

**CITY OF MAPLE VALLEY, WASHINGTON  
ORDINANCE NO. O-18-639**

**AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON AMENDING TITLE 18 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “DEVELOPMENT REGULATIONS,” PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.**

WHEREAS, Washington State law allows for periodic updates to City zoning code as necessary; and

WHEREAS, the City of Maple Valley wishes to adopt development regulations which allow for Youth Mental Health Services; and

WHEREAS, the City of Maple Valley wishes to adopt development regulations which allow for the administrative review of final plats; and

WHEREAS, the Planning Commission held a public hearing to solicit comment regarding the proposed amendments; and

WHEREAS, the City notified the Department of Commerce and issued an anticipated SEPA Determination of Non-Significance, no comments were received; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1. Amendment.** Subsection 18.20.020 (Y) of Maple Valley Municipal Code Section entitled “Definitions” is hereby amended to read as follows: (new text shown in underline; deleted text shown in ~~striketrough~~):

**18.20.020 Definitions**

Y. “Y” Definitions. ~~Reserved.~~

1. “Youth Mental Health Services” means a counseling or therapy service provided by a non-profit or governmental organization.

**Section 2. Amendment.** Subsection 18.30.060(A) of Maple Valley Municipal Code Section entitled “Allowed uses by zoning district – Community services and institutions” is hereby amended to read as follows: (new text shown in underline; deleted text shown in ~~striketrough~~):

**18.30.060 Allowed uses by zoning district – Community services and institutions.**

A. Table.

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24	NB <sup>2</sup> , 3	CB <sup>4</sup>	PUB	PRO	TC	REC	RLTC
Religious Institution	C	C	C	C	C <sup>5</sup>	C <sup>5</sup>	A <sup>5</sup>	A <sup>5</sup>	C <sup>5</sup>	C	C
City Hall						P	P			P	
Courthouse/Jail						P	C			C	
Community College/Vocational						C	P <sup>1</sup>	C <sup>1</sup>	P	P	P
Community/Senior Center			C	C	C <sup>5</sup>	C	P <sup>1</sup>	P <sup>1</sup>	P	P	P
Elementary School	C	C	C	C			P <sup>1</sup>	P <sup>1</sup>			P
Fire Station	C	C	C	C	C	P	P <sup>1</sup>	P <sup>1</sup>		P	P
Junior High/High School			C	C			P <sup>1</sup>	P <sup>1</sup>			P
Hospital							P <sup>1</sup>			P	P
Correctional Facility							C			P	
Recreational Use						P	P	P	P	P	P
Library	C	C	C	C			P	P	P	P	P
Museum							P	P	P	P	P
Police Station						C <sup>8</sup>	P <sup>8</sup>		C <sup>8</sup>	C	C
Public Park, Passive	P	P	P	P	P	P	P	P	P	P	P
Public Park, Active	C	C	C	C	P	P	P <sup>1</sup>	P	P	P	P
Performing Arts Center				C			P <sup>1</sup>	P		P	P
Public Transit Facilities						C	P <sup>1</sup>	A <sup>7</sup>	P	P	P
Utilities, Major or Regional	C	C	C	C		P	P	P	C	C	C
Utilities, Minor or Local	P	P	P	P	P	P	P	P	P	P	P
Municipal Public Works and Road Maintenance Facilities	C	C	C	C	C	C	P	C	P	P	C
Youth Mental Health Services	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

**Section 3. Amendment.** Section 18.90.050 of Maple Valley Municipal Code Section entitled “Final Plat” is hereby amended to read as follows: (new text shown in underline; deleted text shown in ~~strikethrough~~):

**18.90.050 Final plat.**

A. No preapplication conference is required for a final plat application but a preapplication conference may be requested. Submittal requirements may be

obtained from the Department. ~~A modified Process 1, with a final decision by the City Council, is used to review final plat applications.~~

B. Review of Final Plat by the City. The Director of Community Development shall route the final plat application to all affected City departments and shall coordinate and consolidate the comments and review responses as needed. DCD shall prepare a report addressing whether and how the application meets each condition of preliminary plat approval. ~~This report together with the final plat application shall be forwarded to the City Council for final evaluation.~~

C. Approval by the ~~City Council~~ Director of Community Development. If the final plat conforms to all terms of the preliminary plat approval, the Director of Community Development (“Director”) ~~City Council~~ shall, ~~by means of resolution,~~ give final approval and ~~authorize the Mayor to sign the final plat~~ certifying that the plat complies with all the terms of the preliminary approval of the proposed plat, subdivision or dedication. The date of submittal of the completed final plat to the City Clerk is the official filing date from which the ~~City Council~~ Director shall approve or disapprove the final plat. Final approval by the ~~City Council~~ Director shall indicate acceptance of all dedications contained in the plat. The City shall notify the applicant of the decision of the ~~City Council~~ Director on the final plat.

D. Recording Plat with County Auditor. Upon approval of the final plat by the ~~Director of Community Development~~ City Council, the applicant shall record the approved plat with the County Auditor and file a copy with the County Assessor. A reproducible copy and two paper copies of the recorded plat shall be provided to the City by the applicant prior to issuance of Building Permits for the plat.

E. Failure to Complete Bonded Improvements. If bonding was accepted for improvements and the required improvements have not been satisfactorily installed within the required one-year period from the date of approval of the final plat, the City shall be entitled to proceed under the terms of the bond or performance security to complete the required improvements or otherwise assure completion of the subdivision.

F. Warranty Against Defects in Labor and Material. A maintenance bond, or other acceptable surety, is required from the applicant to warrant all required improvements, either installed or to be installed, against defects in labor and material for a period of 24 months after acceptance by the City. The surety shall be submitted with the final plat application, and shall be 20 percent of the estimated value of the improvements, as determined by the Public Works Director. The maintenance bond or surety is in addition to any warranty or surety provided to guarantee the installation of required improvements. The City Attorney shall approve the form, sufficiency and manner of execution of the maintenance bond, or other surety, prior to the approval of the final plat. Upon the termination of any warranty period, the Public Works Director shall authorize the

release of the maintenance bond by written notice to the City Council, applicant and the surety.

**Section 4. Amendment.** Subsection 18.100.040(A) of Maple Valley Municipal Code Section entitled “Project permit application framework” is hereby amended to read as follows: (new text shown in underline; deleted text shown in ~~strikethrough~~):

**18.100.040(A) Project permit application framework.**

A. Process Types – Applications.

Process 1	Process 2	Process 3	Process 4	Process 5
<input type="checkbox"/> Building Permit <sup>1</sup>	<input type="checkbox"/> Use approval with SEPA or street improvement review	<input type="checkbox"/> Binding site plan for five or more lots	<input type="checkbox"/> Development agreement	<input type="checkbox"/> Comprehensive plan amendment
<input type="checkbox"/> Clearing and Grading Permit <sup>1</sup>	<input type="checkbox"/> Short plat	<input type="checkbox"/> Preliminary plat	<input type="checkbox"/> Site-specific rezones	<input type="checkbox"/> Subarea plan
<input type="checkbox"/> Mechanical, Plumbing, other Construction Permits <sup>1</sup>	<input type="checkbox"/> Binding site plan for four or fewer lots	<input type="checkbox"/> Preliminary plat major revision	<input type="checkbox"/> Preliminary or final plat vacation	<input type="checkbox"/> Development code text amendment <sup>5</sup>
<input type="checkbox"/> Minor site plan review <sup>1</sup>	<input type="checkbox"/> Design review	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Final plat alteration	<input type="checkbox"/> Area-wide rezones
<input type="checkbox"/> Boundary line adjustment	<input type="checkbox"/> Reasonable use exception	<input type="checkbox"/> Shoreline Conditional Use Permit		
<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Variance	<input type="checkbox"/> Multiple use master plan		
<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Shoreline substantial development permit	<input type="checkbox"/> Master planned community (MPC) project approval		
<input type="checkbox"/> Limited amendment of prior land use approval	<input type="checkbox"/> Shoreline variance	<input type="checkbox"/> MPC project approval major amendment		
<input type="checkbox"/> Preliminary plat minor revision	<input type="checkbox"/> SEPA threshold determination <sup>3</sup>			
<input type="checkbox"/> Final plat <sup>2</sup>	<input type="checkbox"/> Administrative amendment of prior land use approval			
	<input type="checkbox"/> Formal code interpretation			

Process 1	Process 2	Process 3	Process 4	Process 5
<input type="checkbox"/> MPC project approval administrative amendment  <input type="checkbox"/> Site development permit <sup>1</sup>  <input type="checkbox"/> Shoreline exemption  <input type="checkbox"/> Zoning verification letter  <input type="checkbox"/> Noise variance	<input type="checkbox"/> Plat revocation <sup>4</sup>			

Notes: 1. Building Permits, Clearing and Grading Permits, Site Development Permits, minor site plan review, and any other construction-related approvals that are subject to SEPA review or have required street improvements also require a use approval in conjunction with other SEPA or street improvement review.

2. Final plats are subject to the requirements of RCW 58.17.140 and MVMC 18.90.050. The final plat decision is made by the ~~City Council~~ Director.

3. SEPA threshold determinations are governed by Chapter 14.10 MVMC.

4. A plat revocation is a civil enforcement action that may also involve criminal penalties pursuant to RCW 58.17.300.

5. Development code text amendments that only amend procedural requirements are not submitted to the Planning Commission for review.

**Section 5. Severability.** If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 6. Effective Date.** This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

**Section 7. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF  
ON THE 12<sup>TH</sup> DAY OF MARCH 2018.

CITY OF MAPLE VALLEY

---

Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

---

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

---

Patricia Taraday, City Attorney

Date of Publication: March 16, 2018

Effective Date: March 21, 2018