



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 17, 2017

Ordinance

Proposed No. 2017-0317.2

Sponsors McDermott

1 AN ORDINANCE relating to comprehensive planning and
2 zoning; adopting the Vashon-Maury Island Community
3 Service Area Subarea Plan; amending Ordinance 17842,
4 Section 3, as amended, and K.C.C. 20.12.017, Ordinance
5 12061, Section 4, and K.C.C. 20.12.325 and Ordinance
6 13147, Section 19, and K.C.C. 20.18.030, adding a new
7 section to K.C.C. chapter 21A.38 and repealing Ordinance
8 12395.

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Findings: For the purposes of effective land use and subarea
11 planning and regulation, the King County Council makes the following legislative
12 findings:

13 A. King County adopted the 2016 King County Comprehensive Plan via
14 Ordinance 18472 to meet the requirements of the Washington State Growth Management
15 Act ("the GMA");

16 B. The 2016 King County Comprehensive Plan adopted program direction for a
17 new Community Service Area subarea planning program;

18 C. As adopted in the 2016 King County Comprehensive Plan, Vashon-Maury
19 Island is one of King County's seven Community Service Areas and the plan schedule in

Chapter 11 identifies the Vashon-Maury Island Community Service Area Subarea Plan as being developed in 2016;

D. The Vashon Community Plan, adopted in 1986 by Ordinance 7837, as amended, was a plan to guide growth and development across all of Vashon-Maury Island. Ordinance 7837 was repealed by Ordinance 13273 and, while some of its policies were retained in the Comprehensive Plan, resulted in the majority of Vashon-Maury Island not having an active subarea plan;

E. The Vashon Town Plan, adopted in 1996 by Ordinance 12395, is an active subarea plan to guide growth, design and development in the Rural Town of Vashon. Many elements and policies of this plan are outdated and require updating;

F. The King County council directed in Attachment A to Motion 14351 that the executive prepare an update to the 1996 Vashon Town Plan and incorporate the update into the Comprehensive Plan;

G. After assessing the status of and need for a long-range, island-wide subarea plan as directed in the Comprehensive Plan, the county determined that the Community Service Area subarea plan would address both the Vashon Rural Town and all other areas of the island;

H. The GMA and the King County Code authorize adoption of comprehensive plans updates once per year;

I. The GMA requires that King County adopt development regulations to be consistent with and implement the Comprehensive Plan; and

J. The changes to policies, development regulations, land use designations and zoning classifications contained in this ordinance are needed to maintain conformity with

the 2016 King County Comprehensive Plan. They bear a substantial relationship to, and are necessary for, the public health, safety and general welfare of King County and its residents.

SECTION 2. A. Attachments A, B, and C to this ordinance are adopted as amendments to the 2016 King County Comprehensive Plan, as adopted in Ordinance 18472 and its attachments.

B. The 2017 Vashon-Maury Island Community Service Area Subarea Plan in Attachment A to this ordinance is hereby adopted as an amendment to and element of the 2016 King County Comprehensive Plan.

C. The land use and zoning amendments contained in Attachments B and C to this ordinance are hereby adopted as the official land use and zoning controls for those portions of unincorporated King County defined in Attachments B and C to this ordinance.

D. The policies, text and maps of the 2016 King County Comprehensive Plan are hereby amended as shown in Attachment C to this ordinance.

SECTION 3. Ordinance 17842, Section 3, as amended, and K.C.C. 20.12.017 are each hereby amended to read as follows:

The following provisions complete the zoning conversion from K.C.C. Title 21 to Title 21A pursuant to K.C.C. 21A.01.070:

A. Ordinance 11653 adopts area zoning to implement the 1994 King County Comprehensive Plan pursuant to the Washington State Growth Management Act RCW 36.760A. Ordinance 11653 also converts existing zoning in unincorporated King County to the new zoning classifications in the 1993 Zoning Code, codified in Title 21A,

pursuant to the area zoning conversion guidelines in K.C.C. 21A.01.070. The following are adopted as attachments to Ordinance 11653:

Appendix A: 1994 Zoning Atlas, dated November 1994, as amended December 19, 1994.

Appendix B: Amendments to Bear Creek Community Plan P-Suffix Conditions.

Appendix C: Amendments to Federal Way Community Plan P-Suffix Conditions.

Appendix D: Amendments to Northshore Community Plan P-Suffix Conditions.

Appendix E: Amendments to Highline Community Plan P-Suffix Conditions.

Appendix F: Amendments to Soos Creek Community Plan P-Suffix Conditions.

Appendix G: Amendments to Vashon Community Plan P-Suffix Conditions.

Appendix H: Amendments to East Sammamish Community Plan P-Suffix Conditions.

Appendix I: Amendments to Snoqualmie Valley Community Plan P-Suffix Conditions.

Appendix J: Amendments to Newcastle Community Plan P-Suffix Conditions.

Appendix K: Amendments to Tahoma/Raven Heights Community Plan P-Suffix Conditions.

Appendix L: Amendments to Enumclaw Community Plan P-Suffix Conditions.

Appendix M: Amendments to West Hill Community Plan P-Suffix Conditions.

Appendix N: Amendments to Resource Lands Community Plan P-Suffix Conditions.

Appendix O: 1994 Parcel List, as amended December 19, 1994.

Appendix P: Amendments considered by the council January 9, 1995.

89 B. Area zoning adopted by Ordinance 11653, including potential zoning, is
90 contained in Appendices A and O. Amendments to area-wide P-suffix conditions
91 adopted as part of community plan area zoning are contained in Appendices B through N.
92 Existing P-suffix conditions whether adopted through reclassifications or community
93 plan area zoning are retained by Ordinance 11653 except as amended in Appendices B
94 through N.

95 C. The department is hereby directed to correct the official zoning map in
96 accordance with Appendices A through P of Ordinance 11653.

97 D. The 1995 area zoning amendments attached to Ordinance 12061 in Appendix
98 A are adopted as the official zoning control for those portions of unincorporated King
99 County defined therein.

100 E. Amendments to the 1994 King County Comprehensive Plan area zoning,
101 Ordinance 11653 Appendices A through P, as contained in Attachment A to Ordinance
102 12170 are hereby adopted to comply with the Decision and Order of the Central Puget
103 Sound Growth Management Hearings Board in Vashon-Maury Island, et. al. v. King
104 County, Case No. 95-3-0008.

105 F. The Vashon (~~Town Plan~~) Area Zoning(~~(, as Attachment K to)~~) adopted in
106 Ordinance 12824, as amended, including as amended by Ordinance 17842 and Ordinance
107 18427, is adopted as the official zoning control for that portion of unincorporated King
108 County defined therein.

109 G. The 1996 area zoning amendments attached to Ordinance 12531 in Appendix
110 A are adopted as the official zoning control for those portions of unincorporated King
111 County defined therein. Existing p-suffix conditions whether adopted through

112 reclassifications or area zoning are retained by Ordinance 12531.

113 H. The Black Diamond Urban Growth Area Zoning Map attached to Ordinance
114 12533 as Appendix B is adopted as the official zoning control for those portions of
115 unincorporated King County defined therein. Existing p-suffix conditions whether
116 adopted through reclassifications or area zoning are retained by Ordinance 12533.

117 I. The King County Zoning Atlas is amended to include the area shown in
118 Appendix B as UR - Urban Reserve, one DU per 5 acres. Existing p-suffix conditions
119 whether adopted through reclassifications or area zoning are retained by Ordinance
120 12535. The language from Ordinance 12535, Section 1.D., shall be placed on the King
121 County Zoning Atlas page #32 with a reference marker on the area affected by Ordinance
122 12535.

123 J. The Northshore Community Plan Area Zoning is amended to add the Suffix "-
124 DPA, Demonstration Project Area", to the properties identified on Map A attached to
125 Ordinance 12627.

126 K. The special district overlays, as designated on the map attached to Ordinance
127 12809 in Appendix A, are hereby adopted pursuant to K.C.C. 21A.38.020 and
128 21A.38.040.

129 L. The White Center Community Plan Area Zoning, as revised in the
130 Attachments to Ordinance 11568, is the official zoning for those portions of White Center
131 in unincorporated King county defined herein.

132 M. Ordinance 12824 completes the zoning conversion process begun in
133 Ordinance 11653, as set forth in K.C.C. 21A.01.070, by retaining, repealing, replacing or
134 amending previously adopted p-suffix conditions or property-specific development

standards pursuant to K.C.C. 21A.38.020 and K.C.C. 21A.38.030 as follows:

1. Resolutions 31072, 32219, 33877, 33999, 34493, 34639, 35137, and 37156 adopting individual zone reclassifications are hereby repealed and p-suffix conditions are replaced by the property specific development standards as set forth in Appendix A to Ordinance 12824((-));

2. All ordinances adopting individual zone reclassifications effective prior to February 2, 1995, including but not limited to Ordinances 43, 118, 148, 255, 633, 1483, 1543, 1582, 1584, 1728, 1788, 2487, 2508, 2548, 2608, 2677, 2701, 2703, 2765, 2781, 2840, 2884, 2940, 2958, 2965, 2997, 3239, 3262, 3313, 3360, 3424, 3494, 3496, 3501, 3557, 3561, 3641, 3643, 3744, 3779, 3901, 3905, 3953, 3988, 4008, 4043, 4051, 4053, 4082, 4094, 4137, 4289, 4290, 4418, 4560, 4589, 4703, 4706, 4764, 4767, 4867, 4812, 4885, 4888, 4890, 4915, 4933, 4956, 4970, 4978, 5087, 5114, 5144, 5148, 5171, 5184, 5242, 5346, 5353, 5378, 5453, 5663, 5664, 5689, 5744, 5752, 5755, 5765, 5854, 5984, 5985, 5986, 6059, 6074, 6113, 6151, 6275, 6468, 6497, 6618, 6671, 6698, 6832, 6885, 6916, 6966, 6993, 7008, 7087, 7115, 7207, 7328, 7375, 7382, 7396, 7583, 7653, 7677, 7694, 7705, 7757, 7758, 7821, 7831, 7868, 7944, 7972, 8158, 8307, 8361, 8375, 8427, 8452, 8465, 8571, 8573, 8603, 8718, 8733, 8786, 8796, 8825, 8858, 8863, 8865, 8866, 9030, 9095, 9189, 9276, 9295, 9476, 9622, 9656, 9823, 9991, 10033, 10194, 10287, 10419, 10598, 10668, 10781, 10813, 10970, 11024, 11025, 11271, and 11651, are hereby repealed and p-suffix conditions are replaced by the property specific development standards as set forth in Appendix A to Ordinance 12824((-));

3. All ordinances establishing individual reclassifications effective after February 2, 1995, are hereby amended, as set forth in Appendix C to Ordinance 12824, to

retain, repeal or amend the property specific development standards (p-suffix conditions) contained therein((-));

4. All ordinances adopting area zoning pursuant to Resolution 25789 or converted by Ordinance 11653 are repealed as set forth in subsection M.4.a. through n. of this section. All p-suffix conditions contained therein are repealed or replaced by adopting the property specific development standards as set forth in Appendix A to Ordinance 12824, the special district overlays as designated in Appendix B to Ordinance 12824 or the special requirements as designated in Appendix A to Ordinance 12822.

a. The Highline Area Zoning attached to Ordinance 3530, as amended, is hereby repealed.

b. The Shoreline Community Plan Area Zoning, attached to Ordinance 5080 as Appendix B, as amended, is hereby repealed.

c. The Newcastle Community Plan Area Zoning, attached to Ordinance 6422 as Appendix B, as amended is hereby repealed.

d. The Tahoma/Raven Heights Community Plan Area Zoning, attached to Ordinance 6986 as Appendix B, as amended, is hereby repealed.

e. The Revised Federal Way area zoning, adopted by Ordinance 7746, as amended, is hereby repealed.

f. The Revised Vashon Community Plan Area Zoning, attached to Ordinance 7837 as Appendix B, as amended, is hereby repealed.

g. The Bear Creek Community Plan Area Zoning, attached to Ordinance 8846 as Appendix B, as amended, is hereby repealed.

h. The Resource Lands Area Zoning, adopted by Ordinance 8848, as amended,

is hereby repealed.

i. The Snoqualmie Valley Community Plan Area Zoning, as adopted by Ordinance 9118, is hereby repealed.

j. The Enumclaw Community Plan Area Zoning attached to Ordinance 9499, as amended, is hereby repealed.

k. The Soos Creek Community Plan Update Area Zoning, adopted by Ordinance 10197, Appendix B, as amended, is hereby repealed.

l. The Northshore Area Zoning adopted by Ordinance 10703 as Appendices B and E, as amended, is hereby repealed.

m. The East Sammamish Community Plan Update Area Zoning, as revised in Appendix B attached to Ordinance 10847, as amended, is hereby repealed.

n. The West Hill Community Plan Area Zoning adopted in Ordinance 11116, as amended, is hereby repealed((-)); and

5. All ordinances adopting area zoning pursuant to Title 21A and not converted by Ordinance 11653, including community or comprehensive plan area zoning and all subsequent amendments thereto, are amended as set forth in subsection M.5.a. through f. All property specific development standards (p-suffix conditions) are retained, repealed, amended or replaced by the property specific development standards as set forth in Appendix A to Ordinance 12824, the special district overlays as designated in Appendix B to Ordinance 12824 or the special requirements as designated in Appendix A to Ordinance 12822.

a. The White Center Community Plan Area Zoning, contained in the Attachments to Ordinance 11568, as subsequently amended, is hereby further amended as

set forth in Appendix D to Ordinance 12824.

b. All property specific development standards established in Ordinance 11653, as amended, are hereby amended as set forth in Appendix E to Ordinance 12824.

c. All property specific development standards established in Attachment A to Ordinance 11747, as amended, are hereby amended as set forth in Appendix F.

d. All property specific development standards established in Ordinance 12061, as amended, are hereby amended as set forth in Appendix G to Ordinance 12824.

e. All property specific development standards established in Ordinance 12065, as amended, are hereby amended as set forth in K.C.C. 20.12.170.

f. All property specific development standards established in Attachment A to Ordinance 12170, as amended, are hereby amended as set forth in Appendix H.

SECTION 4. Ordinance 12061, Section 4, and K.C.C. 20.12.325 are each hereby amended to read as follows:

~~((A.))~~ The 2017 Vashon~~((Town Plan))~~-Maury Island Community Service Area Subarea Plan, dated ((June 1994)) October 2, 2017, ((a bound and published document, as revised by the Vashon Town Plan Committee through November 29, 1995)) in Attachment A to this ordinance, is ((to be reviewed by the King County Council and)) adopted as ((an initial)) a subarea plan ((for the Vashon Town Planning Area by March 31, 1996)) and an element of the 2016 King County Comprehensive Plan.

SECTION 5. Ordinance 13147, Section 19, and K.C.C. 20.18.030 are each hereby amended to read as follows:

A. The King County Comprehensive Plan shall be amended in accordance with this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public

227 participation program whereby amendments are considered by the council no more
228 frequently than once a year as part of the amendment cycle established in this chapter,
229 except that the council may consider amendments more frequently to address:

- 230 1. Emergencies;
- 231 2. An appeal of the plan filed with the Central Puget Sound Growth
232 Management Hearings Board or with the court;
- 233 3. The initial adoption of a subarea plan, which may amend the urban growth
234 area boundary only to redesignate land within a joint planning area;
- 235 4. An amendment of the capital facilities element of the Comprehensive Plan
236 that occurs in conjunction with the adoption of the county budget under K.C.C.
237 4A.100.010; or
- 238 5. The adoption or amendment of a shoreline master program under chapter
239 90.58 RCW.

240 B. Every year the Comprehensive Plan may be amended to address technical
241 updates and corrections, and to consider amendments that do not require substantive
242 changes to policy language, changes to the priority areas map, or changes to the urban
243 growth area boundary, except as permitted in subsection B.9. and 11. of this section.
244 This review may be referred to as the annual cycle. The Comprehensive Plan, including
245 subarea plans, may be amended in the annual cycle only to consider the following:

- 246 1. Technical amendments to policy, text, maps or shoreline designations;
- 247 2. The annual capital improvement plan;
- 248 3. The transportation needs report;
- 249 4. School capital facility plans;

- 250 5. Changes required by existing Comprehensive Plan policies;
- 251 6. Changes to the technical appendices and any amendments required thereby;
- 252 7. Comprehensive updates of subarea plans initiated by motion;
- 253 8. Changes required by amendments to the countywide planning policies or
- 254 state law;
- 255 9. Redesignation proposals under the four-to-one program as provided for in
- 256 this chapter;
- 257 10. Amendments necessary for the conservation of threatened and endangered
- 258 species;
- 259 11. Site-specific land use map amendments that do not require substantive
- 260 change to comprehensive plan policy language and that do not alter the urban growth area
- 261 boundary, except to correct mapping errors;
- 262 12. Amendments resulting from subarea studies required by comprehensive plan
- 263 policy that do not require substantive change to comprehensive plan policy language and
- 264 that do not alter the urban growth area boundary, except to correct mapping errors;
- 265 ~~((and))~~
- 266 13. Changes required to implement a study regarding the provision of
- 267 wastewater services to a Rural Town. The amendments shall be limited to policy
- 268 amendments and adjustment to the boundaries of the Rural Town as needed to implement
- 269 the preferred option identified in the study; or
- 270 14. Adoption of community service area subarea plans.
- 271 C. Every fourth year beginning in 2000, the county shall complete a
- 272 comprehensive review of the Comprehensive Plan in order to update it as appropriate and

273 to ensure continued compliance with the GMA. This review may provide for a
274 cumulative analysis of the twenty-year plan based upon official population growth
275 forecasts, benchmarks and other relevant data in order to consider substantive changes to
276 policy language and changes to the urban growth area. This comprehensive review shall
277 begin one year in advance of the transmittal and may be referred to as the four-year cycle.
278 The urban growth area boundaries shall be reviewed in the context of the four-year cycle
279 and in accordance with countywide planning policy G-1 and RCW 36.70A.130. If the
280 county determines that the purposes of the Comprehensive Plan are not being achieved as
281 evidenced by official population growth forecasts, benchmarks, trends and other relevant
282 data, substantive changes to the Comprehensive Plan may also be considered on even
283 calendar years. This determination shall be authorized by motion. The motion shall
284 specify the scope of the even-year amendment, and identify that the resources necessary
285 to accomplish the work are available. An analysis of the motion's fiscal impact shall be
286 provided to the council before to adoption. The executive shall determine if additional
287 funds are necessary to complete the even-year amendment, and may transmit an
288 ordinance requesting the appropriation of supplemental funds.

289 D. The executive shall seek public comment on the comprehensive plan and any
290 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.
291 20.18.160 before making a recommendation, in addition to conducting the public review
292 and comment procedures required by SEPA. The public shall be afforded at least one
293 official opportunity to record public comment before the transmittal of a recommendation
294 by the executive to the council. County-sponsored councils and commissions may
295 submit written position statements that shall be considered by the executive before

transmittal and by the council before adoption, if they are received in a timely manner.

The executive's recommendations for changes to policies, text and maps shall include the elements listed in Comprehensive Plan policy I-207 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents.

Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.38 a new section to read as follows:

A. The purpose of the affordable housing special district overlay is to provide an optional incentive that will lead to an increase in the supply of affordable housing within the Vashon Rural Town. This special district overlay shall only apply on a voluntary basis to the parcels shown in Map Amendment #3 in Attachment B of Proposed Ordinance 2017-0317. Use of the special district overlay is voluntary and these eligible parcels retain all existing development and land use rights and may exercise those without using this special district overlay.

B. The special district overlay is eligible to be used by any residential or mixed use development that complies with the following standards:

1. A minimum of fifty percent of the units in each development shall be affordable to households with incomes at or below sixty percent of area median income, and the remainder of the units in each development shall be affordable to households with incomes up to a maximum of eighty percent of area median income;

2.a. Rents of rental units, including both rent and the average cost of essential

319 utilities, shall be set at no greater than thirty percent of the maximum gross income for
320 the applicable income level; or

321 b. The sales price of owner occupied units shall be set so that they are
322 affordable for income and asset qualified home buyers at the applicable income level.
323 Prices shall be restricted based on typical underwriting ratios and other lending standards;

324 3. The development is located on an eligible parcel as shown in Map
325 Amendment #3 in Attachment B to this ordinance; and

326 4. The development adheres to all special district overlay standards listed in
327 subsection C. of this section.

328 C. All development shall comply with all applicable King County development
329 regulations, including K.C.C. Title 9, K.C.C. Title 13, K.C.C. Title 14, K.C.C. Title 16,
330 K.C.C. Title 17, K.C.C. Title 19A, K.C.C. Title 20, K.C.C. Title 21A, K.C.C. Title 23,
331 K.C.C. Title 27 and K.C.C. Title 27A, except as follows:

332 1. The maximum density shall be as follows:

333 a. any parcel zoned R-1 may develop up to a maximum density of four
334 dwelling units per acre;

335 b. any parcel zoned R-4 may develop up to a maximum density of eight
336 dwelling units per acre;

337 c. any parcel zoned R-8 or R-12 may develop up to a maximum density of
338 eighteen dwelling units per acre;

339 d. any mixed use development in the Community Business (CB) zone that
340 contains a residential component may develop up to a maximum density of eighteen
341 dwelling units per acre;

342 2. To reduce the impacts of new development on potable water supplies, the
343 development shall incorporate at least three of the following water conservation
344 measures, and that only one of the outdoor measures from subsection C.3.a. through h. of
345 this section may be counted toward the minimum requirement:

- 346 a. mulch landscape beds with two inches organic mulch;
- 347 b. use grass type requiring less irrigation and minimal maintenance;
- 348 e. use Xeriscape landscape techniques on seventy-five percent or more of site
349 landscaped area;
- 350 d. landscape with plants appropriate for site topography and soil types,
351 emphasizing use of plants with low watering requirements, which means they are drought
352 tolerant;
- 353 e. install subsurface or drip systems for irrigation with timers;
- 354 f. install a rainwater collection system, such as a cistern, that reduces water
355 consumption for irrigation by fifty percent annually;
- 356 g. provide one-hundred percent of landscaping water use with captured
357 precipitation or reused water purified without the use of chemicals;
- 358 h. install smart scheduling technology. This strategy counts for a maximum
359 reduction of thirty percent provided all landscape water use is controlled by a soil
360 moisture sensor control system or a weather-based irrigation control system;
- 361 i. reduce total indoor and outdoor water consumption by at least twenty-five
362 percent over standard practices;
- 363 j. provide water submetering for each unit or entire building where central hot
364 water system are used;

- 365 k. install all bathroom faucets with 1.5 gallons per minute or better;
- 366 l. install all showerheads not to exceed 1.75 gallons per minute;
- 367 m. install all kitchen faucets not to exceed two gallons per minute;
- 368 n. install high efficiency toilets not to exceed 1.28 gallons per flush or 1.6/1.1
- 369 for dual flush;
- 370 o. install no-cartridge waterless urinals or 1/8 gallon urinals and high
- 371 efficiency toilets as noted above in all common areas; or
- 372 p. install point-source, on-demand or recirculation pump hot water systems,
- 373 where appropriate;
- 374 4. All new units must connect to public water and public sewer;
- 375 5. Affordable housing units shall remain as affordable housing for a minimum
- 376 of fifty years for ownership affordable housing units and for a minimum of thirty years
- 377 for rental affordable housing units, starting from the date of final certificate of occupancy
- 378 for the development;
- 379 6. Developments shall be landscaped as follows:
- 380 a. when seventy-five percent or more of the units in the development consists
- 381 of townhouses or apartments, the development shall provide perimeter landscaping and
- 382 tree retention in accordance with K.C.C. chapter 21A.16 for townhouse or apartment
- 383 projects;
- 384 b. when less than seventy-five percent of the units in the development consists
- 385 of townhouses or apartments, the development shall provide landscaping and tree
- 386 retention in accordance with K.C.C. chapter 21A.16 for townhouses or apartments on the
- 387 portion or portions of the development containing the units, but if buildings containing

the units are more than one hundred feet from the development's perimeter, the required landscaping may be reduced by fifty percent; and

c. all other portions of the development shall provide landscaping or retain trees in accordance with K.C.C. chapter 21A.16;

7. Developments shall provide one off-street parking space per unit. The director may require additional parking, up to the maximum standards for attached dwelling units, which may be provided in common parking areas. Off-street parking may be reduced below one per unit, with the approval of the director, with submission of a site-specific parking study that demonstrates that parking demand is met; and

8. All developments shall provide on-site recreation space at a minimum of fifty percent of the levels required in K.C.C. chapter 21A.14.

D. Use of the incentive in this section requires an affordable housing covenant recorded against the property as a condition of issuance of any construction permit or recording of a subdivision.

E. The department is authorized to enforce the requirements of this section, including those pertaining to sale and rental affordability and other requirements of the covenant, through judicial action or administrative action under Title 23.

F. A preapplication meeting shall be required for developments using the special district overlay in this section.

G. As part of the preapplication process and before filing an application with the department, the applicant shall hold at least one community meeting in accordance with K.C.C. 20.20.035. In addition to the requirements of K.C.C. 20.20.035, the applicant shall:

411 1. Include in the mailed notice:

- 412 a. the name of the affordable housing developer;
- 413 b. the total number of planned dwelling units;
- 414 c. preliminary architectural renderings of buildings;
- 415 d. preliminary site plan;
- 416 e. the dates, times and locations of community informational meeting about the
- 417 development;
- 418 f. contact information including names and phone numbers for the developer
- 419 or applicant; and
- 420 g. a county contact person or agency;

421 2. Conduct the meeting or meetings in a location accessible to the public at least

422 thirty days before the anticipated date of application. The purpose of the meeting is to

423 provide neighboring property owners and residents with information regarding the

424 proposed development and to answer questions regarding the proposed development; and

425 3. Prepare and install a four-foot by four-foot notice board that must be placed

426 in a conspicuous location on the property proposed for development. The board shall be

427 installed no later than the date the mailed notice for the community meeting is sent and

428 shall remain in place until the development application is abandoned or when the permit

429 is issued.

430 H An application for a development under the special district overlay in this

431 section shall be considered complete when the information required under K.C.C.

432 20.20.040, as well as the following information and studies have been submitted and are

433 adequate to review the proposal:

434 1. A proposed development plan and draft covenant that includes:

435 a. the number of dwelling units that are part of the development;

436 b. a description of the affordability levels for the units;

437 c. the duration of the affordability of the units;

438 d. the number of off-street parking spaces, and documentation of the director's

439 decision on any requests to reduce the number of spaces;

440 e. the requirements and process for income limits and income verification, in

441 accordance with federal, state and county standards;

442 f. the specific water and energy conservation measures proposed;

443 g. the consequence of any failure to satisfy the requirements of the covenant,

444 which consequences shall include, but not be limited to, specific performance and

445 disgorgement of any revenue the resulted from a rental or sale price that exceed that

446 allowed by the covenant; and

447 h. an acknowledgement that King County can enforce the covenant through a

448 judicial action or K.C.C. Title 23; and

449 2. Any necessary information identified through the preapplication process.

450 SECTION 7. Ordinance 12395, the 1996 Vashon Town Plan, as amended, is

451 hereby repealed.

452 SECTION 8. A. A written evaluation of the special district overlay, as adopted

453 in section 6 of this ordinance, shall be conducted by the executive to assess the efficacy

454 of its scope and standards in achieving the overlay's purpose of incentivizing affordable

455 housing within the Vashon Rural Town, and shall include recommendations to retain,

456 amend or repeal the special district overlay. The evaluation shall examine the advantages

457 and disadvantages of the special district overlay, including a review of the relationship
458 between the parcels that the special district overlay applies to and potable water supply.
459 Other factors the evaluation shall consider include, but are not limited to: the public
460 benefits and risks of retaining or repealing the special district overlay; the current need
461 for affordable housing on Vashon-Maury Island, including for households with incomes
462 at or below thirty percent of area median income; infrastructure capacity, including
463 public roads and sewer; and potential impacts to affordable housing funding if the special
464 district overlay is modified or eliminated.

465 B. The evaluation shall include annual reports and a final report:

466 1. The executive shall conduct preliminary evaluations that include the
467 information in subsection A. of this section, as well as the following information:

468 a. a list and evaluation of ongoing permit applications using the special district
469 overlay, and feedback from those permit applicants on the efficacy of the special district
470 overlay;

471 b. evaluation of whether any code changes are necessary to further the purpose
472 of the special district overlay; and

473 c. for the first annual report and the final report, information of other
474 jurisdictions approaches to incentivizing development of affordable housing, and
475 evaluation of whether those approaches would be appropriate to Vashon-Maury Island.

476 d. The executive shall file three preliminary evaluation reports, and either a
477 motion accepting each report or an ordinance proposing necessary code changes to
478 further the purposes of the special district overlay. These reports shall be filed annually
479 no later than December 31, 2018, December 31, 2019, and December 31, 2020, in the

form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff, the policy staff director and the lead staff for the transportation, economy and environment committee, or its successor. When the trigger for a final evaluation under subsection B.2.a. occurs, any subsequent annual reports shall not be required; and

2. A draft final evaluation shall be completed within ninety days of the occurrence of one the following, whichever comes first:

a. issuance of the first permit necessary for construction that would result in a cumulative total of one hundred twenty affordable housing units within the special district overlay; or

b. four years after the effective date of this ordinance.

C. The department shall produce a draft final evaluation including the information required in this section.

D. The department shall include a public comment period for the department's draft evaluation described in subsection A. of this section. The public comment period shall be at least forty-five days from the date of publication in the Vashon-Maury Island newspaper of record. As part of this public comment period, the department shall:

1. Publish notice of the draft evaluation's availability in the Vashon-Maury Island newspaper of record that includes locations where the draft evaluation is available;

2. Request comments of the King County water district 19 and the Vashon sewer district;

3. Request comments from any developer that has applied for approval under the special district overlay provisions;

503 4. Provide a copy at the local library;

504 5. Provide an electronic copy on the department's website; and

505 6. Send electronic notice to the clerk of the council, who shall retain the original
506 email and provide an electronic copy to all councilmembers, the council chief of staff, the
507 policy staff director and the lead staff for the transportation, economy and environment
508 committee, or its successor.

509 E. After the public comment period has ended, the department shall prepare a
510 final evaluation of the special district overlay, incorporating or responding to the
511 comments received. Within sixty days of the end of the public comment
512 period, the executive shall file a final evaluation report, a motion accepting the report,
513 and an ordinance that implements any proposed changes to the special district overlay, in
514 the form of a paper original and an electronic copy with the clerk of the council, who
515 shall retain the original and provide an electronic copy to all councilmembers, the council
516 chief of staff, the policy staff director and the lead staff for the transportation, economy
517 and environment committee, or its successor.

518 **SECTION 9. Severability.** If any provision of this ordinance or its application to

519 any person or circumstance is held invalid, the remainder of the ordinance or the
520 application of the provision to other persons or circumstances is not affected.
521

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, ____.

Dow Constantine, County Executive

Attachments: A. Vashon-Maury Island Community Service Area Subarea Plan, dated October 17, 2017, B. Land Use and Zoning Map Amendments, dated October 13, 2017, C. Zoning Map Amendment, dated October 2, 2017