

ORDINANCE NO. 817

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING SHORELINE MUNICIPAL CODE TITLE 3 TO ESTABLISH
A NEW SECTION 3.01.025 AFFORDABLE HOUSING FEE IN LIEU.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning under the Growth Management Act, chapter 36.70A RCW; and

WHEREAS, RCW 36.70A.540 permits the City to create affordable housing programs and to allow a payment of money in lieu of housing units if the City determines that the payment achieves a result equal to or better than providing the units on-site; and

WHEREAS, in 2015 and 2016, the City adopted the 145th Street Station Subarea Plan and the 185th Street Station Subarea Plan and development regulations to implement these Subarea Plans as provided by the Growth Management Act, chapter 36.70A RCW; and

WHEREAS, two of the zoning districts for these subareas, the MUR-70 and the MUR-45, mandate the provision of affordable housing; and

WHEREAS, via SMC 20.40.235 (B)(2) and 20.40.235(E)(1), the City may allow for a payment in lieu of constructing any fractional portion of the mandatory units; and

WHEREAS, the City has determined that the affordability gap methodology is to be utilized for establishing the fee in lieu and such a few will achieve an equal or better result by allowing the City to use these funds to support the development of affordable housing within the City; and

WHEREAS, affordable housing fee in lieu payments will be deposited into a Housing Trust Fund, a special revenue fund, established within SMC Chapter 3.35 Funds; and

WHEREAS, the City Council has determined that creation of the affordable housing fee in lieu will be in the best interest of the public health, safety, and welfare;

**THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Amendment to Title 3 Revenue and Finance. Chapter 3.01 Fee Schedule is amended to add a new section, SMC 3.01.025 *Affordable Housing Fee in Lieu*, as follows:

SMC 3.01.025 Affordable Housing Fee in Lieu

Zoning district	Fee per unit if providing 10% of total units as affordable	Fee per unit if providing 20% of total units as affordable
MUR-45	\$206,152.00	\$158,448.00

MUR-70	\$206,152.00	\$158,448.00
MUR-70 <i>with development agreement</i>	\$253,855.00	\$206,152.00

Note: The Fee in Lieu is calculated by multiplying the fee shown in the table by the fractional mandated unit. For example, a 0.40 fractional unit x \$206,152 would result in a Fee in Lieu of \$82,460.80.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON APRIL 16, 2018



Mayor Will Hall

ATTEST:



Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:



Margaret King
City Attorney

Date of Publication: April 23, 2018
Effective Date: April 28, 2018