



Planning and Economic Development Committee Agenda

March 25, 2021

4:00 P.M.

Virtual Meeting

Due to the current COVID-19 public health emergency, and social distancing protocols, pursuant to the Governor's and public health officials' orders, this meeting will be conducted virtually. The meeting will be live streamed on SeaTV Government Access Comcast Channel 21 and the City's website <https://www.seatacwa.gov/seatvlive> and click play. The public may also call in to the conference line to listen to the meeting. The number is 206.973.4555. While you will be able to hear the meeting; you will not be able to participate in the meeting. Please note that if you are unable to mute your phone, everyone else on the call-in line will be able to hear you, so please refrain from speaking. City Hall is closed, so no one will be able to physically attend this meeting.

Councilmembers

Stan Tombs, Chair

Peter Kwon

Mayor Erin Sitterley

A quorum of the Council may be present.

Staff Coordinator: Evan Maxim, CED Director

ITEM	TOPIC	PROCESS	WHO	TIME
1	Call to Order		Chair	4:00
2	PUBLIC COMMENTS (any topic): In an effort to adhere to the social distancing protocols, pursuant to the Governor's and public health officials' orders, and in order to keep our residents, Council, and staff healthy, the Council Committee will not hear any in-person public comments during this COVID-19 public health emergency. The Committee is providing remote and written public comment opportunities. All comments shall be respectful in tone and content. Signing-		Chair	4:00 (2 min)

	<p>up for remote comments or providing written comments must be done <u>by 2:00PM</u> the day of the meeting.</p> <ul style="list-style-type: none"> • Instructions for providing remote oral public comments are located at the following link: Council Committee and Citizen Advisory Committee Virtual Meetings. • Submit email/text public comments to pedpubliccomment@seatacwa.gov. The comment will be mentioned by name and subject and then placed in the committee handout packet posted to the website. Public comments submitted to an email address other than the provided address, or after the deadline, will not be included as part of the record. 			
3	Minutes of 02/25/2021 regular meeting	Review and approve	Committee	4:02 (2 min)
4	Housing Action Plan: Update	Presentation	Jenn Kester / Kate Kaehny	4:04 (20 min)
5	Travel & Tourism Work Plan update	Presentation	Aleksandr Yeremeyev / Tanja Carter	4:24 (20 min)
6	Overnight Shelter moratorium: extension	Review and Recommendation	Evan Maxim	4:44 (20 min)
7	King County Growth Targets: Update	Presentation	Evan Maxim	5:04 (10 min)
8	Adjourn		Chair	5:14



Planning & Economic Development Committee Minutes

Thursday, February 25, 2021

4:00 PM – 5:30 PM

* Virtual Meeting *

Members: Present: Commence: 4:01 PM
 Adjourn: 6:04 PM

Stanley Tombs, Chair **X**
 Deputy Mayor Peter Kwon **X**
 Mayor Erin Sitterley **X**

Other Councilmembers: Pam Fernald, Clyde Hill

Staff & Presenters: Evan Maxim, *CED Director*; Gwen Voelpel, *Deputy City Manager*;
 Jenn Kester, *Planning Manager*; Kate Kaehny, *Senior Planner*;
 Tanja Carter, *Economic Development Strategist*; Neil Tabor,
Associate Planner; Alena Tuttle, *Associate Planner*; Barb Mailo,
Administrative Assistant 3; SeaTv

1. Call to Order	Chair Tombs called the meeting to order at 4:01 PM.
2. Public Comments	None received.
3. Approval of minutes of 01/28/2021	Deputy Mayor Kwon moved to approve meeting minutes. Mayor Sitterley seconded. 01/28/2021 regular meeting minutes were unanimously approved.
4. Housing Action Plan: Update	<p>X Presentation (Jenn Kester / Kate Kaehny)</p> <p>Senior Planner Kate Kaehny presented the SeaTac Housing Action Plan (HAP) Project: Potential Housing Strategies: Work Session #1.</p> <p>The purpose of the presentation was to kick-off discussions on potential housing strategies to consider for inclusion in the Housing Action Plan and to request confirmation of the guiding framework established to date.</p>

	<p>No action was requested other than confirmation of guidelines as explained.</p> <p>The presentation included the following: Recap Project Scope/Major Milestones, Housing Strategies Guiding Framework: Purpose, Project Goals, City Policies & Council Priorities, Gaps Identified in Draft Housing Inventory & Assessment Report; and 4 Key Objectives.</p> <p>Discussion commenced with Mayor Sitterley, Deputy Mayor Kwon, Councilmember Fernald, Chair Tombs, Director Maxim, and Planning Manager Kester regarding the language and terms used in the guiding framework objective #4). All were in favor of tabling this discussion and revisiting it at a later time.</p> <p>Kate resumed presentation with the following: What tools can City use to influence development of Housing: Puget Sound Regional Council (PSRC) Housing Innovations Program- "HIP Housing Toolkit", SeaTac-Specific Housing Tools, Recent City Actions to Promote Housing: Incentives, Capital Projects, Code Amendments, and Next Steps: Upcoming Community & Stakeholder Engagement, PED Work Sessions & Project Completion.</p> <p>Chair Tombs indicated that Council members should attend the upcoming residents and housing producer virtual forum activities.</p> <p>Discussion commenced with Deputy Mayor Kwon, Director Maxim, Mayor Sitterley, Chair Tombs, Planning Manager Jenn Kester, and Senior Planner Kate Kaehny.</p>
<p>5. Accessory Dwelling Unit code amendment: Introduction</p>	<p><u> X </u> Review and Direction (Jenn Kester / Neil Tabor)</p> <p>Associate Planner Neil Tabor presented the Accessory Dwelling Unit (ADU) Code Update. The purpose of the presentation is to provide an overview of upcoming state law changes impacting how certain ADU requirements can be enforced, provide background on existing SeaTac ADU code and proposed areas for amendments, and receive feedback for changes to code to adhere to this update in state law.</p> <p>Presentation included the SB 6617 Overview: Key Points, Where does this change potentially impact, SB 6617 State Exception, Parking Limitations, Existing ADU Code Background: Current City of SeaTac Municipal Code Regulating ADUs, Miscellaneous Code Amendments to Consider: Areas not addressed under current ADU Code; and Next Steps if sent to Planning Commission.</p> <p>Recommendation options</p> <ul style="list-style-type: none"> • Forward to Planning Commission for further review • Do not consider topic further • Review further at PED before electing whether for forward to Planning Commission <p>Discussion commenced with Mayor Sitterley, Deputy Mayor Kwon, Chair Tombs, Associate Planner Tabor, Planning Manager Jenn Kester, and Director Evan Maxim.</p>

	Mayor Sitterley motioned to move this to the Planning Commission for further review. Deputy Mayor Kwon seconded. Chair Tombs opposed. Passed 2-1.
6. King County Growth Targets: Update	<p><u> X </u> Presentation (Evan Maxim)</p> <p>CED Director Evan Maxim presented the King County Growth Target Allocation Process (Project Update). The purpose of this presentation is informational and to provide update on the King County Growth Target process.</p> <p>Presentation included the Planning for Growth & GMA, Timeline, Target Methodology to Date: Preliminary Target Ranges, Preliminary Growth Target, and Implications: Preliminary Growth Target: Policy Implications</p> <p>No Committee Action Requested</p>
7. Adjourn	Chair Tombs adjourned the meeting at 6:04 pm.



MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: March 19, 2021
To: Planning & Economic Development (PED) Committee
From: Kate Kaehny, Senior Planner
Subject: Housing Action Plan Project Update

The purpose of the upcoming PED briefing on the Housing Action Plan (HAP) project is primarily informational and is intended to update the Committee on recent community and stakeholder engagement activities. PED's housing strategies work sessions are scheduled for April.

Summary of HAP Community & Stakeholder Engagement Activities

The project staff and consultant team have undertaken the following engagement activities during the last month. At the March 25 project briefing, staff will provide an overview of key takeaways from the engagement activities described below. Detailed notes will be provided at a later date.

- **HAP Online Open House/Survey**

The "online open house," which includes a survey, is intended to help replace the in-person type of open house meeting the City would usually undertake as part of a planning project like the HAP effort. Because of COVID-related restrictions, SeaTac and other cities are utilizing the "online open house" technique to provide project information to residents. In this case, there is also a survey embedded within the virtual open house. To date, there have only been 56 survey responses, which the consultant team says is on the low end of participation for this type activity. Additional efforts are being made to boost exposure of the survey for our residents. Any assistance Committee members can provide to help advertise the survey would be appreciated. The survey can be accessed on the project web page: www.seatacwa.gov/hap.

- **Residents Housing Forum, March 10, 2021 (Virtual)**

In early March, seven SeaTac residents appointed by the Mayor participated in the Residents Housing Forum. Forum participants were from geographically diverse neighborhoods, and were primarily homeowners except for one renter. The consultant team facilitated the virtual conversation with the objective of developing an understanding of the participants' housing perspectives and priorities.

- **Housing Producers Forum, March 12, 2021 (Virtual)**

The following nine individuals from the for-profit and non-profit housing industries participated in the Housing Producers Forum:

- **Cobi Clark**, Accrete Construction, LLC/C2 Real Estate, LLC.
- **Colin Morgan-Cross**, Mercy Housing
- **Gina Clark**, Master Builders Association of King & Snohomish Counties
- **Bandhanjit Singh & Kamal Singh**
- **Keith James**, Inland Group
- **Patrick Sullivan**, Habitat for Humanity
- **Steve Beck**, John L. Scott
- **Troy Schmeil**, Callidus Development/Sapphire Homes

The main goal of the event was to understand the opinions of those in the development community in terms of the opportunities and challenges that currently exist when building housing in SeaTac and the region.

Overview of Housing Action Plan Document Outline

While the primary focus of the March 25 HAP briefing will be on key takeaways from recent community engagement activities, staff will also provide an overview of the Department of Commerce's sample Housing Action Plan document outline. The intent of this brief review is to familiarize Committee members with the general content required for the City's Housing Action Plan document. While the grant-required content will be incorporated within SeaTac's HAP document, the Plan will reflect SeaTac-specific goals, data and priorities.

Packet Materials:

- This Memo
- Copy of presentation slides

More Information Available on Housing Action Plan (HAP) Project Website:

- www.seatacwa.gov/hap



Serving Communities ▾ Building Infrastructure

Growth Management Planning for Housing - Washington State Department of Commerce

Home | Serving Communities



HB 1923 Building Urban Residential Capacity Grants

SeaTac Housing Action Plan “HAP” Project Update

Planning & Economic Development (PED)
Committee Meeting
March 25, 2021



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

- To provide an update on the HAP project's community engagement activities to date.
- To familiarize PED with the general outline of Housing Action Plan documents based on guidance from the Department of Commerce.

WHY IS THIS ISSUE IMPORTANT?

1. In July 2020, City Council finalized approval of a \$100,000 Department of Commerce grant to fund a Housing Action Plan (HAP).
2. Regular briefings are needed to ensure City Council and the Planning Commission stay apprised of and provide input on project activities.



NO COMMITTEE ACTION REQUESTED

NO COMMITTEE ACTION REQUESTED

- Project briefing is informational.

REVIEWS TO DATE

- Planning Commission: 11/17/2020, 1/19/2021, 2/2/2021, 3/16/2021
- Planning & Economic Development (PED) Committee: 9/24/2020, 11/18/2020, 1/19/2021, 2/25/2021



HAP COMMUNITY ENGAGEMENT ACTIVITIES TO DATE

ONLINE OPEN HOUSE/SURVEY

AVAILABLE ON PROJECT WEBSITE SINCE MARCH 1ST

The online open house/survey for SeaTac residents is one of the main components of HAP project outreach:

- Advertising/outreach process to date:
 - Social media “blasts:” City blog post and distribution through City Manager’s Weekly newsletter

Responses to date: 56

Staff Request:

Please let your constituents know about the on-line open house & survey:

www.seatacwa.gov/hap



COMMUNITY ENGAGEMENT ACTIVITIES

EXHIBIT 4b: Page 5 of 11
DATE: 03/25/21

RESIDENTS HOUSING FORUM

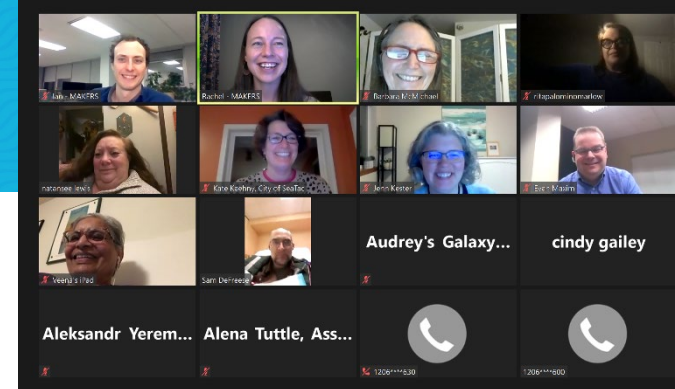
Date: March 10, 2021 (Virtual)

Participants: 7 SeaTac residents

- Neighborhoods: Riverton Heights, McMicken Heights, Bow Lake, city center area
- Homeowner/Renter: Majority homeowners, one renter

Meeting Objectives:

- Hear real experiences with housing in SeaTac
- Confirm Housing Inventory and Assessment Report (HIAR) findings
- Understand the range of community desires for SeaTac's housing future
- Understand potential constraints and negative consequences of strategies under consideration
- Develop shared understanding and community ownership of the Housing Action Plan



COMMUNITY ENGAGEMENT ACTIVITIES

RESIDENTS HOUSING FORUM - KEY TAKEAWAYS SUMMARY

Key Values:

- People love their existing neighborhoods and their current look and feel
- Design for human sociability / sense of community matters

Assets to Preserve:

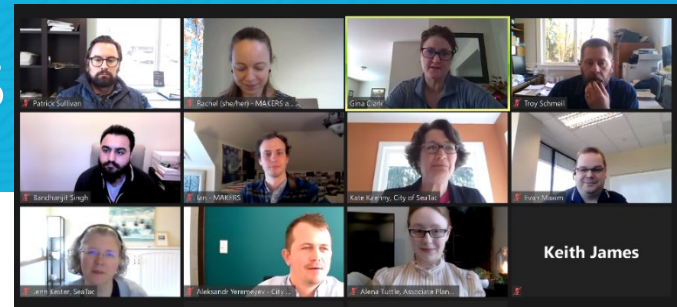
- Mid-century single-story “rambler” houses provide valuable housing, especially for seniors
- Existing affordable homes – many homeowners can’t afford to move

Issues & Interests:

- Concern about new tax exempt residential properties’ impact on taxpayers
- Not enough affordable options for renting apartments, especially for seniors
- Support for new housing that enhances social connections and multi-generational living – like co-housing, cottage housing, courtyard apartments
- Support for apartments near light rail and possibility of moderate density “missing middle” housing types near transit

COMMUNITY ENGAGEMENT ACTIVITIES

EXHIBIT 4b: Page 7 of 11
DATE: 03/25/21



HOUSING PRODUCERS FORUM

Date: March 12, 2021 (Virtual)

Participants: 9 people from the for-profit and non-profit development communities

Meeting Objectives:

- Develop shared understanding of vision for housing development in SeaTac
- Clarify specific cost and code barriers to desired development, especially station area development and missing middle housing (duplexes/multiplexes, townhouses, ADUS, etc.)
- Identify impactful steps the City can take to attract desired development

COMMUNITY ENGAGEMENT ACTIVITIES

HOUSING PRODUCERS FORUM - KEY TAKEAWAYS SUMMARY

Opportunities:

- Station areas going in right direction, grocery stores and other amenities nearby would reduce need for parking
- SeaTac and South King County have a unique, funky vibe that is attractive
- There is demand for attainable homes (\$350,000-\$400,000), and multi-generational housing including “missing middle” moderate density housing (duplex, multiplex, townhouse)

Regulatory Barriers:

- Provide more flexibility in regulations
- Remove barriers to ADUs (e.g. ownership, increase size, provide pre-approved sample plans)
- Reduce minimum lot size for single family homes and make it easier to divide lots
- Consider reduced parking requirements for multifamily to decrease cost of development, especially in station areas where current minimums are higher than other cities

Other Impactful City Actions:

- Reduce unnecessary hurdles in permitting process
- Invest in staff resources and electronic plan submittal to help reduce permitting time
- Invest in big infrastructure costs like sidewalks, undergrounding utility wires, drainage requirements



DEPARTMENT OF COMMERCE HAP OUTLINE SAMPLE

SeaTac's Housing Action Plan (HAP) outline will:

- Align with Department of Commerce grant requirements

but...

- It will be organized to address the City's HAP goals and guiding framework

Exhibit 5. Sample Outline for a HAP

Introduction

- Problem statement and highlights from the housing needs assessment
- Strategic objectives
- Overview of planning and community engagement process

Housing Actions

- Housing actions, organized by strategic objective, such as:
 - Comprehensive plan policy amendments
 - Development regulations
 - Permitting processes
 - Fee structures
 - Infrastructure priorities
 - Housing programs
- Actions to minimize or mitigate displacement

Implementation Plan

Monitoring Program

Appendices

- Housing needs assessment
- Summary of community engagement
- Housing policy framework review

NEXT STEPS

PED WORK SESSIONS & PROJECT COMPLETION

April:

- **4/6: Proposed PED & Planning Commission Combined Work Session**
 - Review & discuss potential strategies for Draft Housing Action Plan

May:

- **Draft Housing Action Plan available for public review on website & at virtual public forum/open house**
- **Planning Commission holds public hearing & provides recommendation**

June:

- **“Final” Draft Housing Action Plan submitted to Department of Commerce**

July:

- **PED review and recommendation on “Final” Draft Housing Action Plan**

August-September

- **City Council review and action**



NO COMMITTEE ACTION REQUESTED

NO COMMITTEE ACTION REQUESTED

- Project briefing is informational.

REVIEWS TO DATE

- Planning Commission: 11/17/2020, 1/19/2021, 2/2/2021, 3/16/2021
- Planning & Economic Development (PED) Committee: 9/24/2020, 11/18/2020, 1/19/2021, 2/25/2021





MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT (CED)

Date: March 25, 2021
To: Planning and Economic Development (PED) Committee - Meeting on 3/25/2021
CC: Evan Maxim, Director, Community & Economic Development
From: Aleksandr Yeremeyev, Economic Development Manager;
Tanja Carter, Economic Development Strategist
Subject: **Travel & Tourism Work Plan Update**

Overview

The purpose of this memo is to provide an update to the PED Committee on the status of the SeaTac City Travel & Tourism Work Plan (TTP) within Community Economic & Development (CED). This memo details the background, current timeline, milestones, and the people, industries & organizations included in the research to inform Travel & Tourism related policies.

Background

Travel & Tourism plays a large role in the City of SeaTac's economy. From SEA airport and its airport related services, to SeaTac businesses serving the millions of travelers & tourists who use the airport annually.

Since tourism is considered an economic driver, the management and execution of tourism related partnerships and activities falls into the Economic Development division within CED. Future tourism policies will be incorporated into the Economic Vitality Element of the City's Comprehensive Plan.

As part of the research undertaken to begin formulation of the TTP, the Economic Development team is gathering information to develop travel & tourism policies for inclusion in the City's Comprehensive Plan in 2021.

To date, we have formulated the high-level goal of SeaTac travel & tourism and identified four policy focus areas based on: existing policies in several Comprehensive Plan Elements (Community Design, Parks, Land Use, and Economic Vitality), Council discussions, desk research and interviews with contributors referenced below.

The overarching goal of SeaTac's travel & tourism policies is to:

“Maximize the benefits of SeaTac's geographic position within the global / regional / local travel & tourism market by fostering an ecosystem that ensures a positive visitor experience. This travel & tourism ecosystem consists of people, the City, airport, airport related businesses & amenities and establishes SeaTac as the gateway to the Pacific Northwest”

The four policy areas in support of this goal are:

1. Maximize Airport Presence, Relationship & Connectivity

- a. The airport location within the region is geographically and strategically impactful for

SeaTac. It is a local driver of commerce & jobs, it is a regional transportation hub that draws travelers and generates significant tax revenues for the City, and it is globally recognized as a major gateway on the west coast of the entire North American continent.

2. Create consistent identity elements & community design

- a. SeaTac's identity and message should be clear to travelers who are from different cultures, languages and their individual reason for visiting SeaTac and the Pacific Northwest. It is therefore imperative that communication in physical form (art, architecture, landscaping...), promotion (digital, print, written word, personality) & activities & events be consistent across all external organizations, internal city departments & their respective programs.

3. Create programming, open spaces & connectivity for tourists

- a. The City's visitor population has the potential to swell to the size of our residential population when hotels realize full occupancy. Since these travelers "live" in the Hotel District on International Boulevard and contribute to the City's tax revenues, SeaTac aims to physically connect this population to amenities, open spaces, events & programs that exist as City assets or are created to benefit this population.

4. Guiding Principles for Lodging Tax Funding Uses

- a. The City realizes significant lodging tax revenues due to its extraordinary hotel room inventory of 6,000 rooms (in 2021). These revenues should be allocated to grant applicants that clearly demonstrate measurable benefit to SeaTac in alignment with the above policies and goals.
- b. These principles will also be reflective of priorities at the policy level. All work plans and activities will roll up to the policies and include defined methods of measuring progress towards desired strategic outcomes.
- c. Methods of measuring progress will supplement existing lodging tax grant application metrics, Hotel Motel Advisory Committee (HMAC) applicant evaluation criteria, as well as the State lodging tax reporting system, which all require quantitative & qualitative demonstration of benefits. These documents are reviewed and updated annually by both the HMAC & City Council.

Community Engagement

To develop the work plan and policy, Economic Development staff will seek input from the SeaTac City Council, HMAC, Seattle Southside Regional Tourism Authority, and SeaTac's hospitality and airport related businesses.

Timeline & Milestones

Draft travel & tourism policies will be complete by the end of April or early May for review and adoption by the City Council by the end of year as part of the Comprehensive Plan amendment process. This work will inform the subsequent development of a Destination Development Strategy and Tourism & Travel Work Plan (TTP). We expect to be ready for presentation in Q3 of 2021.

Exhibits

1. Power Point presentation summarizing background, timeline & contributors

2021 Travel & Tourism Work Plan Update

Economic Development

EXHIBIT 5b: Page 1 of 12
DATE: 03/25/21



March 25, 2021



PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

Provide a status update to PED Committee on the Economic Development division's Tourism & Travel component of the work plan

WHY IS THIS ISSUE IMPORTANT?

It is important to keep internal and external stakeholders apprised of activities that Economic Development has engaged in to ensure transparency and encourage thoughtful discussions on how to continue to meet expectations of Council, residents and the business community of SeaTac.

COMMITTEE & COUNCIL REVIEW / ACTION

COMMITTEE ACTION REQUESTED

NO ACTION REQUESTED Informational Only

COMMITTEE REVIEWS TO DATE

- HMAC 2/10/21, 3/10/21

COUNCIL FORMAL REVIEW & ACTION

Occurs through the Comprehensive Plan Amendment process

PRESENTATION OVERVIEW

1. Overview
2. Background
3. Community Engagement
4. Timeline & Milestones

1. OVERVIEW

SEATAC COMPREHENSIVE PLAN



Economic Vitality Element (including new Travel & Tourism Policies)



SeaTac Economic Development Strategy



Destination Development for Travel & Tourism

- Physical (capital improvement*)
- Programmatic
- Destination Brand

Economic Development for Business Ecosystem

- BRE
- Attraction
- RE Development
- WFD
- Neighborhood Development

* Capital Improvement for our purposes =
A travel & tourism (T&T) facility, a physical improvement tied to T&T, something that
enhances the visitor experience (selfie station, mural, streetscape, artwalk...)

Tourism Is An Economic Driver For SeaTac City

- Management & execution of tourism related partnerships and activities falls into the Economic Development division
- Future tourism policies will be incorporated into the Economic Vitality Element of the City's Comprehensive Plan
- High-level goal of SeaTac travel & tourism areas are based on:
 - Existing policies in several Comprehensive Plan Elements
 - Community Design, Parks, Land Use, and Economic Vitality
 - Council discussions
 - Desk research
(PROS Plan, ACLAC Master Plan, SSRTA work plan)
 - Interviews with community stakeholders

2. BACKGROUND

Goal of SeaTac's travel & tourism policies is to:

“Maximize the benefits of SeaTac's geographic position within the global / regional / local travel & tourism market by fostering an ecosystem that ensures a positive visitor experience. “

“This travel & tourism ecosystem consists of people, the City, airport, airport related businesses & amenities and establishes SeaTac as the gateway to the Pacific Northwest”

The Identified Four Policy Areas Are:

1. Maximize Airport Presence, Relationship & Connectivity
2. Create Consistent Identity Elements & Community Design
3. Create Programming, Open Spaces & Connectivity for Tourists
4. Guiding Principles for Lodging Tax Funding Uses

3. COMMUNITY ENGAGEMENT

Special Thanks To:

- SeaTac City Councilmembers
- Hotel Motel Advisory Committee (HMACH)
- Seattle Southside Regional Tourism Authority (SSRTA)
- SeaTac Hospitality and Airport Businesses

4. TIMELINE & MILESTONES

- May: Draft travel & tourism policies complete
- June: Planning Commission review of Comp. Plan amendments
- Sept/Oct: PED Committee Review/Recommendations
- Nov/Dec: Adoption of Policy by SeaTac City Council

Destination Development Strategy and Tourism & Travel Work Plan related work will occur concurrently in 2021

COMMITTEE ACTION REQUESTED

NO ACTION REQUESTED Informational Only

COMMITTEE REVIEWS TO DATE

- HMAC 2/10/21, 3/10/21
- ACLAC 3/10/21

COUNCIL FORMAL REVIEW & ACTION

Occurs through the Comprehensive Plan Amendment process

2021 Travel & Tourism Work Plan Update

Economic Development

EXHIBIT 5b: Page 12 of 12
DATE: 03/25/21



Thank You





MEMORANDUM COMMUNITY & ECONOMIC DEVELOPMENT

Date: March 25, 2021
To: Planning & Economic Development (PED) Committee
From: Evan Maxim, Community & Economic Development Director
Subject: Overnight Shelter Moratorium - Extension

Summary

On November 10, 2020, the City Council adopted Ordinance No. 20-1023 (copy attached to this memo), which established a 6-month moratorium on the application for, and approval of, “Overnight Shelter”, “Transitional Housing”, and similar uses. As required by Washington State Law (RCW 36.70A and RCW 35A.63), the City Council held a public hearing on December 8, 2020 to consider public comments related to the then-adopted moratorium. The “whereas” statements in Ordinance No. 20-1023 provide a basis for adoption of the moratorium. Public comments were received and considered by the City Council at the December 8, 2020 City Council meeting.

The Washington State Legislature is currently considering two bills related to the establishment of overnight shelters (House Bills 1220 and 1070, current versions attached); at present, neither bill has been adopted. Both bills contain substantive language that may affect how the City of SeaTac regulates overnight shelters, transitional housing, and other similar uses.

The moratorium established by Ordinance No. 20-1023 will expire on May 1, 2021 unless further action is taken by the City Council. Staff anticipates that House Bills 1220 and 1070 will be signed into law in late May or early June. City staff has not had any substantive contact with King County staff regarding Overnight Shelter proposals since adoption of the moratorium in November of 2020. It is unclear when King County intends to proceed with siting the proposed facilities. To extend the current moratorium for an additional six months, the City Council must conduct a public hearing and pass an extension ordinance.

PED Committee Direction

Staff is seeking confirmation, and a recommendation, from the City Council PED committee related extending the moratorium. Staff recommends that on April 13, the City Council hold a public hearing and adopt an ordinance extending the moratorium for an additional six months, to allow staff to scope the amendments necessary after passage of House Bills 1220 and 1070.

Packet Materials:

- a. This Memo
- b. Ordinance No. 20-1023
- c. House Bill 1220
- d. House Bill 1070
- e. Powerpoint presentation

ORDINANCE NO. 20-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington enacting a Moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses through May 1, 2021; declaring an emergency; and establishing an effective date.

WHEREAS, on March 31, 2020, the Washington State Governor signed into law House Bill (HB) 1590 (Chapter 222, Laws of 2020), which amended RCW 82.14.530 to allow for Counties to impose a local sales and use tax through councilmanic authority for the purpose of creating affordable housing, mental and behavioral health-related facilities, and fund the operation and maintenance of said facilities; and

WHEREAS, the Revised Code of Washington (RCW) 82.14 requires that a County “consult” with a city before the County may construct affordable housing, mental and behavioral health-related facilities; and

WHEREAS, on October 13, 2020, the King County Council adopted King County Ordinance No. 19179 imposing the sales and use tax authorized pursuant to HB 1590 and directing that tax proceeds be directed to the King County “Health and Housing Fund”; and

WHEREAS, on October 13, 2020, the King County Council adopted King County Ordinance No. 19180 establishing the “Health and Housing Fund”, a special revenue fund in which proceeds of the sales and use tax shall be used to fund affordable housing, housing-related services, the operations and maintenance costs of affordable housing facilities, mental and behavioral health-related facilities, and related programs and services; and

WHEREAS, King County Ordinance No. 19179 authorizes King County to bond against the anticipated proceeds, and may use up to fifty percent of the moneys collected for repayment of such bonds; and

WHEREAS, on October 12, 2020, the City of SeaTac sent a letter to King County providing comments on the then-proposed King County Ordinance No. 19179, recommending that the Ordinance be amended to ensure collaboration between King County and any city selected for a proposed affordable housing or mental and behavioral health related facility; and

WHEREAS, King County Ordinance No. 19179 does not incorporate the City of SeaTac recommended amendments, or similar language, ensuring collaboration between King County and cities in the siting of proposed affordable housing or mental and behavioral health related facilities; and

WHEREAS, in March, 2020, King County, acting under the broad powers of the local health officer pursuant to RCW 70.05.070 established temporary “de-intensification” shelters, including a shelter located within a SeaTac hotel, with the intent to temporarily decrease shelter intensity, increase social distancing, and prevent or slow the spread of COVID-19; and

WHEREAS, the City Council desires to ensure that King County collaborates with the City of SeaTac in the permanent siting of an “Overnight Shelter”, “Transitional Housing”, and any similar uses, and further desires to ensure that the sufficient development regulations are in place to ensure the public health, safety, welfare, and peace; and

WHEREAS, the City Council finds that permanent siting of an “Overnight Shelter”, “Transitional Housing”, and other similar uses should be supported by programs and services intended to assist the occupants of new, permanent facilities; and

WHEREAS, existing programs and services within the City of SeaTac may not exist or be insufficient; and

WHEREAS, the City Council finds that if a new, permanent, “Overnight Shelter”, “Transitional Housing”, or similar uses vest under the current development regulations, it may result in the creation of facilities that could pose harm to public health, safety, welfare, and peace; and

WHEREAS, the City Council may adopt an immediate moratorium for a period of up to six months on the acceptance of permit applications for the purpose of establishing permanent “Overnight Shelter” and “Transitional Housing” and similar uses, as long as the City Council holds a public hearing on the moratorium within sixty days after adoption pursuant to RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, to prevent the potential harm to public health, safety, welfare, and peace, the City Council concludes that immediate action is necessary; and

WHEREAS, the moratorium does not apply to any complete application for a permanent “Overnight Shelter”, “Transitional Housing”, or similar use that has vested to the regulations in effect prior to the passage of this Ordinance; and

WHEREAS, the City shall hold a public hearing on December 8, 2020, consistent with the requirements of RCW 35A.63.220 and RCW 36.70A.390;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Pursuant to the provisions of RCW 35A.63.220 and 36.70A.390, a moratorium is hereby enacted in the City of SeaTac prohibiting the establishment, location, operation, and licensing of a permanent “Overnight Shelter”, “Transitional Housing”, or similar use intended to

create a permanent, standalone, affordable housing or mental and behavioral health related facilities.

Section 2. Through May 1, 2021, the City shall not accept applications for rezones, land use permits, development permits, or building permits for any of the purposes or activities listed in Section 1 above, and no business license shall be granted or accepted while this moratorium is in effect. Any land use approvals, business licenses or other permits for these facilities that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void, and without legal force or effect.

Section 3. The above “Whereas” clauses of this Ordinance constitute specific findings by the Council in support of passage of this Ordinance.

Section 4. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing regarding the moratorium established in Section 1 of the Ordinance not later than sixty (60) days after adoption hereof, and the City Council may make additional findings of fact justifying the moratorium or rescind the same.

Section 5. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

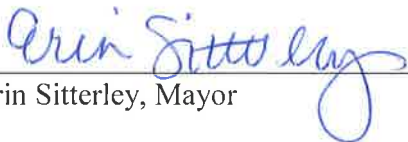
Section 6. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. This Ordinance shall not be codified.

Section 8. The City Council declares that an emergency exists requiring passage of this Ordinance for the protection of public health, safety, welfare, and peace based on the Findings set forth in Section 3 above. This Ordinance shall take effect and be in full force immediately upon passage and shall expire May 1, 2021 unless extended or repealed according to law.

ADOPTED this 10th day of November 2020, and signed in authentication thereof on this 10th day of November 2020.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 11/10/2020]

[Moratorium Overnight Shelter and Transitional Housing]

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 or 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 ---

ENGROSSED SUBSTITUTE HOUSE BILL 1070

State of Washington

67th Legislature

2021 Regular Session

By House Finance (originally sponsored by Representatives Ryu, Macri, Walen, Chopp, Santos, Fitzgibbon, Ramel, Wylie, Ramos, Bateman, Tharinger, Simmons, Kloba, Peterson, Gregerson, Goodman, Sells, Bronoske, Valdez, Callan, Hackney, Cody, Ormsby, Riccelli, Springer, Fey, Davis, Pollet, and Harris-Talley)

READ FIRST TIME 02/01/21.

1 AN ACT Relating to modifying allowed uses of local tax revenue
2 for affordable housing and related services to include the
3 acquisition and construction of affordable housing and facilities;
4 amending RCW 82.14.530 and 67.28.180; and declaring an emergency.

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

6 **Sec. 1.** RCW 82.14.530 and 2020 c 222 s 1 are each amended to
7 read as follows:

8 (1)(a)(i) A county legislative authority may submit an
9 authorizing proposition to the county voters at a special or general
10 election and, if the proposition is approved by a majority of persons
11 voting, impose a sales and use tax in accordance with the terms of
12 this chapter. The title of each ballot measure must clearly state the
13 purposes for which the proposed sales and use tax will be used. The
14 rate of tax under this section may not exceed one-tenth of one
15 percent of the selling price in the case of a sales tax, or value of
16 the article used, in the case of a use tax.

17 (ii) As an alternative to the authority provided in (a)(i) of
18 this subsection, a county legislative authority may impose, without a
19 proposition approved by a majority of persons voting, a sales and use
20 tax in accordance with the terms of this chapter. The rate of tax
21 under this section may not exceed one-tenth of one percent of the

1 selling price in the case of a sales tax, or value of the article
2 used, in the case of a use tax.

3 (b) (i) If a county does not impose the full tax rate authorized
4 under (a) of this subsection by September 30, 2020, any city
5 legislative authority located in that county may:

6 (A) Submit an authorizing proposition to the city voters at a
7 special or general election and, if the proposition is approved by a
8 majority of persons voting, impose the whole or remainder of the
9 sales and use tax rate in accordance with the terms of this chapter.
10 The title of each ballot measure must clearly state the purposes for
11 which the proposed sales and use tax will be used; or

12 (B) Impose, without a proposition approved by a majority of
13 persons voting, the whole or remainder of the sales and use tax rate
14 in accordance with the terms of this chapter.

15 (ii) The rate of tax under this section may not exceed one-tenth
16 of one percent of the selling price in the case of a sales tax, or
17 value of the article used, in the case of a use tax.

18 (iii) A county with a population of greater than one million five
19 hundred thousand may impose the tax authorized under (a) (ii) of this
20 subsection only if the county plans to spend at least thirty percent
21 of the moneys collected under this section that are attributable to
22 taxable activities or events within any city with a population
23 greater than sixty thousand located in that county within that city's
24 boundaries.

25 (c) If a county imposes a tax authorized under (a) of this
26 subsection after a city located in that county has imposed the tax
27 authorized under (b) of this subsection, the county must provide a
28 credit against its tax for the full amount of tax imposed by a city.

29 (d) The taxes authorized in this subsection are in addition to
30 any other taxes authorized by law and must be collected from persons
31 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
32 the occurrence of any taxable event within the county for a county's
33 tax and within a city for a city's tax.

34 (2) (a) Notwithstanding subsection (4) of this section, a minimum
35 of sixty percent of the moneys collected under this section must be
36 used for the following purposes:

37 (i) Constructing or acquiring affordable housing, which may
38 include emergency, transitional, and supportive housing and new units
39 of affordable housing within an existing structure, and facilities

1 providing housing-related services, or acquiring land for these
2 purposes; or

3 (ii) Constructing (~~(mental and)~~) or acquiring behavioral health-
4 related facilities, or acquiring land for these purposes; or

5 (iii) Funding the operations and maintenance costs of new units
6 of affordable housing and facilities where housing-related programs
7 are provided, or newly constructed evaluation and treatment centers.

8 (b) The affordable housing and facilities providing housing-
9 related programs in (a) (i) of this subsection may only be provided to
10 persons within any of the following population groups whose income is
11 at or below sixty percent of the median income of the county imposing
12 the tax:

13 (i) Persons with behavioral health disabilities;

14 (ii) Veterans;

15 (iii) Senior citizens;

16 (iv) (~~(Homeless,)~~) Persons who are homeless or at-risk of being
17 homeless, including families with children;

18 (v) Unaccompanied homeless youth or young adults;

19 (vi) Persons with disabilities; or

20 (vii) Domestic violence survivors.

21 (c) The remainder of the moneys collected under this section must
22 be used for the operation, delivery, or evaluation of (~~(mental and)~~)
23 behavioral health treatment programs and services or housing-related
24 services.

25 (3) (a) A county that imposes the tax under this section must
26 consult with a city before the county may construct or acquire any of
27 the facilities authorized under subsection (2) (a) of this section
28 within the city limits.

29 (b) Among other priorities, a county that acquires a facility
30 under subsection (2) (a) of this section must provide an opportunity
31 for 15 percent of the units provided at that facility to be provided
32 to individuals who are living in or near the city in which the
33 facility is located, or have ties to that community. The provisions
34 of this subsection (3) (b) do not apply if the county is unable to
35 identify sufficient individuals within the city in need of services
36 that meet the criteria provided in subsection (2) (b) of this section.
37 This prioritization must not jeopardize United States department of
38 housing and urban development funding for the continuum of care
39 program.

1 (4) A county that has not imposed the tax authorized under RCW
2 82.14.460 prior to October 9, 2015, but imposes the tax authorized
3 under this section after a city in that county has imposed the tax
4 authorized under RCW 82.14.460 prior to October 9, 2015, must enter
5 into an interlocal agreement with that city to determine how the
6 services and provisions described in subsection (2) of this section
7 will be allocated and funded in the city.

8 (5) To carry out the purposes of subsection (2)(a) and (b) of
9 this section, the legislative authority of the county or city
10 imposing the tax has the authority to issue general obligation or
11 revenue bonds within the limitations now or hereafter prescribed by
12 the laws of this state, and may use, and is authorized to pledge, up
13 to fifty percent of the moneys collected under this section for
14 repayment of such bonds, in order to finance the provision or
15 construction of affordable housing, facilities where housing-related
16 programs are provided, or evaluation and treatment centers described
17 in subsection (2)(a)(iii) of this section.

18 (6)(a) Moneys collected under this section may be used to offset
19 reductions in state or federal funds for the purposes described in
20 subsection (2) of this section.

21 (b) No more than ten percent of the moneys collected under this
22 section may be used to supplant existing local funds.

23 **Sec. 2.** RCW 67.28.180 and 2015 c 102 s 3 are each amended to
24 read as follows:

25 (1) Subject to the conditions set forth in subsections (2) and
26 (3) of this section, the legislative body of any county or any city,
27 is authorized to levy and collect a special excise tax of not to
28 exceed two percent on the sale of or charge made for the furnishing
29 of lodging that is subject to tax under chapter 82.08 RCW.

30 (2) Any levy authorized by this section is subject to the
31 following:

32 (a) Any county ordinance or resolution adopted pursuant to this
33 section must contain, in addition to all other provisions required to
34 conform to this chapter, a provision allowing a credit against the
35 county tax for the full amount of any city tax imposed pursuant to
36 this section upon the same taxable event.

37 (b)(i) In the event that any county has levied the tax authorized
38 by this section and has, prior to June 26, 1975, either pledged the
39 tax revenues for payment of principal and interest on city revenue or

1 general obligation bonds authorized and issued pursuant to RCW
2 67.28.150 (~~((through [and]))~~) and 67.28.160 or has authorized and
3 issued revenue or general obligation bonds pursuant to the provisions
4 of RCW 67.28.150 (~~((through [and]))~~) and 67.28.160, such county is
5 exempt from the provisions of (a) of this subsection, to the extent
6 that the tax revenues are pledged for payment of principal and
7 interest on bonds issued at any time pursuant to the provisions of
8 RCW 67.28.150 (~~((through [and]))~~) and 67.28.160. However, so much of
9 such pledged tax revenues, together with any investment earnings
10 thereon, not immediately necessary for actual payment of principal
11 and interest on such bonds may be used: (A) In any county with a
12 population of one million five hundred thousand or more, for
13 repayment either of limited tax levy general obligation bonds or of
14 any county fund or account from which a loan was made, the proceeds
15 from the bonds or loan being used to pay for constructing,
16 installing, improving, and equipping stadium capital improvement
17 projects, and to pay for any engineering, planning, financial, legal
18 and professional services incident to the development of such stadium
19 capital improvement projects, regardless of the date the debt for
20 such capital improvement projects was or may be incurred; (B) in any
21 county with a population of one million five hundred thousand or
22 more, for repayment or refinancing of bonded indebtedness incurred
23 prior to January 1, 1997, for any purpose authorized by this section
24 or relating to stadium repairs or rehabilitation, including but not
25 limited to the cost of settling legal claims, reimbursing operating
26 funds, interest payments on short-term loans, and any other purpose
27 for which such debt has been incurred if the county has created a
28 public stadium authority to develop a stadium and exhibition center
29 under RCW 36.102.030; or (C) in other counties, for county-owned
30 facilities for agricultural promotion until January 1, 2009, and
31 thereafter for any purpose authorized in this chapter.

32 (ii) A county is exempt under this subsection with respect to
33 city revenue or general obligation bonds issued after April 1, 1991,
34 only if such bonds mature before January 1, 2013. If any county
35 located east of the crest of the Cascade mountains has levied the tax
36 authorized by this section and has, prior to June 26, 1975, pledged
37 the tax revenue for payment of principal and interest on city revenue
38 or general obligation bonds, the county is exempt under this
39 subsection with respect to revenue or general obligation bonds issued
40 after January 1, 2007, only if the bonds mature before January 1,

1 2035. Such a county may only use funds under this subsection (2)(b)
2 for constructing or improving facilities authorized under this
3 chapter, including county-owned facilities for agricultural
4 promotion.

5 (iii) As used in this subsection (2)(b), "capital improvement
6 projects" may include, but not be limited to a stadium restaurant
7 facility, restroom facilities, artificial turf system, seating
8 facilities, parking facilities and scoreboard and information system
9 adjacent to or within a county owned stadium, together with
10 equipment, utilities, accessories and appurtenances necessary
11 thereto. The stadium restaurant authorized by this subsection (2)(b)
12 must be operated by a private concessionaire under a contract with
13 the county.

14 (c)(i) No city within a county exempt under (b) of this
15 subsection may levy the tax authorized by this section so long as
16 said county is so exempt.

17 (ii) No city within a county with a population of one million
18 five hundred thousand or more may levy the tax authorized by this
19 section.

20 (iii) However, in the event that any city in a county described
21 in (c)(i) or (ii) of this subsection (2) has levied the tax
22 authorized by this section and has, prior to June 26, 1975,
23 authorized and issued revenue or general obligation bonds pursuant to
24 the provisions of RCW 67.28.150 (~~((through [and]))~~) and 67.28.160, such
25 city may levy the tax so long as the tax revenues are pledged for
26 payment of principal and interest on bonds issued at any time
27 pursuant to the provisions of RCW 67.28.150 (~~((through [and]))~~) and
28 67.28.160.

29 (3) Any levy authorized by this section by a county that has a
30 population of one million five hundred thousand or more is subject to
31 the following:

32 (a) Taxes collected under this section in any calendar year
33 before 2013 in excess of five million three hundred thousand dollars
34 may only be used as follows:

35 (i) Seventy percent from January 1, 2001, through December 31,
36 2012, for art museums, cultural museums, heritage museums, the arts,
37 and the performing arts. Moneys spent under this subsection (3)(a)(i)
38 must be used for the purposes of this subsection (3)(a)(i) in all
39 parts of the county.

1 (ii) Thirty percent from January 1, 2001, through December 31,
2 2012, for the following purposes and in a manner reflecting the
3 following order of priority: Stadium purposes as authorized under
4 subsection (2)(b) of this section; acquisition of open space lands;
5 youth sports activities; and tourism promotion. If all or part of the
6 debt on the stadium is refinanced, all revenues under this subsection
7 (3)(a)(ii) must be used to retire the debt.

8 (b) From January 1, 2013, through December 31, 2015, all revenues
9 under this section must be used to retire the debt on the stadium,
10 until the debt on the stadium is retired. On and after the date the
11 debt on the stadium is retired, and through December 31, 2015, all
12 revenues under this section in a county of one million five hundred
13 thousand or more must be deposited in the special account under (e)
14 of this subsection.

15 (c) From January 1, 2016, through December 31, 2020, all revenues
16 under this section must be deposited in the stadium and exhibition
17 center account under RCW 43.99N.060.

18 (d) On and after January 1, 2021, the revenues under this section
19 must be used as follows:

20 (i) At least thirty-seven and one-half percent of the revenues
21 under this section must be deposited in the special account under (e)
22 of this subsection.

23 (ii) At least thirty-seven and one-half percent of the revenues
24 under this section must be used:

25 (A) For contracts, loans, or grants to nonprofit organizations or
26 public housing authorities for affordable workforce housing within
27 one-half mile of a transit station, as described under RCW 9.91.025
28 or for housing, facilities, or services for homeless youth; or

29 (B) To repay:

30 (I) General obligation bonds issued pursuant to RCW 67.28.150 to
31 finance such contracts, loans, or grants; or

32 (II) Revenue bonds issued pursuant to RCW 67.28.160 to finance a
33 fund to make such contracts, loans, or grants; or

34 (III) Revenue bonds issued pursuant to RCW 67.28.160 to finance
35 projects authorized by an authority under chapter 43.167 RCW to
36 promote sustainable workplace opportunities near a community impacted
37 by the construction or operation of tourism-related facilities.

38 (iii) The remainder must be used for capital or operating
39 programs that promote tourism and attract tourists to the county.

1 (e) At least forty percent of the revenues distributed pursuant
2 to (a)(i) of this subsection must be deposited in a special account.
3 The account may only be used for the purposes of (a)(i) of this
4 subsection.

5 (f) School districts and schools may not receive revenues
6 distributed pursuant to (a)(i) of this subsection.

7 (g) Moneys distributed to art museums, cultural museums, heritage
8 museums, the arts, and the performing arts, and moneys distributed
9 for tourism promotion must be in addition to and may not be used to
10 replace or supplant any other funding by the legislative body of the
11 county.

12 (h) For the purposes of this section:

13 (i) "Affordable workforce housing" means housing for a single
14 person, family, or unrelated persons living together whose income is
15 (~~between thirty percent and eighty~~) at or below 80 percent of the
16 median income, adjusted for household size, for the county where the
17 housing is located; and

18 (ii) "Tourism promotion" includes activities intended to attract
19 visitors for overnight stays, arts, heritage, and cultural events,
20 and recreational, professional, and amateur sports events. Moneys
21 allocated to tourism promotion in a county with a population of one
22 million or more must be allocated to local public organizations and
23 nonprofit organizations formed for the express purpose of tourism
24 promotion in the county. Such organizations must use moneys from the
25 taxes to promote events in all parts of the county.

26 (i) No taxes collected under this section may be used for the
27 operation or maintenance of a public stadium that is financed
28 directly or indirectly by bonds to which the tax is pledged.
29 Expenditures for operation or maintenance include all expenditures
30 other than expenditures that directly result in new fixed assets or
31 that directly increase the capacity, life span, or operating economy
32 of existing fixed assets.

33 (j) No ad valorem property taxes may be used for debt service on
34 bonds issued for a public stadium that is financed by bonds to which
35 the tax is pledged, unless the taxes collected under this section are
36 or are projected to be insufficient to meet debt service requirements
37 on such bonds.

38 (k) If a substantial part of the operation and management of a
39 public stadium that is financed directly or indirectly by bonds to
40 which the tax is pledged is performed by a nonpublic entity or if a

1 public stadium is sold that is financed directly or indirectly by
2 bonds to which the tax is pledged, any bonds to which the tax is
3 pledged shall be retired. This subsection (3)(k) does not apply in
4 respect to a public stadium under chapter 36.102 RCW transferred to,
5 owned by, or constructed by a public facilities district under
6 chapter 36.100 RCW or a stadium and exhibition center.

7 (1) The county may not lease a public stadium that is financed
8 directly or indirectly by bonds to which the tax is pledged to, or
9 authorize the use of the public stadium by, a professional major
10 league sports franchise unless the sports franchise gives the right
11 of first refusal to purchase the sports franchise, upon its sale, to
12 local government. This subsection (3)(l) does not apply to contracts
13 in existence on April 1, 1986.

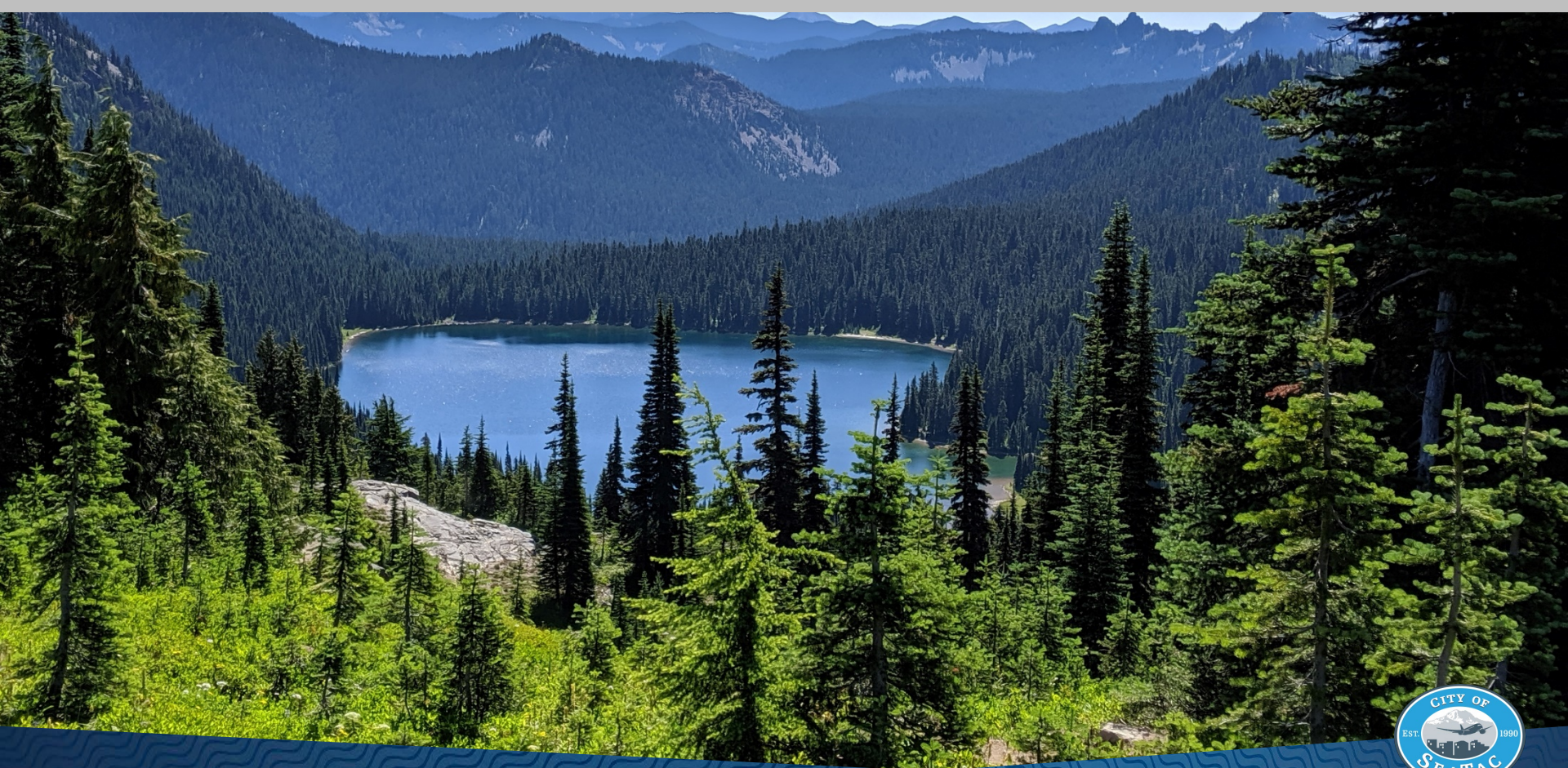
14 (4) If a court of competent jurisdiction declares any provision
15 of subsection (3) of this section invalid, then that invalid
16 provision is null and void and the remainder of this section is not
17 affected.

18 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of
20 the state government and its existing public institutions, and takes
21 effect immediately.

--- END ---

Moratorium Extension

March 25, 2021



PURPOSE OF PRESENTATION

- Provide a brief overview of the current moratorium and recommended actions prior to the moratorium's expiration

WHY IS THIS ISSUE IMPORTANT?

1. The City passed a temporary moratorium on overnight shelters, transitional housing, and similar uses, which expires on May 1, 2021.
2. The Washington State Legislature may be adopting House Bills 1220 and 1070, which may affect the City's actions related these types of uses.
3. The City Council may wish to extend the moratorium to allow for the City to amend its regulations in response to House Bills 1220 and 1070.

POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

- Recommend holding a public hearing and approving an ordinance extending the moratorium for an additional 6-months.
- Alternatively, do not recommend the extension of the moratorium.

STAFF RECOMMENDATION Recommend approval.

REVIEWS TO DATE

- PED: 03/25/2021



MORATORIUM: EXTENSION

CURRENT MORATORIUM

- Prohibits the permanent establishment of an Overnight Shelter, Transitional Housing, or other similar use.
- Also prohibits the City from accepting an application for a permit that would establish this type of use.
- Expires on **May 1, 2021**

PROPOSED MORATORIUM

- Extend the current moratorium for an additional 6 months, to expire on **November 1, 2021**
- Allows the City to evaluate the effect of House Bills 1220 and 1070 on regulating overnight shelters, transitional housing, and similar uses
- A third extension of the moratorium may be required, depending on the current work plan and actions by the state.



POTENTIAL COMMITTEE ACTION

COMMITTEE ACTION REQUESTED

- Recommend holding a public hearing and approving an ordinance extending the moratorium for an additional 6-months.
- Alternatively, do not recommend the extension of the moratorium.

STAFF RECOMMENDATION Recommend approval.

REVIEWS TO DATE

- PED: 03/25/2021





Project Update:

King County Growth Target Allocation Process

Planning & Economic Development
(PED) Committee
March 25, 2021

PRESENTATION OVERVIEW

PURPOSE OF PRESENTATION

- Informational
- Update on the King County Growth Target process

WHY IS THIS ISSUE IMPORTANT?

1. Every 7-8 years, cities must update their Comprehensive Plans and demonstrate the ability to accommodate 20-years of population and job growth.
2. King County, SeaTac, and other cities are currently developing draft growth targets.



NO COMMITTEE ACTION REQUESTED

NO COMMITTEE ACTION REQUESTED

- Project briefing is informational, no action needed.

REVIEWS TO DATE

- **Planning & Economic Development (PED) Committee:**
 - 11/18/2020
 - 01/26/2021
 - 02/18/2021
 - 03/25/2021



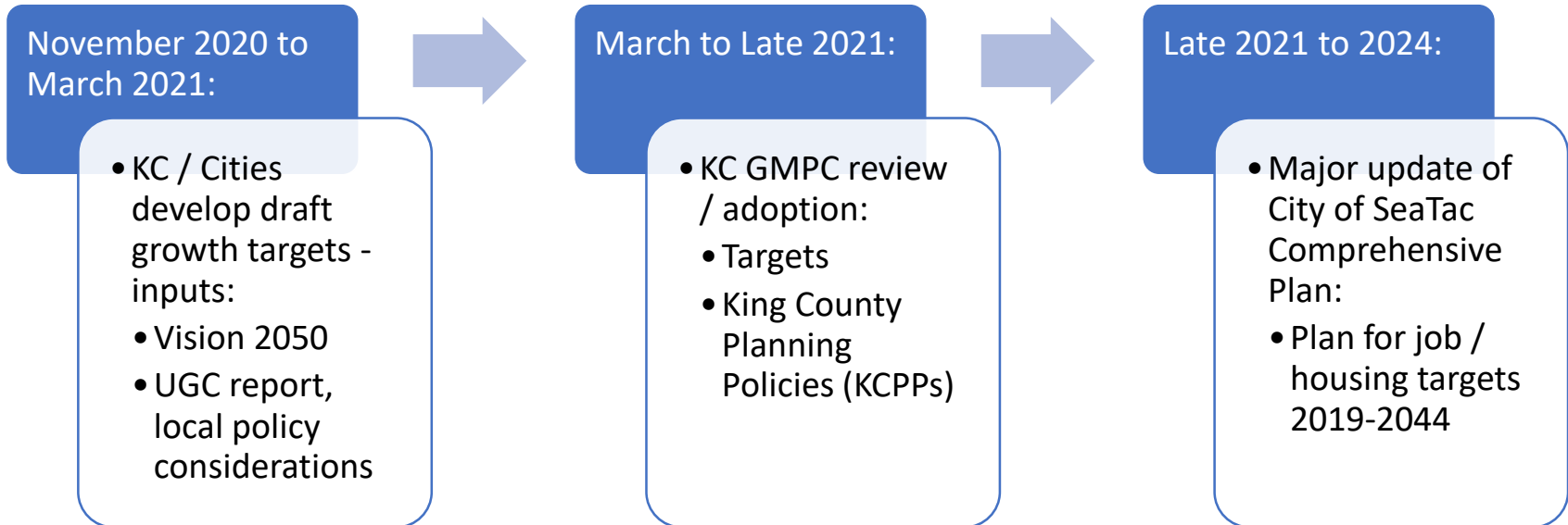
BACKGROUND

PLANNING FOR GROWTH & GMA

- Next required major Comprehensive Plan update: 2024
 - Update will include new 20-year job and housing growth “targets” for the period from 2024 to 2044.
- Targets are a policy statement about the amount of housing and jobs a jurisdiction will plan for in their Comprehensive Plan
- Core cities forecast growth:
 - ~113,000 households
 - ~223,000 jobs
 - 11 cities, including SeaTac, Tukwila, Burien, Bothell, Kent, Renton, Issaquah, Kirkland, Redmond, Auburn, and Federal Way



TIMELINE



PRELIMINARY GROWTH TARGET

PRELIMINARY GROWTH TARGETS

- January:
 - Housing: 1,651 to 8,317 additional housing units
 - Jobs: 8,110 to 44,455 additional jobs

- February:
 - Housing: 5,900 additional housing units (tentative agreement)
 - Jobs: 12,500 to 14,000 additional jobs (no tentative agreement)

- March:
 - Housing: 5,900 additional housing units
 - Jobs: 14,800 additional jobs
 - King County Growth Management Planning Council, March 31, 2021



IMPLICATIONS: PRELIMINARY GROWTH TARGET

POLICY IMPLICATIONS

- SeaTac – at present, it appears:
 - Unlikely additional residential or job capacity (e.g. zoning) will be needed to address growth targets
 - New growth will be focused in station areas using the “urban village” concept
 - Anticipate relatively modest policy changes to be addressed in 2024 Major Comprehensive Plan update

- At present, core cities have accommodated
 - Approximately 98% of forecast housing growth
 - Approximately 80% of forecast job growth



NO COMMITTEE ACTION REQUESTED

NO COMMITTEE ACTION REQUESTED

- Project briefing is informational, no action needed.

REVIEWS TO DATE

- **Planning & Economic Development (PED) Committee:**
 - 11/18/2020
 - 01/26/2021
 - 02/18/2021
 - 03/25/2021

