



**Final Legislative Report –
Prepared for the 2023 Legislative
Session**

Collaborative Roadmap Phase III

January 5, 2023



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Prepared for:



Washington State
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Commerce

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With our partners:



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Executive Summary

The Collaborative Roadmap Phase III project (Phase III) is a two-year project, funded by the Washington State Legislature during the 2021 legislative session, focused on updates to the state’s growth policy framework. Phase III has three primary objectives:

- Convene a Task Force, which includes diverse perspectives, to make recommendations to the Legislature regarding needed reforms to the state’s growth policy framework;
- Task Force recommendations shall build upon the findings, concepts, and recommendations in recent state-funded reports; and
- Include in these discussions the lived experiences and perspectives of people who have too often been excluded from public policy decision-making and are unevenly impacted by those decisions.

Project work in 2022 included significant effort by the Task Force, who worked together to meet the project objectives. Working groups and other outreach efforts helped inform the Task Force’s discussions and recommendations. This 2022 Legislative Report, provided to the Legislature prior to the 2023 session, includes significant and wide-ranging recommendations for changes to the growth policy framework. The recommendations are well balanced across all focus areas identified in prior reports and studies and in previous deliverables for the Phase III project. They include ideas that would both enhance the existing framework and right-size planning requirements. Recommendations focus on making the laws and code governing growth and development work better and on providing local governments tools to help them address some of our most pressing issues, such as housing.

This report focuses on the final recommendations from the project Task Force and the engagement process utilized in 2022, which informed this important process as described in the [Engagement Summary for 2022](#) in this legislative report. All project reports, Task Force recommendations, project schedule, meeting videos, and background information may be accessed via the project [website](#).

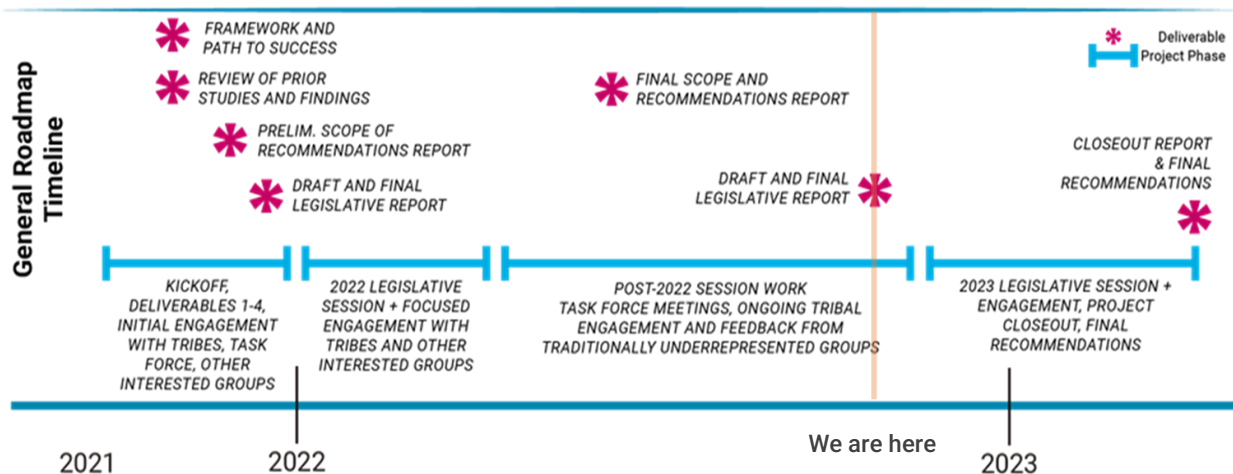


Figure 1: Project schedule and timeline



The results of the Task Force work in 2022 include 12 distinct issues and 15 recommendations across a broad spectrum of the growth policy framework for the Legislature to consider. More detailed information on each recommendation may be found by clicking below. The process of how each recommendation was formed is provided in this report.

- [Annexation Incentives](#)
- [Housing Tax Benefits and Incentives](#)
- [Integrating Water, Sewer, School, and Port Districts into the Growth Management Act \(RCW 36.70A\)](#)
- [Middle Housing Definitions](#)
- [Modify Permit Data Collection Requirements](#)
- [Modify Permit Process Requirements](#)
- [New Equity Goal and Environmental Justice Goal in the GMA](#)
- [Partial Planning Requirements for Fully Planning Cities](#)
- [Shoreline Master Program Review Schedule](#)
- [Varied Planning Requirements – Buildable Lands](#)
- [Varied Planning Requirements – City Adoption of County Critical Areas Ordinance](#)
- [Varied Planning Requirements – Commerce Technical Assistance](#)

Collaborative Roadmap Phase III – Important Milestones

2021

Review of Prior
Studies Report

Task Force
formation and
meetings

Preliminary Scope of
Recommendations
Report

2021 Legislative
Report

2022

Ongoing work -

- Legislative session engagement
- Task Force meetings
- Ongoing engagement

Final Scope of
Recommendations
Report

2022 Legislative
Report

2023

Ongoing work -

- Legislative session engagement

Closeout Report
and Final
Recommendations

We Are
Here

Figure 2: Important milestones

Introduction

Project Overview and Purpose

The Collaborative Roadmap Phase III (Phase III) project builds upon the findings, concepts, and recommendations from recent state-funded reports.

Utilizing the foundation of ideas and recommendations from previous studies, the project Task Force focused on making recommendations to the Washington State Legislature about proposed reforms to the state's growth policy framework.

Washington's growth policy framework consists of state laws that govern or influence the strategies state agencies and local governments use to plan for, implement, and manage land use policy, permitting and appeals, infrastructure, and environmental protections.

Beyond the Task Force, engaging diverse audiences in developing recommendations for the Legislature was a vital part of this project. This includes people who have historically been overlooked as public policy is developed.

This report presents the Task Force's 2022 recommendations for legislative consideration during the 2023 session. It also provides an overview of engagement conducted in 2022.

Findings, Concepts, and Recommendations from Recent Reports

To enable the Task Force to build upon past efforts and provide additional recommendations for changes to the growth policy framework, the project team (right) reviewed four state-funded reports: the Land Use Study Commission (1998), Governor's Land Use Agenda (2006), [A Road Map to Washington's Future \(2019\)](#), and [Updating Washington's Growth Policy Framework \(2021\)](#). This important work has been reviewed and summarized as part of the [Review of Prior Studies](#) report, which was issued as part of this project and is available on the [project website](#).

Recommendations from past studies have resulted in successful legislation over the past two decades. With renewed attention paid to updating the growth policy framework through the

Excerpt from [Chapter 334, Laws of 2021](#)

(Operating Budget):

[Commerce is] to convene a task force to make recommendations regarding needed reforms to the state's growth policy framework [...]. The process will build upon the findings, concepts, and recommendations in recent state-funded reports [...]. The task force must involve diverse perspectives including but not limited to representatives of counties, cities, special districts, the real estate, building, and agricultural industries, planning and environmental organizations, Tribal governments, and state agencies. Special effort must be made to include in these discussions the lived experiences and perspectives of people who have too often been excluded from public policy decision-making and unevenly impacted by those decisions.

[Chapter 334, Laws of 2021](#), p. 64 - 65

Project Team

- *LDC, Inc.*
- *PRR*
- *Confluence Environmental*
- *SCJ Alliance*

recent Road Map projects, new legislation has been introduced to address recommendations and opportunities identified within those reports. In addition, the Legislature acted on some recommendations from the Task Force’s 2021 work. Those recommendations were included within the 2021 Legislative Report, which was issued prior to the 2022 session. Some of the recommendations within this report build on recommendations from last year.

Developing the Scope of Recommendations for 2022

The scope of topics addressed by the Task Force in 2022 builds on the efforts from 2021. This includes basing the work on prior reports and studies. There are four primary differences between the topics identified in the [Preliminary Scope of Recommendations](#) report issued in 2021 and the [Final Scope of Recommendations report](#), which was issued in June 2022:

- The Task Force made several recommendations to the Legislature prior to the 2022 session. Those recommendations were contained within the [2022 Final Legislative Report](#). Where the Legislature took up those recommendations last session, those topics were considered complete.
- Several bills originating outside of this project were passed during the 2022 legislative session that implement findings, concepts, and recommendations from recent state-funded reports were considered complete.
- The project team had additional time to work through the findings, concepts, and recommendations from recent state-funded reports. This resulted in a much more refined set of topics for the Task Force to consider in 2022.
- The final list of topics was prioritized to account for the time the Task Force had to collect feedback on each topic and make recommendations to the Legislature.

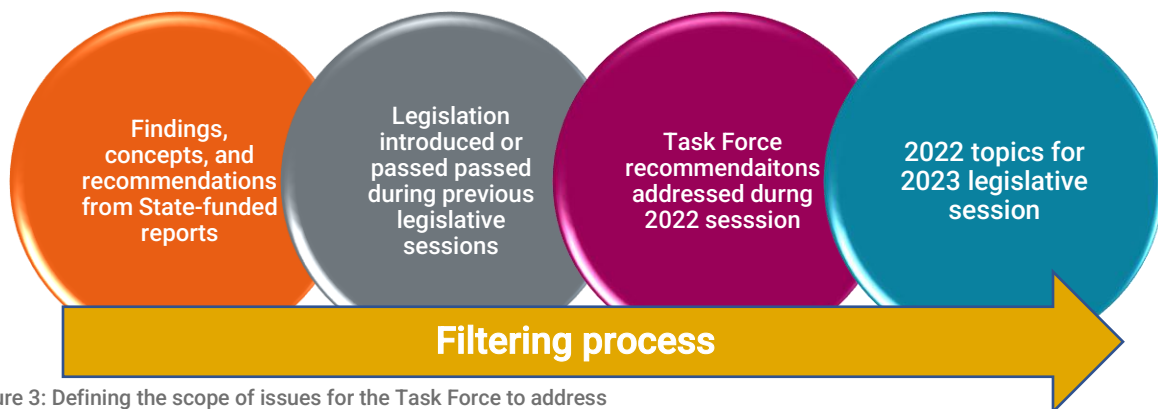


Figure 3: Defining the scope of issues for the Task Force to address

To make topics easier to understand as they relate to the growth policy framework, the project team developed different topic categories. Each issue and subsequent recommendation that the Task Force has made in 2022 falls under one of the categories on the following page.

Adaptive Planning

- Addressing varied planning requirements for cities and counties under the GMA.
- How to make planning processes more predictable and recognize regional differences.
- Ways to reduce conflicts, gaps, and redundancies within the growth policy framework.

Integrating Planning

- Link between planning by cities and counties and other important local and regional service providers and state agencies.
- Recommendations that would add new planning requirements.
- How utility and school districts plan and how they can be better integrated with city and county planning for population and job growth.

Housing

- Changes to the growth policy framework that encourage a variety of housing types for all income levels. This includes options for housing incentives.

Annexations

- Options to encourage annexations in accordance with the Growth Management Act (GMA) and create processes that sync well with city, county, and special district planning requirements.

Figure 4: Topic categories defined

Developing recommendations for 2022 legislative session

Task Force process

The Task Force is composed of 12 members representing diverse perspectives on growth policy issues. They met 10 times in 2022 and made 14 recommendations on 12 distinct issues to inform the Legislature’s work during the 2023 legislative session. Working groups and an online survey informed the Task Force’s work and their recommendations (see the [Engagement Summary for 2022](#) for details on specific engagement activities).

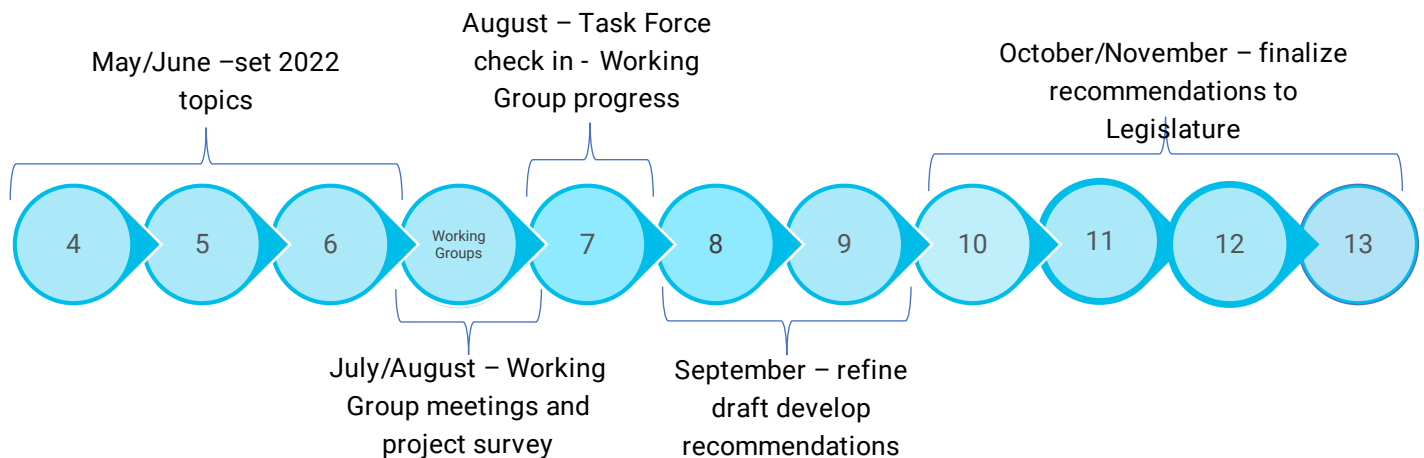


Figure 5: Task Force meeting and feedback process in 2022

The first three meetings of the year (starting with #4, as the first three meetings occurred in 2021) were spent prioritizing the 2022 topics and a schedule. Working groups met throughout July and August. The Task Force met in August for an update on working group meetings, then twice in September to begin developing draft recommendations. The Task Force met four times in October and November to finalize recommendations through a modified consent process (described in the [Engagement Summary for 2022](#) section).

Subsets of Task Force members and working group participants met multiple times between Task Force meetings to work through issues on many recommendations. This information was then brought back to the full Task Force to finalize. Many Task Force members also attended working group meetings and assisted in forming these important groups.

The Task Force and working groups focused on the scope of topics that resulted from meetings 4-6. However, additional issues were considered that emerged from working group discussions. After working group engagement and the survey, the Task Force presents its recommendations in this document to the Legislature. The Task Force and project team anticipate serving as a resource to the Legislature on the specifics of these recommendations as bills are introduced and make their way through the legislative process in 2023.

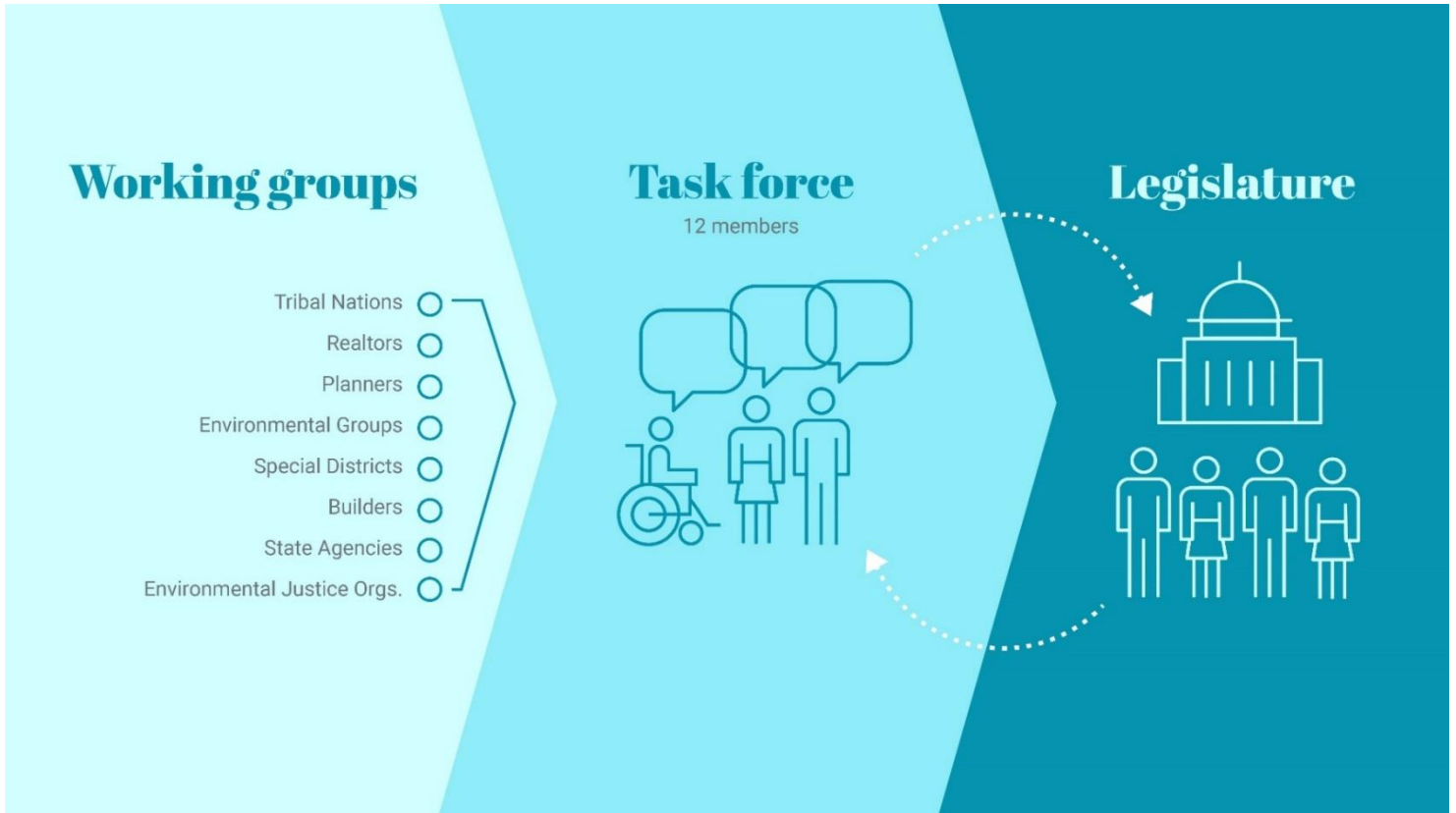


Figure 6: Overall process for collaboration between the Task Force, working groups, and the Legislature



Photo: LDC, Inc.

Engagement Summary for 2022

Washington's land use policy has not always reflected the interests of people with low incomes, people who are older, people who use languages other than English, people who are Black, people who are Indigenous, other people of color, people who live in rural areas, and people who rent their homes. As directed by the proviso issued by the Legislature in ESSB 5092, the project team prioritized the involvement of these groups in the Collaborative Roadmap Phase III process.

In 2021, the project team reached out to community-based organizations and legislators who represent audiences that have too often been excluded from public policy decision-making and have been unevenly impacted by those decisions. In 2022, the project team used what we learned in 2021 to include diverse voices in the Phase III work, including:

- Topic- and interest-specific working group meetings, including working groups for environmental and environmental justice topics and a specific working group for tribal nations representatives.
- One-on-one support for working group and Task Force members who have been less involved in this work in the past, connecting issues that affect each audience with land use policy.

These conversations helped the project team validate planning and land use issues from prior work and bring new issues to light.

Building on Prior Work

Phase III built upon the findings, concepts, and recommendations in prior state-funded reports, including the [Road Map to Washington's Future](#) by the William D. Ruckelshaus Center in 2019, the report from the Environmental Justice Task Force issued in 2020, and [Updating Washington's Growth Policy Framework](#) by the University of Washington in 2021. In 2021, the project team took the following actions:

- Identified and reached out to Community-Based Organizations with valuable input for the Task Force, including more than 50 human services, affordable housing, and education organizations to invite them to participate in the Collaborative Roadmap process and
- Engaged stakeholders and the Task Force on key issues for the 2022 legislative session.

Read more about the findings from prior phases by reading the reports linked above.

Working Group Approach

Previous Collaborative Roadmap phases generated a host of policy ideas for Phase III participants to review and transform into recommendations – too much for the Task Force to work through alone.

To support the progression of recommendations in the Task Force, the project team convened working groups, which reviewed and provided feedback on the topics being considered by the project Task Force. This feedback was then provided to the Task Force for consideration as

recommendations were formed. The chart below shows the eight working groups and the topics they reviewed.

Some working groups centered on a policy area, like environmental topics or issues impacting special districts. Others, such as realtors and planners, centered on providing broader feedback. At the request of Tribal nations representatives, a Tribal nations group formed later.

	Tribal nations	Realtors	Planners	Environmental Groups	Special Districts	Builders	State Agencies	Environmental Justice Organizations
Varied planning requirements	X	X	X	X	X	X	X	X
Reduce conflicts, gaps, and redundancies	X	X	X	X	X	X		
Middle housing definitions		X	X	X	X	X	X	
Housing tax benefits		X	X			X		X
Annexations – incentives and special districts	X		X		X		X	
Integrating water, sewer, port, and school districts with the GMA	X		X		X		X	
Equity and environmental justice and human health and wellbeing in RCW 36.70A			X	X			X	X

Working groups detailed in the header row considered the topics in the first column as designated by “x” marks throughout the table.

Figure 7: Topics addressed by working groups

The project team reviewed and prioritized the results of earlier Collaborative Roadmap phases and identified seven issue areas for further consideration during Phase III (see Figure 7). Discussions during working group meetings informed the direction for recommendations on those seven issue areas and identified additional topics for legislative recommendations. The

project team regularly reported on working group progress during Task Force meetings to help guide policy deliberations. Specific recommendations from the working groups are detailed in [Appendix B](#).

Findings from the environmental, environmental justice, and Tribal nations working groups are detailed below.

Task Force

The following representatives have served on the Phase III Task Force in 2022:

Carlene Anders	Mayor of Pateros and Disaster Leadership Team
Dave Andersen	Department of Commerce
Bill Clarke	Washington Realtors
Jeff Clarke	Washington Association of Water and Sewer Districts
Chris Collier	American Planning Association – Washington Chapter
Tim Gates	Department of Ecology
Deric Gruen	Front and Centered
Jan Himebaugh	Building Industry of Washington
Paul Jewell	WA State Association of Counties
Carl Schroeder	Association of Washington Cities
Mario Reyes	CAFÉ
Andrew Strobel	Puyallup Tribe of Indians
John Stuhlmiller	Washington Farm Bureau
Joe Tovar	Washington American Planning Association
Bryce Yadon	Futurewise

The Collaborative Roadmap Phase III Task Force included representatives of counties, cities, special districts, the realty, building, and agricultural industries, planning and environmental organizations, tribal governments, and state agencies. The project team reviewed prior outreach efforts with community-based organizations to identify potential Task Force members that elevate voices from communities who have often been excluded from public policy creation or unevenly impacted by its implementation. From this group, Deric Gruen of Front and Centered, Mario Reyes of CAFÉ, Carlene Anders, Mayor of Pateros, and Andrew Strobel of the Puyallup Tribe were invited to serve on the Task Force to represent these under-heard voices. Each brings decades of experience and expertise in serving their communities.

Survey

In the summer of 2022, the project team worked with the Department of Commerce to conduct a web-based survey through the Phase III website. Fifty-seven (57) people answered more than 30 questions about the topics the Task Force was considering, providing valuable perspectives and suggestions. The [survey results \(PDF\)](#) share these perspectives and highlights that assisted in development of draft and final recommendations from the Task Force.

Task Force Decision Making Process

To support equity, the project team facilitated Task Force meetings using a consent decision making process. This process uses an approach of shared tolerance over consensus or simple majority rule. It also emphasizes the importance of clear, shared understanding of proposals, and the value of input from all members of the group. The Task Force embraced this method, which produced results – using it, the Task Force reached consent on 14 recommendations for 2023, with one recommendation not reaching consent but leading to a follow-up recommendation that did (see recommendation sheet #10).

Once the Task Force agreed on a recommendation, it was recorded in a form which provides background on the policy proposal, possible affected statutes, and budget impacts. Objections were also captured, making it clear which groups expressed concerns regarding the recommendation. The five steps in the modified consent process are described below.

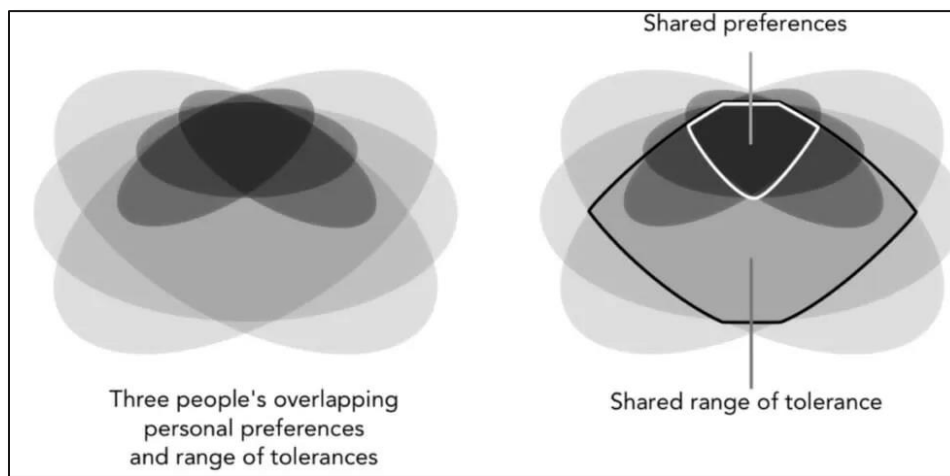


Figure 8: Modified consent process illustration

1. **Proposal** – project team presents proposals based on previous Task Force work and research.
2. **Clarifying Questions** – Task Force members ask clarifying questions (only!) with the goal being to understand the proposal.
3. **Quick Responses** – Everyone gets a chance to give their opinion on the proposal, preferably in five sentences or fewer. Task force members might share supporting data, propose improvements in wording or even explanations as to why they like the proposal. Small changes to the proposal are allowed, so long as everyone on the Task Force is clear on the changes and the changes align with the proposal.
4. **Consent Round** – now that everyone in the group understands the proposal and has provided their thoughts, the facilitator asks each person if they have an objection. All objections should be heard and kept brief. Clarifying questions on each objection is allowed, but not debate.
5. **Resolve Objections** – discuss objections individually and attempt to integrate them into the proposal. If they cannot be integrated, indicate this in the recommendation sheet.

Legislative recommendations for 2023

The Legislature charged the Task Force with building upon past work to make recommendations on how to update and reform the state’s growth policy framework. Recent reports and studies conducted extensive engagement and outlined findings, concepts, and recommendations upon which to build. Phase III puts a premium on Task Force recommendations offering specific and actionable recommendations to the Legislature.



Figure 9: Process to form recommendations

Through the modified consent process, the project team developed a recommendation sheet to summarize the issue, discussion, the recommendation language, where Task Force members registered their perspective on each issue in the consent process, possible advantages and disadvantages of the proposal, and potential budget impacts. Recommendations include background information, context from the Task Force discussion and some include potential bill language. Where bill language is not included, the recommendation itself should provide enough specificity that bill language can be put together.

The result of the Task Force work in 2022 includes 12 issues and 15 separate recommendations across a broad spectrum of the growth policy framework for the Legislature to consider. Each issue links to the appropriate recommendation sheets that follow.

- [Annexation Incentives](#)
- [Housing Tax Benefits and Incentives](#)
- [Integrating Water, Sewer, School, and Port Districts into the GMA](#)
- [Local Project Review Act – Permit Data](#)
- [Local Project Review Act – Permitting Process](#)
- [Middle Housing Definitions](#)
- [New Equity Goal and Environmental Justice Goal in the GMA](#)
- [Partial Planning Requirements for Fully Planning Cities](#)
- [Shoreline Master Program Review Schedule](#)
- [Varied Planning Requirements – Buildable Lands](#)
- [Varied Planning Requirements – City Adoption of County Critical Areas Ordinance](#)
- [Varied Planning Requirements – Commerce Technical Assistance](#)

Appendix A: Recommendation Sheets

Task Force Recommendation Sheet #1 – Annexation Incentives

Date
 MM DD YY

Topic	Annexations – Special districts – incentive annexations		
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Recommendation	<p><i><u>Recommendation one - annexation tax credit:</u> The Legislature should reinstate the annexation tax credit in RCW 82.14.415 to provide better geographic access and equity and provide for opportunities for all affected cities and counties to benefit from resources provided by the state to incentivize annexations. RCW 82.14.415(1) should be revised to allow any city the ability to make use of these provisions when all other statutory provisions are met. RCW 82.14.415(a) and RCW 82.14.415(3)(a)(i) and (ii) should be revised so that the credit against the state tax under chapter 82.08 or 82.12 RCW is 0.2 percent for annexed areas with a population over 10,000 and 0.1 percent annexations over 2,000. The sunset clauses in current statute should be removed.</i></p> <p><i><u>Recommendation two - determining population of annexed area after annexation:</u> The Legislature should modify RCW 35.13.260, RCW 35A.14.700, and RCW 36.93 to allow an optional process where a city could opt in and rely on population estimates for a potential annexation area provided by OFM instead of having to complete a door-to-door census after an annexation.</i></p> <p><i>Federal decennial data should also be able to be utilized with approval of OFM. This would require the removal of the year 2010 from RCW 35.13.260 and RCW 35A.14.700 and reference that the data could only be utilized within 12 months of the census if OFM approves its use.</i></p> <p><i>As this proposal is moved forward into legislation, additional coordination and collaboration with Boundary Review Boards and the Office of Financial Management (OFM) should occur to ensure proposed language can be properly implemented.</i></p>		
Consent Vote Tallies – Recommendation one -	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote, consent but not endorsing any proposal that has a budget impact not reflected in the Governor’s budget), Jeff Clarke, Chris Collier,</p>		

<p>Task Force Members/Alternates</p>	<p>Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Mario Reyes</p>
<p><i>Consent Vote Tallies – Recommendation two - Task Force Members/Alternates</i></p>	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Jeff Clarke, Chris Collier, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> – Deric Gruen</p> <p><u>Not Present</u> – Mario Reyes</p>
<p>Topic overview</p>	<p>Per the Growth Management Act (RCW 36.70A.110(4)), cities are the units of local government most appropriate to provide urban governmental services. In practice, this means that cities are often expected to provide a range of urban services when an area is annexed from a county. However, not all cities provide all utilities and services, and special districts (including water and sewer districts and emergency services) play an important role in annexations. As outlined with A Road Map to Washington’s Future (Road Map I), this issue is focused on identifying areas of agreement for reforming annexation laws in a way that streamlines the process and removes barriers to annexation of land adjacent to existing cities, maintains the fiscal sustainability of counties, clarifies the role of special districts, and reduces conflicts.</p>
<p>Issue</p>	<p><u>Annexation tax credit</u></p> <p>Annexations within urban growth areas (UGAs) are generally encouraged by the GMA (RCW 36.70A.110). Methods to annex land vary by city classification and can involve petition, election, development agreements, or interlocal agreements between governments.</p> <p>Cities and towns located in counties that plan under the GMA can only annex property that is located within their designated UGAs.</p> <p>In 2006, the Legislature created a sales and use tax incentive for annexations, codified in RCW 82.14.415. This credit was designed to facilitate annexation of large blocks of unincorporated urban area, particularly in King County, as the credit only applied to cities in King, Pierce, and Snohomish Counties, and only to</p>

potential annexation areas with populations greater than 4,000 or 10,000, depending on the size of the city proposing to annex.

Cities using this credit could receive a credit on the state sales tax (not an increase in the tax, but a credit back on the existing sales tax collected city-wide) of 0.1 percent for each qualifying annexed area (0.2 percent for areas with greater than 20,000 people) with a maximum total credit of 0.2 percent or 0.3 percent in most cases. The credit ran for 10 years in most cases. The credit expired on January 1, 2015.

A bill passed in 2021, [Chapter 312, Laws of 2021](#), created an interlocal agreement pathway for code cities (most cities in Washington) to annex unincorporated areas. Annexations would be eligible for the tax credit under this law if it is separately reinstated by the Legislature.

In 2021, the Task Force made the following recommendation:

The Legislature should reinstate the annexation tax credit in [RCW 82.14.415](#) and revisit options to provide better geographic access and equity and provide for opportunities for all affected cities and counties to benefit from resources provided by the state to incentivize annexations.

The work this year has focused on providing more specificity about where the annexation tax credit should apply.

Determining population of annexed area after annexation

Once annexations are complete, there is a substantial amount of information that must be collected and submitted to the Office of Financial Management (OFM). For large annexations, the process can be a deterrent to moving forward with the annexation.

[RCW 35.13.260](#) and [RCW 35A.14.700](#) currently requires an actual enumeration of any population located within the annexed territory. The cost of performing a door-to-door census is expensive and time consuming and many jurisdictions may not have the resources to perform the required census. One option would be for OFM to provide an alternative process where a city could opt in to rely on population estimates provided by OFM.

In addition, [RCW 35.13.260](#), and [RCW 35A.14.700](#) currently states that relevant **2010** federal decennial census data may be relied upon within twelve months immediately prior to the date of annexation. If the year was removed from this section, this could also be utilized. The Task Force felt that modifications could include that the Federal decennial data could be utilized with approval of OFM.

The project team has discussed this issue with OFM. OFM has requested to review any specific language that the Task Force will

	<p>be forwarding to the Legislature on annexation population estimates. The Task Force has reinforced continued collaboration with Boundary Review Boards and OFM as legislation is prepared.</p>		
Possible statutes to be amended	<p>RCW 82.14.415 RCW 35.13.260 RCW 35A.14.700</p>		
Do we expect this recommendation to have a budget impact?	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	
Did this issue derive from a previous study? If yes, which study or report?	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<p>Study or Report A Road Map to Washington's Future (2019)</p>
Working Groups who provided feedback on this topic	<p>Tribal nations, planners, special districts, state agencies</p>		
Advantages and disadvantages of implementing recommendation	<p>Advantages</p> <ul style="list-style-type: none"> • Could incentivize annexations statewide • Annexation tax credit changes could make the incentives more equitable • 2SSB 5368 (interlocal agreement method of annexation) anticipated this credit being available again. • Utilization of the interlocal annexation method and tax credit incentive would be equitable to counties given they would be working cooperatively with the city. • Revising RCW 35.13.260 and RCW 35A.14.700 could make the annexation process less costly for cities – would not be a barrier to taking on the process. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Annexation tax incentives would take state revenue. • Encouraging annexations with financial incentives could, in certain circumstances, lead to annexations that result in less efficient delivery of services if cities assume the responsibility of delivering services currently provided by special districts. 	

Task Force Recommendation Sheet #2 – Housing Tax Benefits and Incentives

Date
 MM DD YY

Topic	Housing – tax benefits and incentives	
Did the Task Force make a formal recommendation on this issue?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>
Task Force Recommendation	<p><i>The Legislature should consider broader incentives, options, and tools, such as HB 1157, 1128, and 1880 and SB 5861 for cities and counties to use to encourage a variety of housing types and infrastructure to support development and redevelopment within urban growth areas.</i></p>	
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Chris Collier, Jan Himebaugh, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> – Dave Andersen (state agency vote), Paul Jewell, Andrew Strobel</p> <p><u>Not Present</u> – Carlene Anders, Jeff Clarke, Deric Gruen, Mario Reyes</p>	
Topic overview	<p>Housing has been a focus of legislative efforts in recent sessions and was a topic for both previous Road Map projects. The Road Map to Washington’s Future (Roadmap 1) and Updating Washington’s Growth Policy Framework (Roadmap 2) both highlighted the need to provide fiscal tools for cities and counties which will encourage and incentivize housing at higher densities within urban areas. See Recommendation Sheet #2 Attachment A.</p> <p>The Legislature has recently worked on several bills that could provide additional incentives, options, and tools for cities and counties as they work to accommodate a variety of housing types in compliance with RCW 36.70A.070(1) and (2). Providing multiple options for jurisdictions helps ensure there are options that can work in jurisdictions with different housing issues.</p>	
Issue	<p>Support for new legislation that could encourage jurisdictions to provide for and accommodate a wider variety of housing types at higher densities. This includes providing options for jurisdictions to create housing benefit districts as provided for in HB 1128 (2021-2022) and the ability to retain a portion of the State Real</p>	

	<p>Estate Excise Tax (REET) when providing for higher densities as outlined in HB 1157 (2021-2022). HB 1880 and SB 5861 also addressed housing benefit districts. See Attachment B for additional background on these bills.</p> <p>Although not specifically included in the recommendation language, the Task Force would also like the Legislature to consider providing resources through Commerce or other state agencies to service providers (special districts) to offset waived or reduced fees and charges meant to incentive affordable housing. Unlike cities, water and sewer districts that are not part of city or county government have no sources of revenue other than the fees and charges from ratepayers, so incentivizing housing with waived or reduced fees when services are provided by special districts is only possible if those waivers or reductions are offset by grants or other funding from elsewhere.</p>		
Background information to support recommendation	<p>HB 1157 - Second Substitute Senate Bill Report (Orig.)</p> <p>HB 1128 - House Bill Report</p> <p>HB 1880 – House Bill Report</p> <p>SB 5861 – Senate Bill Report</p>		
Possible statutes to be amended	Growth Management Act (RCW 36.70A) (new section)		
Do we expect this recommendation to have a budget impact?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Did this issue derive from a previous study? If yes, which study or report?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Study or Report</p> <p>A Road Map to Washington’s Future (2019)</p> <p>Updating Washington’s Growth Policy Framework (2021)</p>
Working Groups who provided broad feedback on this topic	Realtors, Planners, Builders, and Environmental Justice working groups		
Advantages and disadvantages of implementing recommendation	<p>Advantages</p> <ul style="list-style-type: none"> • Incentivize vs. require higher densities in urban areas. • Provides different options to jurisdictions which may work in their communities. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Incentive options could require tax increases or take revenue from other sources (such as state REET). • Both bills would require cities and counties to 	

	<ul style="list-style-type: none"> • Supports more than one idea which is already in front of the Legislature and has generally been supported. • The real estate excise tax (REET) density incentive in HB 1157 would take a portion of the State portion of REET, it would also encourage jurisdictions to increase densities which could result in additional state REET being created over time. • The portion of REET collected by local jurisdictions would be restricted to focus on important planning issues such as the Housing Element under the Growth Management Act (GMA), infrastructure for moderate-, low-, very low-, and extremely low-income housing, capital facilities, and creation of permanently affordable housing. • HBD in HB 1128 could create substantial revenue to be used exclusively to implement or reimburse jurisdictions for implementing the specific objectives of the district. 	<p>adopt code provisions and conduct planning to enact the legislation.</p> <ul style="list-style-type: none"> • HB 1128 would require cities to adopt a Housing Action Plan (HAP) which increases residential building capacity, to utilize a Housing Benefit District (HBD). Many jurisdictions have not adopted a HAP and future funding for this planning has not been provided. • Some may not agree that increasing sales tax to support a HBD is proper. • HBDs in HB 1128 would require a station plan. Although grants are included in the bill, the cost for this planning could be much higher. • There are substantial requirements for creating and facilitating HBDs as outlined in HB 1128. • Incentive-based approaches are by nature voluntary and do not always work. They are not equally utilized given some will pursue and others will not.
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Attachment A (Recommendation Sheet #2)

[A Road Map to Washington’s Future \(Roadmap 1\)](#)

“Participants also suggested evaluating tools and approaches used in other states, for example, regional tax base sharing, tax increment financing, value-added, personal and corporate income taxes. For example, some participants suggested amending state law to enable Tax Increment Financing (TIF), a tool that is available in most other states, including Oregon. Participants pointed to public parks, utility systems, and housing projects built in Portland and Lake Oswego, Oregon as examples of what can be achieved with TIF. Some participants believed that TIF is the only way to create the large amounts of revenue to pay for large-scale capital projects that will be needed to support growth, particularly in areas that are rezoned to higher densities but lack adequate water, sewer, roads, parks, or drainage facilities.

Some suggested that research about the successes and challenges in other states could inform ways to design a TIF system that is targeted to specific kinds and locations of projects and is transparent and accountable” ([A Road Map to Washington’s Future](#), p. 44).

“To address housing issues, participants also talked about needing greater collaboration between the public and private sector, to connect public policy to emerging market trends, and the need to tap private sector innovation, support, and resources to help finance or underwrite new housing starts. Also suggested was for affordable housing be treated as public infrastructure that serves a documented public need, and as such should be publicly funded, built, and managed, potentially by a regional authority with access to new fiscal tools, such as tax increment financing (TIF). Preliminary research has been done on both potential revisions to the MFPT program and the possibilities for TIF (See UW Fiscal Tools Report in Volume II)” ([A Road Map to Washington’s Future](#), p. 49).

Attachment B (Recommendation Sheet #2)

House Bill 1157 - Increasing housing supply through the growth management act and housing density tax incentives for local governments.

Summary of Bill: Real Estate Excise Tax Density Incentive Zones. Planning counties and cities are authorized to establish REET density incentive zones. A REET density incentive zone is an area within a UGA where the city or county adopts zoning and development regulations to increase housing supply by allowing construction of additional housing types as outright permitted uses.

Upon establishing an incentive zone, the local government receives a portion of the state REET imposed for sales of qualified residential dwelling units within the incentive zone. A qualified residential dwelling is either an individual residential dwelling unit or a residential building of two or more dwelling units constructed within an incentive zone that achieves a net increase in the total number of residential dwelling units compared to the maximum number of residential dwelling units that could have been built prior to the adoption of zoning and development regulations creating the incentive zone. To be included as qualified residential dwelling units, the units must be restricted from being offered as short-term rentals for more than 30 days a year for the first 15 years after construction, and the county or city must determine how the residential dwelling units are to be restricted from being short-term rentals within their respective jurisdictions. An incentive zone may only be located within a UGA and must allow single-family detached dwellings at a net density of at least six dwelling units per acre, duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and courtyard apartments.

An incentive zone may also allow housing types and densities that exceed the minimum UGA requirements as outright permitted uses. An incentive zone may not be established later than one year after the date by which a city or county is required to update its comprehensive plan.

Once an incentive zone is established, a qualified residential dwelling unit may be constructed at any time. Prior to establishing an incentive zone, the city or county must:

- consider the race and income of existing residents within the area and adjacent neighborhoods to be designated;
- consider displacement impacts of low, very low, and extremely low-income residents within the area and the adjacent neighborhoods to be designated; and
- assess the need for antidisplacement policies for high-risk communities within designated areas and the adjacent neighborhoods and make the assessment publicly available.

REET collected within an incentive zone is distributed to a county or city as follows:

- for a qualified residential dwelling unit located less than or equal to 0.25 miles from a mass transit stop, 50 percent of the amounts collected to the city or county where the dwelling is located; and
- for a qualified residential dwelling unit located more than 0.25 miles from a mass transit stop, 25 percent of the amounts collected to the city or county where the dwelling is located.

The distribution to a city or county applies to both the initial and all subsequent sales of a qualified residential dwelling unit if the residential dwelling unit continues to meet the original requirements of a qualified residential dwelling unit. Counties must revalidate that the residential dwelling unit continues to meet the original applicable requirements on each subsequent sale of the residential dwelling unit. The amounts distributed to a city and county may only be used for:

- implementation of the housing element of the comprehensive plan under the GMA; costs for infrastructure, construction, and service support for moderate, low, very low, and extremely low-income housing;
- construction of capital facilities that promote livable and walkable neighborhoods; or
- creation of permanently affordable homeownership.

House Bill 1128 (same as 1880) - Concerning housing benefit districts

Summary of Bill: The legislative authority of a county or city is authorized to establish a housing benefit district (District) for the purpose of acquiring, land banking, predevelopment contracting, selling, improving, funding, and leasing land for the creation of affordable low- and middle-income housing and community development projects within the District consistent with any existing state, regional, or county housing plans and the Washington Housing Policy Act. A District is a municipal corporation with taxing authority and may include two or more cities or counties or a combination of both.

The governing body of the District consists of the members of the legislative authority proposing to establish the District, acting ex-officio and independently, constitute the governing body of the district.

For Districts with more than one participating jurisdiction, the District must be governed under an interlocal agreement with a governing body composed of at least five members, including:

- at least one elected official from the legislative authority of each participating jurisdiction; and
- any remaining members appointed by the legislative authority of the participating jurisdictions in a manner determined in the interlocal agreement with expertise in the following areas:
 1. public or private real estate finance;
 2. affordable housing development;
 3. neighborhood and community planning;
 4. design and architecture;
 5. transit-oriented development; or
 6. economic development.

Alternatively, the governing body of the metropolitan planning organization serving the District may serve as the governing body, but only if the District boundaries are identical to the boundaries of the metropolitan planning organization.

The treasurer of the participating jurisdiction proposing to establish the District is the ex officio treasurer of the District, unless the interlocal agreement states otherwise.

Before forming a District, the participating jurisdictions must adopt a housing action plan as described in the Growth Management Act that includes at least two actions to increase its residential building capacity and results in development within the station area producing the following mix of affordable housing:

- a minimum of 5 percent affordable to extremely low-income households;
- a minimum of 10 percent affordable to very low-income households;
- a minimum of 19 percent affordable to low-income households;
- a minimum of 33 percent affordable to middle-income households; and
- the remainder at market rate.

A station area is an area within one-half mile of a major transit stop that is zoned to have an average minimum density of 15 dwelling units or more per gross acre.

A city or county that establishes a District within an encompassing county with a population of at least 750,000 is required to adopt a station area plan. The plan must be consistent with accommodating 65 percent of future population growth and must be approved by the Housing Benefit District Advisory Board before any proposition for tax is submitted to the voters. A District is eligible to apply to the Department of Commerce for a grant up to \$100,000 for planning assistance.

To carry out its objectives, a District is authorized to impose sales and use taxes and property taxes. Upon voter approval, a District may impose a sales and use tax at a rate not to exceed 0.2 percent of the selling price in the case of a sales tax, or 0.2 percent of the value of the article used in the case of a use tax. For Districts consisting of a single participating jurisdiction with a population over 750,000, or Districts with at least two participating jurisdictions with a combined population over 250,000, the rate of tax may be up to 0.3 percent. A District may also impose a one-time sales and use tax without majority approval not to exceed a rate of 0.1 percent. This tax is in addition to any other taxes authorized by law.

Any additional sales and use tax imposed beyond the one-time tax must be approved by a majority of voters. Beginning with taxes levied for collection in calendar year 2022, a District can impose a regular property tax up to \$1 per \$1,000 of the assessed value of property in the District. The tax may be imposed each year for six consecutive years when specifically authorized by a majority of voters in the District.

Taxes imposed may not exceed a duration of 20 years. A District is also authorized to issue and retire general obligation and revenue bonds to carry out its objectives, including:

- the retirement of voter-approved general obligation bonds, issued for capital purposes only, by levying bond retirement ad valorem property tax levies in excess of the one percent limitation upon voter approval;
- general obligation bonds without voter approval equal to 1.5 percent of the value of taxable property within the District; and
- general obligation bonds for capital purposes only and the retirement of those bonds by excess property tax levies imposed upon voter approval.

The revenue from taxes imposed or bonds issued must be used exclusively to implement or reimburse jurisdictions for implementing the specific objectives of the District, including:

- station area planning strategies, including creating new or updating existing plans, identifying a community vision, assessing the current regulatory environment and identify possible barriers to affordable housing development, assessing displacement risk for current low-income residents and underrepresented racial and ethnic minorities, creating a displacement mitigation plan, promoting equitable homeownership opportunities for underrepresented racial and ethnic minorities, and assessing alternate pathways to ownership models such as community land trusts and limited or shared equity cooperatives;
- land acquisition, based on station area plans and working with local jurisdictions and both nonprofit and for-profit developers to acquire, assemble, lease, land bank parcels, or sell, in cases where the station area plan clearly demonstrates that it is not financially feasible to lease all development parcels, with the net proceeds directed to subsidies for affordable housing and to promote community land trusts and infrastructure costs; and
- infrastructure development, such as area-wide environmental plans, sewers, and sidewalks.



Task Force Recommendation Sheet #3 – Integrating Water, Sewer, School, and Port Districts in the GMA

Date	10	18	2022
	MM	DD	YY

Topic	Integrating Planning – water, sewer, schools, ports		
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Recommendation	<p><i><u>Recommendation 1:</u> Convene a collaborative process(es) with, at a minimum, representatives of state agencies, cities, counties, builders, special districts, Tribal governments, and planning and environmental organizations that have experience with local and/or special district planning processes. The process shall focus on increasing planning between jurisdictions and special districts to better implement utility and capital facility planning requirements under the Growth Management Act. The process shall also focus on methods to help ensure that special districts can more fully incorporate local comprehensive plans as they plan for the utilities and capital facilities necessary to accommodate growth during the planning period. In addition, the process shall focus on identifying legislative changes that will increase coordination during permitting processes that impact special districts while limiting new planning requirements.</i></p> <p><i><u>Recommendation 2:</u> In the near term, Commerce and other state agencies should encourage special purpose districts to actively coordinate with and participate in the comprehensive planning periodic update process.</i></p>		
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Chris Collier, Jan Himebaugh, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> – Dave Andersen (state agency vote), Paul Jewell, Andrew Strobel</p> <p><u>Not Present</u> – Carlene Anders, Jeff Clarke, Deric Gruen, Mario Reyes</p>		
Topic overview	<p>Cities and counties are not the only service providers for capital facilities that are necessary to support growth. School districts, port districts, and water and sewer districts are often distinct</p>		

	<p>from cities and counties. In many cases they have separate administrative structures and boundaries that cross multiple city and county boundaries. Prior reports and studies have pointed to the need to better integrate water, sewer, school, and port districts into planning under the Growth Management Act (GMA).</p>
<p>Issue</p>	<p>While the GMA requires cities and counties to coordinate with special district on the development of utilities and capital facilities plans (RCW 36.70A.070(3) and (4), WAC 365-196-415 and WAC 365-196-420), statutes governing special districts are not always designed to link with planning requirements cities and counties perform.</p> <p>This is currently one of the largest gaps in our growth policy framework and one of the most important areas where progress must be made.</p> <p>There is often a lack of communication and coordination as long-range planning occurs and when code changes are considered by a city or county that could impact a special purpose district. As an example, there is a strong effort to encourage redevelopment in our urban areas. However, sufficient coordination between cities and existing utility districts may not be occurring to ensure that services can support the planned-for growth when it is expected to occur.</p> <p>This communication and planning gap does not emerge from a lack of desire to plan, but rather from a recognition that:</p> <ul style="list-style-type: none"> • Many jurisdictions and special purpose districts have limited staffing/resources to coordinate to a greater degree; and • In most cases, statutes guiding special purpose districts are not synced with GMA requirements for planning; and • Statutes are not synced so there are common goals regarding planning for utilities and capital facilities as growth occurs; and • In many cases, there are many special purpose districts who provide utility and capital facilities within a particular city or county. <p>While the Roadmap Phase III project did convene a Special Districts working group and the Task Force focused on identifying options to improve coordination and planning, there is still a lot of work to be done. Many groups must be involved to a greater degree as statutory and rule changes are considered. This includes school districts, ports, utilities, tribal governments, cities, counties, and state agencies.</p>
<p>Possible statutes to be amended based on a new</p>	<p>Several statutes could be impacted (including but not limited to the following). This could also require corresponding Washington</p>

<p>study (including but not limited to)</p>	<p>Administrative Code (WAC) updates if legislative changes are made.</p> <ul style="list-style-type: none"> • RCW 36.70A.070(3-4) • RCW 36.70A.212 • RCW 57.16 (comprehensive plan – local improvement districts) • RCW 57.02 (general provisions, water and sewer districts) • RCW Title 53 (port districts) • RCW 28A.525 (school bond issues) <p>Several of these changes could also require changes/updates to the Washington Administrative Code (WAC). For example, school district planning is guided by the Office of the Superintendent of Public Instruction (OSPI) through WAC 392-341-020, which requires a school district to prepare a study and survey for new facilities to be reviewed by the OSPI. OSPI produces a manual for districts that covers advance planning and also produces district-specific enrollment projections (covered in WAC 392-343-045) through an official OSPI Cohort Survival Enrollment Projection.</p>		
<p>Do we expect this recommendation to have a budget impact?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	
<p>Did this issue derive from a previous study? If yes, which study or report?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<p><u>Study or Report</u> A Road Map to Washington’s Future (2019)</p>
<p>Working Groups who provided broad feedback on this topic</p>	<p>Planners, Special Districts, State Agencies</p>		
<p>Advantages and disadvantages of implementing recommendation</p>	<p>Advantages</p> <ul style="list-style-type: none"> • Increased coordination and communication as cities and counties plan for growth with help ensure utilities and capital facilities are available as growth occurs. This is especially important for faster growing cities and counties and for utilities and capital facilities which are not owned by the jurisdiction. 		<p>Disadvantages</p> <ul style="list-style-type: none"> • New requirements to better coordinate may be time consuming and costly. • Many jurisdictions and special districts have limited resources to coordinate to a greater extent that is already occurring. • This effort should be “right-sized” to ensure future legislative changes can be adequately

	<ul style="list-style-type: none"> • Increased coordination and communication with special districts who provide services such as water, sewer, and power is important when considering increasing densities (outside of updating a comprehensive plan). As an example, a single-family neighborhood that now allows middle housing may not have the utilities to support those increased densities (i.e., size water/sewer lines). • Could increase communication with school districts so new schools are coordinated with where growth is expected to occur. • Could better integrate port plan with planning for population and employment planning which cities and counties conduct as part of Comprehensive Planning. 	<p>implemented by jurisdictions and special purpose districts. The goal is not to produce another planning process that results in little benefit.</p>
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Attachment A (Recommendation Sheet #3)

[A Road Map to Washington’s Future \(Roadmap 1\)](#)

“Many participants talked about needing better coordination between counties and cities and special purpose districts. Participants said that excluding special purpose districts from the GMA framework has spawned confusion, competition, and conflict among counties, cities, and special districts and made implementation of GMA difficult. They said that special purpose districts, such as water, sewer, school, and port districts are important components of the growth planning framework and should be integrated into GMA planning.

- Integrate water and sewer districts, school districts, and port district planning into the GMA” ([A Road Map to Washington’s Future](#), p. 107).



Task Force Recommendation Sheet #4 – Modify Permit Data Collection Requirements

Date
MM DD YY

Topic	Adaptive Planning – Reduce conflicts, gaps, redundancies, and improve processes – modify 36.70B.080 permit data collection requirements	
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Recommendation	<p><i>The Legislature should modify RCW 36.70B.080, as outlined in Attachment A, to make annual performance report requirements by certain counties and cities easier to prepare, increase accountability, and ensure permit data is collected and reported as required by the current statute.</i></p> <p><i>Annual permit data shall be sent to the Department of Commerce annually and published annually to increase public accessibility of permit data. The new requirements should not become effective until January 1, 2024.</i></p> <p><i>Commerce should also facilitate a study to look at the benefits and drawbacks of implementing statewide permit process and tracking software that could be used by cities and counties. Specifically, the study should look at the benefits and drawbacks to jurisdictions, permit applicants, those interested in permitting processes, the cost effectiveness of a statewide system, and the ability to have consistent permit data.</i></p>	
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Jeff Clarke, Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Mario Reyes, Andrew Strobel, Bryce Yadon</p>	
Topic overview	RCW 36.70B.080 requires counties and cities within those counties with a population over 20,000 who are subject to the requirements of RCW 36.70A.215 (Review and evaluation program) to produce an annual permit performance report. The report generally requires information on permit volumes and	

	<p>timelines to be compiled and reported on the county/city website. The report can assist in gauging whether permits are being processed in a timely and predictable manner as outlined with Goal 7 of the Growth Management Act and the Findings and Declarations contained in RCW 36.70B.010.</p> <p>Counties required to produce an annual report include King, Pierce, Snohomish, Kitsap, Clark, Thurston, and Whatcom (and those cities within those counties with a population over 20,000).</p> <p>In 2021, The Task Force made a recommendation asking the Legislature to amend RCW 36.70B.080. However, no proposed legislative changes were proposed. This draft recommendation provides greater specificity regarding the proposed amendments (Recommendation Sheet #4 Attachment A).</p> <p>The proposed amendments would:</p> <ul style="list-style-type: none"> • Lessen the amount of data required to be collected annually by counties and cities subject to these requirements. New information is focused on time to permit various housing types. • Require that annual data be sent to the Department of Commerce for publishing (in addition to publishing data on the county/city website). This will increase public accessibility of permit data. • Set dates for when data must be sent to Commerce each year and when Commerce must issue the annual report. • Provide that Commerce will prepare spreadsheets that local governments can utilize to prepare annual permit information. • Delay implementation of new requirements to January 2024 to give counties and cities time to implement these changes. This will also give Commerce time to prepare. • Specify that counties and cities that do not prepare the required information may not be eligible for certain grants as established in RCW 36.70A.130(9) until such time as the information is provided. They should be allowed to apply for those grants but would not be able to receive them until the permit data is provided.
<p>Issue</p>	<p>The Legislature has placed a priority on applications for state and local government permits being processed in a timely and fair manner to ensure predictability. This is enumerated in Goal 7 of the Growth Management Act (GMA), which states, “Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.” Goal 7 has been implemented through RCW 36.70B. Findings and declarations in the statute focus on the:</p> <ul style="list-style-type: none"> • Complexity of permitting as new laws and regulations are enacted

- Increasing number of local and state land use permits and separate environmental review processes required by agencies
- Regulatory burden and how that has significantly added to the cost and time needed to obtain local and state land use permits
- Difficulty for the public to know how and when to provide timely comments on land use proposals that require multiple permits and have separate environmental review processes

[RCW 36.70B](#) outlines measures to help ensure these issues are addressed as part of the permitting process. These have been enacted by cities and counties over the past 27 years. This includes, but is not limited to:

- Integration of SEPA and other permit applications
- Permit processing procedures
- Timelines for processing permits
- Permit reporting requirements for certain jurisdictions to better understand how long permit processes take.

While some elements, such as integrating permit processes/hearings have worked well, other pieces have been less successful.

In 2001, [ESHB 1458](#) was passed, which created the annual performance report requirements found in [RCW 36.70B.080](#). However, for the most part, counties and cities subject to these requirements have yet to produce annual performance reports that meet the requirements in statute.

Collecting this information was deemed important by the Legislature to gauge if permits, especially in our most urban areas, were being processed in a timely manner. [RCW 36.70B.080\(1\)](#) states in part that *“Development regulations adopted pursuant to RCW 36.70A.040 must establish and implement time periods for local government actions for each type of project permit application and provide timely and predictable procedures to determine whether a completed project permit application meets the requirements of those development regulations...”*

If permit data are not being collected, it is difficult to understand if permits are generally being issued within established timeframes.

Counties and cities have voiced that, as written, the data sought is difficult to collect. The proposed amendments seek to make this information easier to produce on an annual basis while strengthening accountability for meeting the requirements.

Possible statutes to be amended	RCW 36.70B.080 (See proposed changes in Recommendation Sheet #4 Attachment A).		
Do we expect this recommendation to have a budget impact?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Did this issue derive from a previous study? If yes, which study or report?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	This specific topic was not called out specifically in Roadmaps 1 or 2, but removing conflicts, gaps, and redundancies was a theme for both Roadmap projects which preceded this project. This includes permit processing and timelines for permits.
Working Groups who provided feedback on this topic	Realtors, Planners, Environmental Groups, Special Districts, and Builders		
Advantages and disadvantages of implementing recommendation	<p>Advantages</p> <ul style="list-style-type: none"> • Should make required data collection and reporting easier for counties and cities subject to these requirements. • Reporting data to Commerce for an annual report will make data more accessible to those submitting permits, interested parties, local governments, and the state regarding permit timeframes associated permit processes for housing. • Provide permit timeframes for certain permit processes in counties and cities in relation to those established by the jurisdiction • Identify counties and cities whose timeframes are shorter than established. Best practices can be gleaned from those counties and cities; • Delayed implementation will allow counties and cities time to prepare. 		<p>Disadvantages</p> <ul style="list-style-type: none"> • Modifications require ongoing assistance from Commerce • Given these reports have not typically been prepared, this will require additional work from some counties and cities.

Attachment A (Recommendation Sheet #4)

draft RCW 36.70B.080 – permit data and collection

Note: a separate draft recommendation has been prepared on time periods for local government to process permit applications.

Note: the requirements in [RCW 36.70B.080\(2\)\(a\)](#) apply to counties and cities within those counties which are subject to [RCW 36.70A.215](#) – Review and Evaluation/Buildable Lands Program. The task force considered but did not make a formal recommendation on a proposal to remove this planning requirement. If that occurs, [RCW 36.70B.080\(2\)\(a\)](#) language would have to be modified to specifically list the counties subject to the requirements. Currently that would include King, Pierce, Snohomish, Kitsap, Clark, Thurston, and Whatcom counties.

RCW 36.70B.080

Development regulations—Requirements—Report on implementation costs.

(1) Development regulations adopted pursuant to RCW [36.70A.040](#) must establish and implement time periods for local government actions for each type of project permit application and provide timely and predictable procedures to determine whether a completed project permit application meets the requirements of those development regulations. The time periods for local government actions for each type of complete project permit application or project type should not exceed one hundred twenty days, unless the local government makes written findings that a specified amount of additional time is needed to process specific complete project permit applications or project types.

The development regulations must, for each type of permit application, specify the contents of a completed project permit application necessary for the complete compliance with the time periods and procedures.

(2)(a) Counties subject to the requirements of [RCW 36.70A.215](#) and the cities within those counties that have populations of at least twenty thousand must, for each type of permit application, identify the total number of project permit applications for which decisions are issued according to the provisions of this chapter. For each type of project permit application identified, these counties and cities must establish and implement a deadline for issuing a notice of final decision as required by subsection (1) of this section and minimum requirements for applications to be deemed complete under [RCW 36.70B.070](#) as required by subsection (1) of this section.

(b) Counties and cities subject to the requirements of this subsection also must prepare annual performance reports that includes information outlining timeframes for certain permit types associated with housing. -Given that permitting for housing includes many submittals and approval processes, the information collected is not intended to demonstrate the total time for a project to receive construction approval from a city or county. It will, however, provide:

(i) Permit timeframes for certain permit processes in counties and cities in relation to those established under this section;

(ii) Those counties and cities whose timeframes are shorter than established under this section. Best practices can be gleaned from those counties and cities;

(iii) Ongoing information to those submitting permits, local governments, and the state regarding permit timeframes associated permit processes for housing.

~~(c) At a minimum, the following information for each type of project permit application identified in accordance with the requirements of (a) of this subsection shall be provided:~~

(i) Total number of decisions issued during the year for the following permit types: preliminary subdivisions, final subdivisions, binding site plans, permit processes associated with the approval of multi-family housing, and construction plan review for each of the permit types above when submitted separately;

(ii) Total number of decisions for each permit type which included consolidated project permit review (such as concurrent review of a rezone or constructions plans);

(iii) Total number of days from a submittal to a decision being issued. This shall be calculated from the day completeness is determined under [RCW 36.70B.070](#) to the date a decision is issued on the application. Number of days shall be calculated by counting five days per week, excluding holidays;

(iv) Total number of days the application was in review with the county or city. This shall be calculated from the day completeness is determined under [RCW 36.70B.070](#) to the date a final decision is issued on the application. Number of days shall be calculated by counting five days per week, excluding holidays. Days the application is in review with the county or city does not include time periods between where the county or city has notified the applicant, in writing, that additional information is required to further process the application and when that information is submitted by the applicant. Time periods shall also be stopped when an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application.

~~(i) Total number of complete applications received during the year;~~

~~(ii) Number of complete applications received during the year for which a notice of final decision was issued before the deadline established under this subsection;~~

~~(iii) Number of applications received during the year for which a notice of final decision was issued after the deadline established under this subsection;~~

~~(iv) Number of applications received during the year for which an extension of time was mutually agreed upon by the applicant and the county or city;~~

~~(v) Variance of actual performance, excluding applications for which mutually agreed time extensions have occurred, to the deadline established under this subsection during the year; and~~

~~(vi) The mean processing time and the number standard deviation from the mean.~~

(d) Counties and cities subject to the requirements of this subsection must:

(i) ~~Provide notice of and access to~~ Post the annual performance reports through the county's or city's website; and

~~(ii) Post electronic facsimiles of the annual performance reports through the county's or city's website. Postings on a county's or city's website indicating that the reports are available by contacting the appropriate county or city department or official do not comply with the requirements of this subsection. Submit the annual performance report to the Department of Commerce by March 1st each year.~~

~~(iii) No later than July 1st each year, the Department of Commerce shall publish a report, which includes the annual performance report data for each county and city subject to the requirements of this subsection. The Department of Commerce shall develop a template for counties and cities subject to these requirements, which will be utilized for reporting data. The annual report published by Commerce shall also include key metrics and findings from the information collected.~~

~~(iv) Annual reports shall be submitted to the Department of Commerce beginning in 2025. This will require counties and cities subject to these requirements to begin collecting data consistent with this subsection in 2024.~~

~~(v) A county or city subject to these requirements who does not submit the annual performance report to the Department of Commerce by March 1st each year is subject to the requirements of RCW 36.70A.130(7)~~

~~If a county or city subject to the requirements of this subsection does not maintain a website, notice of the reports must be given by reasonable methods, including but not limited to those methods specified in RCW ~~36.70B.110~~(4).~~

(3) Nothing in this section prohibits a county or city from extending a deadline for issuing a decision for a specific project permit application for any reasonable period of time mutually agreed upon by the applicant and the local government.

~~(4)The *department of community, trade, and economic development shall work with the counties and cities to review the potential implementation costs of the requirements of subsection (2) of this section. The department, in cooperation with the local governments, shall prepare a report summarizing the projected costs, together with recommendations for state funding assistance for implementation costs, and provide the report to the governor and appropriate committees of the senate and house of representatives by January 1, 2005.~~

Task Force Recommendation Sheet #5 – Modify Permit Process Requirements

Date
 MM DD YY

Topic	Adaptive Planning – Reduce conflicts, gaps, redundancies, and improve processes – modify 36.70B.080 permit process requirements	
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Recommendation	<p><i>The Legislature should modify RCW 36.70B to increase implementation and consistency between the statute and Goal 7 of the GMA and the findings and declarations of the statute. Specifically, amendments should include:</i></p> <ul style="list-style-type: none"> • <i>Greater clarity regarding project permit application completeness as outlined in RCW 36.70B.070(2). If completeness goes beyond the meeting the procedural submission requirements of the local government, specific language should be provided so this standard can be applied equally in all local governments.</i> • <i>Greater clarity in RCW 36.70B.080(1)(a) and (b) regarding how cities and counties count the number of days to issue a final decision for a project permit application. This includes when the days start (before or after completeness is determined), if days are based on working days or days in a week, and when the time-period starts and stops (such as when a local government requests additional information or where an applicant asks for the review process to stop).</i> • <i>Amend the one hundred twenty-day permit timeline in RCW 36.70B.080(1)(a) to recognize that while some project permit applications may take this much time, some applications may take more or less time to process. Consider providing a table in RCW 36.70B.080 that provides a default number of days for processing and issuing a final decision for various project permit applications.</i> • <i>Allow local governments the ability to modify the table as desired to recognize that each local government is different. The table would be utilized when not modified by the local government.</i> • <i>When adopting these provisions, provide a safe harbor from appeal, except where a local government is proposing timelines to issue a final decision that exceeds what is provided in the permit table.</i> • <i>Continue to allow local governments to exempt certain permits from these new requirements as allowed in RCW 36.70B.140.</i> • <i>Amend RCW 36.70B.080 to outline what occurs when timeframes established by the local government are not met. Currently, the statute creates an expectation but the only recourse when</i> 	

	<p><i>established timeframes are not met is a claim under RCW 64.40. Some accountability measures should be considered so an RCW 64.40 claim is not the only recourse.</i></p> <ul style="list-style-type: none"> • <i>Amend RCW 36.70B.160 to outline additional methods to encourage or require prompt and coordinated reviews to ensure accountability. This could include, but isn't limited to, an emphasis on collecting permit fees as authorized in RCW 82.02.020 to ensure proper staffing is provided.</i> <p><i>In addition, Commerce should provide upfront and ongoing technical assistance to local governments to implement the proposed statutory changes.</i></p>
<p>Consent Vote Tallies – Task Force Members/Alternates</p>	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Jeff Clarke, Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Mario Reyes, Bryce Yadon</p>
<p>Topic overview</p>	<p>The Legislature has placed a priority on applications for state and local government permits being processed in a timely and fair manner to ensure predictability. This is enumerated in Goal 7 of the GMA, which states that “Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.”</p> <p>Goal 7 has been implemented through RCW 36.70B. Findings and a declaration in the statute (RCW 36.70B.010) focus on the:</p> <ul style="list-style-type: none"> • Complexity of permitting as new laws and regulations are enacted • Increasing number of local and state land use permits and separate environmental review processes required by agencies • Regulatory burden and how that has significantly added to the cost and time needed to obtain local and state land use permits • Difficulty for the public to know how and when to provide timely comments on land use proposals that require multiple permits and have separate environmental review processes <p>RCW 36.70B outlines measures to help ensure these issues are addressed as part of the permitting process. These have been enacted by cities and counties over the past 27 years. This includes, but is not limited to:</p> <ul style="list-style-type: none"> • Integration of SEPA and other permit applications • Permit processing procedures • Timelines for processing permits

	<ul style="list-style-type: none"> Permit reporting requirements for certain jurisdictions to better understand how long permit processes take. <p>Please note that permit reporting requirements are addressed in a separate recommendation.</p>
<p>Issue</p>	<p>While some elements of RCW 36.70B, such as integrating permit processes and hearings, have worked very well, other elements of 36.70B have been less successfully implemented. This includes timely and predictable timeframes for permitting (in some jurisdictions) as processes have become more complex. The high and rising cost of housing in Washington has highlighted this issue. The time it takes to get housing to market is one factor related to the overall cost of development.</p> <p>Although different groups may have different perspectives regarding timely and predictable timeframes for permitting, there are several gaps which changes to the statute could help address. This includes jurisdictions currently interpreting provisions in the current statute differently. Please note that it is well understood that permit timeframes vary across jurisdictions and jurisdictional circumstances.</p> <p>RCW 36.70B provides timeframes to counties and cities to complete steps in the permit process and issue final decisions for permit applications. This has been incorporated in county and city development regulations. While 36.70B sets expectations, actual timeframes for steps in the permit process and timelines to issue final decisions vary widely. When time frames exceed those in code and statute, nothing happens. This has created a circumstance in which state law creates expectations for predictable permit timelines that do not occur when the law is implemented. Currently, the only recourse for a permit applicant has is a damages claim under RCW 64.40, which allows for permit applicants to seek damages for agency action that is arbitrary, capricious, unlawful, or in excess of lawful authority. Most applicants, however, are reluctant to bring such claims, as getting their permits approved ultimately is the most important aspect despite the clear downsides of long and unpredictable timelines.</p> <p>This proposal is written to try to balance the goal of better implementing Goal 7 of the GMA and the findings and declarations of RCW 36.70B with the reality that cities and counties must have the tools to effectively implement and manage any statutory changes.</p>
<p>Possible statutes to be amended</p>	<p>RCW 36.70B.070 RCW 36.70B.080 RCW 36.70B.140 RCW 36.70B.160</p>

Do we expect this recommendation to have a budget impact?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Did this issue derive from a previous study? If yes, which study or report?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	This specific topic was not called out as a recommendation in Roadmaps 1 or 2, but removing conflicts, gaps, and redundancies was a theme for both Roadmap projects that preceded this project.
Working Groups who provided feedback on this topic	Realtors, Planners, Environmental Groups, Special Districts, and Builders		
Advantages and disadvantages of implementing recommendation	Advantages <ul style="list-style-type: none"> • Providing greater certainty for permit timelines would help applicants more accurately price in the cost of the permit process. • Improving accountability helps ensure Goal 7 of the GMA (RCW 36.70A.020) is implemented. • Providing options and flexibility for cities will help account for local variation in process and permit typology • Delayed implementation provides time for communities to comply 		Disadvantages <ul style="list-style-type: none"> • May require local governments to modify codes and processes related to permit process

Task Force Recommendation Sheet #6 – Middle Housing Definitions

Date
MM DD YY

Topic	Housing – Defining and applying important terms and parameters related to provision of middle housing	
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Recommendation	<p><i>The Legislature should update RCW 36.70A.030, RCW 36.70A.070(2), and RCW 36.70A.600 with the following definition of middle housing:</i></p> <p><i>“Middle housing types means buildings that are compatible in scale, form, and character with single-family houses, and contain two or more attached, stacked, or clustered homes. This includes multiplexes up to six units, townhouses, and cottage housing.”</i></p> <p><i>If HB 1782 (or its successor) is re-considered, the Legislature should consider the following:</i></p> <ul style="list-style-type: none"> • <i>Use housing types as defined above rather than densities when deciding where and when to require middle housing to be allowed; and</i> • <i>Simplify legislation related to where communities would be required to allow middle housing types.</i> <p><i>(See issue overview below for more Task Force discussion of issues around defining middle housing and major transit stops.)</i></p>	
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Jeff Clarke, Chris Collier, Jeanette McKague, Jan Himebaugh, Paul Jewell, Andrew Strobel</p> <p><u>Object</u> –</p> <p><u>Abstain</u> – Carl Schroeder, Bryce Yadon</p> <p><u>Not Present</u> – Dave Andersen, Deric Gruen, Mario Reyes</p>	
Topic overview	<p>Providing for a variety of housing types at all income levels has been a focus of legislative efforts in recent sessions. This includes providing middle housing.</p> <p>In 2019, the Legislature enacted Chapter 348, Laws of 2019, which established the grant program and statutory requirements for Housing Action Plans as well as various other code changes encouraged by the</p>	

	<p>statute. A key requirement of Housing Action Plans is to increase the supply of housing and the variety of housing types. RCW 36.70A.600 has been modified by legislation twice since then.</p> <p>In 2021, the Legislature passed Chapter 254, Laws of 2021, which updated housing requirements for cities and counties that plan under RCW 36.70A.040. Among the provisions of the Housing Element is the requirement that all fully planning counties and cities within those counties adopt “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.” The updated Housing Element requirements also includes more detailed planning for moderate-, low-, very low-, and extremely low-income households.</p> <p>During the 2022 legislative session, additional bills were introduced related to housing. This includes HB 1782, which focused on the creation of additional middle housing near transit and in areas traditionally dedicated to single-family detached housing. A version of this bill and others may be reintroduced next session.</p>
<p>Issue</p>	<p>The Legislature has been working through how and where to encourage or require housing at densities that would include so-called middle housing.</p> <p>The Task Force has been asked to weigh on certain provisions from recent legislation. This includes defining important terms which based on how they are defined, could impact the applicability of housing legislation. This includes terms like middle housing, major arterials, major transit stops, and other terms that could be used across statutes.</p> <p><u>Middle housing definitions</u> – Commerce provided a draft definition of middle housing that the Task Force revised at a previous meeting on this topic. The proposed definition in the recommendation removes references to courtyard apartments and stacked flats and emphasizes the compatibility in scale, form, and character with detached houses as the primary definition. The term “multiplexes” is included in the final recommendation given that it covers all potential small multifamily configurations up to six units.</p> <p>In final deliberation and discussion, the Task Force recognized that what is considered middle housing or high-density housing can vary substantially by community, and that having one definition that would apply across multiple statutes might work at cross purposes. It was also expressed that there are potential bills on this subject already circulating. This was the source of the abstentions in the consent process.</p>



	<p><u>Major transit stops and major arterials</u> – HB 1782 defines major transit stops as:</p> <p>(19) "Major transit stop" means:</p> <p>(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;</p> <p>(b) Commuter rail stops;</p> <p>(c) Stops on rail or fixed guideway systems, including transitways;</p> <p>(d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes;</p> <p>(e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays; or</p> <p>(f) Washington state ferry terminals.</p> <p>The Task Force and working groups discussed this definition. A common theme from comments included the fact that most of the transit types included within the definition serve areas where communities should be focusing on much denser development types, like mixed-use development and mid-rise apartments.</p> <p>In addition, since many transit providers adjust their routes and schedules quarterly, including non-fixed route transit in the definition of major transit presents a moving target. For this reason, the Task Force is not providing a separate revised definition of major transit stop. Various suggestions were offered by Task Force members and working group participants in lieu of using transit proximity as a locational factor. Although the Task Force did not express clear support for or opposition to any of these ideas, the following approaches could be considered:</p> <ul style="list-style-type: none"> • If the Legislature wishes to require the allowance of middle housing based on proximity to transit, it should consider proximity to a range of services beyond transit, including commercial services • Using road classifications (i.e., major arterial) as the locational factor is an alternate approach, as these are much more fixed and permanent than bus service that can be changed on a regular basis • Using the Oregon and California and simply requiring that any zone where single-family is permitted to also allow middle housing types in cities over a certain size
<p>Possible statutes to be amended</p>	<p>RCW 36.70A.030</p> <p>RCW 36.70A.070(2)</p>

	RCW 36.70A.600		
Do we expect this recommendation to have a budget impact?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Did this issue derive from a previous study? If yes, which study or report?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Working Groups who provided feedback on this topic	Realtors, Planners, Special Districts, Builders		
Advantages and disadvantages of implementing recommendation	Advantages <ul style="list-style-type: none"> Having one definition of middle housing apply across the statutes creates internal consistency and makes complying with statute and developing regulatory guidance easier HB 1782 was widely viewed as very complex – moving away from major transit stops as a locational factor would simplify the law Focusing on housing type rather than density sidesteps political issues with density 		Disadvantages <ul style="list-style-type: none"> Requiring or incentivizing denser housing types to be allowed across wide swaths of jurisdictions could lead to service delivery issues for water and sewer providers due to existing infrastructure not having the capacity for denser development Having one definition of middle housing that applies statewide could mask important differences in what is considered middle- and high-density housing across communities.

Task Force Recommendation Sheet #7 – New Equity and Environmental Justice Goal in the GMA

Date
 MM DD YY

Topic	Equity and Environmental Justice – New Equity and Environmental Justice Goal in the GMA		
Did the Task Force make a formal recommendation on this issue?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>	
Recommendation	<p><i>The Legislature should add environmental justice as a new planning goal in the Growth Management Act (GMA) (RCW 36.70A.020) and add definitions to RCW 36.70A.030 for Environmental Harm and Environmental Benefit. RCW 36.70A.070 should be amended to implement the new planning goal, including the identification of overburdened communities and vulnerable populations and goals, objectives, and measures to reduce environmental health disparities. The Task Force recommends that equitable engagement be addressed in the public engagement goal (RCW 36.70A.020(11)) and within RCW 36.70A.140). The state should provide additional resources for community participation. The Legislature should also provide cities and counties ongoing funding and resources to ensure the new requirements are both initially and continuously implemented and provide Commerce appropriate resources to prepare information and implementation guidance including models.</i></p>		
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Jeff Clarke, Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Mario Reyes, Bryce Yadon</p>		
Topic overview	<p>Environmental Justice was a topic in legislative sessions in the past few years culminating in Chapter 314, Laws of 2021, the Healthy Environment for All (HEAL) Act, which declared the state’s “compelling interest in preventing and addressing such environmental health disparities” and defining environmental justice obligations of agencies. The 2020 Environmental Justice Task Force commissioned by the Legislature recommended an environmental justice amendment to the GMA. A Road Map to Washington’s Future (Road Map I) and Updating Washington’s Growth Policy Framework (Road Map II) projects introduced the idea of an equity goal in the GMA. Road Map I</p>		

	<p>recommended creating an equity goal in the GMA. Road Map II furthered that conversation to include environmental justice along with equity. Puget Sound Regional Council (PSRC) counties and cities (King, Pierce, Snohomish, and Kitsap) already implement regional policies on equity and displacement, which is an adaptive planning approach.</p>		
Issue	<p>Chapter 314, Laws of 2021, The HEAL Act, addresses planning at the state level and an amendment to RCW 36.70A that would align that approach by providing direction for local planning to ensure the state objective to reduce environmental health disparities.</p> <p>The Roadmap 1 and 2 language, findings, and recommendations can be found in Recommendation Sheet #7 Attachment A.</p>		
Possible statutes to be amended	<p>RCW 36.70A.020 RCW 36.70A.030 RCW 36.70A.070 RCW 36.70B.140</p>		
Do we expect this recommendation to have a budget impact?	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	
Did this issue derive from a previous study? If yes, which study or report?	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<p>A Road Map to Washington’s Future (2019) Environmental Justice Task Force Report (2020) Updating Washington’s Growth Policy Framework (2021)</p>
Working Groups who provided feedback on this topic	<p>Planners, Tribal nations, and Environmental Justice working groups</p>		
Advantages and disadvantages of implementing recommendation	<p>Advantages</p> <ul style="list-style-type: none"> Aligns with state goals and objectives to reduce environmental health disparities The addition of a new goal could help guide how this could be further implemented in our growth policy framework in the future. New goal and implementation would be consistent with NEPA processes. 	<p>Disadvantages</p> <ul style="list-style-type: none"> Creates new tasks for planners that requires additional resource and capacity to implement 	

Attachment A: Previous recommendations (Recommendation Sheet #7)

[A Road Map to Washington's Future \(Road Map 1\)](#)

“5.1 Integrate Equity Into Growth Planning

Participants all across the state said an equitable approach to growth and development is missing, and not addressed in the current growth planning framework. Participants talked about needing to look at State and local policies, investments, and programs through a race and social justice lens, to develop more equitable growth planning strategies that do more to reduce current disparities, and to create new policies and measures to achieve equity. The desire for equity and social justice was commonly expressed as an element of a desired future that shifts from an “us versus them” mentality towards relationship building and understanding.

“Action 5.1 Integrate equity as a goal in growth planning, policies, strategies, and implementing actions, including adopting it as a goal of the GMA and an adaptive management regionally-based approach, if developed.

- Advance local, regional, and statewide policies and investments that eliminate inequity. Develop metrics to evaluate the effectiveness of efforts.
- Develop evaluation tools to determine the impacts of land use, and state and local transportation investments, on vulnerable populations and disadvantaged communities.
- Provide model community indicators, performance measures, and policy analysis tools developed by the State to assist cities, counties, and state agencies in addressing race and social equity in their plans, policies, and projects. Use lessons learned from cities and counties that apply a race and social justice lens to policies, programs, and projects” ([Road Map Final Report](#), p. 88).

[Updating Washington's Growth Policy Framework \(Road Map 2\)](#)

EQUITY AND INCLUSION

“According to many participants, social, cultural, racial, gender, and economic diversity is an important aspect of a desired future, as are social equity and social justice. Participants expressed this in a number of ways, including desiring a future that addresses income inequality, distribution of community resources, race and social justice, and gentrification, and that creates a fair and inclusive society, with opportunities for all. Many Next Generation participants envisioned a future that included safety nets for low-income residents and sanctuary for undocumented persons. Many urban, but especially rural participants, long for a future where youth can stay living and working in the community in which they grew up, and where the community is not only comprised of older people. Equity was also an important element of a positive future for participants in the Latinx workshop. Their vision of the future included less disparity in addressing their basic needs and allocating community resources including having basic infrastructure, clean water, appropriate street lighting, playgrounds, bike lanes, and sidewalks. For participants in the Latinx workshop, equity included fair wages, absence of workplace abuse, and reasonable working hours. The vision for equity also included a reduction of disparities between communities in eastern and western Washington, and that resources are better distributed from a macroeconomic perspective. Overall, many participants envisioned a future where equity is at the forefront of policymaking. Many participants desired a future that shifts from a “us versus them” mentality toward relationship building and understanding.” ([Updating Washington's Growth Policy Framework](#), p. 26).

Potential reforms to PLANNING GOALS re: EQUITY & ENVIRONMENTAL JUSTICE [RCW 36.70A.020](#) is amended to read as follows: Planning Goal (12) Environmental justice. Promote environmental justice. Develop and apply fair land use and environmental policy based on respect and justice for all peoples and seek to eliminate environmental and health disparities.

Potential reforms to DEFINITIONS re: EQUITY & ENVIRONMENTAL JUSTICE [RCW 36.70A.030](#) is amended to read as follows: .(13)“Environmental justice” means the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. This includes using an intersectional lens to address disproportionate environmental and health impacts by prioritizing highly impacted populations, equitably distributing resources and benefits, and eliminating harm.

[RCW 36.70A.140](#) is amended to read as follows:

Potential reforms to PUBLIC PARTICIPATION re: EQUITY & ENVIRONMENTAL JUSTICE Each county and city that is required or chooses to plan under [RCW 36.70A.040](#) shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The department shall prepare and disseminate to all local governments best practices to achieve equitable and inclusive citizen public participation in order to engage those members of the public and populations who have historically been underserved and under-represented in the formulation of public policy. By no later than June 30, 2023, counties and cities shall determine which of these practices to incorporate in updated public participation programs.

Vision 2050

P. 17: “Equity. All people can attain the resources and opportunities to improve their quality of life and enable them to reach their full potential.”

P. 20. “VISION 2050 works to address current and past inequities, particularly among communities of color, people with low incomes, and historically underserved communities. It works to ensure that all people have access to the resources and opportunities to improve their quality of life. Recognizing that growth will put pressure on communities, VISION 2050 also seeks to reduce the risks of displacement of lower-income people and businesses through elevating social and racial equity in regional planning and encouraging integration of equity in local plans. PSRC will collaborate with its members and community partners to develop a regional equity strategy to advance this work and create and maintain tools and resources to better understand how regional and local policies and actions can address inequities.”

P. 32. “All people have the means to attain the resources and opportunities that improve their quality of life and enable them to reach full potential. Communities of color, historically marginalized communities, and those affected by poverty are engaged in decision-making processes, planning, and policy-making.”

State Environmental Justice Task Force Final Report

Incorporate EJ into State Environmental Laws – Model Policy Recommendation Growth Management Act (GMA): [CA Senate Bill 1000 \(California Chapter 584, Laws of 2016\)](#) provides an example of incorporating EJ into Washington’s GMA. For example, EJ could be incorporated as a new mandatory goal. This goal could require identification of overburdened



communities, prioritization of improvements and programs that address the needs of overburdened communities—including addressing reduction of greenhouse gasses (GHG) that put communities at risk due to climate change, and affordable housing to combat gentrification and displacement



Task Force Recommendation Sheet #8 – Partial Planning Requirements for Fully Planning Cities

Date
MM DD YY

Topic	Adaptive planning – varied planning requirements – partial planning requirements for fully planning cities.	
Did the Task Force make a formal recommendation on this issue?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>
Recommendation	<p><i>The Legislature should amend RCW 36.70A.130 to reduce the planning requirements for very small and slower growing cities within fully planning counties.</i></p> <ul style="list-style-type: none"> <i>Should apply to cities with a population of less than 500 or less.</i> <i>Should only apply to periodic updates where the city grew by less than 50 people in the preceding 10 years.</i> <i>The growth rate/population growth shall be reviewed by the Department of Commerce three years before the periodic update is due as outlined RCW 36.70A.130(4).</i> <i>The determination by Commerce would only apply to one periodic update. The evaluation of population and growth would occur three years before each periodic update.</i> <i>If a city meets this requirement, they would only be required to update their critical areas ordinance and capital facilities plan.</i> <i>This would be an opt-in process. Cities could decide to complete the full periodic update.</i> <i>This would not apply to cities which are located within 10 miles of a city with a population over 100,000.</i> 	
Objections	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Jeff Clarke, Mario Reyes</p>	
Topic overview	<p>Cities and counties across Washington currently have varied planning requirements under RCW 36.70A (See Recommendation Sheet #8 Attachment A). After more than 30 years implementing the GMA, recommendations on this topic are focused at looking for opportunities to make planning requirements easier to</p>	

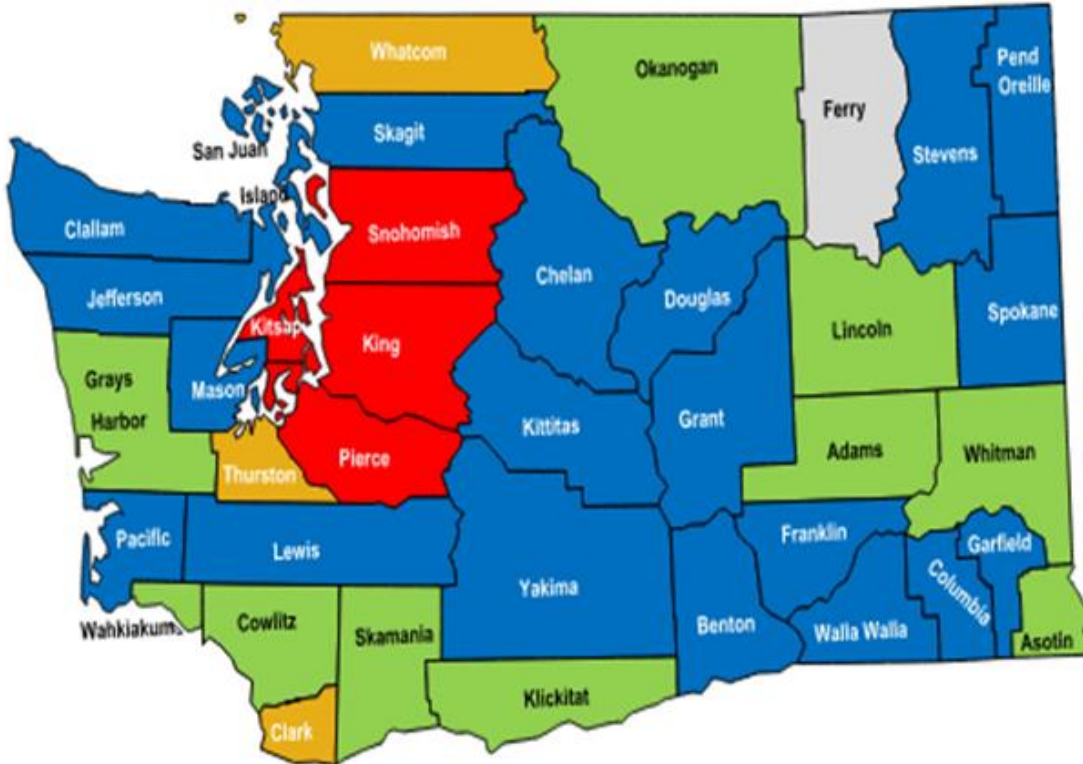
	implement or to recognize regional differences and needs throughout the state.						
Issue	<p>28 of the 39 counties in Washington are fully planning counties (See Recommendation Sheet #8 Attachment A). In several of these counties, there are incorporated cities with very small populations that also experience little to no growth.</p> <p>One option would be to allow a very small city in a fully planning county the option to only have to update their critical areas regulations and capital facility plan when 1) the city has under 500 people, and 2) experiences very limited growth during the planning period leading up to the periodic update.</p> <p>Currently, there are 25 cities within fully planning counties that have a population under 500 (See Recommendation Sheet #8 Attachment B for details).</p> <p>The proposal would also exclude cities which are located within 10 miles of a city with a population over 100,000. This is being proposed to ensure even small cities in fully planning counties complete a full periodic update when they are near areas experiencing more growth.</p> <table border="1"> <thead> <tr> <th>Population Range</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>1-499</td> <td>25</td> </tr> </tbody> </table>			Population Range	Count	1-499	25
Population Range	Count						
1-499	25						
Possible statutes to be amended	RCW 36.70A.130						
Do we expect this recommendation to have a budget impact?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>					
Did this issue derive from a previous study? If yes, which study or report?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Study or report</p> <p>A Road Map to Washington's Future (2019)</p> <p>Updating Washington's Growth Policy Framework (2021)</p>				
Working Groups who provided feedback on this topic	Tribal nations, Realtors, Planners, Environmental Groups, Special Districts, Builders, State Agencies, and Environmental Justice.						
Advantages and disadvantages of implementing recommendation	<p>Advantages</p> <ul style="list-style-type: none"> • Could save budgetary dollars by providing fewer periodic update grants. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Could provide fewer opportunities for interested parties to work with cities on important planning issues. 					



	<ul style="list-style-type: none">• Could remove planning requirements that are providing very little value.• Could focus efforts on jurisdictions that are experiencing growth.• Would still allow cities the ability to complete a full update and receive grant dollars.• Would not impact the ability of a city to update its comprehensive plan on an annual basis.• Would still require critical area and capital facility planning	<ul style="list-style-type: none">• A longer period between updating a comprehensive plan may make updating the document more difficult in the future if required.
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Attachment A (Recommendation Sheet #8)

Range of planning requirements by county under the Growth Management Act (GMA)



GMA 1.0	GMA 2.0	GMA 3.0	GMA 4.0	GMA 5.0
Fully Planning + Buildable Lands + Vision 2050+ Update Countywide Planning Policies	Fully Planning + Buildable Lands	Fully Planning	Partially Planning	Partially Planning + Rural Element
4 Counties 4,264,200 Pop.	3 Counties 1,018,200 Pop.	21 Counties 1,993,720 Pop.	10 Counties 372,170 Pop.	1 County 7,910 Pop.
95% of State population is fully planning under GMA			5% of State population is partially planning under GMA	
Basic Comprehensive Plan Periodic Update requirements				
<ul style="list-style-type: none"> Update Comprehensive Plan policies and regulations consistent with: <ul style="list-style-type: none"> - State law changes - Case law - Updated PSRC policies (for GMA 1.0 only) - Updated countywide planning policies Plan for additional population and employment growth Conserve Resource Lands (Agricultural, Forest, Mineral) Protect Critical Areas – update regulations based on Best Available Science Capital Facility Plan Rural Element (for counties) Impact Fees authorized (Schools, Parks, Traffic) Appeals to Growth Management Hearings Board Countywide Planning Policies (GMA 1.0 required to update) 			<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court 	<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court

Attachment B (Recommendation Sheet #8)

2022 Office of Financial Management population estimates. Cities in fully planning counties with a population under 1,500

Population Range	Count
1-499	25

Please note that Beaux Arts Village and Hunts Point would not qualify for reduced planning requirements if the provision regarding location in relation to cities with a population over 100,000 is adopted.

Fully Planning County	City	2022 Population estimate
Columbia	Starbuck	120
Douglas	Mansfield	326
Douglas	Coulee Dam	200
Franklin	Kahlotus	145
Franklin	Mesa	390
Grant	Hartline	180
Grant	Krupp	49
Grant	Wilson Creek	205
King	Beaux Arts Village	315
King	Hunts Point	460
King	Skykomish	165
Pend Orielle	Cusick	153
Pend Orielle	Ione	425
Pend Orielle	Metaline	160
Pend Orielle	Metaline Falls	275
Skagit	Hamilton	295
Skagit	Lyman	425
Snohomish	Index	155
Spokane	Latah	185
Spokane	Spangle	280
Spokane	Waverly	120
Stevens	Marcus	215
Stevens	Northport	295
Stevens	Springdale	283
Walla Walla	Prescott	370



Task Force Recommendation Sheet #9 – Shoreline Master Program Review Schedule

Date
MM DD YY

Topic	Reduce conflicts, gaps, and redundancies – Shoreline Master program review schedule
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Recommendation	<i>The Legislature should adopt language consistent with HB 1978, to modify the Shoreline Master Program review and revision cycle from every eight to every 10 years. This would provide consistency with the periodic comprehensive plan update schedule in RCW 36.70A.130.</i>
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Jeff Clarke, Chris Collier, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Dave Andersen (state agency vote), Deric Gruen, Mario Reyes, Carl Schroeder</p>
Topic overview	<p>The Shoreline Management Act, RCW 90.58, requires that local governments develop or amend their Shoreline Master Program for regulation of uses of the shorelines of the state consistent with the required elements of the guidelines adopted by the Department of Ecology in accordance with the schedule established in RCW 98.58.080(4)(b). Currently, these updates are required to occur every eight years per the schedule in the statute.</p> <p>The proposal would modify the schedule to require these updates every ten years. The schedule would be modified so the updates would be required five years after cities and counties complete their periodic comprehensive plan updates. As an example, those cities and counties with a 2024 periodic update schedule would have to complete the Shoreline Master Program update in 2029.</p> <p>The Legislature modified the periodic comprehensive plan timeframe from eight to 10 years as part of Chapter 192, Laws of 2022. The proposal brings consistency with RCW 36.70A 130. HB</p>

	<p>1978 passed the House in 2021-22 by a vote of 93-1 (with four excused). There was no testimony against this bill provided in either the House or Senate hearings according to the bill reports.</p>		
Possible statutes to be amended	<p>RCW 98.58.080</p>		
Do we expect this recommendation to have a budget impact?	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
Did this issue derive from a previous study? If yes, which study or report?	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	<p>The original version of the 2021 legislation implementing the Roadmap recommendation to amend the periodic update schedule from 8 to 10 years included companion changes to the SMA schedule.</p>
Working Groups who provided feedback on this topic	<p>None</p>		
Advantages and disadvantages of implementing recommendation – prepared by project team	<p>Advantages</p> <ul style="list-style-type: none"> • Would synchronize timelines with the periodic update schedule • Given the periodic update and shoreline master program update are large project for many communities, have them on opposite schedules can be helpful to local governments. 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Increases the time periods between updates 	



Task Force Recommendation Sheet #10 – Varied Planning Requirements – Buildable Lands

Date
 MM DD YY

Topic	Adaptive planning – varied planning requirements – remove Review and Evaluation requirements in RCW 36.70A.215 . If the program is retained, modify the program name for clarity and consistency.	
Did the Task Force make a formal recommendation on this recommendation one?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Did the Task Force make a formal recommendation on recommendation two?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Recommendation	<p><i><u>Recommendation one (consent not reached)</u> - The Legislature should remove the requirements in RCW 36.70A.215, the Review and evaluation program.</i></p> <p><i>Given consent was not reach on recommendation one, recommendation two was put forward. Consent was reached.</i></p> <p><i><u>Recommendation two</u> - The Legislature should change the name of the Review and Evaluation Program (RCW 36.70A.215), to the Buildable lands review and evaluation program. This would provide consistency with the rules in WAC 365-195-315 and the common terminology applied to the program by counties and cities subject to the requirements.</i></p>	
Consent Vote Tallies – Recommendation one - Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Paul Jewell, Jeff Clarke, Carl Schroeder</p> <p><u>Object</u> – Chris Collier, Deric Gruen, Jan Himebaugh, Jeanette McKague (alternate for Bill Clarke), Bryce Yadon</p> <p><u>Abstain</u> – Andrew Strobel</p> <p><u>Not Present</u> – Mario Reyes</p>	
Consent Vote Tallies – Recommendation two - Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Dave Andersen, Jeff Clarke, Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague, Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p>	

	<p><u>Abstain</u> –</p> <p><u>Not Present</u> – Mario Reyes</p>
<p>Additional information from Task Force members who did not provide consent on recommendation one</p>	<p>While the Task Force members expressed that the requirements in RCW 36.70A.215 may not be working as intended (described further under “Issue” section below), some concerns were expressed with removing the program requirements. Those included:</p> <ul style="list-style-type: none"> • Requirement to identify reasonable measures provisions are important for those cities and counties not meeting the development assumptions within their comprehensive plan. Having reasonable measures identified can assist in holding jurisdictions accountable during the next comprehensive plan update. • RCW 36.70A.130(9)(a) now requires a five-year implementation report for Comprehensive Plans. Some Task Force members felt even though there is a five-year check in that there may still be information gaps provided. It could be explored, however, to see if there are ways to take some of the section in .215 and simply add them to 130(9). • The data collection portions of Buildable Lands provide good information. Some Task Force members felt it was difficult to recommend that the program be removed without fully knowing if data gaps would be created.
<p>Topic overview</p>	<p>Cities and counties across Washington currently have varied planning requirements under RCW 36.70A (See Recommendation Sheet #10 Attachment A). After more than 30 years implementing the GMA, recommendations on this topic are focused at looking for opportunities to make planning requirements easier to implement or to recognize regional differences and needs throughout the state.</p>
<p>Issue</p>	<p>The Review and Evaluation Program (RCW 36.70A.215) has been in place since 1997. The program requirements apply to counties and the cities within those counties west of the crest of the Cascade Mountain Range with a total population of greater than 150,000 – King, Pierce, Snohomish, Kitsap, Whatcom, Thurston, and Clark counties (See RCW 36.70A.215(5)).</p> <p>The program has two primary goals as outlined in RCW 36.70A.215(1) and (2):</p> <p>(a) Determine whether a county and its cities are achieving urban densities within urban growth areas by comparing growth and development assumptions, targets, and objectives contained in the countywide planning policies and the county and city comprehensive plans with actual growth and development that has occurred in the county and its cities; and</p>

(b) Identify reasonable measures, other than adjusting urban growth areas, that will be taken to comply with the requirements of this chapter. Reasonable measures are those actions necessary to reduce the differences between growth and development assumptions and targets contained in the countywide planning policies and the county and city comprehensive plans with actual development patterns. The reasonable measures process in subsection (3) of this section shall be used as part of the next comprehensive plan update to reconcile inconsistencies.

While the intent of the program is important and the reports produced by jurisdictions subject to these requirements are well done, the question has been raised of whether the program is accomplishing the goals set out in the statute quoted here.

The program is focused on how an adopted comprehensive plan is working. It is looking back, not forward. If growth is not occurring as planned, local governments make zoning and land use changes to adjust. These are called reasonable measures.

The issue is that the time between comprehensive plan periodic updates is only 10 years. Reports under this program are due three years before the comprehensive plan update and take 1-2 years to produce. This means that the program only captures 3 to 4 years of growth data after a comprehensive plan is updated. This may not be enough time to determine if a city or county needs to adopt reasonable measures and make course corrections.

If this program is removed, it will not eliminate the requirement to ensure comprehensive plans are being implemented. [Chapter 192, Laws of 2022](#) was passed and modified [RCW 36.70A.130](#). It requires larger counties and the cities within those counties to complete a comprehensive plan implementation report after a comprehensive plan is adopted. The [final bill report](#) is online.

In addition, removing these requirements would not alter planning requirements for updating a comprehensive plan.

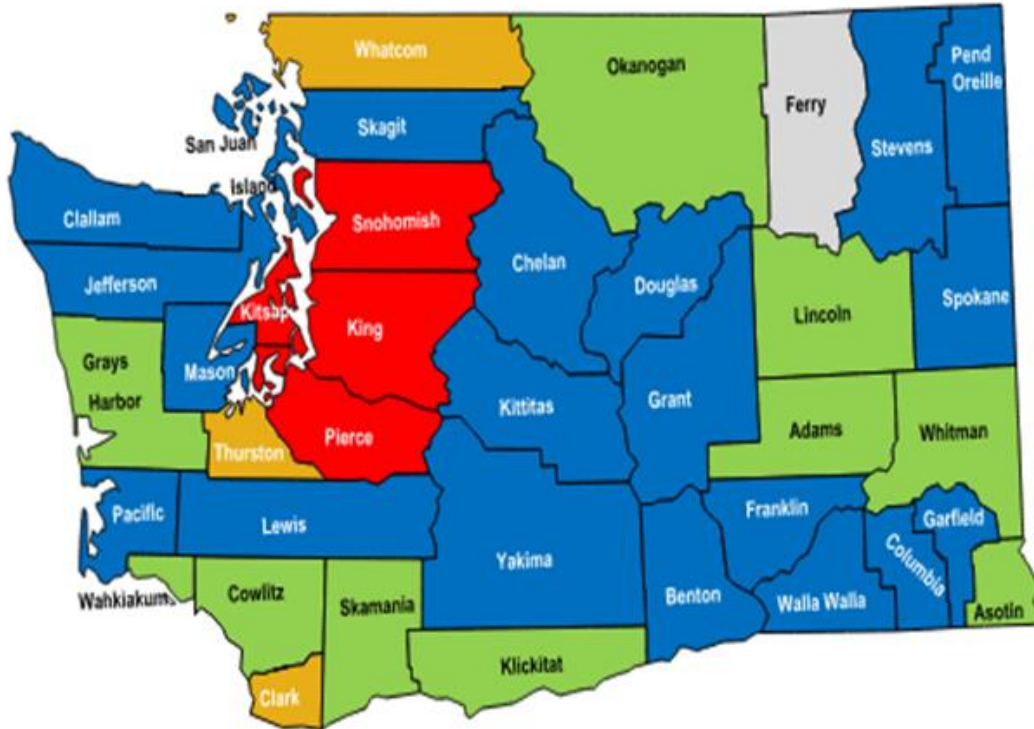
The Review and Evaluation Program is expensive, and given the time between comprehensive plan updates, it has been determined that the outcomes within [RCW 36.70A.215](#) could be accomplished in different ways.

Lastly, there are other statutes that refer to the requirements of this program. If this section is removed, that statutes would also have to be altered. As an example, the requirements of [RCW 36.70B.080](#) only pertain to those jurisdictions subject to [RCW 36.70A.215](#). In this case [36.70B](#) would need to be modified to just list the counties instead of referring to the statute.

Possible statutes to be amended	RCW 36.70A.215 RCW 36.70B.080 (if requirements of RCW 36.70A.215 are removed)	
Do we expect this recommendation to have a budget impact?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Did this issue derive from a previous study? If yes, which study or report?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Working Groups who provided feedback on this topic	Tribal nations, Realtors, Planners, Environmental Groups, Special Districts, Builders, State Agencies, and Environmental Justice.	
Advantages and disadvantages of implementing recommendation	Advantages <ul style="list-style-type: none"> • Save funding that could be utilized for other important planning work. • New requirements from Chapter 192, Laws of 2022 will ensure that jurisdictions currently subject to RCW 36.70A.215 provide a comprehensive plan progress report. • Removing these requirements would be consistent with planning requirements for other fully planning counties under the GMA. • The data collected as part of the program would still be required to be collected as part of comprehensive plan updates 	Disadvantages <ul style="list-style-type: none"> • The current requirements provide useful data on how comprehensive plan implementation is working. • The current statute provides requirements for cities and counties to provide reasonable measures when growth is not occurring as planned. Removing .215 requirements could lessen accountability to act. • Although there is a new 5-year check in requirement for comprehensive plans in RCW 36.70A.130, it does not encompass important provisions of .215.

Attachment A (Recommendation Sheet #10)

Range of planning requirements by county under the Growth Management Act (GMA)



GMA 1.0	GMA 2.0	GMA 3.0	GMA 4.0	GMA 5.0
Fully Planning + Buildable Lands + Vision 2050 + Update Countywide Planning Policies	Fully Planning + Buildable Lands	Fully Planning	Partially Planning	Partially Planning + Rural Element
4 Counties 4,264,200 Pop.	3 Counties 1,018,200 Pop.	21 Counties 1,993,720 Pop.	10 Counties 372,170 Pop.	1 County 7,910 Pop.
95% of State population is fully planning under GMA			5% of State population is partially planning under GMA	
Basic Comprehensive Plan Periodic Update requirements				
<ul style="list-style-type: none"> Update Comprehensive Plan policies and regulations consistent with: <ul style="list-style-type: none"> - State law changes - Case law - Updated PSRC policies (for GMA 1.0 only) - Updated countywide planning policies Plan for additional population and employment growth Conserve Resource Lands (Agricultural, Forest, Mineral) Protect Critical Areas – update regulations based on Best Available Science Capital Facility Plan Rural Element (for counties) Impact Fees authorized (Schools, Parks, Traffic) Appeals to Growth Management Hearings Board Countywide Planning Policies (GMA 1.0 required to update) 			<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court 	<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court



Task Force Recommendation Sheet #11 – Varied Planning Requirements – City Adoption of County Critical Areas Ordinance

Date
 MM DD YY

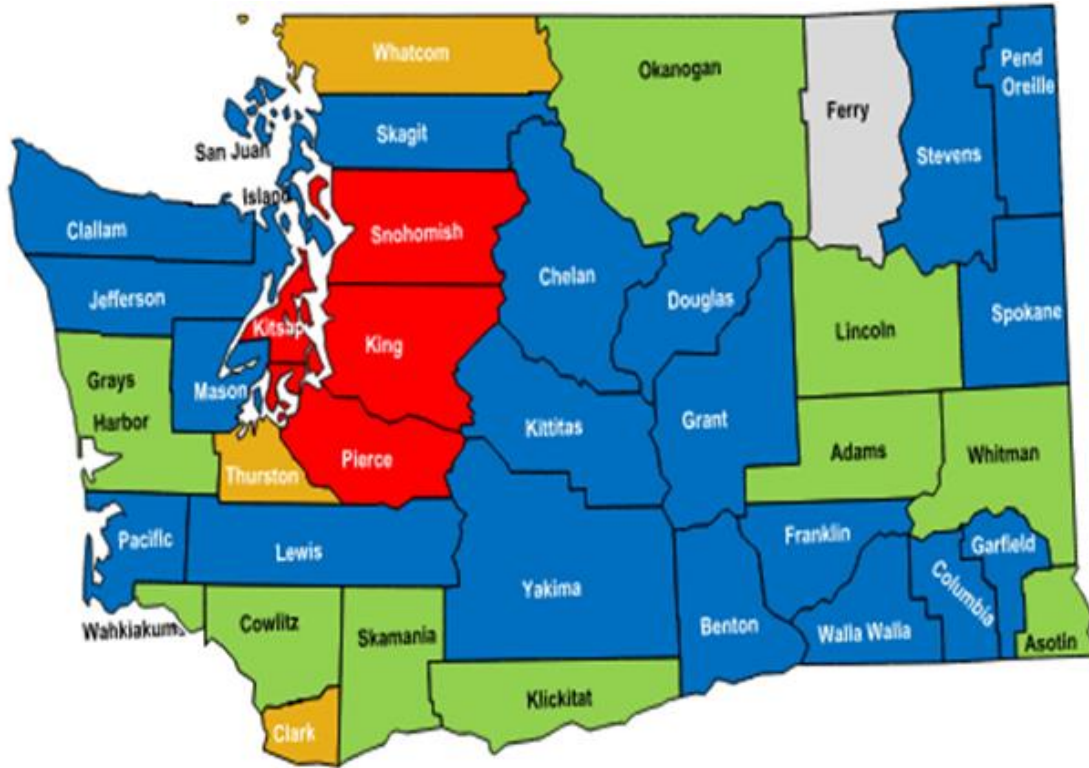
Topic	Adaptive planning – varied planning requirements – cities may adopt county critical area regulations by reference.	
Did the Task Force make a formal recommendation on this issue?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>
Recommendation	<p><i>The Legislature should amend RCW 36.70A.060 to allow cities, with a population of 25,000 or fewer, the ability to adopt the county critical areas regulations by reference to satisfy their GMA requirements to protect critical areas.</i></p> <p><i>The intent is that cities engaging in this process, through the adoption of an interlocal agreement with the county, would integrate critical area code updates by reference. After adopting an interlocal agreement, the city would not have to take legislative action to incorporate the county’s critical areas regulations within their regulations. Appeals of the critical area regulations would have to be an appeal of the county adoption of new critical areas regulations.</i></p> <p><i>Counties should receive the periodic update funding for the critical area update for cities who will adopt the code by reference.</i></p>	
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> – Carlene Anders, Dave Andersen (state agency vote), Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p> <p><u>Abstain</u> –</p> <p><u>Not Present</u> – Jeff Clarke, Mario Reyes</p>	
Topic overview	<p>Cities and counties across Washington currently have varied planning requirements under RCW 36.70A (See Recommendation Sheet #11 Attachment A). After more than 30 years implementing the GMA, recommendations on this topic are focused at looking where there may be opportunities to make planning requirements easier to implement or to recognize regional differences and needs throughout the state.</p>	

<p>Issue</p>	<p>Many cities and counties in Washington have significant requirements to fulfill under RCW 36.70A and other laws but few resources to fully implement the requirements. This is not always a budgetary issue. Often it relates to having a small staff who may have limited expertise to accomplish all that RCW 36.70A and other laws require. As an example, many smaller cities may not have a city planner.</p> <p>Partially planning cities and counties (See Recommendation Sheet #11 Attachment A) are only required to plan for conservation or resources lands (forest, agricultural, and mineral) and protection of critical areas.</p> <p>One opportunity to make planning requirements easier to implement would be to provide the opportunity for cities to adopt the county critical area regulations by reference. This could provide efficiencies with the update process and consolidate grant funding. This process would provide consistency between codes and an optional process for cities, especially those with fewer resources, to rely on the Best Available Science (BAS) review completed by the county.</p> <p>Other Task Force directions on this topic included:</p> <ul style="list-style-type: none"> • Cities should maintain the ability to terminate the Interlocal Agreement (ILA). If this occurs, then the city would be responsible for updating their critical area regulations as part of the next periodic update. If this occurs, the intent of this recommendation is that the county’s critical areas ordinance still be utilized until the city amends its code to create its own critical areas ordinance. • Inadequate or inconsistent county critical areas ordinances and regulations could lead to erosion of protections in cities that adopt them. Any outstanding consistency issues or appeals with a county’s critical areas ordinance would have to be resolved before a city could adopt that ordinance by reference. • Shoreline Master Program obligations for cities would not change under this proposed change. Shoreline obligations would need to be addressed during the SMP amendment process before a newly adopted critical areas ordinance would take effect.
<p>Possible statutes to be amended</p>	<p>RCW 36.70A.060</p>
<p>Do we expect this recommendation to have a budget impact?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

<p>Did this issue derive from a previous study? If yes, which study or report?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<p>Study or report</p> <p>A Road Map to Washington’s Future (2019)</p> <p>Updating Washington’s Growth Policy Framework (2021)</p>
<p>Working Groups who provided feedback on this topic</p>	<p>Tribal nations, Realtors, Planners, Environmental Groups, Special Districts, Builders, State Agencies, and Environmental Justice.</p>		
<p>Advantages and disadvantages of implementing recommendation</p>	<p>Advantages</p> <ul style="list-style-type: none"> • Would provide an opportunity to make planning requirements easier to implement for cities. • Could provide a county additional funding for critical area updates 		<p>Disadvantages</p> <ul style="list-style-type: none"> • Would limit appeal options as appeals could only be of the county update.

Attachment A (Recommendation Sheet #11)

Range of planning requirements by county under the Growth Management Act (GMA)



GMA 1.0	GMA 2.0	GMA 3.0	GMA 4.0	GMA 5.0
Fully Planning + Buildable Lands + Vision 2050 + Update Countywide Planning Policies	Fully Planning + Buildable Lands	Fully Planning	Partially Planning	Partially Planning + Rural Element
4 Counties 4,264,200 Pop.	3 Counties 1,018,200 Pop.	21 Counties 1,993,720 Pop.	10 Counties 372,170 Pop.	1 County 7,910 Pop.
95% of State population is fully planning under GMA			5% of State population is partially planning under GMA	
Basic Comprehensive Plan Periodic Update requirements				
<ul style="list-style-type: none"> Update Comprehensive Plan policies and regulations consistent with: <ul style="list-style-type: none"> - State law changes - Case law - Updated PSRC policies (for GMA 1.0 only) - Updated countywide planning policies Plan for additional population and employment growth Conserve Resource Lands (Agricultural, Forest, Mineral) Protect Critical Areas – update regulations based on Best Available Science Capital Facility Plan Rural Element (for counties) Impact Fees authorized (Schools, Parks, Traffic) Appeals to Growth Management Hearings Board Countywide Planning Policies (GMA 1.0 required to update) 			<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court 	<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court



Task Force Recommendation Sheet #12 – Varied Planning Requirements – Commerce Technical Assistance

Date
MM DD YY

Topic	Adaptive planning – varied planning requirements – Commerce technical assistance		
Did the Task Force make a formal recommendation on this issue?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Recommendation	<p><i>The state should provide cities and counties, especially those with fewer resources, additional technical resources, on an ongoing basis. The findings from the Commerce study of planning costs and comments received from working groups and surveys during this project should be utilized to assist in prioritizing which technical resources are most important to provide. The needs of communities vary, and the options listed below may all be useful to certain communities.</i></p> <ol style="list-style-type: none"> a. <i>Technical assistance and resources for Tribes, cities, and counties to better coordinate with each other on specific planning issues.</i> b. <i>State development of model code and/or policy language.</i> c. <i>Mediation and facilitation services.</i> d. <i>State procurement of and assistance with data tools, like GIS.</i> e. <i>Technical assistance on specific planning issues to cities and counties.</i> f. <i>Assistance with master consultant agreements for planning services.</i> g. <i>Expanding the role of regional agencies, such as councils of government, to provide planning services to member jurisdictions.</i> h. <i>Communications and PR expertise for assistance on complex/controversial issues.</i> i. <i>Expanding the role of colleges and universities in assisting local governments with planning activities.</i> j. <i>Library of case law that local governments can easily locate.</i> 		
Consent Vote Tallies – Task Force Members/Alternates	<p><u>Consent</u> –Carlene Anders, Dave Andersen (state agency vote), Chris Collier, Deric Gruen, Jan Himebaugh, Paul Jewell, Jeanette McKague (alternate for Bill Clarke), Carl Schroeder, Andrew Strobel, Bryce Yadon</p> <p><u>Object</u> –</p>		

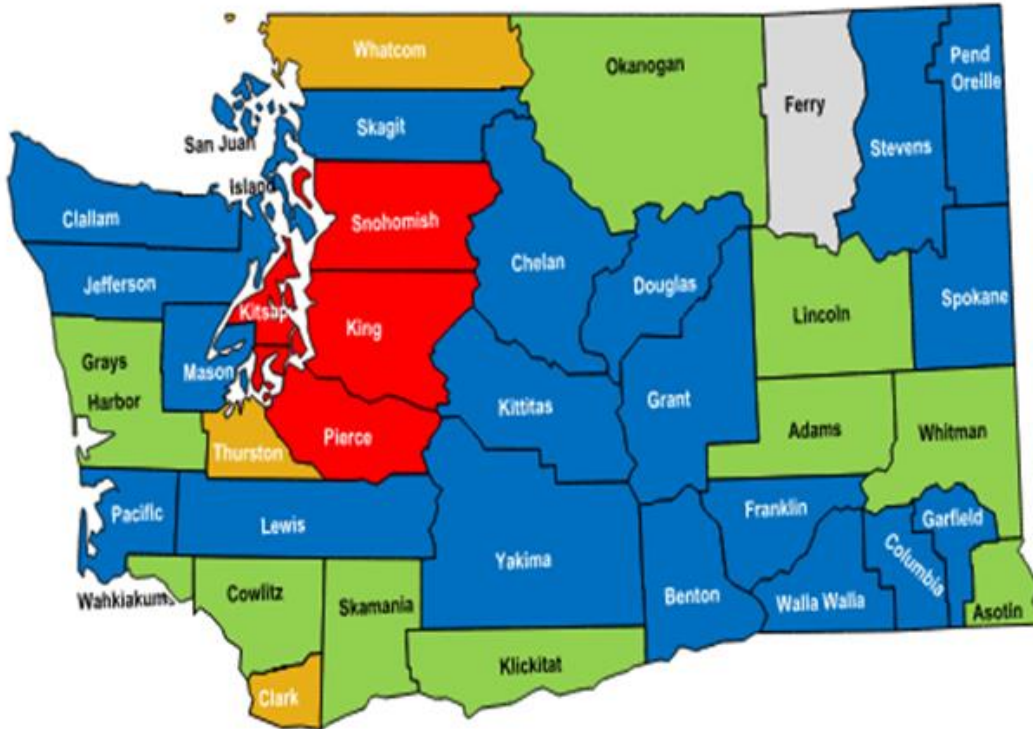
	<p><u>Abstain</u> –</p> <p><u>Not Present</u> – Jeff Clarke, Mario Reyes</p>		
Topic overview	<p>Cities and counties across Washington currently have varied planning requirements under RCW 36.70A (See Recommendation Sheet #12 Attachment A). After more than 30 years implementing the GMA, recommendations on this topic are focused at looking for opportunities to make planning requirements easier to implement or to recognize regional differences and needs throughout the state.</p>		
Issue	<p>One way to make planning requirements easier to implement could be funding, through the Department of Commerce, to provide greater technical assistance to local governments - especially those with fewer resources.</p> <p>As part of the Collaborative Roadmap Phase III work in 2021, the Task Force made the following recommendation:</p> <p><i>The Task force requests that as part of the 2022 work program, the Department of Commerce outline options for additional services they could provide to counties and cities including, but not limited to, developing model policy or code language, especially for new GMA requirements, and looking at ways to assist smaller counties and cities with assistance, such as code writing.</i></p> <p>Based upon the above request, the Department of Commerce developed a list of possible options and opportunities for providing additional services to jurisdictions with fewer resources.</p> <p>These options have not only been considered by the Task Force, but also through working groups and through the survey on the Commerce website during summer 2022.</p>		
Possible statutes to be amended	None		
Do we expect this recommendation to have a budget impact?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>	
Did this issue derive from a previous study? If yes, which study or report?	<u>Yes</u> <input checked="" type="checkbox"/>	<u>No</u> <input type="checkbox"/>	A Road Map to Washington’s Future (2019)
Working Groups who provided feedback on this topic	Tribal nations, Realtors, Planners, Environmental Groups, Special Districts, Builders, State Agencies, and Environmental Justice.		



Advantages and disadvantages of implementing recommendation	Advantages <ul style="list-style-type: none">• Commerce could put together materials which could be utilized by many jurisdictions. This could provide efficiencies.• Jurisdictions, especially those with fewer resources, will strongly benefit from being provided greater technical resources.• The options provided recognize that the needs of communities vary.• Through engagement with working groups, there was strong agreement to support this proposal.	Disadvantages <ul style="list-style-type: none">• There will be ongoing costs to provide additional technical services.• Funding this work may be difficult to provide over a long period of time given budget conditions change.
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Attachment A (Recommendation Sheet #12)

Range of planning requirements by county under the Growth Management Act (GMA)



GMA 1.0	GMA 2.0	GMA 3.0	GMA 4.0	GMA 5.0
Fully Planning + Buildable Lands + Vision 2050 + Update Countywide Planning Policies	Fully Planning + Buildable Lands	Fully Planning	Partially Planning	Partially Planning + Rural Element
4 Counties 4,264,200 Pop.	3 Counties 1,018,200 Pop.	21 Counties 1,993,720 Pop.	10 Counties 372,170 Pop.	1 County 7,910 Pop.
95% of State population is fully planning under GMA			5% of State population is partially planning under GMA	
Basic Comprehensive Plan Periodic Update requirements				
<ul style="list-style-type: none"> Update Comprehensive Plan policies and regulations consistent with: <ul style="list-style-type: none"> - State law changes - Case law - Updated PSRC policies (for GMA 1.0 only) - Updated countywide planning policies Plan for additional population and employment growth Conserve Resource Lands (Agricultural, Forest, Mineral) Protect Critical Areas – update regulations based on Best Available Science Capital Facility Plan Rural Element (for counties) Impact Fees authorized (Schools, Parks, Traffic) Appeals to Growth Management Hearings Board Countywide Planning Policies (GMA 1.0 required to update) 			<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court 	<ul style="list-style-type: none"> Conserve Resource Lands Protect Critical Areas Appeals to court



Appendix B: Working Group Consolidated Recommendations

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
<p>Varied planning requirements – updating categories of planning requirements</p>	<p>Amending Countywide Planning Policy requirements in RCW 36.70A.210</p> <ul style="list-style-type: none"> Updating Countywide Planning Policies (CPPs) is very valuable for counties and cities – support for making CPP updates more widespread Flexibility/incentives for CPPs better than mandate Current language is written for creating first set of CPPs. Language should be updated to reflect what is needed for an update. Could apply to Fully Planning Counties CPP discussion, should include coordinated policies with special districts. <p>Reducing Planning requirement for slow growing communities</p> <ul style="list-style-type: none"> Ability for small, slowly growing cities to opt out of full update outside of PSRC counties Looking at 10-year growth will skew data. Find simple standard for reducing requirements. Maybe cities under 1,000 who have a small growth rate could skip an update. Maybe they would not receive a new growth target. <p>Amending Buildable Lands program requirements in RCW 36.70A.215</p> <ul style="list-style-type: none"> Buildable Lands is not accomplishing its goals, but the data 	<p>Amending Countywide Planning Policy requirements in RCW 36.70A.210</p> <ul style="list-style-type: none"> Require CPP update for BL counties if BL goes away as a requirement <p>Amending Buildable Lands program requirements in RCW 36.70A.215</p> <ul style="list-style-type: none"> Eliminating Buildable Lands could potentially be beneficial, but its goal (accountability for what gets built) should be reflected elsewhere Eliminate Buildable Lands requirement as it exists; replace with more meaningful mid-cycle check for housing. 	<p>Amending Countywide Planning Policy requirements in RCW 36.70A.210</p> <ul style="list-style-type: none"> Re: CPPs, update language in RCW 36.70A.210 so it matches requirements for comprehensive plans Could make sense to require all fully planning counties to update CPPs, but beware of unintended consequences (i.e., new unfunded requirements being generated) <p>Reducing Planning requirement for slow growing communities</p> <ul style="list-style-type: none"> Support for allowing fully planning county to complete partially planning county requirements for one update when growth rates have been minimal although perhaps not in PSRC area Commerce and PSRC need to work together to avoid miscommunications about budget and growth <p>Amending Buildable Lands program requirements in RCW 36.70A.215</p> <ul style="list-style-type: none"> If Buildable Lands is retained, terminology should be amended to be consistent. Clarity should be provided regarding use of assumed vs. achieved densities If buildable lands is retained, it needs to be synced better with annexation policies. Unincorporated UGAs are assigned capacity, but not all cities provide urban services to those 		<p>General comments</p> <p>Counties should get together when they have similar geographies. Planning can happen in a vacuum and isn't coordinated. For example, critical areas are not always designated as the same. Non fully GMA planning counties have to do resource lands and critical areas. One county whose boundaries intersect the Yakama Indian Reservation is not a GMA county. This causes some challenges between the County and Yakama Nation.</p>			

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	<ul style="list-style-type: none"> collection and analysis is valuable. Some agreed that the program requirements could be eliminated. Still be an optional program. King County rep. stated she would provide information on why the program is important for King County. 		<ul style="list-style-type: none"> UGAs. Annexations are difficult, so the capacity is not truly available. If BL requirements are removed or reduced, staff resources should be shifted to permitting. 					
Varied planning requirements – additional resources for Commerce	<ul style="list-style-type: none"> Model or example elements for new element requirements (climate change, for example) Communication and PR expertise for assistance on complex/controversial issues Data tool assistance, like GIS, for communities that lack capacity Health disparities map being provided statewide would be helpful (already existing). More resources especially for partially planning counties and cities Master consultant agreement assistance Assistance with Chapter 252, Laws of 2022 compliance (tribal participation in planning under GMA) 	<ul style="list-style-type: none"> Commerce assistance to local governments explaining benefits of programs – for example, the benefits of Planned Action versus project-based SEPA to sell city councils on the benefits 	<ul style="list-style-type: none"> Regional planning group assistance through Council of Governments could be helpful GIS support Services that would help jurisdictions implement current requirements and make development process more efficient and effective Support requirement that all city and county council members receive land use training. Make this a requirement for newly elected officials As part of training include how special districts are integrated into planning process (this is from Special Districts meeting but is consistent with builder comment.) 		<ul style="list-style-type: none"> A higher level of accountability and a higher threshold to be more responsive and additional funding and resources for smaller non-GMA counties to have equal planning and consistency. Commerce checklist should include Chapter 252, Laws of 2022 compliance guidance and requirements Recommendation for future work on these issues – more time for engagement not limited to legislative sessions 	<ul style="list-style-type: none"> Can housing affordability grants from Commerce be made available directly to districts, or indirectly through cities and counties? This would have a strong environmental justice focus. Suggestion to widen scope of training for elected officials, commissioners, and staff to include water and sewer planning. Note that this is consistent with builder comment about required training. Consider doing the same with regard to school district planning and funding 		
Reduce conflicts, gaps, and redundancies	<ul style="list-style-type: none"> Sync up appeals language between SEPA, Shoreline, and Local Project Review Act where possible Allow higher SEPA exemption thresholds for multifamily Revise procedural completeness requirements in RCW 36.70B.070. Final plat should be administrative across 	<ul style="list-style-type: none"> SEPA comment periods versus underlying applications – should have just one. Suggest making the Optional DNS (ODNS) the default to make permit review and comment more accessible Eliminating project specific SEPA review if analyzed in a comp 	<ul style="list-style-type: none"> Support previous Task Force recommendation to reform permit data collection and reporting. Two approaches to substantive review: <ul style="list-style-type: none"> Set minimal criteria for review, or Allow licensed stamped plans to have presumption of acceptability Pilot program – funds set aside for building 	<p>Steve Erickson: The Forest Practices Act governs logging on all non-federal lands in Washington. It explicitly prohibits local jurisdictions from adopting regulations regulating logging unless the land is being converted to a non-forest use, i.e. development or deforestation. That is its only interaction with land use planning. If the landowner declares their intent to convert either before,</p>		<ul style="list-style-type: none"> Underground injection control (UIC) and Low Impact Development (LID) standards – Ecology (ECY) needs to enforce the anti-degradation standards in the WAC and RCW's. Will allow stormwater injection wells just about anywhere with no notice to the water purveyor. Been trying to engage ECY. Want notification! 		

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
	<p>the board. Make this the default. RCW 58.17.170</p> <ul style="list-style-type: none"> Drop the EIS for large-scale projects in favor of systemic environmental review (subarea or comp plan EIS) Combine SEPA and permit application comment periods Move preliminary plat approval to hearing examiner – no council option 	<p>plan or subarea EIS per statute, but this is not in the administrative code.</p> <ul style="list-style-type: none"> Support for changing permit tracking requirements from Task Force recommendation last year Planning should better acknowledge market realities (what won't sell won't get built regardless of regulatory intent) 	<p>permit and subdivision applications where design by licensed, stamped professionals would be accepted for construction subject to inspections (could have the applicant take on burden of peer review of reports and plans)</p> <ul style="list-style-type: none"> Look for ways to incentivize good engineering designers to serve as reviewers at jurisdictions Change the permit shot clock to require decision within 120 days of complete application (Oregon law allows writ of mandamus to get immediate court approval after 120 days) Adopt law similar to Oregon's that prevents local government from having subjective review criteria Look into ability to pull building permits before final plat is recorded once fire flow is demonstrated Look into allowing submittal of final plat once grading permit is approved and prior to construction Make unit counts synonymous with land use decision in SEPA rules Make the current available categorical exemptions the baseline requirement Is there a way to eliminate the MDNS as an option at least for some projects? Get rid of paperwork requiring an applicant to demonstrate that they are categorically exempt from SEPA. This could apply to JARPAs as well. Many remaining potentially developable 	<p>during, or after logging, the county or city can prohibit development for six years beginning on the date when the Department of Natural Resources (DNR) approved the logging. That is the only authority local jurisdictions can exercise.</p> <p>The GMA provides a framework for planning and requires counties and cities to protect critical areas. Some counties do not meet the population increase rates necessary to trigger GMA requirements, but even these counties must adopt regulations to protect critical areas. Critical areas are defined as</p> <ul style="list-style-type: none"> (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. <p>There are other problems with logging in Washington, but a simple fix here is to amend the Growth Management and Forest Practice Acts to make county critical area regulations apply to logging on lands that are not designated as resource forestland.</p> <p>In the group conversation that followed, some participants disagreed with some of Steve's premises. Some specific comments included: Implementing regulations on agricultural land has been problematic. This proposal may cause conflict, especially in consideration of small-scale logging operations. There are conflicts between the Forest Practices and the GMA.</p> <p>There are differences in the two laws and opportunities to</p>		<p>Permits are issued and districts find out after the fact. Level of customers relying on groundwater. No temperature controls, no ongoing testing of what's injected. ECY allows UIC, King County encourages it. Ground will clean water of most things given enough time, but not when it's being injected. Inorganic compounds cannot be cleaned naturally.</p> <ul style="list-style-type: none"> SEPA – well intended but poorly implemented. SEPA integration that contemplates some of these issues. UICs or certificates of availability when it comes to SEPA (ODNS). Availability and capacity, as well as environmental impacts of utilities. Maybe the development itself has little impact, but an offsite improvement like a sewer or water main could give someone an opportunity to challenge later. 		

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
			<p>areas in UGAs have slope issues that require grading. Tree preservation requirements can limit grading. Tree canopy ordinances are a better alternative with detailed landscape plans to achieve a specific tree canopy within a certain time period.</p>	<p>make the laws function better but reconciling them would be a heavy lift. A problem statement and proposal will be circulated at the last environmental working group meeting next week (8/23)</p>				
Middle housing definitions	<ul style="list-style-type: none"> • Interest in a clear definition via the state of what constitutes garden apartments • Data on where laws on middle housing would apply would be very helpful • Suggest staying away from density in state laws and sticking with housing types – practicality of prescribing density types gets tricky • The Oregon model of requiring middle housing only in cities and towns over a certain population makes sense. • Definitions should provide a range, to allow different jurisdictions in different parts of the state to fit policy to their specific community. • Type of transit is important. For example, a park and ride could meet the definition of major transit even if it's only during peak commuter time and only takes riders to a heavy rail stop northbound to Seattle. Bonney Lake, for example, isn't even 	<ul style="list-style-type: none"> • Middle housing is more appropriate for areas that are a quarter-mile away from 15-minute headway bus service. Higher-capacity transit demands higher densities than middle housing can provide • Reset discussion in Legislature – discussion of transit availability loses the purpose of the original bill. • Simplify language – coded language makes it difficult to participate in planning around housing • Support for discussing types of housing rather than density • Support for rural detached ADUs (is it possible to limit their use as short-term rentals?) • Need to ensure communities have options for families – when the only transit-adjacent housing being built is studios and 1-bedrooms, larger households will have no choice but to look outwards 	<ul style="list-style-type: none"> • "Major transit stop" means: <ul style="list-style-type: none"> (a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems, including transitways; (d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; (e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays; or (f) Washington state ferry terminals. <ul style="list-style-type: none"> • For the Major transit stop definition: <ul style="list-style-type: none"> ○ Items a-d and f should be areas where you would see densities higher than middle housing ○ Item e is where higher density middle house should be required such as townhomes 			<ul style="list-style-type: none"> • Question assumptions about whether middle housing meets goals for attainability/affordability • Better regulate sub-metering to limit how much landlords can charge for water and sewer compared to what utility provides charge the landlords (Oregon does a better job of this than WA) • Early water and sewer availability review needs to be a part of every development review • Education of planners on importance of utility system sizing, financing of water and sewer improvements, and other aspects should be strongly considered as part of middle housing projects 		

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
	<p>part of the transit district. Unintended consequences of designating what constitutes a major transit stop.</p> <ul style="list-style-type: none"> • Trying to build housing that is close to transit options, and different transit options need different housing densities and types. • Like idea of focusing middle housing around 15-minute minimum headways with at least 5 hours a day of that service. However, agencies like King County Metro adjust their schedules and routes quarterly. • Linking middle housing to road classifications in comp plans as a way of getting more long-term certainty • More amenities other than transit? Originally, metrics were really focused on getting people to their 9-to-5 jobs. 20-minute communities – places you can get to with lots of amenities (Thrasher’s Corner in Bothell for example) • If this idea of amenities has merit, also need to think about food, health care, housing, other life essentials and places that would use lack of amenities currently as an excuse 		<ul style="list-style-type: none"> ◦ Outside of areas outlined in e, single family, duplexes, triplexes, ADU, ect.. should be allowed • Incorporate density as well as housing type • Encouraging form-based codes could also help encourage middle housing. • HB 1782 was too complicated and should be simplified. For example, cut out minimum lot sizes and use gross minimum densities to achieve this. • Look at what Oregon did to make the changes that are needed at the legislative level • Provide as much flexibility as possible within the UGA instead of making transit access complex criteria for applicability 					
Housing tax benefits		<ul style="list-style-type: none"> • HB 1157 (REET incentive) is a great idea – hoping for governor’s office support 	MFTE program for flats or condos – is there a way to incentivize affordability this way?					

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
		<ul style="list-style-type: none"> • Provide menu of different incentive options • Figure out a way to get people to talk with their elected officials outside of the comp plan process, especially regarding paying for infrastructure that serves growth • Commerce help with planning for comp plan • Housing density zones incentive and housing benefit districts support • MFTE, but for homeownership incentive. Portion of units would be for homeownership • Roll several of these incentives together into one recommendation – a “buffet of options” to assist in legislative process 						
Annexations and special districts	<ul style="list-style-type: none"> • Resources to help cities understand financial impacts of annexation. Urban3 land value per acre analysis in Snohomish County. Modeling provides opportunities to model service and infrastructure costs. • Ability to use US census to not require door to door census if annexed within a certain period after a decennial census or allow OFM to issue official population estimates for an area. <i>Please note that the project team has met with OFM after receiving this comment, see state agencies column at right.</i> 				<ul style="list-style-type: none"> • Tribes – annexation within boundaries of tribal land – tribes are absent from the process. When dealing with tribal lands, is there a process by which tribes can become party to an interlocal agreement? This affects how tribes consult with jurisdictions. Especially where tribes also provide services. • Tribal growth and development patterns are different than what’s conceived of in GMA – more like city-states than cities or counties. Some cities avoid including tribal reservation areas in UGAs. Tribes like Tulalip that are adjacent to Marysville can’t get services to the reservation despite being 	<ul style="list-style-type: none"> • Remove or modify statement that cities are the preferred provider of services in GMA • Annexations should be reviewed by the question, “what is the best way to provide services to this area?” A separate third-party entity should conduct a study as part of a potential annexation 		<ul style="list-style-type: none"> • Alternative annexation method – OFM supports removing existing language in statute related to 2010 census and might be able to support language creating an alternative annexation method for annexations above a certain size where a city could choose to either conduct a census OR use an OFM-generated estimate for that area with the caveat that they couldn’t appeal that estimate.

	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
	<ul style="list-style-type: none"> • No boundary review board review if interlocal method is used • How to tweak the incentive formula to make more equitable? The areas left to be annexed in King County, for example, are diverse and low income, but the incentive is based on sales tax, so communities that collect less sales tax don't get as much out of it. • King County is working on an analysis of how the incentive worked this summer and will have recommendations later this summer. • Southwest WA (Clark Co) and Spokane County probably have lots of urbanized areas in the unincorporated UGA. Should be extended to other large counties in the state. • Boundary review boards are important for ensuring some level of equity, but more specificity from the state on how to stop creating smaller and smaller islands. • Boundary review boards are important for ensuring some level of equity, but more specificity from the state on how to stop creating smaller and smaller islands. • When a city mandates garbage service and county doesn't, but county is prohibited from garbage mandate. Simple language allowing counties to mandate 				<p>urban areas adjacent to I-5 because Marysville doesn't include them in their UGA.</p> <ul style="list-style-type: none"> ○ BRBs are able to make sure all communities are at the table, including those not incorporated with a charter, can be included, which is an advantage of boundary review boards. 			

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	garbage service within unincorporated UGAs would smooth annexation process.							
Integration of water, sewer, ports, and schools with GMA	<ul style="list-style-type: none"> Special districts for sidewalks? Statewide sidewalk utility? Special districts should be brought into planning process re: GMA. APA WA has recommended that special districts, including public water systems, be brought into coordinated growth management planning framework as other local jurisdictions. Original GMA section 18 mandated that special districts plan in conformance with counties. That was vetoed. Now it just says counties shall do a CFP and shall include all relevant information from other districts. This is a big issue when cities and counties are not in charge of those districts. 					<ul style="list-style-type: none"> Agreements with cities – if a city wants relocate or rebuild within first five years of its life, it’s on the city’s dime. Between 5 and 10 years, split 50-50. If after 10 years, utility pays for it. ULID utility local improvement district – early coordination of county talking to districts since it is not likely to happen through the typical process. Other landowners don’t have to pay for it. ADU Discount based on size – 800 square feet and under got 70 percent of full fee Would be beneficial to have water/sewer experts at counties Nutrient rule from Dept. of Ecology – need clarity on this and coordination with counties, especially in King County where the county is the regional wastewater provider 		
Equity and environmental justice and human health and wellbeing in the GMA	<ul style="list-style-type: none"> APA-WA recommended that equity and environmental justice should be a part of all of the applicable goals in existence, now. Also, have opportunity for public participation for when county wide updated are adopted Support also expressed in meeting for integrating equity, environmental justice, and human health and wellbeing into existing goals/elements or a new optional element Support for defining these terms and allowing some 					<p><i>The working group agreed to recommend new mandatory planning goals for both equity and environmental justice and human health and wellbeing.</i></p> <ul style="list-style-type: none"> Justice should not be an optional element. Actionable and meaningful requirements should be recommended to the Legislature and incorporated into local comprehensive plans. With new goals and requirements should come new 		

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	<p>flexibility in how they are interpreted and implemented in different communities around the state. Perhaps each community would have to define what these terms mean in their plans for their particular community</p> <ul style="list-style-type: none"> • The way planning grants are funded can reinforce this – bigger cities who have more resources get more money, while smaller communities that have fewer resources get less money • Clearinghouse of equity-related data – including training on how to use it • Support for including school district plans when doing comprehensive plan updates 						<p>benchmarks to measure outcomes.</p> <ul style="list-style-type: none"> • Pollution control is inconsistent between counties. • It seems like local jurisdictions have the choice whether to prioritize industry or community. Often, industry comes first. • Current inequities stem from past harm; We need to acknowledge that, undo that harm, then set ourselves on the path to more equitable outcomes; we need to use a racial justice lens. • <i>The group discussed the potential to vary equity and environmental justice and health and wellbeing planning requirements based on the size and resources of the jurisdiction.</i> • There was acknowledgement of the difficulty of giving the overburdened counties another planning requirements, but these counties should not have lesser equity and health requirements. • The group recommended mandatory goals with consideration of different conditions and requests additional resources for counties to meet new requirements • “There has to be a bar, and it needs to come with funding” <p><i>The group discussed a potential requirement to use and respond to</i></p>	



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							<p><i>community input across GMA required planning, with a potential link to Chapter 314, Laws of 2021 (the HEAL Act).</i></p> <ul style="list-style-type: none"> • The HEAL Act has already built standards, and it is important for the GMA to meet these requirements too. • This effort might be more effective if it is applied more broadly to Commerce funding, not only to the GMA. There are other funding mechanisms outside of comprehensive planning that could benefit from these requirements. • The group discussed ensuring that tribal nations have a voice in the new requirements. "Honor the treaties, honor the sacred." <i>The group discussed the creation of tools and distribution of information that identify and track areas where communities experience health disparities, mobility challenges, displacement risk, and climate risk.</i> • There is currently a lack of information about which environmental risks community members are exposed to and the connected health outcomes. • The group discussed efforts to clearly communicate the process through which legislative decisions trickle through the county and city to 	



	Planners	Realtors	Builders	Environmental Groups	Tribal nations	Special Districts	Environmental Justice	State Agencies
							<p>exacerbate equity issues.</p> <ul style="list-style-type: none"> Rural housing is not being addressed with a lot of the work being advanced through state and federal programs, and it is not compelling to private developers. Money for housing should go to non-profits, not developers. The group discussed the idea of funding incentives for building multi-modal and equitable solutions. <p><i>The group discussed developing an approval, monitoring and enforcement process to ensure progress toward goals.</i></p> <ul style="list-style-type: none"> "We need to further develop the carrot and stick and figure out how to engage more people across the state in this once in a decade process." Who decides if a goal has been met? Are there markers or quantitative measures define when a municipality has met a goal? Could the GMA include a requirement that community gets to decide those markers for their county? 	



Appendix C: Project Survey Results Summary and Tabulation

COLLABORATIVE ROADMAP PHASE III – WEB SURVEY RESULTS

The Collaborative Framework Phase III project builds upon the findings, concepts and recommendations in recent state-funded reports to make recommendations to the Legislature on reforms to the state’s growth policy framework.

During this phase of work, the project Task Force will make recommendations the Legislature prior to the 2022 and 2023 legislative sessions. Task Force participants represent a broad range of perspectives. Project engagement will also include a special focus on Federally recognized Indian tribes and the lived experiences and perspectives of people and communities who have too often been excluded from public policy decision-making and who are unevenly impacted by those decisions.

In 2021, the Roadmap Phase III Task Force considered five topics and made formal recommendations to the legislature on four of those topics for the 2022 legislative session. See last year’s legislative report here: [Legislative Report for the 2022 Legislative Session](#)

In 2022, the Task Force is considering eight topics for possible recommendations to the legislature:

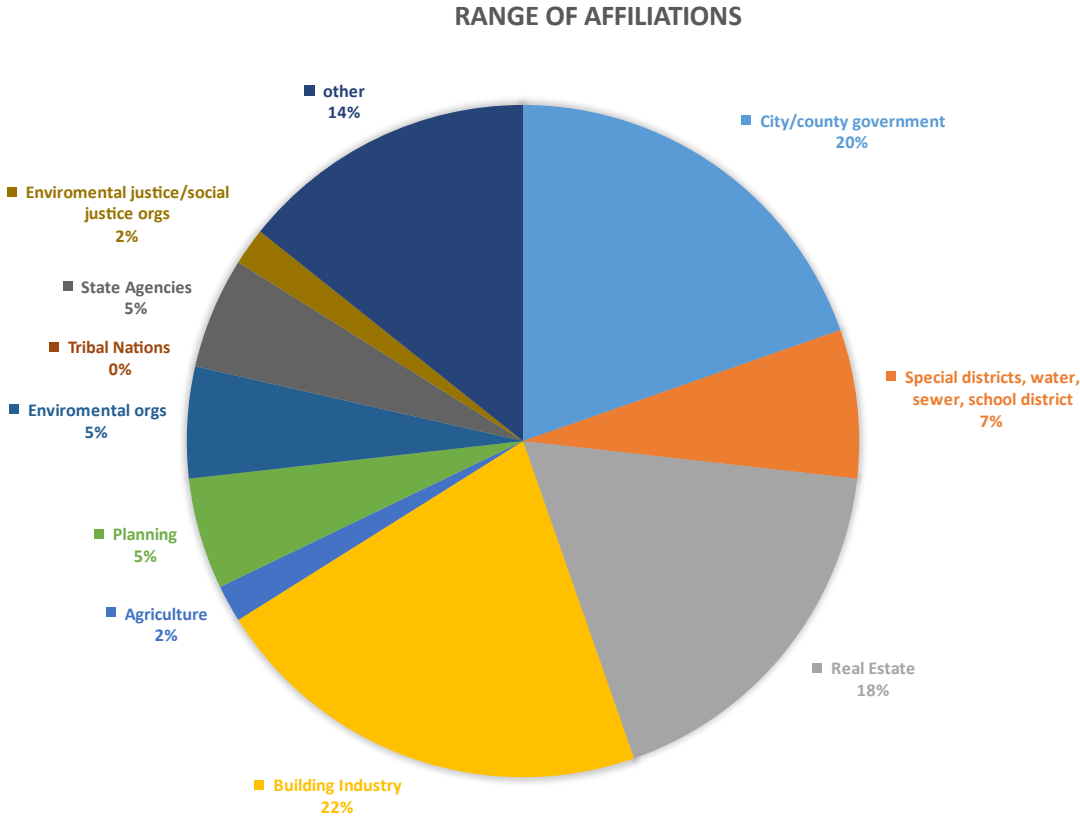
- **Reducing conflicts, gaps, and redundancies**
- **Varied planning requirements – recognizing regional differences and prioritizing additional resources provided through the Department of Commerce**
- **Development of a potential human health and well being goal in the Growth Management Act**
- **Development of a potential equity and environmental justice goal in the Growth Management Act**
- **Integrating water, sewer, school, and port districts in GMA planning**
- **Annexations and special districts**
- **Middle housing definitions**
- **Housing tax incentives**

The project team developed a web survey on the Department of Commerce website to collect input on these eight topics in the summer of 2022. Fifty-seven (57) people answered more than 30 questions about these eight topics, providing valuable perspectives and suggestions. This document reports on the results of this survey.

Who are you?

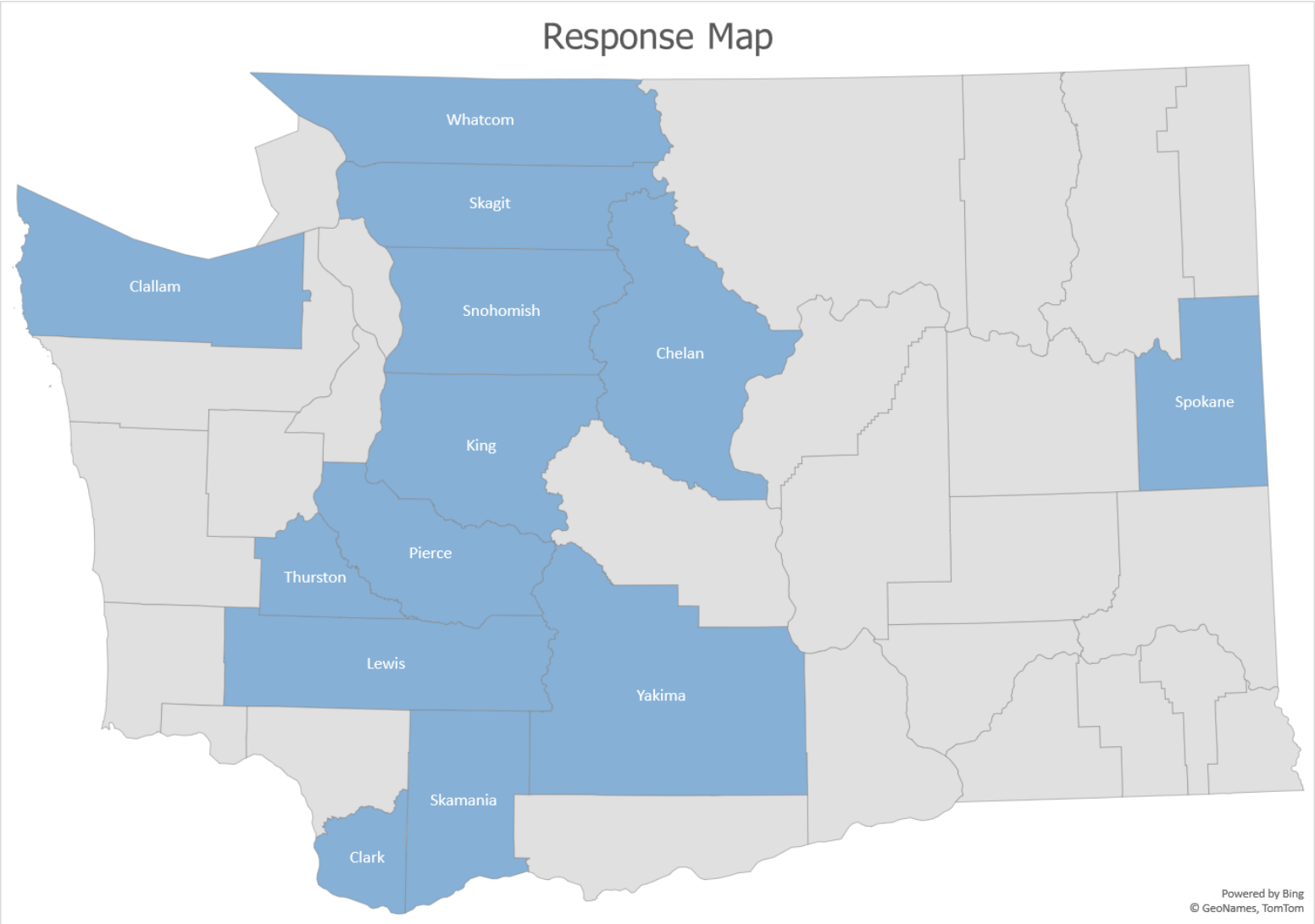
1. Are you a member of any of the following groups or communities? Please select all that apply.

- a. City or county government
- b. Special districts, like water, sewer, or school districts
- c. Real estate
- d. Building industry
- e. Agriculture
- f. Planning
- g. Environmental organizations
- h. Tribal Nations
- i. State agencies
- j. Environmental justice or social justice organizations
- k. Other (includes-concerned/Interested citizens, independent county board: Boundary review Board, Legal, and Local orgs advocating for GMA principles)



2. What is the zip code where you live?

Respondents weighed in from zip codes in the counties shown below.



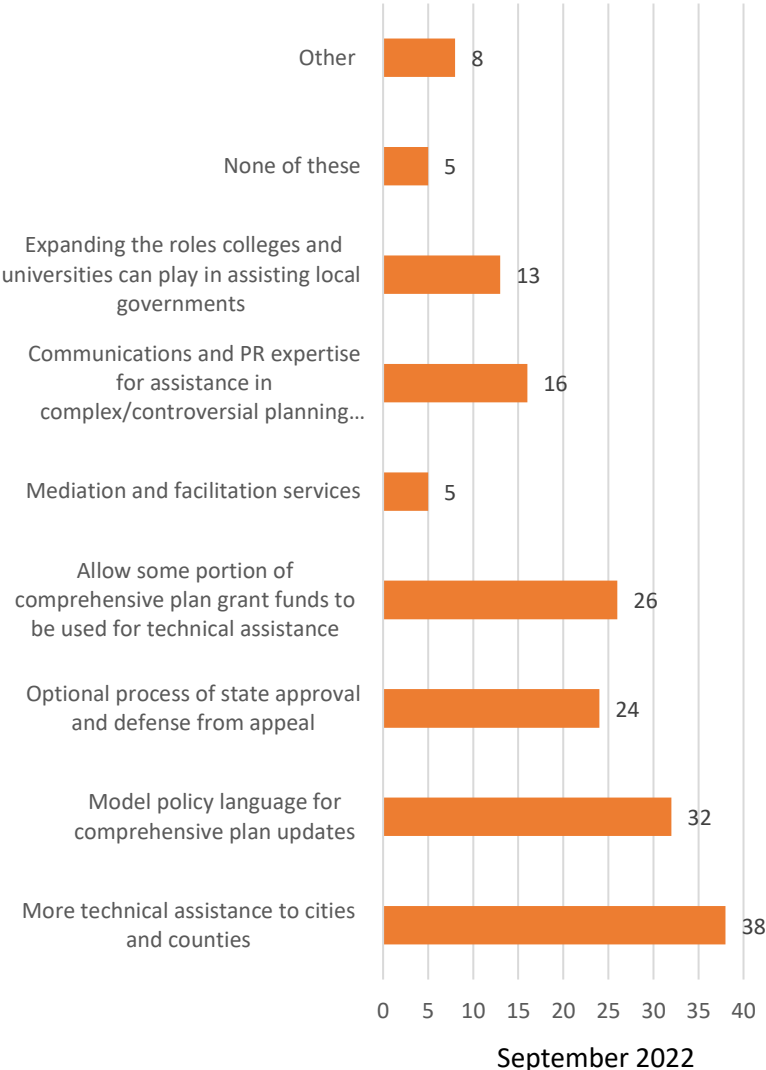
Topic: Varied Planning Requirements

Questions:

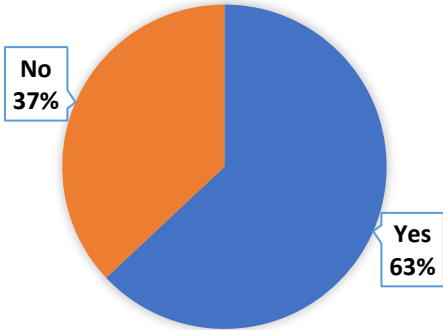
1. We are looking at ways the State can provide more assistance to local governments, particularly cities and counties, with fewer resources.

Which of these options, if any, do you think Washington State should fund to help local governments plan under the Growth Management Act? Please select all that apply.

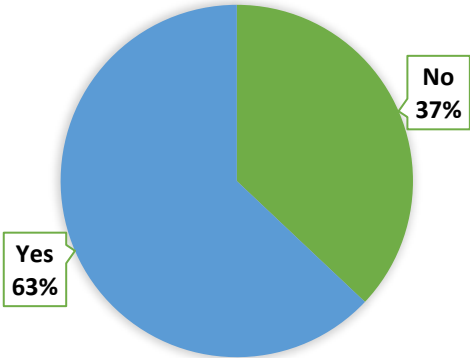
- a. More technical assistance to cities and counties
- b. Model policy language for comprehensive plan updates
- c. Optional process of state approval and defense from appeal
- d. Allow some portion of comprehensive plan grant funds to be used for technical assistance
- e. Mediation and facilitation services
- f. Communications and PR expertise for assistance in complex/controversial planning issues
- g. Expanding the roles colleges and universities can play in assisting local governments
- h. None of these
- i. Other (blank text box)



2. Should more counties be required to regularly update countywide planning policies? (Y/N)



3. Should slow-growing cities and counties that fully plan under the Growth Management Act have fewer requirements if their growth rate falls below a certain rate in the years leading up to their comprehensive plan update? (Y/N)



Topic: Reduce conflicts, gaps, and redundancies

Questions:

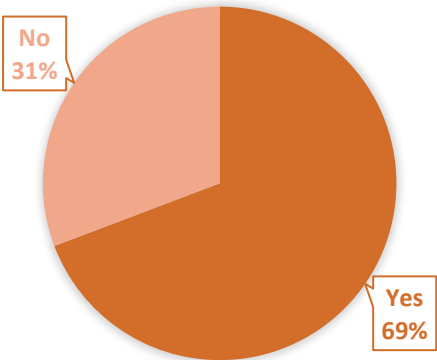
- 4. What are **specific ideas** you may have for how to eliminate gaps, conflicts, and overlaps in State requirements? Please briefly describe up to three below.

Open-ended question, please see Appendix 1 for response comments.

Topic: Annexations and Special Districts

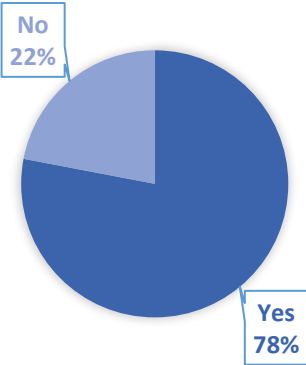
Questions:

- 5. Should the State provide financial incentives to encourage cities to annex land in their urban growth area? (Y/N)

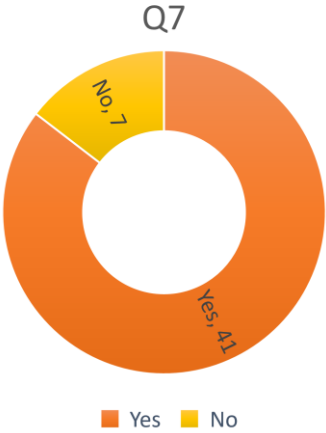


- 6. A State law that created a sales tax incentive for annexations expired in 2015. It only applied to annexations in King, Pierce, and Snohomish counties, and to areas with at least 10,000 people. It was not an increase in the sales tax, instead, communities receive back a small portion of the sales and use tax from the revenue that would be going to the state.

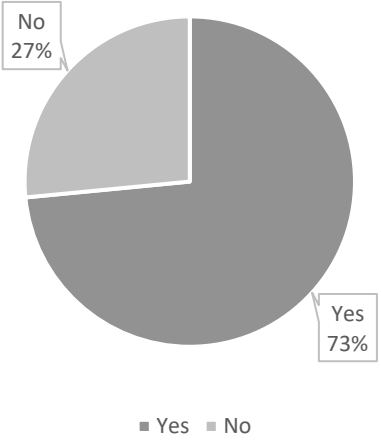
Should the sales tax incentive be reinstated? (Y/N)



7. If it is reinstated, should the sales tax credit for annexations be permitted for cities in additional counties? (Y/N)



8. Should the amount cities get in the sales tax incentive be increased, even if that means less revenue at the state level? (Y/N)



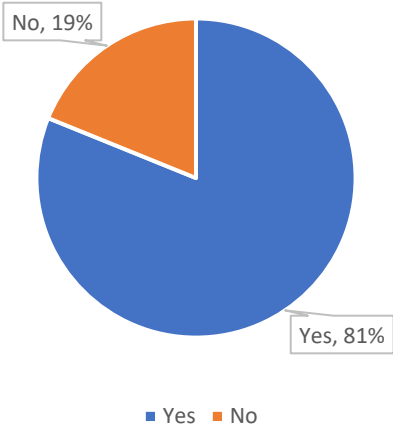
9. Do you have any additional specific feedback on annexations?

Open-ended question, please see Appendix 2 for response comments.

Topic: Integrating water, sewer, ports, and school districts into Growth Management Act planning

Questions:

10. Should State laws that guide how water, sewer, school systems, and ports plan for future services be consistent with how cities and counties plan for growth? (Y/N)



11. Why or why not?

Open-ended question, please see Appendix 3 for response comments.

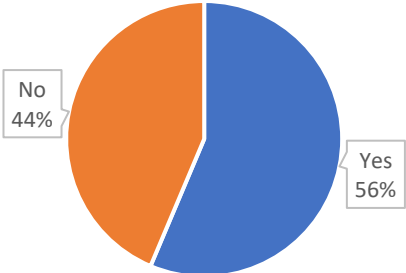
12. Do you have specific technical information or suggestions that can help us frame how to approach this topic?

Open-ended question, please see Appendix 4 for response comments.

Topic: Equity, environmental justice, and human health and wellbeing in the Growth Management Act

Questions:

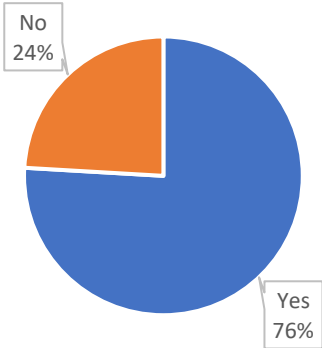
13. Should cities and counties have to consider equity as they develop specific plans and policies for future growth and change? (Y/N)



14. Should cities and counties have to consider environmental justice as they develop specific plans and policies for future growth and change? (Y/N)

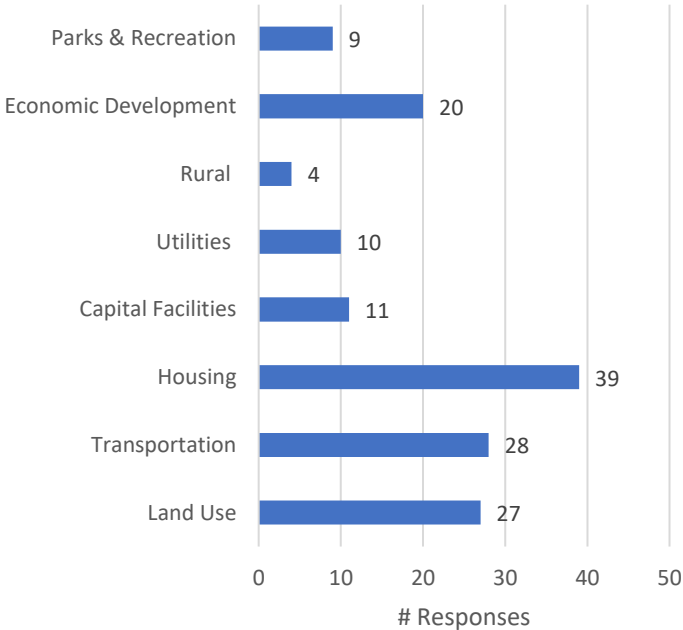


15. Should cities and counties have to consider human health and wellbeing as they develop specific plans and policies for future growth and change? (Y/N)



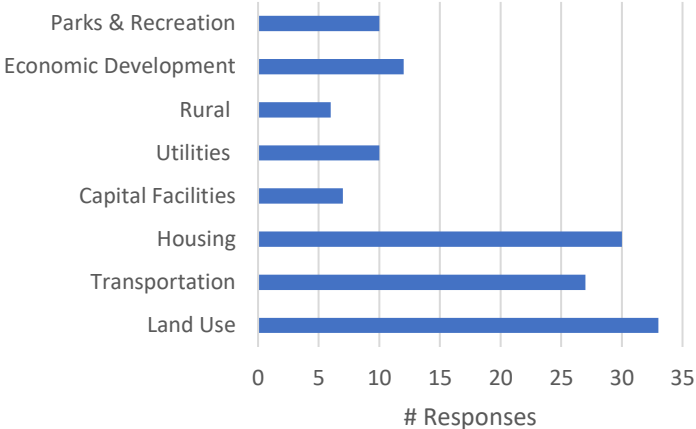
16. When jurisdictions are planning, which of the following planning areas are most important in relation to equity? Please choose your top three.

- a. Land use
- b. Transportation
- c. Housing
- d. Capital facilities
- e. Utilities
- f. Rural
- g. Economic development
- h. Parks and recreation



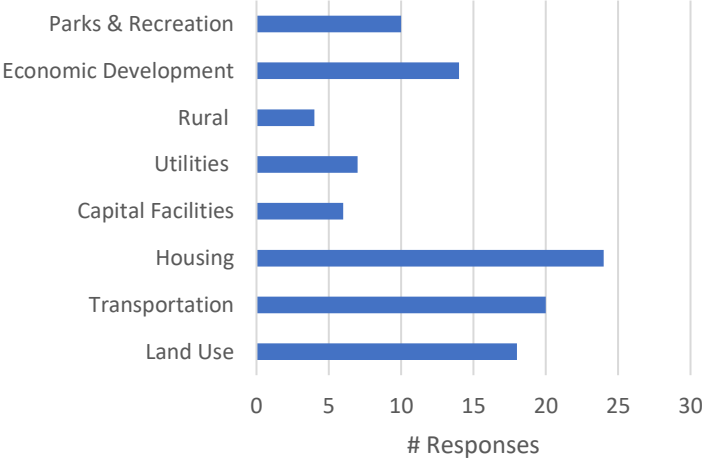
17. When jurisdictions are planning, which of the following planning areas are most important in relation to environmental justice? Please choose your top three.


- a. Land use
- b. Transportation
- c. Housing
- d. Capital facilities
- e. Utilities
- f. Rural
- g. Economic development
- h. Parks and recreation



18. When jurisdictions are planning, which of the following planning areas are most important in relation to human health and wellbeing? Please choose your top three.

- a. Land use
- b. Transportation
- c. Housing
- d. Capital facilities
- e. Utilities
- f. Rural
- g. Economic development
- h. Parks and recreation





19. How should cities and counties pay for any new requirements in the Growth Management Act to require more thorough engagement with groups that are typically underrepresented in the planning process and unevenly affected by its outcomes?

Open-ended question, please see Appendix 5 for response comments.

20. How and when can cities and counties best integrate equity in community engagement?

Open-ended question, please see Appendix 6 for response comments.

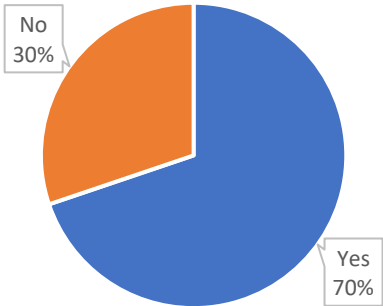
21. Do you have any other specific information we should be considering?

Open-ended question, please see Appendix 7 for response comments.

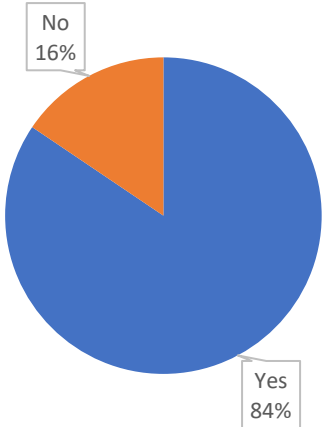
Topic: Housing tax benefits

Questions:

22. Should cities and counties receive state tax incentives to allow more diverse housing types? (Y/N)



23. If yes, should cities and counties receive state tax incentives to allow more diverse housing types, even if that means less tax revenue for the state? (Y/N)



24. Do you have any more specific information or suggestions on what we should consider when looking at financial tax incentives for housing?

Open-ended question, please see Appendix 8 for response comments.

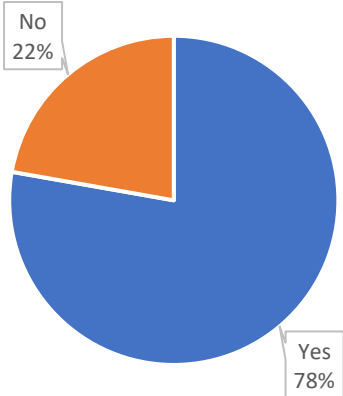
25. Do you have any general perspectives on housing availability and affordability you would like us to consider?

Open-ended question, please see Appendix 9 for response comments.

Topic: Middle housing definitions

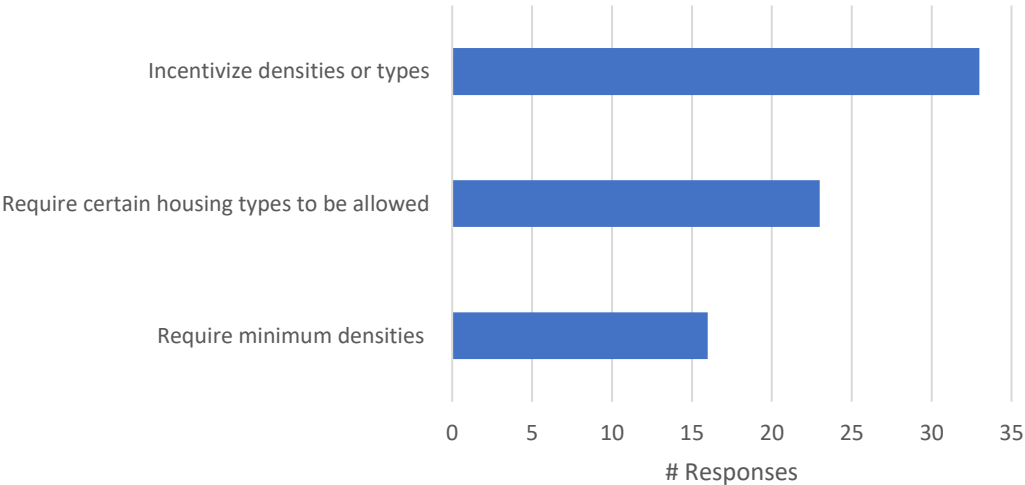
Questions:

26. Should the State require or incentivize certain housing types or densities when transit service is readily available? (Y/N)



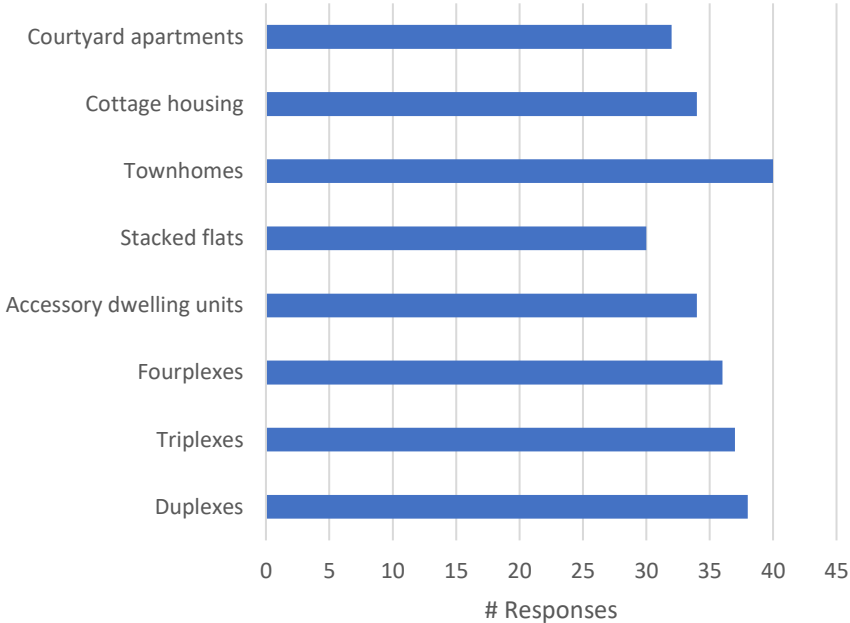
27. If yes, should the State:

- a. Require minimum densities
- b. Require certain housing types to be allowed
- c. Incentivize densities or types

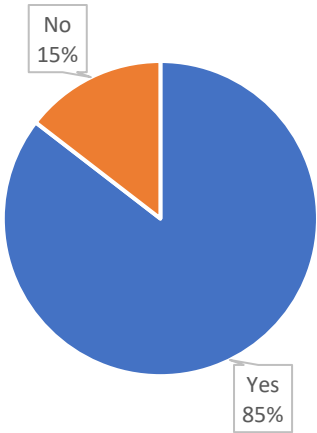


28. Whether required or incentivized, which of the following housing types should the state focus on? Please choose all that apply.

- a. Duplexes
- b. Triplexes
- c. Fourplexes
- d. Accessory dwelling units
- e. Stacked flats
- f. Townhomes
- g. Cottage housing
- h. Courtyard apartments

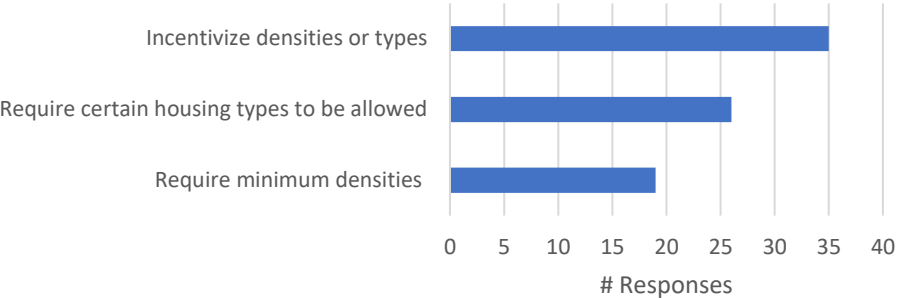


29. Should denser housing options, like larger apartment buildings or mixed-use developments, be required or encouraged when transit service is more frequent or higher capacity (like [light rail](#) or [bus rapid transit](#))? (Y/N)



30. If yes, should the State:

- i. Require minimum densities
- j. Require certain housing types to be allowed
- k. Incentivize densities or types



31. Do you have any specific information you'd like us to consider on middle housing types?

Open-ended question, please see Appendix 10 for response comments.

<p>Appendix 1: Comments for question 4</p> <p>What are specific ideas you may have for how to eliminate gaps, conflicts, and overlaps in State requirements? Please briefly describe up to three below.</p>
<p>I don't know</p>
<p>I don't know. But, we definitely need to eliminate the overlaps and duplications in state requirements. These things cost us time and money.</p>
<p>We need to allow local government more flexibility in the planning process. In achieving the goals of the GMA, Commerce should be more aware of creative solutions to be fulfilling the general intent of the Act.</p>
<p>(1) Exempt infill development from SEPA review (if project is consistent with applicable comp plan and zoning); (2) Need more state mandates to locals for missing middle and higher density development ("local discretion" resulting in lack of action by cities) is causing GMA to come apart at the seams; (3) place limits on the authority of local jurisdictions to require tree retention in urban areas outside of designated critical areas</p>
<p>Fewer requirements. Stop micromanaging your constituents!</p>
<p>WSDOT has hosted a Transportation Efficient Communities state team comprised of the Departments of Commerce, Ecology, Health, and Transportation. This team could be reinvigorated to discuss gaps, conflicts, and overlaps in state requirements that touch these four departments.</p> <p>VMT Reduction work currently underway and collaboration with Commerce, WSDOT, and others over climate action should generate proposals to change rules and processes that currently drive greater vehicle miles of travel, which undermine other state policy goals.</p>
<p>This is not a one size fits all. There should be area or site specific metrics applied. Heavily populated areas should not have voting authority over rural Washington!</p>
<p>model policy language and guidance could help understand when there are multiple policy priorities that are supposed to be balanced together.</p>
<p>Not sure if this actually answers the question or not, but both a city and county plan for properties within a city's UGA that are not yet annexed. I don't believe a county should allow development in these areas and the properties should have to be annexed prior to development because these areas are usually built substandard to city regulations and it makes it difficult to correct these issues down the road.</p>
<p>-Gap- Strike "jurisdictions planning under RCW 36.70A.040" and similar wording from all legislation enabling incentives and replace it with " jurisdictions satisfying their planning requirements under RCW 36.70A.060".</p> <p>-Gap- Enable more-direct enforcement action from Department of Ecology and Fish & Wildlife or other agencies with more expertise in environmental compliance. Small, jurisdictions' enforcement can be overwhelmed by political pressure and lack of expertise.</p>
<p>I am a bit new to WA state government so I don't feel I have a great list of what the gaps are in WA state requirements. Oregon yes WA no. :)</p>
<p>Elected official training both on GMA and understanding the roles of other units of government in relation to planning and growth management</p>
<p>Allow cities and counties to eliminate SEPA review when all potential impacts are addressed through existing development regulations.</p>
<p>Provide full authority to cities and counties for all permits and variances under their SMP, rather than some having to be approved by Ecology</p>

<p>1) There needs to be a process for addressing communities which greatly undershoot or overshoot their growth targets. In practice the growth targets in our county are meaningless.</p> <p>2) There is not enough consideration of transportation in planning for growth. As a community not served well by public transit, is it appropriate for us to encourage urban scale densities knowing a majority of our commute trips will be SOVs over long distances?</p> <p>3) Discourage development in Urban Growth Areas outside of cities or greatly encourage cities to annex areas already developed at an urban scale. Southwest Snohomish County is now rife with urban scale development that is unlikely to ever be annexed.</p>
<p>establish a committee to review laws and issue reports to Legislature with recommendations to address the issues that are noted</p>
<p>in a fast growing economic climate, planning takes to long to address the growth. Maybe have modification that if growth exceeds a certain level, planning can happen sooner.</p>
<p>Always have an issue with the divergent goal of affordable housing and GMA. by its nature, limiting growth increases costs (land particularly).</p>
<p>1) Require number 'truthing' i.e. compare population growth with actual numbers, put aside actual money on a schedule for capital facilities to meet the long term planning needs.</p> <p>2) Look for ways to reward a 'yes' approach to planning vs. the easier 'no' to everything.</p> <p>3) Issue guidelines on how long, from start to finish a permit should take. Then we have a context by which to measure performance.</p>
<p>Expand and strengthen Growth Management section of WA Commerce dept with staff to identify conflicts and overlaps and to coordinate among agencies and jurisdictions. Fund MRSC to assist with this work.</p>
<p>Repeal the Growth Management Act and let Locals plan on their own. Get the state off locals back</p>
<p>If a conflict arises the State requirement should trump local and county.</p>
<p>Need to have a easier more defensible process to convert non viable Agriculture land to developable property.</p>
<p>the more things done correctly at a state level the less variation at a county and jurisdictional level... right now each jurisdiction does its own thing Renton only allows detached ADU's and Bellevue only allows attached? doesn't make sense.</p>
<p>Increase buildable areas 2 to 1 for whatever is lost to environmental set asides.</p>
<p>For land use applications that create 30 or less units/lots local municipal regulations and not state regulations will govern the process.</p>
<p>SEPA is already integrated with review of the underlying substantive proposal. Yet, many stakeholders either do not know this or understand how they are linked. Further, many stakeholders who say SEPA is redundant either do not understand or are misleading in regard to whether meeting an environmental standard is the same as presenting the potential environmental (and human health) impacts, alternatives and potential mitigations.</p>
<p>Simplify and streamline all processes, eliminating 50-75% of bureaucracy to create a broad base for industry to solve the growth crisis. Too complex for the average small business to build, engage, or grow. Far too many straws in the river.</p>
<p>Habitat restoration projects often need to be rescoped and decreased due to a range of permitting and other state requirements, not just GMA requirements but also DAHP, DNR, WDFW, etc., plus federal requirements. Pulling recommendations from the Multi-agency review team might be a good start to identify solutions to these overlaps.</p>
<p>SEPA in most cases is a duplicative process. The regulatory reforms that have taken place since its inception have added layers of regulation to address the SEPA related issues on most projects.</p>

<p>There is so much that needs to happen. Not all GMA goals are created equal in the eyes of the GMHB which is not how the system is designed. GMA should have an increased standing requirement. GMA vesting should be restored.</p>
<p>SEPA exemption should not be optional. The state minimums should be applied. Communities should not be allowed to use development regulations to circumvent density goals. Excessive setbacks, landscape and tree requirements are used to eliminate density. Utility overlay regulations increase project costs to the point of killing them. Utilities cross with a minor patch (15'-20'). The same crossing for a short plat triggers a 150' patch across a 4-lane street. These are only small examples</p>
<p>Require coordination with public/private service providers for capacity needs prior to allowing land use zoning designation changes that will increase development densities.</p>
<p>(1) close annexation loophole. Require that annexations not become effective until any appeal periods associated with related UGA expansions/modifications have lapsed or been resolved. (2) Require the expanded use of countywide planning policies to better coordinate planning efforts of cities, counties, special purpose districts, and state agencies, and to more effectively plan for matters of regional concern. (3) Ensure consistency between Counties/Cities and state agencies and special purpose districts by subjecting capital plans adopted by stage agencies and special purpose districts (WSDOT, RTPs, dike/drainage districts, school districts, sewer/water districts, etc) to GMHB appeal. At present consistency is required but there is no accountability, leaving cities/counties without any assurance of whether or not urban services will be provided, when, where, and with what funding.</p>
<p>Adopt common intervals and timelines for plan updates</p>
<p>Where state agencies review/approve plans ensure review is consistent with law and planning requirements (examples include DOH and DOE).</p>
<p>The GMA is supposed to be a planning document and many advocacy groups now are using it as a substantive control tool instead of just a loose held vision of what local governments would like to see. Local choices are being bulldozed by state requirements. It's time to replace that destructive tendency by having the Department use more flexible wording in all of its rules.</p>
<p>State requirements that are covered in statutes outside of the RCW 36.70A should not be pulled into planning. For example, water requirements are in different statutes. Consider removing obligations in the GMA for things that are governed by other statutes.</p>
<p>Integration of service providers (fire districts, school districts) in comprehensive plan updates. Requirement to update Countywide Planning Policies at the same time as periodic review of comp plan. Options for tourist-based town to incorporate when the full time pollution is not enough to meet the current threshold.</p>

Appendix 2: Answers for Question 9
Do you have any additional specific feedback on annexations?
No
Obviously, a lot of the challenge is having the proper infrastructure.
There needs to be some assistance to counties for the loss of revenues.
Annexations should still have voter approved aspect to it.
No.
In my "night job" capacity as a city council member (and mayor) I think cities need a financial incentive to annex unincorporated urban areas.
With the right protections, our answers to the preceding questions would be yes. What is being annexed matters. If an area has been developed at urban densities with a mix of uses and a complete multimodal transportation network, then it makes sense to incentivize that area to be incorporated into a city. If annexation contributes to a greater sprawling of the city, then it is counterproductive to annex that area. Any incentives need to be targeted to the context and development patterns and not be a blunt instrument.
Annexation of existing single family neighborhoods is often not financially prudent for many cities. There must be a financial incentive.
To what extent would or could annexations eventually, over time, generate more tax revenue? Is it possible that more intensive development in annexed areas would improve the tax base?
Again make the tax credits applicable across all of Washington
Annexations are expensive and risky. Cities are better at providing urban services. They should be encouraged. Without a tax incentive, just the preparatory studies are cost prohibitive, and post-annexation, the ramp-up of services can be a huge hit.
Annexations are a lengthy process for an area of land that is already identified and planned for under the Comprehensive Plan. There should be a more streamlined process.
Place greater focus on discouraging development outside of city limits, even within UGAs. This will create a market incentive for annexation by land-owners/developers.
No
Anything that incentivizes cities to annex their UGAs should be considered.
Remove Boundary Review Board review of all city annexations within UGAs, provided the city has an interlocal agreement with affected special districts.
I have seen good outcomes of local requirements that sewer not be provided outside of City limits. It prevents sprawl and encourages annexation while giving cities much more control over local development.
It's all about the money, so if the County is less harmed, they shouldn't fight annexation as much.
Ban the use 'Urban Growth Reserve' used by municipalities. It is used to put land in limbo that the municipality doesn't want to be forced to spend \$ for capital improvements because they don't adequately plan for capital facilities when doing comprehensive planning.

<p>Examine sources of city annexation costs that might be reduced, e.g. allowing OFM population estimate of annexed area in lieu of full census. Convene budgeting experts to seek ways to reduce county revenue loss from annexation, ameliorating one type of obstacle in the way of annexing.</p>
<p>Why is the state involved in local annexations? Get off the locals back. Olympia and Urban folks done understand local control.</p>
<p>Annexations should be encouraged by the state.</p>
<p>This only helps Commercial annexations. It doesn't provide incentives for much needed residential land.</p>
<p>I have been involved in several annexations across multiple jurisdictions they need to make it easier and a smart thing for cities to do.</p>
<p>Note response above.</p>
<p>Funding for the study of annexation and or incorporating into a city within a county should be funded by the respective county.</p>
<p>Control of annexations and the tax revenue generated should be retained at the local level. The State is a poor steward of funds, and financial resources applied at the local level are more effective for solving complex issues.</p>
<p>I think that annexations should occur if they are the first step needed to encourage more denser development and missing middle housing in the UGA. UGAs seem to be in limbo--not quite at urban densities and therefore not able to deliver urban level services (water, sewer, etc) and so they exacerbate sprawl. Either annexation or intentional rezoning to encourage denser development within the UGA (and service delivery) is needed.</p>
<p>The UGA needs to be expanded</p>
<p>With respect to financial/tax incentives for annexations. These incentives should only be offered if corresponding changes are made to prevent counties from permitting urban, or quasi urban, levels of development in unincorporated UGAs prior to annexation. Absent effective restrictions on urbanization in advance of annexation cities will be trapped in an endless cycle of repairing/upgrading inadequate infrastructure and or attempting to reshape land use patterns authorized by counties.</p>
<p>Also, with respect to annexation. Changes need to be made to annexation laws so that annexation is essentially automatic, and not subject to voter approval, following the expansion of a UGA. The expansion of an UGA, and the boundaries of the associated City should tied together. Important pubic policy questions related to where, and how, cities should expand should occur during the discussion of UGA changes.</p>
<p>Cities and Towns do not have enough funding for current services, fix that first. Cities and towns are not always the best provider of other services (water, sewer, emergency services) due to funding constraints, also may lack expertise or economy of scale to provide these services.</p>
<p>Why is the state bailing out the richest counties in the state instead of all of the counties?</p>
<p>Tax incentives should be narrowly tailored to help pay for permitting staff that works to speed up permitting approvals/decisions rather than allowing it to go for other types of work. All too often, incentives are crafted in a way that spreads the funding to other interests so that the stated intent doesn't actually get accomplished.</p>

1. Cities should only be able to request expansion of their UGA the year following the OFM population forecast is release or at the same time as their comp plan updates.
2. Cities should be required to have an annexation plan for their UGA and that annexation plan should be updated at the same time as the their comp plan. If there is no adopted annexation plan then UGA expansion should be prohibited.
3. Cities in many counties adopted very large UGAs years ago because they wanted to grab land when they could and no they realize their UGAs are too large or in the wrong location (usually because the city won't be able to serve it). We need an easy process for giving back UGA.

Appendix 3: Answers for Question 11
Why or why not should State laws that guide how water, sewer, school systems, and ports plan for future services be consistent with how cities and counties plan for growth?
If they are not consitent, they will undermine eachothers efforts. Alos, integration will lead to a more holistic vision for the future of our communities and be more efficient with resources and capacity.
Consistency make for predictability which makes for better services.
The problem is that if this is done state-wide, without a regard for rural vs urban, you will be require too much for planning from small school systems. Much of this has to do with scale. Ports are usually service-intensive. The planning for the Port of Port Angeles should not be consistent with the planning for the cities of Forks and Clallam Bay, even though all are in Clallam County.
There is work that needs to be done to better facilitate meeting the infrastructure demands based on state requirements.
Consistency of the planning process would be beneficial for all parties.
Yes, because there is no coordination now. Particularly schools and water.
You have screwed up those laws enough.
Schools are oftentimes built where land is less expensive. The infrastructure isn't always in place to allow for safe, active transportation or public transportation options. It's not safe for biking or walking children and families to site schools in heavy freight or port corridors. It's important for how water, sewer, school systems, and ports plan for future services to be consistent with how cities and counties plan for growth.
I'm assuming there would be variations based on density, accessibility, resources...
Consistency across the board
Yes, because service provision is a huge development driver and if they operate outside of planning policies, what's the point of the policies!
All of these items play a part in the growth of a city or county. If all areas are not planned to the same growth numbers it can result in shortfalls.
Development and change are regularly stymied by a lack of across-the-board planning in these areas (particularly water/sewer, schools). Addressing that would make the planning process more cohesive, and more effective.
A carriage isn't going anywhere if the horses are running in different directions.

Well if laws that guide these services at the state level are not consistent with how cities and counties plan for growth then that could be problematic from cities, counties, and state perspective, Right? Laws and guidance may be in conflict. That confuses folks. That makes it hard to know what to do.
They are directly linked
The emphasis should be on planning coordination, not additional planning requisites for special purpose government
In many places, these special districts are the primary provider of essential services that must be addressed in the capital facilities element of comprehensive plans.
The method for how schools plan for growth always lags behind city issues and it almost always results in schools missing the initial growth boom. However, I would worry because most districts I have worked with lack capacity and are not very successful at this kind of long range planning.
we need to stop working at cross purposes.
Caveat is that it should only be applicable to those counties that are having the growth issues, or in other words counties required to currently plan. Don't make a broad stroke for everyone as the smaller counties should be able to opt out.
Each area is unique and for the legislature to think they can address each unique area is folly
I don't often trust how efficient the state's planning is. The more decision that is left to the local county or city, usually, the better.
Utilities and urban services have been the stepchild of the GMA, having only a secondary role in growth management planning. They should be fully at the table in CWPPs to ensure that all communities are served, without overlap.
I am broken record. The state should not be controlling local planning or local issues
what ever we do, it needs to remove barriers for expansion of the UGA.
The State should be held to the same standards.
right now there is no coordination, also have alot of small districts that are no cost effective need to look at merging smaller entitites into larger to get economies of scale.
WSST collected from Growth must be committed to supporting growth.
They should be guidelines but not mandates. However the State should mandate population growth (fair share) and allow cities and counties first to meet those numbers and the necessary infrastructure to accommodate that growth. If Cities and Counties consistently miss their fair share the State should be given authority thru GMA to suggest changes and withhold funding until municipalities come back into compliance. This is for fully planning counties with buildable lands reporting.
It's not "comprehensive planning" without consistency and participation.
This is a major flaw of the growth management act to begin with. Not incorporating infrastructure into the planning of growth is a massive falacy, and a prime example of why central planning at the State level is flawed and should be avoided where ever possible.

Water, sewer, school systems all drive where development demand is and the development patterns. These should be coordinated and consistent with county and city plans that include focus on protecting green space, including habitat, ag land, and working forest. (I don't know enough about ports to comment on them)
these are all imperative to how growth occurs and the main reason GMA is flawed. (proximately to utilities takes developable land in the UGA out of the mix for property able to develop to its highest and best use due to cost of utility extensions)
State laws should support how the cities and counties plan to expand or infill because otherwise those laws can act as barriers.
It has not been an issue for me . Don't add complexity
As providers of specific urban services, such special purpose districts should integrate their own strategic planning with the underlying city/county land use planning.
This is a strange question. Has anyone seriously suggested they should be inconsistent? The provision of urban services is one of the most powerful tools a City/County has to shape, enable, or prohibit growth. In some jurisdictions the majority of services (sewer, water, schools, transit service, and fire protection) are provided by special purpose districts. Absent consistency with city/county plans there's no way for cities/counties to plan effectively. For example, designated an area of urban levels of development is meaningless if a sewer district refuses to provide service or a fire district cannot effectively respond to calls.
These services are essential for growth and must be inline with plan (planning and CIP).
The consistency requirements make it so smaller jurisdictions never get investments they need. Getting rid of the consistency requirements would provide needed flexibility.
Coordination should be encouraged yet because the plans for growth are not necessarily where property owners actually decide to develop, and are very slow to be adjusted to the realities, it would be better not to tie down the ability of those who need to deploy services in a manner that can lead to litigation from people outside of the community.
(And Fire Districts). Yes, because the GMA requires proof of adequate services for growth and development. But the special service districts are planning for growth the same what counties are and their is a lag.

Appendix 4: Answers for Question 12
Do you have any technical information to share for why or why not should State laws that guide how water, sewer, school systems, and ports plan for future services be consistent with how cities and counties plan for growth?
no
Have a two or three tier system for planning for growth.
No.

<ul style="list-style-type: none"> • School Facilities Manual, Site Selection, Pages 111-119 (http://www.k12.wa.us/SchFacilities/pubdocs/SchoolFacilitiesManual2011.pdf) • Summary Report First Summit on School Planning and Siting in Washington, Highline Community College, February 2007 (http://www.k12.wa.us/SchFacilities/Publications/pubdocs/SummitSchoolSitingReportMay2007.pdf) • US Environmental Protection Agency. 2003. Travel and Environmental Implications of School Siting (http://www2.epa.gov/smartgrowth/travel-and-environmental-implications-school-siting) • Impact of Safe Routes to Schools program on walking and biking (http://activelivingresearch.org/sites/default/files/ALR_Review_SRTS_May2015_0.pdf) • US Environmental Protection Agency, Safe Routes to School (http://www.epa.gov/schools/transportation/saferoutes.html) • US Environmental Protection Agency, Smart Growth and School Siting (http://www2.epa.gov/smartgrowth/smart-growth-and-school-siting) • Schools for Successful Communities: An Element of Smart Growth (http://www2.epa.gov/sites/production/files/2014-02/documents/smartgrowth_schools_pub.pdf)
Probably comprehensive plan reviews, maybe with requirement to sync with UGAs or regional planning goals
In order to receive state funding they would be required to complete necessary plans.
Local political rifts and/or conflict avoidance could derail plan consistency. Establish a professional tribunal/review system within Commerce to approve/evaluate consistency. In the first case an action to approve or deny would provide some sense of finality. In the second an evaluation might provide some evidence or presumption to use in an appeal or challenge to the smaller district plans.
Well to be consistent at various government levels, we need to know what each level is doing. So what is happening on local levels like cities and counties, what are there issues and concerns, what works, what does not. And same for the state. Do we pick easier things first or go for changing the bigger issues first?
I would frame this as harmonizing the efforts between different stakeholders when it comes to growth.
no
Sorry, no.
Yes, go away
i would look at economies of scale and what the cost for service is for larger entities weather that be cities, water, sewer, school districts. also they have no accountability for how they spend the money.
I co authored the City of Kirkalnd's 2020 plan in 1995. I was able to forecast and see the results from our state's GMA policies, so i built and experienced first hand how GMA worked, or acutally, mostly did not work.
167 connection to the Port of Tacoma should have been built 40 years ago. Connecting warehouse infrastructure to the port.
Growth in Pierce County should have occurred in the Rural seperator between Puyallup and Tacoma where the INFASTRUCTURE is. Not pushed into Graham, Bonney Lake, and beyond. Rezone and Rework.

Properties in the UGA which are not within 300ft of water or sewer mains capable of serving them with standard means shall not be included in the buildable lands inventory. (or at least discounted by 75% of permitted density to account for likelihood that the parcels will wait for utilities before development occurs)
Equity question 4, 5 and 6 below should have a (none) option
Demonstration of active engagement with special purpose districts throughout the comprehensive plan update process should be required.
(1) Amend the GMA to unambiguously state that special purpose districts are subject to GMA planning requirements and to explain what their obligations are.
(2) Amend the GMA to hold special purpose districts accountable, just as cities and counties are, for failing to comply with their obligations under the GMA. Specifically, they should be required to adopted 6 and 20 year capital plans in coordination with the cities/counties they serve, and they should be subject to GMHB appeal/sanctions for failing to adopt a required plan, or for adopting a non-compliant plan.
(3) Require that CWPPS be amended to clearly discuss how planing will be coordinated between special service districts and cities/counties. The CWPPs should address funding, dispute resolution, demand management, and level of service expectations.
Water and wastewater require extensive infrastructure, must have some certainty to fund investments that support growth. Similar for emergency services I expect.
The Governor in a recent press conference indicated that the state needed to get rid of zoning laws that prevent building residential units to tackle the homelessness crisis. Consistency requirements curtail the rapid deployment of building that doesn't fit with the comp plan and other regulations that can stretch back 30 years with only minor modifications.
I think the state should provide specific guidance about how to develop a comprehensive plan and a model plan. The state should also provide money for districts to hire consultants to help develop the plans.

Appendix 5: Answers for Question 19
How should cities and counties pay for any new requirements in the Growth Management Act to require more thorough engagement with groups that are typically underrepresented in the planning process and unevenly affected by its outcomes?
Money from the State for outreach and participation
State tax credits and incentives. Permit fees.
I think state resources should be used in to assist, but to be clear they should be doing planning that doesn't unduely impact certain groups. Cities and counties should not be ignoring or failing to engage with groups because they are typically underrepresented.
Any requirements must be funded by the State in accordance with the RCWs.
with grants from the state which enacted the GMA that imposes these requirements on cities and counties
They shouldn't. GMA is already too cumbersome. It should be pared down.

Funding allocation provided by Commerce that can only be used for that purpose.
They should not have to pay as it is being forced upon us by the state , let the state pay
Through their budgets. State grants are also always welcome. But this is a reasonable requirement, and could have overlap with other city outreach efforts.
A standard percentage of a city or county budget should be required to be set aside for Comprehensive Planning and the rest should be filled with a variety of grant opportunities from the State.
Cities and counties should be required to fully utilize their councilmanic authority to increase property taxes up to the 1% limit every year, prior to receiving any state funding. Copy/paste this statement to every question that touches on "How cities and counties pay for stuff." If you have banked property tax capacity, come back when you don't.
That said, in Central Puget Sound counties, municipal cost sharing agreements to fund planning work could prove effective in achieving the desired result while not overburdening city finances. This work could be done by the county, but trust (lack of), turf, and politics get in the way of that cooperation. A critical problem of collaborative work like this is that, as it currently works, all cities are free to disregard that work because it isn't responding to statutory requirements.
Other, quasi-governmental entities like housing authorities are another venue for this municipal cooperation to feed through. (Probably want to consult them and AWAHA about it first, though.)
The state can either fill the empty, out-stretched hands with grant funds or put them to work by removing barriers to local revenue generation.
State funding
Through grants awarded by the state or the federal government perhaps.
State grants would be most helpful
Increase the size of commerce grants
State should provide funding
everything about the planning increases costs. That drives inequities in housing options. Workshops could be a step for those interested. This is somewhat technical in nature and lots of issues, so if you don't deal with it on a daily basis, it is a bit much. Other issue is that if you have constituents looking for certain items in a plan that are retired or don't work, they have the time for input. Working people that are trying to make a living are hampered with lack of time to deal with this.
It is already a public process. Just advertise the opportunities more
Opportunity should be equal if the laws are applied evenly.
Expand state planning grants, with requirements to reach out and improve equity (as well as climate mitigation)
If the state mandates anything the state should pay for it
We do not need new requirements. The process is open to everyone currently. All benefit from an increase in availability and supply.
they shouldn't.

<p>the issue is that we are not paying attention to what is driving the cost of housing which is all these rules and requirements, yes we need to be mindful of equity and the environment but Olympia and the west side is taking to far they want our one state to solve the worlds problems but it will lead to lack of housing and attainable housing.</p>
<p>This is a political vague concept and has no concrete bearing on GMA. Equity is the value one builds into thier ownership. Any regulations that make it harder to build ownership must be reduced.</p>
<p>reduce spending in other areas. Be responsible with the money that is already funneling in through new construction, including sales tax revenue, permitting fees, impact fees, increased property taxes from appreciation and new homes being delivered. The issue is not a shortage of funds, it is how the money is spent. A city cannot increase the amount of affordable housing by continually raising taxes and fees. this is counter intuitive</p>
<p>Land use actions are designed so the public process is respectful to all that choose to participate . All land use regulations should be applied equally to all segments of the population.</p>
<p>The State should be providing resources for planning and grants for engagement, as Rep Pollet proposed for HB 1981. But, it is a fundamental duty of local governments to design engagement with all residents, particularly those who are disparately impacted by factors in land use and planning that impact health and equity.</p>
<p>These requirements should be voided. The best way to provide equity is to open up lands for construction and provide attainable housing. All of the other pet projects just add more straws to the river, and cause more problems with equity than they solve. These policies funnel money to politicians, cronies, and consultants. They provide negative positive impact on the communities they serve to aid - when planned at the State level.</p>
<p>State and federal grants. New taxes on the polluting industries. Reform the tax code so it is a progressive instead of regressive taxes.</p>
<p>general fund budget dollars</p>
<p>Online meetings, make public facilities/computers that already exist available to engage in these online meetings, communications campaigns to let the public know about the meetings far in advance and also right before the meetings, stakeholder workgroups, and sufficient time during the meetings for public comment.</p>
<p>State should pay.</p>
<p>This question assumes the situation exists. Every community in 2022 has the opportunity to participate in local issues. I have yet to find that the groups most often referred to are actually underrepresented. I also find that terms like underrepresented are ill defined, So are words like equity. These fluffy political constructs do not have a place in growth management. They cannot be measured or justified.</p>
<p>State should fund</p>
<p>I'm not convinced this would necessarily entail a great deal of expense. Instead I'm of the opinion that this requires a change in practices and mindset. However there could be some expenses, and if additional funding is required it should come from a source that doesn't further burden those who have be unevenly affected by past planning efforts. Suggestions include: (1) real estate excise tax on luxury homes, (2) windfall tax on properties recently added to a UGA, (3) luxury vehicle excise taxes.</p>
<p>It should be a effort moving forward, not looking backwards</p>

<p>It is sad to watch scarce resources be used on public outreach to groups that don't care enough to get involved. It seems there is an interest in talking to as many people as possible without bringing facts, figures, and what costs are going to be to do what is being asked. Too many government agencies are going to groups and saying what do you want without also asking do you want to pay more to do those things? So, of course, those groups ask for things that the government doesn't have resources to pay for. There is no management of expectations based on resources.</p>
<p>The equity debate has created division that didn't exist before by not actually providing feasible solutions that help the majority of taxpayers. A tiny vocal minority is sucking up resources so that the overall quality of life goes down for everybody, including the groups equity is supposed to help.</p>
<p>Zoom allows for government officials to schedule meetings with interest groups without having to pay for people to drive in a car or stay in hotel rooms. Use technology to advantage and take some of the dollars out of the travel budget.</p>
<p>Consider reducing the number of public meetings and actually have elected officials go out into the communities they represent and ask for feedback in a less formal manner. Have them report back at a council meeting.</p>
<p>Grants</p>
<p>I don't think it should require more funding. In my previous job, it was just a shift how we did public engagement not additional public engagement. There are many existing groups that represent diverse populations - planners just haven't done a good job utilizing those groups. It's just a matter of identifying them, building relations and go to them for engagement (don't ask them to come to you - go to their meetings, go to their gatherings.)</p>

<p>Appendix 6: Answers to Question 20</p>
<p>How and when can cities and counties best integrate equity in community engagement?</p>
<p>Look to WA Environmental Justice Taskforce's report from 2019 that includes a whole appendix on community engagement.</p>
<p>GMA should be limited to physical infrastructure, not social engineering.</p>
<p>When they are doing their comprehensive plans and strategic planning. Reach out to all segments of the community.</p>
<p>In understanding the impacts, in outreach, in when to address capital facilities and transportation impacts. So basically it should be addressed and integrated at all levels.</p>
<p>All planning processes should have community involvement and reflect the demographics and lifestyles of the residents of the planning area.</p>
<p>Let constituents decide where they want to live. Stop trying to micromanage where minority groups live. Let them move where they want to. Stop being racists.</p>

When engaging the community, hold outreach/workshops/etc. along bus lines; with childcare options; with accessible sidewalks with ADA ramps; and provide some sort of refreshments. Also provide materials in any predominant non-English language, and sign language and interpretation services. Provide incentives for participation. Provide multiple options; utilize technology for remote participation. Don't assume all communities have technology when advertising opportunities. Work with community leaders to understand the communities' needs. Try to find opportunities to go to where the people you want to connect with already are, rather than asking them to come to you.
Make engagement meaningful, seek out new ways to reach people, practice culturally-sensitive communication, build trust with community leaders who represent under-served communities.
BY allowing only local voters to have a voice in how their communities are affected.
Through targeted outreach to specific communities at the usual stages of outreach, through early stakeholder groups before scenarios are developed or before outreach might normally begin.
There should be standardized public engagement platforms that are free to local governments to use, along with the availability of programs to convert documents into multiple languages.
At plan creation ("Here's our plan, what are your thoughts/changes?") and when nearing plan completion ("Here is what our expertise is telling us to do, what needs of the community does it miss, what didn't we think of?")
Having designated advocates representing equity interests across many jurisdictions.
Throughout the outreach process. It helps if folks leading the community engagement are from a variety of backgrounds. We know that folks often engage more/better/differently if they feel they are listened to/have someone to identify with/supported (e.g. child care available etc). Community engagement is not a one time process. It's like a way of operating and we need to have it in mind all the time.
Early in the process
Early and continuous public participation is required by GMA, and equity should be addressed throughout the process
In reality, the answer is probably at all times. However, the comp plan update process is a great time to focus on equity in community engagement and to identify stakeholders moving forward.
I have no idea
have specific meetings in under represented areas.
It is already a public process. Just advertise the opportunities more
Opportunity should be equal if the laws are applied evenly.
This is hard to answer during the pandemic. I don't have any good ideas.
Isn't everyone welcome and entitled to speak up? Why are you pushing something that is already a right we have?
All benefit from an increase in availability and supply.
nothing more than posting publicly what is happening and giving people the option to be involved.
make sure all groups are represented but right now the think more regulation and requirements are the answer. make housing attainable to all regardless of race or anything else.

By making home and business ownership easier to achieve by those who want to.
Get rid of community input processes that result in disproportionate representation from older whiter wealthier community members.
Voting is community engagement, too.
streamline processes to shorten durations to get projects approved thus reducing development costs and allowing cycle times to be reduced. this will result in builders and developers to bring more lots and homes on-line at reduced costs to buyers
The public notice mandate allows any and all segments of the population to participate with recommendations. Anyone who chooses to engage can also do so via local activism,school boards, planning commissions and running for office.
By directly funding and working with community based organizations. Grants from the state should be available to community based organizations in communities at risk from displacement in order t facilitate engagement and development of plans and policies which will reduce or prevent displacement and provide new affordable housing for the displaced residents.
Neighborhood and Community meetings handled at the local level can be informative and create project adjustments that integrate equity. State and National level policies will only serve to continue the cycle of oppression, as has been the case for decades with the equity gap continuing to widen.
Early in the process. Offer stipends for community engagement. Ask communities what they need before we tell them what we think they need. Identify strategies to reduce economic displacement.
public hearings and public notices provide sufficient opportunity for engagement
Stakeholder (within the community jurisdiction) workgroups.
Through GMA periodic updates.
Post public notices to the general population. Apply uniform standards for the distribution of notices. Do not apply special standards to any group or individual.
Active engagement with local organizations representing under-represented populations.
Just as with public participation generally: "early and often". Also, by focusing on the desires of those who show up at public meetings or put forth proposals the system is inherently balanced towards those who have resources and who are well connected and against the needs of those who lack the time, resources, and public connections. Paradoxically, addressing the needs of those who are traditionally underrepresented may mean less traditional public outreach and more efforts to understand the needs of the community broadly.
ensure engagement happens in all impacted communities in the medium/media that reaches that community
See answer to question 7.
Onset of planning

Continuously. In order to integrate equity, planners need to be building long term relationships with all people in the community. You can't just drop in and say work with me on this plan. You need to go to their meetings and listen to their concerns continuously so when you need their input they know you and are likely to engage. This means making sure the jurisdiction's budget reflects the need for on-going community engagement, not project engagement.

<p>Appendix 7: Answers to Question 21 Do you have any other specific information we should be considering regarding equity, environmental justice, and human health and wellbeing in the GMA?</p>
<p>Please focus the GMA on housing affordability, including root causes such as infrastructure, density, and increasing the number of homes built.</p>
<p>WSDOT is in the process of responding to the HEAL Act and updating our business processes. We're happy to collaborate and share with others as we gain experience.</p>
<p>Keep the big city voters out of rural land use issues</p>
<p>I believe we need to teach children in school more about how local government works and about public engagement. They all learn about Federal and State Government which is great but most will not be directly involved in these processes. To me citizens can make a larger impact at the local level. It seems they are more engaged at this level as well because these things are happening in their neighborhood or community.</p>
<p>All covered in item 7.</p>
<p>I think that there are many resources. DNR's policy group has a staff person focused on environmental justice and equity. He may be a good resource for you.</p>
<p>I think it would be helpful to reimagine SEPA in a way that is less framed as considering environmental impacts (largely address by other regulations in many jurisdictions) and to create a new statewide framework for noticing and community engagement. This could focus equally on project actions and long-range actions, which is an area SEPA certainly struggles.</p>
<p>No</p>
<p>Get out of the woke culture and us some common sense.</p>
<p>We need to streamline not add process</p>
<p>Why would anyone expect High Cost Regulations would result in Low Cost Housing?</p>
<p>https://www.theatlantic.com/ideas/archive/2022/04/local-government-community-input-housing-public-transportation/629625/</p>
<p>Government creates goals and strategies to achieve. local jurisdictions and people in the organizations often times dont have the same goals or objectives and thus, the best ideas dont get implemented effectively. often, jurisdictional staff do not support "can do attitudes" and become obstructions to achieve the goals. Leaders need to lead and motivate staff to achieve desired objectives. Attitude is often more important than aptitude</p>

The growth management act is the largest piece of exclusionary zoning that could have ever been conceived. It is a large contributor to our homeless problem, and our issue with equity provided to underserved communities.
It's not working folks. Go back to the drawing board and start over.
reduction in zoning restrictions to allow more diverse housing types
Do not move forward with this subject. It will be used as a weapon to support allies of the current political party in power. It will be used as vilify opponents of the that same group in power. It is a "fluffy" concept that can be molded to be anything you want it to be, and it will never be applied equally.
no
Cities and Counties should plan for the needs of all people (not just the well connected), public policy should be informed by facts and data, and there should be a frank and honest exchange of information between people and their government officials. Public participation in the planning process needs to involve two-way communication, not just soliciting uninformed opinions, or informing people of predetermined actions.
Also, who speaks for future generations?
Community building is unifying and tries to take all viewpoints into consideration and then moves forward with what can be considered the best of all the options. There are going to be upset people with every government choice.
Government is creating a quagmire for itself by giving the impression that all concerns must be addressed in the manner the underrepresented and disadvantaged people want (even if it is costly or treats other people more poorly than themselves). It can set itself up for lawsuits when it does not do what every community interest wants government to do.
Not all communities are the same. In my county the biggest equity issues are related to Native Americans and migrant workers. In my last jurisdiction the biggest equity issues were related to historic redlining and Black community. A one size fits all for each jurisdiction is not appropriate. Instead the laws should be that the jurisdiction needs to identify which groups of people have been historically actively removed from the planning process and engaging with them.

Appendix 8: Answers to Question 24
Do you have any more specific information or suggestions on what we should consider when looking at financial tax incentives for housing?
The multifamily tax exemption is working well for private developers, and land trusts need strong funding for permanent affordable housing.
Reduced REET for those building, and then selling, below market rate housing.
The permitting process and regulatory compliance are significant factors in effecting housing starts. Examining the goals of the regulations and addressing costs of compliance would be ways to provide incentives.
If you want to make housing more affordable, stop making it more expensive through regulations and restrictive land use policy. Or just reduce property taxes!

Provide reduced trip generation rates for transportation efficient locations to reduce impact fees.
I am not sure financial incentives will be enough to sway status quo politics.
To what extent would these tax incentives decrease services and capital investment in more rural, less densely populated areas?
Allow Counties and cities in Rural Washington the chance to determine their own destiny
Cities that plan for growth should be rewarded and others should not be.
To me the issue is not at the city or county level but with the developers. For example a city can codify diverse housing options in multiple zones, however a developer is going to continue to build the type of housing that makes them the most profit.
Allow cities to collect a portion of State REET funds for middle density housing (meeting state guidelines). In essence, dangle the carrot in front of cities. Problem: Rich cities won't take it, poorer cities might. Bellevue (probably) won't be moved to take action by some REET rebate money for staff or other things. Work to address that. In any case, don't heavily restrict what the REET funds can be used for by the city, if possible.
Have various incentives: First portion for community space (garden, green space, trees (thus sidestepping tree canopy and environmental concerns); second portion for maximum 1 or 0 parking spaces per unit, whether done by choice by developer or required by city is up to them); third portion for proximity to areas zoned to allow critical amenities (varied food, healthcare, commercial like legal, accounting, daycare, other activities); fourth portion for proximity to transit; And so on.
Each portion separate from the others and can be mixed and matched, giving cities control over how much money they want to collect. Would suggest the REET exemption isn't permanent for the property, but persists for X years or Y # of sales of the property (so the state isn't permanently at the deficit, but the city gets something).
Consider annual population density changes when distributing state funds. If jurisdictions' density decreases, then we should presume they are developing in unaffordable ways and need an incentive to change.
The State receives more tax benefits from growth than local governments and neighborhoods, even though the State doesn't really have to deal with impacts/realities of growth at the local level.
Consider looking at what Oregon did for middle housing. I wish had more insight on financial incentives for housing. Again, Oregon might be a good resource to compare what has worked and not worked. Contact Kristin Greene at DLCD.
cities and counties that are eligible to pass a local housing fund should be required to do so before being eligible for additional housing tax incentives
I think a lot of jurisdictions allow more housing types, but there aren't many developers who build those units in great numbers. I also think cities should be focusing on developing those units where they can be efficiently served by transit in those communities which are served. By allowing them over to broad an area fails to create the pockets of density sufficient for efficient transit operation.

No
most people prefer single family. Planners love dense multi family, yet based upon a study that I read last year, very few planners live in that type of housing. Pretty inconsistent in my mind. Laws for Condo's need to be addressed which would help greatly.
"out of the box" thinking and opportunity is what breeds success. If left in the constraints of the state all the time, it will tend to discourage ingenuity and variation.
2% statewide REET to be blocked granted to counties and/or cities to be used for acquisition and development of affordable housing up to 80% AMI with option to increase AMI level to 120% upon request to the department of commerce.
Stop giving our tax dollars away to incentivize bad habits
More supply and less process will create incentives
The State already has enormous surpluses; that money should be used as incentives for cities and counties to provide developers incentive to affordable housing.
single family zoning is racist and should be removed as they have done in oregon and california. allow builders to put in whatever housing makes sense, ADU's, duplexes, triplexes... missing middle. We need to be able to produce more housing at a lower cost if we are ever going to get out of this mess.
Reduce the cost of regulations.
Any financial tax incentives for housing should be tied to actual permits issued. Cities should not receive state tax incentives for passing zoning reform (that should be a requirement). But, it is a good idea to incentivize cities to add new residents.
we have to stop talking about affordable housing and attainable housing in one breath, and continue passing more restrictions and cost prohibitive policies in the next breath. for every requirement, there is a cost. if you increase permit fees, increase utility fees, add new items to electrical codes, upgrade entergy requirements, etc. it all piles on top of already costly development costs
6 year tax abatement (Similar to MFTE)for new single family homes/condos/townhomes that are for sale as long as they are at or under median new home price for the area.
There are both State Constitutional and policy objections to blanket incentives for more housing, rather than targeted incentives for affordable housing to meet defined needs. for example, it is likely unconstitutional to offer housing incentives that result in developers receiving a tax benefit for building residences that are owned as investment vehicles or which are used in businesses for short-term rental such as Airbnb.
Incentives don't work. They push outcomes but the inefficiencies forced on the markets counteract the incentives. Avoid central State level planning whenever possible.
state should raise taxes on second homes, luxury apartments, and vacation rentals to raise funds for housing.
It wouldn't cost the state anything if they would just get a spine and mandate it. local controls are too broad.
The biggest incentives are lowering taxes and reforming regulations that are currently impeding new construction and extensive remodels/repurposing of buildings.

Housing builds better communities. It drives the economy. The State does not spend its funds well. Taking funds from the State and moving it closer to the people who pay the taxes is a positive thing. Increased housing opportunity is always a positive.
no
Cities should be required to plan for, and allow, more divers housing types. Counties should focus on managing rural resources (urban growth should occur in cities). Offering financial incentives won't fix the problem, because this isn't fundamentally a financial issue. Instead restrictions on diverse housing types are result of exclusionary tendencies/beliefs and the disproportionate influence of the owners of single-family homes. In fact, in many cases higher density housing and accommodating growth through infill and redevelopment would be more cost effective than the alternative.
Allow more housing types, ensure zoning permits more affordable housing. Need to allow for things like communal housing µ apartments
The cities and counties should just allow more diverse housing types.
Property owners should be given the incentives to allow development on their land. Builders should be given relief from government fees and regulations.
We need to support non-profits building, owning and managing housing for people at 50-80% MHI. Helping communities stand-up 501c3's by providing technical assistance. Providing grants to purchase existing housing stock and turn SFHs into duplexes and triplexes. And making sure those options are available in struggling small rural communities, not just big cities.

Appendix 9: Answers to Question 25
Do you have any general perspectives on housing availability and affordability you would like us to consider?
Housing affordability needs to be the main focus of the GMA. Don't dilute it with social justice issues.
Affordable Housing needs to consider housing that will be OWNED, and not just subsidized apartments. Different housing types (like attached housing/zero lotline, need to be encouraged in urban areas--even less dense urban areas.
Currently cities are required to show they are meeting the needs of all income levels. This is a requirements and we shouldn't be giving tax incentives for doing the law, if it is to assist in meeting the housing needs of the region above and beyond what is allocated there is a conversation to be had.
Home ownership is the first hurdle to overcome but as one owns a home, they also have obligations and responsibilities. As taxes are escalating, it also makes ownership more challenging. ,
The majority of the unaffordability in housing is created through regulations, overburdening of government bureaucracies, and artificial land use policies which tie up otherwise buildable land.

<p>Housing availability and affordability should be considered with multimodal transportation options. Developments should be mixed use and transit oriented, meaning jobs, essential amenities, and houses should be built near enough to each other that people can walk or bike to them. Affordable housing should be near transit stops.</p>
<p>Moving from lower to higher uses in developed cities often displaces long established amenities like businesses, services, entertainment. Some of which effect the livability of our cities. Over emphasizing housing, for example, may adversely effect a neighborhood.</p>
<p>Help roll back some of the overreaching regulatory requirements put upon counties and cities in rural Washington</p>
<p>Housing affordability is a regional and statewide issue, and needs statewide solutions and directives.</p>
<p>The need for housing and different housing types needs to be more widely talked about to the everyday citizen from the state level down. Currently it is up to each individual city to explain to the citizens why the city is mandated to provide diverse housing types and to accommodate thousands of new people each year. The current residents then are upset and start saying the City is allowing a certain type of development because they are being paid off even though that is not the case.</p> <p>There needs to be some sort of rent control or limits for affordability. Most apartments in my small city rent for twice the amount of my mortgage on my house. I would be able to rent a 1 bedroom apartment for the same amount as my 4 bedroom 2 bath house on 3 acres that houses 5 people. I live 1 mile outside the city limits.</p>
<p>The state should follow on the work done by Urban3 in Snohomish and King Counties that demonstrate the financial productivity of middle housing types, and supplement that work with other considerations (service and utility costs, transit, tree canopy, etc.).</p>
<p>Consider a state-collected "homesteader tax" on second homes as the basis for funding a broad housing attainability program. The program could provide grants for local government infrastructure, bridge financing for seasonal businesses, and additions to the housing supply. This may help address the commodification of housing (and subsequent "price-fixing") by corporate interests.</p> <p>Advocate for federal changes to include rent in income tax adjustments.</p> <p>In summary-solving the housing crisis will take actions at the local level, the state level, and the federal level. The Growth Management Act determines how localities act, but is not itself a state-level action. It cannot be satisfied with that as the only effort.</p>
<p>City zoning prohibits lots of types of housing that if allowed, could and would be built, and would be more compact and affordable. City zoning needs to be reformed to allow more housing in all neighborhoods, rather than sending most new growth to certain areas to spare existing homeowners.</p>
<p>Having moved from Portland to Olympia... Most people found housing very expensive and hard to get. It's hard to find what they want where they want it and a price they can afford. Having a variety of housing options is helpful. Duplexes. ADUs. Different styles of houses and apartments.</p>
<p>There needs to be a state or federal level incentive for the development of condominiumized stacked flats or other forms of smaller units which are offered for sale. There is a lot of discussion about warranty reform or other issues, but the real issue is simply the hurdle presented by the federal tax code. Without this barrier we would see a lot more of these units developed which fixes a clear need in housing choice.</p>
<p>Government can only encourage private owners to take action. There is a big difference between allowing types of housing to be built and what actually is built.</p>

cut down on regulations from the building code council which is predominantly made up of those groups that make money by adding more regulation, thus more things that need to be added to build a house or building. Again competing aims of affordable housing but all the regulation increases costs. That is the main problem to be equitable in housing.
We cannot subsidize our way to a home that is affordable across all economic segments. We MUST build more 'missing middle' housing and that includes multi-family, townhomes, cottages etc.
Please consider legislation annulling the current ratcheting down of energy codes. Most new incentives are not as helpful in curbing energy use, and it is driving up the cost of construction and appliances greatly.
We can't make housing more affordable by adding state regulations the cost of said regulations go directly into the cost of each housing unit.
Tax short term rentals at the same rate as hotels Forbid short term rentals in the most dense single family zoning in towns and cities.
We've been looking for single solutions to incredibly complex housing issues. Promoting "middle housing" might help in some cities and counties, but planners and housing programs must analyze the many housing markets and communities of need, to identify specific programs for narrow segments.
The growth management act has created the problem of lack of availability and affordability by restricting rural zoning and the underlying basis that everyone should live in the urban areas
We need more supply and less process. There is a significant shortage of financially viable development land. The process adds cost that makes what is available unaffordable.
We clearly have a supply shortage of housing, both for-sale and rentals. We are completely missing the entry-level market and those people are forced to rent, rather than buy. We have to figure out ways to provide affordable housing stock, so the next generation can become homeowners.
hold jurisdictions accountable to get permits processed in a timely manner. allow all housing types across more areas at least in the cities.
Support the creation of healthy family structures that can nurture children. Everything follows from that.
The state should set a floor for the types of housing that cities must require. Allowing more diverse housing types should be required, rather than optional.
<p>simply two items</p> <p>1) delays and complexity drive cost. onerous durations imposed on builders and developers drive cost. Attitude of staff and alignment to desired goals is free. Dont let the sideshow run the circus.</p> <p>2) you have to recognize that all costs compound, and every new idea implemented adds cost. consider the law of diminishing returns and ask "how does this benefit the customer, and does the cost and impact on affordability have an offset". Energy code changes add significant costs to construction and remove 10,000's of buyers from the ability to purchase homes. as new construction cost and prices go up, so do resales homes without the same benefits. The compromise needs discussion</p>
Cities should be mandated by the State to create more zoning for missing middle homes. See below!

<p>Your middle housing question fails to consider all the equity and environmental justice issues which you have inquired about. There is no recognition in the survey questions as to whether requirements or incentives for increasing density near transit should: a) be utilized to prevent displacement of lower income residents and communities of color from areas near the transit that they need due to the economic reality of greatly increased value and desirability for building high end market housing near transit and other major public infrastructure; and, b) be focused on ensuring that significant new AFFORDABLE housing is built near transit. This should be closely related to the new mandate from HB 1221 (2021) that local governments must now, for the first time, plan to meet the housing needs of all economic segments of the current and future residents. If minimum standards for affordable housing to meet a portion of regional needs for each economic segment of the population are not adopted, then economic forces will always result in both displacement and dominance of new housing near transit serving the wealthiest residents.</p>
<p>It is a serious policy flaw to continue to define this housing policy based on a type of building, rather than the policy of ensuring that affordable housing for low and middle income households, including families working in public service and service industries, is built near transit. Requiring a type of housing does NOTHING for affordability. Calling it "middle housing" is a misnomer in that it does not serve people of middle income.</p>
<p>Housing is unaffordable because State regulations add 40% to the overall cost of housing. Too many straws in the river. Take a drive through Dallas or Houston. They are building great communities and housing options at affordable prices. Rethink your entire framework.</p>
<p>State should reconsider allowing any single family residential zoning in city and UGAs and rethink current minimum lot sizes in cities and UGAs. State should reconsider taxing frameworks that encourages growth contrary to state and regional goals. State should provide guidance to jurisdictions on how to reduce or prevent economic displacement.</p>
<p>Zoning is they key. Flexible zoning allows the market to provide diverse housing types in more areas. Furthermore, we will never fix the housing problem if we hold tight on the urban growth boundary, allow jurisdictions to drag out permit timelines, and don't penalize jurisdictions like Sammamish that give the middle finger to growth without penalty.</p>
<p>There are buildings that need to be remodeled and zoned differently to provide additional housing. This needs to be an option, along with new construction that truly provides a portion for lower income folks (and does not expire).</p>
<p>We do not have enough housing in the state. Regulators do not fundamentally understand the housing and development markets.</p>
<p>Development costs making housing unavailable to thousands of people. Development standards circumvent density goals. Development standards increase costs beyond what would normally be considered reasonable or proportional. Environmental standards have been increased to a point where new housing cannot be economically provided. The standards in place in the year 2000 did not result in degradation of the environment. The regulations in place today do not provide a proportional increase in quality as they relate to cost.</p>
<p>no</p>

Effective growth management is the nexus of land values and regulations. Whether widely acknowledged or not, effective UGAs necessarily create a distinct break in the land-rent gradient, rendering property within the UGA comparatively more scarce/expensive and land outside the UGA comparatively less scarce/expensive. Absent regulatory restrictions, land that is expensive will be used efficiently and developed intensively, leading to more compact urban areas and less sprawl. Conversely, the combination of cheap rural land and restrictions non-agricultural/non-rural uses should keep farmers farming and rural areas distinctly rural.

However, in practice, most cities have enacted serve restrictions on what can be built within their UGAs, and have traditionally reserved the majority of their residential land for single-family homes. As a result, developers have respond by building either more expensive homes (if the market will allow it) or nothing at all (if the market won't support it). The end result of these policies is a severe shortage of housing for households who can least afford it.

The solution to this problem is to massively increase what can be built within UGAs. While some might argue for more lenient UGA sizing regulations, sprawling development patterns impose their own financial burdens on low income households. Generally transportation expenses are the second largest household expense after housing. Long commutes are a severe financial burden that is largely unaccounted for and nu-discussed in housing affordability debates.

Need incentives to densify and replace old housing stock in urban centers vs. dense new housing at edge of UGAs.

Housing would be less expensive to build if the environmental and social justice considerations were subject to strict cost-benefit analysis and provided much less burdensome review and mitigation sequencing. The manuals for compliance are thousands of pages and difficult to read. The government is not good about constraining itself in its mandates.

The market will continue to drive towards making the most money possible, which is large SFR. We need to use a stick to change zoning that requires other housing (coupled with funding to help get that other housing developed). Oregon passed a state law prohibiting SFR zoning in the largest cities - we should consider that. But we need to consider that for smaller cities that are growing at a fast rate so that we build in the housing diversity as the city grows.

Another thing in larger cities, when transit is more readily available, minimum parking standards need to be replaced with maximum allowed parking. Parking eats up land that can be used for housing. No more than 2 parking spots per dwelling. (One of our cities requires 3 parking spots per dwelling even when transit is available.) And instead of garages, dwellings should include a storage area (that's what most people use their garage for anyway).

Appendix 10: Answers to Question 31

Do you have any specific information you'd like us to consider on middle housing types?

Middle housing should be encouraged and/or required in any area within a walkable or bikeable distance from businesses, services, and other mixed use destinations, not only in locations with transit services.

Current legislation remains ambiguous about what these things are - what is a stacked flat? What are courtyard apartments? Does a courtyard have to be apartments or can it be condominiums, too? This needs clarity.

Incentivise instead of require. The market will decide what is in demand and viable.

- (1) In mandating densities or housing types flexibility should be provided to cities in recognition of the fact that not all areas are suitable for intensive development due to infrastructure constraints or the presence of critical areas.
- (2) Consideration needs to be given to the mix of nearby land uses. Creating isolated areas of high-density, exclusively residential, development could create untenable transportation demands and impose excessive transportation expenses on residents. The housing discussion needs to be about more than just housing.
- (3) The terms used to describe "middle housing" need to be reformed. Who in the public actually knows what a "courtyard apartment" is? How does arranging living units around a central courtyard change anything? How many units can a building contain and still be a "plex"? Isn't a stacked flat just another way of describing a duplex, four-plex, six-plex, etc.? Perhaps we should just talk about detached, horizontally attached, and multi-unit buildings?
- (4) This shouldn't just be a "middle" housing discussion. Most communities only produce/allow one type of housing. Resolving the current housing crisis will require a lot of large multi-unit buildings.