providing the City court services.

**MISCELLANEOUS**

**Technology Surcharge**

**General Fund**

These fees are collected for services related to the issuance of permits for both residential and commercial aspects of construction. The estimate for 2019 is \$37,000.

**Parks User Fees**

**General Fund**

These miscellaneous fees are collected for locker rentals, pool rentals, concessions, etc. The 2019 revenues are estimated at \$111,000.

**Interest Income**

**All Funds**

The City will receive interest on cash balances through investment of public funds as allowed by law. The amount received will vary with interest rates, types and duration of investments, and the amount of cash available for investment during any particular budget year. The overall 2019 estimate of \$158,700 is based on annualized 2018 data, economic outlook, and the assumption that fund balances available for investing will be at 2018 levels.

**City of Covington  
Estimated Property Tax  
2019**

2018 Levy Amount=	\$	2,731,263
	x 1.0%	27,313
Increase in utility value		-
Plus: New Construction		23,804
Plus: Annexation Levy		-
Relevy for prior year refunds		-
<b>2019 Property Tax Levy</b>	<b>\$</b>	<b><u>2,782,380</u></b>

**Assessed Valuation**      \$                      **2,705,228,996**

2019 Estimated Levy Rate=      \$                      1.02852

<b>EXAMPLE</b>	
<b>Home value</b>	<b>Tax Amount</b>
\$ 383,611	= \$ 395

	2018		2019		% change
Assessed Value	\$ 2,468,206,903.00		\$ 2,705,228,996.00		9.6030%
Tax Levy	\$ 2,748,267.00		\$ 2,782,379.63		1.24%
Levy Rate	\$ 1.11810		\$ 1.02852		-8.01%
Home value	\$ 350,000.00		\$ 383,610.53		9.60%
Tax Assessment	\$ 391.34		\$ 394.55		0.82%



## Agenda Item 2

Covington City Council Meeting

Date: October 23, 2018

SUBJECT: PUBLIC HEARING, RECEIVE COMMENTS, AND CONSIDER ORDINANCE ON ZONING REGULATIONS IN THE COVINGTON MUNICIPAL CODE REGARDING TEMPORARY AND PERMANENT SIGNS.

RECOMMENDED BY: Covington Planning Commission  
Richard Hart, Community Development Director  
Kathy Hardy, City Attorney  
Salina Lyons, Principal Planner  
Brian Bykonen, Senior Planner

ATTACHMENT(S):

1. Ordinance 08-2018- Proposed ordinance amending regulations in the Covington Municipal Code (CMC) related to signs with Exhibits:
  - a. Exhibit A. Repeal and replace CMC 18.55-Signs in its entirety
  - b. Exhibit B. Repeal CMC 18.31.140-Sign Requirements in its entirety and associated amendments in CMC 18.20 and CMC 18.110

PREPARED BY: Richard Hart, Community Development Director  
Salina Lyons, Principal Planner  
Brian Bykonen, Senior Planner

EXPLANATION:

### Background

In 2015, the US Supreme Court issued a decision in *Reed v. Town of Gilbert*, (the “Decision”) a suburban city in the Phoenix, Arizona metropolitan area, that has provided new guidance for all cities and counties across the country regarding sign regulations. At question is the major issue of content-neutrality of local jurisdiction’s sign regulations, both temporary and permanent. City staff has been working on revisions to CMC 18.55 – Signs since the 2015 decision was issued. Several study sessions were held with the city council in 2015 to develop the goals, objectives, and purpose of new sign regulations, which is an important step required by the US Supreme Court decision to lay the framework for a content-neutral sign code. Another study session was held with the city council in 2016 to establish an interim sign code to replace CMC 18.55, to be used while the final sign code was completed. The interim sign code was extended several times since 2016 and is in effect through November 9, 2018.

The interim sign code is written with the intent to be highly defensible based on the Decision. The more content-neutral the sign regulation, the less risk the city has of being challenged on regulating content. However, developing content neutral sign regulations presents a difficult challenge given the variety of types of signs and locations where they could be permitted such as in public right-of-way and on private property. There is also the issue of balancing rights afforded under the First Amendment (free speech) and already established laws such as for signs used for political purposes. It should be

noted that the interim code allows all noncommercial message signs, such as signs by political candidates and organizations, religious institutions, philosophical viewpoints, public events, or non-profit agencies to be placed in the public right-of way, subject to limited sign time, place, and manner requirements and safety standards. However, the interim code does not allow any temporary commercial signs within public right-of-way (including signs for properties for sale or lease). As explained below, a few of the existing interim regulations have been amended based on feedback from the planning commission and public comment.

City staff and the planning commission have been working to establish a final sign code that balances the Decision with what kind of signs that are permitted and where they can be placed. In an effort to simplify the discussion, sign regulations should be narrowly construed to evaluate them based ONLY on commercial and non-commercial time, place, and manner.

### **Planning Commission Recommendation/City Council Public Hearing**

At the September 20, 2018 regular planning commission meeting, the commission held its required public hearing on the proposed final sign regulations that will govern all types of signs, both temporary and permanent, in the city.

The planning commission's recommendations are incorporated into the final sign code (Attachment 1-Exhibit A) for the city council's public hearing. The final sign code applies to permanent and temporary signs within the city on private and public property including public right-of way. Tonight's public hearing is to allow a second opportunity for public input before the council prior to your deliberation and decision on the final sign code.

### **Summary of Major Changes for Duration of Temporary Commercial Signs in the Public Right-of-Way (ROW), including Signs for Properties for Sale or Lease**

Regulations applicable to temporary signs in the public ROW are drafted to provide flexibility for when signs can be displayed, while still providing accountability for how long a sign can be displayed. Information on time, place, and manner of temporary commercial signs is found on page 23, in Section 18.55.190 (1)(b). The proposed code provisions help to simplify code enforcement and does not require substantial updates to the city's permit system for processing temporary signs.

### **Summary of Major Issues Related to Temporary Commercial Signs in the ROW**

As stated in the Background section, under the interim sign code, temporary commercial signs were not permitted in the public ROW. It was concluded that this provision was not justifiable; therefore, it became the focus of the planning commission to develop code language governing the allowance of temporary commercial signs in the public right-of-way.

Temporary commercial signs include signs for retail stores, food establishments, fuel stations, and properties for sale or lease, etc. The sign regulations are content-neutral, so the city can't read the sign for enforcement purposes, rather the city determines if the sign meets the regulations pertaining to the number, location, size, height, and duration of display for the commercial temporary sign- known as the "time, place, and manner" provisions. Outlined below is a summary of the time, place, and manner provisions, as proposed by the planning commission. The intent is to provide business and citizens flexibility in their ability to have temporary signs, to keep the city's administration process efficient, and not to overly burden the 1 FTE code enforcement officer with hours of sign enforcement.

### **Time, Place, and Manner proposed regulations-Temporary Commercial Signs:**

1. Number of temporary commercial signs allowed in the public ROW: 6 Allowed; p. 23; Section 18.55.190 (1) (b) (i)
2. Type of temporary commercial signs allowed in the public ROW: Lawn and Portable (A-frame); p. 24; Section 18.55.190 (1) (c)
3. Duration (days) of temporary commercial signs allowed in the public ROW: Up to seven days a week; p. 24; Section 18.55.190 (1) (b) (iii)
4. Duration (time) of temporary commercial signs allowed in the public ROW: Sunrise to Sunset, and only when an owner, agent, or employee is on-site, and the open house, business, or event is open to the public; p. 23; Section 18.55.190 (1) (b) (ii)
5. Size of temporary commercial signs allowed in the public ROW: 12 sq. ft. total & 6 sq. ft. per face, Height less than 3 ft.; p. 24; Section 18.55.190 (1) (h)
6. Location of temporary commercial signs allowed in the public ROW: ROW except for medians, roundabouts, utility poles, fences, sidewalks, and trees; p. 24; Section 18.55.190
7. Permit Required: Yes, but actual fee, if any, for permits to be determined later by city council with fee resolution; p. 24; Section 18.55.190 (1) (b) (iv)

### **Issue of Permitting and Fees for Temporary Commercial Signs in the ROW**

Staff is requesting that city council provide direction regarding the temporary sign permit process and associated fee as follows. The planning commission made no recommendation and left the decision to the city council to decide which policy approach is best.

**Temporary Commercial Sign in Public ROW Permit Fees:** The city currently has a temporary sign permit fee of \$150, plus \$40 technology surcharge, which is equivalent to 1 hour of staff time. However, the current fee and application does not apply to all temporary signs (based on previous exemptions such as real estate signs). If the current fee is applied, temporary commercial signs placed in public ROW will be required to get a permit and pay the fee. Alternatively, the council could choose to waive the temporary sign fee in 2019, with the option to assign a fee for 2020 during the fee resolution update. With either approach, staff would monitor the costs of administering temporary commercial sign permits and report back to the council after a year of operation for adjustment of fees at the end of 2019.

**Temporary Commercial Sign in Public ROW Permitting Process:** Without a permitting process, there is no reasonable method for enforcement. One option would be to require an annual permit from each business that wants to locate a temporary commercial sign in the right-of way and provide a sticker for each of the six signs allowed under the proposed code. The business would place the sticker on the sign and then locate and remove the temporary sign according to the location, time, and duration provisions of the code. The stickers would be numbered and tracked by permit services and code enforcement. If a temporary commercial sign has a valid sticker, it is a legal sign. If the sign fails to

have a valid sticker, then it is an illegal sign and would be removed. The only question council must decide relates to businesses with multiple locations or multiple business agents in the case of real estate sales. Should the business be required to obtain one permit or should each agent or business location be required to obtain a permit. Real estate firms might have 5-10 different agents desiring temporary signs for sales and open houses with each agent obtaining six stickers for their temporary signs. Retail businesses might have 2 or 3 different locations of the same business in the case of coffee shops. The planning commission made no recommendation and left the decision to the city council to decide which policy approach is best. Again, staff would track the time and cost involved during the first year for such a permitting system and provide a report to council for modification of the permitting process at the end of 2019.

### **Issues of Banners across Public ROW, on Light Poles, and String Lights on Trees**

1. Page 24; Section 18.55.190 (2) (a)  
Allows a non-commercial banner sign erected across 272<sup>nd</sup> on city poles, only by city crews.
2. Page 24; Section 18.55.190 (2) (b)  
Allows non-commercial banner signs erected on street light poles.
3. Page 25; Section 18.55.190 (2) (c)  
Allows non-commercial string lights on trees in the right-of-way year-round.

### **Issue of New Section for a Comprehensive Sign Program and Permit Process**

Page 10-14; Section 18.55.080.

Allows a new section for a Comprehensive Sign Program (“CSP”) and permitting process, as an alternative to the requirements as set forth in Articles III and IV of the sign code. The CSP regulations provide a permit process where special consideration can be given to signs within a development that uses such a comprehensive and unique sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property. Examples include master plan developments, commercial development, and subdivisions, including the marketing and real estate sales of said developments. The city would allow deviations from the requirements of the sign code consistent with the criteria listed in subsection (5) of CMC 18.55.080 and subject to limitations for exceeding the normal regulations.

### **Outside Review of Draft Sign Code**

Prior to the final recommendation by the planning commission staff submitted the proposed final sign code to Kenyon Disend, a private law firm, experienced in such code regulation. Additionally, staff submitted the proposed final sign code for review and comment by the International Sign Association. Some of the comments and suggestions from both entities were incorporated into the final code presented to the planning commission and city council.

### **Next Steps & Final Action**

Based on tonight’s public hearing and discussion, the city council could make a final decision. If the council wants further information from city staff or any major modifications to the text of the code, they could continue a final decision for two weeks until the next meeting on November 13, 2018, or other date as determined by the city council.

Recommended motion: Move to approve and adopt the amended sign code CMC 18.55, with any appropriate minor changes.

Alternative motion: Move to continue the council discussion and final approval to a future meeting date to allow staff to make any requested modifications and changes.

FISCAL IMPACT:

Staff time to respond to inquiries and then administer and enforce the new sign regulations.

CITY COUNCIL ACTION:     Ordinance     Resolution     Motion     Other

**Councilmember \_\_\_\_\_ moves, and councilmember \_\_\_\_\_ seconds, to pass an ordinance, in substantial form as that presented, adopting new sign regulations governing both temporary and permanent signs in the City of Covington.**

REVIEWED BY:    City Manager; City Attorney; Finance Director; and Community Development Director

# ATTACHMENT 1

## ORDINANCE NO. 08-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, RELATING TO BOTH PERMANENT AND TEMPORARY SIGNS; ADMINISTRATION, PERMITTING, AND ENFORCEMENT; REPEALING AND REPLACING CHAPTER 18.55; REPEALING SECTION 18.31.140; ALONG WITH ASSOCIATED AMENDMENTS OF CHAPTERS 18.20 AND 18.110; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in June of 2014, the city council considered policy issues for temporary signs in the city and whether to adopt the same regulations for all temporary signs or to adopt different regulations for temporary commercial signs and temporary non-commercial signs;

WHEREAS, in 2015 the US Supreme Court issued a decision in *Reed v. Town of Gilbert* that has provided guidance for all cities and counties in revising and updating their sign codes; and

WHEREAS, in October of 2015, the city council reviewed the US Supreme Court's decision in *Reed v. Town of Gilbert* and concluded that local government regulation of signs was not merely a land use issue, but should be viewed as a regulation of speech issue;

WHEREAS, in October of 2015, the city council reviewed the city's entire sign code to determine what provisions would pass strict or intermediate scrutiny under the recent US Supreme Court decision of *Reed v. Town of Gilbert*;

WHEREAS, in October of 2015, the city council concluded they would redraft the City of Covington sign code to be compliant with *Reed v. Town of Gilbert*;

WHEREAS, in October of 2015, the city council concluded that the foundation of a constitutional sign code must include specific goals, policies, and objectives as well as a substantial purpose statement, and the goals, policies, objectives, and purpose statement will guide the development of the sign standards and specifications as well as the administration and enforcement of the sign code;

WHEREAS, in October of 2015, the city council began a process of discussing the city's character and vision related to regulation of both temporary and permanent signs;

WHEREAS, in October of 2015, the city council held several study sessions and exercises to solicit from city councilmembers general core values and objectives for the community, including the time, place, and manner regulations for various types of signs they viewed as acceptable for the character of the City of Covington that would then guide writing the purpose provision for the city's new sign code;

WHEREAS, in October of 2015, the city council concluded that sign regulations should serve multiple purposes, including promotion of economic development, providing for discussion of community and neighborhood values, promotion of high quality aesthetics and design of signs for development, promotion of traffic safety, providing a forum for presentation of city sponsored events, and finally provision of free speech for a variety of political, religious, and individual values and viewpoints;

WHEREAS, in 2016, the city staff held several working sessions with the planning commission to review potential regulation of signs under the provisions of *Reed v. Town of Gilbert* and to provide input to the city council to be used in their decision-making on a new sign code;

WHEREAS, in October of 2016, the city council held a study session to review potential sign regulations relating to temporary signs, with both a commercial or non-commercial message; recognizing the major need for content neutrality within the city's sign regulations;

WHEREAS, in October of 2016, the city council reviewed previously established goals, policies, objectives, and purpose statements to lay the framework for content neutral sign code provisions;

WHEREAS, on October 26, 2016, the city council held a public hearing, received testimony, and adopted interim regulations governing both temporary and permanent signs;

WHEREAS, on May 9, 2017, after interim sign regulations had been in place for 6 months, the city council, after a public hearing, continued the interim sign code regulations for both temporary and permanent signs for an additional six months, to conduct additional public outreach and study by the planning commission on how other communities were governing signs under *Reed v. Town of Gilbert*;

WHEREAS, on October 24, 2017, after interim sign regulations had been in place for 12 months, the city council, after a public hearing, continued the interim sign code regulations for an additional six months, as the planning commission had held several study sessions and an open house to solicit public input on the interim sign code regulations and determined more research and input was necessary;

WHEREAS, on April 24, 2018, after interim sign regulations had been in place for 18 months, the city council, after a public hearing and input from the planning commission, continued the interim sign code regulations for an additional six months to allow city staff to draft the final sign code regulations governing both temporary and permanent signs that will be in compliance with the US Supreme Court decision under *Reed v. Town of Gilbert*;

WHEREAS, on September 20, 2018, the planning commission held a public hearing to receive public testimony from members of the public, weighed the testimony received as part of their decision, and made a final recommendation to the city council;

WHEREAS, on October 23, 2018, the city council held a public hearing, heard public testimony, and weighed the testimony received as part of their final decision; and

WHEREAS, nothing in this ordinance is intended nor shall be construed to authorize or approve of any violation of federal or state law.

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

Section 1. Findings of Fact. In accordance with RCW 36.70A, which authorizes the city council to adopt development regulations to implement Comprehensive Plans, including provisions for signs, the “WHEREAS” clauses set forth above are hereby adopted as the city council’s findings of fact in support of new sign regulations for both permanent and temporary signs imposed by this ordinance. The city council may adopt additional findings if additional evidence is presented to the council.

Section 2. Repeal & Replace Chapter 18.55. Chapter 18.55 of the Covington Municipal Code is hereby repealed and replaced in its entirety as set forth in Exhibit A.

Section 3. Repeal Section 18.31.140. Section 18.31.140 of the Covington Municipal Code is hereby repealed in its entirety as set forth in Exhibit B.

Section 4. Associated Amendments. The following list of chapters of the Covington Municipal Code are amended as set forth in Exhibit B: CMC 18.20 and 18.110 and are incorporated herein by reference.

Section 5. Conflict. In the event there is a conflict between the provisions of this ordinance and any other city ordinance, the provisions of this ordinance shall control.

Section 6. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. Corrections. Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.



Section 8. Effective Date. This ordinance shall be in full effect on November 1, 2018, which is more than 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.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON,  
WASHINGTON, at a regular meeting thereof this 23<sup>th</sup> day of October 2018.

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Mayor Jeff Wagner

EFFECTIVE: November 1, 2018

PUBLISHED: October 26, 2018

ATTESTED:

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Sharon Scott, City Clerk

APPROVED AS TO FORM:

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Kathy Hardy, City Attorney

**\*\*Draft Permanent Sign Code\*\* v.4**  
**09/27/2018**

**CHAPTER 18.55**  
**SIGNS**

Sections:

Article I. General Provisions

- 18.55.010 Intent and purpose.**
- 18.55.020 Applicability and exclusions.**
- 18.55.030 Interpretation.**
- 18.55.040 Definitions.**

Article II. Administration

- 18.55.050 Prohibited signs.**
- 18.55.060 Sign permits – Exemptions.**
- 18.55.070 Sign permits – Temporary signs.**
- 18.55.080 Comprehensive Sign Program.**
- 18.55.090 Sign permits – Permanent signs.**
- 18.55.100 Sign variances.**
- 18.55.110 Maintenance – Removal.**
- 18.55.120 Nonconforming signs.**
- 18.55.130 Compliance and enforcement.**

Article III. Regulations for Temporary Signs

- 18.55.140 Temporary signs – General regulations.**
- 18.55.150 Temporary signs – Residential properties.**
- 18.55.160 Temporary signs – Mixed use properties.**
- 18.55.170 Temporary signs – Institutional properties.**
- 18.55.180 Temporary signs – Commercial properties.**
- 18.55.190 Temporary signs – ROW and public spaces.**
- 18.55.200 Temporary signs – Other properties.**

Article IV. Permanent Signs – Regulations

- 18.55.205 Permanent signs – Applicability of regulations.**
- 18.55.210 Permanent signs – Structural components.**
- 18.55.220 Permanent signs – Placement.**
- 18.55.230 Permanent signs – Design criteria.**
- 18.55.240 Permanent signs – Residential properties.**
- 18.55.250 Permanent signs – Nonresidential properties – Freestanding signs.**
- 18.55.260 Permanent signs – Nonresidential properties – Building-mounted signs.**

**ARTICLE I: GENERAL PROVISIONS**

- 18.55.010 Intent and purpose.**
- 18.55.020 Applicability and exclusions.**
- 18.55.030 Interpretation.**
- 18.55.040 Definitions.**

**18.55.010 Intent and purpose.**

(1) Intent. Signs have a strong visual impact on the character and quality of our community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for our community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this chapter is to protect and enhance both the City’s residential character and its economic base using appropriate and aesthetic signage.

(2) Purpose. The purpose of this chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements that:

- (a) Promote and accomplish the goals and policies of the City’s comprehensive plan and zoning code, and the City council’s vision, mission, and goals statement;
- (b) Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs;
- (c) Recognize free speech rights by regulating signs in a content-neutral manner;
- (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to cluttered, distracting, and/or illegible signage;
- (e) Promote a positive visual image of the City and protect the beauty of the City’s built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size

of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses;

- (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape;
- (g) Provide consistent sign design standards;
- (h) Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district;
- (i) Provide an improved visual environment for the citizens and visitors of the City;
- (j) Adopt clear, understandable regulations that will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this chapter;
- (k) Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community and family, the environment, and public infrastructure;
- (l) Support and enhance the economic well-being of all businesses within the City and recognize the needs of all businesses to identify their premises and advertise their products and services; and
- (m) Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs detracts from the economic value of the community.

**18.55.020 Applicability and exclusions.**

- (1) Applicability. This chapter applies to all signs within the jurisdictional limits of the City, regardless of the type or nature.
- (2) Exclusions. The following are exempted from the regulations and requirements of this chapter, but may be subject to regulation under other portions of the CMC:
  - (a) Signs that are not visible from any public right-of-way, public space, or another property.
  - (b) Signs inside a building; however, signs inside windows are not exempt.
  - (c) Signs required by local, state, or federal law if the sign is no more than 32 square feet in area or is painted directly on a pavement.
  - (d) Signs installed by a City, County, State, or Federal governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
    - (i) Emergency and warning signs necessary for public safety or civil defense;

- (ii) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
  - (iii) Signs required to be displayed by law;
  - (iv) Signs showing the location of public facilities; and
  - (v) Any sign, posting, notice, or similar sign placed by or required by a governmental agency.
- (e) Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from a public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to CMC 18.55.050.
- (f) Public art, as defined by CMC 18.55.040.
- (g) Utility art/wrap on utility boxes/equipment displaying noncommercial copy only.
- (h) Temporary signs located on fences for screening of a construction site, as long as there is an active development permit, grading permit, or building permit approval that includes external work or modifications of the site.
- (i) Historic or memorial plaques and gravestones.
- (j) String lights on private property.
- (k) Signs placed on, worn by, or held by a person.

**18.55.030 Interpretation.**

- (1) This chapter is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
- (2) No part of this chapter shall be construed to favor commercial speech over noncommercial speech.

**18.55.040 Definitions.**

The following words, terms, and phrases, when used in this chapter shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word, term, or phrase used in this chapter that is not defined in this section shall have the meaning ascribed to it in Chapter 18.20 CMC. Any word, term, or phrase used in this chapter that is not defined in this section or Chapter 18.20 CMC shall have their normal dictionary meaning:

“Abandoned sign” means any sign remaining in place after such sign has not been maintained, or if the activity conducted on the subject property ceases, for 180 or more consecutive days.

“Animated sign” means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or that uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, flashing signs, inflatable signs, rotating signs, pennants, streamers, balloons, searchlights, spinners, and propellers.

Changeable copy signs and electronic changeable copy signs are not considered animated signs for the purposes of this chapter.

“Athletic field” means facilities used for sporting activities such as softball, baseball, football, soccer, running track, tennis, and other non-motorized sports. Athletic fields may include bleachers, concession stands, lights, restrooms, and other supporting facilities.

“Awning or canopy sign” means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.

“Banner” means a sign composed of flexible material, such as fabric, pliable plastic, or other similar non-rigid material, with no enclosing framework or electrical components and that is supported or anchored on two (2) or more edges or at all four (4) corners, or along either one (1) edge or two (2) corners with weights installed that reduce the reaction of the sign to wind.

“Building-mounted signs” means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.

“Canopy sign.” See “awning or canopy sign.”

“Changeable copy sign” means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts. A sign on which the copy changes more than eight (8) times in a 24-hour period shall be considered an electronic changeable copy sign, and not a changeable copy sign, for the purposes of this chapter.

“Commercial sign” means any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

“Comprehensive Sign Plan.” (CSP) A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles, and sign types of all signs to be installed on a site.

“Copy” means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.

“Electric sign” means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

“Electronic changeable copy sign” means an electronically activated sign with a copy that is changed, either in whole or in part, more than eight (8) times in a 24-hour period by means of electronic programming.

“Exposed building face” means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant’s leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade and the roofline. This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the

exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finish grade and the roofline that is shown on the elevation drawing submitted with the required drawings for a building permit.

“Flag” means any piece of cloth of individual size, color, and design, hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times (3x) greater than any other single dimension, for the purposes of this chapter such a flag is classified and regulated as a banner, regardless of how it is anchored or supported.

“Flashing sign” means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts, or switches on and off in a constant pattern (e.g. strobe lights). Changeable copy signs and electronic changeable copy signs are not considered flashing signs for the purposes of this chapter.

“Freestanding sign” means a sign on a frame, pole, or other support structure that is not attached to any building.

“Frontage, building” means the length of an outside building wall.

“Frontage, property” means the length of the property line along the public right-of-way or private street on which it borders.

“Graffiti” means writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in public right-of-way or public space, or on a private property viewable from a public right-of-way, public space, or another private property.

“Height” means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

“Illuminated sign” means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

“Inflatable sign” means any object enlarged or inflated that floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphics. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.

“Institutional property” means property developed as governmental, educational, health, cultural and recreational centers, places of worship, and cemeteries. They may include government owned and operated facilities or be privately owned and operated.

“Kiosk” means a small structure in a public area used for providing information, often incorporating an interactive display.

“Lawn sign” means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation

or other anchors.

“Maintenance” means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

“Marquee sign” means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

“Monument sign (ground sign)” means a freestanding sign having the appearance of a solid base that is 100% or greater of the sign face width, made of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, which are harmonious with the materials of the primary structure on the subject property.

“Multi-tenant complex” means a complex containing two (2) or more uses or businesses.

“Neon (outline tubing) sign” means a sign consisting of glass tubing, filled with neon gas or other similar gas, which glows when an electric current is sent through it.

“Noncommercial sign” means a sign which contains no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to, signs expressing political views, religious views, or information about and/or announcements of non-profit organizations.

“Nonconforming sign” means any sign that was constructed, erected, and maintained in conformance with all King County or City of Covington rules and regulations in effect at the time the sign was established and that no longer conforms to the rules and regulations of this chapter.

“Pedestal sign” means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than 50% of the sign width.

“Pole or pylon signs” means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases are less than 50% of the sign width.

“Portable sign” means a sign that is not permanently affixed and that is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Portable signs include, but are not limited to, A-frame signs, portable reader boards, lawn signs, and similar signs.

“Projecting sign” means a sign, other than a wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

“Public art” means original artwork that is accessible to the public and/or public employees and has been approved as public art by the City.

“Right-of-way” means land owned, dedicated, or conveyed to the public and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.



“Roadway” means the portion of a street that is improved for motor vehicle or bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.

“Roofline” means that lowest portion of a pitched or flat roof visible from a public right-of-way or adjacent property.

“Rotating sign” means a sign that revolves on a fixed axis.

“Sign area” means the entire area of a sign on which copy is placed, excluding the sign’s structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the copy; provided, however, that separated copy using a canopy, awning, or wall as the background and that is without added decoration or change in the canopy, awning, or wall shall have a sign area calculated by measuring the perimeter enclosing the separate copy and totaling the square footage of all such perimeters included as part of the sign.

“Sign face” means the area of a sign on which the copy is placed.

“String light” means small electric lights spaced evenly along a cable and used for decoration.

“Temporary sign” means any sign not permanently affixed or attached to the ground or a structure.

“Tenant space” means a portion of a structure occupied by a single commercial leaseholder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

“Vacant lot” means any parcel of land that is without a primary use or structure.

“Wall sign” means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially parallel to and extending not more than 12 inches from the wall of a building.

“Window signs” mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure.

## ARTICLE II: ADMINISTRATION

<b>18.55.050</b>	<b>Prohibited signs.</b>
<b>18.55.060</b>	<b>Sign permits—Exemptions.</b>
<b>18.55.070</b>	<b>Sign permits—Temporary signs.</b>
<b>18.55.080</b>	<b>Comprehensive Sign Program.</b>
<b>18.55.090</b>	<b>Sign permits—Permanent signs.</b>
<b>18.55.100</b>	<b>Sign variances.</b>
<b>18.55.110</b>	<b>Maintenance; removal.</b>
<b>18.55.120</b>	<b>Nonconforming signs.</b>
<b>18.55.130</b>	<b>Compliance and enforcement.</b>

### **18.55.050 Prohibited signs.**

Unless otherwise provided for in this chapter, no person shall erect, alter, maintain, or relocate any of the following signs in the City and such existing signs must be removed:

- (1) Animated signs. Any animated sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (2) Nuisance signs. Any signs that emit smoke, visible particles, odors, and/or sound, except that speakers in signs on the premises of a drive-through facility shall be allowed.
- (3) Hazardous signs. Any sign that is dangerous or confusing to motorists and pedestrians, including any sign that by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or that otherwise impedes the safe and efficient flow of traffic.
- (4) Impediment to access. No sign may impede free ingress and egress from any sidewalk, pedestrian walkway, door, window, or exit way required by building and fire regulations.
- (5) Portable signs on wheels (trailer signs) and outdoor electric portable signs.
- (6) Abandoned signs as defined by CMC 18.55.040.
- (7) Signs within the public right-of-way, public property, public easements or structures, including but not limited to, medians, roundabouts, sidewalks, utility poles and cabinets, street light poles, traffic poles and signals, and street trees, except as allowed pursuant to CMC 18.55.190.
- (8) Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of serving as a sign not otherwise allowed by this chapter.
- (9) Graffiti.
- (10) Signs without a proper permit. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.
- (11) Sound. No sign shall emit any sound that is intended to attract attention beyond the boundaries of the lot on which it is located or that creates a public nuisance.

**18.55.060 Sign permits—Exemptions.**

The following signs, and activities relating to signs, are exempt from the permitting requirements of this chapter:

- (1) Changes to the face or copy of changeable copy signs, digital signs, and electronic copy signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- (2) The normal repair and maintenance of conforming or legal nonconforming signs.
- (3) Temporary signs meeting the requirements in this chapter, except for those required to be permitted pursuant to CMC 18.55.070.
- (4) Any signs required to be posted pursuant to the Covington Municipal Code or any other local, state, or federal regulation.
- (5) Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to CMC 18.55.050.

**18.55.070 Sign permits—Temporary signs.**

- (1) Permit Required. No person shall erect, alter, or relocate any temporary sign without first receiving an approved temporary sign permit from the City pursuant to the requirements herein, unless the temporary sign is exempt from permitting requirements in accordance with Article II of this chapter.
- (2) Review Type. The review and approval of temporary sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.
- (3) Application. Applications for temporary sign permits shall be submitted to the City on forms provided by the City.
- (4) Fee. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of each temporary sign permit application.

**18.55.080 Comprehensive Sign Program.**

(1) Comprehensive Sign Program. A comprehensive sign program (CSP) may be approved as an alternative to the requirements set forth in Articles III and IV. The purpose of a CSP is to provide flexibility and promote superior sign design and wayfinding. The CSP is intended to provide a process where special consideration can be given to multiple signs that are looked at comprehensively in relation to each other and their context in the overall development with an expectation of high quality design and a holistic approach demonstrating the integration of signage into the development and buildings on the subject property. This flexibility is offered in exchange for a coordinated program of signage to ensure a higher standard of design quality for such signs. The flexibility in size type and location of signs is not a matter of right, and a proposed CSP must be reviewed pursuant to the provisions of this section 18.55.080. The City may allow deviations from the requirements of this chapter consistent with the criteria listed in subsection (5) of this section.

- (2) Applicability. A CSP may be submitted for the following uses and developments:

- (a) Multi-tenant building or complex;
  - (b) Single use building over 100,000 sq. ft.;
  - (c) Hospitals, including stand-alone emergency room centers;
  - (d) Approved subarea plans; and
  - (e) Residential subdivisions and short plats where newly constructed dwellings are currently for sale or lease.
- (3) Review Process. An application for a CSP under this section will be reviewed and decided upon by the Community Development Director. Prior to issuing a decision, the Community Development Director may consult, at the applicant's expense, with the City's architectural review consultant.
- (4) Design Standards.
- (a) Illumination. Illumination shall reduce light trespass.
  - (b) The design of the components shall use the architectural style of the development being identified. Features to be using in designing the structural components include colors, materials, textures, and shapes of the developments architecture.
- (5) Application Requirements. A complete CSP application shall consist of the following:
- (a) Application form. A completed CSP application shall be submitted to the City on a form provided by the City. If the applicant is not the property owner(s), then the property owner must be identified, and the application must include an affidavit from the property owner(s), verifying that the property owner has given permission to the applicant for the submission of the CSP application.
  - (b) Narrative. The application shall include a narrative and plans that identify how the CSP meets the review criteria in CMC 18.55.080(6).
  - (c) Site Plan. A site plan drawn to scale showing existing and proposed buildings, off-street parking areas, internal circulation, landscaped areas, storm drainage facilities, critical areas, public spaces, adjoining streets, pedestrian pathways, sidewalks, and trails.
  - (d) Building elevation(s). Signs proposed to be mounted on a building require a building elevation(s) drawn to scale that specifies the locations and dimensions of the signs and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.
  - (e) Scaled design drawing. Design descriptions of all signs including allowable sign type, shapes, size of typography, lighting, exposed structures, colors, and materials, and any information on the

- frequency of changeable graphics, if applicable. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.
- (f) Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction, and method of attachment, including all hardware necessary for proper sign installation.
  - (g) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawings shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.
  - (h) Calculations. Calculations of the proposed sign area and number.
  - (i) Site specific CSP design. The CSP shall include design guidelines to ensure that all features of proposed signage, including the illumination, support structure, color, lettering, height and location shall be designed so that it will be an attractive and complementary feature of the building and/or development which it serves.
  - (j) Fees. The applicable permit application fee, pursuant to the City's current fee resolution in effect at the time of application, shall be paid upon submission of the CSP application.
- (6) Criteria for Approval. The City may approve a CSP if:
- (a) Placement. All signs shall be placed where they are visible and legible. Factors to be considered include its location relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall signs may be approved on building walls other than the wall of the space occupied by the tenant in commercial centers in which some tenants have little or no visibility from the street. A sign may be ground or wall mounted or designed into and constructed as part of an integrate architectural feature of a building.
  - (b) Lighting. Signs shall not be oriented or illuminated so that they adversely affect the surround area, particularly existing nearby residential uses or structures.
  - (c) Quantity. The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and way finding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development.
  - (d) Size. All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display. In no event shall a CSP contain a freestanding sign that exceeds by more than 50% any maximum height standard permitted by this chapter. Consistent with the exemptions set forth in this chapter,

there shall be no limit on the amount by which a CSP may allow a freestanding sign to exceed the height restrictions permitted on the site when the freestanding sign is placed or oriented so as to be visible only internally to the development. In no event shall a CSP contain a wall sign that exceeds by more than 25% any maximum size (area) standard permitted by this chapter.

(e) Design Features and Materials.

(i) The CSP shall exhibit design excellence, inventiveness, and sensitivity to the context.

(ii) High quality and thought through signage design, placement, and wayfinding is demonstrated as part of the CSP.

(iii) Sign design themes and materials shall be compatible with the architecture, colors, and materials of the associated development. Sign design should reflect the existing or desired character of the area.

(iv) Signs shall be professionally designed and fabricated from quality, durable materials.

(f) Development Standards. The Community Development Director may not reduce any sign development standard to less than 50% of any minimum standard, nor increase any sign development standard by more than 100% of the maximum standard. The Community Development Director shall not base any decision on the message content of a sign.

(7) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the findings based on the criteria for approval of a CSP.

(8) Need for Sign Permit. Individual sign permits regulated by a CSP Program are required prior to installation of each sign demonstrating consistency with the approved CSP except as provided for under CMC 18.55.060.

(9) Minor Modifications. The Community Development Director may grant a minor modification to the approved CSP if:

(a) The modification does not increase the sign area of the subject property approved in the original CSP.

(b) The modification maintains visual similarity with those elements specifically identified in the original CSP as integral to the design theme of the subject property (for example: location(s), color(s), material(s), or type(s)).

(10) Major Modifications. Modifications requested that do not meet the requirements of this section shall submit a new CSP Application or meet the criteria for the requested sign type as outlined in this chapter.

(11) Appeals. The decision of the Community Development Director in approving or denying a CSP application under subsection (3) of this section or modifications granted under subsections (8) and (9) of

this section may be appealed using the Type II land use decision pursuant to the procedures as set forth in Chapter 14.45 CMC, as amended.

**18.55.090 Sign permits—Permanent signs.**

- (1) Permit Required. Except as provided for under CMC 18.55.060, no person shall erect, alter, or relocate any permanent sign without first receiving an approved sign permit from the City pursuant to the requirements herein.
- (2) Review Type. The review and approval of permanent sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.
- (3) Application Requirements. A complete permit application for permanent signs shall consist of the following:
  - (a) Application form. A completed permanent sign permit application shall be submitted on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.
  - (b) Building elevation/site plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.
  - (c) Scaled design drawing. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.
  - (d) Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, a manner of construction, and method of attachment, including all hardware necessary for proper sign installation.
  - (e) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed sign. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.
  - (f) Fees. The applicable permit application fee, pursuant to the City's current fee resolution in effect at the time of application, shall be paid upon submission of the sign permit.
- (4) Criteria for Approval. Sign permit applications shall be reviewed by the Community Development Director for consistency with the standards in this chapter, according to the sign type and all other applicable regulations. A sign permit shall not be issued unless the Director makes findings that the criteria applicable to each sign type, as well as the general standards in this chapter, are satisfied. Sign permit applications shall be reviewed by the Building Official for consistency with the Building Code.
- (5) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the sign permit application not more than 120 days after issuance of the Determination of

Completeness for the same application.

(6) Expiration of Permit. A permanent sign approved under a permanent sign permit must be installed within 180 days of issuance of the permit or the permanent sign permit will expire. No sign may be erected if a sign permit has expired.

**18.55.100 Sign variances.**

(1) Approval Required. A variance may be granted from the strict application of the regulations in this chapter that apply to:

- (a) sign placement on a parcel or building frontage;
- (b) sign area; or
- (c) sign height, as regulated in this chapter.

A variance may not be granted to allow any prohibited signs or prohibited sign features, as included in CMC 18.55.050, or for any other purpose not listed in this subsection (1).

(2) Review Type. Sign variances under this section shall be processed as a Type II land use decision pursuant to the procedures as set forth in Chapter 14.30 CMC, as amended.

(3) Need for Sign Permit; Consolidation of Processing. A sign variance application may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring a variance for issuance will be processed without a sign variance application.

(4) Application Requirements. A complete sign variance application shall consist of the following:

- (a) Application form. A completed sign variance application on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for the installation/posting of the sign on the property owner's property.
- (b) Sign Permit Application. A sign permit application pursuant to CMC 18.55.090; provided, that the applicant may submit a variance application without a sign permit application as provided in subsection (2) above.
- (c) A narrative report which describes the requested variance in detail. The report shall identify all sections of this chapter from which the applicant is requesting a variance, as well as the nature and extent of the variance.
- (d) The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all the variance criteria in subsection (5) below.
- (e) Fees. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of the variance application.



(5) Criteria for Approval. To approve any sign variance, the Director must make written findings to show that all the following criteria have been met. The Director may impose conditions or restrictions to ensure that a requested variance will conform to the required findings.

- (a) The strict enforcement of the provisions of this chapter creates an unnecessary hardship to the property or business owner; and
- (b) The sign variance is necessary due to special circumstances, pre-existing conditions of the building or lot caused by the unique size, shape, layout, or topography; and
- (c) The sign will not create a health or safety hazard; and
- (d) The sign will not violate any state statute or any City Code provision (other than the provisions identified in this chapter relating to signs); and
- (e) The sign will not negatively affect adjacent property, the general public, or businesses; and
- (f) The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area and minimize view obstruction; and
- (g) The proposed variance is consistent with the purposes and intent of the zoning code and the purposes of this chapter; and
- (h) The proposed variance is the minimum necessary to grant relief to the applicant; and
- (i) The applicant has established that there are practical difficulties in complying with the provision(s) of this chapter and that the proposed sign is a reasonable use of the property (economic considerations alone do not constitute practical difficulties); and
- (j) The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and

(6) The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under CMC 18.55.050. Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the variance application not more than 120 days after issuance of the Determination of Complete Application.

(7) Expiration of Variance. If the sign variance is approved, the sign identified in the variance must be installed within 180 days or the variance will expire. No sign may be erected if there is no sign permit for the sign, or if the variance or the sign permit has expired.

**18.55.110 Maintenance; removal.**

(1) Maintenance Required.

- (a) It is unlawful for any owner of record, lessor, lessee, manager, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain any signs on the building, structure, or parcel in compliance with this chapter and any other applicable provisions of the Covington Municipal Code. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement under the enforcement provisions of this chapter.
  - (b) All signs, whether or not in existence prior to the adoption of this chapter, shall be maintained and kept in good repair and in a safe condition at all times. Maintenance of a sign shall include, but is not limited to, periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation, if required, and the provisions of this chapter.
- (2) Removal.
- (a) Every person maintaining a sign must, upon vacating the premises where a sign is maintained, remove or cause to be removed said sign within 180 days from the date of vacating the premises. When the Director determines that said sign has not been removed within said period, the Director shall remedy and enforce said violation in accordance with the enforcement provisions of this chapter.
  - (b) Any vacant and/or unused sign support structures, angle irons, sign poles, or other remnants of old signs which are currently not in use or are not proposed for immediate reuse by a sign permit application for a permitted sign shall be removed.
  - (c) In addition to the remedies in Chapter 1.30 CMC, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
  - (d) Any sign posted in violation of this chapter on public property or on public rights-of-way shall be subject to CMC 18.55.130.
  - (e) Any person responsible for any sign posting made in violation of this chapter shall be liable to the City for the costs incurred by the City in removal thereof and, in event of failure to pay, for billing and collection charges, including interest and reasonable attorneys' fees.

**18.55.120 Nonconforming signs.**

- (1) Legally Nonconforming. Except as otherwise provided in this section, signs in existence on the effective date of the ordinance codified in this chapter that do not conform to the provisions of this chapter, but that were constructed, erected, or maintained in full compliance with previous regulations will be regarded as legal nonconforming.
- (2) Compliance Required. Signs in existence on the effective date of the ordinance codified in this chapter that are not legal nonconforming and that do not comply with provisions regulating any signs prohibited pursuant to CMC 18.55.050 shall be immediately made to comply with the provisions of this

chapter or be abated in accordance with the procedure established in Chapter 1.30 CMC.

(3) **Sign Face Change.** A sign face or copy change on a nonconforming sign is not allowed when the affected property and sign structure have been abandoned pursuant to CMC 18.55.040.

(4) **Repair; Restoration.** Any part of a sign or sign structure may be repaired as normal maintenance, or restored to a safe condition, without loss of legal nonconforming status. Damage from acts of nature or vandalism to a nonconforming sign will keep its nonconforming status if the cost of the repair is less than 50% of the cost of replacing the nonconforming sign with a conforming sign; provided that the replacement sign must be restored to the original design or a more conforming design.

(5) **Alterations; Relocation; Replacement.** Except for as provided herein, any legally nonconforming sign that is structurally altered, relocated, or replaced must immediately be brought into compliance with all applicable provisions of this chapter.

(6) **Expansion or Change of Use.** Any legally nonconforming sign on a non-residential property must be brought into conformance with all applicable provisions of this chapter prior to any expansion or change in use which requires a development proposal or conditional use permit. No building permits for new construction may be issued until compliance with this provision is assured.

(7) **Hazardous signs.** Any legally nonconforming sign or sign structure on private property, which, consequently, is a hazard to life and property, or which by its condition or location presents an immediate and serious danger to the public, must be removed or otherwise brought into compliance with this chapter pursuant to the enforcement provisions of this chapter.

(8) **Variances.** Variances may be granted using the variance procedure of this chapter to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity.

#### **18.55.130 Compliance and enforcement.**

(1) **Compliance with Other Codes.** All signs erected or altered under this chapter must comply with all applicable federal, state, and local regulations relating to signs, including, without limitation, the provisions of this chapter and the International Building Code. If any provision of this chapter is found to conflict with any code provision of the City, or any other federal, state, or local regulation, the provision that establishes the more restrictive standard shall prevail.

(2) **Inspection.** The Director is empowered to enter or inspect any building, structure, or premises in the City upon which any sign is located for inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this chapter. Such inspections shall be carried out during business hours, unless an emergency exists.

(3) **Financial Guarantee.** The City may require a financial guarantee to ensure compliance with any aspect of this chapter.

(4) **Violation – Penalty.**

- (a) It is a violation of this chapter for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any sign or sign structure in the

City, or cause or permit the same to be done, contrary to the provisions of this chapter.

- (b) Each day any person allows a violation of this chapter to continue shall be considered a separate violation.
  - (c) Whenever the City has determined that a violation of this chapter has occurred or is occurring, the City shall remedy the violation by issuing a civil infraction, punishable by a monetary penalty in accordance with Chapter 1.30 CMC.
  - (d) Any sign or sign structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, or maintained in violation of this chapter is declared to be a public nuisance.
  - (e) All signs abated by the City shall be available for recovery by the sign's owner for a period of fourteen (14) calendar days and upon payment of the costs of removal and storage, if any, after which time the sign will be destroyed. The City shall not be responsible for damages or loss incurred during removal and/or storage of any sign.
- (5) **Additional Remedies.** In addition to the other remedies provided by this chapter, the City may abate said public nuisance or seek any other equitable relief authorized by the Chapter 1.30 CMC and the laws and regulations of the State of Washington.
- (6) **Joint and Several Liability.** The property owner(s) and each tenant or occupant may be jointly and severally liable for violations of any penalties imposed pursuant to this chapter.

### ARTICLE III: REGULATIONS FOR TEMPORARY SIGNS

- 18.55.140** Temporary signs—General regulations.
- 18.55.150** Temporary signs—Residential properties.
- 18.55.160** Temporary signs—Mixed use properties.
- 18.55.170** Temporary signs—Institutional properties.
- 18.55.180** Temporary signs—Commercial properties.
- 18.55.190** Temporary signs—ROW and public spaces.
- 18.55.200** Temporary signs—Other properties.

#### **18.55.140** Temporary signs—General regulations.

The following provisions apply to all temporary signs placed within the City:

- (1) Sign placement. All temporary signs must be placed totally within the site/property pursuant to the requirements of this chapter, except when allowed to be placed within the right-of-way under CMC 18.55.190.
- (2) Materials; construction. Temporary signs may be made of any durable material, provided that the temporary sign otherwise conforms to the requirements of this chapter. A temporary sign may be of rigid or non-rigid construction.
- (3) Lighted signs. Temporary signs that have either internal or external illumination shall not be displayed from the hours of 11 p.m. to 8 a.m.
- (4) Prohibited placement. In addition to the limitations on the placement of temporary signs within the public right-of-way pursuant to CMC 18.55.190, except as otherwise provided for in this chapter, temporary signs are prohibited from being in the following places:
  - (a) No temporary sign may be placed on a roof of a building or structure.
  - (b) No temporary sign may be placed on fences.
  - (c) No temporary sign shall be so located to physically obstruct any door or exit from a building.
  - (d) No temporary sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
  - (e) No temporary sign shall be in the sight-distance triangle pursuant to the City's Design and Construction Standards adopted pursuant to Chapter 12.60 CMC, or in any other area which may obstruct the vision of motorists to create a safety hazard.

#### **18.55.150** Temporary signs—Residential properties.

Except as otherwise provided for in this chapter, temporary signs on residential properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on residential properties shall only display non-commercial copy, except as provided in subsection (6) of this section.

- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on residential properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity. There is no restriction on the number of temporary signs allowed on residential properties.
- (4) Duration. Temporary signs shall not be limited in duration, except as required in CMC 18.55.140.
- (5) Size.
- (a) Temporary freestanding signs. No temporary freestanding sign shall be greater than 12 square feet in size, with no sign face exceeding six (6) square feet and shall not exceed six (6) feet in height.
- (b) Building-mounted signs. Building-mounted temporary signs attached flush to the face of the building:
- (i) shall not have a maximum height, provided that no sign shall extend beyond the roofline of the building; and
- (ii) in aggregate (i.e. the total of all building-mounted temporary signs) shall not cover more than 20% of the building's facade.
- (c) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed 50% of the area of the window on which they are displayed.
- (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.
- (6) Temporary signs for properties actively for sale or lease. One (1) temporary sign displaying a commercial message that does not exceed eight (8) square feet in size can be placed on the property or attached to the dwelling unit when the property is actively for sale or lease.

**18.55.160 Temporary signs—Mixed-use development properties.**

- (1) Residential uses. Residential uses on mixed-use development properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.150.
- (2) Commercial uses. Commercial uses on mixed-use development properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.180.
- (3) Institutional uses. Institutional uses on mixed-use development properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.170.

**18.55.170 Temporary signs—Institutional properties.**

Except as otherwise provided for in this chapter, temporary signs on institutional properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on institutional properties shall display only non-commercial copy.

- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on institutional properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity.
- (a) Banners. One (1) temporary banner sign is allowed per each 500 feet of street frontage, not to exceed four (4) banners per property. Temporary banners may be placed on fences on the property.
- (b) All other temporary signs. There is no restriction on the number of all other temporary signs allowed on institutional properties.
- (4) Size.
- (a) Banners. Banners shall not be greater than five (5) feet in height, unless attached to the face of the primary structure on the property, in which case there is no maximum height restriction so long as the banner does not extend above the roofline of the building. Any banner shall not be larger than a total of 32 square feet in size.
- (b) All other temporary signs displayed on an institutional property shall each not be greater than three (3) feet in height and shall not be greater than six (6) square feet in size.
- (c) Window signs. Temporary signs placed on windows shall, in aggregate, not exceed 50% of the area of the window on which they are displayed.
- (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

**18.55.180 Temporary signs—Commercial properties.**

Except as otherwise provided for in this chapter, all temporary signs placed on commercial properties shall conform to the following provisions:

- (1) Permit Required. Only temporary banner signs placed on commercial properties require a permit issued by the City pursuant to CMC 18.55.070.
- (2) Commercial and non-commercial signs. Temporary signs on commercial properties may be commercial or non-commercial in their messaging.
- (3) Features. No temporary sign on a commercial property may have direct or internal illumination, changing image sign features, or electronic elements.
- (4) Banners. Temporary banner signs on commercial properties shall be limited to the following:
- (a) Quantity.
- (i) One (1) temporary banner sign is allowed per tenant space on the property.
- (ii) The property owner (or landlord), if not also a tenant, may be allowed one (1) temporary banner sign.
- (b) Size. The maximum size of a banner shall be 32 square feet.

- (c) Placement. A banner shall be attached to the face of the building and may not extend above the roofline.
  - (d) Duration. Each tenant space, or the property owner pursuant to subsection (4)(a)(ii) above, shall be allowed to display a temporary banner for no more than a total of 120 days in a calendar year.
- (5) Portable signs.
- (a) Quantity. One (1) temporary portable sign is allowed per tenant space on the property.
  - (b) Size. The sign shall be no more than 12 square feet in size, with no single sign face larger than six (6) square feet. No portable sign face shall be greater than four (4) feet in height.
  - (c) Placement. Portable signs must be placed entirely on private property.
  - (d) Duration. Portable signs may be placed from sunrise to sunset, 365 days a year.
- (6) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed 50% of the area of the window on which they are displayed.
- (7) Temporary freestanding sign. Where a commercial property, either in whole or in part, is actively listed for sale or lease, one (1) additional temporary freestanding sign for each street frontage on the site is allowed pursuant to the following:
- (a) The sign shall be no more than 32 square feet in area. Temporary freestanding signs may have an additional face up to 32 square feet in size if the angle between the sign faces is less than 90 degrees. The sign shall not exceed seven (7) feet in height;
  - (b) The sign must be placed totally on private property; and
  - (c) The sign must be immediately removed upon the termination or closing of a sale or lease of any listed property or tenant space.

**18.55.190 Temporary signs—ROW and public spaces.**

- (1) Right-of-way. Except as prohibited pursuant to CMC 18.55.050, temporary signs may be placed in the right-of-way if they meet all the following standards:
- (a) Non-Commercial Copy. All temporary non-commercial copy signs in public right-of-way shall abide by subsections (c) through (j) of this section, and shall not be limited in quantity or duration:
  - (b) Commercial Copy. All temporary commercial copy signs in public right-of-way shall abide by subsections (c) through (j) of this section, and shall:
    - (i) Be limited in quantity to no more than six signs per open house, business, or event at any time;
    - (ii) Be limited for display from sunrise to sunset and only when an owner, agent, or employee is on-site and the open house, business, or event location is open to the public;



- (iii) Be allowed to be displayed up to seven (7) days per week;
  - (iv) Require a temporary sign permit. The temporary sign permit for temporary commercial signs displayed in public ROW shall be valid for 365 days from the date of sign issuance.
- (c) Only temporary lawn and portable signs are allowed;
- (d) The sign shall not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;
- (e) The sign shall not be placed on a sidewalk or obstruct pedestrian or wheelchair access to the sidewalk;
- (f) The sign shall not be placed in parking spaces or identified pedestrian or bicycle routes;
- (g) The sign shall be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance pursuant to the City’s Design and Construction Standards adopted under Chapter 12.60 CMC. Where no curb exists, the sign must be placed outside the roadway at least five (5) feet from the edge of the roadway.
- (h) The sign shall be no larger than 12 square feet in size, with no single sign face larger than six (6) square feet in size, and no portion of the sign shall exceed three (3) feet in height; and
- (i) The sign shall remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, utility boxes, street signs, parking meters, fences, or pavement.
- (2) Street pole banners and string lights. Temporary banner signs and string lights may be placed on public right-of-way if they meet all the following standards:
- (a) Banners across public right-of-way. All temporary banner signs located over public right-of-way shall:
    - (i) Only be allowed across SE 272<sup>nd</sup> Street on permanent sign poles designed specifically to display banners;
    - (ii) Display non-commercial copy only;
  - (b) Banners placed on street light poles. All temporary banner signs displayed on street light poles in public right-of-way shall:
    - (i) Only be allowed in the (TC) Town Center, (MC) Mixed Commercial, (GC) General Commercial, (MHO) Mixed Housing/Office (MHO), and RCMU (Regional Commercial Mixed Use) zoning districts;
    - (ii) Only be attached to street light poles with brackets designed for the display of signs;
    - (iii) Display non-commercial copy only;
    - (iv) Require a temporary sign permit;

- (v) Be limited in duration to 365 days per permit;
  - (vi) Be limited in quantity to 75 banners per applicant;
  - (vii) Only be installed and maintained by city staff or the street light pole owner, with all installation, maintenance, and removal costs paid by the applicant;
- (c) String lights on street trees: All temporary string lights placed in public right-of-way shall:
- (i) Only be placed on street trees that have an electrical outlet at the base of the tree. Electrical cords or string lights shall not cross any roadway, sidewalk, planter strip, or undeveloped right-of-way, and shall not be strung from tree to tree or from a tree to any structure or private property;
  - (ii) Shall not flash or blink;
  - (iii) Shall be outdoor rated string lights only;
  - (iv) Shall only be allowed with the approval of the adjacent property owner;
  - (v) Shall require a Right-of-Way Use permit if placement or removal of the string lights will affect street traffic;

(3) Public spaces. Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City, which signs shall only display non-commercial copy.

**18.55.200 Temporary signs—Other properties.**

Properties with primary uses other than those regulated under CMC 18.55.150 (Residential properties), 18.55.170 (Institutional properties); 18.55.180 (Commercial properties), or 18.55.190 (ROW) shall be subject to the temporary sign regulations in CMC 18.55.180 (Commercial properties).

#### ARTICLE IV: PERMANENT SIGNS—REGULATIONS

- 18.55.210** Permanent signs—Structural components.  
**18.55.220** Permanent signs—Placement.  
**18.55.230** Permanent signs—Design criteria.  
**18.55.240** Permanent signs—Residential properties.  
**18.55.250** Permanent signs—Nonresidential properties—Freestanding signs.  
**18.55.260** Permanent signs—Nonresidential properties—Building-mounted signs.

**18.55.205** Permanent signs—Applicability of regulations.

Sections 18.55.210 to 18.55.230 of this chapter shall apply to all permanent signs within the City.

**18.55.210** Permanent signs—Structural components.

To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

**18.55.220** Permanent signs—Placement.

(1) Obstructing and hazardous placement prohibited. No sign shall be so located to physically obstruct any door or exit from a building. No sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.

(2) Sight distance. All signs are subject to the current City of Covington Design and Construction Standards regarding sight distances, pursuant to CMC 12.60, as amended, and CMC 18.30.240 – Sight Distance Requirements. No sign shall obstruct the vision of motorists to create a safety hazard.

(3) Sign Setback Requirements. The required setback from the property lines for all signs shall be not less than five (5) feet from the property line in residential zones and not less than three (3) feet from the property line in all other zones. Kiosk freestanding signs with commercial copy shall be setback 50 feet from all property lines. The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

**18.55.230** Permanent signs—Design criteria.

(1) Sign Base. The base of the sign must be constructed with brick, stucco, stonework, textured wood, tile, or textured concrete, or materials that are similar with the character of the primary structures on the property and subject to the Director's approval. No visible gap shall be allowed between the sign base and the finished grade.

(2) Sign Face. The color, shape, material, and other architectural details of the sign face and all visible sides of the sign shall be consistent with the character of the primary structure or development.

(3) Landscaping around freestanding signs. To improve overall appearance of the sign and to reduce the risk of motor vehicles hitting the sign or supports of the sign, an area adjacent to the base of each freestanding sign must be landscaped equal to the sign area; provided, however, that the City will not require more than 200 square feet of landscaped area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases as evidenced in plazas, patios and other pedestrian areas, planter boxes, pole covers, or decorative framing.

- (4) Illumination. No sign may contain or utilize any of the following (does not apply to neon signage):
- (a) Any exposed incandescent lamp with a wattage more than 25 watts.
  - (b) Any exposed incandescent lamp with an internal or external reflector.
  - (c) Any continuous or sequential flashing device or operation.
  - (d) Except for electronic changeable copy signs, any incandescent lamp inside an internally lighted sign.
  - (e) External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
  - (f) Internally lighted signs using 800-milliamp or larger ballasts if the lamps are spaced closer than 12 inches on center.
  - (g) Internally lighted signs using 425-milliamp or larger ballasts if the lamps are spaced closer than six (6) inches on center.
- (5) Design compatibility. Where more than one (1) sign is allowed for a property, all signs for that property shall be compatible in design, style, color, and method of illumination.

**18.55.240 Permanent signs—Residential properties.**

- (1) Generally. No sign permit shall be issued for any permanent sign on a residential property unless such sign complies with the sign type, maximum number, maximum sign area, maximum height, location, duration, and all other allowances and limitations for those uses as required by this chapter.
- (2) Residential developments. Residential subdivision, short plat, and manufactured home park developments are allowed signs pursuant to the following:
- (a) Two monument signs only are allowed per development entrance from a public right-of-way by which the subdivision gains entrance;
  - (b) No sign shall exceed five (5) feet in height and no sign face shall exceed 32 square feet in size;
  - (c) Any sign shall be contained in a tract specifically created for a sign;
  - (d) Internal illumination is not allowed;
  - (e) The area around the sign shall contain a minimum of 100 square feet of landscaped area.
  - (f) Only non-commercial copy is allowed.
- (3) Properties issued a business license. On residential properties for which the City has issued a valid City business license for a home occupation or home industry, one (1) permanent sign is allowed pursuant to the following:
- (a) The sign must be a wall sign placed on the façade of the primary structure; the sign may be of a commercial or non-commercial nature.

- (b) The maximum sign size shall not be greater than four (4) square feet in size.
- (c) Where a sign placed on the building's façade cannot be seen from a public street due to the distance the building is setback from the street, the Director may approve an alternative sign size, type, or location.
- (d) The sign shall not cover or obscure important architectural details of a building, such as stair railings, windows, doors, decorative louvers, or similar elements, intended to be decorative features of a building design.
- (e) The sign must appear to be a secondary feature of the building façade.
- (f) The sign shall not project above the roofline of the exposed building face to which it is attached.
- (g) The sign shall be installed to appear flush-mounted.
- (h) Illumination is not allowed.

**18.55.250 Permanent signs—Nonresidential properties—Freestanding signs.**

All nonresidential properties shall be designated as either qualifying for a high-profile, medium-profile, or low-profile freestanding sign based upon the following criteria:

- (1) Freestanding signs—High-profile.
  - (a) A commercial property meeting all the following criteria is allowed a high-profile freestanding sign:
    - (i) A zoning designation of GC (General Commercial) or MC (Mixed Commercial);
    - (ii) A minimum of 250 feet of frontage on one public right-of-way;
    - (iii) Multi-tenant complex; and
    - (iv) A minimum site of 15 acres.
  - (b) Sign Types. A freestanding high-profile sign may be a pedestal sign, monument sign, or kiosk sign.
  - (c) Sign Features. A freestanding high-profile sign may be an electric sign, illuminated sign, neon sign, electronic changeable copy sign, or changeable copy sign.
  - (d) Sign Height. Pedestal or monument signs shall not exceed 12 feet in height. Kiosk signs shall not exceed seven (7) feet in height.
  - (e) Sign Area. Pedestal or monument signs shall not be larger than 160 square feet for the total of all sign faces, with no one face exceeding 80 square feet. Kiosk signs shall not be larger than 60 square feet per sign, with no one sign face exceeding 30 square feet.
  - (f) Number of Signs. A property qualifying for a freestanding high-profile sign may have the following maximum number of signs:

- (i) Pedestal or monument signs: one per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet in height and 40 square feet in size per sign; and
  - (ii) Kiosk signs: one for 15 or fewer tenant spaces. An additional kiosk sign is allowed for every additional 15 tenant spaces.
- (2) Freestanding signs—Medium-profile.
- (a) Criteria. Except as provided for in CMC 18.55.250, commercial, mixed use development, and multi-family complex uses in the GC (General Commercial) or MC (Mixed Commercial) zoned properties that do not qualify for a freestanding high-profile sign pursuant to Subsection (1) of this section or is zoned I (Industrial), MHO (Mixed Housing/Office), TC (Town Center), or RCMU (Regional Commercial Mixed Use) is allowed a medium-profile freestanding sign.
  - (b) Sign Type. A freestanding medium-profile sign may be a pedestal sign, monument sign, or kiosk sign:
  - (c) Sign Features. A freestanding medium-profile sign may be an electric sign, illuminated sign, neon sign, electronic changeable copy sign, or changeable copy sign.
  - (d) Sign Height. Pedestal or monument signs shall not exceed 12 feet in height for a public street frontage more than 200 feet in length. Pedestal or monument signs shall not exceed eight (8) feet in height for a public street frontage less than 200 feet in length. Kiosk signs shall not exceed seven (7) feet in height.
  - (e) Sign Area.
    - (i) For signs with public right-of-way frontage more than 200 feet in length, the maximum sign area is 128 square feet for the total of all sign faces on each permitted sign, with no one sign face exceeding 64 square feet.
    - (ii) For signs with public right-of-way frontage 200 feet or less in length, a sign area of 100 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 50 square feet.
    - (iii) Kiosk signs. 60 square feet per sign with no one sign face exceeding 30 square feet.
  - (f) Number of Signs. A property qualifying for a freestanding medium-profile sign may have the following maximum number of signs:
    - (i) Pedestal or monument sign: one (1) per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet in height and 40 square feet in size per sign; and
    - (ii) Kiosk sign: one sign for up to 15 tenant spaces. An additional kiosk sign is allowed for every additional 15 tenant spaces.
- (3) Freestanding signs—Low-profile.
- (a) Criteria. A property located in the NC (Neighborhood Commercial) or CC (Community Commercial) zones, and commercial, institutional, mixed-use development, and multi-family

complex uses located in the residential zones are allowed low-profile freestanding signs.

- (b) Sign Type. A freestanding low-profile sign may be a pedestal or monument sign.
  - (c) Sign Features. Any freestanding low-profile sign may be an electric sign, an illuminated sign, and/or a neon sign.
  - (d) Sign Height. A freestanding low-profile sign shall not exceed eight (8) feet in height.
  - (e) Sign Area. A freestanding low-profile sign shall not exceed 100 square feet per sign with no sign face exceeding 50 square feet.
  - (f) Number of Signs. A property qualifying for a freestanding low-profile sign may have the one per street frontage. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five (5) feet in height and 40 square feet in size.
- (4) Freestanding signs – Drive-up window use.
- (a) Criteria. A property with a drive-up window use shall be allowed freestanding signs in addition to subsections (1), (2), and (3) of this section.
  - (b) Sign Type. A sign associated with a drive-up window use may be a pedestal or monument sign.
  - (c) Sign Features. Any sign associated with a drive-up window use may be an electric or illuminated sign.
  - (d) Sign Height. Any sign associated with a drive-up window shall not exceed six (6) feet in height.
  - (e) Sign Area. Any sign associated with a drive-up window shall not exceed 40 square feet in size.
  - (f) Number of Signs. A drive-up window use may have two (2) signs per stacking lane.
  - (g) Screening. All signs associated with a drive-up window use shall be fully obscured from view from a public right-of-way with a vegetative screen, fence, building, or other methods, as approved by the Director.
- (5) Freestanding signs - Athletic field uses.
- (a) Criteria: An institutional property that has an athletic field may have a freestanding sign in addition to subsections (1), (2), and (3) of this section as follows:
  - (b) Sign type. A sign associated with an athletic field may be a pedestal or monument sign.
  - (c) Sign Features. A property qualifying for a sign associated with an athletic field:
    - (i) Can be an electric sign, illuminated sign, electronic changeable copy sign, or changeable copy sign;
    - (ii) Shall not contain commercial copy.
  - (d) Number of signs. One (1) sign is allowed per athletic field.

- (e) Sign Height. Any sign associated with an athletic field shall not exceed 20 feet in height.
- (f) Sign Area. Any sign associated with an athletic field shall not exceed 200 square feet in size.
- (g) Sign location. A property qualifying for a sign associated with an athletic field:
  - (i) Shall not be located within 50 feet of a property line;
  - (ii) Shall not face a public ROW or a residential property; and
  - (iii) Shall have a vegetative screen along the backside of the sign.

(6) Combined sign package for adjacent property owners. The owners of two or more properties that abut or are separated only by a vehicular access easement or tract may propose a combined sign package through a Comprehensive Sign Program submittal to the City. The City will review and decide upon a combined sign package by reviewing the proposal as if the combined parcels were one development. The City may approve the combined sign package if it will provide more coordinated, effective, and efficient signs. The allowable sign area, sign type, sign height, and the number of signs will be determined as if the applicants were one multi-tenant complex.

**18.55.260 Permanent signs—Nonresidential properties—Building-mounted signs.**

All nonresidential properties shall be allowed permanent building-mounted signs pursuant to the following criteria:

- (1) Sign Types. The following may be building-mounted signs and are allowed in all nonresidential zoning districts:
  - (a) Awning or canopy signs;
  - (b) Changeable copy signs;
  - (c) Electronic changeable copy signs;
  - (d) Marquee signs;
  - (e) Window signs;
  - (f) Projecting signs; and
  - (g) Wall-mounted signs.
- (2) Sign Features. Any building-mounted sign may be an electric sign, an illuminated sign, and/or a neon sign.
- (3) Sign Height. No sign shall project above the roofline of the exposed building face to which it is attached.
- (4) Sign Area. Except as otherwise provided for in this section, the total sign area of building-mounted signs for each business or tenant, excluding under canopy signs, shall not exceed 15 percent of



the exposed building face to which it is attached; provided, however, that no individual sign shall exceed a sign area of 240 square feet and every applicant is entitled to a minimum sign area of 30 square feet.

(5) Number of Signs.

- (a) The number of building-mounted signs allowed each user is dependent upon the surface area of the largest single exposed building face of the building as follows:

<b>Largest Exposed Building Face</b>	<b>Maximum Number of Signs</b>
Less than 999 square feet	2
1,000 – 2,999 square feet	3
3,000 – 3,999 square feet	4
4,000 and over square feet	5

- (b) Primary users with more than one business (i.e., a grocery store with a banking facility, cleaner, etc.), which must obtain a business license and without a separate entrance, are allowed one sign for each different business in addition to the number allowed above. The area of such additional signage must not exceed 15 percent of the exterior wall of the separate business.
- (c) An applicant is not allowed to transfer sign area calculated pursuant to this section from one building face to another but can move allotted signs from one building face to another.
- (d) Each business or use may be allowed a sign underneath a canopy in addition to the other allowed building-mounted signs subject to the size and separation requirements set forth in CMC Title 18.

(6) Window signs.

- (a) Permanent window signs shall, in aggregate, not exceed 30% of the area of the window on which they are displayed.
- (b) A permit is not required for the display of permanent window signs.

**Proposed code changes regarding sign regulations not within CMC 18.55****Chapter 18.20 – Definitions****18.20.1085 Sign. (Definition Replacement)**

“Sign” means any device, structure, fixture, or placard that uses graphics, symbols, or written copy and is used or intended to be used to attract attention to the subject matter for advertising, identification or informative purposes.

The following definitions are to be repealed as they are not used/referenced in code or have been added to CMC 18.55.

**18.20.1090 Sign, awning.**

**18.20.1095 Sign, changing message center.**

**18.20.1100 Sign, community bulletin board.**

**18.20.1105 Sign, directional.**

**18.20.1110 Sign, freestanding.**

**18.20.1115 Sign, fuel price.**

**18.20.1120 Sign, incidental.**

**18.20.1125 Sign, indirectly illuminated.**

**18.20.1130 Sign, monument.**

**18.20.1135 Sign, off-premises directional.**

**18.20.1140 Sign, on-premises.**

**18.20.1145 Sign, permanent residential development identification.**

**18.20.1150 Sign, portable.**

**18.20.1155 Sign, projecting.**

**18.20.1160 Sign, time and temperature.**

**18.20.1165 Sign, wall.**

**Chapter 18.31.140 - Sign requirements**

Repeal CMC 18.31.140 as sign regulations for the Town Center are now incorporated in CMC 18.55.

~~18.31.140 Sign requirements.~~

~~(1) The requirements of Chapter 18.55 CMC shall apply in the downtown zone, except as provided in this section. Where sign regulations in this section conflict with sign regulations in Chapter 18.55 CMC, the sign regulations in this section shall control.~~

~~(2) Special Requirements for the Town Center District.~~

~~(a) Freestanding signs are prohibited on Type I streets. Freestanding signs shall be placed a minimum of 100 feet from the Type I streets.~~

~~(b) Signs shall be building mounted.~~

~~(c) Freestanding signs (where allowed) shall be located a minimum of 300 feet from other multi-tenant freestanding signs located on the same side of the public right-of-way.~~

~~(d) Tenant directory signs shall be located internal to the site and oriented towards drive aisles and/or sidewalks/walkways, not the public right-of-way.~~

~~(e) No sign shall project above the roofline of the exposed building face to which it is attached.~~

~~(f) Freestanding signs shall not exceed a height of eight feet and a total area of 120 square feet, with no one sign face exceeding 60 square feet.~~

~~(g) Window signs shall not exceed 20 percent of the total window area of any facade.~~

~~(h) Freestanding secondary entrance signs shall not exceed a height of six feet and a total area of 120 square feet per entrance.~~

~~(3) In the town center district, the total sign area of building-mounted signs for each business or tenant, excluding under canopy blade signs, shall not exceed 10 percent of the exposed building face to which it is attached. No individual sign shall exceed 200 square feet, and every applicant is entitled to a minimum sign area of 30 square feet.~~

~~(4) Maximum Number of Signs in Town Center District.~~

~~(a) Two building-mounted signs per business or tenant.~~

~~(b) No more than one freestanding sign shall be allowed along the street frontage of any property.~~

~~(c) Where a property has a secondary entrance from a parking lot or public right-of-way, it is allowed to have one building-mounted or freestanding sign.~~

~~(5) Additional Sign Requirements Referenced in This Title.~~

~~(a) Chapter 18.55 CMC for other applicable standards.~~

~~(6) Refer to the City of Covington Downtown Design Guidelines and Standards Section B(3) for additional sign design requirements.~~

**18.110.030 Complete application.**

18.110.030(9)(b)(x) ~~Master sign plan~~ Comprehensive sign plan in accordance with section 18.55.080-Comprehensive Sign Program showing the approximate size, height, location, color, material, etc., of all existing/proposed signs.

**Agenda Item 3**  
Covington City Council Meeting  
Date: October 23, 2018

SUBJECT: 2019 LEGISLATIVE PRIORITIES AND POLICIES

RECOMMENDED BY: Regan Bolli, City Manager

ATTACHMENT(S):

- Legislative priorities and Policies to be distributed at the evening's meeting

PREPARED BY: Regan Bolli, City Manager

EXPLANATION:

At the October 9, 2018 council meeting the council reviewed the draft legislative priorities and policies and made edits to the same. The attached proposed documents include those edits and additional ones made by staff and the city's lobbyist.

Following council approval staff will review our 2019 Legislative Priorities and Policies with our 47<sup>th</sup> District Legislators.

ALTERNATIVES:

Make additional edits.

FISCAL IMPACT:

CITY COUNCIL ACTION: \_\_\_\_\_ Ordinance \_\_\_\_\_ Resolution   X   Motion \_\_\_\_\_ Other

**Councilmember \_\_\_\_\_ moves, Councilmember \_\_\_\_\_  
seconds to adopt the 2019 Legislative Priorities and Policies.**

REVIEWED BY: City Manager, City Clerk

**Agenda Item 4**  
Covington City Council Meeting  
Date: October 23, 2018

SUBJECT: PRESENT FINANCIAL STRATEGIC PLAN – ECONorthwest

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): documents to be provided separately.

PREPARED BY: Rob Hendrickson, Finance Director

EXPLANATION:

Continued business from October 9, 2018 meeting.

At the 2017 council summit meeting, the finance director presented a long-range view of potential capital and operational needs and the impact on the general fund. There are many needs and competing interests and limited finances and tools with which to finance this vision. The council agreed to move forward with hiring a financial strategist to help create a financial strategy and roadmap for successful realization of the council’s vision.

On August 22, 2017, the council awarded the contract to ECONorthwest. Since that time staff has been working with the consultant to develop a forecasting model rooted in the city’s current understanding of its financial position and its outlook for the future. This strategic plan will suggest a roadmap for the major strategic moves the council may consider.

At the October 9 meeting we covered the details, logic and background of how the plan was developed. At the October 23 meeting, we will review the forecast and the impacts of the city’s vision now and in the future.

ALTERNATIVES:

1. Request additional information or input from staff or the consultant.

FISCAL IMPACT:

The report will not have a financial impact in and of itself. Future financial impacts could be seen if or when the financial strategy is put into action.

CITY COUNCIL ACTION: \_\_\_ Ordinance \_\_\_ Resolution \_\_\_ Motion  X  Other

This item is for discussion purposes only.

REVIEWED BY: City Manager; City Attorney.

**Agenda Item 5**  
Covington City Council Meeting  
Date: October 23, 2018

SUBJECT: 2019 APPOINTMENTS TO REGIONAL FORUMS:

- South County Area Transportation Board (SCATBd)
- Sound Cities Association's Public Issues Committee (PIC)
- Metropolitan Solid Waste Management Advisory Committee (MSWMAC)
- Water Resource Inventory Area 9 Forum (WRIA 9)
- Puget Sound Regional Fire Authority (PSRFA)
- Puget Sound Regional Council (PSRC) Executive Board
- PSRC's Growth Management Policy Board (GMPB)
- PSRC's Transportation Policy Board (TBP)
- King County Growth Management Planning Council (GMPC).

RECOMMENDED BY: City Council

ATTACHMENT(S): Table of Regional Forums

PREPARED BY: Sharon Scott, City Clerk/Executive Assistant

EXPLANATION:

Each year, the City Council appoints primary and alternate representatives to represent the City of Covington at the above regional forums. At the 2018 Council Summit earlier this year the council discussed expanding its regional role and identified committees that they would try to serve on including; Puget Sound Regional Council (PSRC) Executive Board, PSRC's Growth Management Policy Board (GMPB); PSRC's Transportation Policy Board (TBP); and the King County Growth Management Planning Council (GMPC). Those forums have been added to the attached spreadsheet.

Council may select members to serve on one or more regional forums.

ALTERNATIVES:

1. Discontinue participation in some of the forums.
2. Select different representatives than those proposed in the attached table.

FISCAL IMPACT: None.

CITY COUNCIL ACTION: \_\_\_\_ Ordinance \_\_\_\_ Resolution  X  Motion \_\_\_\_ Other

**Councilmember \_\_\_\_\_ moves, Councilmember \_\_\_\_\_ seconds, to appoint Councilmembers to regional forums as depicted in the provided spreadsheet.**

REVIEWED BY: City Manager

## REGIONAL FORUMS REQUIRING COUNCIL APPOINTMENT – 2019

Group	Notes and Contact	Meeting Information	2018 Alternate	2018 Member	2019 Alternate	2019 Member
Metropolitan Solid Waste Management Advisory Committee (MSWMAC)	Diane Yates 206-296-4406, <a href="mailto:diane.yates@kingcounty.gov">diane.yates@kingcounty.gov</a> . MSWMAC advises the Executive, the Regional Policy Committee, acting as the solid waste interlocal forum, and the King County Council in all matters relating to solid waste management. The committee participates in the development of the Comprehensive Solid Waste Management Plan. Parking & lunch included.	2 <sup>nd</sup> Friday, 11:15 am – 1:15 pm @ Seattle King Street Center. Parking & lunch provided.	Shellie Bates	Don Vondran		
South County Area Transportation Board (SCATBd)	Susan Oxholm 206-477-3629 <a href="mailto:susan.oxholm@kingcounty.gov">susan.oxholm@kingcounty.gov</a> The mission of SCATBd is to serve as a South King County forum for information sharing, consensus building, and coordinating to resolve transportation issues and promote transportation programs that benefit the South King County area.	3 <sup>rd</sup> Tuesday, 9:00 am @ SeaTac City Hall Council Chambers	Bob Lindskov	Paul Selland		
Sound Cities Association Public Issues Committee (PIC)	Kaitlin McGee 206-433-7168 <a href="mailto:SCA@soundcities.org">SCA@soundcities.org</a> PIC shall review and evaluate policy positions and recommend to the SCA Board what, if any, action should be taken on such policy positions. The PIC is SCA's vehicle for bringing policies to member cities, and for member cities to bring policies to SCA	2 <sup>nd</sup> Wednesday, 7:00 pm @ Renton City Hall; see website to confirm	Joe Cimaomo	Fran Hollums		
WRIA 9 Forum	<a href="http://www.govlink.org/watersheds/9/reports/watershed-intro.aspx">http://www.govlink.org/watersheds/9/reports/watershed-intro.aspx</a>	Varies – See Website for information	Don Vondran	Marlla Mhoon		
Puget Sound Regional Fire Authority (PSRFA)	Governance board consists of 3 Kent councilmembers, 3 Kent fire district commissioners and one non-voting Covington councilmember.	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesday of each month	NA	Sean Smith		



Group	Notes and Contact	Meeting Information	2018 Alternate	2018 Member	2019 Alternate	2019 Member
Puget Sound Regional Council (PSRC) Executive Board	Brian Parry, <a href="mailto:brian@soundcities.org">brian@soundcities.org</a> Qualifies eligible agencies for programming of federal, state and local transportation projects identified in the Transportation Improvement Program  Caucus meetings are held in advance of the Board at PSRC from 9:00 to 10:00 am.	4 <sup>th</sup> Thursday, 10:00 to 11:30 am. at PSRC, 1011 Western Avenue, Suite 500, Seattle	NA	NA	NA	
PSRC's Growth Management Policy Board (GMPB)	Brian Parry, <a href="mailto:brian@soundcities.org">brian@soundcities.org</a> Advises the Executive Board on regional aspects of growth management issues  Caucus meetings are held in advance of the GMPB meeting from 9:00 am to 10:00 am.	1 <sup>st</sup> Thursday, 10:00 am to 12:00 pm. at PSRC, 1011 Western Avenue, Suite 500, Seattle	NA	NA	NA	
PSRC's Transportation Policy Board (TPB)	Brian Parry, <a href="mailto:brian@soundcities.org">brian@soundcities.org</a> Makes recommendations to the Executive Board on key transportation issues  Caucus meetings are held in advance of the TPB at a time mutually agreed upon by members.	2 <sup>nd</sup> Thursday, 9:30 am to 11:30 am. at PSRC, 1011 Western Avenue, Suite 500, Seattle	NA	NA	NA	
King County Growth Management Planning Council (GMPC)	Brian Parry, <a href="mailto:brian@soundcities.org">brian@soundcities.org</a> Develops and updates the King County Countywide Planning Policies (CPPs) in the areas of environment, housing, development patterns, economy, transportation, and public facilities and services.  Caucus meetings are held from 3:00 pm to 4:00 pm in advance of the GMPC meeting.	Quarterly, Date TBD, 4:00 pm to 6:00 pm. at PSRC, 1011 Western Avenue, Suite 500, Seattle	NA	NA	NA	

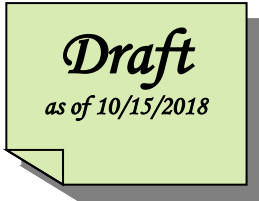
## **DISCUSSION OF FUTURE AGENDA ITEMS:**

**8:00 a.m., Saturday, October 27, 2018 - Special Meeting  
Budget Workshop**

**6:00 p.m., Tuesday, November 13, 2018 - Special Meeting  
Joint Study Session with Human Services Commission**

**7:00 p.m., Tuesday, November 13, 2018 – Regular Meeting**

**(Draft Agendas Attached)**



**CITY OF COVINGTON  
SPECIAL MEETING AGENDA  
CITY COUNCIL BUDGET WORKSHOP**

**Council Chambers – 16720 SE 271<sup>st</sup> Street, Suite 100, Covington**  
[www.covingtonwa.gov](http://www.covingtonwa.gov)

**Saturday, October 27, 2018 – 8:00 a.m.**  
**(Council & Leadership Team Breakfast beginning @ 7:30 a.m.)**

**GENERAL INFORMATION:**

*The workshop is an informal meeting involving discussion between and among the City Council and city staff regarding presentations and strategies. Workshops may involve presentations, feedback, brainstorming, etc., regarding further work to be done by the staff on key policy matters.*

**CALL CITY COUNCIL WORKSHOP TO ORDER**

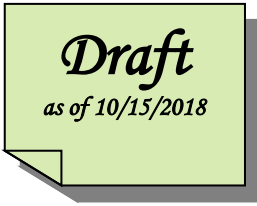
**APPROVAL OF AGENDA**

**ITEM(S) FOR DISCUSSION**

1. Review Budget Strategies (Bolli)
2. Department 2019 Budget Presentations (Hendrickson)
  - Executive (Bolli)
  - Finance (Hendrickson)
  - Police (McCurdy)
  - Community Development (Lyons)
  - Public Works (Vondran)
  - Parks & Recreation (Newton)
3. Review Budget Forecast (Hendrickson)
4. Budget Deliberations (Council)

**ADJOURN**

**Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).**



**CITY OF COVINGTON  
SPECIAL MEETING AGENDA  
CITY COUNCIL JOINT STUDY SESSION WITH HUMAN SERVICES COMMISSION**  
Council Chambers – 16720 SE 271<sup>st</sup> Street, Suite 100, Covington  
[www.covingtonwa.gov](http://www.covingtonwa.gov)

**Tuesday, November 13, 2018 – 6:00 p.m.**

**GENERAL INFORMATION:**

*The study session is an informal meeting involving discussion between and among the City Council, Commissioners, and city staff regarding policy issues. Study sessions may involve presentations, feedback, brainstorming, etc., regarding further work to be done by the staff on key policy matters.*

**CALL CITY COUNCIL JOINT STUDY SESSION TO ORDER**

**APPROVAL OF AGENDA**

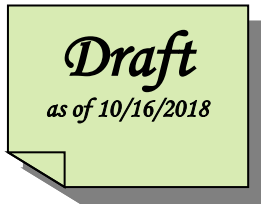
**ITEM(S) FOR DISCUSSION**

1. 2019-2020 Human Services Funding Cycle

**ADJOURN**

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).

***\*Note\* A Regular Council meeting will follow at approximately 7:00 p.m.***



**COVINGTON CITY COUNCIL REGULAR MEETING AGENDA**

[www.covingtonwa.gov](http://www.covingtonwa.gov)

**Tuesday, November 13, 2018**

**7:00 p.m.**

**City Council Chambers**

**16720 SE 271<sup>st</sup> Street, Suite 100, Covington**

*Note: A Study Session is scheduled from 6:00 to 7:00 p.m.*

**CALL CITY COUNCIL REGULAR MEETING TO ORDER**

**ROLL CALL/PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**PUBLIC COMMUNICATION - NONE**

**PUBLIC COMMENT** Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows. \*

NOTICE to all participants: Pursuant to state law, RCW 42.17A.555, campaigning for any ballot measure or candidate in City Hall and/or during any portion of the council meeting, including the audience comment portion of the meeting, is PROHIBITED.

**APPROVE CONSENT AGENDA**

C-1. Minutes: October 9, 2018 Study Session and Regular Meetings; and October 23, 2018 Study Session and Regular Meetings (Scott)

C-2. Vouchers (Hendrickson)

**PUBLIC HEARING**

1. Receive Public Testimony Regarding Proposed Fiscal Year 2019 Budget (Hendrickson)

**NEW BUSINESS**

2. Adopt Human Services Master Plan (Johnston)

3. Present Human Services Allocations for the 2019-2020 Funding Cycle (Johnston)

4. Present Consultant Report on Mascot Development (Josh Lyons, CEDC Chair)

5. Discuss Results of 2018 Salary Survey (Beaufreere)

**FUTURE AGENDA ITEMS**

**COUNCIL/STAFF COMMENTS**

**PUBLIC COMMENT** \*See Guidelines on Public Comments above in First Public Comment Section

**EXECUTIVE SESSION – if needed**

**ADJOURN**

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).