



City of Lake Forest Park

Planning Commission Regular Meeting

Tuesday, April 13, 2021

PROPOSED MEETING AGENDA

Meeting to be Held Virtually

See second page for information about how to participate virtually

City Hall is Closed to the Public

1. Call Meeting to Order—7:00 p.m. (confirm recording start)

2. Land Acknowledgement

3. Approval of Agenda

4. Commission Norms/Culture

5. Approval of Meeting Minutes – March 16, 2021

6. Meeting Dates

- Next regular meeting is scheduled for May 11, 2021

7. Citizen Comments (Each speaker has three minutes to comment)

The Planning Commission accepts oral and written citizen comments during its regular meetings. Written comments are no longer being read during the meeting. Instructions for how to make oral Citizen Comments are available here: <https://www.cityoflfp.com/617/Virtual-Planning-Commission-Meetings>

8. Report from City Council Liaison

9. Old Business

- Addressing Housing Diversity and Affordability in LFP
 - Continued Discussion of Commission Approach – Public Engagement Strategy
 - Update on Relevant State Legislation
 - Review of Current LFP Zoning Provisions related to Accessory Dwelling Units

10. New Business

11. Reports and Announcements

12. Additional Citizen Comments

13. Agenda for Next Meeting

14. Adjournment

Planning Commission's Land Acknowledgement

We'd like to acknowledge we are on the traditional land of a rich and diverse group of Native Peoples who have called this area home for more than 10,000 years. We honor, with gratitude, the land itself and the descendants of these Native Peoples who are still here today. In doing this we aim to illuminate the longer history of this land we call home, our relationship to this history, and the heritage of those peoples whose ancestors lived here before the European-American immigration that began in the 1800s.

Instructions for participating in this meeting virtually:

Please click the link below to join the webinar:

<https://zoom.us/j/92883725620>

Or One tap mobile:

US: +12532158782,,92883725620# or +16699006833,,92883725620#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 669 900 6833 or +1 346 248 7799 or +1 408 638 0968
or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 928 8372 5620

International numbers available: <https://zoom.us/u/ad5peUBkd>



Memorandum

To: Planning Commission
From: Steve Bennett, Planning Director
Date: April 12, 2021
Re: April 13, 2021 Meeting Agenda Item: Housing Diversity and Affordability in LFP
Attachments:

1. House Bill 1220 (as amended by the Senate)
2. Senate staff report on Senate version of House Bill 1220
3. City of LFP Information Bulletin (Help Topic) Accessory Buildings & Accessory Dwelling Units (ADUs)

This memo is intended to provide some background information that may be useful in the Commission's discussion on increasing housing diversity and affordability in Lake Forest Park.

House Bill 1220

The attached (Attachment 1) version of House Bill 1220 (as amended by the Senate) includes a new Section 6 is probably most relevant to the potential update of LFP's Accessory Dwelling Unit (ADU) regulations. Attachment 2 is a Senate staff report on the bill that provides some useful background related to GMA and housing policy and the intent of the bill and that of committee amendments to it. Near the end of the report are summaries of the two Senate committees' public hearings on their drafts containing pro and con public statements from the public on the bill amendments. These documents provide a perspective of how ADU regulations fit into the broader housing discussion being conducted in the WA Legislature this session.

Current LFP Accessory Dwelling Regulations

LFPMC regulations pertaining to accessory dwelling units are included below. Attachment 3 is a handout that is provided to those who inquire about ADU and accessory structure construction in LFP and it contains the pertinent information in a one-page format. To understand the limitations on ADUs (LFPMC Ch. 18.50.050) in LFP, there needs to be an understanding of the regulations addressing accessory structures in general (LFPMC Ch. 18.50.060) that address which yard the structures can be in and how close to the property line a structure can be.

18.08.020 Accessory use or accessory building.

“Accessory use” or “accessory building” means a subordinate use, structure, building or portion of a building located on the same lot as the main use or building to which it is accessory. (Ord. 773 § 3, 1999)

18.08.030 Accessory dwelling unit.

“Accessory dwelling unit” means a dwelling unit subordinate to a single-family dwelling unit which:

- A. Is located within the single-family dwelling unit; or
- B. Is located within an accessory building. (Ord. 773 § 3, 1999)

18.50.050 Accessory dwelling units.

Accessory dwelling units, as defined by this title, may be permitted on lots of at least 7,200 square feet, and provided they meet the following development criteria:

- A. Only one accessory dwelling unit will be permitted per residential lot;
- B. The accessory dwelling unit floor area must be at least 300 square feet, but may not exceed 50 percent of the total area of the principal residence or 1,000 square feet, whichever is less;
- C. Accessory dwelling units on lots less than 15,000 square feet in area must be developed within the existing primary residence;
- D. Accessory dwelling units on lots of 15,000 square feet or greater may be developed as an accessory structure; provided, however, that the accessory dwelling unit shall meet the requirements of LFPMC 18.50.060;
- E. Either the primary residence or the accessory dwelling unit must be owner-occupied;
- F. Garage space may be converted only if the same number of off-street parking spaces are provided elsewhere on the property;
- G. One off-street parking space in addition to that required for a single-family dwelling shall be provided;
- H. The total number of people who may occupy principal residence and the accessory unit, together, shall not exceed the number of people who may occupy a one-family dwelling. (Ord. 773 § 3, 1999)

18.50.060 Accessory structures and buildings.

Accessory buildings and structures are permitted uses in single-family dwelling zones, provided:

- A. The total combined floor area of all accessory buildings shall not occupy more than 10 percent of the total area of the lot up to a maximum of 1,000 square feet;
- B. Accessory buildings may only be placed in a rear yard;
- C. Accessory buildings shall be 10 feet or more from the principal buildings;

D. Accessory buildings may be placed no closer than five feet to the rear lot line, excluding accessory dwelling units, which may be placed no closer than 15 feet to the rear property line;

E. Accessory building height shall not exceed 15 feet. (Ord. 773 § 3, 1999)

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1220

State of Washington

67th Legislature

2021 Regular Session

By House Appropriations (originally sponsored by Representatives Peterson, Macri, Bateman, Ryu, Lekanoff, Fitzgibbon, Kloba, Davis, Lovick, Santos, Ortiz-Self, Simmons, Berg, Hackney, Chopp, Tharinger, and Frame)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to supporting emergency shelters and housing
2 through local planning and development regulations; amending RCW
3 36.70A.020 and 36.70A.030; reenacting and amending RCW 36.70A.070;
4 adding a new section to chapter 35A.21 RCW; adding a new section to
5 chapter 35.21 RCW; and adding a new section to chapter 36.70A RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 36.70A.020 and 2002 c 154 s 1 are each amended to
8 read as follows:

9 The following goals are adopted to guide the development and
10 adoption of comprehensive plans and development regulations of those
11 counties and cities that are required or choose to plan under RCW
12 36.70A.040. The following goals are not listed in order of priority
13 and shall be used exclusively for the purpose of guiding the
14 development of comprehensive plans and development regulations:

15 (1) Urban growth. Encourage development in urban areas where
16 adequate public facilities and services exist or can be provided in
17 an efficient manner.

18 (2) Reduce sprawl. Reduce the inappropriate conversion of
19 undeveloped land into sprawling, low-density development.

1 (3) Transportation. Encourage efficient multimodal transportation
2 systems that are based on regional priorities and coordinated with
3 county and city comprehensive plans.

4 (4) Housing. ~~((Encourage the availability of affordable))~~ Plan
5 for and accommodate housing affordable to all economic segments of
6 the population of this state, promote a variety of residential
7 densities and housing types, and encourage preservation of existing
8 housing stock.

9 (5) Economic development. Encourage economic development
10 throughout the state that is consistent with adopted comprehensive
11 plans, promote economic opportunity for all citizens of this state,
12 especially for unemployed and for disadvantaged persons, promote the
13 retention and expansion of existing businesses and recruitment of new
14 businesses, recognize regional differences impacting economic
15 development opportunities, and encourage growth in areas experiencing
16 insufficient economic growth, all within the capacities of the
17 state's natural resources, public services, and public facilities.

18 (6) Property rights. Private property shall not be taken for
19 public use without just compensation having been made. The property
20 rights of landowners shall be protected from arbitrary and
21 discriminatory actions.

22 (7) Permits. Applications for both state and local government
23 permits should be processed in a timely and fair manner to ensure
24 predictability.

25 (8) Natural resource industries. Maintain and enhance natural
26 resource-based industries, including productive timber, agricultural,
27 and fisheries industries. Encourage the conservation of productive
28 forestlands and productive agricultural lands, and discourage
29 incompatible uses.

30 (9) Open space and recreation. Retain open space, enhance
31 recreational opportunities, conserve fish and wildlife habitat,
32 increase access to natural resource lands and water, and develop
33 parks and recreation facilities.

34 (10) Environment. Protect the environment and enhance the state's
35 high quality of life, including air and water quality, and the
36 availability of water.

37 (11) Citizen participation and coordination. Encourage the
38 involvement of citizens in the planning process and ensure
39 coordination between communities and jurisdictions to reconcile
40 conflicts.

1 (12) Public facilities and services. Ensure that those public
2 facilities and services necessary to support development shall be
3 adequate to serve the development at the time the development is
4 available for occupancy and use without decreasing current service
5 levels below locally established minimum standards.

6 (13) Historic preservation. Identify and encourage the
7 preservation of lands, sites, and structures, that have historical or
8 archaeological significance.

9 **Sec. 2.** RCW 36.70A.070 and 2017 3rd sp.s. c 18 s 4 and 2017 3rd
10 sp.s. c 16 s 4 are each reenacted and amended to read as follows:

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

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

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

37 (a) Includes an inventory and analysis of existing and projected
38 housing needs that identifies the number of housing units necessary

1 to manage projected growth, as provided by the department of
2 commerce, including:

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

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

7 (b) ((includes)) Includes a statement of goals, policies,
8 objectives, and mandatory provisions for the preservation,
9 improvement, and development of housing, including single-family
10 residences and moderate density housing options;

11 (c) ((identifies)) Identifies sufficient land and zoning
12 capacities for housing, including, but not limited to, government-
13 assisted housing, housing for ((low-income families)) moderate, low,
14 very low, and extremely low-income households, manufactured housing,
15 multifamily housing, ((and)) group homes ((and)), foster care
16 facilities, emergency housing, emergency shelters, and permanent
17 supportive housing; ((and))

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

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

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

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

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

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

32 (i) Zoning that may have a discriminatory effect;

33 (ii) Disinvestment; and

34 (iii) Infrastructure availability;

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

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

1 (h) Establishes antidisplacement policies, with consideration
2 given to investments in low, very low, extremely low, and moderate-
3 income housing; equitable development initiatives; inclusionary
4 zoning; community planning requirements; tenant protections; land
5 disposition policies; and consideration of land that may be used for
6 affordable housing. In counties and cities subject to the review and
7 evaluation requirements of RCW 36.70A.215, any revision to the
8 housing element shall include consideration of prior review and
9 evaluation reports and any reasonable measures identified.

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

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

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

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

38 (b) Rural development. The rural element shall permit rural
39 development, forestry, and agriculture in rural areas. The rural
40 element shall provide for a variety of rural densities, uses,

1 essential public facilities, and rural governmental services needed
2 to serve the permitted densities and uses. To achieve a variety of
3 rural densities and uses, counties may provide for clustering,
4 density transfer, design guidelines, conservation easements, and
5 other innovative techniques that will accommodate appropriate rural
6 economic advancement, densities, and uses that are not characterized
7 by urban growth and that are consistent with rural character.

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

11 (i) Containing or otherwise controlling rural development;

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

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

16 (iv) Protecting critical areas, as provided in RCW 36.70A.060,
17 and surface water and groundwater resources; and

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

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

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

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

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

39 (C) Any development or redevelopment in terms of building size,
40 scale, use, or intensity shall be consistent with the character of

1 the existing areas. Development and redevelopment may include changes
2 in use from vacant land or a previously existing use so long as the
3 new use conforms to the requirements of this subsection (5);

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

14 (iii) The intensification of development on lots containing
15 isolated nonresidential uses or new development of isolated cottage
16 industries and isolated small-scale businesses that are not
17 principally designed to serve the existing and projected rural
18 population and nonresidential uses, but do provide job opportunities
19 for rural residents. Rural counties may allow the expansion of small-
20 scale businesses as long as those small-scale businesses conform with
21 the rural character of the area as defined by the local government
22 according to RCW 36.70A.030((16)) (23). Rural counties may also
23 allow new small-scale businesses to utilize a site previously
24 occupied by an existing business as long as the new small-scale
25 business conforms to the rural character of the area as defined by
26 the local government according to RCW 36.70A.030((16)) (23). Public
27 services and public facilities shall be limited to those necessary to
28 serve the isolated nonresidential use and shall be provided in a
29 manner that does not permit low-density sprawl;

30 (iv) A county shall adopt measures to minimize and contain the
31 existing areas or uses of more intensive rural development, as
32 appropriate, authorized under this subsection. Lands included in such
33 existing areas or uses shall not extend beyond the logical outer
34 boundary of the existing area or use, thereby allowing a new pattern
35 of low-density sprawl. Existing areas are those that are clearly
36 identifiable and contained and where there is a logical boundary
37 delineated predominately by the built environment, but that may also
38 include undeveloped lands if limited as provided in this subsection.
39 The county shall establish the logical outer boundary of an area of
40 more intensive rural development. In establishing the logical outer

1 boundary, the county shall address (A) the need to preserve the
2 character of existing natural neighborhoods and communities, (B)
3 physical boundaries, such as bodies of water, streets and highways,
4 and land forms and contours, (C) the prevention of abnormally
5 irregular boundaries, and (D) the ability to provide public
6 facilities and public services in a manner that does not permit low-
7 density sprawl;

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

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

12 (B) On the date the county adopted a resolution under RCW
13 36.70A.040(2), in a county that is planning under all of the
14 provisions of this chapter under RCW 36.70A.040(2); or

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

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

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

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

27 (i) Land use assumptions used in estimating travel;

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

34 (iii) Facilities and services needs, including:

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

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

4 (C) For state-owned transportation facilities, level of service
5 standards for highways, as prescribed in chapters 47.06 and 47.80
6 RCW, to gauge the performance of the system. The purposes of
7 reflecting level of service standards for state highways in the local
8 comprehensive plan are to monitor the performance of the system, to
9 evaluate improvement strategies, and to facilitate coordination
10 between the county's or city's six-year street, road, or transit
11 program and the office of financial management's ten-year investment
12 program. The concurrency requirements of (b) of this subsection do
13 not apply to transportation facilities and services of statewide
14 significance except for counties consisting of islands whose only
15 connection to the mainland are state highways or ferry routes. In
16 these island counties, state highways and ferry route capacity must
17 be a factor in meeting the concurrency requirements in (b) of this
18 subsection;

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

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

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

29 (iv) Finance, including:

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

32 (B) A multiyear financing plan based on the needs identified in
33 the comprehensive plan, the appropriate parts of which shall serve as
34 the basis for the six-year street, road, or transit program required
35 by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
36 35.58.2795 for public transportation systems. The multiyear financing
37 plan should be coordinated with the ten-year investment program
38 developed by the office of financial management as required by RCW
39 47.05.030;

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

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

8 (vi) Demand-management strategies;

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

13 (b) After adoption of the comprehensive plan by jurisdictions
14 required to plan or who choose to plan under RCW 36.70A.040, local
15 jurisdictions must adopt and enforce ordinances which prohibit
16 development approval if the development causes the level of service
17 on a locally owned transportation facility to decline below the
18 standards adopted in the transportation element of the comprehensive
19 plan, unless transportation improvements or strategies to accommodate
20 the impacts of development are made concurrent with the development.
21 These strategies may include increased public transportation service,
22 ride-sharing programs, demand management, and other transportation
23 systems management strategies. For the purposes of this subsection
24 (6), "concurrent with the development" means that improvements or
25 strategies are in place at the time of development, or that a
26 financial commitment is in place to complete the improvements or
27 strategies within six years. If the collection of impact fees is
28 delayed under RCW 82.02.050(3), the six-year period required by this
29 subsection (6)(b) must begin after full payment of all impact fees is
30 due to the county or city.

31 (c) The transportation element described in this subsection (6),
32 the six-year plans required by RCW 35.77.010 for cities, RCW
33 36.81.121 for counties, and RCW 35.58.2795 for public transportation
34 systems, and the ten-year investment program required by RCW
35 47.05.030 for the state, must be consistent.

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

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

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

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21
16 RCW to read as follows:

17 A code city may not prohibit emergency housing, permanent
18 supportive housing, or indoor emergency shelters in multifamily,
19 commercial, or mixed use zones where short-term rentals are allowed.
20 Emergency housing, permanent supportive housing, and short-term
21 transitional or therapeutic housing, including, but not limited to,
22 domestic violence shelters, homes for foster or other youth or young
23 adults at risk of homelessness, or residential therapeutic services,
24 shall be permitted by a code city at the same occupancy levels as
25 short-term rentals permitted in the residential zone. This
26 requirement does not preclude a code city from implementing
27 regulations to mitigate neighborhood or community impacts of specific
28 facility types. A code city may allow indoor emergency housing,
29 permanent supportive housing, or indoor emergency shelters in all
30 zones. For purposes of this section, "short-term rental" means
31 lodging advertised or regularly offered for overnight or daily use in
32 exchange for compensation for periods of one month or less.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21
34 RCW to read as follows:

35 A city may not prohibit emergency housing, permanent supportive
36 housing, or indoor emergency shelters in multifamily, commercial, or
37 mixed use zones where short-term rentals are allowed. Emergency
38 housing, permanent supportive housing, and short-term transitional or

1 therapeutic housing, including, but not limited to, domestic violence
2 shelters, homes for foster or other youth or young adults at risk of
3 homelessness, or residential therapeutic services, shall be permitted
4 by a city at the same occupancy levels as short-term rentals
5 permitted in the residential zone. This requirement does not preclude
6 a city from implementing regulations to mitigate neighborhood or
7 community impacts of specific facility types. A city may allow indoor
8 emergency housing, permanent supportive housing, or indoor emergency
9 shelters in all zones. For purposes of this section, "short-term
10 rental" means lodging advertised or regularly offered for overnight
11 or daily use in exchange for compensation for periods of one month or
12 less.

13 **Sec. 5.** RCW 36.70A.030 and 2020 c 173 s 4 are each amended to
14 read as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout this chapter.

17 (1) "Adopt a comprehensive land use plan" means to enact a new
18 comprehensive land use plan or to update an existing comprehensive
19 land use plan.

20 (2) "Affordable housing" means, unless the context clearly
21 indicates otherwise, residential housing whose monthly costs,
22 including utilities other than telephone, do not exceed thirty
23 percent of the monthly income of a household whose income is:

24 (a) For rental housing, sixty percent of the median household
25 income adjusted for household size, for the county where the
26 household is located, as reported by the United States department of
27 housing and urban development; or

28 (b) For owner-occupied housing, eighty percent of the median
29 household income adjusted for household size, for the county where
30 the household is located, as reported by the United States department
31 of housing and urban development.

32 (3) "Agricultural land" means land primarily devoted to the
33 commercial production of horticultural, viticultural, floricultural,
34 dairy, apiary, vegetable, or animal products or of berries, grain,
35 hay, straw, turf, seed, Christmas trees not subject to the excise tax
36 imposed by RCW 84.33.100 through 84.33.140, finfish in upland
37 hatcheries, or livestock, and that has long-term commercial
38 significance for agricultural production.

39 (4) "City" means any city or town, including a code city.

1 (5) "Comprehensive land use plan," "comprehensive plan," or
2 "plan" means a generalized coordinated land use policy statement of
3 the governing body of a county or city that is adopted pursuant to
4 this chapter.

5 (6) "Critical areas" include the following areas and ecosystems:
6 (a) Wetlands; (b) areas with a critical recharging effect on aquifers
7 used for potable water; (c) fish and wildlife habitat conservation
8 areas; (d) frequently flooded areas; and (e) geologically hazardous
9 areas. "Fish and wildlife habitat conservation areas" does not
10 include such artificial features or constructs as irrigation delivery
11 systems, irrigation infrastructure, irrigation canals, or drainage
12 ditches that lie within the boundaries of and are maintained by a
13 port district or an irrigation district or company.

14 (7) "Department" means the department of commerce.

15 (8) "Development regulations" or "regulation" means the controls
16 placed on development or land use activities by a county or city,
17 including, but not limited to, zoning ordinances, critical areas
18 ordinances, shoreline master programs, official controls, planned
19 unit development ordinances, subdivision ordinances, and binding site
20 plan ordinances together with any amendments thereto. A development
21 regulation does not include a decision to approve a project permit
22 application, as defined in RCW 36.70B.020, even though the decision
23 may be expressed in a resolution or ordinance of the legislative body
24 of the county or city.

25 (9) "Emergency housing" means temporary indoor accommodations for
26 individuals or families who are homeless or at imminent risk of
27 becoming homeless that is intended to address the basic health, food,
28 clothing, and personal hygiene needs of individuals or families.
29 Emergency housing may or may not require occupants to enter into a
30 lease or an occupancy agreement.

31 (10) "Emergency shelter" means a facility that provides a
32 temporary shelter for individuals or families who are currently
33 homeless. Emergency shelter may not require occupants to enter into a
34 lease or an occupancy agreement. Emergency shelter facilities may
35 include day and warming centers that do not provide overnight
36 accommodations.

37 (11) "Extremely low-income household" means a single person,
38 family, or unrelated persons living together whose adjusted income is
39 at or below thirty percent of the median household income adjusted
40 for household size, for the county where the household is located, as

1 reported by the United States department of housing and urban
2 development.

3 ((10)) (12) "Forestland" means land primarily devoted to
4 growing trees for long-term commercial timber production on land that
5 can be economically and practically managed for such production,
6 including Christmas trees subject to the excise tax imposed under RCW
7 84.33.100 through 84.33.140, and that has long-term commercial
8 significance. In determining whether forestland is primarily devoted
9 to growing trees for long-term commercial timber production on land
10 that can be economically and practically managed for such production,
11 the following factors shall be considered: (a) The proximity of the
12 land to urban, suburban, and rural settlements; (b) surrounding
13 parcel size and the compatibility and intensity of adjacent and
14 nearby land uses; (c) long-term local economic conditions that affect
15 the ability to manage for timber production; and (d) the availability
16 of public facilities and services conducive to conversion of
17 forestland to other uses.

18 ((11)) (13) "Freight rail dependent uses" means buildings and
19 other infrastructure that are used in the fabrication, processing,
20 storage, and transport of goods where the use is dependent on and
21 makes use of an adjacent short line railroad. Such facilities are
22 both urban and rural development for purposes of this chapter.
23 "Freight rail dependent uses" does not include buildings and other
24 infrastructure that are used in the fabrication, processing, storage,
25 and transport of coal, liquefied natural gas, or "crude oil" as
26 defined in RCW 90.56.010.

27 ((12)) (14) "Geologically hazardous areas" means areas that
28 because of their susceptibility to erosion, sliding, earthquake, or
29 other geological events, are not suited to the siting of commercial,
30 residential, or industrial development consistent with public health
31 or safety concerns.

32 ((13)) (15) "Long-term commercial significance" includes the
33 growing capacity, productivity, and soil composition of the land for
34 long-term commercial production, in consideration with the land's
35 proximity to population areas, and the possibility of more intense
36 uses of the land.

37 ((14)) (16) "Low-income household" means a single person,
38 family, or unrelated persons living together whose adjusted income is
39 at or below eighty percent of the median household income adjusted
40 for household size, for the county where the household is located, as

1 reported by the United States department of housing and urban
2 development.

3 ((15)) (17) "Minerals" include gravel, sand, and valuable
4 metallic substances.

5 ((16)) (18) "Moderate-income household" means a single person,
6 family, or unrelated persons living together whose adjusted income is
7 at or below 120 percent of the median household income adjusted for
8 household size, for the county where the household is located, as
9 reported by the United States department of housing and urban
10 development.

11 (19) "Permanent supportive housing" is subsidized, leased housing
12 with no limit on length of stay that prioritizes people who need
13 comprehensive support services to retain tenancy and utilizes
14 admissions practices designed to use lower barriers to entry than
15 would be typical for other subsidized or unsubsidized rental housing,
16 especially related to rental history, criminal history, and personal
17 behaviors. Permanent supportive housing is paired with on-site or
18 off-site voluntary services designed to support a person living with
19 a complex and disabling behavioral health or physical health
20 condition who was experiencing homelessness or was at imminent risk
21 of homelessness prior to moving into housing to retain their housing
22 and be a successful tenant in a housing arrangement, improve the
23 resident's health status, and connect the resident of the housing
24 with community-based health care, treatment, or employment services.
25 Permanent supportive housing is subject to all of the rights and
26 responsibilities defined in chapter 59.18 RCW.

27 ((17)) (20) "Public facilities" include streets, roads,
28 highways, sidewalks, street and road lighting systems, traffic
29 signals, domestic water systems, storm and sanitary sewer systems,
30 parks and recreational facilities, and schools.

31 ((18)) (21) "Public services" include fire protection and
32 suppression, law enforcement, public health, education, recreation,
33 environmental protection, and other governmental services.

34 ((19)) (22) "Recreational land" means land so designated under
35 RCW 36.70A.1701 and that, immediately prior to this designation, was
36 designated as agricultural land of long-term commercial significance
37 under RCW 36.70A.170. Recreational land must have playing fields and
38 supporting facilities existing before July 1, 2004, for sports played
39 on grass playing fields.

1 ((+20))) (23) "Rural character" refers to the patterns of land
2 use and development established by a county in the rural element of
3 its comprehensive plan:

4 (a) In which open space, the natural landscape, and vegetation
5 predominate over the built environment;

6 (b) That foster traditional rural lifestyles, rural-based
7 economies, and opportunities to both live and work in rural areas;

8 (c) That provide visual landscapes that are traditionally found
9 in rural areas and communities;

10 (d) That are compatible with the use of the land by wildlife and
11 for fish and wildlife habitat;

12 (e) That reduce the inappropriate conversion of undeveloped land
13 into sprawling, low-density development;

14 (f) That generally do not require the extension of urban
15 governmental services; and

16 (g) That are consistent with the protection of natural surface
17 water flows and groundwater and surface water recharge and discharge
18 areas.

19 ((+21))) (24) "Rural development" refers to development outside
20 the urban growth area and outside agricultural, forest, and mineral
21 resource lands designated pursuant to RCW 36.70A.170. Rural
22 development can consist of a variety of uses and residential
23 densities, including clustered residential development, at levels
24 that are consistent with the preservation of rural character and the
25 requirements of the rural element. Rural development does not refer
26 to agriculture or forestry activities that may be conducted in rural
27 areas.

28 ((+22))) (25) "Rural governmental services" or "rural services"
29 include those public services and public facilities historically and
30 typically delivered at an intensity usually found in rural areas, and
31 may include domestic water systems, fire and police protection
32 services, transportation and public transit services, and other
33 public utilities associated with rural development and normally not
34 associated with urban areas. Rural services do not include storm or
35 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

36 ((+23))) (26) "Short line railroad" means those railroad lines
37 designated class II or class III by the United States surface
38 transportation board.

39 ((+24))) (27) "Urban governmental services" or "urban services"
40 include those public services and public facilities at an intensity

1 historically and typically provided in cities, specifically including
2 storm and sanitary sewer systems, domestic water systems, street
3 cleaning services, fire and police protection services, public
4 transit services, and other public utilities associated with urban
5 areas and normally not associated with rural areas.

6 ((+25))) (28) "Urban growth" refers to growth that makes
7 intensive use of land for the location of buildings, structures, and
8 impermeable surfaces to such a degree as to be incompatible with the
9 primary use of land for the production of food, other agricultural
10 products, or fiber, or the extraction of mineral resources, rural
11 uses, rural development, and natural resource lands designated
12 pursuant to RCW 36.70A.170. A pattern of more intensive rural
13 development, as provided in RCW 36.70A.070(5)(d), is not urban
14 growth. When allowed to spread over wide areas, urban growth
15 typically requires urban governmental services. "Characterized by
16 urban growth" refers to land having urban growth located on it, or to
17 land located in relationship to an area with urban growth on it as to
18 be appropriate for urban growth.

19 ((+26))) (29) "Urban growth areas" means those areas designated
20 by a county pursuant to RCW 36.70A.110.

21 ((+27))) (30) "Very low-income household" means a single person,
22 family, or unrelated persons living together whose adjusted income is
23 at or below fifty percent of the median household income adjusted for
24 household size, for the county where the household is located, as
25 reported by the United States department of housing and urban
26 development.

27 ((+28))) (31) "Wetland" or "wetlands" means areas that are
28 inundated or saturated by surface water or groundwater at a frequency
29 and duration sufficient to support, and that under normal
30 circumstances do support, a prevalence of vegetation typically
31 adapted for life in saturated soil conditions. Wetlands generally
32 include swamps, marshes, bogs, and similar areas. Wetlands do not
33 include those artificial wetlands intentionally created from
34 nonwetland sites, including, but not limited to, irrigation and
35 drainage ditches, grass-lined swales, canals, detention facilities,
36 wastewater treatment facilities, farm ponds, and landscape amenities,
37 or those wetlands created after July 1, 1990, that were
38 unintentionally created as a result of the construction of a road,
39 street, or highway. Wetlands may include those artificial wetlands

1 intentionally created from nonwetland areas created to mitigate
2 conversion of wetlands.

3 **NEW SECTION.** **Sec. 6.** A new section is added to chapter 36.70A
4 RCW to read as follows:

5 In addition to ordinances, development regulations, and other
6 official controls adopted or amended, a city or county should
7 consider policies to encourage the construction of accessory dwelling
8 units as a way to meet affordable housing goals. These policies could
9 include, but are not limited to:

10 (1) The city or county may not require the owner of a lot on
11 which there is an accessory dwelling unit to reside in or occupy the
12 accessory dwelling unit or another housing unit on the same lot;

13 (2) The city or county may require the owner not to use the
14 accessory dwelling unit for short-term rentals;

15 (3) The city or county may not count residents of accessory
16 dwelling units against existing limits on the number of unrelated
17 residents on a lot;

18 (4) The city or county may not establish a minimum gross floor
19 area for accessory dwelling units that exceeds the state building
20 code;

21 (5) The city or county must make the same allowances for
22 accessory dwelling units' roof decks, balconies, and porches to
23 encroach on setbacks as are allowed for the principal unit;

24 (6) The city or county must apply abutting lot setbacks to
25 accessory dwelling units on lots abutting zones with lower setback
26 requirements;

27 (7) The city or county must establish an amnesty program to help
28 owners of unpermitted accessory dwelling units to obtain a permit;

29 (8) The city or county must permit accessory dwelling units in
30 structures detached from the principal unit, must allow an accessory
31 dwelling unit on any lot that meets the minimum lot size required for
32 the principal unit, and must allow attached accessory dwelling units
33 on any lot with a principal unit that is nonconforming solely because
34 the lot is smaller than the minimum size, as long as the accessory
35 dwelling unit would not increase nonconformity of the residential use
36 with respect to building height, bulk, or lot coverage;

37 (9) The city or county may not establish a maximum gross floor
38 area requirement for accessory dwelling units that are less than

1 1,000 square feet or 60 percent of the principal unit, whichever is
2 greater, or that exceeds 1,200 square feet;

3 (10) A city or county must allow accessory dwelling units to be
4 converted from existing structures, including but not limited to
5 detached garages, even if they violate current code requirements for
6 setbacks or lot coverage;

7 (11) A city or county may not require public street improvements
8 as a condition of permitting accessory dwelling units; and

9 (12) A city or county may not require installation of a new or
10 separate utility connection between an accessory dwelling unit and a
11 utility unless unusual site conditions make it unavoidable, and if
12 such connection is necessary, the connection fees of capacity charges
13 must be consistent with water availability requirements, water system
14 plans, small water system management plans, or established policies
15 adopted by the water or sewer utility provider.

--- END ---

SENATE BILL REPORT

E2SHB 1220

As Reported by Senate Committee On:
Housing & Local Government, March 25, 2021
Ways & Means, April 2, 2021

Title: An act relating to supporting emergency shelters and housing through local planning and development regulations.

Brief Description: Supporting emergency shelters and housing through local planning and development regulations.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Peterson, Macri, Bateman, Ryu, Lekanoff, Fitzgibbon, Kloba, Davis, Lovick, Santos, Ortiz-Self, Simmons, Berg, Hackney, Chopp, Tharinger and Frame).

Brief History: Passed House: 3/3/21, 57-39.

Committee Activity: Housing & Local Government: 3/18/21, 3/25/21 [DPA-WM, DNP].
Ways & Means: 3/31/21, 4/02/21 [DPA, DNP, w/oRec].

Brief Summary of Amended Bill

- Updates the housing goals of the Growth Management Act (GMA) to include planning for and accommodating affordable housing.
- Requires GMA jurisdictions to address moderate, low, very low, and extremely low-income housing and racially disparate impacts and displacement in the housing element of the comprehensive plan.
- Requires the Department of Commerce to provide an inventory and analysis of existing and projected housing needs required in the housing element of the comprehensive plan, including emergency housing and shelters and permanent supportive housing.
- Prohibits cities from preventing transitional housing or permanent supportive housing in zones where residential dwelling units or hotels are allowed, and requires them to provide for indoor emergency shelters

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

and indoor emergency housing in a majority of zones within one mile of transit.

- Directs GMA jurisdictions to consider certain policies that encourage the construction of accessory dwelling units to meet affordable housing goals.

SENATE COMMITTEE ON HOUSING & LOCAL GOVERNMENT

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Kuderer, Chair; Das, Vice Chair; Cleveland, Lovelett and Salomon.

Minority Report: Do not pass.

Signed by Senators Fortunato, Ranking Member; Gildon, Assistant Ranking Member; Short, Assistant Ranking Member; Warnick.

Staff: Brandon Popovac (786-7465)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Carlyle, Darneille, Dhingra, Gildon, Hunt, Liias, Mullet, Pedersen, Rivers, Van De Wege and Wellman.

Minority Report: Do not pass.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Schoesler, Assistant Ranking Member, Capital; Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Braun, Conway, Hasegawa, Keiser, Muzzall and Warnick.

Staff: Trevor Press (786-7446)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

Counties that fully plan under the GMA must designate urban growth areas (UGAs), within which urban growth must be encouraged and outside of which growth may occur only if it is not urban in nature. Planning jurisdictions must include within their UGAs sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. Cities must include sufficient areas to accommodate the broad range of needs and uses that will accompany the projected urban growth, including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

The GMA also directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA. When developing their comprehensive plans, counties and cities must consider various goals set forth in statute.

Comprehensive Plan—Mandatory Housing Element. The comprehensive plan of a fully planning county or city must consist of a map or maps and descriptive text covering objectives, principles, and standards used to develop the plan. The plan must be an internally consistent document and all elements must be consistent with the future land-use map. Each comprehensive plan must include a plan, scheme, or design for certain enumerated elements, including a housing element. The housing element must ensure the vitality and character of established residential neighborhoods and:

- include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- identify sufficient land for housing, including government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- make adequate provisions for existing and projected needs of all economic segments of the community.

Local Planning for Accessory Apartments. Local governments are required to have accessory apartments, commonly referred to as accessory dwelling units (ADUs), provisions incorporated in their development regulations, zoning regulations, or official controls. These provisions must be consistent with a 1993 report from the Department of Community, Trade, and Economic Development (CTED) that provided recommendations to the Legislature designed to encourage development and placement of accessory apartments in areas zoned for single-family residential use. CTED recommendations include standards and criteria regarding size, parking, design, and quantity of accessory apartments. Local communities have some flexibility to adapt these recommendations to local needs and preferences. "Local government" means a county planning under the GMA, a city with a population of over 20,000, and a county with a population of over 125,000.

Accessory Dwelling Unit Regulation. In 2019, the Legislature encouraged fully planning cities to take an array of specified planning actions to increase residential building capacity. Specified planning actions relating to ADUs include authorizing attached and detached ADUs on all parcels containing single-family homes on lots of a certain size.

In 2020, the Legislature required any city within a county planning under the GMA that has not adopted or substantively amended its ADU regulations within the previous four years to adopt or amend ordinances, regulations, or other official controls that do not require the provision of off-street parking for ADUs within 0.25 mile of a major transit stop, with exceptions.

Summary of Amended Bill: The housing goal guiding the development of comprehensive plans and development regulations for GMA jurisdictions is updated to provide that jurisdictions plan for and accommodate, rather than encourage the availability of, affordable housing.

The Department of Commerce (Commerce) must provide the inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth as required in the housing element of the comprehensive plan, including units for moderate, low, very low, and extremely low-income households as well as emergency housing, emergency shelters, and permanent supportive housing. Definitions are provided for emergency housing, emergency shelter, and moderate-income household.

The housing element of the comprehensive plan is updated to require GMA jurisdictions to do the following:

- include moderate density housing options in the statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing;
- identify zoning capacities for housing, including moderate, low, very low, and extremely low-income households as well as emergency housing, emergency shelters, and permanent supportive housing;
- when making adequate provisions for existing and projected needs of all economic segments:
 1. incorporate consideration for low, very low, extremely low, and moderate-income households;
 2. document programs and actions needed to achieve housing availability, including gaps in local funding, barriers such as development regulations, and other limitations;
 3. consider housing locations in relation to employment location; and
 4. consider the role of ADUs in meeting housing needs;
- identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including discriminatory zoning, disinvestment, and infrastructure availability;
- identify and implement policies and regulations to address and begin to undo racially

- disparate impacts, displacement, and exclusion in housing;
- identify areas at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
- establish anti-displacement policies, with consideration to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing, equitable development initiatives, inclusionary zoning, community planning requirements, tenant protections, land disposition policies, and land that may be used for affordable housing.

Cities may not prohibit transitional housing or permanent supportive housing in any zones where residential dwelling units or hotels are allowed, and must provide for indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, intensity of use, and operational restrictions may be imposed on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters, but such restrictions on occupancy, spacing, and intensity of use may not prevent the siting of sufficient permanent supportive housing, transitional housing, or indoor emergency housing or shelters necessary to accommodate the need for such housing and shelter as provided by Commerce under comprehensive plan housing element requirements. The terms dwelling unit and hotel are defined with reference to how the terms are defined in other statutory provisions.

Cities and counties are directed to consider policies encouraging construction of ADUs to meet affordable housing goals. Policies may include:

- prohibiting owner-occupancy requirements;
- requiring the owner not to use the ADU for short-term rentals;
- prohibiting counting of ADU residents toward the number of unrelated residents on the lot;
- prohibiting minimum gross floor area requirements exceeding building codes;
- prohibiting maximum gross floor area requirements of certain dimensions;
- requiring the same ADU allowances regarding roof decks, balconies, and porches as for the principal unit;
- requiring certain abutting lot setbacks;
- requiring an amnesty program for owners with unpermitted ADUs to obtain permits;
- authorizing detached ADUs, ADUs on lots meeting minimum lot size, and ADUs on lots with nonconforming principal units, if the ADU would not increase the nonconformity;
- authorizing ADUs to be converted from existing structures even if in violation of current setback or lot coverage requirements;
- prohibiting public street improvements as a requisite to permitting ADUs; and
- authorizing new or separate utility connection requirements between the ADU and utility when necessary to be consistent with certain requirements, plans, or policies.

EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):

- Prohibits cities from preventing transitional housing or permanent supportive housing in zones where residential dwelling units or hotels are allowed, and requires cities to provide indoor emergency shelters and indoor emergency housing in a majority of zones within one mile of transit.
- Authorizes reasonable occupancy, spacing, intensity of use, and operational restrictions to be imposed on permanent supportive housing, transitional housing, and indoor emergency housing and shelters, but that any such restrictions on occupancy, spacing, and intensity of use may not prevent siting sufficient permanent supportive housing, transitional housing, and indoor emergency housing and shelters necessary to accommodate the projected need provided by Commerce under comprehensive plan housing element requirements.

EFFECT OF HOUSING & LOCAL GOVERNMENT COMMITTEE AMENDMENT(S):

- Modifies the new action of the housing element addressing the documentation of programs and actions needed to achieve housing availability to include gaps in local funding only as opposed to both state and local funding.
- Modifies the new action of the housing element addressing the establishment of anti-displacement policies by prioritizing consideration of the preservation of historical and cultural communities.
- Replaces the prohibition on cities preventing emergency housing and shelters and permanent supportive housing in certain zones where short-term rentals are allowed, and the requirement that such housing be permitted at the same occupancy levels as short-term rentals in the residential zone, with the following:
 1. Prohibits cities from preventing emergency housing, transitional housing, or permanent supportive housing in any zones in which residential dwelling units, hotels, or short-term rentals are allowed, and from preventing emergency shelters in any zone in which hotels are allowed.
 2. Authorizes the imposition of reasonable occupancy, spacing, intensity of use, and operational restrictions on indoor emergency housing and indoor emergency shelters, but that any such restrictions on occupancy, spacing, and intensity of use does not prevent the siting of sufficient indoor emergency housing or shelters to accommodate the projected need.
 3. Provides definitions for "dwelling unit" and "hotel," while clarifying the definition of "short-term rental" to align with how the term is defined under statutory provisions regulating short-term rentals.
- Modifies one of the suggested policies to encourage the construction of ADUs to meet affordable housing goals, specifically authorizing cities and counties to require a new or separate utility connection between the ADU and a utility only when necessary to be consistent with certain water availability requirements and system plans, and requiring any fees associated with a necessary connection to be proportionate and not exceed reasonable costs.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Housing & Local Government): *The committee recommended a different version of the bill than what was heard.* PRO: The bill addresses the housing element in GMA comprehensive plans, which has been a relatively vague element, and asks cities to look at all housing types and possibly past zoning policies. The bill simply attempts to allow people to live where they want to live, and eliminates discrimination that may occur when limiting where people stay. Stakeholder negotiations are still ongoing to address fears with the bill. The bill does not interfere with current local practices addressing homelessness and housing. Land use regulation is based on a history of discrimination and redlining, and this bill addresses this history of exclusion. The bill addresses areas with high risk of displacement and provides policies to help prevent such displacement from reoccurring in certain communities. Emergency shelters need to be made available and provided in all neighborhoods. Too few GMA jurisdictions have addressed any housing beyond market rate housing. Many families are cost burdened, and there is no GMA planning to accommodate affordable housing or for emergency shelters. More emergency shelters are needed that are not congregate care based, like the recent use of the Red Lion Hotel in Renton, which can provide better support for shelter clients. Hotel-based shelters provided a benefit to the community in which they are located, resulting in a low spread of COVID-19 and a 75 percent decrease in emergency/police calls at the primary shelter location. Hotel-based shelters would provide more streamlined access to local clinics for medical services. Some counties have declared homelessness an emergency, and a lack of shelter and housing for lower income households has increased during the pandemic especially for BIPOC communities. Homelessness has decreased in certain counties and increased in others. The best way to treat homelessness is with housing, which is more cost effective. The planning and action strategies in the bill cannot be separated. People of color represent the homeless population at disproportionately higher rates. Local control is important but should not result in local discrimination. Most opposition to the bill has come from local government officials themselves and not the organizations operating or communities within such jurisdictions.

CON: There are general objections to sections 3 and 4 in the bill, and revisions or removal is requested. The state preemption in the bill is based on the false premise that smaller cities oppose emergency shelters. Certain cities have engaged in homelessness work over the last ten years, including convening a homelessness task force, setting up a day center and overnight shelter, and converting a strip mall to house a resource center and other providers. Certain cities have also worked with faith-based organizations to set up

emergency shelters within city buildings. The preemptive language undermines other encouraging language in the bill. The bill goes too far and removes local zoning authority provided to cities to regulate shelter location. The underlying intent of the bill in providing local government options is supported, but sections 3 and 4 are concerning, especially if shelters would be permitted in areas of commercial activity. Amendments to the housing element should work as long as such efforts are funded along with any projected shelter need requirements; however, local stakeholders and residents still need to be involved to help determine shelter locations. Current issues around the types of shelters and appropriate locations depend on the type of proposed shelter. State preemption of local control faces the risk of backlash and a resulting lack of collaboration from local governments and residents to address the homelessness and housing needs. Local governments are best suited to evaluate transit and legal services needs for shelter populations. The state preemption fails to acknowledge previous efforts of cities to address housing and site shelters. Certain cities are already implementing permanent supportive housing and amending city codes to make shelter access easier. Conflating regulations governing short-term rentals and shelters does not make sense, and local governments have a better sense to achieve a balance between these approaches. Some cities are already in the process of updating their comprehensive plans and could not meet required timelines.

OTHER: There are concerns about the policies in the bill providing ADU recommendations, specifically utility connection charges for water-sewer service. Certain cities have allowed zoning for new residential multifamily housing where single-family zoning previously existed. The state preemption of local zoning authority is not supported, but the housing element modifications will help achieve housing diversity.

Persons Testifying (Housing & Local Government): PRO: Representative Strom Peterson, Prime Sponsor; Bryce Yadon, Futurewise; Cynthia Stewart, League of Women Voters of Washington; Nancy Connolly; Russell Berg; Penny Sweet, Mayor, City of Kirkland; Michele Thomas, Washington Low Income Housing Alliance; Des Anderson, SEIU 1199NW.

CON: Armando Pavone, Mayor, City of Renton; Reagan Dunn, King County Council; Nancy Backus, City of Auburn; Mike Ennis, Association of Washington Business; Carl Schroeder, Association of Washington Cities; Angela Birney, Mayor, City of Redmond; Brian Enslow, Cities of Vancouver, Lacey, Ferndale, and College Place.

OTHER: Joren Clowers, Washington Association of Sewer and Water Districts; Elizabeth Chamberlain, City of Walla Walla; Bill Clarke, Pierce County Water Cooperative.

Persons Signed In To Testify But Not Testifying (Housing & Local Government): No one.

Staff Summary of Public Testimony on Bill as Amended by Housing & Local Government (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: Support this bill as a good financial investment. The

housing elements in many comp plans do not have planning for shelters. Many people experiencing homelessness do not have places to stay. Without the changes in this bill, many jurisdictions would not fully plan for these types of housing. Homelessness is more expensive than housing. There is a massive gap of housing units. Housing problems can only be solved if all cities participate. This bill is a necessary tool for providing a roadmap for every city to plan for this housing crisis. All cities must do their part to make supportive housing available. This bill is an example of an appropriate use of exemption because it creates a floor for what must exist. This legislation helps to address the history of exclusion in our cities. This legislation requires anti-displacement policies be implemented in certain instances. Sections 3 and 4 are also about ending exclusion. We should not be excluding people from neighborhoods because they do not have the income to live there. Homeowner who sees neighbors are without housing entirely. We should want to live in diverse communities where all people are allowed to live. Instead of using planning for redlining we should use it to build diverse communities. This bill is necessary and urgent because there is urgent need to reduce homelessness. The state has a legitimate interest to ensure all cities do their part to address homelessness. Cities will need units across the income spectrum to create a community where all residents can thrive. Please allocate flexible planning dollars for cities to help with the costs of these bills.

CON: Sections 3 and 4 tie local government's hands in a way that has never been done before. This is not about whether or not we should do something but where and how. Please fix the bill by deleting sections 3 and 4 or changing them. Support the underlying intentions of the bill, but have concerns with mandates in sections 3 and 4. Local governments understand their planning needs best and should be able to plan accordingly, not have to follow mandates from the state. Support the GMA elements in sections 1 and 2, do not support sections 3 and 4 because this is excluding the voice of local governments. This plan needs to work for everyone as it impacts all cities, not just the most urban ones. Please further amend sections 3 and 4. Cities understand the need for some level of pre-exemption, but tying regulations of emergency shelters to other forms of housing is unfair. Please do not reference short-term rentals in the bill.

OTHER: Please further amend sections 3 and 4. Cities have worked to increase the level of low-income housing and understand the need for some level of preemption in this area. The bill is confusing when looking at implementation. tying the work of shelters with the work of air b&b's, VRBOs and other short-term rentals are unnecessary and will cause confusion. Short-term rentals do not need to be separately listed from residential dwelling units. It is unclear whether the reasonable occupancy spacing and intensity of use restrictions only apply to emergency housing and shelters or if they also apply to transitional housing and supportive housing. Please clarify that cities can enact these restrictions on any of these uses.

Persons Testifying (Ways & Means): PRO: Cynthia Stewart, League of Women Voters of Washington; Penny Sweet, Mayor, City of Kirkland; Lindsey Schromen-Wawrin, City of Port Angeles; Bryce Yadon, Futurewise; Benjamin Miksch; Michele Thomas, Washington

Low Income Housing Alliance; Lyset Cadena, City of Burien.

CON: Armondo Pavone, Mayor, City of Renton; Mike Ennis, Association of Washington Business; Carl Schroeder, Association of Washington Cities.

OTHER: Elizabeth Chamberlain, City of Walla Walla; Briahna Murray, Cities of Tacoma, Kent, Redmond, Issaquah, Lakewood, and Mountlake Terrace.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

Accessory Buildings & Accessory Dwelling Units

DEVELOPMENT & USE REVIEW



ACCESSORY DWELLING UNITS (ADU)

An accessory dwelling unit (ADU) is a dwelling unit subordinate to a single-family dwelling unit which: (1) is located within the single-family dwelling unit; or (2) is located within an accessory building.

ADUs may be permitted on lots of at least 7,200 square feet, provided they meet all of the following criteria:

- Only one ADU is permitted per residential lot.
- The ADU floor area must be at least three-hundred (300) square feet, but may not exceed fifty percent of the total area of the principal residence or one-thousand (1,000) square feet, whichever is less.
- ADUs on lots less than 15,000 square feet in area must be developed within the existing primary residence.
- ADUs on lots of 15,000 square feet or greater may be developed as an accessory structure, subject to the requirements for accessory buildings.
- Either the primary residence or the ADU must be owner-occupied.
- Garage space may be converted only if the same number of off-street parking spaces are provided elsewhere on the property.
- One off-street parking space, in addition to that required for a single-family dwelling, shall be provided.
- The total number of people who may occupy the principal residence and the ADU, together, shall not exceed the number of people who may occupy a single-family dwelling.
- Applications for an ADU must include a Certificate of Water Availability from the water district in which the property is located.

ACCESSORY BUILDINGS

Accessory building means a building located on the same lot as the primary building to which it is accessory. Accessory buildings are allowed in single-family zones provided they meet all of the following criteria:

- The total combined floor area of all accessory buildings shall not occupy more than ten percent (10%) of the total area of the lot, up to a maximum of one-thousand (1,000) square feet.
- Accessory buildings may only be placed in a rear yard.
- Accessory buildings shall be ten (10) feet or more from the principal building.
- Accessory buildings may be placed no closer than five (5) feet to the rear lot line, excluding accessory dwelling units, which may be placed no closer than fifteen (15) feet to the rear property line.
- Accessory building height shall not exceed fifteen (15) feet.

Questions?

For more information, please contact the Planning Department
aplanner@cityoflfp.com
206-957-2837

Access to Information

Electronic versions of all forms, permits, applications, and codes are available on the Lake Forest Park website:
<http://www.cityoflfp.com/>

Paper copies of all of the above are available at City Hall:
17425 Ballinger Way Northeast, Lake Forest Park, WA 98155

DISCLAIMER: The information included herein is meant to provide general information and guidance into basic zoning requirements associated with accessory buildings and accessory dwelling units in accordance with the official City Zoning Map only and is not intended to be all inclusive. Zoning requirements can and do sometimes change after action by the City Council. Interested parties should always verify current requirements with the City Planning Department.

**City of Lake Forest Park - Planning Commission
Special Meeting Minutes: March 16, 2021
Virtual/Zoom Meeting**

Planning Commissioners present: Chair Maddy Larson, Vice Chair Rachael Katz, Lois Lee, Ira Gross, David Kleweno, Richard Saunders, Melissa Cranmer, T.J. Fudge, Steve Morris

Staff and others present: Steve Bennett, Planning Director; Nick Holland, Senior Planner, Councilmember Tom French (Planning Commission Liaison); Deputy Mayor Phillipa Kassover, Councilmember Lorri Boden

Members of the Public: Mike Dee, Don Fiene, Greg Jacobs

Planning Commissioners absent: n/a

Call to order: Chair Larson called the meeting to order at 7:01pm.

Approval of Agenda

Mr. Gross made a motion to approve the agenda, Mr. Saunders seconded, and the agenda was approved unanimously.

Land Acknowledgement:

CMR: Gross read the land acknowledgement.

Approval of Meeting Minutes from February 9, 2021

Cmr. Gross made a motion to approve the February 9, 2021 Planning Commission meeting minutes and Cmr. Saunders seconded. Cmr. Kleweno asked about line 49 and for clarification about providing the correct information regarding the topic being addressed. Director Bennett confirmed that Cmr. Kleweno was referring to line 49 on page 2 and responded that intent of the meeting minutes is to capture a summary of what was said even if when a statement is not factual or out of date. All voted and the minutes from February 9th was approved unanimously.

Introductions:

Chair Larson led introductions for the new Planning Commission members. Cmr. Lee provided her background and her role in the community and expressed her interest in a comprehensive sidewalk plan for the City. Cmr. Kleweno provided his background and reasons for joining the Planning Commission. He said he had also been a member of the Tree Board. Cmr. Cranmer talked about her background, her profession, and her reasons for joining the Planning Commission.

Mr. Larson summarized the direction of the Commission. Director Bennett suggested that current Commissioners introduce themselves for the benefit of the new members.

Cmr. Morris, Cmr. Gross, Vice Chair Katz, Cmr. Fudge, Cmr. Saunders, Chair Larson, and Councilmember French all introduced themselves and spoke about their backgrounds and history with the Commission.

Meeting Dates:

Next regular meeting is scheduled for April 13, 2021

Citizen Comments:

1 Don Fiene said that he would like to welcome the new Commissioners and noted that he was a past
2 Commissioner and Councilmember.

3

4 **Report from City Council Liaison**

5

6 Councilmember French announced that the Council had adopted the Town Center ordinances. He said that
7 community input and the Commission's input were key elements of the process. He said that the regulations
8 were meant for the future of town center. He said that the Council reviewed the ADU presentation and
9 explained Council's direction on the matter. He said that the Council would like to take a step back and
10 solicit additional feedback from the public and that they would like to see how a successful project has
11 occurred in another jurisdiction. He mentioned the backyard locational requirement. He said that the
12 Council is very supportive of alternative housing types. He asked Director Bennett for feedback. Director
13 Bennett summarized Council's previous direction for the Commission. Councilmember French emphasized
14 the independent role of the Commission in evaluating new land use policy.

15

16 Cmr. Saunders asked for updates from Sound Transit. Director Bennett said that staff has met with the
17 agency regarding the most recent letter of concurrency and summarized a meeting about the LFP permitting
18 process for a project of that scope. Director Bennett said that the discussion surrounded the BAT lanes and
19 tree removal as well as critical areas within the project area. He said that staff is currently evaluating Sound
20 Transit's permitting plan and the 30% design. He emphasized that no applications have been received.
21 Councilmember French said that the letter of concurrency is a big milestone for LFP. He said that the staff
22 has done a good job in reflecting community needs in conversations with Sound Transit.

23

24 **Old Business**

25 None.

26

27 **New Business**

28 Cmr. Larson introduced the new business and summarized the topics of the Commission's discussion. She
29 turned the floor over to Director Bennett to review the content of his memorandum to the Commission.
30 Cmr. Fudge asked about the housing study that Council had previously discussed and asked Councilmember
31 French if the study is going forward and if there are any future plans regarding that subject. Councilmember
32 French said that the housing study had been deferred and that it needs funding. He talked about a recent
33 staff presentation regarding urban growth and target studies. Chair Larson alluded to a conversation with a
34 relative regarding the content of housing studies and asked Commissioners if there were additional questions
35 for Councilmember French. There were none.

36

37 "Addressing Housing Diversity and Affordability in LFP

38 • Relevant LFP Comprehensive Plan Goals and Policies

39

40 Director Bennett provided information on the comprehensive plan update cycle and the housing element.
41 He said that infrastructure was emphasized during the last cycle and that the upcoming update could be an
42 opportunity to emphasize housing policy. He encouraged the Commission to think about the current policies
43 and goals and public outreach that could occur to garner feedback from the community. He noted that there
44 were many policies that support a diversity of housing types and that address the 'missing middle' issue.
45 Chair Larson said that the review of the policies was a great reminder. Cmr. Cranmer asked if other
46 communities have been studied. Director Bennett responded that public engagement might be a better place
47 to start so the community can provide background on what their concerns are. There was discussion about
48 the original zoning code and past housing policies, as well as, codes that support the current policies. Director
49 Bennett mentioned a possible amendment for consideration might be allowing for detached structures in the
50 front yard.

51

1 Councilmember French provided his perspective on the past and current housing policies and how codes can
2 change to support current housing demand. Cmr. Fudge said that there are a lot of goals and policies within
3 the comprehensive plan and mentioned neighborhood character as a policy that will need to be given equal
4 priority with respect to the other policies and added that comprehensive plan policies can often conflict. Cmr.
5 Kleweno provided his perspective on housing and emphasized the framework for housing conversations and
6 the need to clarify how the group moves forward. Cmr. Larson asked Director Bennett what the
7 Commission's obligations are for housing policy. Director Bennett said that it is important for all
8 Commissioners to be familiar with all the elements of the comprehensive plan which is available on the
9 website. He provided background on how the content of the staff memo came together and noted that the
10 memorandum is not exhaustive regarding the Comp Plan's housing-related policy.

11

- 12 • Relevant State Legislation

13 Director Bennett alluded to the model ADU regulations adopted in the 90s, which the LFP codes reflect. He
14 talked about the most recent state legislation on ADUs and said that prohibiting a requirement for owner
15 occupation in one of the units is something that cities are opposed to. He talked about the upcoming comp
16 plan update and the urban growth capacity study. He said that LFP has been designated a high-capacity
17 transit city in the County's growth target process and added that the designation results in job and housing
18 targets being slightly higher than if they would be without the Sound Transit bus rapid transit line. He said
19 that LFP only needs to demonstrate the capacity for accommodating the housing units and job growth to
20 anticipate the growth targets. Councilmember French mentioned market forces and said that available
21 capacity does not necessarily mean that the capacity needs to meet any increased targets. Cmr. Larson
22 provided her perspective on the capacity and related zoning regulations and asked if zoning laws can meet the
23 required demand. Cmr. Morris said that the height limit in southern gateway, town center, and residential
24 capacity numbers in single family zones may be able to meet the growth capacity, but that the diversity in
25 housing may not be able to be achieved. Cmr. Katz said that the GMA targets are good to have for
26 information purposes but may not speak to affordability. She explained how the numbers were derived and
27 provided information about the process in adjacent counties. She said that the City should not
28 overemphasize the scope of the challenge of providing affordable units. Director Bennett provided
29 information on the obligations on communities and their responsibilities for providing affordable housing.
30 Cmr. Lee asked if the town center numbers accounted for the growth target numbers. Director Bennett said
31 that the new town center regulations did play a factor in the growth target study. He said that the new
32 regulations make it clear that there is a 275 unit capacity in town center and emphasized that there is plenty of
33 residential capacity in the rest of the City. Director Bennett said that the job targets are most challenging.

34

35 Cmr. Lee asked what the City wants to decide in terms of housing policy. She said she was trying to
36 understand the City's policy relative to State policy and direction. Cmr. Larson provided context to the
37 Commission's plan in exploring alternative housing methods. There was discussion about how the data for
38 the capacity study was calculated. He stated some of the practical uses of Geographic Information Systems
39 (GIS) for analyzing housing types. He said that he would recommend that Commissioners hear from people
40 who wanted but were unable to build ADUs on their property, so that they can understand what prevents
41 some from doing so. Chair Larson said that it will be important to understand what the community wants
42 before exploring housing policy. Cmr. Kleweno asked what the impact of the State bill could be on LFP.
43 Director Bennett responded that the owner occupancy requirement could be prohibited. Cmr. Morris said
44 that social issues of affordability should be addressed and that there is value in the Planning Commission
45 preparing the public for that debate. Chair Larson asked where the group can go to understand City policy
46 and Director Bennett said that the comprehensive plan policy section (Volume 1) is a good place to start as
47 well as the appendices of the plan. He said that the comp plan is a snapshot of a community's perspective
48 which may become outdated fairly rapidly.

49

50 Cmr. Saunders offered his perspective on the planning process and arriving at solutions to complex
51 problems. He said that working with a group like the Commission can be a good exercise and that the work
52 can be exciting and rewarding.

1
2 Cmr. Larson asked how the content of this meeting can fit with the annual work plan. Director Bennett said
3 that the housing issue doesn't necessarily have a set of steps, but that the Commission should think about
4 what the next steps should be. He said that additional community input can be sought an approach to solicit
5 additional community input could be discussed. He said that the SMP is a priority as well, but that additional
6 work is needed on that topic before it can be brought back to the Commission. Cmr. Larson asked about
7 how the Commission would like to proceed. Cmr. Kleweno asked the Commission what they want to
8 accomplish regarding housing policy. Cmr. Fudge said he agrees with statements made and said that housing
9 policy should reflect current housing needs. He said that the community likely feels differently regarding
10 housing policy and that transparency on housing policy should be a priority to involve the community. He
11 said community support is key. Cmr. Saunders suggested studying the work from the citizen presentation in
12 February. He also agreed with Cmr. Kleweno. He said he values the input from the new Commission
13 members. Cmr. Katz said that everyone should contribute to the next steps.
14

15 **Reports and Announcements**

16
17 Director Bennett mentioned a neighborhood meeting held by the Town Center owner and that a subdivision
18 application could be filed after a pre application meeting.
19

20 **Additional Citizen Comments**

21
22 Don Fiene said that he was a new Councilmember when the current ADU ordinance was adopted and that
23 the goal was for the ordinance not to allow any ADU development. He said that they drafted an ordinance
24 that was close to what the State was going to pass. He mentioned various details of the ordinance. He said
25 he agreed with Cmr. Katz's comments. He said that the term affordable should be used carefully.
26

27
28 Councilmember Bodi thanked all Commissioners and said that the City has housing capacity to meet the
29 established targets. She said that the Council adopted affordable housing requirements and incentives for
30 multi-family housing within the town center. She talked about recent community involvement levels.
31

32 Deputy Mayor Kassover thanked all for their efforts. She spoke to the conversation regarding defining a
33 problem and said that defining problems can often make clear the action that is needed. She said that
34 conversations regarding ADUs have been occurring over several years, but that the LFP situation needs
35 diversity to meet community needs. She said that we need housing for every generation. She said that the
36 community character should be maintained, which is important. She said that Council is motivated to solve
37 the ADU limitations.
38

39 **Agenda for Next Meeting:**

40
41 Chair Larson said she would work with Director Bennett to plan the agenda for next meeting based on the
42 discussion tonight.
43

44 **Adjournment:**

45 Cmr. Katz moved to adjourn the meeting and Cmr. Fudge seconded. The meeting adjourned at 9:08pm.
46

47 APPROVED:
48
49
50
51
52

Maddy Larson, Chair