



# CITY OF LAKE FOREST PARK PLANNING COMMISSION MEETING

**Tuesday, November 12, 2024 at 7:00 PM**

**Meeting Location: In Person and Virtual / Zoom**

**17425 Ballinger Way NE Lake Forest Park, WA 98155**

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## **INSTRUCTIONS FOR ATTENDING THIS MEETING VIRTUALLY:**

Join Zoom Webinar: <https://us06web.zoom.us/j/82487151825>  
Call into Webinar: 253-215-8782 | Webinar ID: 824 8715 1825

The Planning Commission is providing opportunities for public comment by submitting a written comment or by attending the meeting in person to provide oral public comment.

### **HOW TO PARTICIPATE WITH ORAL COMMENTS:**

If you are attending the meeting in person, there is a sign-in sheet located near the entrance to the room. Fill out the form and the presiding officer will call your name at the appropriate time. Oral comments are limited to 3:00 minutes per speaker. Oral comments are not being accepted via Zoom.

The meeting is being recorded.

### **HOW TO SUBMIT WRITTEN COMMENTS:**

Written comments for public hearings will be submitted to Planning Commission if received by 5:00 p.m. on the date of the meeting; otherwise, they will be provided to the Planning Commission the next day. Because the City has implemented oral comments, written comments are no longer being read under Public Comments.

For up-to-date information on agendas, please visit the City's website at [www.cityofflp.gov](http://www.cityofflp.gov).

# AGENDA

## 1. CALL TO ORDER: 7:00 P.M. (confirm recording start)

## 2. PLANNING COMMISSION'S LAND ACKNOWLEDGEMENT

*We'd like to acknowledge we are on the traditional land of a rich and diverse group of Native Peoples who have called this area home for more than 10,000 years. We honor, with gratitude, the land itself and the descendants of these Native Peoples who are still here today.*

## 3. APPROVAL OF AGENDA

## 4. APPROVAL OF MEETING MINUTES

[A.](#) Approval of Meeting Minutes from October 8, 2024, Regular Meeting

[B.](#) Approval of Meeting Minutes from June 11, 2024, Regular Meeting

## 5. MEETING DATES

A. Draft 2025 Planning Commission Meeting Dates Forthcoming

## 6. PUBLIC HEARINGS

## 7. PUBLIC COMMENTS

***The Commission is not accepting online public comments. The Planning Commission accepts oral and written citizen comments during its regular meetings. Written comments are no longer being read during the meeting. Comments are limited to three (3) minutes.***

## 8. REPORT FROM CITY COUNCIL LIAISON

## 9. OLD BUSINESS

[A.](#) Middle Housing Development Regulations with SCJ Alliance

[B.](#) Parking Lot items of Planning Commission interest or concern – for future meetings/Work Plan

Economic Development, Business Assistance for Small Businesses and Mixed Use  
Expand Commercial Base, Feedback from Business Representatives  
Reasonable Use Exceptions (RUEs), Revisit and End User Guide  
Housing in Southern Gateway, Incentives  
Tree Canopy Report, Update  
Parks, Recreations, Open Space, & Trails (PROST) Plan, Update  
Education on/of Development Regulations  
Perkins Way and 40<sup>th</sup> Place Impacts, Traffic Calming and Safety, Light Rail

## 10. NEW BUSINESS

## 11. REPORTS AND ANNOUNCEMENTS

A. Planning Commission Vacancies and Recruitment

**12. ADDITIONAL CITIZEN COMMENTS**

**13. AGENDA FOR NEXT MEETING**

A. Next regular meeting scheduled for Tuesday, December 10, 2024

**14. ADJOURN**

*Any person requiring a disability accommodation should contact city hall at 206-368-5440 by 4:00 p.m. on the day of the meeting for more information.*

1 City of Lake Forest Park – Planning Commission  
2 Regular Meeting Minutes: October 08, 2024; 7:00-9:00pm  
3 Hybrid Meeting Held in the Forest Room at City Hall and Virtually via Zoom  
4

5 **Planning Commissioners present:** Chair Ashton Alvarez- McCartney, Vice Chair Janne Kaje (via  
6 Zoom), Meredith LaBonte, David Kleweno, Lois Lee, Sam Castic, and Madlyn Larson  
7

8 **Staff and others present:** Mark Hofman, Community Development Director; John Lebo, City  
9 Council liaison; Zoë Tapert, SCJ Alliance (via Zoom)  
10

11 **Members of the Public present:** none  
12

13 **Planning Commissioners absent:** Melissa Cranmer and Cherie Finazzo  
14

15 **Call to order:** Chair Alvarez-McCartney called the meeting to order at 7:00 PM  
16

17 **Land Acknowledgement:** Chair Alvarez-McCartney read the land acknowledgement.  
18

19 **Approval of Agenda:** Cmr. Larson made a motion to approve the agenda, Cmr. Castic seconded,  
20 and the motion to approve the agenda was carried unanimously.  
21

22 **Approval of Meeting Minutes:** Cmr. Larson made a motion to approve the September 10, 2024,  
23 Meeting Minutes, Cmr Kleweno seconded and the motion to approve the minutes was carried  
24 unanimously.  
25

26 **Public Hearing:** No public hearing.  
27

28 **Next meeting:** The next meeting occurs on November 12, 2024.  
29

30 **City Council calendar for review of the 2024 Comprehensive Plan Update discussion**

31 Mr. Hofman gave an update that the Comprehensive Plan has been transmitted to the City Council  
32 on September 26<sup>th</sup>. There is also a draft series of meetings building on existing work sessions and  
33 council sessions. There is currently not a joint session scheduled for the City Council and Planning  
34 Commission, but it may still happen. The City Council is currently projected to have an adopted  
35 hearing on December 2, 2024, with a possibility of adoption on December 12<sup>th</sup>.  
36

37 **Climate Policy Advisory Team schedule discussion**

38 Mr. Hofman gave an update on the CPAT schedule. There has been a doodle poll sent to all CPAT  
39 members to see what day works best with everyone. A result will soon be available to see the  
40 scheduled dates.  
41

42 **Public Comment:** No public comments.  
43

44 **City Council Liaison Report:** City Council member John Lebo gave an update on the biannual  
45 budget. The City Council has been looking at the revenues and expenditures of all departments. The  
46 City Council is also working on what to do with the revenue from the traffic cameras and how to  
47 handle the deficit of the City budget.  
48

1 **Old Business:**

2 **Middle Housing Development Regulations with SCJ Alliance**

3 Mr. Hofman gave some context to the middle housing element and the work with SCJ alliance. Mr.  
4 Hofman also discussed deadlines and the vision of the middle housing element and the discussion of  
5 housing types and what is appropriate for the community and how the policies interact with critical  
6 areas and other issues.

7  
8 Ms. Tapert gave a presentation on the Middle Housing element. The three middle housing types  
9 chosen were cottage court, accessory dwelling unit, and duplex. SCJ consultants will now be  
10 working on what the gaps are in the city code and how to tackle those gaps with the middle  
11 housing element.

12  
13 Planning Commission members asked Ms. Tapert some questions regarding the middle housing  
14 element including possibilities of ADUs and housing options. Planning commission members  
15 also expressed concerns about the impacts on the community of increased housing. Cmr. Larson  
16 stated that she would start a google document and share with all the members to ensure that  
17 everyone’s questions are in one place and can be documented for future meetings and  
18 conversations.

19  
20 Vice Chair Kaje stated that he would like the Planning Commission to talk about the street  
21 frontage requirements on the zones RS 15 and RS 20 zones due to the restrictions it places on  
22 subdividing in these zones.

23  
24 **Discussion on items of Planning Commission interest or concern - for future meetings**

- 25 **Climate Element with the Climate Policy Advisory Team**
- 26 **Economic Development, Business Assistance for Small Businesses and Mixed Use**
- 27 **Expand Commercial Base, Feedback from Business Representatives**
- 28 **Reasonable Use Exceptions (RUEs), Revisit and End User Guide**
- 29 **Housing in Southern Gateway, Incentives**
- 30 **Tree Canopy Report, Update**
- 31 **Parks, Recreations, Open Space, & Trails (PROST) Plan, Update**
- 32 **Education on/of Development**
- 33 **Regulations Perkins Way and 40th Place Impacts, Traffic Calming and Safety, Light Rail**

34  
35 Vice Chair Kaje took over the meeting as Chair Alvarez-McCartney had to step out early. Vice  
36 Chair Kaje suggested organizing the list as priorities, for example, the first priority being those in  
37 the list that relate to middle housing. Cmr. Lee went to the whiteboard to lay out the calendar and  
38 how the 2025 work plan will look like for the Planning Commission. The board discussed the  
39 items on the list and how to appropriately tackle them.

40  
41 **New Business:**

42  
43 **Reports and Announcements:**

44 **Planning Commission Vacancies and Recruitment**

45 Cmr. Cramner is moving next year. Mr. Hofman stated that the City Clerk has begun advertising for  
46 the vacancy. Cmr. Larson announced that she is willing to step down from the Planning  
47 Commission if there are any qualified candidates that would like to join.

1 **Citizen Comment:** No public comments.

2

3 **Agenda for Next Meeting:** Additional discussion on middle housing and finalizing the 2025 work  
4 plan.

5

6 **Adjournment:** Cmr. Kleweno made a motion to adjourn the meeting, Cmr. Larson seconded, and  
7 the motion was carried unanimously. The meeting adjourned at 9:00 PM.

8

9

APPROVED:

10

11

12

\_\_\_\_\_  
Ashton Alvarez-McCartney, Planning Commission Chair

DRAFT

1 City of Lake Forest Park – Planning Commission  
2 Meeting Minutes: June 11, 2024; 7:00-9:00pm  
3 Hybrid Meeting Held in the Forest Room at City Hall and Virtually via Zoom  
4

5 **Planning Commissioners present:** Chair Ashton Alvarez- McCartney; Vice Chair Janne Kaje;  
6 Melissa Cranmer, David Kleweno, Sam Castic, and Cherie Finazzo  
7

8 **Staff and others present:** Mark Hofman, Community Development Director; Lorri Bodi, Council  
9 member; Cristina Haworth, SCJ Alliance; David Fiske, SCJ Alliance  
10

11 **Members of the Public present:** No members of the public present.  
12

13 **Planning Commissioners absent:** Lois Lee, Meredith LaBonte, and Madlyn Larson  
14

15 **Call to order:** Alvarez- McCartney called the meeting to order at 7:00 PM  
16

17 **Land Acknowledgement:** Vice Chair Kaje read the land acknowledgement.  
18

19 **Approval of Agenda:** Cmr. Castic made a motion to approve the agenda, Cmr. Finazzo seconded,  
20 and the motion to approve the agenda was carried unanimously.  
21

22 **Approval of Minutes:** Cmr. Castic provided an edit to the May 14<sup>th</sup> meeting minutes. Cmr. Castic  
23 made a motion to approve the minutes with the edit, and Cmr. Finazzo seconded. The May 14<sup>th</sup>,  
24 2024, minutes were approved unanimously.  
25

26 **Public Comment:** No public comments.  
27

28 **Next meeting:** The next meeting occurs on July 09, 2024.  
29

30 The Planning Commission also discussed dates and times for the open house event. The  
31 commission settled on July 16<sup>th</sup> from 4 to 7 pm. Logistics for the open house event were also  
32 discussed.  
33

34 **City Council Liaison Report:** Council member Bodi reported that public comments will no longer  
35 be accepted via online submittal. The City Council will also be working on the budget starting in  
36 September and wrapping up late November.  
37

38 **Old Business:**  
39 **Economic Development goals and policies**

40 Mr. Fiske discussed the discussion guide that was part of the agenda packet. Vice Chair Kaje  
41 discussed the issue of the southern gateway that has not met the goals that the commissioners  
42 expected in terms of employment and economic growth.  
43

44 The Planning Commission also discussed the issue of the wording that pertains to marginalized  
45 communities in 4.6 and whether it should be included in the Comprehensive Plan. The commission  
46 members chose to open up the issue during the open house event and see what the community  
47 thinks.  
48

1 **Parks, Trails, and Open Space goals and policies**

2 Ms. Haworth gave a presentation on the Parks, Trails, and Open Space element. Ms. Haworth  
3 pointed out that the 2015 element for Parks, Trails, and Open Space is generally consistent. Ms.  
4 Haworth stated that during the element update, the Planning Commission should consider how to  
5 address historic disparities.  
6

7 The Planning Commission members then discussed edits and possible changes to the element. Some  
8 edits include having safe walking routes in the city. The commissioners also discussed add language  
9 or policies to prioritize removing invasive species in the city parks. Mr. Hofman mentioned that the  
10 Tree Board is working on this issue as well.  
11

12 **New Business:**

13 Not applicable.  
14

15 **Reports and Announcements:**

16 None.  
17

18 **Citizen Comment:**

19 None.  
20

21 **Agenda for Next Meeting:** Additional discussion on comprehensive plan amendments including  
22 open-house updates.  
23

24 **Adjournment:**

25 Vice Chair Kaje made a motion to adjourn the meeting, Cmr. Kleweno seconded, and the motion  
26 was carried unanimously. The meeting adjourned at 9:00 PM  
27

28 APPROVED:

29 \_\_\_\_\_  
30 Ashton Alvarez-McCartney, Planning Commission Chair  
31





**To** City of Lake Forest Park

**From:** SCJ Alliance

**Date:** November 7<sup>th</sup>, 2024

**Project:** Lake Forest Park Middle Housing Ordinance

**Subject** Summary of Housing-Related Legislative Changes – Tier 3 Cities

### Introduction:

Within recent legislative sessions, several policies were passed by the state legislature to address affordable housing across Washington state. These bills made changes to the Growth Management Act and addressed “missing middle housing” through new requirements for cities and counties. The following memo provides a legislative brief on what cities classified as “Tier 3” under new Middle Housing legislation (HB 1110 and HB 2321) are required to plan for.

Lake Forest Park will also need to consider the direction provided by the comprehensive plan goals, policies, and community engagement efforts in determining the approach to addressing new state legislation on housing in the upcoming middle housing ordinance.

### Recent Housing-Related Legislative Changes

#### Comprehensive Plan – Housing Element:

[HB 1220](#) substantially amends housing-related provisions of the GMA, requiring planning for housing by income bands and addressing racially disparate impacts, displacement, and exclusion.

This bill directs the City of Lake Forest Park to update the Housing Element of the Comprehensive Plan to account for the following actions:

- Inventory and analyze existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction’s share of housing need, as provided by Commerce.
- Identify land capacity for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, and permanent supportive housing.
- Consideration of housing locations in relation to employment locations and the role of ADUs.
- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
  - Zoning that may have a discriminatory effect;

- Disinvestment; and
- Infrastructure availability.
- Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments. This work should identify areas where anti-displacement tools may be applied, but may not need to be in the comprehensive plan.

**Development Code:**

[HB 1042](#) encourages the conversion of existing commercial or mixed-use buildings for residential uses.

Six months after its periodic comprehensive plan update, Lake Forest Park must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements for buildings zoned commercial or mixed-use to allow for the conversion of these buildings into multifamily housing.

[HB 1337](#) requires cities and counties to allow two accessory dwelling units (ADUs) per lot in urban growth areas and establishes standards for jurisdictions to use.

Lake Forest Park **must**:

- Permit ADUs in structures detached from the principle unit;
- Allow an ADU on any lot that meets the minimum lot size required for the principal unit;
- Allow detached ADUs to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley; and
- Allow ADUs to be converted from existing structures, including detached garages.
- Allow for the construction of two ADUs in the following configurations on all zoning districts that allow for single-family homes in urban growth areas;
  - One attached ADU and one detached ADU;
  - Two attached ADUs; or
  - Two detached ADUs, which may be comprised of either one or two detached structures.

The City of Lake Forest Park **cannot**:

- Assess impact fees on the construction of ADUs that are greater than 50 percent of the impact fees that would be imposed on the principal unit;
- Establish a height limit on an ADU of less than 24ft feet, unless the principal unit height limit is less than 24 feet;
- Establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;
- Impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for ADUs that are more restrictive than those for principal units;
- Prohibit the sale of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an ADU;
- Require public street improvements as a condition of permitting ADUs; and

- Require the owner of a lot on which there is an ADU to reside in or occupy the ADU or another housing unit on the same lot.

Lake Forest Park **may** apply regulations including:

- Generally applicable development regulations;
- Public health, safety, building code, and environmental permitting requirements that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;
- A prohibition on the construction of ADUs that are not connected to or served by public sewers;
- A prohibition or restriction on the construction of ADUs in residential zones with a density of one dwelling unit per acre or less that are within areas designated as wetlands, fish and wildlife habitats, flood plains, or geologically hazardous areas; and
- Restrictions on the use of ADUs for short-term rentals.

[HB 1110](#) and [HB 2321](#) requirements concerning middle housing:

Six months after its periodic comprehensive plan update, Lake Forest Park must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements and definitions for middle housing.

### **Tier 3 City Applicability:**

- Population of less than 25,000 in 2020,
- Located in a county with a population of at least 275,000, and
- Within a contiguous urban growth area with the largest city in the county.

A Tier 3 City **must**:

- **Allow for the development of at least two units per lot** on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies. See RCW [36.70A.635\(1\)\(c\)](#).
  - This unit density does not apply to lots after subdivision below 1,000 square feet unless the city has a smaller allowable lot size in the zone.
- Allow zero lot line short subdivision where the number of lots created is equal to the unit density required in RCW [36.70A.635\(1\)\(c\)](#).
- Apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law. See RCW [36.70A.635\(6\)\(c\)](#).

A Tier 3 City **may**:

- Allow accessory dwelling units to achieve the unit density required, per RCW [36.70A.635\(5\)](#)
- Define middle housing types that are undefined under RCW [36.70A.030](#)
  - RCW 36.70A.030 includes definitions for courtyard apartments, cottage housing, townhouses, and stacked flats, **but** duplexes, triplexes, fourplexes, fiveplexes, and sixplexes are undefined.
- Define what falls under the required “unit density”.

- Cities choosing to count accessory dwelling units as part of “unit density” and adopting the term “unit density” in local code should consider a definition that references accessory dwelling units.
- Adopt a maximum unit density
  - Cities are not required to allow accessory dwelling units or middle housing types beyond the density requirements - RCW [36.70A.635\(5\)](#)
  - The middle housing definition, in conjunction with the maximum unit density a jurisdiction adopts, is important because RCW 36.70A.635 sets limits on permitting, design review, and parking standards for all middle housing types citywide in all cities subject to the middle housing law.

A Tier 3 City **cannot** (see RCW [36.70A.635\(6\)](#)):

- Require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop under;
- Require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots no greater than 6,000 square feet before any zero lot line subdivisions or lot splits;
- Require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

Middle Housing Exemptions (RCW [36.70A.635\(8\)](#)):

- Portions of a lot, parcel, or tract designated with critical areas designated under RCW [36.70A.170](#) or their buffers as required by RCW [36.70A.170](#), except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met;
- Areas designated as sole-source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound;
- A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal Clean Water Act (33 U.S.C. Sec. 1313(d));
- Lots that have been designated urban separators by countywide planning policies as of July 23, 2023; or
- A lot that was created through the splitting of a single residential lot.
  - NOTE: At this time, “lot split” is undefined. Legislation in both 2023 and 2024 on this did not pass. This may change in the future, and lots may be exempt from allowing middle housing. More guidance to come if this passes the state legislature.

The State Model Ordinance developed by the Department of Commerce:

- Goes above what is asked for in the state legislation;
- Only text in bold is required;
- Does not count accessory dwelling units as middle housing;
- Says that Cottage Housing, Courtyard Apartments, and Stacked Flats can “reasonably be built” in a two-unit configuration, thus Tier 3 Cities need to permit these by-right when addressing the allowance of two units per lot;

- Imagine all the different ways one could arrange two units on a single lot.
- The key features of these middle housing types:
  - Duplex: Left for cities to define
  - Cottage Housing: Residential units on a lot with a shared open space owned in common
  - Courtyard Apartments: Attached residential units arranged on two or three sides of a yard or court.
  - Stacked Flat: Residential units in a residential building of no more than three stories in which each floor may be separately rented or owned.

**Permitting Process:**

[HB 1293](#) establishes standards for clear and objective local design review to streamline permitting processes.

Encourages Lake Forest Park to provide expedited review for project permit applications that include dwelling units that are affordable to low-income or moderate-income households and within the capacity of systemwide infrastructure improvements.

[SB 5412](#) expands SEPA Categorical Exemptions related to infill and middle housing projects.

Lake Forest Park may establish SEPA exemptions for the development of housing within incorporated areas of the UGA pursuant to RCW 37.70A.110 or middle housing.

[SB 5290](#) amends the Local Project Review Act to increase the timeliness and predictability of permitting processes. The Department of Commerce is required to provide a consolidated permit review grant program and a digital permitting grant program to support implementation of this bill.

The City of Lake Forest Park must exclude project permits for interior alterations from site plan review, provided that they do not include activities such as increasing the number of sleeping quarters, total square footage or valuation, or nonconformity with FEMA substantial improvement thresholds.



Lake Forest Park, WA

# Middle Housing Update

Planning Commission Meeting | November 2024



**SCJ ALLIANCE**  
CONSULTING SERVICES



# Refresher on Middle Housing Tiers

## Tier A: Cities with at least 75,000 people.

- These cities must permit at least four homes per residential lot, and six per lot if located within a quarter-mile walking distance of a major transit stop or if two of the homes are affordable.

## Tier B: Cities with less than 75,000 people but more than 25,000 people.

- These cities must permit at least two homes per lot, and four per lot if located within a quarter-mile walking distance of a major transit stop or if one of the homes is affordable.

**Tier C:** Cities with populations under 25,000 and within a contiguous urban growth area with the largest city in a county with a population of more than 275,000. These cities must permit **at least two homes per residential lot.**



# HB 1110

## Middle Housing Tiers

**HB1110 City Tiers**

<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Tier A City	<span style="display:inline-block; width:15px; height:15px; background-color:lightgrey; border:1px solid black;"></span> Other Urban Growth Areas
<span style="display:inline-block; width:15px; height:15px; background-color:lightorange; border:1px solid black;"></span> Tier B City	<span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Tier C Contiguous Urban Growth Areas
<span style="display:inline-block; width:15px; height:15px; background-color:lightyellow; border:1px solid black;"></span> Tier C City	<span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Highways
<span style="display:inline-block; width:15px; height:15px; background-color:white; border:1px solid black;"></span> Other Cities	

Population Source: Office of Financial Management, 2020.



# Middle Housing Refresher

- RCW 36.70A.030 (26) defines middle housing as:  
 “buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.”
- Cities are required to allow for different middle housing types based on their population size.
- Middle housing regulations cannot be more restrictive than those for detached single-family residences. RCW 36.70A.635(6)





# Tier 3 Housing Memo

## Middle Housing Legislation: HB 1110 and HB 2321

### Key Takeaways:

- Allow the development of at least two units per lot (unit density)
- Apply the same development permit and environmental review process for middle housing as is applied to detached single-family residences
- Cities are not required to allow more ADUs or middle housing types beyond the density requirements
- Cities may adopt a maximum unit density
- ADUs may count towards unit density



**To:** City of Lake Forest Park  
**From:** SCJ Alliance  
**Date:** November 7<sup>th</sup>, 2024  
**Project:** Lake Forest Park Middle Housing Ordinance  
**Subject:** Summary of Housing-Related Legislative Changes – Tier 3 Cities

#### Introduction:

Within recent legislative sessions, several policies were passed by the state legislature to address affordable housing across Washington state. These bills made changes to the Growth Management Act and addressed “missing middle housing” through new requirements for cities and counties. The following memo provides a legislative brief on what cities classified as “Tier 3” under new Middle Housing legislation (HB 1110 and HB 2321) are required to plan for.

Lake Forest Park will also need to consider the direction provided by the comprehensive plan goals, policies, and community engagement efforts in determining the approach to addressing new state legislation on housing in the upcoming middle housing ordinance.

#### Recent Housing-Related Legislative Changes

##### Comprehensive Plan – Housing Element:

[HB 1220](#) substantially amends housing-related provisions of the GMA, requiring planning for housing by income bands and addressing racially disparate impacts, displacement, and exclusion.

This bill directs the City of Lake Forest Park to update the Housing Element of the Comprehensive Plan to account for the following actions:

- Inventory and analyze existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction’s share of housing need, as provided by Commerce.
- Identify land capacity for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, and permanent supportive housing.
- Consideration of housing locations in relation to employment locations and the role of ADUs.
- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
  - Zoning that may have a discriminatory [effect](#).

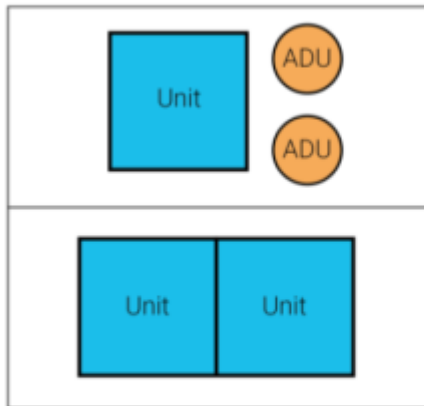
# Tier 3 Housing Memo: HB 1337

## ADU Legislation: HB 1337

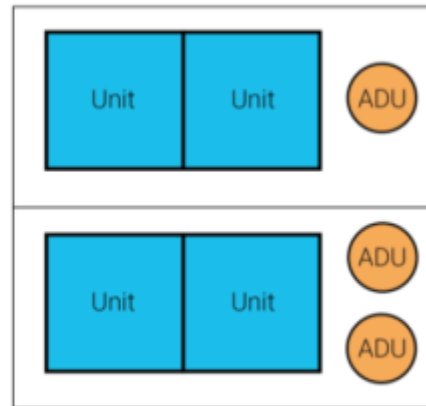
### Key Takeaways:

- Interpretation is tricky due to how it pairs with middle housing, but state guidance is provided as follows:

Tier 3 cities must allow the following configurations



Tier 3 cities may choose to allow the following configurations (by not counting ADU's toward unit density)



*The example configurations also apply to Tier 2 cities where the base unit density is two units on lots zoned predominantly for residential use. Note that ADUs must be allowed to be attached or detached.*



**To:** City of Lake Forest Park  
**From:** SCJ Alliance  
**Date:** November 7<sup>th</sup>, 2024  
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**HB 1220** substantially amends housing-related provisions of the GMA, requiring planning for housing by income bands and addressing racially disparate impacts, displacement, and exclusion.

This bill directs the City of Lake Forest Park to update the Housing Element of the Comprehensive Plan to account for the following actions:

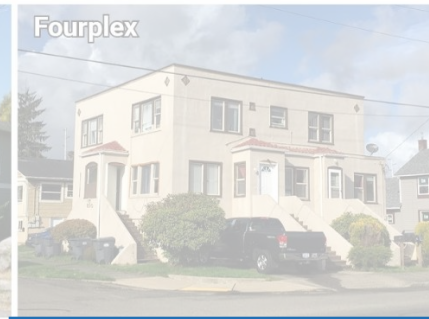
- Inventory and analyze existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction's share of housing need, as provided by Commerce.
- Identify land capacity for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, and permanent supportive housing.
- Consideration of housing locations in relation to employment locations and the role of ADUs.
- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
  - Zoning that may have a discriminatory effect.

# Housing Configurations

The following configurations must be allowed for:

- Single family residence and two ADUS;
- Duplex;
- Stacked Flats;
- Cottage Housing; and
- Courtyard Apartments.

The Department of Commerce has stated that these can all be reasonably built in a two unit per lot configuration.





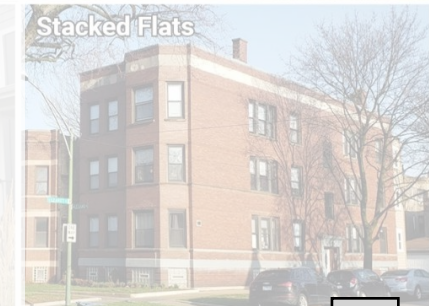
# Public Engagement Results

The top three middle housing types chosen during public engagement on middle housing were:

1. Cottage court (235 responses)
2. Accessory dwelling unit (ADU) (216 responses)
3. Duplex (182 responses)

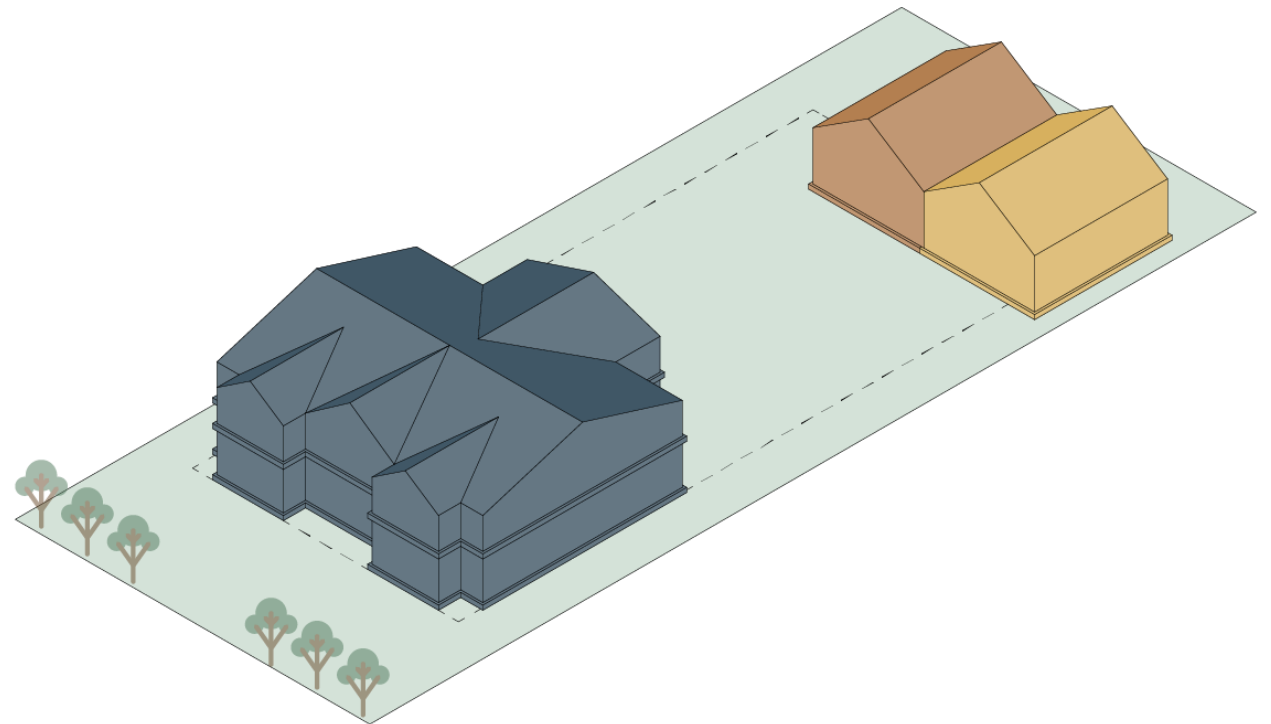
The least popular were:

- Tiny house villages (14 responses)
- Multiplex apartments (20 responses)
- Micro-apartment buildings (22 responses)



# Housing Graphics – Single Family Residence + ADUs

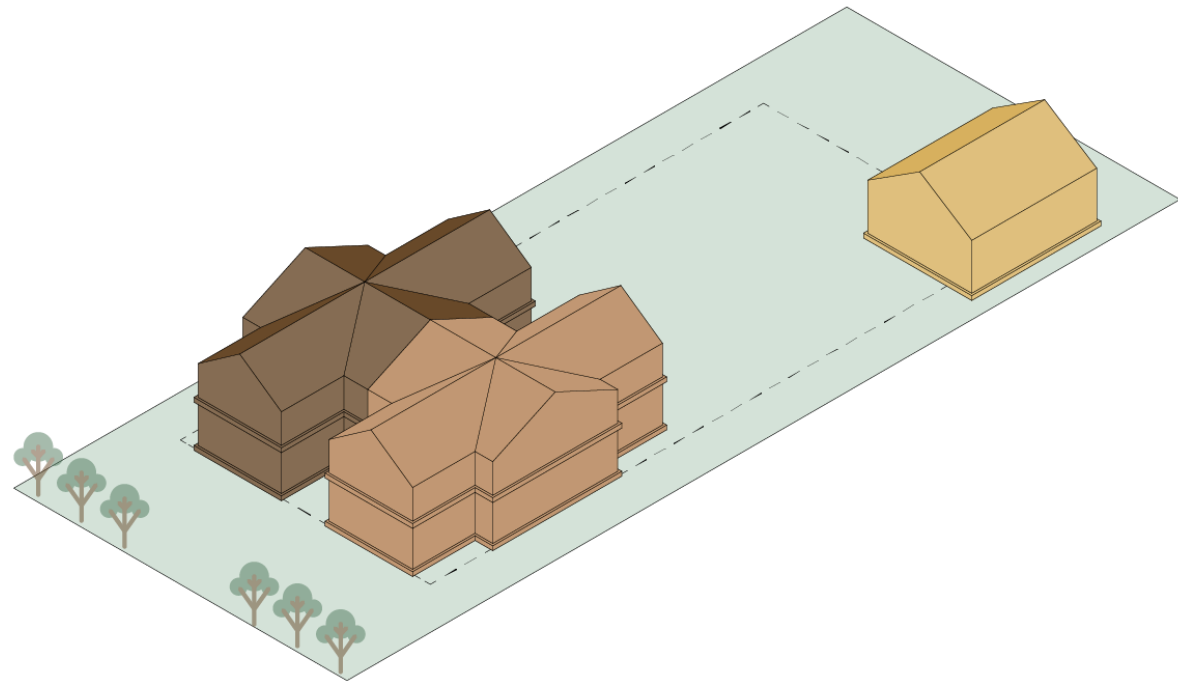
- The following configuration must be allowed for by Tier 3 Cities.
- Largely relies on HB 1337 for the specifics.



# Middle Housing Graphics - Duplex



- Duplex configuration must be allowed for
- “Duplex” is left for the City to define its exact meaning
- ADU in this configuration may be allowed for but is not required

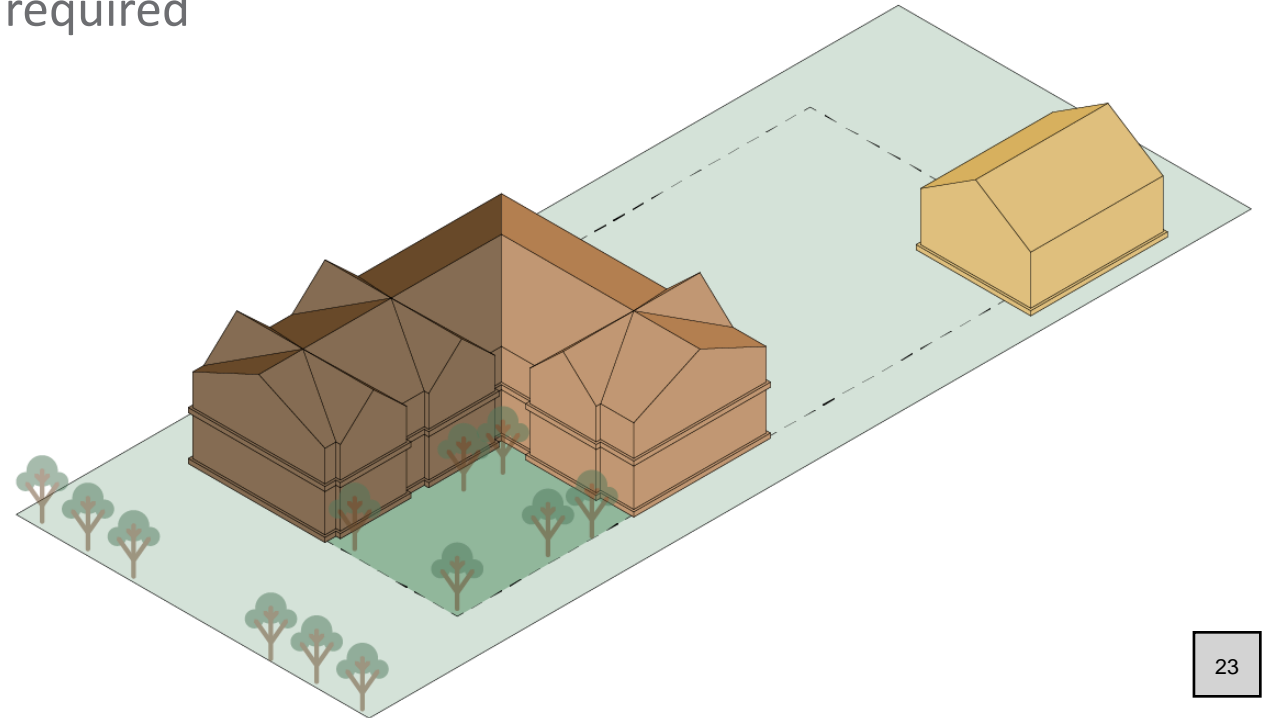




# Middle Housing Graphics – Courtyard “Apartments”



- Courtyard Apartment configuration must be allowed for.
- “Courtyard Apartment” is defined as:
  - *“attached dwelling units arranged on two or three sides of a yard or court”*
- ADU in this configuration may be allowed for but is not required

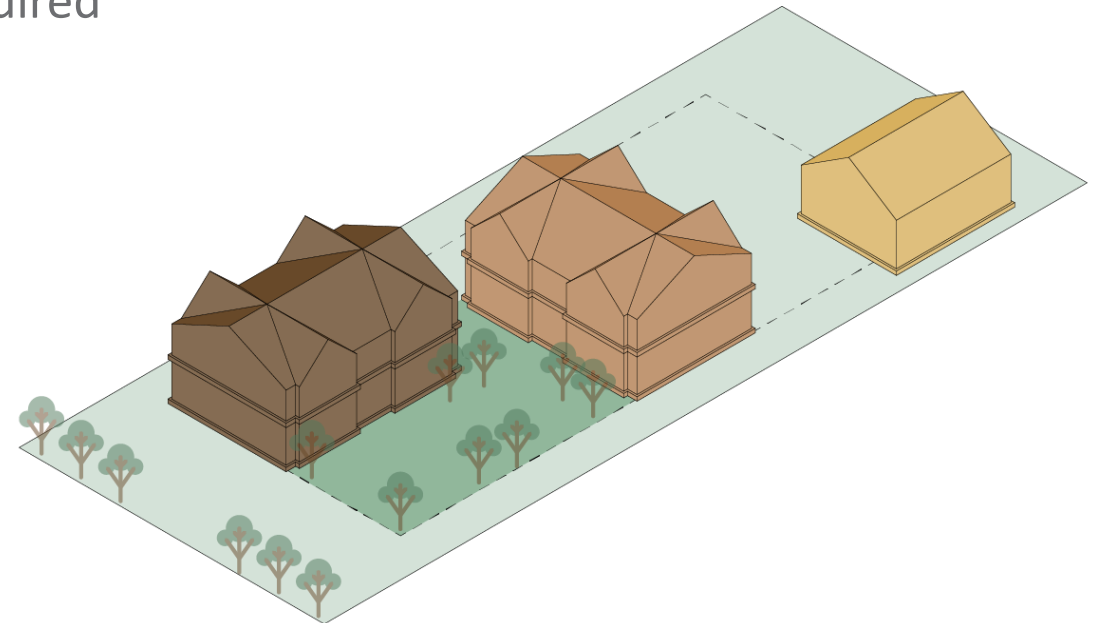




# Middle Housing Graphics – Cottage Housing



- Cottage Housing configuration must be allowed for.
- “Cottage Housing” is defined as:
  - *“residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.”*
- ADU in this configuration may be allowed for but is not required

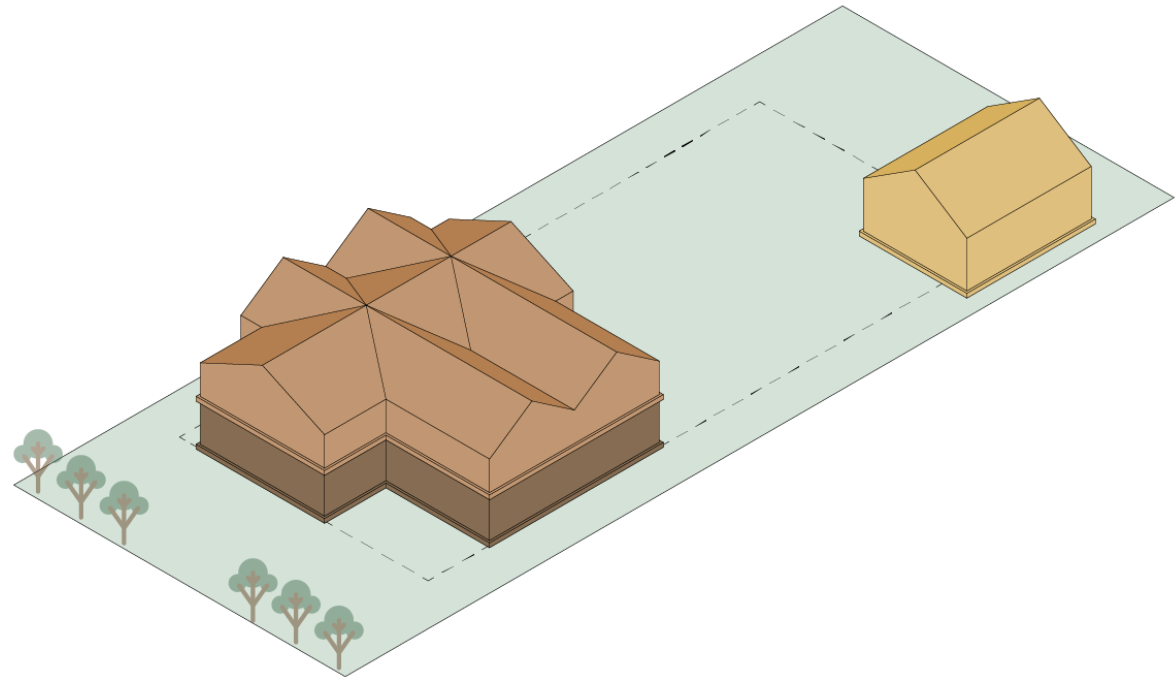




# Middle Housing Graphics – Stacked Flats (did not rise to top in survey)



- Stacked Flats configuration must be allowed for
- “Stacked Flats” is defined as:
  - *“dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.”*
- ADU in this configuration may be allowed for but is not required



# Next Steps

- Utilize visuals to help describe regulations & inform the public
- Identify Gaps
- Community engagement
  - Information materials
  - Visual Preference Surveys
- Update Development Code
  - Definitions
  - Use Chart
  - Design Standards

Changes needed?	Recommendations	Notes
SS	The State Model Ordinance (SMO) includes an Applicability section that is recommended for addition to the code. This may be one possible location for that information.	SMO can be found here: <a href="https://deptofcomm">https://deptofcomm</a>
SS	This section may need to be updated, dependent on any collaborative efforts and decision made with Thurston County regarding development in the UGA.	
SS	Required to add definition for "Administrative design review", as provided in State Model Ordinance (SMO). Recommend adding definition for "All lots zoned predominantly for residential use" as found in SMO.	RCW 36.70A.635(1) applies to lots zoned predominantly for residential use. This phrase should apply.
SS	Add required definitions for "Cottage housing" and "Courtyard apartments" as provided in SMO.	
SS	Recommendation to update definition of "Duplex" and to add definition for "Development regulations" as provided in SMO.	
SS	Recommend adding definitions for "Fourplex" and "Fiveplex" as found in SMO.	Consider having the term "dwelling types" together
SS	Add required definitions for "Major transit stop" and "Middle housing" as provided in SMO.	
SS	Add required definitions for "Single-family zones" and "Stacked flats" as provided in SMO.	

Section 9, Item A.





Thank you.



**SCJ ALLIANCE**  
CONSULTING SERVICES