

# **MEDINA, WASHINGTON**

### PLANNING COMMISSION MEETING

Hybrid-Virtual/In Person Tuesday, January 24, 2023 – 6:00 PM

### AGENDA

COMMISSION CHAIR | COMMISSION VICE-CHAIR | COMMISSIONERS | Laura Bustamante, Li-Tan Hsu, David Langworthy, Mark Nelson, Laurel Preston, Mike Raskin, Shawn Schubring PLANNING MANAGER | Stephanie Keyser

#### Virtual Meeting Participation

Planning Commission has moved to hybrid meetings, offering both in-person and online meeting participation. Members of the public may also participate by phone/online. In accordance with the direction from Governor Inslee, masking and social distancing will be optional for those participating in person. Individuals who are participating online and wish to speak live must register their request with the Development Services Coordinator, Rebecca Bennett, at 425.233.6414 or email <u>rbennett@medina-wa.gov</u> and leave a message before 12PM on the day of the January 24 Planning Commission meeting. Please reference Public Comments for January 24 Planning Commission Meeting in your correspondence. The Development Services Coordinator will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit. The city will also accept written comments. Any written comments must be submitted by 12 PM on the day of the January 24 Planning Commission meeting. Any written comments must be submitted by 12 PM on the day of the January 24 Planning Commission meeting. Any written comments must be submitted by 12 PM on the day of the January 24 Planning Commission meeting.

Join Zoom Meeting https://us06web.zoom.us/j/84724660047?pwd=ZUt6UXRVMzNGdi93Z0VGdTR5TUJvQT09

Meeting ID: 847 2466 0047 Passcode: 780702 One tap mobile +12532158782,,84724660047#,,,,\*780702# US (Tacoma)

#### 1. CALL TO ORDER / ROLL CALL

- 2. <u>ELECTIONS</u>
- 2.1 2023 Chair and Vice Chair Elections
- 3. APPROVAL OF MEETING AGENDA
- 4. <u>APPROVAL OF MINUTES</u>

<u>4.1</u> Planning Commission Minutes of November 15, 2022
 Recommendation: Approve Minutes
 Staff Contact: Rebecca Bennett, Development Services Coordinator

#### 5. <u>ANNOUNCEMENTS</u>

5.1 Staff/Commissioners

#### 6. AUDIENCE PARTICIPATION

Individuals wishing to speak live during the Virtual Planning Commission meeting will need to register their request with the Development Services Coordinator, Rebecca Bennett, via email (<u>rbennett@medina-wa.gov</u>) or by leaving a message at 425.233.6414 before 12pm the day of the Planning Commission meeting. Please reference Public Comments for the January 24 Planning Commission meeting on your correspondence. The Development Services Coordinator will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3-minute limit.

#### 7. DISCUSSION

 <u>7.1</u> Comprehensive Plan Update – Housing Element <u>Recommendation:</u> N/A <u>Staff Contact(s):</u> Stephanie Keyser, Planning Manager Time Estimate: 120 minutes

#### 8. ADJOURNMENT

#### **ADDITIONAL INFORMATION**

Planning Commission meetings are held on the 4th Tuesday of the month at 6 PM, unless otherwise specified.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

#### **2023 UPCOMING MEETINGS**

Tuesday, February 28<sup>th</sup> – Regular Meeting at 6:00 PM Tuesday, March 28<sup>th</sup> – Regular Meeting at 6:00 PM Tuesday, April 25<sup>th</sup> – Regular Meeting at 6:00 PM Tuesday, May 23<sup>rd</sup> – Regular Meeting at 6:00 PM Tuesday, July 26<sup>th</sup> – Regular Meeting at 6:00 PM **Tuesday, August 2<sup>nd</sup> – No PC Meeting** Tuesday, September 26<sup>th</sup> – Regular Meeting at 6:00 PM Tuesday, October 24<sup>th</sup> – Regular Meeting at 6:00 PM **Tuesday, November 28<sup>th</sup> – Regular Meeting at 6:00 PM Tuesday, November 28<sup>th</sup> – Regular Meeting Cancelled – Special Meeting Date TBD Tuesday, December 26<sup>th</sup> – Regular Meeting Cancelled – Special Meeting Date TBD** 



### **CITY OF MEDINA**

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144 TELEPHONE 425-233-6400 | www.medina-wa.gov

#### MEMORANDUM

DATE:	January 24, 2023
TO:	Medina Planning Commission
FROM:	Stephanie Keyser, AICP, Planning Manager
RE:	Opening the Meeting and Electing the 2023 Chair and Vice Chair

Every January, the Planning Commission elects a chair to preside over the meeting and a vice chair to preside over the meeting in the absence of the chair. Staff recommends using the process set forth below, which is based on parliamentary procedural rules.

#### **Opening the Meeting**

Development Services Coordinator, Rebecca Bennett, will call the Planning Commission meeting to order as the neutral party.

#### **Roll Call and Call for Nominations**

Ms. Bennett will follow with roll call and call for nominations for the Chair. Any Commissioner may nominate him or herself or a fellow Commissioner. No second is required. Commissioners may decline their nomination if desired. When all nominations have been received, the nomination period shall be closed.

If there is more than one nominee, nominees and nominators may make a brief statement in support of their nominations before the period is closed.

Nominees will be voted on in the order in which they were nominated. Once a nominee has received a majority vote, they will be declared the Chair.

Once elected, the new Chair will move into his/her new seat.

#### **Election of Vice Chair**

The newly elected Chair will take over the call for nominations for Vice Chair. Any Commissioner may nominate him or herself or a fellow Commissioner. No second is required. Commissioners may decline their nomination if desired. When all nominations have been received, the Chair shall close the nomination period.

If there is more than one nominee, nominees and nominators may make a brief statement in support of their nominations before the period is closed.

The Chair will call for a vote beginning with the first nominee. Once a nominee has received a majority vote, they will be declared the Vice Chair.

Once elected, the new Vice Chair will move into his/her new seat.



# **MEDINA, WASHINGTON**

### PLANNING COMMISSION SPECIAL MEETING

Hybrid-Virtual/In Person Tuesday, November 15, 2022 – 6:00 PM

### **MINUTES**

COMMISSION CHAIR | Laurel Preston COMMISSION VICE-CHAIR | Shawn Schubring COMMISSIONERS | Laura Bustamante, Li-Tan Hsu, David Langworthy, Mark Nelson, Mike Raskin PLANNING MANAGER | Stephanie Keyser

#### 1. CALL TO ORDER / ROLL CALL

Chair Preston called the meeting to order at 6:02pm.

PRESENT

Chair Laurel Preston Vice Chair Shawn Schubring Commissioner Laura Bustamante Commissioner David Langworthy Commissioner Mark Nelson Commissioner Mike Raskin

STAFF

Bennett, Burns, Keyser, Miner, Wilcox

#### 2. APPROVAL OF MEETING AGENDA

By consensus, Planning Commission approved the meeting agenda as presented.

#### 3. APPROVAL OF MINUTES

3.1 Planning Commission Minutes of October 25, 2022 **Recommendation**: Approve Minutes **Staff Contact**: Rebecca Bennett, Development Services Coordinator

**ACTION**: Motion to approve minutes. (Approved 7-0).

Motion made by Commissioner Nelson, Seconded by Vice Chair Schubring. Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante, Commissioner Hsu, Commissioner Langworthy, Commissioner Nelson, Commissioner Raskin

#### 4. ANNOUNCEMENTS

#### 4.1 Staff/Commissioners

Keyser announced that the Planning Commission meeting for next month with be a joint meeting with the Council from 5:00pm - 6:00pm. The volunteer luncheon is December 8th. In January we will draft a housing plan for the first three months of 2023. There is a city wide community vision event on January 19th from 5:00pm - 8:00pm.

#### 5. AUDIENCE PARTICIPATION

There was no audience participation.

#### 6. PUBLIC HEARING

6.1 Annual Code Update <u>Recommendation:</u> Approve <u>Staff Contact(s):</u> Stephanie Keyser, Planning Manager Time Estimate: 60 minutes

Keyser presented the annual minor code amendments.

The Commissioners asked questions and staff responded.

ACTION: Motion to adopt minor changes to new code as presented (7-0).

Motion made by Commissioner Nelson, Seconded by Commissioner Hsu. Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante, Commissioner Hsu, Commissioner Langworthy, Commissioner Nelson, Commissioner Raskin

#### 7. ADJOURNMENT

Meeting adjourned at 6:53pm.

ACTION: Motion to adjourn.

Motion made by Commissioner Bustamante, Seconded by Commissioner Nelson. Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante, Commissioner Hsu, Commissioner Langworthy, Commissioner Nelson, Commissioner Raskin



# MEDINA, WASHINGTON

### **AGENDA BILL**

Tuesday, January 24, 2023

Subject: Comprehensive Plan Update - Housing Element

Category: Discussion

Staff Contact(s): Stephanie Keyser, Planning Manager

#### <u>Summary</u>

Planning Commission will begin to discuss the Housing Element of the 2024 Comprehensive Plan Update. It is anticipated that this element will see some of the most significant amendments in response to new requirements from the State.

#### Attachment(s)

- 1. Housing Element (2015 Comp Plan)
- 2. GMA Checklist (Housing Element and Development Regulations sections)
- 3. RCW 36.70A.070 Comprehensive Plans Mandatory Elements
- 4. Fully Planning Guidebook (Dept. of Commerce)
- 5. PRSC Vision 2050 Draft Housing Element Guide

Budget/Fiscal Impact: N/A

Recommendation: N/A

Proposed Commission Motion: N/A

Time Estimate: 120 minutes

# 4. HOUSING ELEMENT

#### INTRODUCTION

The Growth Management Act (GMA) requires a housing element that ensures the vitality and character of established neighborhoods. This element includes:

- 1. An inventory and analysis of existing and projected housing needs;
- 2. A statement of goals, policies and objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- 3. Identification of sufficient land for housing, including, but not limited to, government assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- 4. Adequate provisions for existing and projected needs of all economic segments of the community.

In addition, King County countywide planning policies (CPP) require that each jurisdiction take actions that will collectively meet the expected growth in, and make housing available to, all economic segments of the county population. Medina's ability to participate at this level is limited by a lack of available and suitable building sites and the realities of the real estate market. However, the City participates in region-wide planning efforts to address affordable housing and homelessness through ARCH, A Regional Coalition for Housing, described further below.

#### **EXISTING CONDITIONS**

While Medina is an incorporated city, its character and function are more like that of a mature residential neighborhood within a larger community. According to the 2010 U.S. Census of Population and Housing, there are 1,162 total housing units in the City. Housing units are in the form of detached single-family units on individual lots. There are no multiple-family structures and current zoning does not allow such development. Medina is an established residential community that abuts single-family residential areas of Hunts Point, Clyde Hill, and Bellevue. Medina maintains a high percentage of owner-occupied units (89.1%) and a vacancy rate of 8.7 percent. Since 2000, the percentage of owner-occupied units has decreased from 98.7 percent, while the vacancy rate has increased from 4.6 percent. Medina's development pattern is consistent with that of neighboring communities.

Housing Measure	Value
Housing units	1,162
Vacant housing units	101 (8.7%)
Occupied housing units (households)	1,061
- Owner occupied	945 (89.1%)
- Renter occupied	116 (10.9 %)

#### Table 2.Medina Housing Statistics

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Persons per household	2.80

Source: 2010 U.S. Census

#### **PROJECTED HOUSING NEEDS**

According to PSRC's 2013 Land Use Targets dataset, Medina is expected to accommodate 81 additional households by the year 2035.

Given the projected population increase of 46 persons, this increase in households would occur through a gradual reduction of the current average household size from 2.80 persons per household to 2.64 persons per household, which is consistent with anticipated demographic changes (see discussion of Future Growth Issues in Land Use Element).

The adopted growth target for Medina is an additional 27 housing units by the year 2035. Therefore, the majority of the projected additional households would be accommodated through existing housing stock, increasing Medina's occupancy rate to approximately 96 percent by the year 2035.

For a thorough study of Medina's existing and projected housing needs, including housing affordable across a range of income levels, please refer to the *East King County Housing Analysis* (ARCH 2013).

#### HOUSING PLAN

Medina has several mechanisms to assist in the provision of affordable housing. These are as follows:

- Adult Family Homes are permitted within existing households as a home occupation. This provides housing opportunities for a segment of the population that often has difficulty obtaining reasonably priced, quality housing.
- Current regulations allow domestic employees to reside in separate units on the properties where they work.
- Additional detached units are allowed to be constructed on properties where there is sufficient lot size to meet the underlying, minimum zoning.
- Accessory dwelling units are permitted in all residential zoning districts subject to the requirements of the Medina Municipal Code.
- The City makes contributions to ARCH (A Regional Coalition for Housing), to support regional affordable housing. ARCH staff advises the City on addressing existing and projected housing needs, and administers Medina's affordable housing programs. The ARCH trust fund helps create affordable housing for low- and very low-income households and people who have special needs or are homeless.

Beyond these mechanisms, the City may actively explore other reasonable means to address affordable housing issues. One consideration is to broaden the definition of accessory dwelling units to allow them to be built as separate structures on the same lot, but subject to other existing requirements. This would allow a measure of affordability without significantly changing the City's character, provided that other existing requirements of MMC Section 23.34.020 are met.

#### GOALS

- H-G1 The City shall preserve and foster housing development consistent with Medina's high-quality residential setting.
- H-G2 The City shall explore affordable housing opportunities.

#### POLICIES

H-P1 The City shall minimize changes to existing zoning designations except as to meet above goals when deemed necessary by citizens. **H-P2** The City shall consider ways to restrict the size of homes in order to retain the character of the community. H-P3 The City shall seek to maintain the informal single family character of its neighborhoods, including preventing the intrusion of non-residential activities. H-P4 When a home is constructed such that it may potentially have no feasible resale market as a single family residence, the owners should be aware that this would not set the stage for a future conversion to a nonresidential use. H-P5 The City should work with cities and community representatives on countywide or subregional funding sources for housing development, preservation, and related services. H-P6 The City should continue participation in inter-jurisdictional organizations to assist in the provision of affordable housing on the Eastside. H-P7 The City shall continue to make contributions to agencies that support affordable housing. H-P8 The City shall explore additional affordable housing options that are compatible with the City's high-quality residential setting. H-P9 The City shall not discriminate between a residential structure occupied by persons with handicaps and a similar residential structure occupied by a family or other unrelated individuals. H-P10 The City shall assure that zoning does not unduly restrict group homes or other housing options for persons with special needs by making reasonable accommodations in its rules, policies, practices, and services, when such accommodations may be necessary, to afford persons with disabilities equal opportunity to use or enjoy a dwelling. H-P11 The City shall permit group living situations that meet the definition of "family status", including where residents receive such supportive services as counseling, foster care, or medical supervision, within a single family house. H-P12 To reduce the loss of households, the City should discourage lot aggregation that impacts the scale and character of the neighborhood.

### Housing Element

AGENDA ITEM 7.1

In the 2021 legislative session, HB 1220 substantially amended the housing-related provisions of the Growth Management Act (GMA), <u>36.70A.070 (2)</u>. Local governments should review local comprehensive plan policies and countywide planning policies to be consistent with the updated requirements. Please refer to Commerce's housing webpages for further information about the new requirements: <u>Updating GMA Housing Elements and Planning for Housing</u>.

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
a. Goals, policies, and objectives for the preservation, improvement, and development of housing. <u>RCW 36.70A.070(2)(b)</u> and <u>WAC 365-196-410(2)(a)</u>	Yes; Land Use Element (LU-G4, LU-P4); Housing Element (H-G1)	Yes	Additional goals for preserving existing housing stock will be discussed during update.
b.Within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes. <u>RCW 36.70A.070(2)(c)</u> amended in 2021, <u>WAC 365-196-300</u>	No	Yes	New state requirements will be discussed during update.
c. Consideration of housing locations in relation to employment locations and the role of ADUs. <u>RCW 36.70A.070(2)(d)</u> amended in 2021	No	Yes	While ADUs are not specifically called out in the 2015 Comprehensive Plan, they are allowed per Medina's Municipal Code 16.34.020
d. An inventory and analysis of 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. <u>RCW 36.70A.070(2)(a)</u> amended in 2021, <u>WAC 365-196-410(2)(b) and (c)</u>	No	Yes	Is underway with the Housing Action Plan

AGENDA ITEM 7.1

e. Identification of capacity of land 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, permanent supportive housing. <u>RCW 36.70A.070(2)(c)</u> amended in 2021, <u>WAC</u> <u>365-196-410(e) and (f)</u>	No	Yes	Will draw from the Housing Action Plan currently underway
f. Adequate provisions for existing and projected housing needs for all economic segments of the community. <u>RCW 36.70A.070(2)(d)</u> amended in 2021, <u>WAC 365-196-010(g)(ii)</u> , <u>WAC 365-196- 300(f)</u> , <u>WAC 365-196-410</u> and see Commerce's Housing Action Plan (HAP) guidance: <u>Guidance for Developing a Housing Action Plan</u>	No	Yes	Will draw from the Housing Action Plan currently underway
<ul> <li>g. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including: <ul> <li>Zoning that may have a discriminatory effect;</li> <li>Disinvestment; and</li> <li>Infrastructure availability</li> </ul> </li> <li>RCW 36.70A.070(e) new in 2021</li> </ul>	No	Yes	Will add policies as required
	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
h. Establish policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. <u>RCW 36.70A.070(2)(f)</u> new in 2021	No	Yes	Will add policies as required

AGENDA ITEM 7.1

<sup>1</sup> This work should identify areas where anti-displacement tools may be applied, but may not need to be in the comprehensive plan. See Commerce's housing guidance: <u>Updating GMA Housing Elements - Washington State Department of Commerce</u>

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# Section II: Development Regulations

#### **Critical Areas**

Regulations protecting critical areas are required by <u>RCW 36.70A.060(2)</u>, <u>RCW 36.70A.172(1)</u>, <u>WAC 365-190-080</u> and <u>WAC 365-195-900 through</u> <u>925</u>.

Please visit Commerce's <u>Critical Areas webpage</u> for resources and to complete the <u>Critical Areas Checklist</u>. Critical areas regulations must be reviewed and updated, as necessary, to incorporate legislative changes and best available science. Jurisdictions using periodic update grant funds to update critical areas regulations must submit the critical areas checklist as a first deliverable, in addition to this periodic update checklist.

### Zoning Code

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
a. Zoning designations are consistent and implement land use designations that accommodate future housing needs by income bracket as allocated through the countywide planning process (RCW 36.70A.070(2)(c) - Amended in 2021 with HB 1220)	No	Yes	Will be amended to include housing needs by income bracket as allocated through the countywide planning process
<ul> <li>b. Permanent supportive housing or transitional housing must be allowed where residences and hotels are allowed. <u>RCW 36.70A.390</u> New in 2021, (HB 1220 sections 3-5)</li> <li>"permanent supportive housing" is defined in <u>RCW 36.70A.030</u>; "transitional housing" is defined in <u>RCW 36.70A.030</u>; "transitional housing" is defined in <u>RCW 84.36.043(2)(c)</u></li> </ul>	Yes; MMC 16.31.60	No	No amendments anticipated at this time
<ul> <li>c. Indoor emergency shelters and indoor emergency housing shall be allowed in any zones in which hotels are allowed, except in cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit. Indoor emergency housing must be allowed in areas with hotels. <u>RCW 35A.21.430</u> amended in 2021, <u>RCW 35.21.683</u>, amended in 2021, (HB 1220 sections 3-5)</li> <li>"emergency housing" is defined in RCW 84.36.043(2)(b)</li> </ul>	N/A	N/A	Indoor emergency shelters and housing are not required in Medina because Medina does not allow hotels

#### AGENDA ITEM 7.1

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
d. The number of unrelated persons that occupy a household or dwelling unit except as provided in state law, for short term rentals, or occupant load per square foot shall not be regulated or limited by cities. <u>(HB 5235)</u> , <u>RCW 35.21.682</u> new in 2021, <u>RCW 35A.21.314</u> new in 2022, <u>RCW 36.01.227</u> new in 2021	No	Yes	Need to amend Single-Family Dwelling definition as it limits the number of people that can occupy a dwelling
e. Limitations on the amount of parking local governments can require for low-income, senior, disabled and market-rate housing units located near high-quality transit service. <u>RCW 36.70A.620</u> amended in 2020 and <u>RCW 36.70A.600</u> amended in 2019	N/A	N/A	Medina doesn't have low-income, senior, disabled, or market-rate housing
<ul> <li>Family day care providers are allowed in all residential dwellings located in areas zoned for residential or commercial <u>RCW 36.70A.450</u>. Review <u>RCW 43.216.010</u> for definition of family day care provider and <u>WAC 365-196-865</u> for more information.</li> </ul>	Yes; MMC 16.31.020	No	No changes anticipated
<ul> <li>g. Manufactured housing is regulated the same as site built housing. <u>RCW 35.21.684</u> amended in 2019, <u>RCW 35.63.160</u>, <u>RCW 35A.21.312</u> amended in 2019 and <u>RCW 36.01.225</u> amended in 2019. A local government may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood, but may not discriminate against consumer choice in housing.</li> <li>See: <u>National Manufactured Housing</u> <u>Construction and Safety Standards Act of 1974</u></li> </ul>	Yes; MMC 16.31.020	No	No changes anticipated

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#### AGENDA ITEM 7.1

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<ul> <li>h. Accessory dwelling units: cities (and counties) must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations and other official controls the requirements of <u>RCW 36.70A.698</u> amended in 2021. Review <u>RCW 36.70A.696</u> amended in 2021 through 699 and RCW <u>43.63A.215(3)</u></li> <li>Watch for new guidance from Commerce on the <u>Planning for Housing webpage.</u></li> </ul>	Yes; MMC 16.34.020	No	Will review for compliance with most updated guidance
<ul> <li>i. Residential structures occupied by persons with handicaps, and group care for children that meets the definition of "familial status" are regulated the same as a similar residential structure occupied by a family or other unrelated individuals. No city or county planning under the GMA may enact or maintain ordinances, development regulations, or administrative practices which treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals.</li> <li><u>RCW 36.70A.410</u>, <u>RCW 70.128.140</u> and <u>150</u>, <u>RCW 49.60.222-225</u> and <u>WAC 365-196-860</u></li> </ul>	Yes; MMC 16.31.020	No	No changes anticipated

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<ul> <li>j. Affordable housing programs enacted or expanded under <u>RCW 36.70A.540</u> amended in 2022 comply with the requirements of this section. Examples of such programs may include: density bonuses within urban growth areas, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting conditioned on provision of low- income housing units, or mixed-use projects. <u>WAC 365-196-300</u> See also <u>RCW 36.70A.545</u> and <u>WAC 365-196- 410(2)(e)(i)</u> "affordable housing" is defined in <u>RCW 84.14.010</u> Review <u>RCW 36.70A.620</u> amended in 2020 for minimum residential parking requirements</li> </ul>	No	No	No programs anticipated
k. Limitations on regulating: outdoor encampments, safe parking efforts, indoor overnight shelters and temporary small houses on property owned or controlled by a religious organization. <u>RCW 36.01.290</u> amended in 2020	No	No	No city regulations preventing a religious organization from allowing encampments, safe parking, shelters or temporary houses
I. Regulations discourage incompatible uses around general aviation airports. <u>RCW 36.70.547</u> and <u>WAC 365-196-455</u> . Incompatible uses include: high population intensity uses such as schools, community centers, tall structures, and hazardous wildlife attractants such as solid waste disposal sites, wastewater or stormwater treatment facilities, or stockyards. For more guidance, see <u>WSDOT's Aviation Land Use</u> <u>Compatibility Program</u> .	N/A	N/A	No airports in Medina

#### RCW 36.70A.070

#### Comprehensive plans—Mandatory elements.

The comprehensive plan of a county or city that is required or chooses to plan under RCW **<u>36.70A.040</u>** shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW **<u>36.70A.140</u>**. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that:

(a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including:

(i) Units for moderate, low, very low, and extremely low-income households; and

(ii) Emergency housing, emergency shelters, and permanent supportive housing;

(b) Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes; (c) Identifies sufficient capacity of land 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, permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes;

(d) Makes adequate provisions for existing and projected needs of all economic segments of the community, including:

(i) Incorporating consideration for low, very low, extremely low, and moderate-income households;

(ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;

(iii) Consideration of housing locations in relation to employment location; and

(iv) Consideration of the role of accessory dwelling units in meeting housing needs;

(e) Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:

(i) Zoning that may have a discriminatory effect;

(ii) Disinvestment; and

(iii) Infrastructure availability;

(f) Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;

(g) Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and

(h) Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

In counties and cities subject to the review and evaluation requirements of RCW <u>36.70A.215</u>, any revision to the housing element shall include consideration of prior review and evaluation reports and any reasonable measures identified. The housing element should link jurisdictional goals with overall county goals to ensure that the housing element goals are met.

The adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city that is required or chooses to plan under RCW **36.70A.040** that increase housing capacity, increase housing affordability, and mitigate displacement as required under this subsection (2) and that apply outside of critical areas are not subject to administrative or judicial appeal under chapter **43.21C** RCW unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW **<u>36.70A.020</u>** and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW <u>**36.70A.060**</u>, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW <u>36.70A.170</u>.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity may be permitted subject to confirmation from all existing providers of public facilities and public services of sufficient capacity of existing public facilities and public services to serve any new or additional demand from the new development or redevelopment. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5) and is consistent with the local character. Any commercial development or redevelopment within a mixed-use area must be principally designed to serve the existing and projected rural population and must meet the following requirements:

(I) Any included retail or food service space must not exceed the footprint of previously occupied space or 5,000 square feet, whichever is greater, for the same or similar use; and

(II) Any included retail or food service space must not exceed 2,500 square feet for a new use;

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of smallscale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW **36.70A.030**(23). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new smallscale business conforms to the rural character of the area as defined by the local government according to RCW **36.70A.030**(23). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas shall not extend beyond the logical outer boundary of the existing area, thereby allowing a new pattern of lowdensity sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of this subsection (5)(d), an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW <u>36.70A.040(</u>2), in a county that is planning under all of the provisions of this chapter under RCW <u>36.70A.040(</u>2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW <u>36.70A.040(5)</u>, in a county that is planning under all of the provisions of this chapter pursuant to RCW <u>36.70A.040(5)</u>.

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW <u>36.70A.360</u> and <u>36.70A.365</u>.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters **47.06** and **47.80** RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the

office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter <u>47.06</u> RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW <u>35.77.010</u> for cities, RCW <u>36.81.121</u> for counties, and RCW <u>35.58.2795</u> for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW <u>47.05.030</u>;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW <u>36.70A.040</u>, local jurisdictions must adopt

and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride-sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW **82.02.050**(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW <u>35.77.010</u> for cities, RCW <u>36.81.121</u> for counties, and RCW <u>35.58.2795</u> for public transportation systems, and the ten-year investment program required by RCW <u>47.05.030</u> for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW **<u>36.70A.130</u>**. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW **<u>36.70A.130</u>**.

[ <u>2022 c 246 § 2</u>; <u>2022 c 220 § 1</u>; <u>2021 c 254 § 2</u>. Prior: <u>2017 3rd sp.s. c 18 § 4</u>; <u>2017</u> <u>3rd sp.s. c 16 § 4</u>; <u>2017 c 331 § 2</u>; <u>2015 c 241 § 2</u>; <u>2010 1st sp.s. c 26 § 6</u>; <u>2005 c 360</u> <u>§ 2</u>; (2005 c 477 § 1 expired August 31, 2005); <u>2004 c 196 § 1</u>; <u>2003 c 152 § 1</u>; prior: <u>2002 c 212 § 2</u>; <u>2002 c 154 § 2</u>; <u>1998 c 171 § 2</u>; <u>1997 c 429 § 7</u>; <u>1996 c 239 § 1</u>; prior: <u>1995 c 400 § 3</u>; <u>1995 c 377 § 1</u>; <u>1990 1st ex.s. c 17 § 7</u>.]

AGENDA ITEM 7.1

AGENDA ITEM 7.1



We strengthen communities

# A Guide to the Periodic Update Process Under the Growth Management Act

Fully-Planning Counties & Cities

LOCAL GOVERNMENT DIVISION GROWTH MANAGEMENT SERVICES

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# Acronyms and terms used in this guide

Buildable Lands - The Review and Evaluation Program, RCW 36.70A.215

CAO - Critical Areas Ordinance

CARL – Critical Areas and Resource Lands

**CFP** – Capital Facilities Plan

**Commerce** – Washington State Department of Commerce (previously named the Department of Community, Trade and Economic Development or CTED prior to July 2009)

**Comprehensive plan** - land use document that provides the framework and policy direction to manage where and how growth needs are met. Plan elements address land use, housing, capital facilities, utilities, rural/natural resources, transportation, economic development, environment, cultural resources, and other topics.

**Development regulations** - controls placed on development or land use activities by a county or city, such as codes for zoning, critical areas, planned unit developments, and subdivisions.

GMA - Growth Management Act, RCW Chapter 36.70A

**GMS** – Growth Management Services, a unit in the Department of Commerce Local Government Division that helps counties and cities implement the GMA.

MRSC - Municipal Research and Services Center

**OFM** – Washington State Office of Financial Management

**Periodic update** – A regularly scheduled review and update of county and city comprehensive plans and development regulations. For most communities, the update takes place every ten years under a schedule established by the Legislature in the GMA.

**Public Participation Program** – a locally established program to ensure public participation is encouraged early and often, and identifies how all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment.

**PSRC** – Puget Sound Regional Council; responsible for certifying Puget Sound jurisdictions' adopted plans & policies

**RCW** – Revised Code of Washington (laws adopted by the state Legislature)

SEPA – State Environmental Policy Act

SMA – Shoreline Management Act

**SMP** – Shoreline Master Program

UGA - Urban Growth Area

WAC - Washington Administrative Code (rules adopted by state agencies)

# I. Introduction

The Growth Management Act (GMA)<sup>1</sup>, first adopted in 1990, is a series of statutes developed to address ways to accommodate growth. It requires that the fastest-growing cities and counties complete comprehensive plans and development regulations to guide future growth. In addition, all jurisdictions are required to protect critical environmental areas and conserve natural resource lands, such as farms and forests.

Under the GMA, every county and city in the state is required to conduct a thorough periodic update of its comprehensive plan and/or development regulations that are consistent with, and implement the plan. The obligation for a periodic update varies



depending on whether the jurisdiction is fully or partially planning.<sup>2</sup> The GMA requires *fully-planning* counties and cities to review their comprehensive plan and development regulations to bring them up to date with any relevant changes in the GMA, recent case law and to respond to changes in land use and population growth. The review and update also include critical areas and resource lands (CARL). If a county or city is a *partiallyplanning* jurisdiction, the "Guide to the Periodic Update for Partially Planning Jurisdictions" should be used in place of this guide.

Some jurisdictions have additional planning requirements. Population size, rate of growth and other factors place local governments into different categories. <u>Figure 1</u> shows the regional variation in planning requirements. These variations are discussed throughout the guidebook.

In 2022, approval of <u>HB 1241</u> by the Washington State Legislature changed the periodic update cycle recurrence from eight years to ten years after the 2024-2027 update cycle.<sup>3</sup>



This guide explains when and how to go through the necessary steps in the periodic update process. The level of effort and timing of the update steps will vary depending on how recently your community has comprehensively updated its plan, the size of your community, and other factors. The list of steps in this guide is not intended to be exhaustive.

This guide is intended as a user-friendly supplement to the GMA statutes and administrative rules that describe procedures that must be followed and substantive issues that must be addressed.

This guide may not be able to answer all of your questions

about the periodic update. Commerce's Growth Management Services team is available to help! Visit Commerce's <u>Growth Management webpage</u> for the Regional Assistance Map to contact the Commerce planner assigned to your region. Additional resources and links can be found on the <u>Periodic Update webpage</u> and the <u>Growth Management Planning Topics webpage</u>

<sup>&</sup>lt;sup>1</sup> The GMA is codified under <u>RCW 36.70A</u>

<sup>&</sup>lt;sup>2</sup> Statute describing fully and partially planning: <u>RCW 36.70A.040</u>; see also Figure 2 of this guide

<sup>&</sup>lt;sup>3</sup> <u>RCW 36.70A.130(5)</u>

# II. The basics:

# Who must complete the periodic update?

Every county and city in the state is required to conduct a periodic update, though the obligation varies depending on whether the jurisdiction is fully or partially planning.

**Fully planning** means that a city or county must meet all GMA requirements, including adoption of a comprehensive plan and a complete set of development regulations implementing the plan. Only the state's fastest growing counties and cities are required to plan fully, though a number of counties have "opted-in" by choice.

**Partially planning** jurisdictions are the counties, and the cities within their boundaries, that do not meet GMA population and growth rate thresholds and have not chosen to fully plan under the GMA. Partially planning counties are required to designate and protect critical areas and resource lands (CARL). Partially planning cities must designate and protect critical areas, but may also designate mineral resource lands. Currently, there are eleven partially planning counties: Adams, Asotin, Cowlitz, Ferry, Grays Harbor, Klickitat, Lincoln, Okanogan, Skamania, Wahkiakum, and Whitman Counties.<sup>4</sup>

Fully planning counties and cities must complete the periodic update for their entire comprehensive plan and development regulations within the designated timeframe. Drafts must be submitted to Commerce for stakeholder 60-day review, followed by final update deliverables submitted to Commerce within 10-days of final adoption by the local jurisdiction.

Some regions of the state with larger populations must include additional planning policies, which may include the Buildable Lands Program and multi-county planning policies. <u>Figure 1</u> illustrates the regional variations in planning requirements.

# **Regional Requirements:**

### **Buildable Lands Program**

Included as a component of the Growth Management Act (GMA) in 1997, the Review and Evaluation Program under RCW 36.70A.215 is often referred to as the Buildable Lands Program. It requires that **Clark, King, Kitsap, Pierce, Snohomish, Thurston and Whatcom (as of 2017) Counties and the cities within them** establish a Program in their Countywide Planning Policies to identify the methodology, data collection, and interagency agreements to guide the completion of a Buildable Lands report every ten years.<sup>5</sup> This report is due no later than two or three years, as specified by



RCW 36.70A.215, to the due date of the periodic review.<sup>6</sup> The Buildable Lands reports are a look back at actual development trends, patterns, and densities, to determine if cities and counties have designated adequate

<sup>4</sup> <u>RCW 36.70A.040</u> and <u>Figure 2</u>

<sup>&</sup>lt;sup>5</sup> Buildable Lands Guidelines 2018 <u>https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/buildable-lands/</u>

<sup>&</sup>lt;sup>6</sup> <u>RCW 36.70A.215</u>

amounts of residential, commercial and industrial lands to meet the growth needs incorporated AGENDA ITEM 7.1 comprehensive plans. See the <u>Buildable Lands Program webpage</u> for the updated Buildable Lands Guidelines and additional resources. As a supplemental document to the Buildable Lands Guidance, the Department of Commerce released its <u>Housing Memo: Issues Affecting Housing Availability and Affordability</u> to the public. The memo addresses barriers to housing production and affordability in Washington, and provides tools aimed at assisting local governments in improving housing affordability. The memo, requested by the 2017 Legislature's E2SSB 5254 as part of an update to the Buildable Lands program, *is relevant to cities and counties statewide*.

### Vision 2050 & Multicounty Planning Policies (MPPs) in Central Puget Sound

VISION 2050 is the shared regional plan for moving toward a sustainable future in **King, Kitsap, Pierce, and Snohomish counties**. VISION 2050's multicounty planning policies, actions, and regional growth strategy guide how and where the region grows through 2050.

To help coordinate regional and local planning efforts, the <u>Puget Sound Regional Council (PSRC)</u> works with countywide planning groups, local jurisdictions, transit agencies, and others to ensure that adopted regional policies and provisions are addressed in local plans. This happens through the review of countywide planning policies, local comprehensive plans, including subarea plans for regionally designated centers and transit agency plans.

State law requires PSRC to review and certify countywide planning policies, local comprehensive plans, and Sound Transit's long-range plans for the counties mentioned above and the cities within them.

PSRC has a Plan Review Manual and checklists to help local governments and agencies understand certification requirements. Local governments and agencies are encouraged to review the checklists and planning guidance throughout their plan update to understand the process in advance of certification review.

PSRC staff is available to assist and support in the development of plan updates and policy amendments, including review of draft plans. Early coordination with PSRC helps local plans to be consistent with VISION 2050 and state planning requirements well in advance of final adoption and PSRC certification. Review the process diagram below and contact PSRC staff for additional guidance: <u>planreview@psrc.org</u>



Source: Puget Sound Regional Council "Vision 2050 Planning Resources Plan Review Manual" May 2021

### Figure 1: Regional Variations in Planning Requirements

Vision 2050

Local Project Review REET 2 Impact Fees Authorized

Facilities GMHB Hears Appeals

Science

SMA SEPA

Act

UGA Concurrency Countywide

Metro Other Rest of Partially Puget Buildable GMA Planning Sound Lands Buildable Lands Planning Policies Essential Public Rural Element Conservation of Resource Lands Periodic Review Designation of Resource Lands Best Available Critical Areas Planning Enabling



AGENDA ITEM 7.1

# When is the update due?

The Legislature established a deadline schedule for periodic updates in RCW 36.70A.130.<sup>7</sup> Except for certain small and slow-growing communities, each county and its cities must complete the periodic update by the dates shown in <u>Figure 2</u>, and every ten years after that. See also <u>Section V: The Review and Update Process</u> of this guidebook for steps to complete the update.

In the 2022 legislative session, <u>HB 1241</u> changed the update cycle due date for 2024 jurisdictions to December 31, 2024. Jurisdictions whose updates are due in 2025-2027 are still required to submit completed Update materials by June 30<sup>th</sup> of their respective year.

# Figure 2. Periodic Update Schedule for Fully & Partially Planning Counties



<sup>&</sup>lt;sup>7</sup> Periodic review schedule: RCW 36.70A.130(5)

# **Deadline Extensions**

Every city and county in the state is eligible for additional time to make substantial progress toward completion of development regulations that protect critical areas (i.e., critical areas ordinance (CAO)). With the exception of smaller or slower growing jurisdictions, all cities and counties are allowed an additional year (twelve months).

Smaller or slower growing counties and cities that meet growth criteria outlined in <u>RCW 36.70A.130 (b) or (c)</u> may be eligible for a two year (24 months) extension for all periodic update requirements (including CAO).

Deadline extensions are automatic and Commerce will determine which jurisdictions are eligible.<sup>8</sup> Deadline extensions are calculated from the dates shown in <u>Figure 2</u>.

For assistance with approaching deadlines or overdue periodic update submittals, please see the Regional Assistance Map on <u>Commerce's Growth Management webpage</u> to contact the planner assigned to your area. No formal application is required and no discretionary action by Commerce is needed. Please also visit <u>Commerce's Critical Areas webpage</u> for further information.

# What is a small or slow-growing jurisdiction?

A county with a population of no more than 50,000 and a growth rate of no more than seventeen percent in the ten years preceding the deadline shown in Figure 2.<sup>9</sup>



A city with a population of 5,000 or less and has had its population increase by the greater of either no more than one hundred persons or no more than seventeen percent in the ten years preceding the deadline shown in Figure 2.

Growth rates are measured using the ten-year period preceding the regular due date.<sup>10</sup>

Official population estimates are provided by the <u>Washington State Office of Financial Management</u> (OFM), released in June of each year, reflecting counts from April. A county or city will not know for certain what their population is until nine months before the statutory

deadline if a jurisdiction is close, or expects any large annexations close to the due date, the population information should be monitored closely. Commerce can help you make this determination.

# Can a jurisdiction complete the update early?

Yes, a jurisdiction may complete the periodic update process before its deadline<sup>11</sup>. The deadline for its next periodic update would still remain as ten years from the original deadline established in the GMA, with a planning horizon extended twenty years from the periodic update deadline. For example, if a jurisdiction has an update deadline of December 31, 2024, but it completes its update in 2023, then it would not be subject to

<sup>&</sup>lt;sup>8</sup> RCW 36.70A.130 (7)(a) and (b)

<sup>&</sup>lt;sup>9</sup> Periodic Update cycle and deadline years are listed in: <u>RCW 36.70A.130(5)</u>

<sup>&</sup>lt;sup>10</sup> RCW 36.70A.130 (6)(e) and (f)

<sup>11</sup> RCW 36.70A.130(6)(a)

another required periodic update until 2034. In this example, the planning horizon of the updated AGENDA ITEM 7.1 comprehensive plan would extend a total 21 years to 2044: 20 years from the periodic update deadline.

To help alleviate any confusion, Commerce recommends that the final legislative action taken upon completion of the periodic update process clearly note the early adoption and the due date of the next scheduled periodic update according to statute.

# III: What's new for the 2024-2027 cycle

The Governor and the Legislature made a historic investment in GMA planning during the 2022 Legislative Session. These new bills represent an investment in supporting growth management and addressing the problems all of our communities are facing. The new bills are summarized below:<sup>12</sup>

HB 1220	Jurisdictions must plan for and accommodate, rather than encourage the availability of, emergency and affordable housing			
HB 1241	Changes the Periodic update and SMP cycles from 8 to 10 years. Requires a 5-year implementation progress report and an annual work program for select jurisdictions			
HB 1717	New regulations for cities and counties to include local and regional tribes in planning processes and decisions			
HB 2001	Expands the ability to build tiny houses			
SB 5042	Changes the initial effective date of certain actions under the GMA			
SB 5118	Supports successful reentry for juveniles, amending the definition of "essential public facilities"			
SB 5235	Increasing housing unit inventory by removing arbitrary limits on housing			
SB 5275	Enhances opportunity in LAMIRDs			
SB 5368	Encourages rural economic development			
SB 5593	Allows a county to make revisions to a UGA boundary to accommodate patterns of development			
SB 5818	Promoting housing construction in cities through amendments to and limiting appeals under SEPA and GMA			

<sup>&</sup>lt;sup>12</sup> 2021-2022 Growth Management Legislative Reports: <u>https://app.leg.wa.gov/bi/report/topicalindex/?biennium=2021-</u> 22&topic=GROWTH%20MANAGEMENT

# IV: Mandatory topics to review & revise

The GMA calls out a number of specific items that must be reviewed as part of the periodic update.

## Amendments to the GMA

The primary purpose of the periodic update is to ensure local plans and regulations are consistent with recent changes to state law and updates to countywide planning policies, and to update information such as population changes and infrastructure investments and needs. Although the basic structure of the GMA has remained intact over the years, the state legislature has amended it frequently. Commerce reviews and updates the administrative rules for the GMA and expects to finalize rulemaking by 2022 so that local governments have clear guidance on how to implement GMA requirements before the 2024-2027 update cycle.

Commerce has created checklists for counties and cities to use throughout the process. The checklists include all requirements and highlight recent changes to state law. Commerce has also prepared a summary of amendments by year to help you identify what needs to be updated, based on when your plans and regulations were last amended.

Fully planning jurisdictions will need to conduct a review of all comprehensive plan provisions and development regulations, and if needed, make revisions. One component of this requirement is that jurisdictions must establish a public participation program to engage with residents, stakeholders, tribes and state agencies early and often.

Jurisdictions often combine the annual comprehensive plan docket (annual amendments) with the periodic update review when both are considered in the same year. When doing so, it is crucial to emphasize that the amendments include periodic update review as established in the public participation program, including notices for public hearings and legislative action(s). Hearings Board cases have faulted jurisdictions for not informing the public about what actions are related specifically to the periodic update.

See the <u>Periodic Update webpage</u> for checklists, guidebooks and other resources. See the Growth Management <u>Laws and Rules webpage</u> for links to state statutes and other amendment resources.

## Urban growth areas & population projections

All fully planning counties, in conjunction with cities, must review UGAs as part of the periodic update.

Counties that fully plan under the GMA must designate urban growth areas (UGAs), which creates areas for additional urban development and outside of which growth may occur only if it is not urban in nature. Planning

jurisdictions must include within their UGAs sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. In addition, cities must include sufficient areas to accommodate the broad range of needs and uses that will accompany the projected urban growth, including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

UGAs, which by definition include all cities, must allow development densities sufficient to accommodate the next twenty years of projected population and employment growth. If zoning regulations don't authorize the densities to accommodate this growth,



jurisdictions need to increase allowed densities, expand the size of the UGA, or both.<sup>13</sup> In the nex AGENDA ITEM 7.1 updates, cities must plan for and accommodate housing needs by income band, so communities WIII need to make assumptions about the densities that will provide housing at various price points, and adjust accordingly to meet housing need.

The GMA requires that jurisdictions use twenty-year population projections from the Washington State OFM. These projections are developed every five years.<sup>14</sup> The most recent twenty-year population forecasts from OFM were issued in 2012 and 2017, with new projections expected to publish by the end of 2022.<sup>15</sup>

## Mandatory Elements of the Comprehensive Plan

Fully planning cities and counties must include, at a minimum, the following mandatory elements in a comprehensive plan, as outlined in <u>RCW 36.70A.070</u>. All elements must be consistent with each other and the future land use map. <u>RCW 36.70A.080</u> contains examples of optional elements.

- Land Use
- Housing
- Capital Facilities Plan
- Utilities

- Rural
- Transportation
- Economic Development
- Parks & Recreation<sup>16</sup>

## **Development Regulations**

As defined in the GMA under <u>RCW 36.70A.030</u>, "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in <u>RCW 36.70B.020</u>, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

Some jurisdictions develop "unified development codes" (or land use codes) that contain a range of development procedures regulating how land is subdivided, used, and developed. Other jurisdictions have separate titles of their codes for zoning, subdivision, environmental regulations, etc. In communities that are planning under the GMA, development regulations are required to be consistent with adopted comprehensive plans. To explore types of development regulations and to ensure your jurisdiction in compliant with the GMA, please visit <u>MRSC's Development Regulations and Zoning webpage</u>.

<sup>13</sup> RCW 36.70A.130(3)(a)

<sup>&</sup>lt;sup>14</sup> <u>RCW 43.62.035</u>

<sup>&</sup>lt;sup>15</sup> OFM "Growth Management Act county projections" <u>Growth Management Act county projections | Office of Financial Management</u> (wa.gov)

<sup>&</sup>lt;sup>16</sup> As of 2022, these elements have not received state funding to aid local jurisdictions in implementation. Therefore, these elements are not required to be added to comprehensive plans at this time. Commerce encourages jurisdictions to begin planning for these elements, pending the future mandate.

## Critical Areas

#### AGENDA ITEM 7.1



The GMA requires all counties and cities to review and evaluate critical areas ordinances during the periodic update.<sup>17</sup> The GMA requires that best available science (BAS) be included in developing regulations to protect critical area functions and values.<sup>18</sup> Meeting the BAS requirement has been challenging for many jurisdictions. Commerce and other state agencies, including the departments of Ecology and Fish and Wildlife, have published guidance for local communities on how to identify what constitutes BAS for critical areas protection and how local governments can include science in their policies and development regulations. Counties and cities should consult these

state agency recommendations for possible changes since their last periodic update. In addition, they should include any other scientific information that may apply directly to their jurisdiction. It is recommended that local governments check Commerce's <u>Update EZ View site</u> for potential updates to WAC 365-195 (BAS) during planning efforts for the 2024-2027 update cycle. Visit Commerce's <u>Critical Areas webpage</u> for further resources and links.

## **Resource Lands**

Resource lands, as defined in RCW 36.70A.030 are: agriculture, forest and mineral lands. Each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under <u>RCW</u> <u>36.70A.170</u>. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. Such regulations shall assure that the use of lands adjacent



to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.

<sup>&</sup>lt;sup>17</sup> <u>RCW 36.70A.060</u>

<sup>&</sup>lt;sup>18</sup> <u>RCW 36.70A.172</u>

# V. The review and update process Steps of the process:

Tips for completing steps in the process are included in this section. The summary of steps below is not intended to be an exhaustive list of all requirements local jurisdictions may need to complete in order to finalize the periodic review of comp plans and development regulations. Each step below is shown in numbered-order, but many can be worked on concurrently throughout the process. Working alongside local staff and stakeholders is essential for a thorough and transparent update process. Please contact Commerce's <u>Growth Management Regional Assistance Team</u> for additional guidance.

### 1. Create a work program

Before undertaking the update it is helpful for county and city staff to establish a work program that outlines the entire periodic update process. See the <u>Periodic Update webpage</u> for an example work program. Commerce encourages local governments to complete a checklist when designing a work program for the update. As a required component of the periodic update, counties and cities must establish a program that identifies procedures and schedules for the public to participate in the periodic update.<sup>19</sup> The program should clearly identify the scope of the review and identify when legislative action on the review and update component are proposed to occur. Counties and cities must ensure that notice of the update process is broadly and effectively disseminated.<sup>20</sup>

The program must also provide for *early and continuous public participation.*<sup>21</sup> The best way for a county or city to complete this requirement is to publish a complete public participation program (see step 5) or schedule at the beginning of the update process. However, it is not required that a county or city establish the entire schedule at the beginning of the process, as long as a program is established and effective notice is provided for all update steps.

## 2. Capital facilities data gathering and planning

Planning for capital facilities<sup>22</sup> is critical in the process of designating or expanding UGAs. Too often, GMA Capital Facilities Plans (CFPs) have been prepared as an afterthought, rather than as an integral part of the planning process. A particularly critical weakness of many CFPs has been the failure to demonstrate that designated UGAs could be supported by adequate public facilities that would sustain urban development. Visit <u>Commerce's Capital Facilities Planning webpage</u> and the <u>Municipal Research and Services Center (MRSC)</u> for capital facilities and UGA planning resources.

Capital facilities plans can help jurisdictions use limited funding wisely and most efficiently to maximize funding opportunities. By planning ahead to identify what each capital facilities' needs are, including operation and maintenance, local planners and elected officials can prioritize projects, coordinate related projects, and apply successfully for loan and grant opportunities.

<sup>&</sup>lt;sup>19</sup> RCW 36.70A.035 and 130(2)(a)

<sup>&</sup>lt;sup>20</sup> <u>RCW 36.70A.035</u>

<sup>&</sup>lt;sup>21</sup> <u>RCW 36.70A.140</u>

<sup>&</sup>lt;sup>22</sup> Capital Facilities element: <u>https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.070</u>

#### What does a capital facilities plan include?

- An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- A forecast of the future needs for such capital facilities;
- The proposed locations and capacities of expanded or new capital facilities;
- At least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes, often referred to as the Capital Improvement Plan, or the financing implementation plan that is tied to the Budget; if a capital improvement is not listed in the CIP or CFP, it should not be prioritized for funding.
- A requirement to reassess the land use element, and future land use patterns, if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.
- Recent updated requirements to addressing nutrients at Puget Sound wastewater treatment facilities, as identified in Ecology's General Permit, should be considered when updating the Capital Facilities Plan, where applicable.

### 3. Initiate county-city collaboration

At least two years prior to the update and continuously throughout the process, county-city collaboration is crucial. Local governments must coordinate on regional issues such as: population projections, population allocations, development of a countywide economic forecast, and the <u>new housing forecast allocations</u>.

Coordination of GIS data between counties and cities should be considered early in the process (for Buildable Lands counties, Review & Evaluation data collection and methodology must be established in CWPPs).

Completion of the periodic update may result in changes to spatial data and it is important to coordinate with GIS staff, consultants and affected agencies early to ensure updated maps can 'go live' soon after the periodic update is adopted and codified.

## 4. Begin review of existing regulations

The statute does not exempt any portion of a comprehensive plan or any development regulations from being subject to review and evaluation. However, local governments may use common-sense factors in determining the level of review, taking into account



when the plan and regulations were adopted and whether and how the GMA has been amended in the intervening time.

The Department of Commerce periodic update checklists should be the foundation of your review. These checklists provide a concise summary of the GMA requirements.

See the Periodic Update webpage for the latest checklists and guidebooks.

Filling out the checklists will help compare your local plan and regulations against the latest requirements, determine what needs to be reviewed in greater detail, and identify what may need to be added, deleted, and amended in plans and codes to maintain compliance with the act. The checklist can also be used at the very

end of the update process to document what changes are proposed for adoption. Submitting a *AGENDA ITEM 7.1* checklist to Commerce, ideally with your update plans and materials during the 60-day review period, is strongly recommended.

Counties and cities may elect to adopt an ordinance or resolution after reviewing and analyzing what will be updated and determining the scope of changes needed. This is a formal way to let the public know early "what is on the table" as part of the update. It also may help in limiting appeals. If there are no challenges to the scope of revisions within 60 days after the legislative action, challenges to the jurisdiction's final ordinance will be limited to the subjects defined in the ordinance. See examples of legislative actions establishing the scope of an update on the <u>Periodic Update webpage</u>.

Buildable Lands counties and cities are required to identify reasonable measures necessary to fix inconsistencies identified by the Buildable Lands Reports, and if applicable, incorporate those reasonable measures into their periodic update.

## 5. Develop a community engagement plan

"Effective community engagement practices create a vehicle for participatory local democracy by giving members of the public the opportunity to become directly involved in guiding policy decisions that will shape the future of their community. Meaningful engagement that is based upon a two-way communication process between the public and their elected community leaders can play an important role in efforts to restore and build trust in government. Community engagement and outreach programs will also be key components of any efforts by local governments to address social equity and inclusion."<sup>23</sup>

Local jurisdictions may want to formally adopt the public participation program by resolution or ordinance to formalize the update process and help to meet the GMA requirements for early and continuous public involvement. A public participation plan can be adjusted over time if needed. The GMA provides that "errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed.



Participation levels typically range from inform, consult, involve, and collaborate, up to empower. The engagement frameworks are usually presented in a matrix, which can be helpful in deciding on the types of meeting formats and engagement techniques that may be best suited for specific engagement needs and objectives. There are no one-size-fits-all approaches to community engagement efforts. Local governments have a range of options and methods from which they can choose depending upon their particular needs and circumstances.

New and rapidly evolving communications technologies

are creating more ways for local governments to connect and engage with the public through remote meetings, email and text alerts, social media, mobile apps, and more. More people are online today and local governments that take advantage of digital technologies will be more effective at engaging with them."<sup>24</sup>

<sup>&</sup>lt;sup>23</sup> RCW 36.70A.140

<sup>&</sup>lt;sup>24</sup> MRSC "Community Engagement Resources" <u>https://mrsc.org/Home/Explore-Topics/Governance/Citizen-Participation-and-Engagement/Community-Engagement-Resources.aspx</u>

Workshops, open houses and public hearings on draft iterations are crucial to a successful and AGENDA ITEM 7.1 periodic update process. Local staff should provide opportunities for the public to participate in ideas for the future of their community and weigh-in on choices that may or may not be compatible with priorities or visions for the future.

Partnerships with state agencies should also be initiated early in the process. In addition to Commerce, many state agencies are stakeholders in updates made to local comp plans and development regulations. For example, agencies such as Ecology and the Department of Fish and Wildlife may have interests in draft changes to critical area codes and the Departments of Transportation and Health may want to participate in analysis of utilities and essential public facilities elements. Commerce recommends including state agencies *early and often* in development of a community engagement plan to ensure adequate time for research and analysis prior to their review during the 60-day comment period.

Some helpful resources for getting started: <u>MRSC's Community Engagement Resources webpage</u> and <u>WAC</u> <u>365-196-600</u>

## 6. Conduct SEPA environmental review & checklist

The State Environmental Policy Act (SEPA), <u>RCW 43.21C</u>, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. The Washington State Department of Ecology (Ecology) is responsible for overseeing rules that implement SEPA. The environmental review process involves the identification and evaluation of probable environmental impacts, and the development of mitigation measures that will reduce adverse environmental impacts. Please review Ecology's <u>SEPA Guidance</u> and <u>State Environmental Policy Act Handbook</u> and contact your <u>regional Ecology office</u> to get started.

## 7. Draft staff reports and maps

Staff reports and supporting documents such as maps, exhibits and individual studies are required elements in the periodic update. They must be legally defensible, factual and easy to understand. Staff reports join all of the information of the process, findings of fact, stakeholder resources, conclusions, etc. into a transparent and complete document for the public record. It may be helpful to draft a staff report outline early on to help guide staff through documentation of the process. Tips for writing an effective staff report can be found on <u>MRSC's site</u>.

### 8. Issue public notices

Public notices are required and are essential to the periodic update process, allowing for an inclusive and transparent path to successfully-adopted plans. Public notices for proposed updates to comprehensive plans and development regulations must be issued in designated legal publications (<u>RCW 65.16</u>) and may be issued on other platforms, such as social media outlets authorized by the local jurisdiction. Publishing environmental review under SEPA is required and can be issued as a separate noticing period or in conjunction with the public notice of the project. Check your local adopted policies prior to issuing public/SEPA notices.

## 9. Make SEPA determination

After conducting environmental review and meeting the requirements for public notice, a local jurisdiction must make a SEPA determination in accordance with policies established by Ecology. Following local approval of draft changes required by the periodic update, some local governments choose the SEPA/GMA integrated comment period which aligns with Commerce's 60-day notice requirements. Review your local policies regarding SEPA review and noticing.

#### Please review Ecology's <u>SEPA Guidance</u> and <u>State Environmental Policy Act Handbook</u> or conta <u>AGENDA ITEM 7.1</u> regional Ecology office

## 10. Submit notice to Commerce for 60-day review

Each county and city planning under the GMA is required to notify the Commerce Growth Management Services office when adopting or permanently amending its comprehensive plans and/or development regulations. State agency notice must be submitted to Commerce at least **sixty (60) days prior** to the scheduled final adoption by the local government. The purpose of this notice requirement is to allow Commerce and other state agencies the opportunity to participate during the public review process and may provide comments on the proposed changes.

For more information on this notice requirement, please see <u>RCW 36.70A.106</u> and <u>WAC 365-196-630</u>.

Notice of intent to adopt an amendment under the GMA is a statutory procedural requirement. It should be in writing and include, at a minimum:

- A copy of the proposed amendment text;
- A description of the amendment, the local government contact person, the contact phone number and address, and proposed adoption date; and
- Transmission to Commerce, Growth Management Services online via the <u>PlanView Data System</u> or by email: <u>reviewteam@commerce.wa.gov</u>
- Completed Commerce Checklist (first deliverable under your periodic update grant)
- Copies of *adopted* development regulations and critical areas ordinances

#### **Please note:**

Documents such as noticing flyers, adoption announcements or SEPA materials, when submitted alone, **do not** represent adequate 60-day notice of intent to adopt because they fail to provide sufficient materials for Commerce and other state agencies to review and provide comment.

Commerce no longer accepts paper copies of submittals.

## 11. Take legislative action

Adopt an ordinance or resolution finding that a review has occurred and that identifies revisions made or concludes that revisions were not needed (RCW 36.70A.130(1)(b)). Follow your local policies and processes for preparing and taking legislative action. See examples of resolutions of adoption along with examples of adopted comprehensive plans and development regulations on the <u>periodic update webpage</u> and in <u>PlanView</u>.

## 12. Submit notice of adoption to Commerce and publish updates

Submit a copy of the signed adopted ordinance or resolution to Commerce, Growth Management Services not more than ten days after adoption. (RCW 36.70A.106)

Jurisdictions are encouraged to submit their completed Commerce checklist with the final package to be eligible for periodic update grants. Completed checklists also help Commerce planners provide more informed technical assistance across the state. Please contact our <u>Regional Assistance Team</u> anytime throughout the process. Work with your department and code publishing service to codify and publish the updates.

# VI: Additional Considerations

## Periodic Update Grants

The governor and Legislature made a historic commitment to GMA planning during the 2022 legislative session. As a result, Commerce will provide grant funding to all counties and cities before upcoming comprehensive plan and development regulation periodic updates (2024-2027 cycle).

#### **Grant timelines and requirements**

Grants will be awarded to counties and cities based on their scheduled deadlines under RCW 36.70A.130(5), with funding available two years before these statutory deadlines for review and revision of comprehensive plans and development regulations.

Starting July 1, 2022, counties and cities with a 2024 deadline, which are King, Kitsap, Pierce, and Snohomish counties and the cities within them, are eligible to receive the first half of their grant. The second half of this grant is scheduled for the next state fiscal year.

Periodic update grant award notifications and instructions will be issued to counties and cities with 2024 updates in 2022. Commerce will work with you to finalize the grant agreements. Jurisdictions will be eligible to request grant reimbursement for all periodic update grant work, defined in the grant agreements, beginning July 1, 2022.

Grants are available to counties and cities based on fully planning or partially planning status under the GMA, as well as population.

Fully Planning					
•	Counties with 100,000 population and over	\$700,000			
•	Counties under 100,000 population	\$350,000			
•	Cities with 100,000 population and over	\$325,000			
•	Cities with 50,000 to 99,999 population	\$175,000			
•	Cities with 3,000 to 49,999 population	\$125,000			
•	Cities under 3,000 population	\$100,000			
Partially Planning					
•	Counties with 10,000 population and over	\$150,000			
•	Counties under 10,000 population	\$100,000			
•	Cities (No population limits)	\$20,000			

Periodic update grants are available under the following formula:

More information on GMA update grants (including middle housing and climate program grants) will be added to the <u>Growth Management Grants webpage</u> as it becomes available.

## Comprehensive plan optional elements

A comprehensive plan may include additional elements, subarea plans, or studies dealing with subjects relating to the physical development within its jurisdiction. Optional elements may include, but are not limited to: climate change mitigation and resiliency, recreation and community-based behavioral health facilities. These and other optional elements can be separate elements in a comprehensive plan, integrated into mandatory elements or part of a subarea plan.

Please reference <u>RCW 36.70A.080</u> and visit Commerce's <u>Growth Management webpage</u> for additional topics and resources.

## Coordination with military bases

When developing and updating comprehensive plans and development regulations, analysis for compatibility with area military bases and ranges is essential.

GMA <u>RCW 36.70A.530</u> cites the military's significant role in the economy and declares a state priority to prevent incompatible development near military installations. Incompatible development also poses health and safety concerns for neighboring community members and military personnel operating or training for active duty.



Ongoing communication and collaborative planning is critical to understanding civilian-military interests in the landscape they share. Since 2015, Commerce has developed supportive resources for coordinated planning to help address the unique needs of areas around military bases and ranges. Please visit Commerce's <u>Civilian-Military Land Use Compatibility webpage</u> and <u>Defense Community Compatibility Account webpage</u> for further information.

## Tribal Participation in Planning



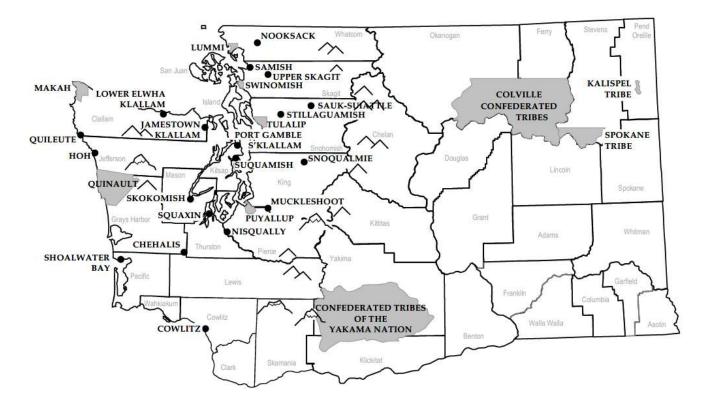
Tribal communities have been the stewards of the lands of Washington State since time immemorial. The Department of Commerce respects their continued stewardship and actively work to honor their Tribal Sovereignty by engaging in meaningful government to government work as illustrated by the Centennial Accord.

Tribes are partners in the planning process through public participation, project noticing requirements and critical area development.<sup>25</sup> <u>HB 1717</u> was passed in the 2021-2022 legislative session, bringing new requirements for better collaboration with tribes in the planning process.

Please see <u>Figure 3</u> on the following page for a map of the "Federally Recognized Tribes of Washington State." Also review the RCWs in the footnote below, HB 1717 and visit the Washington State <u>Governor's Office of</u> <u>Indian Affairs webpage</u> and Commerce's <u>Tribal Engagement webpage</u> for further resources.

<sup>&</sup>lt;sup>25</sup> RCW 43.376, RCW 36.70A.035, RCW 36.70A.040, RCW 36.70A.210, RCW 36.70A.710, RCW 36.70A.715 and RCW 36.70A.720

# Figure 3. Federally Recognized Tribes



#### FEDERALLY RECOGNIZED TRIBES OF WASHINGTON STATE

## Resources:

Department of Commerce Growth Management Services: <u>https://www.commerce.wa.gov/serving-communities/growth-management/</u>

Department of Commerce Growth Management Act Laws and Rules: <u>https://www.commerce.wa.gov/about-us/rulemaking/gma-laws-rules/</u>

Municipal Research and Services Center (MRSC): <u>https://mrsc.org/Home.aspx</u>

Puget Sound Regional Council: <u>https://www.psrc.org/</u>

Washington State GMA RCW: https://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A

Washington State GMA WAC: <u>https://app.leg.wa.gov/wac/default.aspx?cite=365-196</u>

# VISION 2050 PLANNING RESOURCES Draft Housing Element Guide

November 2022





#### American with Disabilities Act (ADA) Information

Individuals requiring reasonable accommodations may request written materials in alternate formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting the ADA Coordinator, **Thu Le**, at **206-464-6175**, with two weeks' advance notice. Persons who are deaf or hard of hearing may contact the ADA Coordinator, Thu Le, through TTY Relay 711.

#### **Title VI Notice**

PSRC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, visit <u>https://www.psrc.org/about-us/title-vi</u>

#### Language Assistance

غير علا Arabic | 中文 Chinese | Deutsch German | Français French | 한국어 Korean | Русский Russian | Español Spanish | Tagalog | Tiếng việt Vietnamese

For language assistance, visit www.psrc.org/contact/language-assistance.

Additional copies of this document may be obtained by contacting:

Puget Sound Regional Council Information Center 1011 1011 Western Avenue, Suite 500 Seattle, Washington 98104-1035 206.464.7532 | info@psrc.org | psrc.org

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#### Introduction

Local governments play a critical role in housing. While most local jurisdictions do not build housing, they do have regulatory control over land use and development. Planning for housing needs—including updating the housing element of local comprehensive plans—is an essential function of local governments to help address housing access and affordability.

The Growth Management Act (GMA) and VISION 2050 call for the adoption of policies and

tools that encourage housing that meets both existing and future needs. The Puget Sound Regional Council (PSRC) *Housing Element Guide* is a resource for developing effective housing elements that address housing choices and affordability in local comprehensive plan updates due in 2024.

PSRC's <u>Plan Review Manual</u> and <u>VISION 2050</u> <u>Consistency Tool for Comprehensive Plans</u> include a Housing section that provides a crosswalk between VISION 2050's multicounty planning policies and policy "Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-bring and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable."

-Regional Housing Strategy

objectives for local plans and policies. This guide also helps jurisdictions meet the policy objectives for consistency with VISION 2050 and implement H-Action-2.

Jurisdictions have been preparing housing elements over the last three decades. This guide complements and references the Washington State Department of Commerce *Guidance for Updating Your Housing Element* and other Commerce resources. This guide focuses on aspects that are new under VISION 2050 and recent amendments to the Growth Management Act, new PSRC data sources and housing strategies that address the central Puget Sound housing context. Despite many bold efforts to address housing, the region's housing market remains impacted by underproduction, limited funding for affordable housing, a history of exclusion and zoning that is out of date.

The document is organized into four sections that address:

- Policy framework and engagement
- Housing needs assessment
- Data sources
- Local policy and implementation evaluation
- Monitoring

This guide profiles needs assessment methods, data sources and caveats. It includes proven and innovative housing policies and tools that provide a range of affordable, healthy, fair, and safe housing choices. It also has references that jurisdictions may find useful in developing their housing elements.

Jurisdictions have their own opportunities, challenges and resources for planning and implementation. The PSRC *Housing Element Guide* recognizes this and provides options for the local context. This guide urges jurisdictions to complete local analyses of current conditions and best available data to advance comprehensive housing policies that respond to existing and future housing needs.

#### **Addressing Racial Inequities in Housing**

The central Puget Sound region's housing landscape reflects more than market forces and conditions. It is also the product of decades of public policies and private practices that, throughout the 20th century, often excluded lower-income households, immigrant communities and people of color from accessing housing and living in certain areas. Practices such as restrictive covenants, redlining and loan discrimination limited where people could live based on their race. These actions contributed to patterns of white flight and racial segregation still seen today, paired with lower quality of life outcomes such as reduced access to education, living wage employment, a healthy environment and transportation.

Together, past and current housing practices have perpetuated substantial inequities in wealth, ownership and opportunity, and they continue to create barriers to rectifying these conditions. Updates to the Growth Management Act and new policies in VISION 2050 now require housing elements to directly address inequalities and racial disparities and to identify long-term work needed to redress it.

#### **Policy Framework**

#### **Background and PSRC's Role**

PSRC works with countywide planning groups, local jurisdictions and other public agencies to coordinate regional and local planning efforts and implement VISION 2050. The *Housing Element Guide* is designed to further this coordination and to provide technical assistance that complements PSRC's ongoing role in the areas of:

- Implementing VISION 2050 and the multicounty planning policies
- Implementing the Regional Housing Strategy
- Reviewing and certifying local comprehensive plans

• Providing technical assistance and a framework for regional coordination and cooperation

The guide focuses on PSRC resources and regional requirements to address housing, including policy goals of affordability, choice, fair housing and sustainable development patterns throughout the region.

#### **Growth Management Act**

Cities and counties planning under the Growth Management Act have been required to include a housing element in their comprehensive plans since the act was first adopted. RCW 36.70A.070(2) establishes the requirements for a housing element, which must include:

- Housing Needs Assessment: An inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth.
- **Residential Land Capacity Analysis**: Analysis to identify sufficient land to accommodate housing growth targets, including by income level.
- Goals, Policies and Objectives: A statement of goals, policies, objectives and mandatory provisions for the preservation, improvement and development of housing.
- **Provisions for All Economic Segments**: Adequate provisions to address existing and projected needs of households at all income levels.
- Racially Disparate Impacts: Begin to undo racially disparate impacts, displacement and exclusion in housing.

Commerce's <u>*Guidance for Updating Your Housing Element</u>* outlines the specific state requirements and detailed steps for updating the element.</u>

Since the 2015/16 plan updates, <u>House Bill 1220</u> substantially amended the housingrelated provisions of the Growth Management Act. Among other changes in the bill, these updates strengthen the housing goal, require additional planning for demonstrated need by income level, address moderate density housing and require additional analysis and policies to address racially-disparate impacts and exclusion in housing.

As described in the Housing Needs Assessment section, under the new provisions of GMA jurisdictions must now document the housing need for moderate-, low-, very low- and extremely low-income households, emergency housing, emergency shelters and

permanent supportive housing using county-level need figures provided by Commerce. Local housing needs analyses must now take a more detailed look at housing needs for these different housing segments.

In urban areas, updated housing elements must address moderate density housing sometimes discussed as "middle housing"—such as duplexes, triplexes and townhomes.

Communities must also identify local housing policies that result in racially disparate impacts, displacement and exclusion. Commerce is also developing guidance to support this work.

#### Housing in VISION 2050

<u>VISION 2050</u> is the shared regional plan for moving toward a sustainable and more equitable future. The region is expected to reach a total population of 5.8 million people by 2050. The population in 2050 will be older and more diverse, with smaller households than today. PSRC estimates that this growth will require the production of about 810,000 additional housing units. Planning for this much growth is difficult, and VISION 2050 recognizes that local, state and federal governments are all challenged to keep up with the needs of a growing and changing population.

Housing is a top priority among the region's residents. Despite a strong surge in housing construction, the region continues to experience a housing affordability crisis that requires coordinated efforts to expand housing options and create greater affordability. This won't be easy. Market pressures and strong employment result in rising prices and rents. The region's cities need more housing supply to catch up with demand, but even with more housing options, housing will remain unaffordable to those earning the lowest incomes. Local governments generally do not build housing but do play an important role in shaping the type, location and amount of housing available by establishing zoning, setting density limits and providing funding and incentives for affordability.

VISION 2050 includes multicounty planning policies, actions and a regional growth strategy that guides how and where the region grows through 2050. VISION 2050 sets the stage for updates to countywide planning policies and local comprehensive plans done by cities and counties.

VISION 2050 calls for cities and counties to support the building of more diverse housing types, especially near transit, services and jobs, to ensure all residents have the opportunity to live in thriving urban places. VISION 2050 now includes a goal of 65% of the region's

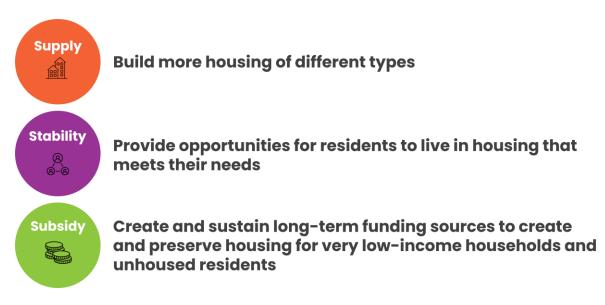
housing growth occurring in centers and near transit stations. VISION 2050 also calls for more housing affordable to low- and very low-income households. It recognizes that providing long-term affordable housing for the region's most vulnerable residents requires public intervention through funding, collaboration, and jurisdictional action and cannot be met by market forces alone.

#### **Regional Housing Strategy**

The <u>Regional Housing Strategy</u> is a playbook of regional and local actions to preserve, improve and expand housing stock in the region. It was adopted in 2022 to guide the implementation of VISION 2050 housing policies. The aim is to make a range of affordable, accessible, healthy and safe housing choices available to every resident and to promote fair and equal access to housing for all people.

The Regional Housing Strategy is organized around the areas of supply, stability and subsidy as a way to recognize the multiple facets of housing challenges. It seeks to identify those strategies that are most important to address through regional and multijurisdictional coordination, along with effective ways for local jurisdictions to work to address housing needs in a regionally-coordinated manner.

## **Regional Housing Strategy Actions and Tools**



Both the Regional Housing Needs Assessment and the Regional Housing Strategy provide important regional context for local housing elements. The Regional Housing Strategy also identifies strategies that can be taken at the local level to further regional housing goals. As a strategy document, the Regional Housing Strategy identifies potential local actions but is not a requirement for PSRC plan certification. Jurisdictions may point to the Regional Housing Strategy to indicate how they have incorporated its strategies into local efforts as a means to demonstrate plan consistency with VISION 2050.

#### **Countywide Planning Policies**

Comprehensive plans must be consistent with both the countywide planning policies (CPPs) and the Growth Management Act and, in the central Puget Sound region, must be consistent with the multicounty planning polices in VISION 2050.

Countywide planning efforts play an important role in addressing housing. Countywide planning policies were updated in 2022 to be consistent with VISION 2050 and to prepare for the periodic update of local comprehensive plans by December 2024. Consistent with VISION 2050, the four counties also set housing/population and employment growth targets for cities and unincorporated areas. Commerce will publish countywide housing need numbers. Once released, some counties may also choose to allocate specific affordable housing needs to individual jurisdictions.

Countywide planning policies in each of the counties include policies that encourage local consideration of a variety of housing tools and incentives. The CPPs also generally encourage coordination around monitoring housing outcomes over time. The King County CPPs, in particular, include a significant number of changes compared to previous versions, and jurisdictions should closely review the CPPs for new county requirements.

#### Countywide Planning Policies

Read more about the countywide planning policies:

- 2021 King County CPPs
- <u>2022 Kitsap County CPPs</u>
- 2022 Pierce County CPPs
- 2021 Snohomish County CPPs

#### **Public Engagement**

Public participation is an integral step in comprehensive planning for several important reasons. First and foremost, planning at all levels of government should reflect community vision and values. Stakeholder engagement improves accuracy of information by providing expertise and perspectives from a wide range of participants, including residents with special housing needs and affordable housing developers who understand housing markets and financing. It also incorporates the experiences of residents of all ages, incomes and abilities. Engaging stakeholders, especially from historically marginalized communities, can

empower participating communities in public policy and decision-making processes and work to address past harms and current disparities in access to housing.

Discussions about planning for growth and housing can be difficult for communities. Housing is a personal issue for many, yet it exists within the context of regional and nationalscale market forces and policy decisions. Neighborhood change can stir up intense feelings, and it is important to understand different perspectives while also recognizing broader community-level needs and benefits.

Public engagement for updating a local housing element will most likely be part of the larger comprehensive plan update engagement program. For public engagement specific to housing, it is critical to engage residents with a variety of lived experiences and professionals in the housing industry, including:

- Renters
- Homeowners
- People who have or are experiencing housing instability
- For- and non-profit housing developers
- Service providers
- Employers

PSRC's <u>Equitable Engagement Guide</u> provides more information on engaging stakeholders in the housing element update process. The guide can be used as a starting point for engagement and includes resources throughout the document with information on carrying out these strategies.

The final housing element should be responsive to the feedback and new ideas presented through the public and stakeholder participation process. Participants can provide insights that influence both the assessment of housing needs and how best to meet the need through new and revised policies and implementation tools.

#### **Housing Needs Assessment**

The first step in planning for housing is to assess and understand the housing needs in a community. A needs assessment is beneficial to highlight housing gaps and point to potential solutions. It is likely that housing needs in each community have changed in the last decade due to price increases, population changes and other variables. Planning for the housing needs of 2044 will require a renewed understanding of the community and how it anticipates growing.

The <u>2022 Regional Housing Needs Assessment</u> (RHNA) provides data and analysis for the central Puget Sound

region. Some data are available by county and/or

The Department of Commerce's <u>Guidance for Developing a Housing</u> <u>Needs Assessment</u> provides a step-bystep approach for collecting and analyzing data for a Housing Needs Assessment to be consistent with state law. Planners preparing a housing needs assessment and housing element should review the Commerce guidance as a starting point.

subareas in each county. The RHNA can help to contextualize and support local housing need assessment findings.

#### **Data to Understand Housing Need**

The housing element must include an inventory and analysis of existing and projected housing needs. Using the housing need figures provided by Commerce and determined through countywide coordination, the element should identify the number of housing units necessary to accommodate projected growth, including government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, group homes and foster care facilities. Determining the existing need for housing at all income levels is an important step for jurisdictions in evaluating current policies and provides the basis for determining future housing needs of projected growth. Depending on the population and housing characteristics, the existing and projected housing needs analysis can highlight community-wide and neighborhood-specific concerns.

The Department of Commerce's *Guidance for Updating Your Housing Element* and *Guidance for Developing a Housing Needs Assessment* (see sidebar) provide detailed instructions for meeting the requirements of the Growth Management Act. The 2024 periodic update will be the first time the Department of Commerce provides countywide need numbers for housing at extremely low-, very low-, low- and moderate-income households, permanent supportive housing and emergency housing. The county and cities will then determine if and how to develop unique allocations at the jurisdictional level.

Housing elements will need to address these need projections and document how need will be accommodated, including documenting gaps in funding and policy.

In addition to the quantitative needs identified through the Commerce and countywide allocations, additional measures can help understand aspects of housing need and determine the types of housing that best correlate with the housing needs of current and future community members. The measures described here address various aspects of housing need:

- Affordability by income level
- Housing availability
- Cost burden
- Income-restricted housing
- Workforce housing
- Jobs-housing balance
- Housing + Transportation Costs Index
- Life-cycle housing
- Racially disparate impacts
- Affordable housing gaps

Evaluating the alignment between the local housing inventory and the housing needs of residents is a critical component of the housing element. This analysis helps to identify the amount and the types of housing needed over the next 20 years to ensure residents will have access to housing that meets their needs.

A household's housing may not meet their needs for several reasons, including:

- Affordability. The household may not be able to afford the unit. This could result from a lack of more affordable housing options, an increase in rent or a change in income, employment or the cost of repairs and maintenance.
- Housing Size. The dwelling may be too small (overcrowding).
- **Substandard Housing**. The unit may lack plumbing or kitchen facilities to make it fit for habitation.
- Other Needs. The household may be looking for a unit that better suits their needs, such as one with lower maintenance costs, ADA accessibility, opportunities to build equity, or fewer restrictions.
- **Experiencing Homelessness**. The household may lack housing or housing may consist of shelter space, a vehicle or a tent.

• Location. The household may need a unit that is closer to their community, job or other services.

This section examines some of these factors. PSRC's <u>Housing Innovations Program</u> provides example tools and policies that best address specific housing needs and gaps.

#### Affordability by Income Level Analysis

Providing housing affordable to households earning different incomes requires different approaches. To craft effective strategies, it is imperative to understand the types and costs of housing needed in a community relative to the supply of housing available for every income level.

As shown in Figure 1, future demand by lower-income households is anticipated to be similar to today, with 11% of households at the extremely low-income level (0-30% of AMI<sup>1</sup>) and 23% at low- to moderate-income levels (31-80% of AMI). Applying these shares to the total housing units needed to accommodate future population growth through 2050 (810,000 units) means the region will need to produce 275,000 units affordable at 80% or less of median income.

<sup>&</sup>lt;sup>1</sup> Area median income (AMI) commonly refers to the area-wide median family income (MFI) calculation provided by the Department of Housing and Urban Development (HUD) for a county or metropolitan region. Income limits to qualify for affordable housing are often set relative to AMI or MFI and adjusted based on household size. In this report, unless otherwise indicated, both AMI and MFI refer to the HUD Area Median Family Income (HAMFI).

0-3	30% AMI	31-50% AMI	51-80% AMI	81-120% AMI	Above 120% AMI
8	89,000 11%	73,000 9%	113,000 14%	186,000 23%	349,000 43%
	)-30% AMI Rental:	30-50% AMI Rental:	50-80% AMI Rental:	80-125% AMI Rental or Home Ownership:	Above 125% AMI Market Rent and Home Ownership
s r	public support needed in all narkets	public support needed in most markets	incentives needed in many markets Home Ownership: subsidy or incentives needed in many markets	incentives or zoning flexibility needed in some markets	

#### Figure 1. Anticipated Future Housing Need by Income Group, 2020-2050

Source: American Community Survey Public Use Microdata Sample

What does this mean for comprehensive plans? The current housing crisis is not something that we can "build our way out of" with market rate housing alone. It will require significant incentives, subsidies and funding as the private market cannot produce housing affordable to these households without public intervention. Public intervention is necessary to ensure housing units are affordable to households at the lowest income levels now and in the future.

As shown in Figure 7, 34% of future regional housing demand is anticipated to be for households earning 80% of AMI or less. Commerce is developing projections of need at the countywide level. Most local jurisdictions in the region have a shortfall of housing affordable at income levels below 80% of AMI, indicating an existing need that should be addressed through new policies in the housing element. As part of the comprehensive plan update, local jurisdictions should "show their work" on addressing housing need by identifying a range of policies and future implementation actions to help address barriers to housing development, particularly for units affordable to moderate- and lower-income households.

Each jurisdiction will need to determine if there is sufficient zoning capacity for the types of housing needed. Most housing at 80% of AMI and below will be forms of multifamily and middle density housing in order to keep construction costs within reach of lower incomes and to support projects by housing agencies.

Cities and counties will most likely also require new and innovative policies, tools and programs to provide greater public intervention for units affordable at lower income levels. Bonuses and incentives may be useful tools for near-median income levels. Greater forms of public assistance will be necessary for the lowest income households.

#### Housing Availability

It is important to consider that market-rate rental units affordable at or below a given income threshold can be occupied by households with incomes higher than that threshold.

Understanding whether rental housing is affordable to renters requires finding out ifunits affordable to households at or below the 30%, 50% and 80% of AMI thresholds are actually available to these households.



Figure 2. Rental Units Affordable and Available to Households Below 80% AMI, 2018

Source: American Community Survey Public Use Microdata Sample

Overall, there are substantial shortfalls in both total affordable units as well as available units in all three AMI categories in all four counties, as shown in Figure 2. These findings can also be expressed in ratios. For example, for every 100 renter households who have incomes at or below 80% of AMI, there are 74 affordable units. However, 31 of these affordable units are occupied by households with incomes above 80% of AMI. Thus, for every 100 renter households with incomes at or below 80% of AMI are affordable.

What does this mean for comprehensive plans? Assessing housing availability can help to explore the realities of current housing need and the existing housing stock. For instance, while a jurisdiction may appear to have a surplus of units at 50-80% of AMI on paper, a housing availability analysis can bring to light who is living in those units and if more units are needed to address down renting. Policies can then be tailored to address the need for more housing and to encourage the production and preservation of income-restricted housing to ensure lower- and moderate-income households have opportunities to live in units they can afford in the long-term.

#### **Cost Burden Analysis**

Households that pay more than 30% of their income for housing are considered costburdened and may face additional financial challenges purchasing food, education, transportation and medical care. Lower-income cost-burdened households are of particular concern since they are more likely to have to choose between housing costs and other necessities. Extremely cost-burdened low-income households are at high risk of being displaced and experiencing homelessness.

The affordable housing challenge is not distributed evenly among residents based on income, race, age or household size, nor is it evenly spread geographically. Assessing cost burden by income level, tenure and race/ethnicity can help to identify disparities and needs in communities and areas for policy intervention. Commerce's projections of countywide need address eliminating cost burden for renters in the future.

Figure 3 is an example of a disaggregated cost burden analysis for renter households by race/ethnicity for subareas<sup>2</sup> in the region.

<sup>&</sup>lt;sup>2</sup> Subareas disaggregate each county (both incorporated and urban unincorporated areas) into two or three housing market subareas. See Figure 2 in the <u>Regional Housing Needs Assessment</u> for more information.

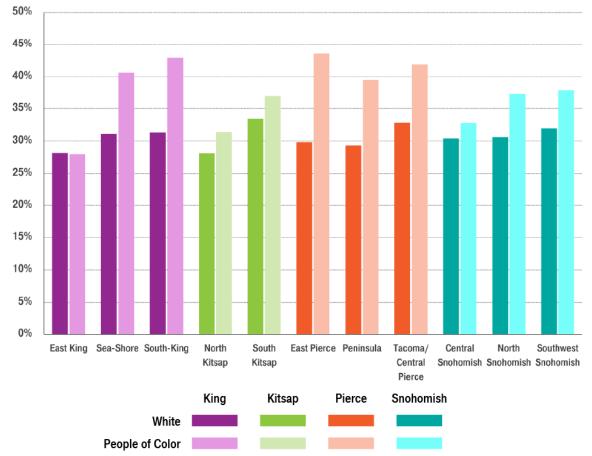


Figure 3. Cost-Burdened Renter Households by Race/Ethnicity, 2016

Source: Comprehensive Housing Affordability Strategy dataset, 2012-2016

What does this mean for comprehensive plans? Housing cost burden is one important measure of how well the existing housing market is meeting the actual needs of residents. Even in communities with relatively low housing costs, high cost burden would indicate that many lower-income residents cannot afford what housing is available. Policy implications could include measures to stimulate housing production and a variety of housing types. Commerce's projection of housing need focuses on cost-burdened renters, since these residents are in a fundamentally different economic position than cost-burdened homeowners. Local cost burden analysis could consider strategies for all cost-burdened households. Cost burden analysis by tenure and race/ethnicity can underscore the need for policies to better support and protect tenants, and to redress current and past inequities in housing access. However, there are limits to meeting affordability needs through new housing production alone. A full range of other tools targeted to preserving and producing affordable, below market-rate housing is also necessary.

#### **Income-Restricted Housing**

#### https://www.psrc.org/our-work/income-restricted-housing-puget-sound-region

PSRC's Income-Restricted Housing Database is a geocoded database of subsidized housing developments and units throughout King, Kitsap, Pierce and Snohomish counties. The full database includes federal, state and local funding sources, incentives and subsidies. It also has additional attributes, such as physical address, project sponsor, number of units, affordability level by % AMI, unit size and mix, tenure, and expiration of subsidy.

A housing needs assessment should include a count of subsidized units available to those who qualify for income-restricted affordable housing. The local assessment should also consider the general location of these units to understand the access to jobs, schools and other local amenities that are important features for affordable housing units.

What does this mean for comprehensive plans? Assessing the amount, types of units and location of income-restricted housing units in a local jurisdiction can help to better prioritize local planning and funding. Areas with higher concentrations of income-restricted housing but lower access to jobs, services and transportation options should be prioritized for local investments and infrastructure improvements. This analysis can also be coupled with the Displacement Risk Analysis (see page 30) as the creation and preservation of income-restricted units is an effective tool to mitigate displacement.

#### Workforce Housing

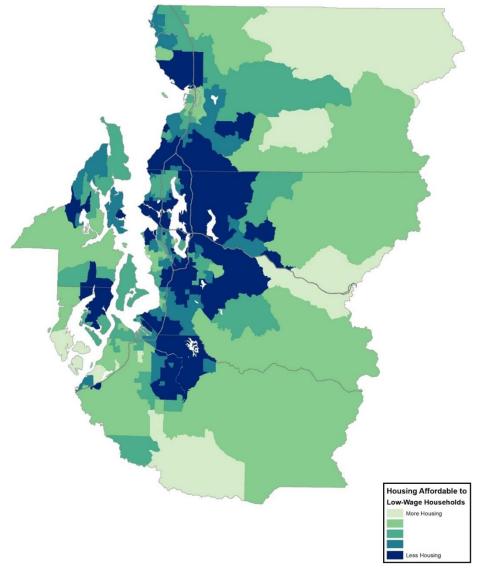
Workforce housing refers generally to housing that is affordable to individuals employed in the community, especially housing at affordability levels that are not provided for adequately by the private market. The wage levels of workers employed in your community is a key factor in calculating housing needs. If there is no housing affordable to employees at local public and private employers, workers may have longer commutes, undermining goals for transportation and the environment.

PSRC conducted an analysis of low- and moderate-wage jobs in relation to local housing costs. These maps can be used for local analysis and also to identify areas for subregional collaboration. The low-wage affordable housing fit map (Figure 4) is based on an approach created by the University of California Davis.<sup>3</sup> This measure provides insight into whether

<sup>&</sup>lt;sup>3</sup> Benner, Chris, and Alex Karner. "Low-wage Jobs-housing Fit: Identifying Locations of Affordable Housing Shortages." Urban Geography 37, no. 6 (2016): 883-903

low-wage workers have access to affordable housing near their place of employment. Affordable low-income housing is defined as rental housing that costs less than \$750/month (including utilities), while low-wage jobs are jobs that pay gross wages of \$15,000/year or less. Areas (or census tracts) with balanced or greater access to affordable housing options relative to the low-wage jobs base are shown in lighter greens, while places with more lowwage jobs but fewer affordable housing options are shown in darker greens and blues.

Figure 4: Affordable Housing and Low-Wage Job Fit - Low-Income, 2017



Source: American Community Survey 5-Year Estimates, LEHD Origin-Destination Employment Statistics (LODES) dataset

The moderate-wage affordable housing fit map (Figure 5) defines affordable housing as rental housing that costs less than \$1250/month (including utilities), while moderate-wage jobs pay up to \$40,000/year. Areas with balanced or greater access to affordable housing options for moderate-wage earners are shown in lighter greens while places with more moderate-wage jobs but fewer affordable housing options are shown in darker greens and blues.

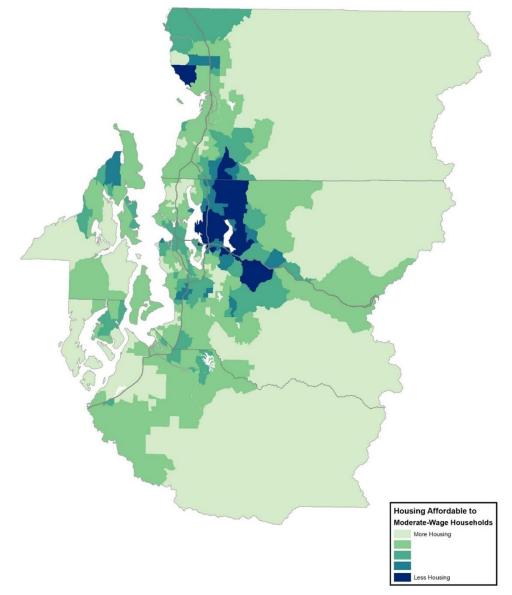


Figure 5: Affordable Housing and Low-Wage Job Fit - Moderate-Income, 2017

Source: American Community Survey 5-Year Estimates, LEHD Origin-Destination Employment Statistics (LODES) dataset

What does this mean for comprehensive plans? An analysis of housing needs for the local workforce will strengthen planning efforts to ensure housing affordability for individuals

who work within the jurisdiction. Gaps in affordable housing may mean workers can't afford to live near their jobs. They may have to travel long distances to work, increasing their cost burden and demands on the transportation system. Or they may have to live in unsafe and overcrowded conditions.

. This could be factored into the overall assessment of housing need. Programs and regulations may be needed to create opportunities for more affordable ownership or rental housing. Development incentives tied to affordability have proven successful for providing housing that meets the needs of the workforce.

#### Jobs/Housing Balance

Jobs/housing balance is a measure that compares the amount of employment versus the amount of housing in a specific geographic area. Typically, a jobs/housing balance is calculated by dividing jobs within a geography by the number of housing units in that geography.

Providing an appropriate balance between jobs and housing ensures that workers have access to housing near their places of employment. Measuring jobs/housing balance around major employment centers and within individual communities provides jurisdictions an opportunity to work with neighboring cities and towns to reconcile the geographic distribution of housing and employment opportunities.

Figure 6 highlights variation in jobs-housing ratio among regional geographies of the region.

	2019 Jobs	2019 Housing	Jobs-Hsg Ratio	Indexed Ratio
Metropolitan Cities	1,103,700	590,473	1.87	1.39
Core Cities	674,987	385,960	1.75	1.30
High-Capacity Transit Communities	277,743	357,541	0.78	0.58
Cities & Towns	107,559	129,678	0.83	0.62
Urban Unincorporated	83,120	62,396	1.33	0.99
Rural	93,644	213,572	0.44	0.33
Total	2,340,753	1,739,620	1.35	1.00

Figure 6: Jobs-Housing	Balance by Regiona	al Geography, 2019
J		

Source: WA State Office of Financial Management, PSRC

Figure 7 shows variation in jobs-housing ratio among subareas in the region.

#### AGENDA ITEM 7.1

Subarea	2019 Jobs	2019 Housing	Jobs-Hsg Ratio	Indexed Ratio
East King	431,800	250,900	1.72	1.28
Sea-Shore	702,000	400,200	1.75	1.30
South-King	395,700	305,100	1.30	0.96
North Kitsap	51,700	61,000	0.85	0.63
South Kitsap	59,200	52,500	1.13	0.84
East Pierce	25,400	31,400	0.81	0.60
Peninsula	20,900	30,700	0.68	0.51
Tacoma/Central Pierce	330,800	290,900	1.14	0.85
Central Snohomish	33,700	52,400	0.64	0.48
North Snohomish	48,500	57,700	0.84	0.62
Southwest Snohomish	241,100	206,800	1.17	0.87
Region	2,340,800	1,739,700	1.35	1.00

#### Figure 7: Jobs-Housing Balance by Subarea, 2019

#### Source: WA State Office of Financial Management, PSRC

Planning for jobs/housing balance occurs at several distinct geographic scales. At the regional level, the Regional Growth Strategy in VISION 2050 promotes jobs/housing balance between counties. At the county level, countywide growth targets promote jobs/housing balance among cities and unincorporated areas. The local comprehensive plan is the appropriate policy document to address jobs/housing balance at a finer scale, within districts and neighborhoods, and in particular providing a mix of housing and jobs in close proximity in regional and countywide centers and other activity nodes.

It is important to note that a jobs/housing balance is already reflected in each jurisdiction's housing targets developed at the countywide level. Jurisdictions should not modify their housing target based on a jobs/housing analysis, but may use this analysis at a neighborhood level to plan effectively for projected household and employment growth.

What does this mean for comprehensive plans? For job-rich neighborhoods within cities, planning for increased housing stock can mitigate upward market pressure on housing prices and rents. For housing-rich neighborhoods, adding employment can provide more access for current residents to economic opportunities. In both cases, planning to move toward more balanced distribution of housing and jobs within a jurisdiction can help to achieve a number of transportation and environmental goals as the need to commute long distances by private auto declines.

#### Housing + Transportation Costs Index

#### http://htaindex.cnt.org/map/

A Housing + Transportation Costs Index represents the percentage of household income spent on housing and transportation. This tool expands on the cost burden analysis to account for transportation costs. Housing costs may be lower in areas further from job centers for moderate- and low-income households, but the Housing + Transportation analysis incorporates the resulting increase in transportation for a more comprehensive definition of affordability.

The Center for Neighborhood Technology has partnered with the U.S. Department of Housing and Urban Development to create a user-friendly online tool for jurisdictions to complete their own Housing + Transportation analysis. The modeling tool creates a full picture of affordability as a combined measure of housing and transportation costs. It combines the variables of auto ownership, auto use, transit use, median income, per capita income, average household size, average commuters per household, residential density, gross density, average block size, intersection density, transit connectivity, transit access shed and employment access.

A comparison of the standard cost-burdened households approach versus the housing and transportation affordability index from the <u>Center for Neighborhood Technology (CNT)</u> is presented in Figure 8, below, highlighting the Puget Sound region.

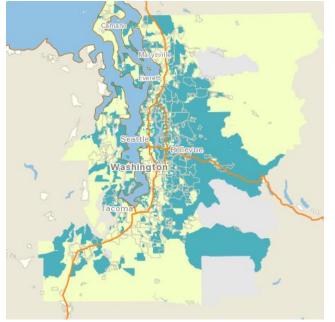


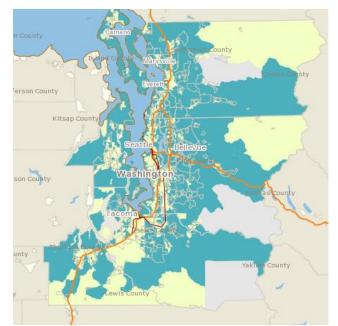
Figure 8. Transportation and Housing Affordability Index

 Housing Costs as Percent of Income

 by Block Group Model Data

 Data not available

- 0 to 30%
- Greater than or Equal to 30%



Housing and Transportation Costs as Percent of Income by Block Group Model Data

Data not available
0 to 48%
Greater than or Equal to 48%

What does this mean for comprehensive plans? The Housing +Transportation analysis may be used to develop affordable housing policies that focus the development of housing, and specifically affordable housing, in areas with lower transportation costs. A Housing +Transportation analysis provides the basis for developing policies and investing financial resources to support equitable transit-oriented development.

# Life-Cycle Housing

While income is one key factor defining the housing needs of a community, household size, composition, cultural background and age of household members are also crucial factors in determining the amount, type and location of housing. Specifically, it is useful to consider the housing needs and choices that are common among households at various life stages and backgrounds. This concept is called "life-cycle housing."

There are many different life-cycle stages and household compositions to plan for in every community. The list in Figure 9 summarizes several life-cycle stages and matches them to

housing type and tenure<sup>4</sup>. The community demographic profile based on Census data provides a snapshot of households, including such indicators of life-cycle housing needs as age, household size, presence of children and others. In anticipation of future life-cycle housing needs, comprehensive plans may consider addressing recent and ongoing trends in the region, including:

- Growth in racial and ethnic diversity, especially among youth. This increases the importance of fair housing enforcement and provision of housing that meets the needs of all cultural preferences.
- A growing share of seniors in the population necessitates planning for universal design and accessible units near services and transit.
- A growing number of singles living on their own represents a market opportunity for a greater variety of unit sizes and designs to meet the needs of individuals.
- Interest in non-traditional living arrangements, such as shared housing and cottages, necessitates flexibility and innovation in the zoning code.
- A growing market for families staying in cities can be supported by planning for mixed uses, housing development in commercial activity areas, open space and access to transit.

<sup>&</sup>lt;sup>4</sup> Special housing types, such as Permanent Supportive Housing, emergency housing and shelters are important parts of the local housing inventory, but are considered a separate topic for the sake of this analysis.

Household Type	Tenure	Housing Type	Desired Characteristics	
Young couples	Rent	Multi-family	One-bedroom units	
Single parents	Rent or own	Multi-family, single-family	2+ bedroom units	
Families with young children	Rent or own	Multi-family, single-family	Family sized units with two or more bedrooms. Access to services, schools, parks, and employment.	
Singles established in workforce	Rent or own	Multi-family, single-family	One-bedroom units. Access to transit, amenities, services, jobs.	
Middle-income Couples	Rent or own	Multi-family, single-family	One or two-bedroom units. Access to transit, amenities, services, jobs.	
Young singles and students, entering workforce	Rent	Multi-family, accessory units	Studios or one-bedroom units. Access to transit, amenities, services, jobs.	
Empty nesters	Rent or own	Single-Family, multi-family	One or two-bedrooms, age-restricted buildings. Access to employment, services and amenities.	
Older Workers	More likely to own, but may rent	Single-family, multi-family	Access to employment, transit, services and amenities.	
Multi-generational households	Rent or own	Single-family with attached/detached accessory unit, multi-family	Large units, multiple bedrooms. Access to employment, transit, services and amenities.	
Elderly residents	Rent or own	Single-family, multi-family	Age-restricted buildings with variable levels of health care and other supportive services, universally designed units. Access to transit and services.	
Families with older children	More likely to own, but may rent	Single-family, multi-family	Access to employment, schools, and services.	

# Figure 9. Life-Cycle Housing Categories

What does this mean for comprehensive plans? Housing preference variation for different life stages is not the only factor that jurisdictions should take into account when determining housing need; Special considerations should be made for different types of demographic groups. Cultural preferences, income, age of residents and household type can determine preferences for unit size and number of bedrooms, tenure and proximity to resources like transit, cultural assets, schools, parks, services and community spaces. Planning for affordability in a range of housing types and locations will further ensure that current and projected housing needs are met for all ages and abilities, as well as

communities of all racial, ethnic and cultural backgrounds, and all household sizes and types.

#### **Racially Disparate Impacts**

Addressing equity in the planning and decision-making processes of the comprehensive plan update is essential to ensure the plan benefits all people and reflects the needs and lived experiences of all residents and businesses in the community. Using a racial equity lens can also help to redress past inequities and ensure future planning, policies, and programs do not disproportionately burden BIPOC communities. This is particularly important for the Housing Element and Housing Needs Assessment since current and past policies, programs and systems have excluded people of color from homeownership opportunities and created and continue to perpetuate disparities in housing.

More information on the Growth Management Act requirements to assess and address racially disparate impacts in the housing element are available in <u>Commerce's Racially</u> <u>Disparate Impacts Guidance.</u>

#### **Opportunity Mapping**

#### https://www.psrc.org/our-work/opportunity-mapping

Not all households have the same access to jobs, services, transit and other determinants of quality of life. Assessing access to opportunity, particularly for lower-income and underserved communities, is critical when assessing future public investments. Access to affordable housing can be addressed both through creating more housing options in high-opportunity areas and by increasing access to opportunity through investment in more affordable communities.

PSRC's Opportunity Mapping shows access to opportunity based on an index of neighborhood characteristics and positive life outcomes. The index includes education, economic health, housing and neighborhood quality, mobility and transportation, and health and environment. The level of opportunity score (very low, low, moderate, high, very high) is determined by sorting all census tracts into quintiles based on their index scores. Areas of opportunity with greater proportions of growth may experience an increased risk of displacement.

More information on the methodology behind Opportunity Mapping is available online.

# **Displacement Risk Mapping Tool**

# https://www.psrc.org/our-work/displacement-risk-mapping

For many communities, an important step in assessing housing needs is to identify the community's risk factors related to displacement. This term refers to instances where a household is forced or pressured to move from their home against their wishes.

The Displacement Risk Mapping Tool uses a composite of indicators representing five elements of neighborhood displacement risks: socio-demographics, transportation qualities, neighborhood characteristics, housing and civic engagement. The tool compiles census tract data from these five categories of measures to determine level of risk by neighborhood: lower, moderate and higher. It can be used to better understand how growth may impact existing communities and when steps are needed to help existing residents and businesses remain in their communities.

More information on the methodology behind the Displacement Risk Mapping Tool is <u>available online</u>.

# **Equity Resources**

# https://www.psrc.org/our-work/equity

PSRC has developed several equity resources and assessment tools that can be applied to the full comprehensive plan update. These resources may be particularly helpful when analyzing and addressing racially disparate impacts in housing.

# **Data Sources**

Housing is one component of a complete community and is tied to transportation and infrastructure, jobs, the environment, services and other amenities. In addition to the analysis and data sources described earlier in this guide, more general data can help a local jurisdiction to better understand current and future housing need. The data sources listed below may be helpful to the larger comprehensive plan update and are not specific to housing.

# **Community Profiles**

# http://dataexplorer.psrc.org/community-profiles/

The purpose of a community profile is to describe your community's population with a focus on characteristics that shape current and future needs for housing. A good community profile includes a presentation of quantitative demographic data along with additional local knowledge to help put the data into context. PSRC's Community Profiles data dashboard provides easily accessible information to help develop a local community profile.

As a State Data Center affiliate for the central Puget Sound region, PSRC keeps an extensive inventory of data released from the U.S. Census Bureau. Cities and counties use it to track the well-being of children, families and the elderly, as well as to determine where to locate new public facilities. This portal includes demographic profiles on a variety of topics for all cities, towns and counties in the PSRC region.

The data on the dashboard is a snapshot of the information that is available from the U.S. Census Bureau. In order to view data for all the cities and towns in the Puget Sound region, we are limited to using American Community Survey (ACS) five-year data. For this reason, you will only find two non-overlapping sets of data on this dashboard. By only including non-overlapping data, users can analyze the data for changing trends. The data on this dashboard is divided into five categories:

- People Measures
- Household and Housing Measures
- Job and Income Measures
- Transportation Measures
- Transportation Projects

# **Estimates of Covered Employment**

# https://psrc-

psregcncl.hub.arcgis.com/search?groupIds=acfa746d62734c8e9240f21520fb5fdcPSRC's

Analyzing the characteristics of the workforce and reaching out to local employers can help shed light on the housing needs of these workers as well as possible solutions. Addressing the housing needs of the local workforce can reduce the prevalence of long commutes and aid local employers in recruiting and maintaining a stable workforce.

The Covered Employment database is derived from the Washington State Employment Security Department's (ESD) Quarterly Census of Employment and Wages (QCEW) series. This series consists of employment for firms whose employees are covered by the Washington Unemployment Insurance Act. Covered employment excludes self-employed workers, proprietors, CEOs and other non-insured workers. Typically, covered employment has represents 85-90% of total employment. The dataset for March of each year is presented here as a representative month when seasonal fluctuations are minimized. The unit of measurement is jobs, rather than working persons or proportional full-time employment equivalents; part-time and temporary positions are included.

To provide more accurate workplace reporting, PSRC gathers supplemental data from the Boeing Company, Microsoft Corporation, the Washington Office of Superintendent of Public Instruction (OSPI) and governmental units throughout the central Puget Sound region.

#### **Residential Permit Database**

#### https://psrc-

# psregcncl.hub.arcgis.com/search?groupIds=f3783a41aa504ae1ba05fcdd71ba1ffb

It is helpful to compare a static count of units with production trends from a recent time period to evaluate how trends are changing over time. A local jurisdiction will have its own permit data. Comparing local permit trends to regional trends may help to understand local market conditions and if public incentives and subsidies are needed to spur housing development.

PSRC collects residential building permit records authorizing construction, demolition and any other gain or loss in housing units during a given year. Permit data is collected on an annual basis; each data file represents one calendar year's worth of permit data. Permit data is collected from the permitissuing bodies, the individual jurisdictions and counties in the central Puget Sound region.

#### Household Travel Survey

#### https://household-travel-survey-psregcncl.hub.arcgis.com/

It is helpful to understand travel patterns and behaviors when assessing the current and future location of housing.

The Puget Sound Regional Travel Survey seeks to capture quality, regionally representative data for residents' travel behavior on a typical weekday. This data includes household and person demographics, household vehicle information and information about daily travel patterns (e.g., locations, travel times, travel modes).

The spring 2019 household travel survey is part of a six-year survey program for three waves (two-year survey cycles). This effort builds upon the 2017, 2014/2015 and 2006 household

travel surveys to continue to support a wide variety of agency and member data and analysis needs. The final wave for the current program is set for 2021.

# Land Use Vision-Implemented Targets Forecast Product (LUV-it)

PSRC is updating the Land Use Vision growth projections for counties, cities and other communities to reflect the updated Regional Growth Strategy, as well as countywide growth targets developed to align with VISION 2050. The forecast is a useful resource for transportation modeling to be consistent with future growth planning in communities throughout the region.

# Increase Neighborhood Stability by Mitigating Residential Displacement

VISION 2050, the region's long-range plan for growth, calls for creating a region where growth benefits all residents by increasing economic development and access to jobs, expanding housing and transportation choices, promoting neighborhood vitality, and improving public health and environmental quality. However, without public intervention, growth can benefit some and exacerbate burdens for others. This can push people away from their current communities, resources and jobs. Taking steps to mitigate displacement can help to ensure all residents have the choice to stay in their neighborhoods.

Local governments can play a key role in helping to provide opportunities for residents to stay in place. Many jurisdictions are working to reduce the likelihood of displacement. While some jurisdictions report having displacement mitigation tools in place, many communities have continuing questions and need more technical assistance. Displacement is a complex topic with myriad approaches to address the various types of displacement and local conditions.

PSRC developed a displacement risk tool to identify areas at greater risk of residential displacement based on neighborhood conditions. In addition to this tool, <u>PSRC is developing further guidance on residential displacement for local jurisdictions</u>.

# **Local Policy and Implementation Evaluation**

Over the past 30 years counties and cities have successfully implemented a range of housing actions to improve housing supply and access, from major planning efforts to funding in support of low-income housing projects. The region now has more active housing efforts than ever. Nonetheless, the housing market continues to change rapidly, and state laws and regional policies have new requirements. Housing policies that may have been prudent 10 years ago may now not fully reflect today's housing needs. This section provides guidance on evaluating housing policies and implementation strategies to ensure that they address current requirements and meet community needs. A few key questions to aid review of a housing element include:

- Does the housing element support sufficient housing to address the community's population and housing growth targets? Each jurisdiction must demonstrate that its comprehensive plan supports accommodating its adopted growth target and growth that is consistent with VISION 2050.
- Does the housing element support housing growth where it will be supported by regional and local transportation infrastructure? Housing located near jobs, services

and transportation options provides people with greater access and opportunity. It creates broader support for a full range of households. It also reduces traffic congestion and related impacts on the environment.

- Do housing policies support the provision of housing to meet the needs of households with lower incomes and special needs? About one third of future housing needs are anticipated to be for households earning less than 80% of AMI. Addressing this housing need will require planning and zoning that supports more affordable housing types, as well as incentives, subsidies and funding to reach the lowest- income households.
- Do policies work to address racially disparate impacts? Policies may have an unintentional impact on some populations. These may be legacies of redlining or other racially motivated actions in the past that continue to be echoed in today's zoning and regulations.

Cities and counties will most likely require new and innovative policies, tools and programs to provide more housing options to their communities and to address the full range of community needs.

#### **Evaluate Effectiveness of Existing Policies and Tools**

The state-required updates to local comprehensive plans due in 2024 represent the fourth round of GMA comprehensive plans. As such, they represent an opportunity to take stock of the effectiveness of existing policies and tools to achieve community goals and meet local and regional housing needs.

Inventory and analysis are resources for jurisdictions to evaluate the success of current housing element goals, policies and implementation tools. Data showing successful outcomes can support retention and expansion of existing policies and programs. Data showing weak performance suggest the need to revise or replace existing tools in a jurisdiction. Figure 10, below, shows examples of how jurisdictions can structure evaluation of outcomes, factors and potential implications of existing goals and policies.

Given changes in the Growth Management Act about looking specifically at need by income level, this analysis should also consider the effectiveness of existing tools to produce housing at different income levels. Data may not be available for all development, but the analysis should consider what types of tools can credibly be used to create very low-, low-and moderate-income housing.

# Figure 10. Housing Policy Evaluation Template

Policy or Tool	Outcome	Factors	Policy Considerations (Illustrative examples)
Example:			(indstrative examples)
Policy: Meet housing target Implementation Tools: • Land-use code	25% of target accommodated in 50% of planning period	Region still catching up from slowdown in housing production following the Great Recession. Most of the city's housing capacity is downtown in MF and MU zones where little development has occurred.	Economic development and market incentives for new development downtown. Provide additional infill capacity. May satisfy reasonable measures under Buildable Lands.
<ul> <li>Policy: Encourage the production of housing affordable for all incomes</li> <li>Implementation Tools: <ul> <li>Multi-family tax exemption</li> <li>Density bonus incentive for workforce housing</li> </ul> </li> </ul>	Two projects used the 8- year MFTE option No projects under the 12- year provision with affordability 37 new units built under incentives affordable to HH with income below 80% of AMI	Developers indicate tax break insufficient for below-market units. Feedback from developers: density bonus only effective in highest-demand locations. Overall low development activity in the zones where incentive is in place.	<ul> <li>Provide additional incentives for new market rate and especially mixed-income development.</li> <li>Consider new or expanded incentives, such as flexible parking requirements or permit expediting.</li> <li>Consider new implementation approaches, such as inclusionary zoning, support for non-profit housing developers and a local or regional housing fund.</li> </ul>
<b>Policy:</b> Encourage family- sized rental housing <b>Implementation Tool:</b> N/A	10% of recently permitted MF units are two- bedroom or larger	Private market decisions	Strengthen policy to identify specific approaches for implementation like zoning incentives for larger units around transit, schools and parks.
Policy: Promote accessory dwelling units Implementation Tool: Accessory dwelling units ordinance	25 permits (5 per year), 70 existing. Average rental price is \$900/ month for one-bedroom	Size and design of many existing SF homes cannot accommodate ADUs.	Consider an expanded ADU ordinance that would allow detached ADUs, or perhaps an incentive in zoning for ADUs to be included in new homes.
<ul> <li>Policy: Promote middle- density housing</li> <li>Implementation Tools:</li> <li>Code audit</li> <li>Flexible single-family development standards</li> </ul>	30% of new construction in low-rise residential zone is 2-6 units per lot.	Feedback from financing and development industry: development regulations do not allow middle-density projects to be financially feasible.	Conduct a code audit to identify and address development regulations that are inadvertently hindering the development of middle-density housing.

Relax minimum parking     requirements		Single family zones need infrastructure to support modest increases in density.	
<ul> <li>Policy: Mitigate residential displacement</li> <li>Implementation Tools:</li> <li>Tenant protections</li> <li>Incentive/inclusionary zoning</li> <li>Equitable community engagement</li> <li>Create an equitable development fund</li> </ul>	Neighborhood stabilization. Majority of current residents have option to continue living in community as investments are made.	History of systemic racism in housing. Disenfranchisement of minority communities.	Engage residents to better understand their lived experience with risk of displacement. Compensate people and organizations for their time and expertise.
<ul> <li>Policy: Address racially disparate impact in access to housing</li> <li>Implementation Tools:</li> <li>Tenant protections</li> <li>Inclusionary zoning</li> <li>Down payment assistance</li> <li>Foreclosure resources</li> <li>Alternative ownership models</li> </ul>	Increased share of minority residents owning a home. Share of cost-burdened renters is more consistent among different racial/ethnic groups.	History of systemic racism in housing.	Consider partnerships with community and financial institutions to provide education and payment assistance.
Policy: Regulatory streamlining for housing development Implementation Tool: N/A Policy: Support the development of special needs housing	Average permitting period reduced by two weeks 12 new universally designed units developed within ½ mile of transit	Updated web-based "one- stop-shop" permit application process for by-right development Partnered with developers of special needs housing to develop incentive program.	Look for additional opportunities to streamline regulatory processes. Continue to strengthen partnership with special needs housing advocates and revise
Implementation Tool: N/A Policy: Support the preservation of transitional	station More households applied than units available, 50	Recession has increased likelihood of households in	policies as needed. Work with rapid rehousing pilots or other emerging practices
housing units for homeless families Implementation Tool: Transitional housing program	households moved from transitional housing to permanent housing	poverty to become homeless, resulting in increased demand.	

A policy evaluation table like the one shown above is intended to serve as internal guidance for jurisdictions to evaluate existing policies and implementation tools. The policy implications column can aid local planning staff in prioritizing a work plan for the update of the housing element and provide background materials for new proposals for policymakers.

# **Consistency With Growth Targets and Addressing Projected Housing Need**

For PSRC certification, VISION 2050 states that plans need to demonstrate substantial consistency between the land use assumptions used throughout the plan and the adopted countywide growth targets. See p. 42 of VISION 2050 and the VISION 2050 Consistency Tool for Comprehensive Plans for more information. A growth target is the amount of growth for the 20-year planning period that each jurisdiction has agreed to through the countywide process. A jurisdiction must provide sufficient capacity to accommodate the growth targets. Capacity for growth can exceed growth targets, which may be particularly important in planning for growth under new affordability requirements in HB 1220.

VISION 2050 emphasizes that where growth happens is important. Coordination and consistency among jurisdictions is critical in planning for transportation, achieving climate goals, understanding forecast growth jobs-housing balance and other reasons. Planning for growth targets that have been developed through the countywide process ensures coordinated growth throughout the region.

Capacity and targets are related but different. Growth targets represent total growth expected during the 20-year planning period and are determined through the countywide process to allocate projected growth. Targets and forecasted growth inform planning for transportation investments, capital facilities and the size of the urban growth area. VISION 2050 and the comprehensive plan review checklist state that capacity for growth can exceed targets. PSRC recognizes that additional capacity will help achieve adopted growth targets based on the type, location and timing of development. Many jurisdictions may lack sufficient capacity to accommodate growth at deeply affordable income bands. That may mean revisiting capacity but doesn't necessarily mean the total amount of growth should change. The counties should have a process in place to adjust the targets if necessary.

One caveat is that VISION 2050 includes a policy discouraging adding capacity in regional geographies that do not have high-capacity transit. When a community substantially increases capacity beyond its adopted target it should document how the additional capacity is necessary to support regional policies. Commerce will be releasing guidance on land capacity to accommodate housing need in late 2022.

# Recommended steps to address need:

- Reflect projected countywide need in your plan or other countywide-adopted allocations specific to your jurisdiction.
- Demonstrate capacity at different affordability levels based on guidance provided by Commerce.

• Identify barriers to addressing housing needs for all income levels, such restrictive zoning and regulations and limits in available funding.

Identify appropriate tools and strategies that can meaningfully address the need at different income levels. For example, could an affordable housing provider develop units in your community based on existing land use and development regulations? Comprehensive planning is about setting up the preconditions for growth to occur. The housing market is complex, and the price of housing is influenced by a broad set of economic and policy factors. Some are in the control of local governments, but many are not. The GMA requirements are to identify appropriate tools and strategies to enable housing development to occur, not to guarantee development or preservation of units at different income levels.

# **Setting and Implementing New Goals and Policies**

Through the update process, new or revised policies arise from input from community members and other stakeholders, state laws and rules, multicounty and countywide planning policies, as well as the housing inventory, analysis and evaluation steps described above.

VISION 2050 encourages local jurisdictions to adopt and implement available best housing practices and innovative techniques to advance the provision of affordable, healthy and safe housing for all residents in the region. Multicounty planning policies on housing highlight the following issues to be addressed in local comprehensive plans:

- Equitable distribution of housing for low-income, moderate-income, middle income, and special needs individuals.
- Homeownership opportunities for low-income, moderate-income, and middleincome families and individuals.
- A range of housing choices for workers at all income levels in proximity to jobs and employment opportunities.
- Increasing the supply and range of housing choices in regional growth centers.
- Prioritizing regional funding for transportation facilities, infrastructure and services in regional growth centers.
- Streamlining development standards and regulations to increase public benefit and flexibility and minimize additional costs.
- Innovative techniques for providing a broad range of housing.
- Inter-jurisdictional cooperation.

While revising and setting new goals and policies should be informed by state, regional and countywide policies, they should be tailored to meet the needs of local communities and enable jurisdictions to contribute to meeting regional needs.

Commerce's Racially Disparate Impacts Guidance recommends evaluating each policy to understand which policies advance the community's overall goals, which ones may undermine other goals and which may be strengthened. Policies may have been substantially unchanged across multiple plan updates or may use poorly defined terms or coded language that implies exclusion in the housing market. This plan update is an opportunity to look closely at all policies and strategies to assess whether the plan will help confront regional challenges in the housing market.

In addition, the strength of a policy is determined by its specificity: the more specific the greater likelihood that results and outcomes will reflect desired intent. Figure 11 below, adapted from the City of Bellevue Transit Master Plan, provides guidance on crafting strong, active policies.

# Figure 11. Policy Strength Continuum

#### Policy Strength Continuum Policy language should convey the appropriate strength to achieve the desired outcome. Even strong policies are only effective if they are clearly linked to development regulations and funding. **Statements of Inclination Statements of Principle Statements of Impact** Convey intent to improve but Describe clear targets or Go further, describing particular make no target or definition of conditions of success. situations where transit should success. have priority. Example: Santa Monica, CA: "The primary Example: Example: Portland, OR: "Operate the street Seattle, WA: "Implement Transit purpose of arterial streets that system in a manner that benefits Signal Priority (TSP) along are also frequent transit streets transit." is to move people rather than transit corridors to provide transit vehicles with precedence vehicles. at signalized intersections, while considering cross-street pedestrian and traffic demand." **Policy Strength** Passive Active Adapted from City of Bellevue Transit Master Plan

# **Policy Implementation**

In terms of implementing policy tools that increase the supply of affordable housing, the Washington Administrative Code includes guidelines to implement RCW 36.70A.540, amended in 2010, which sets minimum standards to enact or expand affordable housing incentive programs that are consistent with local needs and adopted comprehensive plans. Programs can include strategies like density bonuses, height and bulk bonuses, fee waivers or exemptions, parking reductions and expedited permitting.

In anticipation of countywide and local planning to implement VISION 2050 and the Regional Housing Strategy, the Puget Sound Regional Council has developed several resources that address housing and housing affordability.

<u>PSRC's Housing Innovations Program (HIP)</u>: PSRC's Housing Innovations Program (HIP) is a collection of planning resources for local governments—including planners and planning commissions, housing staff, and elected officials—in the central Puget Sound region. The program aims to provide local jurisdictions with information about available best housing and planning practices that have been successfully used to facilitate the production and preservation of affordable housing opportunities and compact development in their communities. The HIP includes profiles of 49 regulatory tools, incentives and other local government strategies for fostering affordable housing production/preservation and innovative, compact development.

Place Typology for Housing Actions and Tools: Both the Regional Housing Strategy and the Housing Innovations Program identify strategies that can be taken at the local level to further regional housing goals. This typology identifies six types of places across the region based on access to opportunity and displacement risk. It also identifies appropriate housing strategies for each type of place. This classification framework assesses future growth based on the Regional Growth Strategy to link appropriate implementation strategies to communities with common characteristics. The typology is forthcoming and will be available in early 2023.

Housing Incentives and Tools Survey: PSRC fielded a survey to local jurisdictions to learn how they use regulatory incentives and tools to promote housing development and affordability. The survey can be useful in understanding what tools have proven effective, common barriers, and which tools have been adopted around the region. Findings from surveys fielded in 2009, 2019 and 2021 are available online. Findings from the 2022 survey are forthcoming and will be available in early 2023.

Housing 101: Creating a Shared Understanding: Housing is a complex topic that has a long history and uses specific terminology. This presentation summarizes key terms and grounding information to provide stakeholders with a common language as work moves forward on the Regional Housing Strategy. This overview covers Key Terms, Role of Government, Housing and Equity, VISION 2050.

The PSRC housing resources complement a range of additional resources available through other agencies that local governments are encouraged to use in updating their housing elements:

- <u>Washington State Department of Commerce: Planning for Housing</u>: An online resource providing guidance on how to develop a local housing needs assessment and update a housing element to meet state law.
- <u>Municipal Research and Services Center of Washington (MRSC)</u>: An online resource providing guidance on "housing issues, legal authority, sample ordinances, programs, plans, best practices and resources for local governments, particularly Washington cities and counties."
- <u>PolicyLink's Equitable Development Toolkit</u>: PolicyLink is an organization committed to "Lifting Up What Works," which is a "way of focusing attention on how people are working successfully to use local, state, and federal policy to create conditions that benefit everyone, especially people in low-income communities and communities of color." The Equitable Development Toolkit "includes 27 tools to reverse patterns of segregation and disinvestment, prevent displacement, and promote equitable revitalization."
- <u>Center for Housing Policy/National Housing Policy Toolbox</u>: provides a comprehensive "overview of successful housing policies and examples of how they have been used to achieve key goals, including ensuring the availability of affordable homes, meeting the housing needs of older adults, and improving home resistance to natural disasters."

Figure 12 provides a full range of housing tools that can be incorporated into local housing elements. Each of these tools is discussed and illustrated further in the HIP online <u>Housing</u> <u>Toolkit</u>.

#### Figure 12. Effective Housing Tools

Development Types Accessory Dwelling Units Cluster Development Cottage Housing Infill Development Mobile/Manufactured homes Master Planned Communities Microunits Mixed-Use Development Multifamily Development Planned Unit Development Small Lot Development Townhomes Zero Lot Line Development

#### Incentives

Density Bonuses Fee Waivers or Reductions Incentive Zoning Multifamily Tax Exemption Parking Reductions Public Land for Affordable Housing

Renter/Homeowner Assistance Direct Household Assistance Foreclosure Resources Tenant Protections

Project-Level Tools Affordability Covenants Alternative Homeownership Models Development Agreements

Other Regulatory/Zoning Tools **Design Guidelines** Flexible Single Family Development Regulations Form-Based Zoning Inclusionary Zoning Lot Size Averaging **Minimum Densities** No Maximum Densities Performance Zoning Planned Action EIS Preservation & Rehabilitation **Regulatory Streamlining** SEPA Categorical Exemptions Short Plats **Transit Oriented Development Overlays** Transfer of Development Rights for Affordable Housing Upzones and Rezones

Other Financial Tools Commercial Linkages Fees Credit Enhancement Local Housing Fund

Education & Outreach Community Outreach Plans & Strategies Training for Permitting Officials NIMBY and Community Opposition

Partnerships Interjurisdictional Cooperation Nonprofit Partnerships

#### **PSRC's Plan Review**

A major emphasis of the Growth Management Act is coordination of local, regional and state planning efforts. To advance this coordination, state law (RCW 47.80.023) requires PSRC to review and certify that local comprehensive plans conform to regional guidelines and principles (multicounty planning policies), the regional transportation plan and planning requirements in the Growth Management Act. Through plan certification, local jurisdictions become qualified to apply for federal transportation funds managed by PSRC.

During VISION 2050, PSRC's Growth Management Policy Board recognized that access to housing, employment and transit are directly related to the region's transportation system. To reflect the policy direction of VISION 2050 and the board's emphasis, PSRC will

emphasize housing during the plan review process. With the more detailed direction of the Regional Housing Strategy, greater data available in the Regional Housing Needs Assessment and information from the Department of Commerce regarding the implementation of HB 1220 now available, PSRC's review will look at housing elements and other housing strategies and actions. Comprehensive plans will be reviewed for whether plans show their work to address new state requirements for jurisdictions to demonstrate planning for need and housing capacity across the income spectrum, as well as analyzing and addressing racially disparate impacts.

Ultimately, whether a policy area of a local plan is a "transportation-related provision" is a decision for the Growth Management Policy Board to consider in making a certification recommendation to the Executive Board.

Figure 13, adapted from the PSRC Plan Review Manual, summarizes key points in VISION 2050 that should be considered in local housing elements. The PSRC <u>Policy and Plan</u> <u>Review Process</u> is designed to further coordination between local jurisdictions, counties and transit agencies to satisfy requirements in the Growth Management Act to certify countywide planning policies and the transportation-related provisions in local comprehensive plans. For more information on PSRC's Plan Review program and the Plan Review Manual, visit the <u>PSRC website</u>.

# Figure 13. PSRC Plan Review Manual Housing Element Checklist for Local Comprehensive Plans Housing

The plan guides the **preservation**, **improvement and expansion of the housing stock** to provide a range of **affordable**, **accessible**, **healthy and safe housing choices** to every resident. It continues to **promote fair and equal access to housing for all people**.

Policies and programs should:

Assess housing needs	
Address affordable housing needs by developing a housing needs assessment and	
evaluating the effectiveness of existing housing policies, and documenting strategies	
to achieve housing targets and affordability goals. This includes documenting	
programs and actions needed to achieve housing availability including gaps in local	
funding, barriers such as development regulations, and other limitations (H-Action-4)	
Increase housing supply and choices	
✓ Increase housing supply and densities to meet the region's current and projected	

needs at all income levels consistent with the Regional Growth Strategy (MPP-H-1)

 Expand the diversity of housing types for all income levels and demographic groups, including low, very low, extremely low, and moderate-income households (MPP-H-2-6, H-9)

Expand housing capacity for moderate density housing, i.e., "missing middle" (MPP-H-9)

- Promote jobs-housing balance by providing housing choices that are accessible and attainable to workers. Include jobs-housing balance in housing needs assessments to better support job centers with the needed housing supply (MPP-H-1, H-6, H-Action-4)
- ✓ Expand housing choices in centers and near transit (MPP-H-7-8)

 Promote flexible standards and innovative techniques to encourage housing production that keeps pace with growth and need (MPP-H-10)

Support the development and preservation of affordable housing

Use inclusionary and incentive zoning to provide more affordable housing when creating additional housing capacity (H-Action-5)

Jurisdictions planning for high-capacity transit stations: Create and preserve affordable housing near high-capacity transit<sup>5</sup> (MPP-H-8, H-Action-1)

Address inequities in access to housing

Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations and work with communities to develop antidisplacement strategies in when planning for growth (MPP-H-12, H-Action-6)

Promote homeownership opportunities while recognizing historic inequities in access to homeownership opportunities for communities of color (MPP-H-5)

Identify and begin to undo local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing including zoning that may have a discriminatory effect and areas of disinvestment and infrastructure availability

Source: Plan Review Manual, 2022

# Monitoring

Policy implementation and monitoring work best as two sides of the same coin. The housing element should be crafted in a way that facilitates continual monitoring of outcomes and changing community needs. Indicators tracked through annual monitoring should link back to explicit policies and implementation actions in the plan. The stronger the monitoring program is tied to desired policy outcomes, the better position a community will be in to achieve its housing objectives and make targeted updates to its policies and tools to ensure community housing needs are met.

PSRC is developing a program to track regional performance trends as part of the implementation of VISION 2050. Tracking performance trends provides a critical feedback

<sup>&</sup>lt;sup>5</sup> Transit-oriented development near stations located in or near manufacturing/industrial centers need to function differently, with different uses than other centers, to maintain a focus on protecting industrial zoning, jobs and the region's overall economic vitality.

loop and basis for evaluating how well PSRC is meeting its stated planning/program goals and objectives. This supports informed decision-making, e.g., by telling us where we're succeeding and where we're not, and by helping us think about how we might adjust current policies or programs to produce better results. The regional performance trends on housing focus on the supply, cost, density and location of housing, including:

- Amount of housing produced compared to targeted growth
- Home prices versus income
- Rental housing supply vs. demand
- Income spent on housing and transportation costs
- Cost-burdened households
- Distribution of affordable rental and ownership housing units
- Housing units by structure type
- Housing in regionally designated centers
- Jobs-housing balance

# **Five-Year Implementation Reports**

<u>HB 1241</u>, adopted by the state Legislature in 2022, now requires jurisdictions that meet certain criteria to submit an implementation progress report detailing the progress they have achieved in implementing their comprehensive plan five years after the review and revision of their comprehensive plan.

The specifics of the reports are forthcoming, but is it critical to note that the law does include specifics for implementation of the housing element. The Department of Commerce will adopt guidelines for indicators, measures, milestones and criteria for use by counties and cities in the implementation progress report. The new state law requires that the report must cover the implementation of previously adopted changes to the housing element and any effect those changes have had on housing affordability and availability within the jurisdiction.

Some examples of monitoring programs have been developed around countywide planning policies and comprehensive plans:

• *King County CPPs:* King County monitors the supply of housing that's affordable at all income levels and accessible to all residents, as well as its progress in meeting current and project housing needs. In addition, the King County CPPs suggest that jurisdictions "review and amend, a minimum every five years, the countywide and local housing policies and strategies," especially in jurisdictions where current and projected housing needs are not adequately met. The monitoring dashboard is <u>available online</u>.

- Redmond Benchmarks: Since 2006, the City of Redmond has had a benchmarks program designed to assess progress "toward achieving the eight broad community goals that underpin Redmond's Comprehensive Plan." These include several measures of housing choice. One example of a statistical indicator is the "Affordable Dwellings Created through Inclusionary Housing Program." It is one of several indicators used to determine if the city's "Emphasize choices in housing, transportation, stores and services" outcome is met in the Redmond 2022 program.
- *Mountlake Terrace Comprehensive Plan Performance Measures:* As part of its housing element, the City of Mountlake Terrace has adopted a performance measure and will annually report on its progress. The measure is a target of 49 housing units permitted per year.
- Snohomish County CPPs: Through the CPPs, jurisdictions are required to "develop and implement a coordinated, growth monitoring program" through Snohomish County Tomorrow (SCT). Specifically, SCT performs annual reviews of population, employment and housing growth targets to determine progress in meeting projected and allocated growth. Yearly, SCT publishes a report with information outlining residential development trends and the availability and affordability of affordable housing. The full report is available at the <u>Snohomish County website</u>.

For more information on this guidance paper and the data contained in it, please contact PSRC at <u>planreview@psrc.org.</u>