



AFFORDABLE HOUSING DEMONSTRATION PROGRAM

This permit application packet is designed to obtain all the information necessary to allow the City to make a well-informed decision on your application, and to share information between applicant and the City. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information.

Program Outline and Project Review

On November 4, 2019, the Burien City Council adopted Ordinance 718, an interim zoning ordinance to allow up to five affordable housing demonstration projects to be approved on properties located in zones where residential uses are allowed. The affordable housing styles allowed under the interim ordinance are cottages, single-family homes, duplexes, triplexes (designed to look like single-family homes), tiny homes, congregate housing, modular units, multi-family and mixed use structures, and combinations of the housing types listed. Maximum unit sizes and other development standards are outlined in BMC 19.18 (Ordinance 718). The goals of the affordable housing demonstration program are to:

- Facilitate, for a specified trial period, the construction of affordable housing by applicants who can demonstrate an ability to finance, manage, and monitor affordable housing units to assure permanent affordability, in accordance with the directives of the Growth Management Act, Housing Policy Act, and the City's Comprehensive Plan.
- Provide flexibility in certain development regulations in exchange for provision of affordable housing.
- Promote thoughtful layout of buildings, parking areas, on-site circulation, utility service areas, landscaping and amenity elements that enhance Burien's visual character, promote compatibility between developments and uses, and enhance the function of developments.
- Implement an Innovative, Affordable Housing Demonstration program for a period of not more than three years from the date of the ordinance.
- Evaluate the results of the pilot projects to better understand potential changes needed to development regulations supporting Burien housing needs.

Phases of Review:

The ordinance establishes a two-phase process for affordable housing demonstration projects:

Phase 1: Concept Development and Review: Evaluation of the merits of the proposal by City staff followed by a recommendation by the Planning Commission to City Council. Before proceeding to Phase 2 of the review process a meeting with the neighboring community and acceptance by the City Council is required.

Phase 2: Type 1 Land Use Review: After the City Council has accepted the initial proposal, the applicant will submit an application for a Type 1 Land Use review. The land use review will be followed by the submission of necessary building and site improvement applications.

Planning Considerations: Pursuant to BMC Chapter 19.18, the proposal must demonstrate that the project is consistent with the following criteria:

- The proposal is consistent with the intent of the affordable housing goals of providing affordable housing choices, specifically demonstrating those housing styles identified in BMC 19.18.040.
- Affordable housing proposals must be at least 1,500 feet from any other affordable housing proposals approved under this chapter.
- The environmental impacts of the proposed development are consistent with City, State and Federal regulations.
- The proposal is compatible with the character of surrounding development.
- The proposal provides amenities and features that contribute to a sense of community within the development by including elements such as front entry porches, open space, and common recreational buildings and/or spaces within buildings.

Compliance with Burien Municipal Code: The applicant must demonstrate that any proposed modifications to requirements of the Burien Zoning Code, other than those specifically identified in BMC 19.18.030, are important to the success of the proposal as an affordable housing project.

Project Applicant Qualifications: In addition, per BMC 19.18.050, applicants must meet the following requirements to qualify under this program:

- The applicant must demonstrate experience in providing affordable housing. Notwithstanding this requirement, an applicant or organization who has a mission statement that includes a goal of providing permanently affordable housing may be deemed to have met this requirement.
- The applicant describes an actionable mechanism to retain all of the units as affordable for a minimum 50-year period for applicable income levels.
- The applicant demonstrates an ability and commitment to submit an annual report to the city documenting the status of all residential units.

Income limit: The average cost of units in each project will be affordable to households earning no more than 50% of King County AMI. “Affordable” means that the total housing costs, including basic utilities as determined by the City, must not exceed 30 percent of the household income.

Duration: Units must serve only income-eligible households for a minimum period of 50 years from the date of the certificate of occupancy.

Affordability Agreement. During each phase of review, the applicant will execute agreements with the City that documents a commitment to delivering affordable units and other conditions of the proposed development.

Phase 1 Concept Development and Review

The purpose of this phase is to ensure there is a verifiable commitment to affordability and to develop a project that contributes to the city's design and planning objectives and to ensure early conformance with essential codes and regulations. During this phase the concept may be refined based on feedback from the community, the Planning Commission, and the City Council. This phase of application includes:

- a. *Intake evaluation by City staff.* The applicant is required to schedule an application intake meeting with City staff to identify potential initial issues and review required submittal items identified on this checklist. An application, conceptual building elevations, and preliminary site plan will ensure a complete application has been made and will aid in the evaluation of the merits of the proposal. A third party evaluation of the proposal may also be conducted during this phase.
- b. *Public Meeting:* An initial public meeting is required prior to Planning Commission and City Council review. This should occur once a concept has been refined to provide an opportunity for community feedback relating to the overall design and layout of the proposed project. The notification requirement for providing notice to surrounding property owners and residents is a minimum distance of **1,000 feet** radius from the project site. City Staff will assist in preparing the notification list.
- c. *Staff Review and Recommendation:* Staff will review the proposal and provide the applicant with changes needed to comply with the criteria of the Housing Demonstration Program, the intent of City codes and design standards, and feedback received during the public meeting process. A third party review of financial information may be required, and costs associated with the review will be the responsibility of the applicant.
- d. *Planning Commission Review.* City staff, will present the proposed project to the Planning Commission along with any recommended conditions of approval. The Planning Commission will evaluate the project and provide a recommendation to the City Council as to the merits of the project and any issues the City Council may want to consider.
- e. *City Council Review.* City Council will review the Planning Commission's recommendation. The criteria used in evaluating the projects are:
 - The environmental impacts of the proposed development are consistent with City, State and Federal regulations.
 - The proposal is compatible with the character of surrounding development.
 - The proposal provides elements that contribute to a sense of community within the development by including elements such as front entry porches, common open space, and common buildings or common spaces within buildings.
 - Applicant's ability to demonstrate that any proposed modifications to requirements of the Burien Zoning Code, other than those specifically identified in this chapter, are important to the success of the proposal as an affordable housing project.
- f. *Concept Level Agreement.* A memorandum of understanding, drafted by the City and accepted by the applicant will document the applicant's commitment to delivering dwelling units at specified affordability levels along with other agreements between the City and the applicant during the concept development and review phase.

Phase 2: Type 1 Review and Building Permit Process

City staff will work with Phase 1 applicants through the Type 1 land use review application in Phase 2 of the Affordable Housing Demonstration review process. Work that took place during Phase 1 will help expedite the Phase 2 process. Timely and successful completion of Phase 2 is dependent upon complete application materials produced by the applicant along with communication with City staff. The Type 1 land use review process will ensure that projects comply with the Zoning Code, Comprehensive Plan, and the concept-level agreement memorandum during Phase 1. Type 1 review will also provide a final opportunity inform the community about the proposed project and provide a final opportunity for public comment.

Type 1 Land Use Review involves a decision by the Community Development Director following issuance of a public notice, consideration of written public comments, and review of a written staff recommendation. The Director's decision can be appealed to the City's Hearing Examiner. Please review the [Type 1 land use review requirements](#).

Under local and state laws, the City has 120 days to issue a decision on the project application, beginning on the day the application is complete. Note that the 120-day timeframe excludes time for response to requests by the City for additional information from the applicant.

The project vests to regulations in effect at the time a building permit application is submitted and deemed complete by the City. A building permit may be submitted at any time during the land use review process. However, issuance of the building permit will not occur until the land use decision has been issued and any applicable appeal period has been completed.

During this phase of review, an affordable housing agreement in a form approved by the Director and City Attorney must be recorded with the King County Recorder's office as a covenant running with the land and binding on the applicant, assigns, heirs and successors prior to issuance of a building permit. The agreement must address the level and duration of affordability, income qualifications, reporting, monitoring, and any other topics related to the provision of the affordable housing units.



Affordable Housing Demonstration Program

File Number

APPLICANT INFORMATION		
Name:	Company:	Daytime Phone:
Mailing Address:		E-Mail:
Contact person:	E-Mail:	Daytime Phone:
Property owner:		Daytime Phone:
Mailing Address:		E-Mail:

Legal description of property:
Brief Description of proposal (indicate whether units are to owner occupied and/or rentals and number of each):
Distance from closest affordable housing pilot project:

SIGNATURE

I, _____, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate _____ to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Dated: _____

Signature: _____

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist(s) must be submitted with the application and the required submittals.



Affordable Housing Demonstration Checklist

Intake Evaluation Meeting	REQUIRE D	PROVIDE D
An intake evaluation meeting with a planner is required prior to submittal (see separate pre-application meeting handout). Please contact Thara Johnson at 206-436-5574 to arrange a meeting.	X	

Application	REQUIRE D	PROVIDE D
Set up an application submittal appointment with planner.	X	
A completed and signed Affordable Housing Demonstration Program Application Form.	X	

Fees	REQUIRE D	PROVIDE D
A check payable to the City of Burien for applicable filing fees (Type 1 review and building permit fees: see separate fee schedule).	X	
Note: The City may assess a monitoring fee for the affordable units to cover the costs to the City to review and process documents to maintain compliance with income and affordable restrictions of the agreement.	X	

Survey, Site Plans and Building Elevations (5 copies)	REQUIRE D	PROVIDE D
Three (3) copies of dimensioned plans, drawn at 1" = 20' or a comparable scale, and one set reduced to 8½" x 11" size, showing:	X	
1. Property survey showing property dimensions, and any existing structures which are proposed to remain on the property and names of adjacent rightsof-way.		

2.	Existing streams, lakes, and shorelines, fire hydrants, utility lines (including location of nearest utility poles and fire hydrants), structures, rockeries, roadways and other relevant man-made or natural features.		
3.	A tree inventory of all existing trees 6" in diameter or more by species and an indication of which will be saved. The diameter, dripline and trunk locations should be accurately depicted.		
4.	Proposed landscaping; size, species, location and distance apart.		
5.	Location and dimensions of proposed structure(s), parking areas (include degree of angle for parking stall design), driveways and roadways.		
6.	Existing and finished grades at 5-foot contours with the precise slope of any area in excess of 40%.		
7.	The location and type of any critical areas and their required buffers, on and within 100 feet of your property.		
8.	Layout, dimensions and size of the proposed lots. Gross floor area of the proposed units		
9.	Gross floor area and parking calculations.		
10.	Calculations for proposed lot area, density, setbacks, building coverage, impervious surface coverage, building height and parking.		
11.	Location and size of proposed utility lines, together with a letter of water, sewer and fire hydrant availability.		
12.	Name, location and dimensions of, and existing and proposed improvements in rights-of-way and easements. Existing improvements in existing rights-of-way and easements must also be indicated.		
13.	For multifamily residential, location and dimensions of common and private recreation space.		
14.	Dimensioned building elevations drawn at 1/8" = 1' or a comparable scale showing at least two facades.		
15.	Site elevation and/or perspective drawings		

Other Requirements		REQUIRE D	PROVID ED
1.	Conceptual Drainage Report and Plan	X	
2.	Compliance with Downtown Design Standards (BMC 19.47) including Design standards checklist if located in the Downtown	X	

Proposal Description		REQUIRE D	PROVID ED
1.	Describe how the proposal complies with the affordable housing demonstration program and requirements as specified in BMC 19.18. Also specify the income qualification requirements and the affordability mix.	X	
2.	<p>Describe compliance with the following project applicant qualifications:</p> <ul style="list-style-type: none"> i. Overall Affordable Housing Development Experience: Proposals should be submitted by an organization(s) with both organizational and specific staff experience in the development and stewardship of affordable housing projects. The successful proposal will be submitted by an organization(s) that has successfully completed at least two affordable housing developments in the Pacific Northwest, has a successful track record of stewarding affordable housing, is familiar with the neighborhood and understands and has the ability to respond to community concerns. The successful proposal will be submitted by an organization(s) that has demonstrated success in reaching traditionally underserved populations, including people of diverse ethnic and cultural background and people with disabilities. ii. Development Experience: Please provide an overview of housing development and project-related experience, including size and type of project(s) number of units produced, rehabilitated, owned and/or managed. iii. The Team: Identify and describe your development team. In separate paragraphs, identify each person or company involved with the project team, and their respective roles. Include information on the team member’s experience and qualifications. Additionally, include the resume of key team members. iv. Past and Current Projects: The projects described should illustrate the developer’s experience with affordable housing construction projects similar in scope and size to the proposed project. Submit the following information on projects used to demonstrate experience: <ul style="list-style-type: none"> 1. Project name 2. Location/jurisdiction 3. Description of the project size and scope 4. Project start date, when construction was completed, date project was occupied and/or when last home was sold (if a current project, please include its current status and projected date of completion.) 	X	

<p>5. List and description of the development team (staff members, consultants, volunteers, contractors, etc.)</p> <p>6. Description of the ownership structure along with a description of resale-restrictions if any</p> <p>7. Detailed development budget with all sources and uses</p> <p>v. Affordable Housing Management Experience: Describe development entity's experience with affordable housing including staffing and resources to determine household eligibility, establish and maintain an applicant pool and relationships with mortgage lenders, monitor compliance with owner-occupancy requirements, resales, and rentals. If the development entity does not have experience with affordable housing stewardship and management, describe how these services will be provided in relation to the project.</p> <p>vi. Financial Capacity: Describe the development entity's (and/or development partners') financial capability to complete the proposed project.</p>		
<p>3. Development Budget and Narrative:</p> <p>i. Provide a detailed estimated project development budget including uses and financing/funding sources, estimated sales prices and amount. The sources of financing for land acquisition, pre-development costs, and construction should be delineated in the budget. Also include information about the construction costs of the typical proposed home, how you determined the initial sales price for each of the various home types and show the monthly payment details of different income levels and household sizes of target homebuyers.</p> <p>ii. Describe the sponsor's ability to obtain financing in a timely manner, including as appropriate both construction and permanent financing.</p>	X	
<p>4. Describe exactly how you propose to keep the homes affordable for the required 50 years.</p>	X	
<p>5. Estimated Project Timeline: Provide estimated development phase lengths, information about the impact on timing of other funding deadlines, as well as any additional information that may affect development timelines.</p>	X	
<p>6. Provide a list of departures from the Burien Municipal Code being requested and justification for each request based on the criteria identified in BMC 19.18.</p>	X	

Concept Level Agreement	REQUIRE D	PROVID ED
<p>A memorandum of understanding in a form approved and/or drafted by the City, shall document the applicant's commitment to delivering dwelling units at specified affordability levels along with other agreements between the City and the applicant during the concept development and review phase.</p>	X	