

Welcome to Washington

A guidebook for city/county managers

Land Use Planning & Economic Development

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WCMA
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Topics

- Washington State Enabling Legislation
 - Basic Rules
 - Who is Involved
- Economic Development Tools
- Housing Affordability Tools
- New Climate Change Planning Legislation





Washington State Enabling Legislation

- Growth Management Act (GMA): Comprehensive Plan [RCW 36.70A](#)

Goals

1. Sprawl reduction
2. Concentrated urban growth
3. Affordable housing
4. Economic development
5. Open space & recreation
6. Transportation
7. Environmental protection
8. Protection of property rights
9. Natural resources
10. Historic lands & buildings
11. Permit & development services process
12. Public participation
13. Shoreline management
14. Climate change and resiliency
15. Public facilities and services

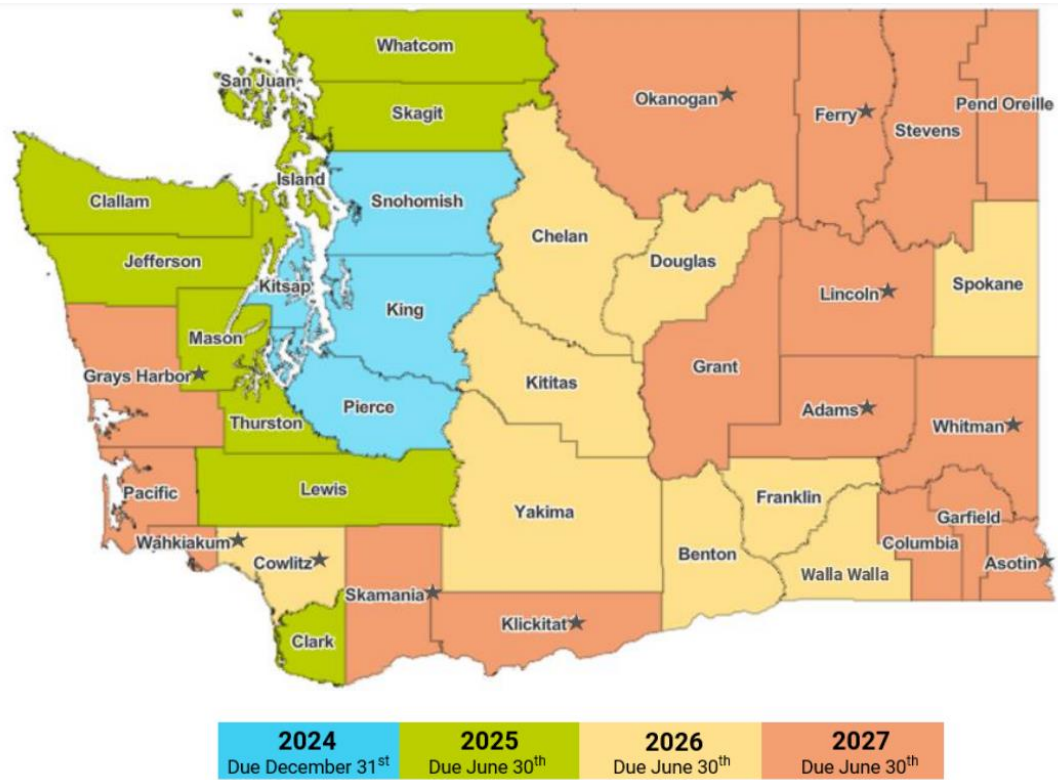
Key Elements

- Land use
- Housing ([E2SHB 1220](#), [E2SHB 1110](#), [EHB 1337](#), others)
- Capital Facilities
- Utilities
- Transportation
- Economic Development
- Shoreline management ([E2SHB 1181](#))
- Climate Change & Resiliency ([E2SHB 1181](#))
- Rural element (counties only)

Note: Local governments can also include optional elements, such as subarea plans or parks & recreation.

**GROWTH MANAGEMENT ACT =
CONCENTRATE GROWTH IN URBAN
AREAS AND PRESERVE RURAL AREAS**





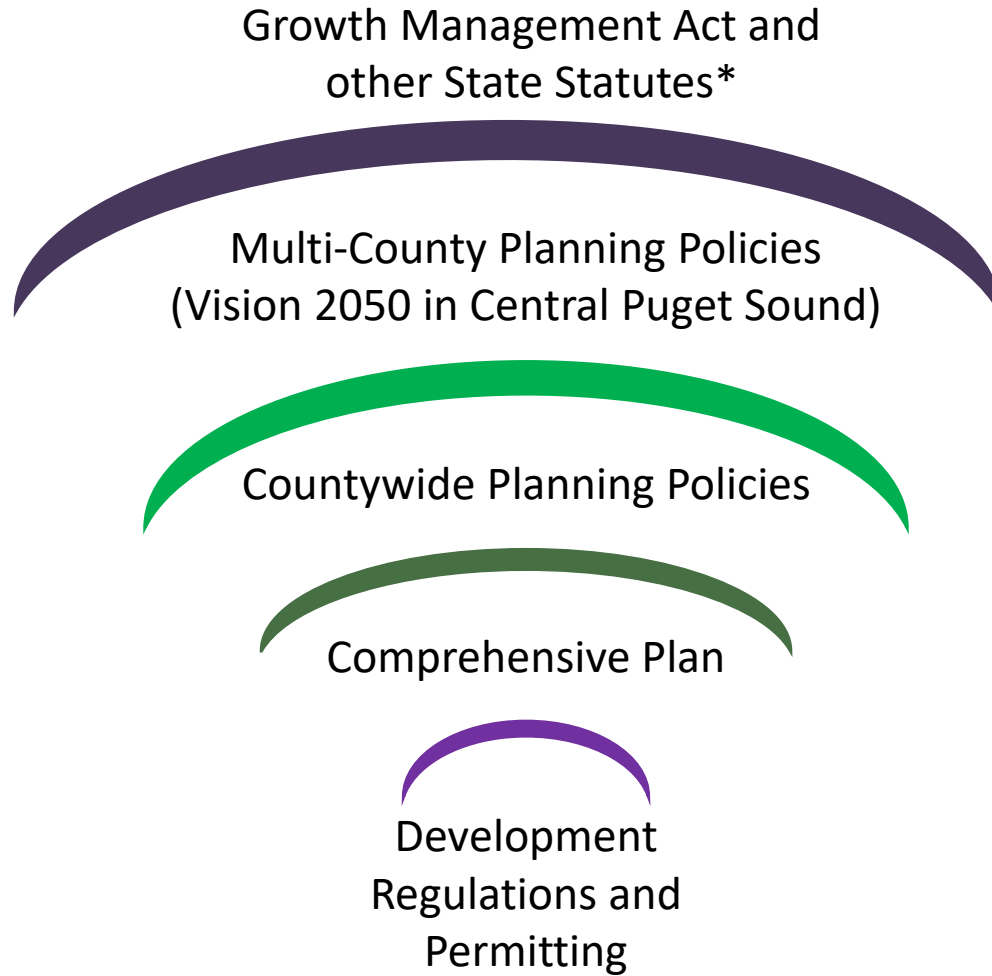
* Starred counties are partially planning under the Growth Management Act

The state Growth Management Act (GMA) requires counties and cities to periodically conduct a thorough review of their plan and regulations to bring them up to date with any relevant changes in the GMA and to respond to changes in land use and population growth. See [RCW 36.70A.130](https://leg.wa.gov/RCW/default.aspx?cite=36.70A.130)

Pierce, King and Snohomish County jurisdictions' next periodic update deadline is December 31, 2024.



Washington State Land Use Planning



*In recent years, the Washington State Legislature has taken a more proactive position regarding governing housing planning and growth targets, resulting in less local discretion than has been the case historically.



Washington State Enabling Legislation (cont'd)

- State Environmental Policy Act (SEPA) [RCW 43.21C](#)
- Shoreline Management Act (SMA) [RCW 90.58](#)
- National Environmental Policy Act (NEPA) [42 U.S.C 4231 et seq.](#)



Washington State Enabling Legislation (cont'd)

■ Subdivision

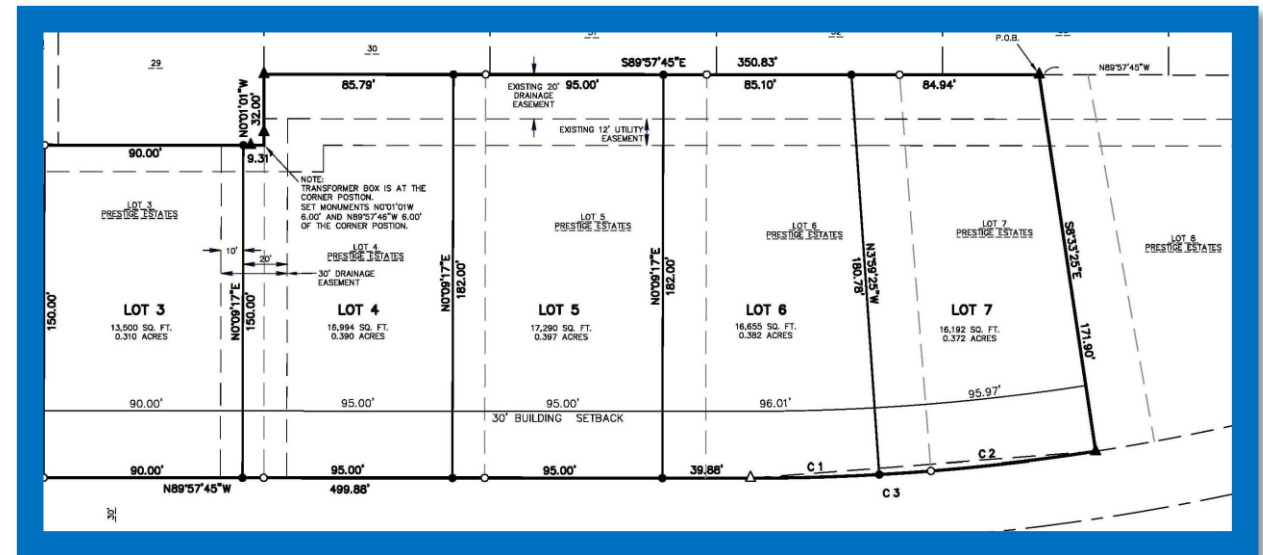
- Long Plats
- Short Plats
- Boundary Line Adjustments
- Binding Site Plans

■ Public Works

- Right-of-Way Permits
- Site Development Permits

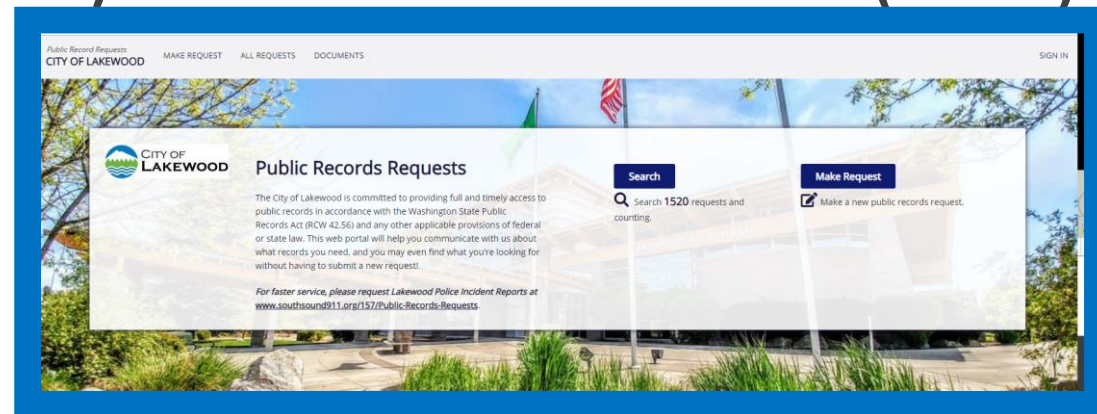
■ Zoning

- Administrative Use Permits
- Conditional Use Permits
- Variances
- Comp Plan Map & Text Changes



Basic Rules

- Open Public Meetings Act (OPMA)
- Appearance of Fairness
 - Quasi-judicial actions
 - Ex-parte communications
- Public Disclosure/Public Records Act (PRA)



Who is Involved

- Public
- Elected officials
- Planning commission
- Other boards/commissions
- Cities and counties
- Special purpose districts
- Hearings examiner
- Media
- Metropolitan Planning Organization (MPO)
- Developers & Business Interests
 - Associate Development Organizations (ADOs)/EDBs
 - Chambers of Commerce
 - Downtown Associations
 - Master Builders Association
- State and Federal Agencies
 - Department of Commerce
 - Department of Ecology
 - Department of Fish & Wildlife
 - Army Corps of Engineers



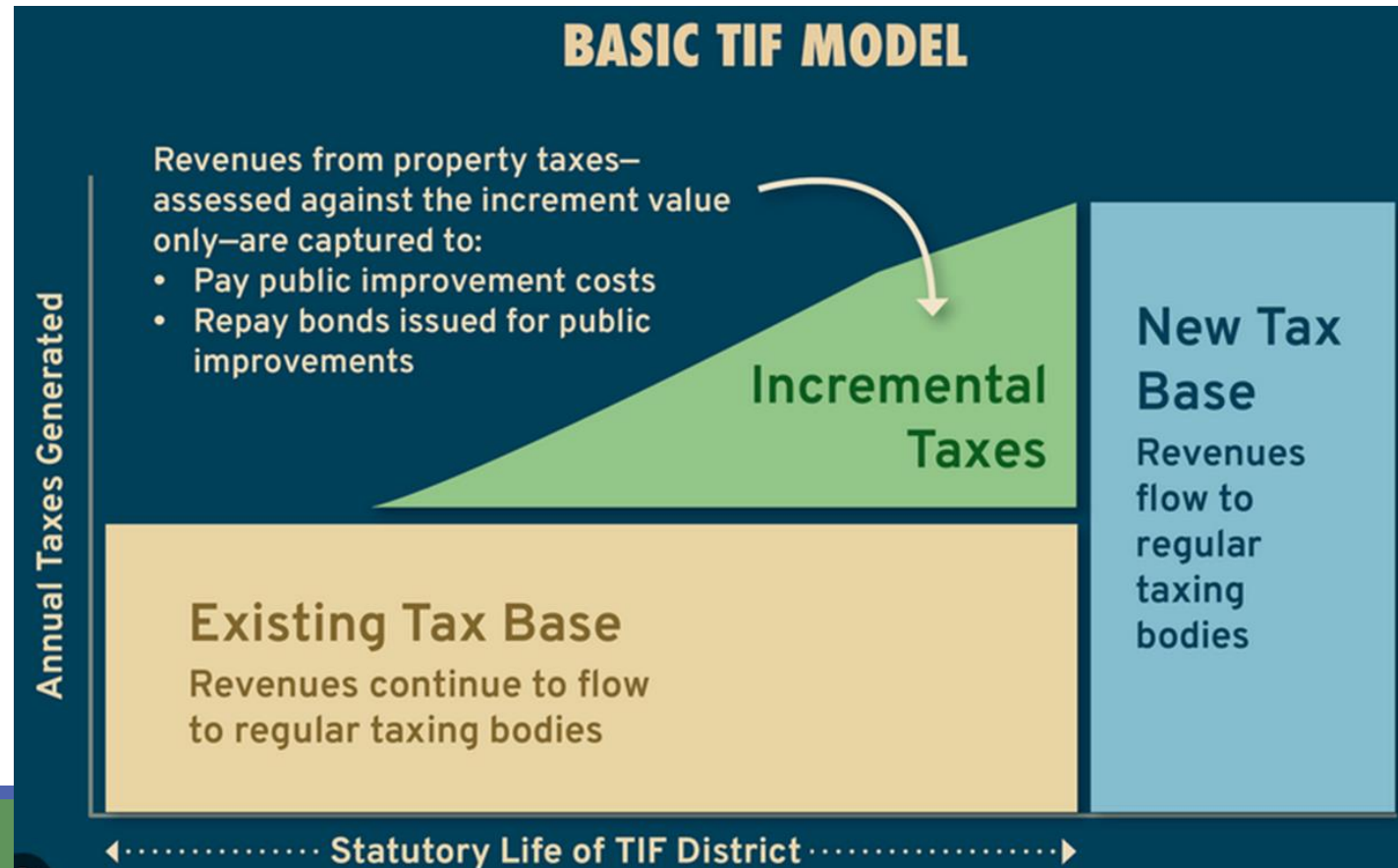
Economic Development Tools

Tax Increment Financing (TIF)

- HB 1189 (passed in 2021) Authorizes local governments to designate tax increment financing areas and to use increased local property tax collections to fund public improvements.

■ Recent Examples

- Lakewood
 - John Caufield
- Ridgeway
 - Steve Stuart



Economic Development Tools (cont'd)

- TIF-lite
 - Local Infrastructure Financing Tool Program (LIFT)
 - Local Revitalization Financing (LRF)
 - Community Revitalization Financing (CRF)
 - Hospital Benefit Zones (HBZ)
- Public Development Authorities (PDA)
- Public Facilities Districts (PFD)
- Community Renewal Area (CRA)/Community Renewal Plan
- Opportunity Zones



Economic Development Tools (cont'd)

- Streamlined Permitting Process
- Competitive Permit Fees
- Subarea Plan/Planned Action Ordinance/EIS
- Zoning & Design Standards
- Housing Options & Choices
- Tax Incentives (e.g., no B&O tax)
- Impact Fees (transportation, parks, fire, schools)
- Lodging Tax (Hotel/Motel)
- Multi-Family Tax Exemption (MFTE)
- Communications and Attraction



Economic Development Tools (cont'd)

- Business Assistance and Development Programs
- Business Retention and Expansion (BRE)
- Workforce Development
- Main Street Program
- EB5 Regional Center
- Foreign Trade Zones
- New Market Tax Credits (NMTC)
- Innovation Partnership Zone (IPZ)
- Hub Zone Program



Economic Development Tools (cont'd)

■ Infrastructure Investment

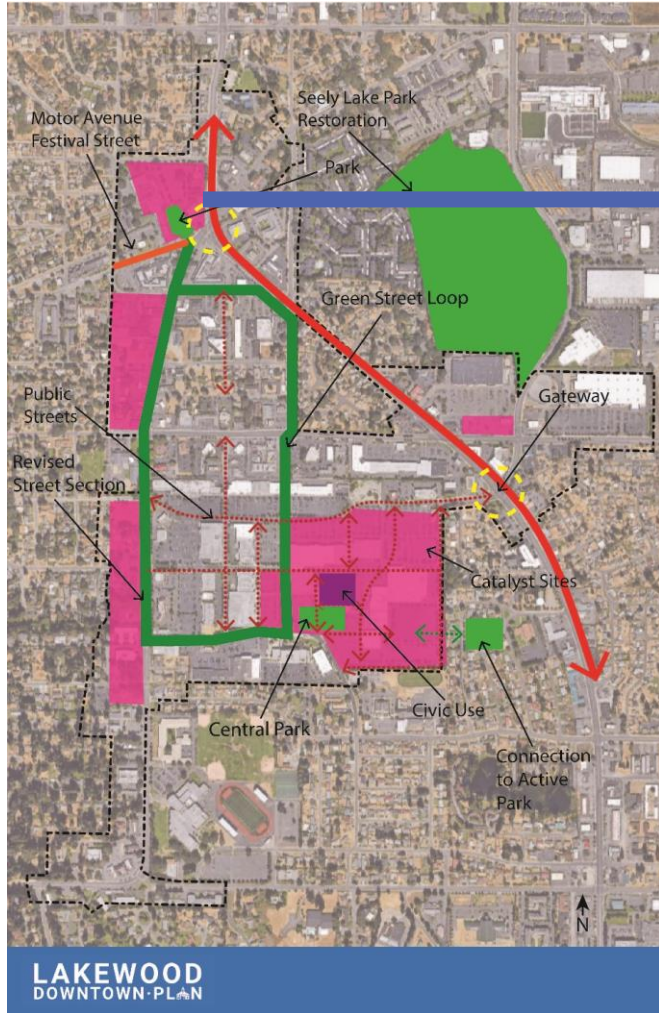
- Streets & Sidewalks
- Utilities
- Parks
- LIDs & BIAs
- Farmer's Market/Public Markets

■ Transportation Options

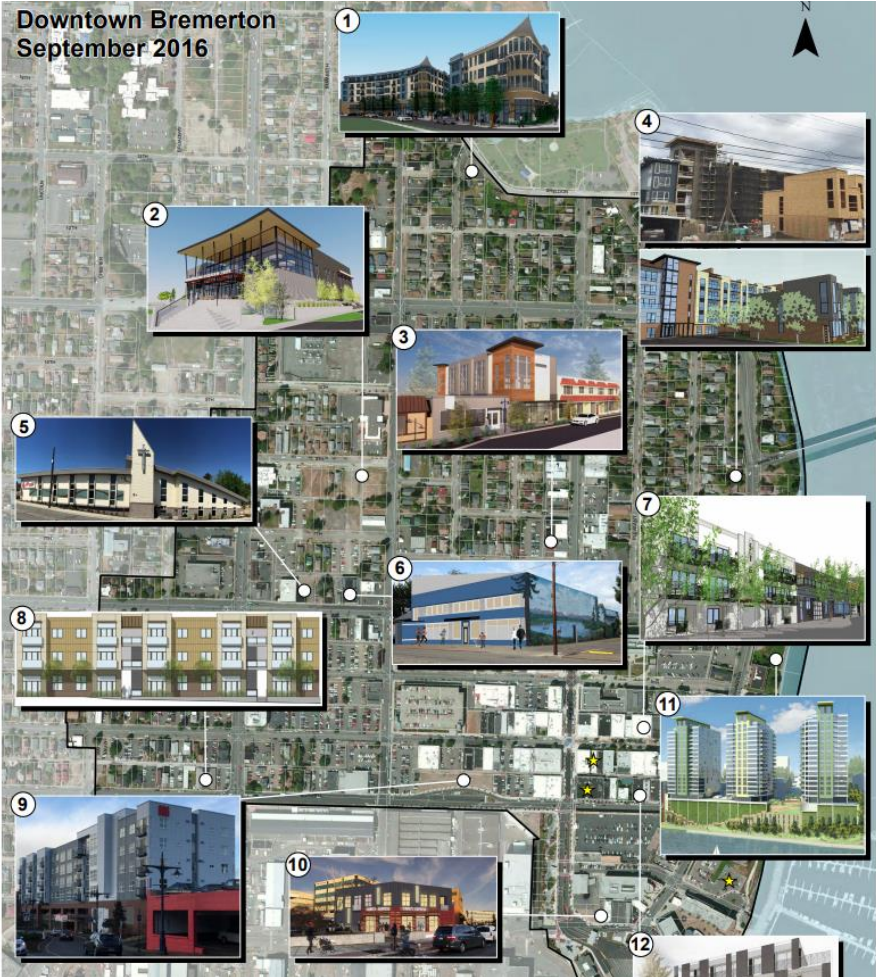
- Commuter rail
- Light rail
- Bus rapid transit (BRT)
- Bus service
- Transit-oriented development (TOD)
- Electric vehicle charging stations
- Autonomous vehicles (coming soon?)



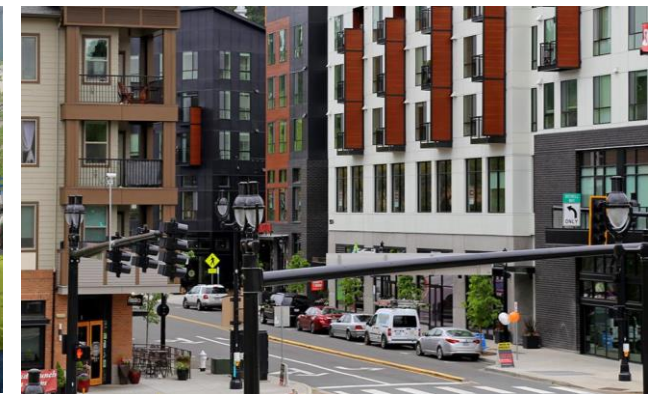
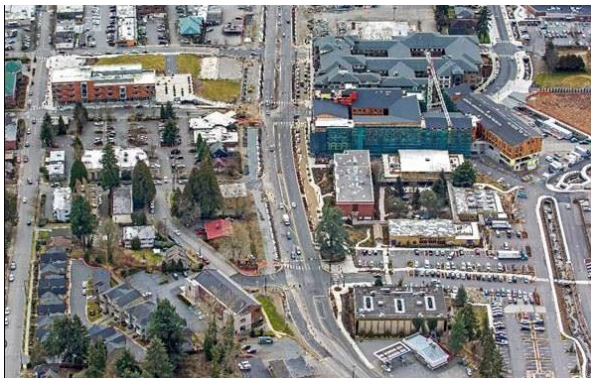
Downtown Redevelopment Example: Downtown Subarea Plan & City Actions to create “Places” (Motor Ave Plaza & Parks) & Roads



Bremerton - Downtown



Bothell – Downtown



Kent Station



University Place



Kirkland



Housing Affordability Tools

2021 State Legislative Action to increase Affordable Housing Opportunities

Housing and homelessness a major focus of session

| | |
|--------------------------------|---|
| <u>HB 1108</u> | Maintaining funding and assistance for homeowners navigating the foreclosure process. |
| <u>HB 1220</u> | Supporting emergency shelters and housing through local planning and regulations |
| <u>HB 1166</u> | Expanding access to the homeless and foster care college students pilot program. |
| <u>HB 1236</u> | Just cause eviction. |
| <u>HB 1277</u> | Increasing the document recording fee to provide an additional revenue source for eviction prevention and housing stability services. |
| <u>HB 1410</u> | Protecting taxpayers from home foreclosure. |
| <u>HB 1482</u> | Foreclosure protections for homeowners in common interest communities. |
| <u>SB 5160</u> | Addressing landlord-tenant relations by providing certain tenant protections during the public health emergency, providing for legal representation in eviction cases, establishing an eviction resolution pilot program for nonpayment of rent cases, and authorizing landlord access to certain rental assistance programs. |
| <u>SB 5408</u> | Homestead exemption in forced sale due to bankruptcy |



Housing Affordability Tools

2022 State Legislative Action to increase Affordable Housing Opportunities

Housing and homelessness continues as a major focus of session due to growing disparity between housing need and availability

- Appropriated \$100 million for **low-income customer utility assistance**.
- Provided a \$7.5 million competitive grant program incentive for cities that want to **adopt “missing middle” housing zoning ordinances**.
- Passed **reforms to the State Environmental Policy Act (SEPA)** in SB 5818 to facilitate housing development by expanding SEPA categorical exemptions and providing appeal protections for development regulations that increase housing capacity and affordability.
- Created dedicated and **ongoing planning funding** of \$10 million annually for cities to complete Growth Management Act (GMA) comprehensive planning updates, including implementing 2021’s HB 1220.
- Created historic \$430 million capital investment in rapid acquisition of housing for shelter, crisis stabilization, and housing construction under the **Housing Trust Fund**.
- Appropriated \$52 million to **transition encamped individuals living on state-owned rights-of-way** to permanent housing and remove debris.



Housing Affordability Tools

2023 State Legislative Action to increase Affordable Housing Opportunities and Historical Housing Inequity

Addressing housing availability and affordability as well as historical racial discrimination in housing and zoning a top priority for the State Legislature

Housing Unit Density Increases:

- Depending on its size, each jurisdiction fully planning under the GMA must authorize **2, 4 or 6 dwelling units per lot** on 100% of lots zoned predominately for residential use.
- Alternatively, a city may choose to implement the density requirements for at least 75% of lots in the city that are primarily dedicated to single-family detached housing units.
 - Unless identified as at higher risk of displacement, the 75% must include any areas:
 - for which the exclusion would further racially disparate impacts or result in zoning with a discriminatory effect;
 - within 0.5 miles walking distance of a major transit stop; or
 - historically covered by a covenant or deed restriction excluding racial minorities from owning property or living in the area.
- Both alternatives allow for **certain exemptions based on critical areas**, time extensions based on infrastructure deficiencies, and **exemptions based on displacement concerns** for current low income residents
- A city may allow **ADUs** to achieve the minimum density requirements. A city is not required to allow ADUs beyond the density requirements.



Housing Affordability Tools

2023 (adjusted in 2024) State Legislative Action to increase Affordable Housing Opportunities and Historical Housing Inequity

Addressing housing availability and affordability as well as historical racial discrimination in housing and zoning a top priority for the State Legislature

Some cities must allow at least 6 of 9 “Middle Housing” types:

- Contain two or more attached, stacked, or clustered homes, including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.
- A city is not required to allow middle housing types beyond the 2, 4, or 6 unit per lot density requirements.
- Cities are limited in their regulation of parking, building design, lot usage, and type of permit review.
- Exemptions and time extensions possible for inadequate infrastructure if capacity improvements planned.



Housing Affordability Tools

2023 State Legislative Action to increase Affordable Housing Opportunities and Historical Housing Inequity

Addressing housing availability and affordability as well as historical racial discrimination in housing and zoning a top priority for the State Legislature

Accessory Dwelling Units: A fully planning city or county under the GMA must allow for the construction of accessory dwelling units (ADUs) within urban growth areas (UGAs) and comply with a number of detailed development/regulatory policies that include but are not limited to:

- limiting impact fees for new ADUs to no more than 50% of the impact fees that would be imposed on the principal unit;
- allowing at least 2 ADUs on all lots that allow for single-family homes within a UGA in the following configurations:
 - one attached ADU and one detached ADU, two attached ADUs, or two detached ADUs; and
- limiting construction to no more than 2 ADUs, in addition to the principal unit, on a residential lot of 2000 square feet or less.

The ADU requirements do not apply to lots with critical areas or their buffers or where development is restricted as a result of physical proximity to on-site sewage system infrastructure or other unsuitable physical characteristics of a property.

Any conflicting provisions in local development regulations after the effective date are superseded, preempted, and invalidated.



Climate Change & Resiliency

2023 State Legislative Action to address Current and Future Climate Change Effects

The State Legislature continues to prioritize environmental protections and energy efficiency

Legislation passed and signed into law in 2023 ([HB 1181](#)) adds a climate goal to the Growth Management Act (GMA) and requires local comprehensive plans to have a climate element with resilience and greenhouse gas emissions mitigation sub-elements.

- The **resilience sub-element** must include goals and polices to improve climate preparedness, response and recovery efforts. This is mandatory for all counties and cities fully planning under the GMA and encouraged for others.
- The **greenhouse gas emissions sub-element** must include goals and policies to reduce emissions and vehicle miles traveled. This sub-element is mandatory for the state's 11 largest counties and the cities within those counties.
 - Benton, Clark, Franklin, King, Kitsap, Pierce, Skagit, Snohomish, Spokane, Thurston, Whatcom
- Climate elements must maximize economic, environmental, and social co-benefits and prioritize environmental justice in order to avoid worsening environmental health disparities.



Thank you!

Questions?



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