



**SPECIAL MEETING NOTICE**  
**SPOKANE PLAN COMMISSION**  
**WEDNESDAY, JULY 24, 2019**  
**AT 1:00 P.M.**

The Spokane Plan Commission will be meeting an hour early at **1:00 P.M. on Wednesday, July 24, 2019** in the City Council Briefing Center, Lower Level of City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinfson@spokanecity.org](mailto:msteinfson@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.



# Spokane Plan Commission Agenda

July 24, 2019

1:00 PM

City Council Briefing Center

808 W. Spokane Falls Blvd., Spokane WA 99201

**TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE**

## Public Comment Period:

3 minutes each      Citizens are invited to address the Plan Commission on any topic not on the agenda.

## Commission Briefing Session:

1:00 – 1:30	1) Approve <a href="#">July 10, 2019</a> meeting minutes	All
	2) City Council Report	Kate Burke
	3) Community Assembly Liaison Report	Patricia Hansen
	4) President Report	Todd Beyreuther
	5) Transportation Sub-Committee Report	John Dietzman
	6) Secretary Report	Tirrell Black

## Workshops:

1:30 – 2:00	1) <a href="#">Comprehensive Plan Amendment Text Amendment (LU 4.6, Z18-958)</a>	Kevin Freibott
2:00 – 2:20	2) <a href="#">Renaming of the East Central Community Center</a>	Karin Janssen
2:20 – 3:20	3) <a href="#">Impact Fees</a>	Inga Note
3:20 – 4:00	4) <a href="#">Continuing E2SHB 1923 Urban Capacity funding opportunity</a>	Tirrell Black

## Adjournment:

**Next Plan Commission meeting will be on August 14, 2019 at 1:00 pm**

**The password for City of Spokane Guest Wireless access has been changed: Username: COS Guest Password: 2ZW6Vt5S**

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# Spokane Plan Commission - Draft Minutes

**July 10, 2019**

Meeting Minutes: Meeting called to order at 2:00 PM

## **Attendance:**

- Board Members Present: John Dietzman, Michael Baker, Sylvia St. Clair, Greg Francis, Todd Beyreuther, Diana Painter, Carole Shook, Christopher Batten, Patricia Hansen (Community Assembly Liaison)
- Board Members Not Present: Kate Burke (City Council Liaison),
- Staff Members Present: Amanda Winchell, Heather Trautman, Tirrell Black, Nathan Gwinn, Tyler Kimbrell, James Richman, Christopher Green, Danielle Olson, Melissa Wittstruck, Alicia Strieby, Teri Stripes

## **Public Comment:**

None

## **Briefing Session:**

Approval of the June 12<sup>th</sup> & June 26<sup>th</sup>, 2019 meeting minutes approved unanimously.

### **1. City Council Liaison- Kate Burke**

- None

### **2. Commission President Report - Todd Beyreuther**

- None

### **3. Transportation Subcommittee Report - John Dietzman**

- At the July PCTS meeting Inga Note presented the Arterial Maps update and Brandon Blankenagel provided an update on street design standards for urban, inter-urban and industrial zones.
- During the PCTS meeting a community member spoke to the committee about concerns with Lime Scooter Operator's riding on downtown sidewalks. Electric scooters riding on the sidewalks is causing a hazard for him and his guide dog. He would like to see more enforcement of the laws, and more information shared about the laws surrounding motorized scooters on sidewalks.
- CTAB will be meeting next Monday and they will be looking at adding additional residential street projects.

### **4. Secretary Report- Heather Trautman**

- Introduced Danielle Olson and Tyler Kimbrell, the new temp/seasonal employees to the City of Spokane's Planning Department.
- Board discussed the current Plan Commissions schedule according to the Agenda Management tool.
- Due to schedule congestion, the Plan Commission meetings will be held at 1pm to accommodate the various projects that are moving forward and to allow staff to meet the project deadlines. Hearings will also be doubled up on agendas.
- A poll will be going out to confirm that we have a quorum for all the hearing dates that are coming up.
- City Council had deferred the consideration of the Plan Commission Applicants for a month. That month is almost up and we will be getting input on the applicants soon.

### **5. Community Assembly Liaison Report - Patricia Hansen**

- None

## **Workshops:**

### **1. South University District Subarea Plan**

- Presentation and overview provided by Christopher Green
- Questions asked and answered
- Discussion ensued

## **2. Overview of 2019 Legislation**

- Presentation provided by Tirrell Black
- Questions asked and answered
- Discussion ensued
- Commission recommended adopting the following actions to increase residential building capacity according to recently passed legislation E2SHB 1923.
  - Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences.
  - Authorize attached accessory dwelling units (ADU) on all parcels containing single family homes where the lot is at least 3,200 sq. ft. in size and permit both attached and detached ADUs on all parcels containing single family homes
  - Authorize a duplex on each corner lot within all zoning districts that permit single-family residences. ,
  - Authorize a minimum net density of six dwelling units per acre in all residential zones, where the residential development capacity will increase within the City.

## **3. Comprehensive Plan Amendment (701 & 707 S. Sherman, Z18-883COMP)**

- Presentation and overview provided by Nathan Gwinn
- Applicant, Dwight Hume, addressed the Commission about the project
- Questions asked and answered
- Discussion ensued

## **4. Comprehensive Plan Amendment Text Amendment (LU 1.8, Z19-002)**

- Presentation and overview provided by Tirrell Black
- Questions asked and answered
- Discussion ensued

**Greg Francis makes a motion to send the staff version of the draft Comprehensive Amendment to LU 1.8, forward for a Plan Commission hearing. Christopher Batten seconds the motion. Motion passed unanimously.**

**Meeting Adjourned at 4:36 PM**

Next Plan Commission Meeting is scheduled for July 24, 2019



BRIEFING PAPER  
City of Spokane  
Plan Commission Workshop  
July 24, 2019

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Subject

Proposed Comprehensive Plan Amendment, file number **Z18-958COMP**, comprising a new proposed policy for Chapter 3 Land Use. This proposal is included in the 2019 Annual Comprehensive Plan Amendment Work Program by [Resolution 2018-0011](#). The original proposed text of this new policy is attached to this Briefing Paper. Staff are proposing a minor amendment to the proposed text for clarity which is also attached.

Background

The City of Spokane proposes to add a new policy to Chapter 3, Land Use, encouraging transit-supported development within the vicinity of high-performance transit (HPT) routes within the City of Spokane. HPT routes such as the Central City Line provide a unique opportunity for density and mixed-use development that serves and is served by the HPT amenities. Several priority HPT routes are described in Chapter 4.

While Chapter 4 of the Comprehensive Plan includes a map of many long-range potential HPT routes in the City (see attached map, TR6), initial planning has not been completed for most of these. STA and the City have completed preliminary planning for only six of those routes, as shown on the second attached map. STA has secured either partial or full funding for only these six routes and implementation is underway.

The potential for increased development density and additional public amenities in the vicinity of the HPT stations in the City was studied in the “Central City Line Strategic Overlay Plan” prepared by the City of Spokane and the Spokane Transit Authority (STA) in 2016. The City recognized this plan by [Resolution 2016-0076](#). The overlay plan included specific proposed strategies designed to accommodate and take advantage of the opportunities presented by HPT along the Central City Line route. An excerpt of that report concerning the proposed amendment to the Comprehensive Plan is attached to this briefing paper. The entire [overlay plan](#) is available online as well.

Impact

The proposed policy calls for the City to encourage transit-supported development in the vicinity of HPT lines. See the attached excerpt from the Central City Line Strategic Overlay Plan for a general discussion of how the City might be able to encourage such uses. The policy itself does not require the City to develop any land use or zoning changes to implement it. However, the Plan Commission-City Council 2019-2020 Work Plan currently includes work on a zoning overlay for the Central City Line route that would directly implement these kinds of strategies. Work on that item would begin upon adoption of this policy.

No land use or zoning changes would occur as part of this proposed policy change. Rather, they would be developed by staff through a sub-area planning process which would include extensive public outreach and Plan Commission participation.

### Next Steps

Planning staff presented the proposed language at the June 26 Plan Commission workshop, discussing possible refinements to the language. The Commissioners in attendance at that meeting did not amend the language (no quorum was present to do so), leaving the proposed language to be considered. Staff request the Plan Commission provide direction on which version of policy language be selected for the upcoming hearing on the application.

Staff proposed changes address issues that have been brought to their attention through public outreach conversations, including:

1. **Focus on “stops” or “lines.”** The existing language could be construed to focus additional density or more intense development along all HPT lines, even those that do not stop in the City outside of downtown. The staff changes make it clear that stops are an important node in land use planning discussions.
2. **Framework for Implementation.** The currently proposed policy and discussion is thin on how transit-supported development may be encouraged. The [Central City Line Strategic Overlay Plan](#) includes specific steps that may be undertaken to accomplish this.

### Attachments:

1. Proposed Text Amendment.
2. Possible Alternate Text.
3. Copy of Map TR6, High Performance Transit Network, from the Comprehensive Plan.
4. Map of funded or partially-funded HPT routes with illustrated quarter-mile buffers around stations (not part of the Comprehensive Plan)
5. Excerpt from the [Central City Line Strategic Overlay Plan](#).



## Transit-Supported Development

### Proposed Comprehensive Plan Text Amendment

#### PROPOSED AMENDMENT TEXT

The following text would be added, verbatim, to Chapter 3, Land Use, Shaping Spokane—the 2017 Comprehensive Plan Update. New text is shown underlined. The existing goal LU 4 is shown for reference.

#### LU 4 TRANSPORTATION

**Goal:** Promote a network of safe and cost effective transportation alternatives, including transit, carpooling, bicycling, pedestrian-oriented environments, and more efficient use of the automobile, to recognize the relationship between land use and transportation.

...

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit corridors and other transit corridors with service of at least every 15 minutes during weekdays.

**Discussion:** People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.



## Transit-Supported Development

### Proposed Comprehensive Plan Text Amendment

#### PROPOSED AMENDMENT TEXT – Possible Alternate

The following modifications to the text represents a possible modification to the language. These modifications have been developed in response to public input received thus far.

#### LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit ~~corridors stops and other transit corridors with service of at least every 15 minutes during weekdays.~~

**Discussion:** People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-use development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high-performance transit corridors.

Transit-supported development should be encouraged through the application of development incentives, enhanced design measures, streetscape standards, parking standards, and potential changes in density and use. Each of these measures would be developed through a sub-area planning (or similar) process as each high-performance transit line is planned and developed. These sub-area planning processes should include neighborhood and stakeholder involvement and public participation processes to ensure that site-specific and neighborhood-context issues are addressed and benefits are maximized.

*Changed to “stops” only, as some HPT routes would not stop outside the downtown and thus don’t require additional development in the City to support them.*

*Staff Comment*

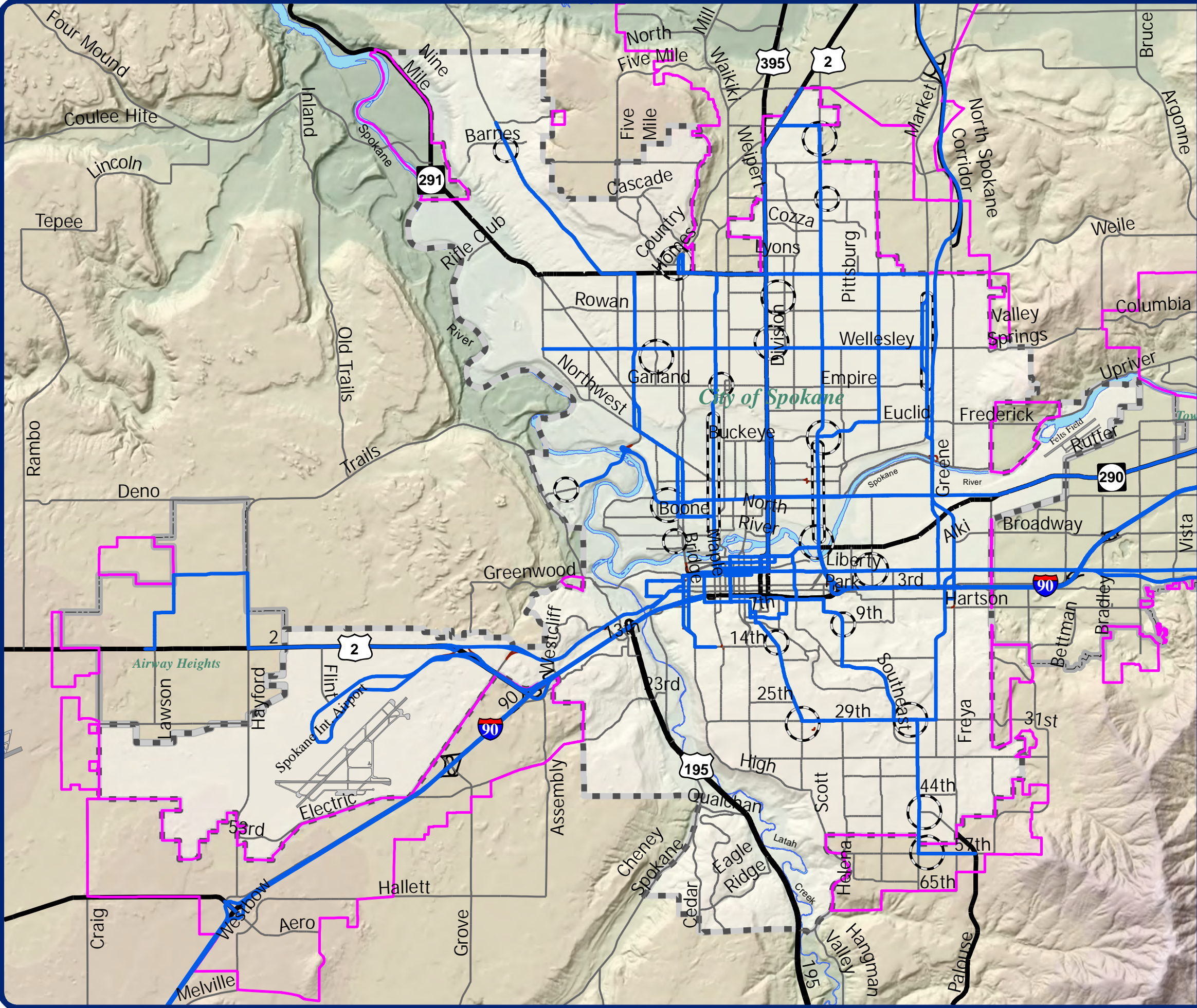
*New paragraph to outline how the City might encourage transit-supported development (summarizes the recommendations of the Central City Line Strategic Overlay Plan).*

*Staff Comment*

*Because 15-minute service does not always include the increased amenities that HPT does, it may not be appropriate to encourage transit-supported development in these areas. By limiting it to HPT stops, the City can ensure that the transit service will remain long term and will attract necessary riders.*

*Staff Comment*





# STA: High Performance Transit Network

Map TR 6

### Legend

#### High Performance Transit Network

— High Performance Transit Network

#### Base Map Layers

- |                                  |                             |
|----------------------------------|-----------------------------|
| County Adopted Urban Growth Area | State Routes                |
| Municipal Boundary               | Arterials                   |
| County Boundary                  | Future North/South Corridor |
| Rivers                           | Centers & Corridors         |



Source: GIS  
Date: 09/2016

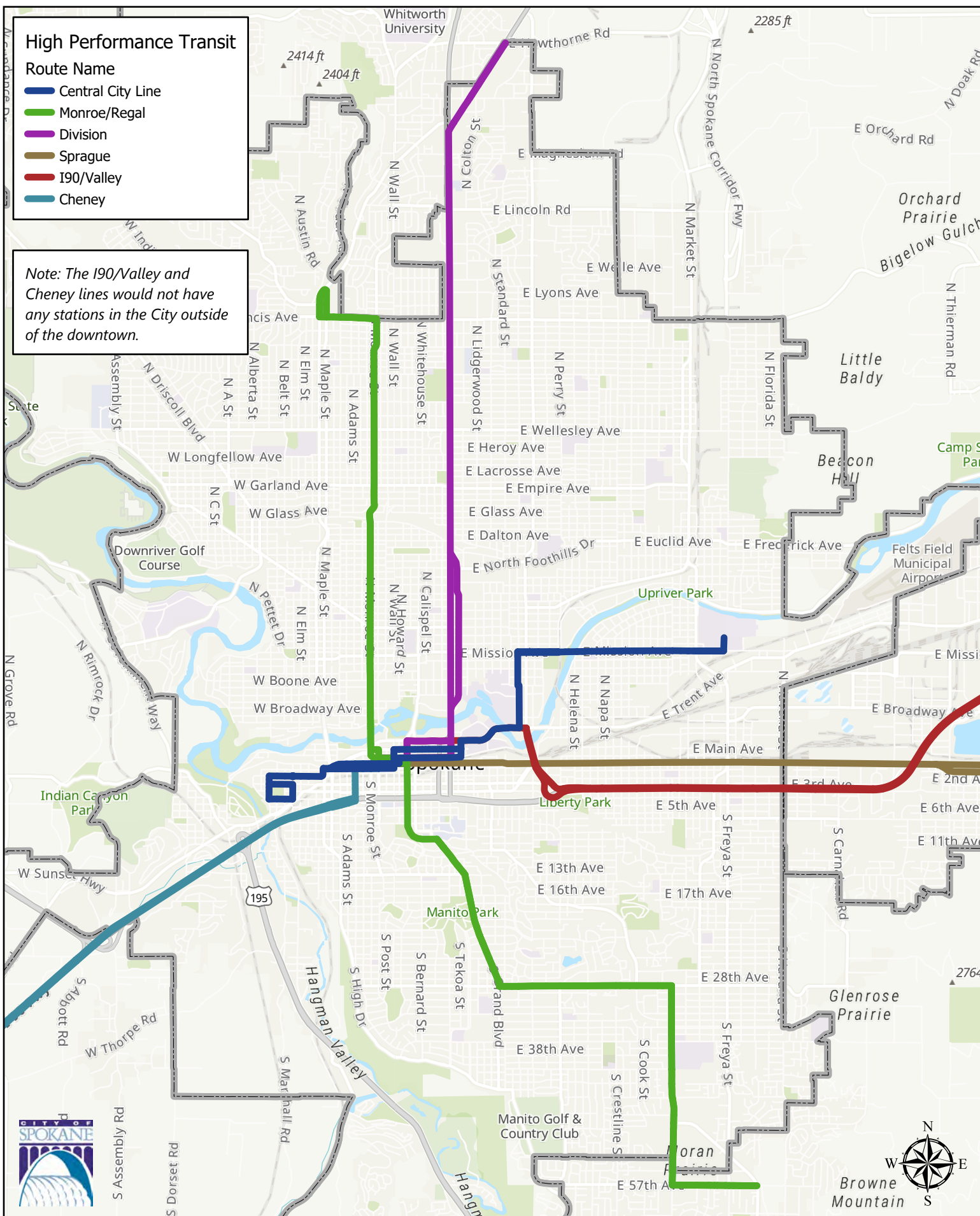


**THIS IS NOT A LEGAL DOCUMENT:**  
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship property lines, section lines, roads, etc.



# Funded or Partially-Funded HPT Routes in Spokane

Drawn by: Neighborhood and Planning Services Date: June 19, 2019 Source for Transit Locations: Spokane Transit Authority



# LAND USE AND ECONOMIC DEVELOPMENT STRATEGIES

## LAND USE STRATEGIES

Although land use along the CCL corridor is already conducive to high-performance transit, this Strategic Overlay Plan includes new policies, strategies and actions (detailed below) to enhance walkability and encourage appropriate, context-sensitive development at key locations along the corridor. These actions have been developed after a comprehensive review of existing plans and policies, and discussions with stakeholders. They are designed to increase transit ridership in the corridor and support successful implementation of the CCL.

### **Strategy LU.1: Adopt new Comprehensive Plan policies to encourage transit-supported development through regulations and incentives**

The City of Spokane's Comprehensive Plan contains many policies supporting transit, mixed-use development, and multi-family housing in downtown and other areas. However, the Comprehensive Plan does not currently contain a policy encouraging transit-supported development; a new policy would provide long-range planning context for other zoning changes, development standards, and incentives that could be enacted through the municipal code or other city functions.

New policy in the Land Use chapter, Section 4, Transportation, could read as follows:

*Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit corridors and other transit corridors with service of at least every 15 minutes during weekdays.*

*Discussion: People are more likely to take transit to meet their everyday travel needs when transit service is frequent, at least every 15 minutes. Mixed-used development in these areas will enable less reliance on automobiles for travel, reduce parking needs, and support robust transit ridership. Land use regulations and incentives will encourage this type of development along high performance transit corridors.*

Other policy language could be developed to support the goals and features of a transit overlay district, described next.

A study completed in late 2014 analyzed the potential economic benefits of the CCL and found the following:

- Land values in the corridor could increase by about \$45 million.
- Greater density of development could be encouraged.
- Development value could increase by about \$175 million.
- The CCL will likely support "transit-supported development," or urban, walkable development that complements transit.

*From "Economic and Land Use Impacts of the Spokane Central City Line," ECONorthwest, 2014*

**Strategy LU.2: Develop and implement a high-performance transit overlay zone or district within the CCL corridor**

Overlay zones/districts modify the underlying zoning or land use plan to achieve certain goals. A transit overlay district can improve walkability,

*“For a lively and prosperous downtown, it’s important to have people living and working [in] downtown...” – Public Comment*

enhance neighborhood character, encourage a mix of different uses, and ensure urban-scale housing densities. In the CCL corridor, an overlay district can also be used to

apply development incentives that reduce the cost of developing, making it more likely for a project to “pencil out” (meaning, to make sense financially). Rental rates in the corridor are relatively low, meaning new development is less likely to be financially feasible—incentives can help close the gap and make projects a reality.

An overlay zone could be developed for property within the entire CCL corridor or within a certain distance of specific stations. A major advantage of applying incentives and regulations through an overlay zone is that the provisions of the overlay can be enacted in other areas as STA’s high performance transit network expands in Spokane.

For each of the following provisions, new development should be required to meet the stricter standard between the overlay district and the underlying base zone; for example, if the overlay district specifies 10-foot minimum sidewalk widths, and the underlying base zone specifies 5-foot minimum sidewalk widths, the overlay district standard would prevail.

Development incentives can help make new, walkable, urban development possible at key locations along the CCL corridor. Kendall Yards, a new mixed-use development just west of the Spokane River, is an example of the kind of development that benefits from high performance transit.





## **SNAPSHOT: BROWNE'S ADDITION AND WEST DOWNTOWN**

As one of Spokane's oldest and most diverse neighborhoods, Browne's Addition is a unique community west of downtown Spokane. The neighborhood is characterized by a mix of turn-of-the-century Victorian homes, mid-century apartments, and a variety of housing types. The neighborhood is primarily residential, featuring a small but vibrant commercial node in the center of the neighborhood. Browne's Addition residents appreciate being able to meet most of their daily needs within a short walk or bus ride—a large grocery store is close by, and Coeur d'Alene Park provides opportunities for recreation and respite. The neighborhood is also home to one of Spokane's important cultural institutions, the Northwest Museum of Art and Culture. The CCL will help connect these neighborhood destinations, while also linking to downtown and the university campuses where many Browne's Addition residents attend classes.

Browne's Addition is unique, and residents have a strong desire to maintain and enhance the existing character of the neighborhood. However, a few code and policy changes are proposed in the Strategic Overlay Plan, such as design standards to help ensure that new development complements the historic character of the neighborhood while promoting walkability and the use of transit. Other strategies—such as allowing higher building heights or more residential units—could help address community concerns over long-term neighborhood affordability.

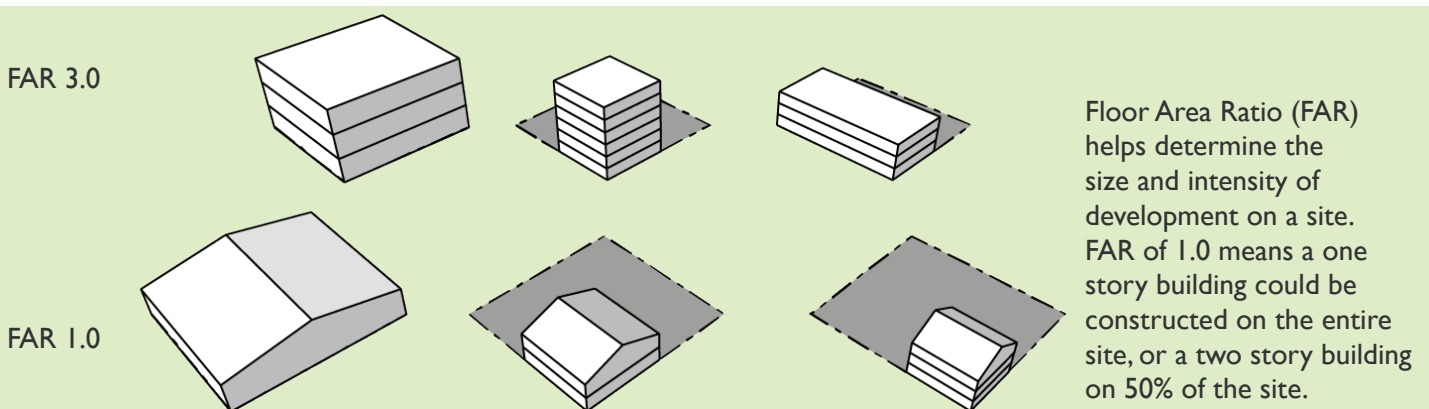


The overlay district could contain the following provisions:

### Development incentives

Incentives would allow developers to construct taller buildings or add additional housing units in exchange for providing amenities, like enhanced streetscape features (e.g., plazas, additional seating, special paving) or in exchange for dedicating a certain amount of the structure to affordable housing. The City of Spokane currently has bonus provisions like this in the municipal code; for example, in downtown, building height bonuses are allowed (Spokane Municipal Code [SMC] 17C.124.220) in exchange for providing a variety of features such as streetscape enhancements, alley enhancements, bicycle commuting facilities, and others. These incentives could make development more likely to “pencil out,” while achieving other goals for the urban environment. For the overlay district, two bonus provisions are appropriate (these provisions are most relevant to areas outside of existing downtown zoning, which currently has similar provisions):

- *Building heights and floor area ratio (FAR)*—In exchange for providing certain amenities, building heights could be increased up to 55 feet (outside of downtown and other zones where the base zoning allows for taller buildings than this). Additional FAR could be allowed as well, up to a 50 percent increase over the underlying maximum FAR, for example.
- *Housing units*—In combination with the provision above, increases in maximum housing density as appropriate could be allowed in exchange for certain amenities. For example, up to a 50 percent increase in permitted density could be allowed. The bonus amount would vary by context area along the corridor (different bonuses could be permitted in single family versus multi-family zones, for example).







Both of these bonus provisions should be allowed in exchange for developer-provided amenities or items:

- *Affordable housing*—Guaranteeing that a certain amount of workforce housing for those at or below 120 percent of median household income or by providing legally-binding affordable housing units available for those at or below at least 80 percent of median household income, with additional bonus provided for units at 50 percent and 30 percent of median household income.
- *Off-street parking*—Although the overlay district would have reduced parking requirements, developers that construct off-street parking could receive the bonuses in exchange for providing structured parking.
- *Streetscape and pedestrian environment amenities*—Amenities like seating, trees, lighting, landscaping, or plaza and/or open space in addition to that required by underlying zoning could be eligible for bonuses.
- *Transportation demand management (TDM)*—Secure bicycle parking in excess of that required by underlying zoning or bicycle commuting facilities, like showers and changing spaces, should be eligible for bonuses. Other actions, like creating a site-specific TDM plan for reducing single-occupant vehicle trips or dedicated programs like providing a stipend to residents or employees for transit passes or bicycle commuting expenses should be eligible for bonuses as well.

Buildings with parking in front adjacent to the street (left image) detract from urban streetscapes and make it less comfortable for pedestrians. When buildings are situated against the street (right image) it makes for an inviting streetscape and more comfortable pedestrian conditions.

Spokane's Multifamily Housing Property Tax Exemption Program (SMC 08.15) could also be extended to specific areas within the CCL corridor as part of the overlay district. Under this program, some residential development projects could receive 8 or 12 years of exemption from property taxes (12 years of exemption requires that the applicant provide at least 20 percent of the projects housing as affordable units). This program can lower the cost of development and make it more financially feasible. This tax exemption is most effective as an incentive when it is limited in coverage; it should be narrowly focused in the corridor at specific station areas.

### Enhanced design measures

The overlay district should contain design measures that ensure a walkable, attractive urban environment. Design factors include the following features:

- *“Build-to” lines*—This code provision could require construction of new buildings at or very near the right-of-way boundary to ensure that the building “faces the street.” Buildings constructed at the back of lots with parking lots fronting the street detract from the streetscape, decrease walkability, encourage auto trips, and can detract from the character of urban places.
- *Building entrances and ground-floor windows*—Ground-floor uses could be required to have entrances that are oriented toward streets or other public spaces. Additionally, the ground-floor levels of commercial buildings should be required to have windows, display windows, or other features of interest; for example, 50 percent of the linear ground-floor frontage of buildings could be required to have these features.
- *Pedestrian-oriented buildings*—New construction could be required to be designed with priority consideration for pedestrian access and direct connections to transit stops, as well as pedestrian-scale features and amenities.

## TRANSIT OVERLAY ZONING AND DISTRICTS

Overlay zoning or districts are common tools used by jurisdictions that modify certain requirements of the underlying “base” zone to achieve certain goals. Transit overlay districts have been employed by many cities across the country to encourage a walkable, mixed-use, urban environment near transit. Some example cities include the following:

**Vancouver, WA**—Vancouver enacted a tiered overlay district along some transit corridors in the city. Depending on how close property is to a transit station, different incentives, permitted land uses, and regulations apply. The overlay code generally allows more housing density and development bonuses in exchange for certain amenities, like constructing quality pedestrian facilities.

**Everett, WA**—The overlay code enacted by the City of Everett requires more robust development and design standards to improve walkability and support transit adjacent to the Swift bus rapid transit system. The code also allows for additional housing units in exchange for certain developer actions, like including parking in an underground parking garage as opposed to in surface lots.



### Streetscape standards

Although some base zones in the CCL corridor already include robust streetscape standards for new development (as in downtown), the overlay district should include uniform streetscape standards that support walkability and pedestrian comfort. A safe, pleasant streetscape supports walking, in turn supporting access to transit. Streetscape standards should address the following items:

- *Standard minimum sidewalk widths*—Presently, the municipal code calls for a range of minimum sidewalk widths, depending on the underlying base zone. The overlay district could prescribe minimum sidewalk widths for new development (for example, 10 feet minimum width in commercial areas and 6 feet wide in residential areas with a 6 foot planting buffer) on all transit streets.
- *Landscaping and street trees*—Although landscaping and street trees are required by base zoning in much of the corridor, the overlay district could require additional street trees and landscaping to separate the pedestrian zone from the roadway, for all new development on transit streets.
- *Other amenities*—Street furniture, lighting, and street design materials are other considerations that could be addressed by the overlay district. These items could also be included as part of the development incentives described above.



A potential transit overlay district could include greater height limits for development in certain areas of the corridor. Greater height limits allow for more residential units, or commercial and office space, and can help make development more financially viable. The image to the left illustrates what a building could look like in the Chief Garry neighborhood if height limits were raised to 55 feet.



## SNAPSHOT: UNIVERSITY DISTRICT

Spokane's University District and east downtown are active, well-used areas that are highly conducive to enhanced transit service and the redevelopment opportunities it can provide. Home to multiple universities and institutions, the University District is establishing itself as a vibrant “live/work/play” community for students and city residents alike. Nearby east downtown is characterized by underdeveloped parcels and multiple surface parking lots today—but the community envisions ever-tighter connections to the University District in the future, as development opportunities expand to the west and south.

Currently, zoning within and around the University District and east downtown neighborhood enables transit-supported development. Spokane municipal code encourages redevelopment of higher density residential and commercial uses. However, fine-tuning regulations and land use plans in the corridor—through the proposed transit overlay district (Strategy LU.2) and other means—could help the University District and east downtown areas achieve their redevelopment aspirations.

Additionally, developing an effective transportation demand management plan can reduce driving and the need for parking and can help to control development costs related to parking. Currently, a large amount of surface parking is available, and a new parking garage is planned to be constructed on the Washington State University campus.

As the location of multiple universities, the University District and east downtown area is intended to have a variety of land uses supporting the students, faculty, and staff who work and go to school in the area. There is broad community interest in fostering development and redevelopment throughout the University District, and the CCL and strategies proposed in the Strategic Overlay Plan can help achieve those goals.

Artist's conceptual rendering of potential University District redevelopment. The red line represents the CCL.



Credit: Maul Foster Alongi; Stephanie Bower

Tacoma, WA is one of many communities that has design standards for specific neighborhoods or historic districts. This image shows building scale design guidelines for the North Slope/Wedge Neighborhood. Design guidelines could be implemented in the Browne's Addition neighborhood that would apply to new development and maintain and enhance the historic character of the community.

### SCALE

**Goal:** Relate the size and proportions of new buildings and their architectural elements to those of the neighborhood.

**Guideline:** Building facades should be of a scale compatible with surrounding buildings and maintain a comparable setback from the property line to adjacent buildings, as permitted by applicable zoning regulations.



### Parking

High-performance transit like the CCL allows people who live near transit stations or visit destinations close to a stop to leave their cars behind—or, for some, not own a car at all. For this reason, less parking is typically needed for development next to frequent service transit. Reducing the amount of parking required with new development has the added benefit of reducing the amount of land devoted to parking, while also reducing the cost of development. Although downtown Spokane and part of the University District already have regulations that allow new development to be built without parking, other areas of the corridor, like the Chief Garry Park neighborhood, have parking minimums for some types of development. The overlay district could establish lower parking maximums, and parking minimums could be eliminated or reduced. Finally, the overlay district should specify permissible locations for new off-street parking, such as in the rear of buildings or abutting side streets.

### Allowable uses

The overlay district could restrict or allow different uses than the underlying base zone. For example, mixed-use development (e.g., retail and housing) could be expressly allowed. These regulations would help to ensure that transit-supported uses are prioritized near transit stations.

### Strategy LU.3: Work with neighborhoods and property owners to explore modifying land use regulations in some areas of the CCL corridor to support new development and neighborhood goals.

Other targeted changes to land use regulations in the corridor may be appropriate to encourage walkable, mixed-use development and higher residential densities and ensure new development is context-sensitive. The following land use regulation changes should be explored in the future:

- Extend Form-Based Code zoning along Mission Avenue east of Hamilton Street in the Logan Neighborhood—The Form Based Code zone was enacted in 2015 by the City of Spokane to help guide development along Hamilton Street and support the “corridor and centers” goals of the Comprehensive Plan. Mission Avenue, just east of Hamilton Street, represents a promising area for potential expansion of this type of zoning.
- Extend “corridor and centers” zoning on Cincinnati Street—Cincinnati Street, immediately adjacent to Gonzaga University, would benefit from corridor and centers zoning, in accordance with the land use goals of the Comprehensive Plan. This zoning would help encourage denser, mixed-use development conducive to high performance transit.
- Enhance design guidelines for Browne’s Addition—During public outreach, community members expressed a strong desire to maintain and enhance the character of the Browne’s Addition neighborhood. The City of Spokane could consider enhanced design guidelines that would apply to new or redevelopment in the neighborhood.
- Continue working to evaluate barriers to development—work with the Downtown Spokane Partnership and other stakeholders to identify barriers to development and look for effective solutions.

**Strategy LU.4: Encourage placemaking strategies in downtown, the Chief Garry Park neighborhood, and other areas of the corridor**

“Placemaking” capitalizes on a neighborhood or community’s assets and potential to make public spaces vibrant, attractive, and active places—it strengthens the connection between people and places. It promotes use of public space by increasing community interest and in turn, building the character and quality of a place. The Downtown Spokane Partnership has implemented many placemaking projects and programs that have helped transform downtown Spokane. During public outreach, the Chief Garry Park neighborhood expressed a strong desire to strengthen their neighborhood’s identity and character. Enhanced placemaking strategies in these areas and others, enacted through partner organizations and the City of Spokane, could include:

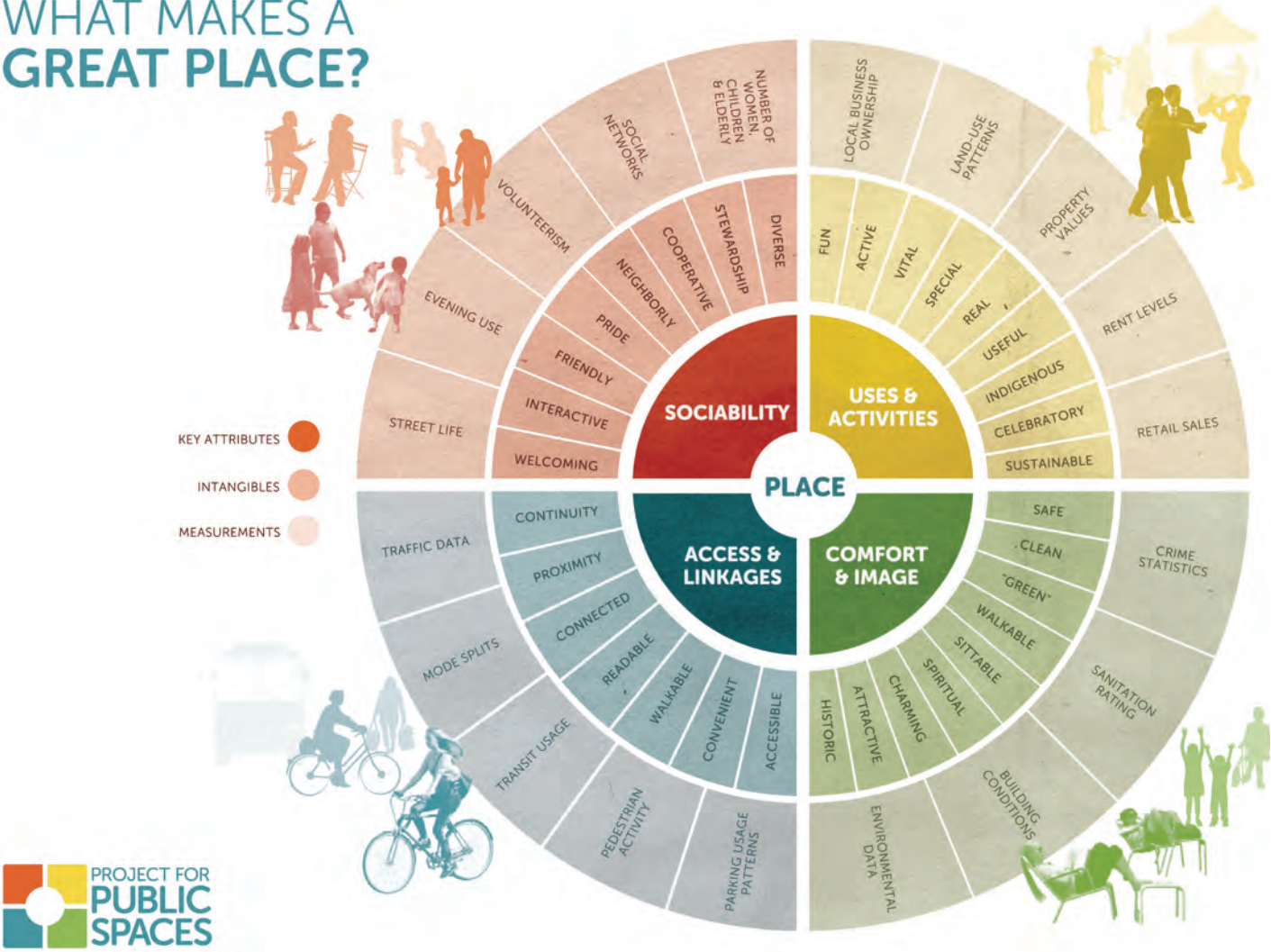
- Fostering multi-use public spaces—Riverfront Park is already one such public space in downtown; Chief Garry Park could be promoted similarly.
- Local business marketing—marketing can make residents and visitors aware of local business offerings and increase business.
- Encourage events, large and small—events attract both residents and visitors, contributing to the local economy.
- Encourage built environment design features that enhance places—features like landscaping, seating, public art, upgraded building facades, and awnings.



PLACEMAKING

The Project for Public Spaces developed this figure to illustrate the key elements of placemaking. Many of these elements are already in place—especially in downtown Spokane—but others could be implemented to enhance placemaking in the CCL corridor.

WHAT MAKES A GREAT PLACE?



**Strategy LU.5: Support incremental density increases in the Chief Garry Park neighborhood by encouraging accessory dwelling units and other infill; seek additional input to identify station areas on Mission Avenue where it would be appropriate to modify zoning for increased residential development**

The Chief Garry Park neighborhood is characterized by single-family homes, with most businesses located at the east end of the neighborhood. The neighborhood is currently very affordable, and residents express a strong desire to maintain the neighborhood's affordability in the long term. The median income in the neighborhood (\$32,000 in 2014) is lower than the Spokane County average (\$50,000 in 2014), meaning housing affordability is an important issue in the neighborhood. Although rents and property prices are currently affordable, as Spokane continues to grow in general and along the CCL corridor, pressure on housing prices is likely to increase in the future.

Exploring the rezone of targeted locations within the CCL corridor to allow higher residential densities would allow more people to live close to the CCL. More housing in the neighborhood, in turn, will help ensure that the housing supply in does not become constrained.

**ECONOMIC DEVELOPMENT STRATEGIES**

Transit improvements like the CCL tend to make streets more desirable for new development. People want to live and work near high performance transit, as it reduces travel times, makes it easier to meet daily transportation needs, and reduces transportation costs. The Economic Benefits of the CCL (EcoNW, 2014) study estimated that the CCL will generate tens of millions of dollars of investment and increased property values. These benefits can be enhanced with help from the public and private community partners.

The Downtown Association in Oregon City, Oregon has worked to garner developer and businesses interest in downtown, especially after the recession closed a number of storefronts. The Downtown Association worked with the owners of two opportunity sites—the Busch Building and Multnomah Lodge—to create a redevelopment concept and a financially feasible program for the site. The development concept and financial analysis helped to increase developer interest in the sites. One of the locations was subsequently redeveloped.

A new restaurant occupies one corner of the Busch Building, a renovated historic building in Oregon City Oregon.



Today, a number of barriers exist in the corridor, which must be overcome to realize new economic development. The following strategies and actions will support economic development in the CCL corridor, fostering new housing, commercial, and office development in locations desired by the community and existing plans.

**Strategy E.1: Champion an opportunity site by funding and releasing a request for proposal for concept-level design work and financial analysis**

While the CCL corridor has seen a number of new residential, hotel, commercial, and other projects in recent years, developing new projects in areas of the corridor (especially residential projects) is still challenging due to low prevailing rents, which decrease financial feasibility. However, with property values increasing post-recession, and the benefits of the CCL making property more attractive within the corridor, rents are likely to continue to rise to the point where projects make good financial sense. However, in the meantime, when rents may be marginally supportive of development, or the market has not been “proven” yet, communities can take other actions to help spur desired development in their community.

The University District, Downtown Spokane Partnership, or other community partner could develop a conceptual site plan or drawing for a key opportunity site in the corridor, accompanied by basic financial analysis to show how such a project would be financially feasible. Financial analysis may show that a development concept is not currently feasible, but is still valuable for understanding how large the gap is and what measures could be taken to close the financial gap. Creating a conceptual site plan could increase interest in the site, allow the community to express a preferred vision, and increase the likelihood that development will occur.

**Strategy E.2: Explore joint development opportunities by identifying possible opportunities for co-locating housing and commercial uses with transit**

Joint development opportunities can enhance the effectiveness of the project (e.g., increasing ridership or improving transit access and/or mobility). Joint development—where public agencies partner with the private sector to deliver new development at or near major transit stops and stations—has been explored or accomplished by many public agencies across the country, including King County Metro in Washington. With joint development, public agencies work with a private developer to create a project on publicly owned land that usually includes transit elements, like a bus station or park-and-ride, and housing and commercial uses co-located at the site.

Joint development benefits public agencies by providing a revenue stream, supporting transit ridership, and allowing for a much greater level of public influence in the new development. Private developers benefit from the accessibility of the transit station for potential tenants and reduced need for parking facilities.



## SNAPSHOT: CHIEF GARRY PARK NEIGHBORHOOD



Rendering of potential future development adjacent to the CCL in the Chief Garry Park neighborhood

Source: IBI Group

The Chief Garry Park neighborhood lies along either side of Mission Avenue in the eastern part of the CCL corridor, with Chief Garry Park serving as a focal point in the community. The neighborhood is characterized by single-family residences and is one of the most accessible neighborhoods to downtown. Mission Avenue represents one of the greatest opportunities for transit-supported development in the Central City Line corridor, with interest from the community in potentially expanding neighborhood commercial development. The community would like to see the neighborhood remain affordable. Future planning efforts could explore possible new nodes of transit-supported multi-family housing near stations to help maintain neighborhood affordability and complement the CCL. Other strategies—like pedestrian improvements detailed in the Land Use section of this plan—will increase safety and walkability, another key interest of the community.

These changes would strengthen a sense of neighborhood identity and, ultimately, increase CCL ridership. Incentives and regulations proposed as part of the transit overlay district can help make these changes a reality in the neighborhood. Transit-supported land use changes coupled with development incentives could activate the market for new housing along Mission Avenue and for mixed-use commercial at key nodes. Small areas of existing commercial zoning along Mission Avenue (including Mission Avenue and Napa Street) present prime opportunities for new development.

**BRIEFING PAPER**  
**Plan Commission**  
**MYSPOKANE**  
**July 24, 2019**

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**Subject**

East Central Community Center Renaming

**Background**

Council President Ben Stuckart made a proposal to the Mayor's Office, to rename the East Central Community Center as the Martin Luther King Jr. Community Center.

The Mayor's Office then sent a request to the Plan Commission, asking for initiation of the renaming process, pursuant to City Administrative Policy 0325-14-05 and the Plan Commission Resolution of Rules and Procedures on Names for Public Plazas, Squares and Places.

In accordance with policy, City of Spokane has also established a list of other names for consideration that recognize other individuals who have made significant contributions to the City of Spokane, as well as names with geographic or historical significance. These options include: Lydia Sims, Peter Barrow, Emmett Holmes, Liberty, Underhill, Martin Luther King Jr. Outreach, and East Central.

**Impact**

Renaming of the East Central Community Center may result in a greater sense of ownership, by the neighboring community. It may also increase the brand recognition of the organization that is currently managing the Center. Other citizens are concerned that renaming may result in a center that appears to target certain population groups, instead of the community as a whole.

**Action**

The East Central Community Center Renaming Survey was deployed on Monday, July 8<sup>th</sup> through the City of Spokane website. The results are the following;

49.05% - Martin Luther King Jr.

31.57% - No Changes

7.18% - Lydia Sims

5.69% -Liberty

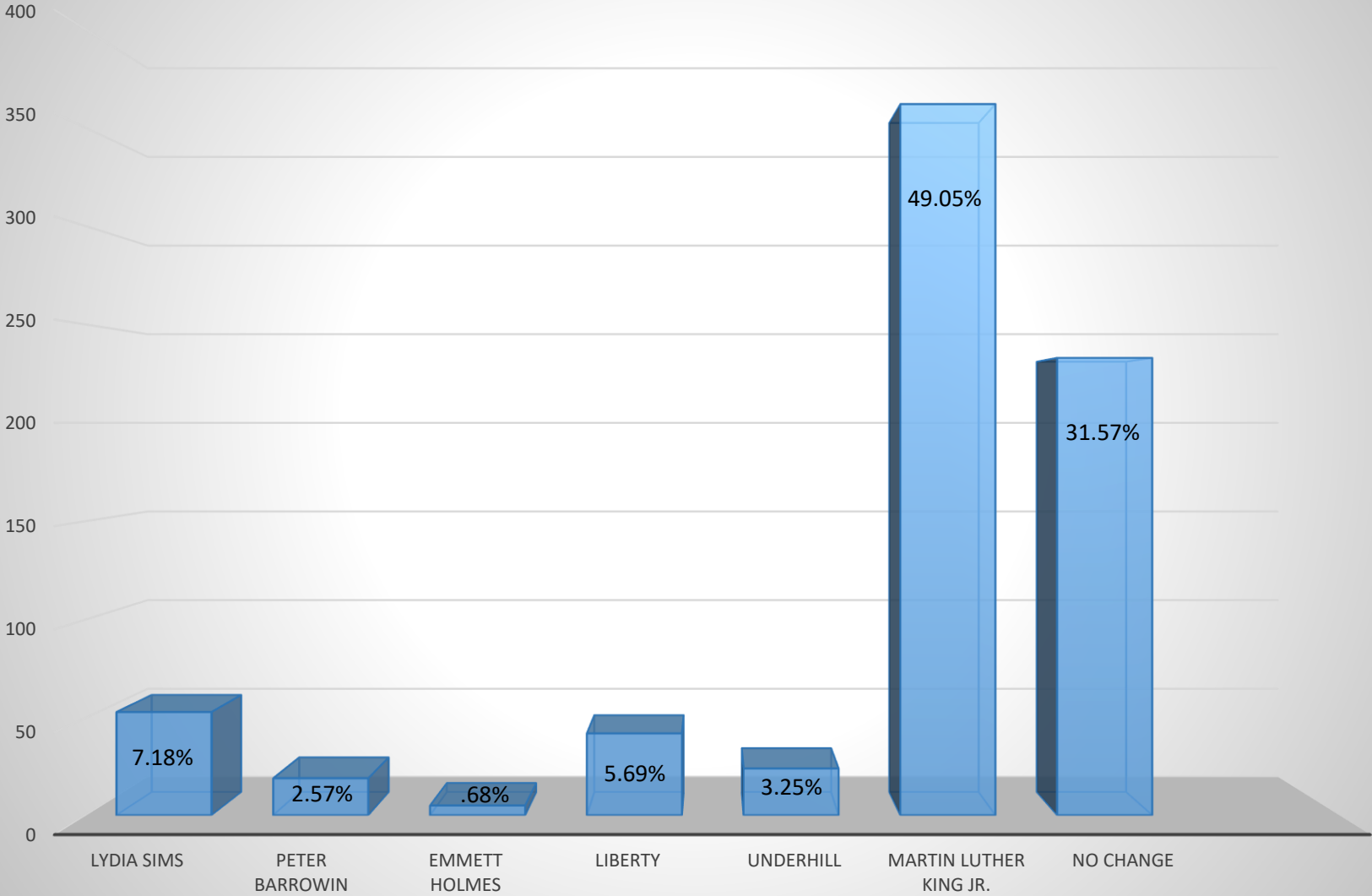
3.25% - Underhill

2.57% - Peter Barrowin

.68% - Emmet Holmes

These results will be presented to the Plan Commission on July 24 in a workshop. The formal hearing will be held by Plan Commission on August 14, there the Plan Commission will make the final recommendation. City Council will then make the final decision, in naming the Center.

Renaming of East Central Community Center





## SPOKANE CITY | COUNTY HISTORIC PRESERVATION OFFICE

*Providing historic property protection and development  
services to the City of Spokane and Spokane County.*

July 22, 2019

To Whom It May Concern:

I was asked to provide information about the potential listing of the East Central Community Center to the Spokane Register of Historic Places. The Spokane Register generally only lists buildings that are at least 50 years old, but there is a special provision within the Historic Preservation Ordinance (SMC 17D.100.020) for exceptionally significant buildings that may be listed before 50 years has passed:

Generally a building, structure, object, site or district which is more than fifty (50) years old or determined to be **exceptionally significant** in an architectural, historical or a cultural manner may be designated an historic landmark or historic district if it has significant character, interest, or value as a part of the development, heritage or cultural characteristics of the city, county, state or nation. The property must also possess integrity of location, design, materials, workmanship and association and must fall into one or more of the following categories:

1. Property is associated with events that have made a significant contribution to the broad patterns of the history of the city, county, state or nation; or
2. Property is associated with the lives of persons significant in the history of the city, county, state or nation; or
3. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction;
4. Property has yielded, or is likely to yield, information important in prehistory or history; or
5. A property that represents the culture and heritage of the city of Spokane in ways not adequately addressed in the other criteria, as in its visual prominence, reference to intangible heritage, or any range of cultural practices.

Exceptional significance is a high bar to achieve. The East Central Community Center was constructed in 1978, 1981 and 1990. A property that has achieved significance within the past fifty years can be evaluated only when sufficient historical perspective exists to determine that the property is exceptionally important. The necessary perspective can be provided by scholarly research and evaluation, and must consider both the historic context and the specific property's role in that context. At this point, it is difficult for the Historic Preservation Office to make a determination of the exceptional significance of the East Central Community Center because no scholarly research on community centers in Spokane exists at this point in time.

In justifying exceptional importance, it is necessary to identify other properties within the geographical area that reflect the same significance or historic associations and to determine which properties best represent the historic context in question. Several properties in the area could become eligible with the passage of time, but few will qualify now as exceptionally important.

To provide a few examples of exceptionally significant properties that have been listed on the National Register of Historic Places: the launch pad at Cape Canaveral from which men first traveled to the moon, the home of nationally prominent playwright Eugene O'Neill, and the Chrysler Building (New York) significant as the epitome of the "Style Moderne" architecture. Spokane's Historic Preservation Program has not listed any properties less than 50 years old as exceptionally significant at this time.

Finally, 2018 changes to the Historic Preservation Ordinance removed the ability for anyone except the owner of a property to submit a nomination. The City of Spokane owns the property and would be the only agency that could submit a nomination for consideration by the Spokane Historic Landmarks Commission. It is possible for the City to hire a historic preservation consultant to prepare a nomination for the building, but the nomination must be submitted by the City.

I hope this answers the underlying questions about exceptional significance in general and how that relates to the Spokane Register of Historic Places. I'm afraid that we do not have enough scholarly research on these property types in Spokane or those with this particular use to make a judgement specifically on the exceptional significance of the East Central Community Center at this time.

Sincerely,



Megan Duvall  
Historic Preservation Officer, City | County of Spokane



June 17, 2019

Spokane Plan Commission  
City of Spokane  
808 W. Spokane Falls Blvd  
Spokane, WA 99201

Dear Spokane Plan Commission:

The East Spokane Business Association (ESBA) supports the League of Women for Community Action's (dba Southeast Day Care Center) request that the East Central Community Center's name remain as it currently stands. We believe that the East Central Community Center building with its existing East Central Community Center name should be put onto the Historic Spokane Register.

This historic distinction would recognize the historic standing of those who had the foresight and vision in providing positive changes to all the residents of the East Central Neighborhood. This historic distinction would outline that the East Central Community Center was the first Community Center to be built in 1979 with vast community input. The East Central Community Center was built as a holistic approach to elevate the area's youth, elderly, ethnic, and refugee populations. The East Central Community Center sits at the very heart of the East Central District and should retain the historical commitment to the variety of people it serves. In addition, the ESBA Board feels that the proposed MLK Family Outreach Center name is a noble one. We also believe that MLK should adapt their name to reflect their new location.


Please retain the East Central Community Center's name, distinction, and commitment for our community.

Sincerely,



Laverne Biel

ESBA President



Doug Trudeau

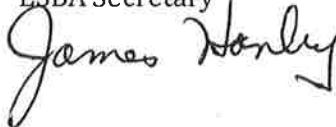
ESBA Vice President



Larry Stone

ESBA Treasurer

Jim Hanley  
ESBA Secretary



RECEIVED

JUL 08 2019

July 1, 2019

Dear Mayor Condon, Mayor's Office  
Spokane City Council Members,  
Plan Commissioners  
Subject:

1. Retain the East Central Community Center's name
2. Place the East Central Community Center on the Spokane Register of Historic Places
3. Additional letter and Historical documents included (11 pages)

Though we appreciate the contracting team of the Martin Luther King Family Outreach Center and its Management Team of the East Central Community Center, the League of Women for Community Action, dba, Southeast Day Care Center, would like to request that you vote to retain the name of the East Central Community Center.

East Central Community Center is in the heart of the East Central neighborhood, and represents a specific geographical area of Spokane, of which we are very proud.

ECCC was originally designed and proclaimed a thriving, multipurposed center for the young and old; always available to the community at large.

The paperwork included with this cover letter indicates the hard work, and the love, the neighbors of the East Central Community invested into their neighborhood center.

- 1974-1979, East Central Community Center was the first major center built in the City of Spokane.
- Mr. Vaughn P. Call, Assistant City Manager in charge of planning, told the council at a briefing session that considerable work has gone into the project by people living in the neighborhood
- During Mayor Bair's opening speech and proclamation signing, he said Spokane had become a model used by the rest of the United States
- Mayor Bair's proclamation made September 1979, East Central Neighborhood Community Awareness Month, culminating with an outdoor lawn party, at ECCC, on September 29
- Inspired other neighborhoods to desire a major neighborhood community center in area
- 1980, West Central Community Center
- 1982, Northeast Community Center

Because of East Central Community Center's historic leadership role in the City of Spokane, it is requested that the East Central Community Center be placed on the Spokane Register of Historic Places, as well as a Commemorative plaque, placed at its main entrance. The center meets the Register's qualifications.

It was quite interesting and exciting, to research the history of East Central Community Center through the Northwest Room at the Spokane Library, the Spokesman Review Files, from our own Historian, Lee Wade, who was the original person that initiated the project, along with a multitude of neighborhood residents, the Spokane Planning Department, and design teams. Please take a few minutes to read the attached information.

Sincerely,  
Carole Shook  
League of Women for Community Action, VP  
509-879-0962  
[nshirapa@hotmail.com](mailto:nshirapa@hotmail.com)

As you are aware, there has been discussion concerning the rename of the EAST CENTRAL COMMUNITY CENTER. We as board members of the League of Women for Community Action, dba, Southeast Day Care Center, would like to reiterate that the name remains the...

### EAST CENTRAL COMMUNITY CENTER

as well as to be placed on the SPOKANE REGISTER OF HISTORIC PLACES.

According to the Spokane Register Nomination Guide: Page 2 of 17(1)

The nominee must meet both of the following criteria:

1. Generally, a property must be 50 years of age or older. However, a property less than 50 years of age may be eligible (if) ~~of~~ it is of exceptional importance or if it is an integral part of a district that is eligible for listing on the register.
2. The property is located in the City of Spokane, or in the unincorporated area of Spokane County.

The East Central Community Center has met both momentous, historic conditions.

In 1974, The East Central Community Center project, was initiated by a member of its community, Mrs. Lee Wade, who was serving as a volunteer on one of the citizen volunteer boards for the City of Spokane. At that time, she became aware that federal funds were becoming available to build neighborhood community centers. She shared the information with her fellow board members League of Women for Community Action. They decided to learn more about this opportunity that could provide so many possibilities for the neighbors in the East Central Community. 'The Ladies', as they were originally known throughout the neighborhood, because of the help they would provide to neighbors in desperate situations, began researching the steps necessary to develop such a center. They rallied the neighborhood residents as well; the community became excited about the possibilities that could bring a positive change to their neighborhood.

"Residents of the East Central Neighborhood-considered a low-to-moderate income area-have long pursued the goal of a community center as a social refuge for their elderly and young people, a dispensing point for many human services."

Over the next five years, there was much collaboration among the neighborhood residents, the Spokane Planning Department, and design teams to build a new large facility, with federal funds, which eventually totaled \$1.5 million. Partners from all over the City were on board to bring about a new Community Center of this magnitude that would provide services for many families of the East Central Community, services that would cater to the seniors, services for children's education, health and play, a full size gymnasium with stage and professional lighting, and will seat 500 – 600 was salvaged from the demolition of the former Edison Elementary school that was originally on the site, and numerous services that would be inclusive for all neighborhood families. (2, 2-b)

According to newspaper articles, upon opening its doors to the public in 1979, as many as 17 services were scheduled to participate; including the Senior Center, East Side Library, who were the first two facilities to move-in. (2)

At that time, Mayor Bair was quoted by the Spokesman Review to say, "A lot of us thought this day would never come. As a result of this accomplishment of such a building as this and other neighborhood community projects, Bair said Spokane has become a model used by the rest of the United States." Bair not only presented a proclamation, but he also signed it on the spot. "We're not stopping Mrs. Wade said after describing the patience and hard work" involved in the neighborhood effort which began in 1974. The proclamation made "East Central Neighborhood Community Awareness Month" in Spokane, culminating with a community lawn party on September 29, 1979. (3)

The Spokesman Review was quoted as saying, "the East Central Neighborhood has provided an excellent example. It's determined, hard-working residents could be considered inspiring pathfinders for those in other parts of the city." (3)

In 1979, West Central, and 1980, the Northeast Communities were planning to file applications for Community Centers for their neighborhoods, however the city would need to wait until the City gained experience in operating a center of this magnitude, by placing a moratorium on new community centers. Again, ECCC lead the way in how and who would manage the community center. (3)(4)

West Central Neighborhood Community opened, 1980(5)

Northeast Community Center opened, 1982(5)

Today, EAST CENTRAL COMMUNITY CENTER, continues to make an impact on its East Central Community residents. As more marketing and public outreach becomes activated, it can again thrive as in the past.

Again, it is recommended that the EAST CENTRAL COMMUNITY CENTER take its place in history, by being placed on the Spokane Register of Historic Places, for being the first large scale Neighborhood Community Center, created in the City of Spokane, leading the way, to make an historical difference in the City of Spokane WA.

I ask you to please join me in this recommendation and request. By doing so you will \*Give honor where honor is due. (6)

- (1) [www.historicspokane.org](http://www.historicspokane.org)
- (2) Spokesman Review, Feb 7, 1978
- (3) Spokesman Review, Jim Smith, Staff Writer, Aug1-Sept 30, 1979
- (4) Spokesman Review
- (5) West Central Community Center: Spokane County Assessor's Office: Picture states 1980. Form states 1953; Northeast Community Center Flyer  
Northeast Community Center: Spokane County Assessor's Office, 1982;  
Northeast Community Center Flyer
- (6) Taken from, Romans 13:7, KJV

Carole Shook, May 14, 2019

Mine

#2

# SEVEN Community centers Community center

## SR 2-7-78 p.1 bids sought by city

By JACK ROBERTS  
Staff writer

Spokane City Council Monday authorized a call for bids to construct the new federally financed East Central Neighborhood Community Center at \$515,000.

The center, which now has \$1 million in Community Development funds set aside for its erection, will occupy the site of the former Edison School, which served East Neighborhood youngsters 84 years before it was demolished.

While the center will be built with federal funds, the city will be required to set aside \$70,000 annually of its own money (by 1977 dollar standards) to operate and maintain the facility.

Residents of the East Central Neighborhood — considered a low to moderate income area — have long pursued the goal of a community center. They see it as a social refuge for their elderly and young people, a dis-

persing point for many human services.

A list of 17 tenants, which would supply certain services, was developed at one time. It is proposed these tenants would pay a rental fee to help defray costs. Among the proposed services are drug and alcohol counseling and treatment, social services, education, health, child care, housing information and referral, employment security and nutrition.

Vaughn P. Call, assistant city manager in charge of planning, told the council at its briefing session that considerable work had gone into the project by people living in the neighborhood.

Call said the City Engineer will call for bids, adding plans call for a spring start, with the hope the building can be completed by the end of this year.

Two other community centers are planned. The West Central Neighborhood is expected to make application. Another is being considered by a Hill-yard neighborhood group.





—Chronicle photo by Clint Watkins

## Community Center Progresses

The shell has been completed for a new community center to open in April at \$515 Lee. Construction cost of about \$1.5 million is being paid by a federal community development grant. The estimated \$120,000 annual operat-

ing cost eventually will be a city general fund obligation, but rent from tenant social service agencies may offset cost. A branch library and gymnasium also will be offered at the center.

26

Proclamation

Get Dates: Aug - Sept 1979

(13)

SPOKANE - Community Centers

## East Central Community Center opens

By JIM SMITH

Spokesman-Review staff writer

Seven years ago lamentations were heard as Edison Elementary School, 5515 Lee, closed its doors forever after 81 years of classroom activity.

On Wednesday cheerful sounds were heard on the same 3.4-acre tract, as East Central Community Center opened its facilities to the scrutiny of the press, local citizens and civic dignitaries.

"A lot of us thought this day might never come," Mayor Ron Bair said in a brief program preceding tours of the facilities.

As a result of the accomplishment of "such a building as this" and other neighborhood community projects, Bair said Spokane has "become a model used by the rest of the United States."

Bair not only presented a proclamation to Mrs. Lee A. Wade, chairman of the center's steering committee, but he also signed it on the spot.

"We're not stopping. We still have things to do," Mrs. Wade said after describing the "patience and hard work" involved in the neighborhood effort begun in 1974.

Bair's proclamation made the 32-day period ending Sept. 29 "East

Central Neighborhood Community Awareness Month" in Spokane.

Actually the center opened its doors to the community June 18, 1978. East Side Branch of the Spokane Public Library moved in and "gymnasium" activity began.

Most of Edison Elementary School was demolished in 1977 to prepare the way for the center.

Edison's former multipurpose unit, a \$100,000 project in the late 1960's -- is incorporated into the center.

Leon F. "Skip" Rowland, the center's manager-director, said the former multipurpose unit will become a senior citizens' center.

Facilities for seniors will be completed by November, he said.

The gymnasium can seat 500 to 600 persons for a stage show or about 250 for an athletic contest, Rowland said.

The stage, with a "professional lighting system," adjoins the basketball floor, he added.

The month-long celebration will end with an outdoor party Sept. 29 on the new grass, planted near the center.

If the first 31 days' activity doesn't make the community aware of the center, Rowland said the party "will wake up some people."

## Church-Sponsored Aid Center Opens Its Doors

SPOKANE

Community Centers 8.9.79 p. 14

The House of Solomon, a social service agency in Spokane, Christian social center sponsored by Christ-Holy Sanctified Church, opened at 8323 Pittsburg Monday.

Mrs. Cassie McCain, vice president of the center's executive board, said the center is designed to aid the city's East Side residents "specifically and Spokane residents generally."

The center, located in a neatly remodeled older house, will serve as a social, educational, religious and recreational "focus" for the Liberty Park district.

"We are working with all the

social service agencies in Spokane," Mrs. McCain said. "We want to aid senior citizens, youth and all the other people of our community. Many of the people in this area need to be brought out of themselves. If we can inspire them to use their talents, they will be an asset to their community."

The present location is temporary, Mrs. McCain said. An architectural drawing is already on the boards for a \$227,600 structure to be located on church property at Fourth and Pittsburg.

ADVERTISEMENT

**Youth Center  
Opens Today**  
The new Eastside Youth Center, 1133 State, will be officially opened in ceremonies 11:30 a.m. this morning.  
According to William A. Herringer, chairman of the Spokane Lions Club committee that has worked on renovating the three-story house, Mayor David B. Roderick will participate in a ribbon-cutting ceremony as part of the festivities.  
The center will be open from noon to 5 p.m. Tuesday through Saturday under the direction of Mrs. Karen Koshmann. Classes and sports will be held at the center.



# Federal Dollars May Aid Center

The Spokane City Council, hard-pressed to balance the 1979 city budget, may get some unexpected help from the federal government.

Under rosier financial conditions, the council agreed to use federal community development funds to construct a \$1-million East Central Community Center at the site of the old Edison School, 5515 Lee.

The council understood that the city would have to foot the bill for operating the center, but, as general fund revenues dwindled and estimates of the operating cost continued to rise, the council became alarmed.

Now, however, the city has received a ruling from the Seattle regional office of the U.S. Department of Housing and Urban Development that community development funds may be used to operate neighborhood centers as well as build them.

The catch is that the federal funds may be used for operating expenses for just three years after construction is completed.

Nevertheless, said Roger D. Crum, city administration manager, "This is a

major change in thinking that we didn't think was available to us."

Crum said city staff members are recommending that this year's community development grant be amended to allow the city to use money from the community center construction reserve fund to operate the East Central center during the first half of 1979.

He said a "rough estimate" is that the center will cost \$120,000 to operate next year. He said it has been estimated \$80,000 may be needed to operate the center through June 30, even though the center isn't to open until March. He said a director will have to be hired before that time, perhaps late this year.

"I think we can do it cheaper than that," Crum said of both estimates, noting lack of experience with such centers makes estimates difficult.

The community center staff will consist of a director, a secretary (or some form of secretarial service) and an unknown number of building maintenance personnel.

Crum said city staff mem-

bers are recommending that more operating funds for the center be included in the 1979 community development grant application. The application, being prepared now, will provide funds by the middle of 1979.

Louise Steele, the Seattle HUD community planning and development representative who issued the operating cost ruling, noted that operating costs must be limited to "public service support programs."

She also said each item in an operating budget to be paid with community development funds must be demonstrated to have a direct relationship to the eligible service.

Acknowledging a certain ambiguity in the ruling, Crum said he believes the East Central Community Center operating budget would be entirely eligible.

Meanwhile, the City Council finance committee is recommending a moratorium on a proposed West Central center until the city gains experience with the East Central facility.

The finance committee recommends design of the West Central center be allowed, but not construction.

## Group urged to involve neighborhoods

SPOKANE

By Rick Bonino

Staff writer

FutureSpokane should work at the neighborhood level to help people become more informed about and involved in civic issues, its new president said Tuesday.

"We need to develop an inspiration, an excitement, a feeling that this is a viable, growing community that's going to be here a long time," Jack Geraghty said at the volunteer civic progress group's annual luncheon.

Geraghty, a public relations consultant and former county commissioner, replaces Elinor Magnuson as board president of the non-profit organization.

He said Spokane needs to break down cultural and geographic barriers — "the age old North Side versus South Side, the Valley versus the city, the West Plains versus the city."

And local leaders need to start addressing concerns voiced at the neighborhood level, Geraghty said,

from people who complain they don't hear enough about major projects and don't feel they have a voice in decisions.

"Maybe a role for FutureSpokane is to begin to take important issues in this community and bring them out to the neighborhoods so people can understand, can make practical decisions," he said.

Geraghty said later one way to do that might be several neighborhood-level forums on a given issue, instead of the large downtown forums FutureSpokane has hosted in the past.

Conferences have been a focus of FutureSpokane since its formation in 1982. "Some people say FutureSpokane just sits around and talks, but there's a value to that," Geraghty said. "Out of that will come the actual decisions, the physical elements that go to make a viable community."

Agreed Magnuson, "Spokane citizens are best at decision-making when they're sitting around a table, working on common goals — not at

hearings, or in the media, when they're haranguing each other with their differences."

Along with conferences, FutureSpokane has worked on such specific "action items" as the Spokane Public Library's ACCESS computer information bank. Priority areas for 1988-87 include:

■ Spokane River. Protecting the river and creating a recreational strip along it from Riverside State Park to the Idaho border is FutureSpokane's top goal for the coming year. Efforts will be made to work with government agencies, citizen groups and private landowners and a conference is expected.

■ Downtown. Revitalizing downtown, extending Riverfront Park and improving transportation and housing are among possible topics, with the river again a chief concern.

■ Quality of life. A forum planned for this fall will examine health care and the moral and ethical decisions involved in modern medical technology.

## Here Is How You Can Help!

Donations to the Spokane Community Centers Foundation are placed in an endowment fund. The income generated from your gift will help to support the critical services provided by East Central, West Central and Northeast Community Centers. Gifts can be designated to a specific Community Center.

The Foundation is the proud publisher of SPOKANE COOKS! cookbook. Since November, 1986 over 6,000 copies have been sold. Proceeds from the sale of the cookbook go into the endowment fund.

Volunteers are the strength of our organization! Anyone who is excited by the challenge of raising funds or contributing their talents for our local organization is welcome!

## We Would Love to Hear From You

Please accept my tax deductible donation for the Endowment Fund to support East Central, West Central and Northeast Community Centers.

Yes! I would like to volunteer my time to support Spokane's Community Centers.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Zip \_\_\_\_\_  
Phone \_\_\_\_\_

Spokane Community  
Centers Foundation  
W. 1717 Broadway, Suite #1  
Spokane, WA 99201  
(509) 325-6123

## SPOKANE'S COMMUNITY CENTERS

East Central Community Center  
Established 1979

S. 500 Stone  
Spokane, WA 99202  
456-2655

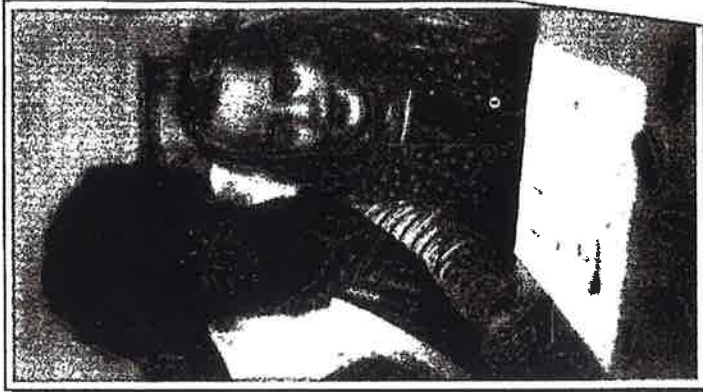
West Central Community Center  
Established 1980

N. 1603 Belt  
Spokane, WA 99205  
326-9540

Northeast Community Center  
Established 1982

N. 4001 Cook  
Spokane, WA 99207  
487-1603

## THE FUTURE OF SPOKANE'S COMMUNITY CENTERS"



Spokane Community Centers Foundation  
W. 1717 Broadway, Suite #1  
Spokane, WA 99201

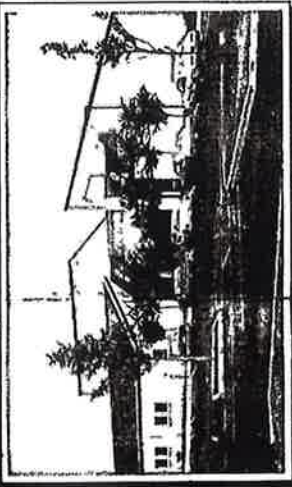


## SPOKANE'S COMMUNITY CENTERS

The Spokane Community Centers Foundation was formed in February, 1986. Our purpose is to insure the continuation of important community services in the wake of projected cuts in the federal grants that support approximately 50% of the Centers' combined budgets.

We believe a combination of public, independent and private contributions will ensure program continuity, community awareness and the long-term financial stability of East Central, West Central and Northeast Community Centers.

The Spokane Community Centers Foundation is a non-profit corporation. It is governed by a 17-member Board of Directors with nine representing the three Centers.



assistance, family counseling, job training, libraries, senior centers, recreation, child-care and much more.

## Historical Background

East Central was built in 1979 with federal Community Development funds. The care and planning that went into its building came from the concerned citizens in the East Central neighborhood.

Since then West Central opened in 1980 and Northeast in 1982. These centers were also built using the same citizen participation planning model. Each

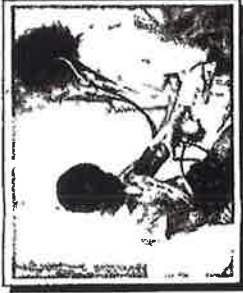
Center relied on Community Development funds to build and support itself. During the mid-1980's, it became apparent that Federal Community Development funds were being gradually phased out.

Through their community leadership role and their cooperation with other agencies, the Centers provide a neighborhood setting for emergency food and energy

## Unique Programs and Services

Job Training Partnership ACT (JTPA) — This program was initiated by East Central staff and volunteers to

address the high unemployment rate in the East Central area. The program offers employment training and job placement for qualified adults and youth. For further information call 456-2655.



Morning/Afternoon Recreation Program — A service provided to ambulatory developmentally disabled adults who are developing vocational and leisure skills. Located at West Central, the program is intended to assist in developing community survival, leisure, physical capabilities and intellectual/emotional functioning skills.

Pre-Training for Employable Developmentally Disabled Adults (PEDDA) — This program offers job training and placement for developmentally disabled adults in the food industry. For more information call 326-9540.

Spokane Child Abuse/Neglect Prevention (SCAN) — Provides trained volunteers to work on a one-to-one basis with troubled parents requesting this supportive service. Located at East Central, SCAN



also offers a Speaker's Bureau which provides information about child abuse and neglect. For more information call 458-7445.

Hillyard Community Concerns — A variety of programs and services for elderly citizens of the Northeast area. Nutritionally planned meals, health and social needs, activities, crafts and more. For information, 456-3860.

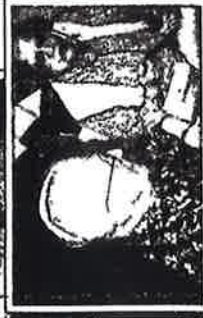


## Impacting the Community

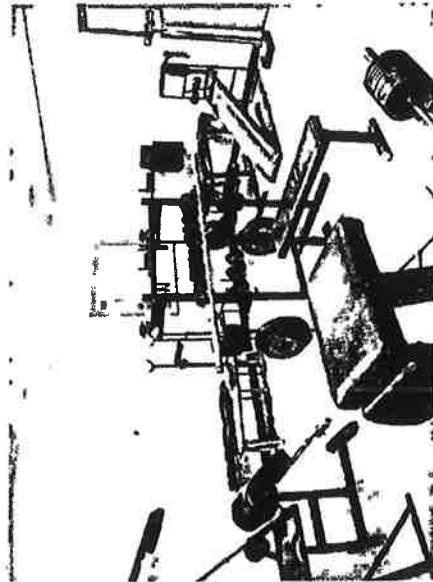
On the average day, over 1000 people utilize the multitude of services provided by Spokane's three Community Centers.

## Leadership

Community Centers offer support to neighborhood leaders, who, together with the professional staff, assess emerging social problems and work toward long-term solutions. By monitoring the



special needs of their low-income neighborhoods the centers continue to improve upon the quality of life enjoyed by all in Spokane.



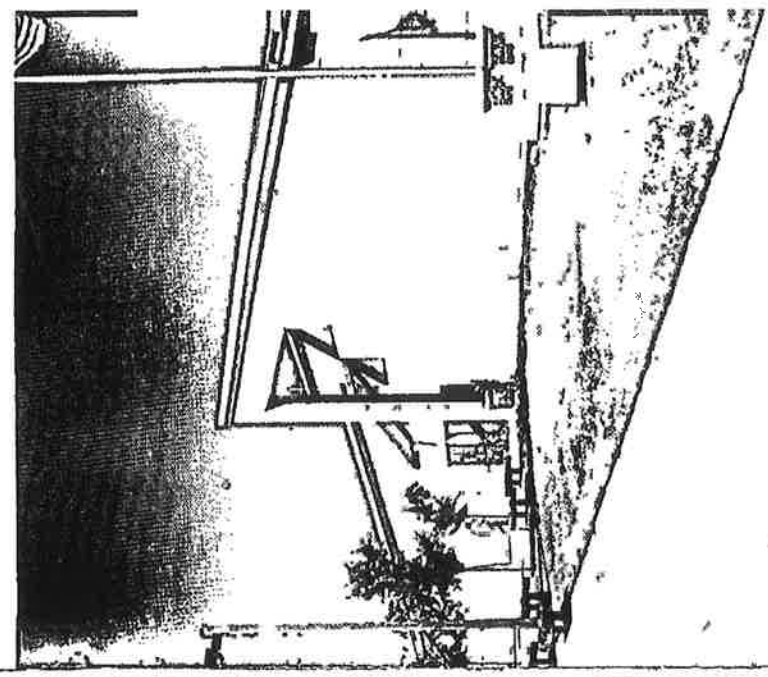
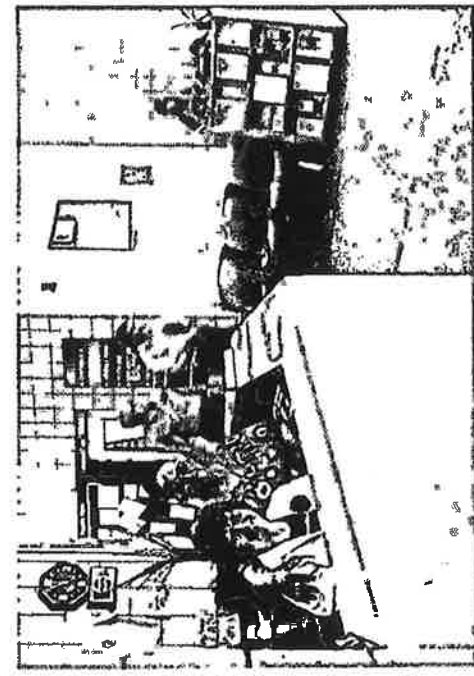
- | PRIMARY CENTER SERVICES    | CALL     |
|----------------------------|----------|
| General Information        | 487-1603 |
| Adult Basic Education      | 487-1603 |
| Child Development/Day Care | 484-3470 |
| Child/Family Counseling    | 487-1607 |
| Health Clinic              | 456-4201 |
| Emergency Social Services  | 487-1114 |
| Developmentally Disabled   | 487-9279 |
| Senior Center              | 456-3860 |
| Library Services           | 838-6780 |
| Youth Center               | 456-4356 |
| Facilities Rental          | 487-1603 |



Center facilities are available for your next meeting or fund-raiser at reasonable prices.  
CALL 487-1603

# NE COMMUNITY CENTER

**NORTHEAST COMMUNITY CENTER ASSOCIATION** - a private, non-profit organization founded in 1980, to provide a multitude of needed human services to Northeast Spokane residents. We administer a facility which includes eight full-time and a number of part-time agencies specializing in nutrition programs for senior citizens, health screening, adult education, emergency services for families, child development, library services, and leisure programs. THE ASSOCIATION is currently 60 percent self-funded with a goal of 100 percent independence



from government grants and funding. Self-sufficiency will mean services provided with lower overhead and fewer tax dollars.

N. 4001 Cook St.  
Spokane, WA 99207





**SPOKANE COUNTY HEALTH DISTRICT CLINIC** - provides exams, screening tests, counseling, education services and immunizations for children through 21 years, and for seniors over 60 years. CALL 456-4201; for seniors CALL 458-2530. SLIDING FEE scale, NO ONE REFUSED SERVICE if unable to pay!!

**ADULT BASIC EDUCATION** - classes are held two nights per week at the center. Prepare for your G.E.D.!! CALL 487-1603.

**CHILDREN'S HOME SOCIETY** - provides counseling and educational activities to children and families over a wide spectrum of needs, including family conflict, untimely pregnancies, separating and divorcing families, etc. Sliding fees, medical coupons. CALL 487-1607.



**NORTHEAST NEIGHBORHOOD CENTER** -tailors services to neighborhood needs and provides direct emergency services to families and individuals to meet their basic needs from food stuffs to counseling. CALL 487-1114.



## HILLYARD COMMUNITY CONCERNS

provides senior citizens with nutritious noon meals; recreational and physical fitness activities including crafts, pinocle and aerobics; social and health related services from foot care to blood pressure checks; and information on other senior services. Our goal is to keep older people active and involved. **WE PUT LIFE IN YOUR YEARS!!** CALL 456-3860.

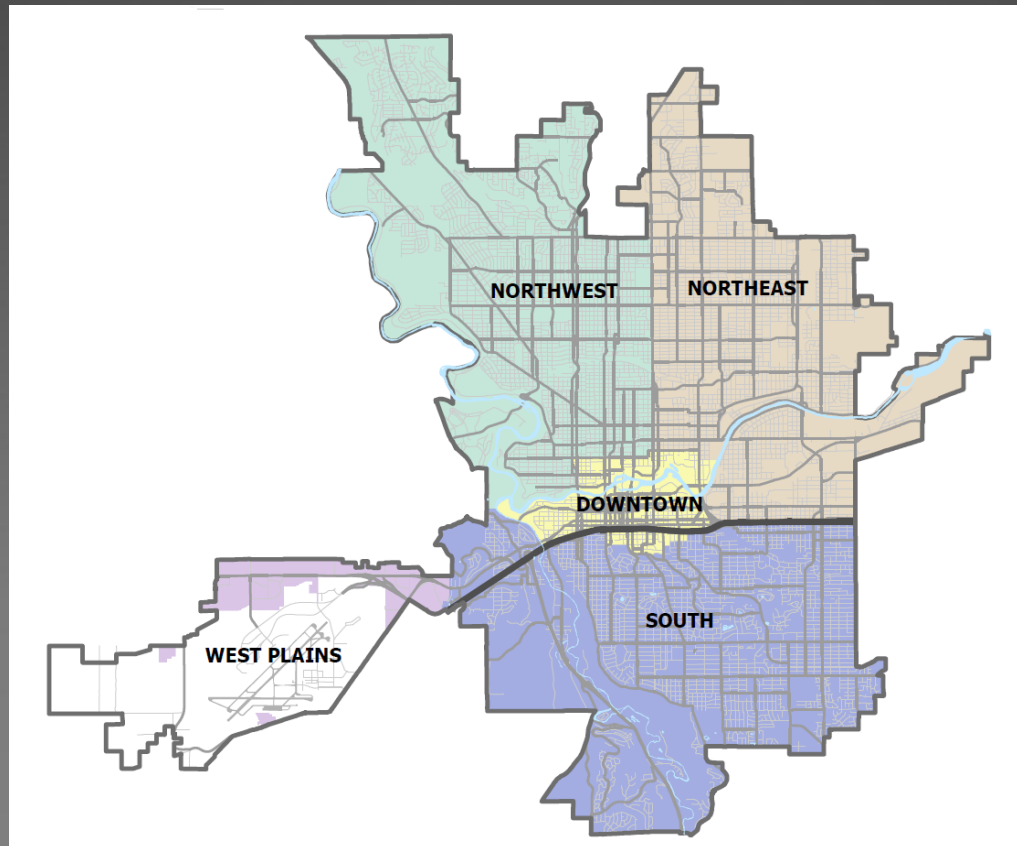
**HILLYARD BRANCH, SPOKANE PUBLIC LIBRARY** - offers children, young adult and adult regular and large print materials, tapes, films, and cameras for checkout. Reference materials, study room and copy machine are available for use. Special activities include adult literacy programs, childrens' events, monthly movies and art exhibits. CALL 838-6780.

**PEOPLE'S PLACE** - a drop-in activity center for developmentally disabled adults focusing on skills for independent living and group advocacy. Workshops and programs on-site and throughout the community. Affiliated with Association for Retarded Citizens. CALL 487-9279.

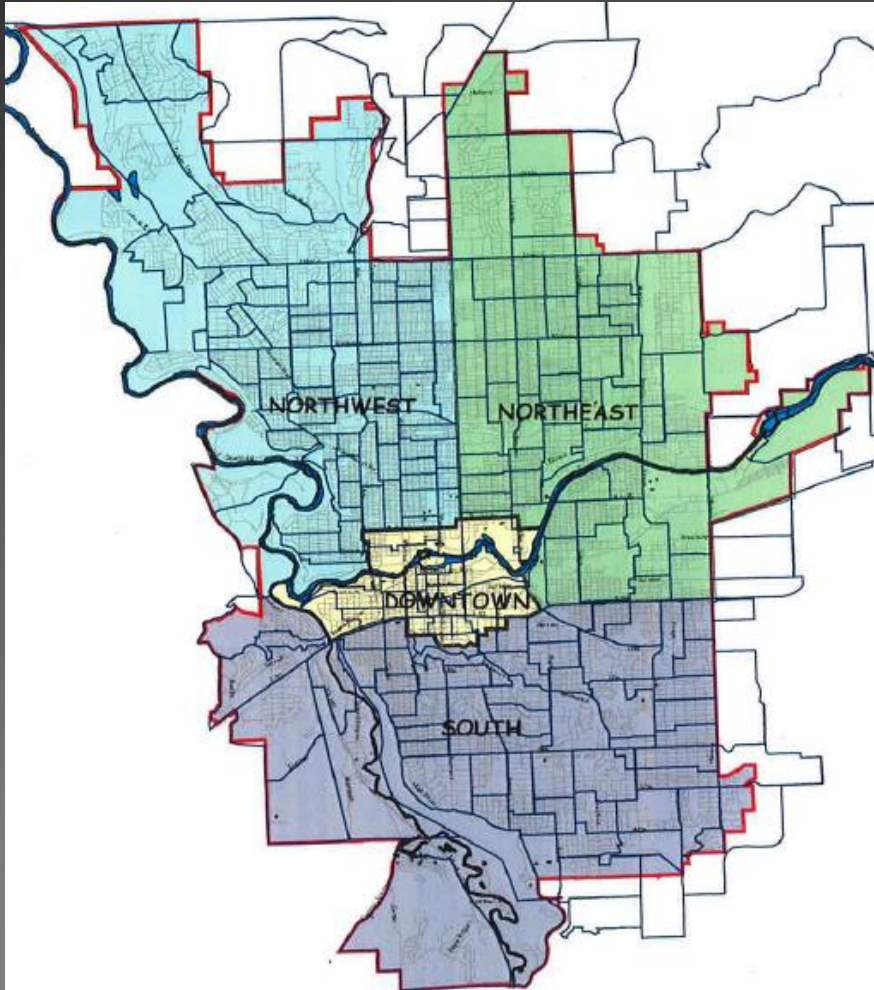
**NORTHEAST YOUTH CENTER** - sponsored by Spokane Parks & Recreation, offers a variety of leisure programs for all ages; from exercise and fitness classes, cheerleading, weightlifting, swimming, to movies, special events and athletic leagues for adults and youth. Also, NEYC provides Youth Employment Services. CALL 456-4356.

**NORTHEAST CHILD DEVELOPMENT CENTER** - provides the following services: Day Care (2½ - 6 yrs); Preschool (2½ - 4); Kindergarten (4 - 6); Summer program (2½ - 7); Special education (birth - 3) including therapy and classroom. Drop-ins welcome if space available. CALL 484-3470.

# *Transportation Impact Fee Update Plan Commission Workshop July 24, 2019*



# Transportation Impact Fees Enacted in 2011



Service Area	\$ / PM trip*
Downtown	\$90
Northwest	\$634
South	\$587
Northeast	\$850

*\*Base rate is adjusted for pass-by trips and trip length to arrive at fee per unit.*

# *Why Adopted?*

- *Predictability for developers*
- *Faster permitting*
- *Funding source for grant match*



# *Projects partially funded with Impact Fees*

District	Project
Northeast	Havana Street Railroad Overpass
	Hamilton Corridor Signals
Northwest	Cedar/Country Homes signal
	Indian Trail paving and restriping
South	44 <sup>th</sup> Avenue – Regal to Freya construction
	37 <sup>th</sup> Avenue reconstruction
	37 <sup>th</sup> / Grand Signal
	Palouse / Regal signal (west leg park access)
Downtown	Washington / N River Drive signal

# *Scope of the Update*

## **CODE REFERENCE**

Chapter 17D.075 Transportation Impact Fees

Section 17D.075.140 Review

The fee schedules set forth in this chapter shall be reviewed by the city council as it may deem necessary and appropriate every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan.

A **transportation impact fee advisory board** consisting of individuals representing the building, real estate, and property development industries, the broader business community, community leaders, community assembly, and citizens shall be appointed by the mayor to review proposed changes to the fee schedules set forth in this chapter prior to their review and adoption by the city council. This review shall occur when the city council may deem it necessary and appropriate every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan. Provided, this section shall not be interpreted as requiring review by an advisory board or city council prior to the automatic fee adjustments contemplated in SMC 17D.075.040(A).

# *Transportation Impact Fee Advisory Committee*

Name	Representing
Alan Springer / John Fisher	Inland Construction (developer)
Andrew Rolwes	Downtown Spokane Partnership
Arthur Whitten	Spokane Home Builders Association
Bill White	Traffic Engineer (development)
Craig Soehren	Kiemle & Hagood (real estate)
John Dietzman	Plan Commission / PCTS Chair
E.J. Iannelli	Citizen / neighborhood
Jim Bakke	Citizen / neighborhood
Joe Tortorelli	NE Public Development Authority
Kerry Brooks	Citizen / neighborhood
Sabrina Minshall	SRTC Director
Ben Stuckart	City Council President
Amber Waldref	City Council

# *Project Timeline*

Impact Fee Committee Mtg #1 – July 26<sup>th</sup> 2017

Impact Fee Committee Mtg #2 – Sept 6<sup>th</sup> 2017

Impact Fee Committee Mtg #3 – Oct 4<sup>th</sup> 2017

West Plains Open House – Oct 24<sup>th</sup> 2017

Impact Fee Committee Mtg #4 – Nov 1<sup>st</sup> 2017

PCTS Meeting #1 – Nov 7<sup>th</sup> 2017

Impact Fee Committee Mtg #5 – late Nov 2017

PCTS Meeting #2 – Dec 5<sup>th</sup> 2017

Plan Commission Workshop – Dec 13<sup>th</sup> 2017

Plan Commission Workshop – Jan 10<sup>th</sup> 2018



# *Project Timeline*

Plan Commission Workshop – Jan 10<sup>th</sup> 2018

Plan Commission Workshop – Sep 12<sup>th</sup> 2018

\*\*\*\*\* *ON HOLD* \*\*\*\*\*

PIES Committee – June 24<sup>th</sup> 2019



**Plan Commission Workshop – July 24<sup>th</sup> 2019**

Plan Commission Hearing – Aug 14<sup>th</sup> 2019

City Council adoption – Sept-Dec 2019

# *Existing Code Incentives*

*17D.075.070*

- *10% development within CC zones*
- *10% for mixed use development incorporating an “active” first floor (e.g. office, retail) and residential above*
- *10% for the development of complete streets that provide pedestrian connections to surrounding neighborhoods and districts*
- *Total credit may not exceed 20%*

# *Revised Code Incentives*

*17D.075.070*

- *10% development within CC zones*
- *10% for mixed use development incorporating an “active” first floor*
- *20% for bicycle & ped connections*
- *\$1000 per space for covered bicycle parking*
- *10% for certain transit stop improvements*
- *Total credit may not exceed 30%*

# *Construction Cost Indices*

## *WSDOT CCI*

- *Based on historical cost of 7 bid items*
  - *Roadway excavation, crushed surfacing, hot mix asphalt, concrete pavement, structural concrete, steel reinforcing bar, structural steel*
- *No longer being updated!*

## *National Highway Construction Cost Index (NHCCI)*

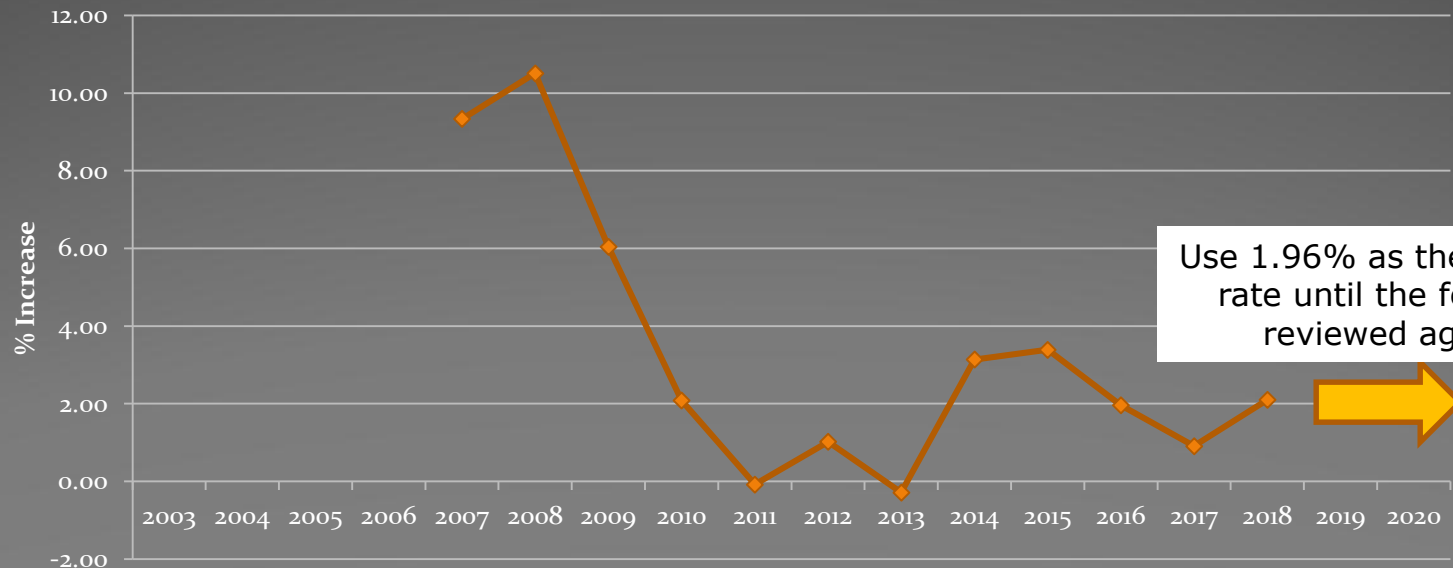
- *Based on historical cost of the 6 bid items*
  - *Common excavation, PCC surface, asphalt concrete surface, structural concrete, reinforcing steel, structural steel*



# Cost Index Recommendation

*Update to code to specify that the rate increase happens January 1<sup>st</sup>.*

FHWA NHCCI  
Rolling 5-year Average %



# *Time Limit on Use of Fees*

*RCW.82.02.070(3)(a)*

In 2011 state law allowed required expenditure of impact fees within 6 years.

This was revised to 10 years, but our city code still says 6 years.

Need to update city code to match state law.

# *Frequency to review fees*

*SMC 17D.075.140*

Says “shall be reviewed by the city council as it may deem necessary and appropriate every two years”

Recommend changing this to a longer time frame, approximately 4-6 years.

# Housing Recommended Rates

Type	PM Trips per unit	Comments
Single Family	1.0	No change
Multi-Family 1-2 level	0.67	Includes apartments, townhouses and condos located in a building with 4 or more units.*
Multi-Family 3-10 levels	0.44	Includes apartments, townhouses and condos located in a building with 4 or more units.*
Low-income Multi-Family	0.40	Average from PSRC and Los Angeles studies

***\*Staff has changed this since 2018 due to an update of the ITE Trip Generation Manual which eliminated separate rates for owned vs. rented units.***



# *Low-income Housing Reduced Rate*

- *WA State's Low Income Housing Tax Credit*
- *City of Spokane's HOME program*
- *WA State Housing Trust Fund*
- *HUD Project-Based Voucher Program*
- *similar programs per staff review*



# *Land Use Revisions*

## *Additions –*

- *Fast Casual restaurant*
- *Mini-Storage*
- *Veterinary Clinic*



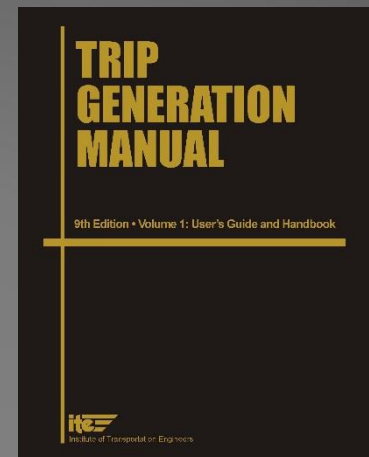
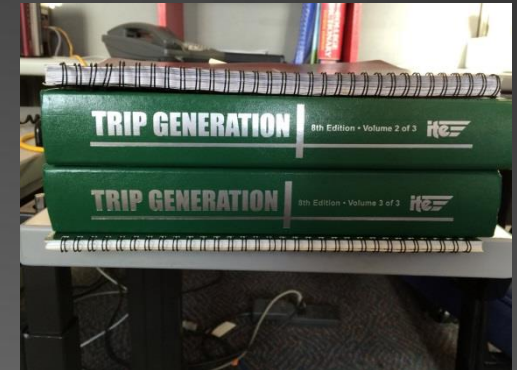
# Land Use Revisions

*Deleted –*

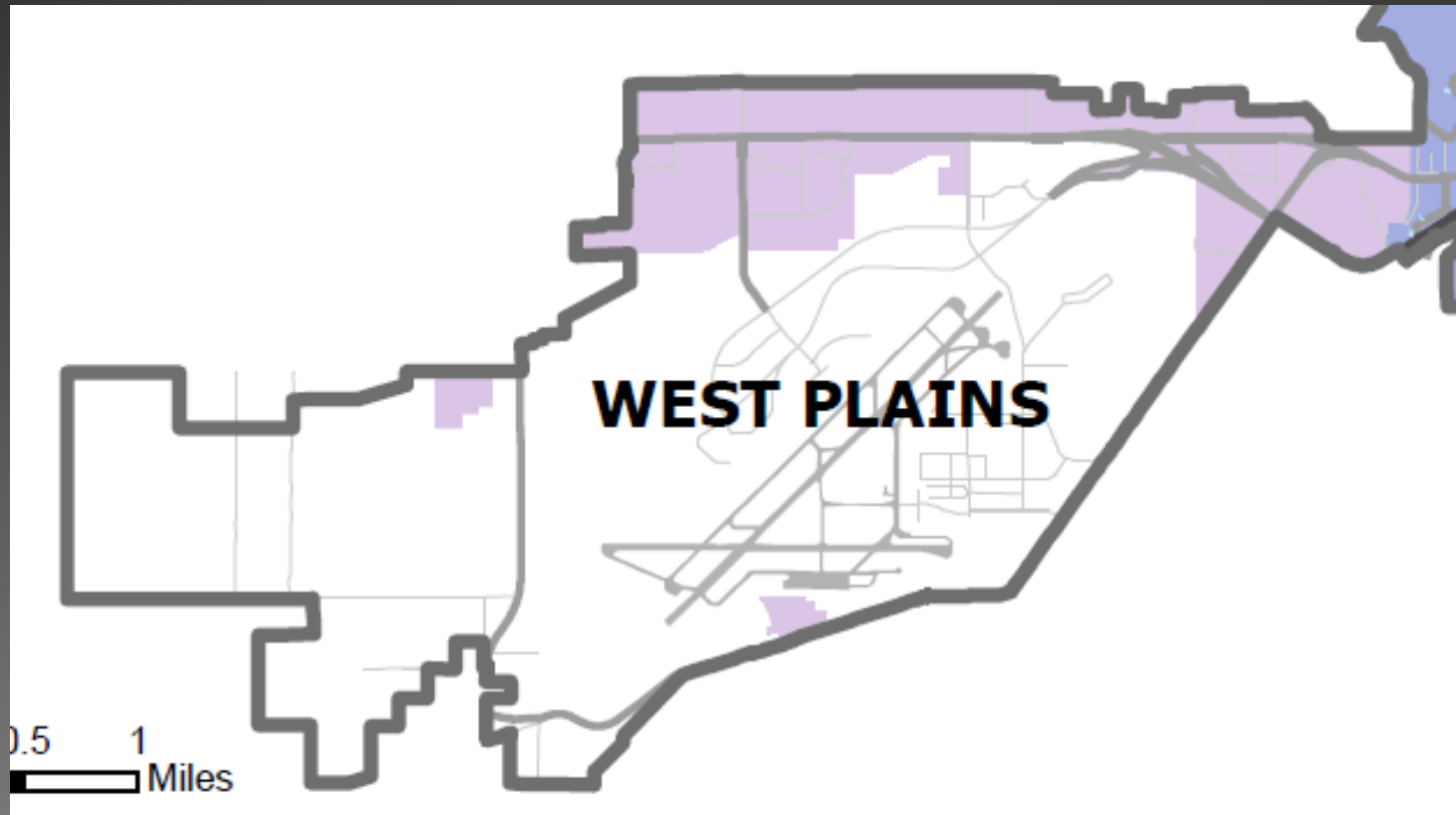
- *Video Rental store*

*Updated -*

- *School rates now use GFA instead of students*
- *Revised all rates per 9<sup>th</sup> Edition of ITE Manual*



# *West Plains District*



*All Airport Property is excluded from the district.*



# *Project List*

## *Downtown*

5th Ave / Sherman St	Intersection - Install new traffic signal
Washington / N River Drive	Signal lane and phasing improvements
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.
D Bicycle Improvements	stripe bike facilities on arterials
D Pedestrian Improvements	install pedestrian facilities on arterials

# Project List Northwest

Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section
Wellesley / Driscoll	WB right turn lane
Wellesley / Assembly	Signal
Wellesley / Maple	WB thru pocket, NB right turn lane
Francis/Alberta	modify NB and SB lanes to allow protected phasing
Francis/Maple	add WBR lane
NW Bicycle Improvements	stripe bike facilities on arterials
NW Pedestrian Improvements	install pedestrian facilities on arterials

# Project List - South

29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.
29th / Regal	Intersection improvements, EBR turn lane, maybe left turns
Ray-Freya Alternative	<i>Placeholder for after alternatives analysis, may include intersection improvements at 37<sup>th</sup>/Freya and 37<sup>th</sup>/Ray</i>
44th Ave from Crestline to Altamont	new collector road section
44th/Regal	Widen northbound approach to 2 lanes
Freya / Palouse Hwy	roundabout or turn lanes
Sunset Hwy / Assembly	signal
57 <sup>th</sup> /Hatch Road	Intersection improvements
US 195 Frontage from 16 <sup>th</sup> to Thorpe	2-3 lane frontage road
US 195 / Meadowlane	Interim intersection improvements
S Bicycle Improvements	stripe bike facilities on arterials
S Pedestrian Improvements	install pedestrian facilities on arterials

# Project List

## Northeast

Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 5-lane east of Nevada 1000'
Hamilton St Corridor - Desmet Ave to Foothills Ave	Segment Improvements - Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing. New signal or HAWK at Desmet.
Haven/Wellesley improvements	Add WBL turn lane, rebuild signal to allow protected WB lefts
Mission/Havana	signal
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner
NE Bicycle Improvements	stripe bike facilities on arterials
NE Pedestrian Improvements	install pedestrian facilities on arterials



# Project List

## West Plains

21st Avenue: Deer Heights to Flint/Granite and Deer Heights Road: south end to 18 <sup>th</sup> /21st	segment - construct new 3-lane arterial
12th Avenue: Deer Heights to Flint/Granite	segment - construct new 2-lane arterial
W Bicycle Improvements	stripe bike facilities on arterials, US 2 bike path
W Pedestrian Improvements	install pedestrian facilities on arterials, US 2 bike path

# Proposed Rates

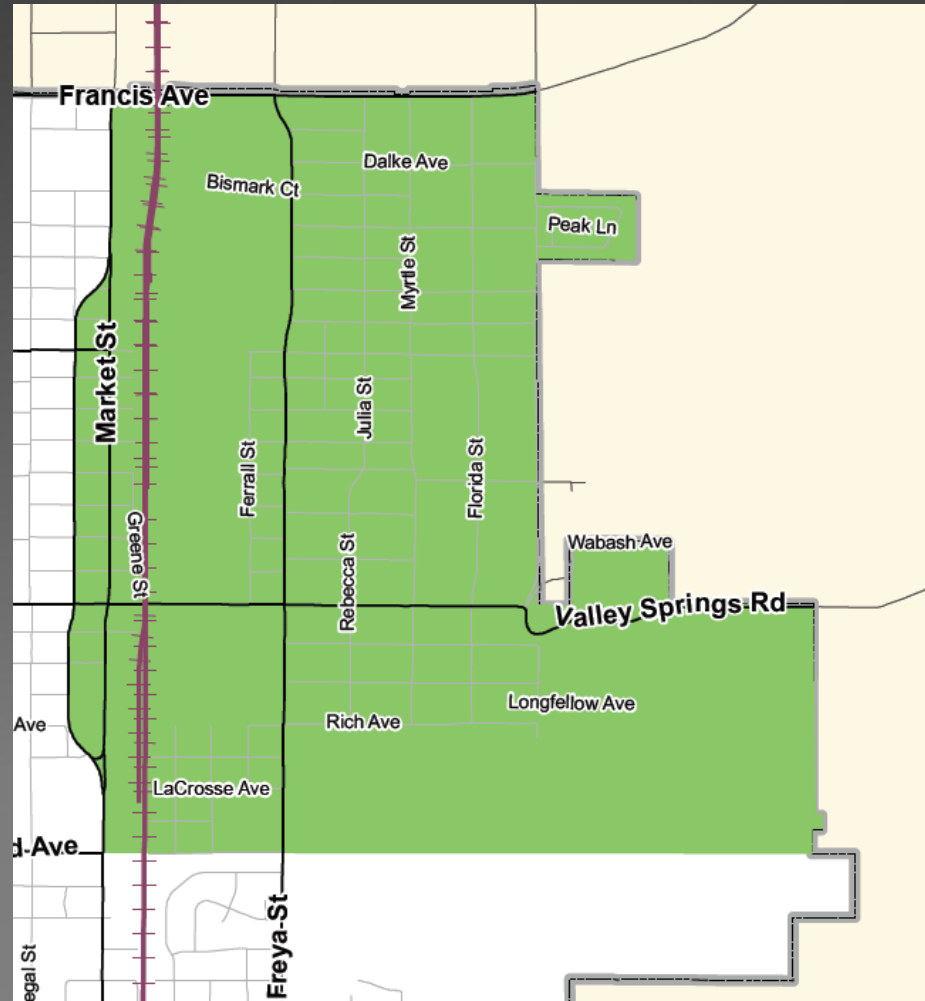
Service Area	Existing \$ / PM trip	Proposed \$ / PM trip
Downtown	\$90	<b>\$85</b>
Northwest	\$634	<b>\$699</b>
South	\$587	<b>\$992</b>
Northeast	\$850	<b>\$584</b>
West Plains	n/a	<b>\$1,076</b>

*\*Base rate is adjusted for pass-by trips and trip length to arrive at fee per unit.*

# *PDA Investment*

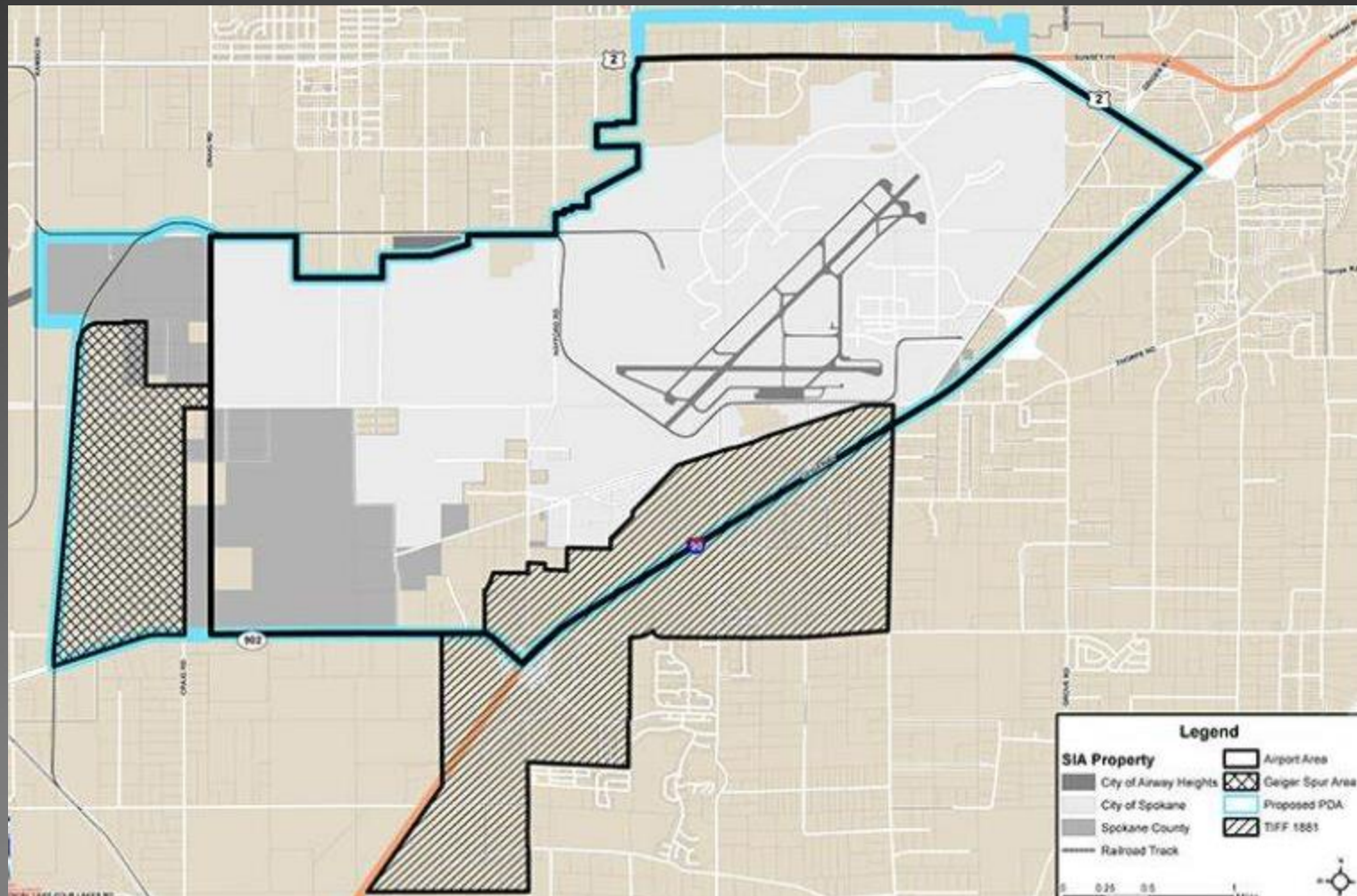
- *Additional city funding to subsidize impact fees in Northeast and Airport Public Development Authorities.*
- *\$1,000,000 set aside for PDAs*
- *Will reduce or eliminate fees for certain development projects within those PDAs.*
- *Applies to manufacturing and production facilities, industrial service, warehouse and freight, hotels, offices and residential type development.*

# NEPDA Investment





# Airport PDA Investment



# Example Exemptions

Example Development	Size	District	Exemption Impact Fee
Pharmaceutical Manufacturing	63,000 sq ft	WP	\$74,340
Industrial Warehouse	150,000 sq ft	WP	\$78,000
Apartments	120 units	WP	\$69,879
Hotel	100 rooms	WP	\$84,400
Industrial Warehouse	200,000 sq ft	NE	\$56,000
Industrial Park	500,000 sq ft	NE	\$370,000

*Currently \$1,000,000 available for impact fee exemptions*



# *Downtown 5<sup>th</sup>/Sherman*



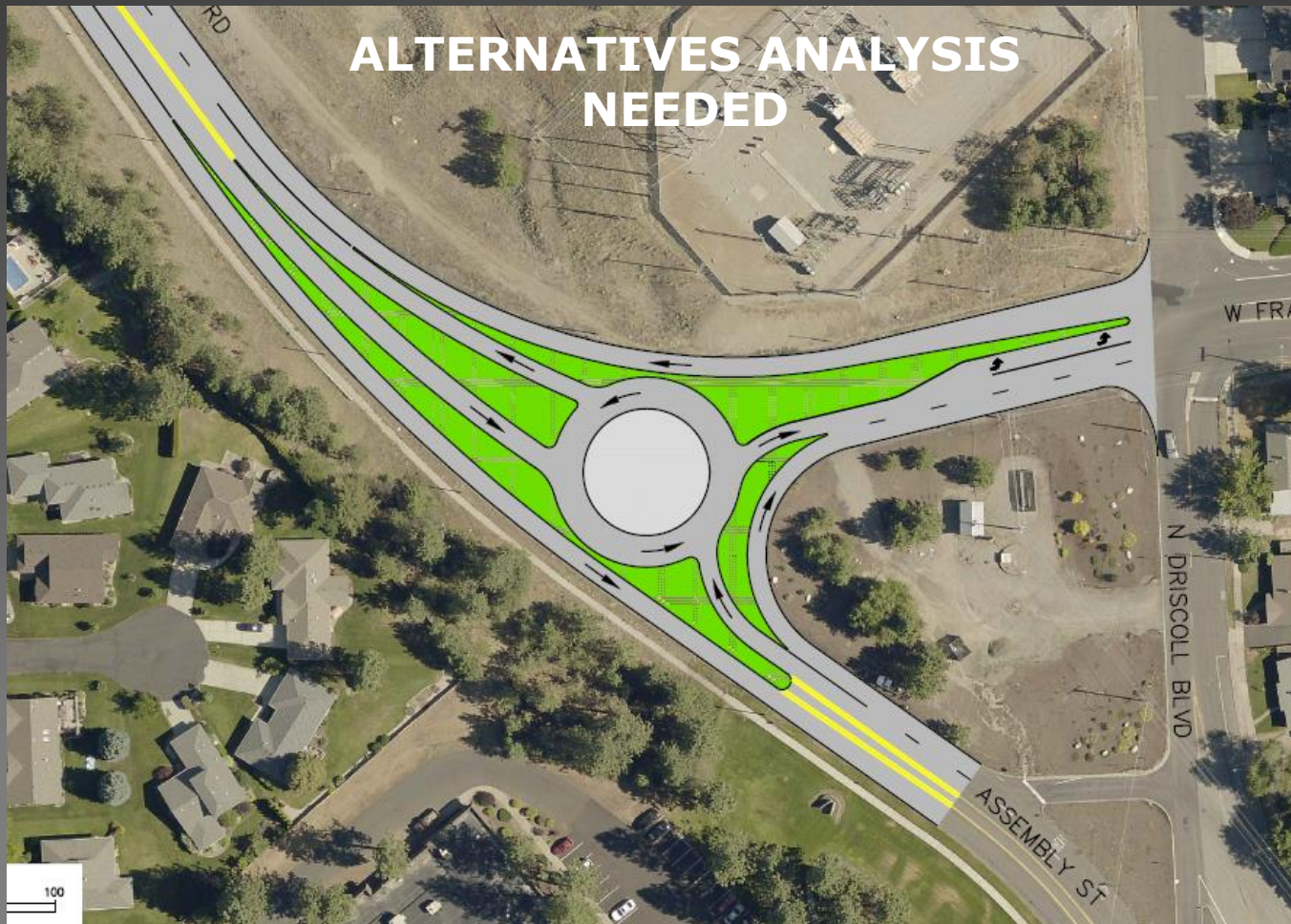


# *Downtown Ash Street 2-Way*





# Northwest Francis/9 Mile/Assembly



[illegible]



# Northwest Wellesley / Driscoll



# Northwest Wellesley/Assembly

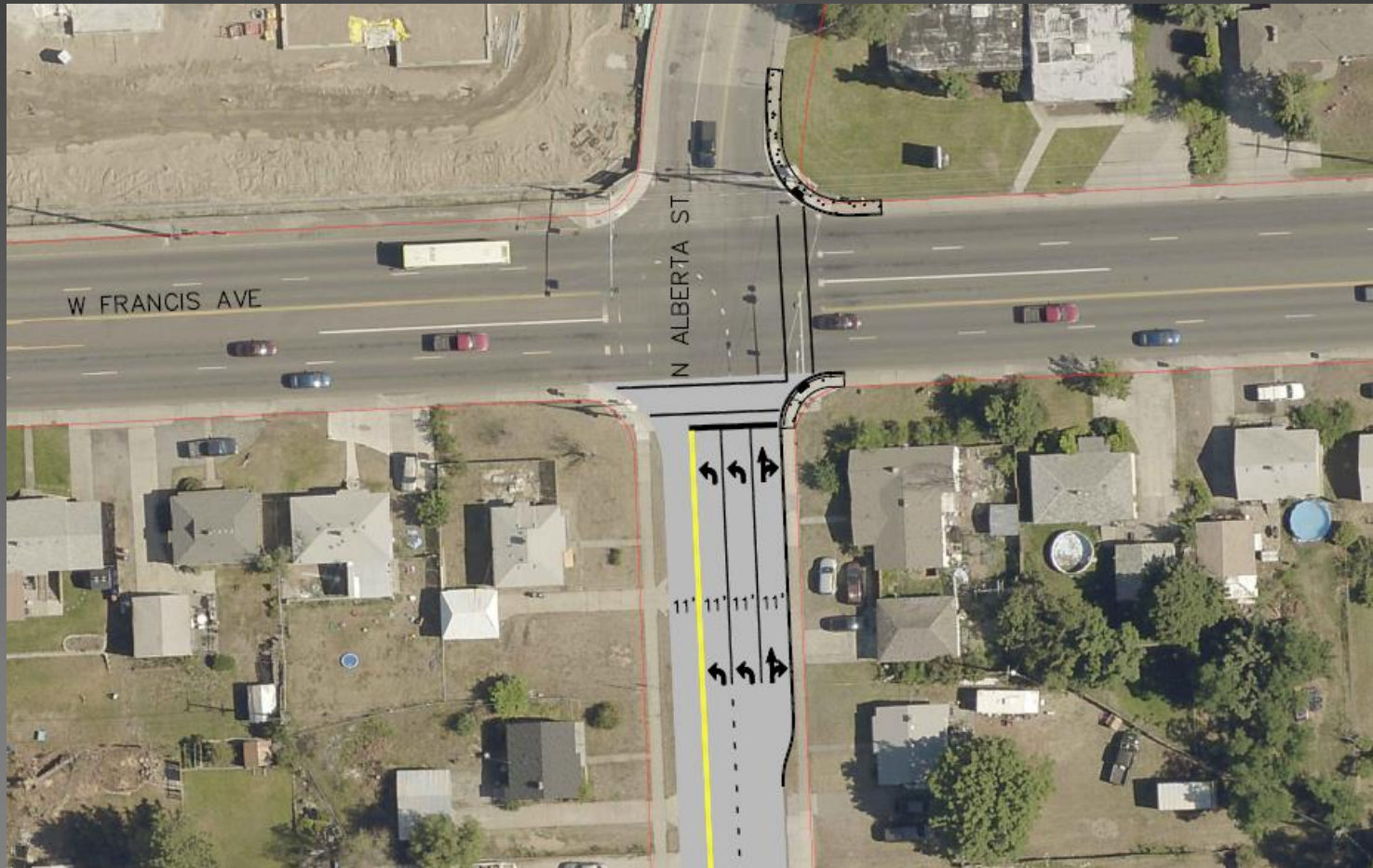




# *Northwest Wellesley/Maple*

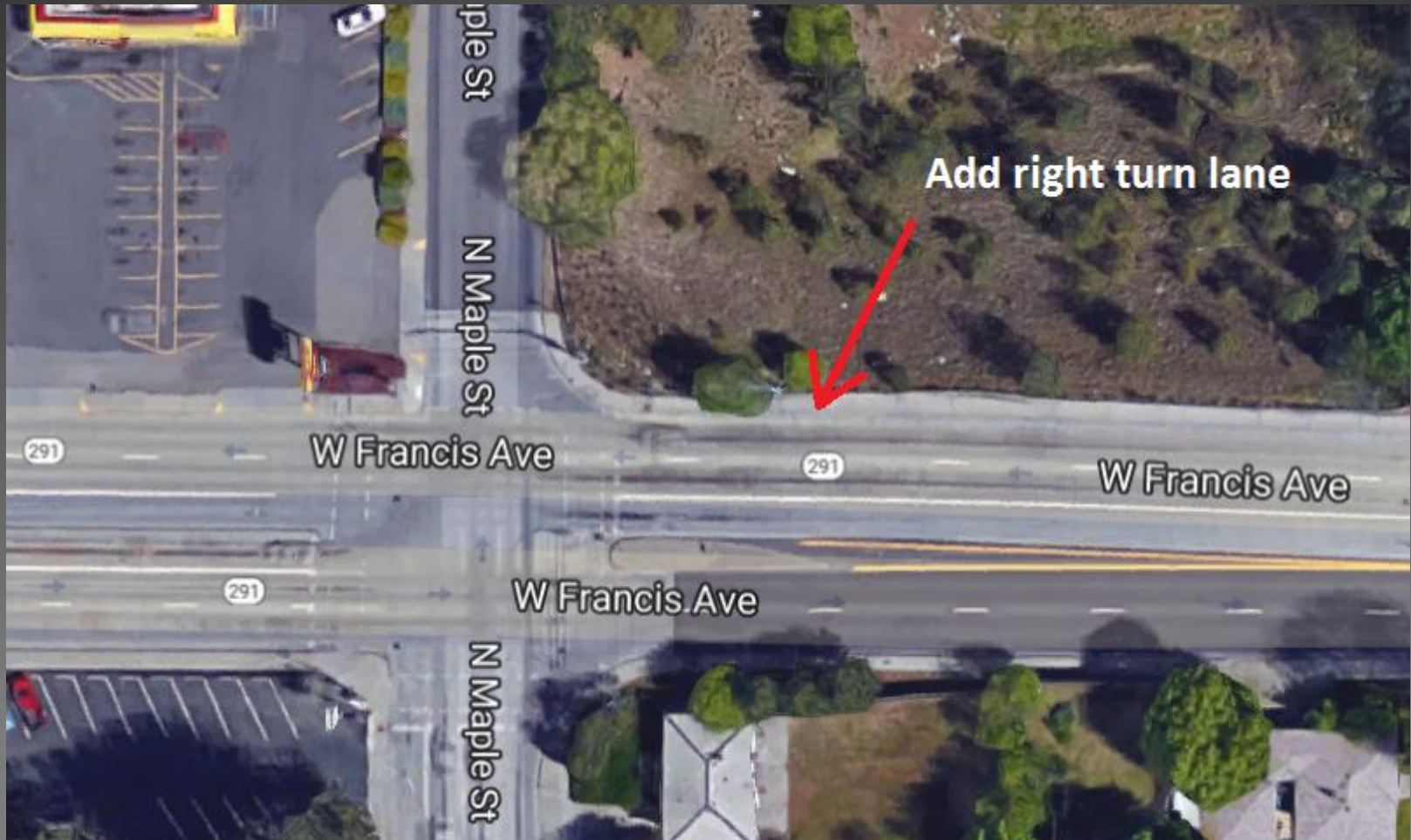


# *Northwest Francis/Alberta*

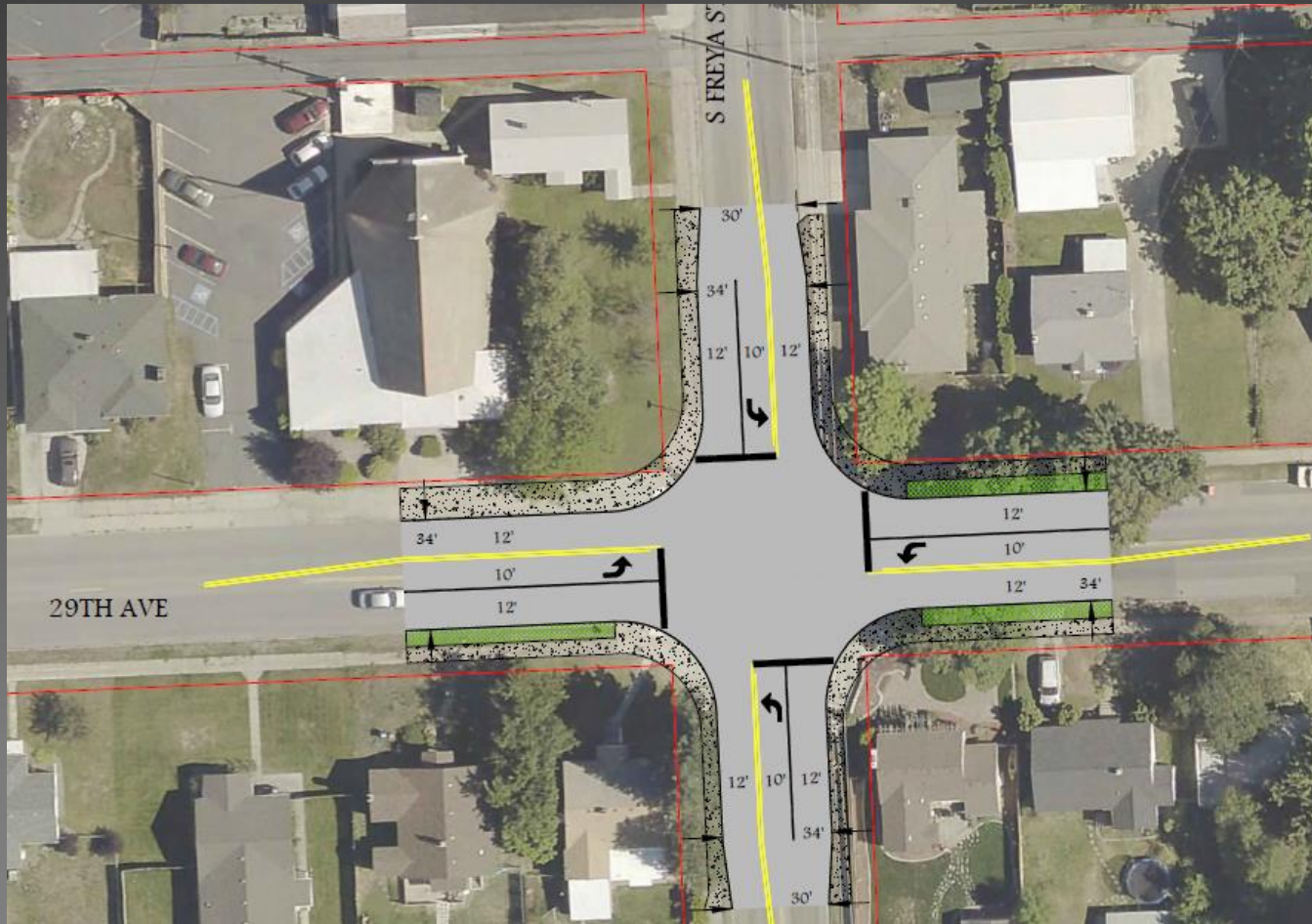




# *Northwest Francis/Maple*



# South 29<sup>th</sup> / Freya





# South 44<sup>th</sup> / Regal





# South



**ALTERNATIVES ANALYSIS to look at the crossover and other options to improve traffic circulation in this area.**

# South 44<sup>th</sup> Ave Connection

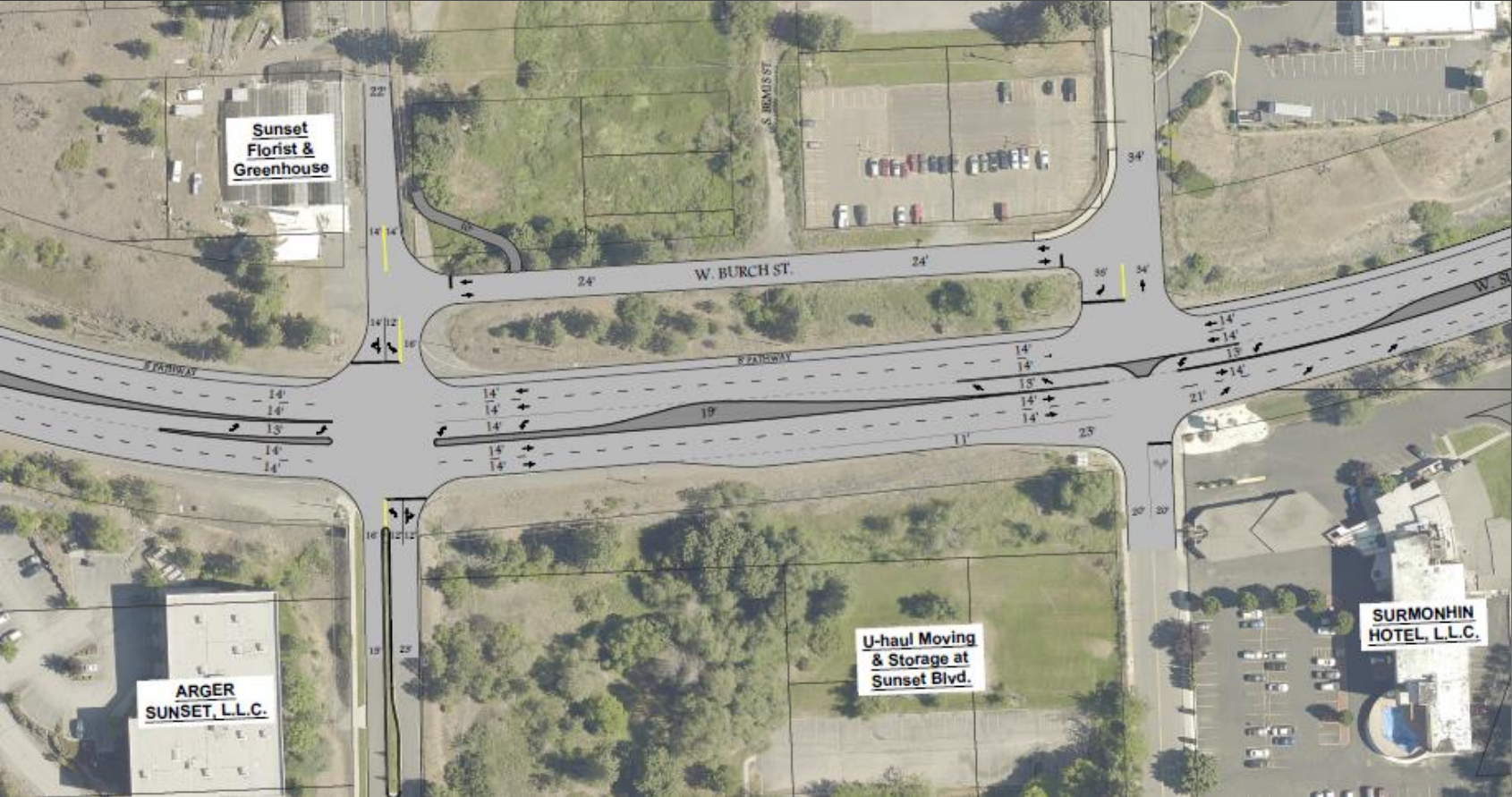




# *South Palouse/Freya Roundabout*



# South





# South US 195 Frontage: 16<sup>th</sup> to Thorpe



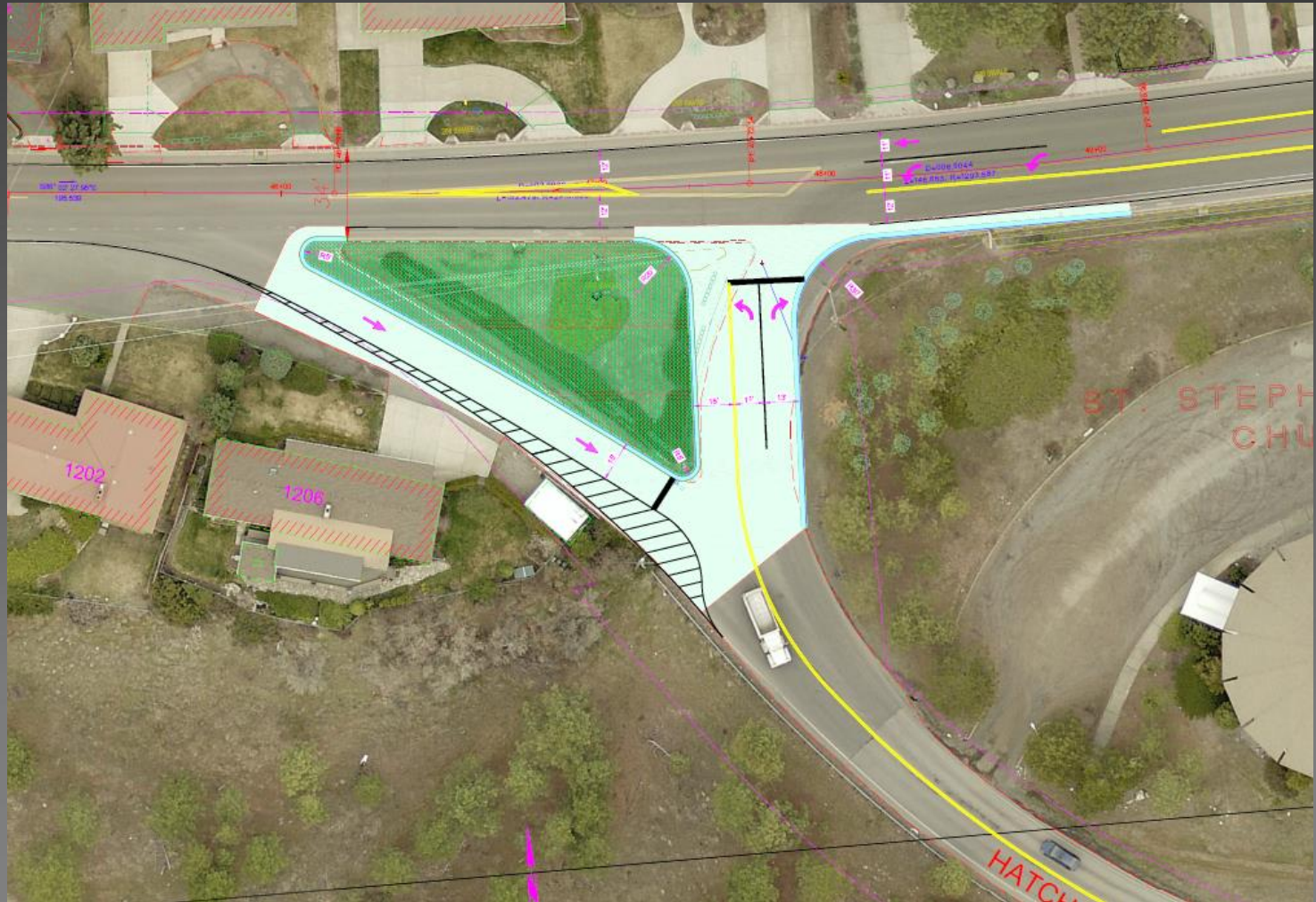


# South US 195 / Meadowlane





# South 57<sup>th</sup> / Hatch



# Northeast Nevada/Lincoln





# *Northeast Market/Haven/Wellesley*



# *Northeast Mission/Havana*





# Northeast Crestline/Magnesium



# Northeast Nevada/Magnesium





# Northeast Sprague/Freya



# West Plains 18<sup>th</sup>-21<sup>st</sup> Avenue





# West Plains 12<sup>th</sup> Avenue





## ORDINANCE NO. C??????

An ordinance relating to transportation impact fees and amending SMC 17D.075.020 Definitions, 17D.075.040 Assessment of Impact Fees, 17D.075.070 Credits, 17D.075.100 Establishment of Impact Fee Account, 17D.075.110 Refunds, 17D.075.140 Review, 17D.075.180 Impact Fee Schedule, 17D.075.190 Service Area Map, 17D.075.200 Trip Rates, Pass-By Trips, and Trip Length Adjustment Factors, and 17D.075.210 Impact Fee Project list.

WHEREAS, the City Council previously adopted Ordinance No. C34673, implementing the transportation impact fees authorized by Chapter 82.02 RCW, establishing transportation impact fee service areas, project lists, and adopting transportation impact fee schedules, all of which is codified in Chapter 17D.075 of the Spokane Municipal Code (SMC); and

WHEREAS, since the adoption of Ordinance No. C34673, the City has annexed a large portion of ~~the~~ an area commonly referred to as the West Plains; and

WHEREAS, a large portion of the West Plains annexation area is comprised of land that is owned jointly by the City and County of Spokane, but under the management and control of the Spokane Airport Board pursuant to interlocal agreement and Chapter 14.08 RCW;

WHEREAS Chapter 14.08 RCW anticipates that jointly controlled and operated airports will be under the exclusive jurisdiction and control of the municipalities operating the airports and will enjoy a certain level of autonomy, and for this reason the City Council finds that land under the management and control of the Spokane Airport Board shall not be included within West Plains Service Area as established by this Ordinance;

WHEREAS, the West Plains (minus land that is under the control of the Spokane Airport Board) is a geographic area defined by the City on the basis of sound planning and engineering principles in which a defined set of public facilities are needed to provide service to development within the area; and

WHEREAS, annexation of the West Plains created the need to establish a new West Plains impact fee service area to ensure that the impact fees assessed on new growth and development in that area are proportionate to and reasonably related to the service area-wide need for new transportation improvements created by the development; and

WHEREAS, SMC 17D.075.140 anticipates periodic review and updates to the project lists and fee schedules, and further anticipates the formation of an impact fee advisory board consisting of various community representatives; and

WHEREAS, consistent with SMC 17D.075.140, the City established an impact fee advisory board consisting of various community representatives; and

WHEREAS, the impact fee advisory board informally agreed on a set of recommended updates to Chapter 17D.075 SMC relating particularly to the addition of the West Plains impact fee service area, and updated project lists and fee schedules; and

WHEREAS, the updated impact fee schedules have been prepared to reflect the estimated cost of the projects included in the updated Impact Fee Project List (the "Updated Impact Fee Rate Schedule"); and

WHEREAS, on or about February 14, 2018, following a public process involving a number of public workshops and a public hearing, a majority of the City of Spokane Plan Commission voted to recommend approval of an ordinance amending Chapter 17D.075 SMC (Transportation Impact Fees) with the amendments relating to (i) the updated Impact Fee Project List; (ii) the Updated Impact Fee Rate Schedule; and (iii) adding the West Plains service district; and

WHEREAS, in making its recommendation, the Plan Commission found that, pursuant to the Amended Transportation Impact Fee Ordinance, the impact fee(s) assessed a specific development will be proportionate to and reasonably related to the service area-wide need for new transportation improvements created by the development; and

WHEREAS, the Plan Commission further found that every land use benefits from a smoothly functioning transportation system with adequate capacity; and

WHEREAS, in connection with the original Impact Fee Ordinance, the responsible official issued a Determination of Nonsignificance, dated March 27, 2008 ("DNS"); and

WHEREAS, pursuant to WAC 197-11-800, this update to Chapter 17D.075 SMC is categorically exempt from the threshold determination and environmental impact statement requirements under Chapter 43.21C RCW (SEPA); and

WHEREAS, Chapter 17D.075 SMC, as amended by this Ordinance, is consistent with the City's Comprehensive Plan which, in CFU 2.4, recognizes impact fees as a possible mechanism to fund capital improvements so new growth and development activity that has an impact upon public facilities pays a proportionate share of the cost of facilities that reasonably benefit the development; and

WHEREAS, the Comprehensive Plan and the entire record relative to the adoption of Chapter 17D.075 SMC and this update are incorporated into this Ordinance by reference; and

WHEREAS, the City has complied with RCW 36.70A.370 in adopting this Ordinance; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Ordinance;

NOW, THEREFORE,

The City of Spokane does ordain:

**Section 1.** That SMC Section 17D.075.020 is amended to read as follows:

**17D.075.020 Definitions**

As used in this chapter, the following words and terms shall have the following meanings unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined pursuant to RCW 82.02.090, or given their usual and customary meaning.

- A. "Accessory dwelling unit" means a dwelling unit that has been added onto, created within, or separated from a single-family detached dwelling for use as a complete independent living unit with provisions for cooking, eating, sanitation, and sleeping.
- B. "Act" means the Growth Management Act, as codified in chapter 36.70A RCW, as now in existence or as hereafter amended.
- C. "Applicant" means the owner of real property according to the records of the Spokane County, or the applicant's authorized agent.
- D. "Baseline study" means the 2008 transportation baseline study that has been developed by HDR Engineering and Planning, City Project No. 2005155.
- E. "Building permit" means the official document or certification that is issued by the building department and that authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, tenant improvement, demolition, moving or repair of a building or structure.
- F. "Capital facilities" means the facilities or improvements included in the capital facilities plan.
- G. "Capital facilities plan" means the capital facilities plan element of the City's comprehensive plan adopted pursuant to chapter 36.70A RCW, as amended from time to time.
- H. "Certificate of occupancy" means the term as defined in the International Building Code. In the case of a change in use or occupancy of an existing building or structure which may not require a building permit, the term shall specifically include certificate of occupancy and for residential development the final inspection, as those permits are defined or required by this code.



- I. "City" means the City of Spokane.
- J. "City council" means the city council of the City of Spokane.
- K. "Comprehensive plan" means the City of Spokane comprehensive plan adopted pursuant to chapter 46.70A RCW, as amended from time to time.
- L. "Complete street" means a landscaped, tree-lined street corridor designed for multiple modes of transportation, consistent with SMC 17C.124.035. Complete streets balance the various needs of pedestrian and vehicular use. Some include bicycle and transit improvements as well. Pedestrian amenities on Complete streets may include street furniture, decorative lighting, wide sidewalks with curb extensions (bulb-outs) at street corners, decorative crosswalks, public art, outdoor restaurants, plazas, and improved sidewalk-building interfaces (e.g., awnings, street-oriented retail activity).
- M. "Concurrent" or "concurrency" means that the public facilities are in place at the time the impacts of development occur, or that the necessary financial commitments are in place, which shall include the impacts fees anticipated to be generated by the development, to complete the public facilities necessary to meet the specified standards of service defined in the comprehensive plan within six years of the time the impacts of development occur.
- N. "Department" means the department of engineering services.
- O. "Development activity" means any construction or expansion of a building, structure, or use, or any change in use of a building or structure, or any changes in the use of land, that creates additional demand and need for public facilities.
- P. "Development approval" means any written authorization from the City that authorizes the commencement of development activity.
- Q. "Director" means the director of engineering services, or the director's designee.
- R. "Dwelling unit" means a single unit providing complete and independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation needs.
- S. "Encumbered" means to have reserved, set aside or otherwise earmarked the impact fees in order to pay for commitments, contractual obligations, or other liabilities incurred for public facilities.
- T. "Feepayer" is a person, corporation, partnership, an incorporated association, or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a land development activity that creates the demand for

additional public facilities, and which requires the issuance of a building permit. "Feepayer" includes an applicant for an impact fee credit.

- U. "Gross floor area" is the total square footage of all floors in a structure as defined in chapter 17A.020 SMC.
- V. "Hearing examiner" means the person who exercises the authority of chapter 17G.050 SMC.
- W. "Impact fee" means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit fee, an application fee, or the cost for reviewing independent fee calculations.
- X. "Impact fee account" or "account" means the account(s) established for each service area for the system improvements for which impact fees are collected. The accounts shall be established pursuant to this chapter, and shall comply with the requirements of RCW 82.02.070.
- Y. "Independent fee calculation" means the impact fee calculation and or economic documentation prepared by a feepayer to support the assessment of an impact fee other than by the use of schedule set forth in SMC 17D.075.180, or the calculations prepared by the Director where none of the fee categories or fee amounts in the schedules in this chapter accurately describe or capture the impacts of the new development on public facilities.
- Z. "Interest" means the interest rate earned by local jurisdictions in the State of Washington local government investment pool, if not otherwise defined.
- AA. "Interlocal agreement" or "agreement" means a transportation interlocal agreement, authorized in this chapter, by and between the City and other government agencies concerning the collection and expenditure of impact fees, or any other interlocal agreement entered by and between the City and another municipality, public agency or governmental body to implement the provisions of this chapter.
- AB. "ITE manual" means Institute of Transportation Engineers (ITE) Trip Generation Manual (7<sup>th</sup> Edition), as amended from time to time.
- AC. "Owner" means the owner of real property according to the records of the Spokane County department of records and elections, provided that if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

- AD. "Pass-by trip rates" means those rate study pass-by rates set forth in SMC 17D.075.200.
- AE. "Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.
- AF. "Project improvements" means site improvements and facilities that are planned and designed to provide service for a particular development and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the City's capital facilities plan shall be considered a project improvement.
- AG. "Public facilities" means publicly owned streets and roads, including related sidewalk and streetscape improvements required by the City's comprehensive plan and related development regulations.
- AH. "Rate study" means the 2007 transportation impact fee rate study, dated October 26, 2007, as updated and amended from time to time.
- AI. "Residential" means housing, such as single-family dwellings, accessory dwelling units, apartments, condominiums, mobile homes, and/or manufactured homes, intended for occupancy by one or more persons and not offering other services.
- AJ. "Square footage" means the square footage of the gross floor area of the development as defined chapter 17A.020 SMC.
- AK. "Service area" means one of the (~~four~~) five geographic areas defined by the City in which a defined set of public facilities provide service to development within each of the identified areas. The City has identified the service areas, based on sound planning and engineering principles. These service areas are generally referred to as the downtown service area, the northwest service area, the northeast service area, and the south service area. Maps depicting the service areas are set forth in SMC 17D.075.190 and shall also be maintained by the director in the offices of the engineering services department and shall be available for public inspection during regular business hours.
- AL. "System improvements" means public facilities included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.
- AM. "Trip length adjustment factor" means the trip length adjustment factors identified in SMC 17D.075.200.



**Section 2.** That SMC Section 17D.075.040 is amended to read as follows:

**17D.075.040 Assessment of Impact Fees**

A. The City shall collect impact fees, based on the schedules in SMC 17D.075.180, or an independent fee calculation as provided for in SMC 17D.075.050, from any applicant seeking development approval from the City. The impact fees in SMC 17D.075.180 are generated from the formula for calculating impact fees set forth in the rate study, one copy of which shall be kept on file with the office of the city clerk and which is adopted and incorporated herein by reference. Except as otherwise provided in this chapter, all new development approval in the City will be charged the transportation impact fees in SMC 17D.075.180. Subject to the review provisions set forth in SMC 17D.075.140 below, the transportation impact fees in SMC 17D.075.180 will ~~((be ((adjusted))~~ increase annually in the amount of 1.96% starting January 1<sup>st</sup>, 2019. ~~((in accordance with the Washington State department of transportation construction cost index ("CCI"), with the first such increase taking effect within two years of adoption of this chapter and with subsequent increases to coincide with the City's annual adoption of its six-year street plan, provided the impact fees shall never be reduced solely because of a decline in the CCI))~~ This annual increase is based on the 5-year rolling average of the Federal Highway Administration's National Highway Construction Cost Index for the years 2012 through 2016, and shall remain in effect until the transportation impact fee advisory board meets again. Provided further, for purposes of this chapter only, the following shall not constitute development activity:

1. Replacement of a commercial structure with a new structure of the same size and use or a residential structure with the same number of residential units, both at the same site or lot, where demolition of the prior commercial or residential structure occurred after May 2001. Replacement of a commercial structure with a new commercial structure of the same size shall be interpreted to include any structure for which the gross square footage of the building will not be increased by more than one hundred twenty square feet. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the director's reasonable satisfaction.
2. Expansions of existing residential structures that do not add residential dwelling units.
3. Alteration of an existing nonresidential structure that does not expand the usable space, add any residential units, or result in a change in use.
4. Miscellaneous improvements that do not create additional demand and need for public facilities, including, but not limited to, fences, walls, swimming pools, and signs.
5. Demolition or moving of a structure.
6. Re-use or change in use of existing structure.
  - a. Re-use or change in use of an existing structure that does not create additional demand and need for public facilities (*i.e.*, where the trip generation

of the re-use is equal to or less than trip generation of prior use) shall not constitute development activity for purposes of this chapter.

- b. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the Director's reasonable satisfaction.
  - c. For a change in use of an existing structure that does create additional demand and need for public facilities (*i.e.*, where the trip generation of the re-use is greater than the trip generation of the prior use), the City shall collect impact fees for the new use based on the schedules in SMC 17D.075.180, less the fees that would have been payable as a result of the prior use.
- B. The director shall be authorized to determine whether a particular development activity constitutes development activity subject to the payment of impact fees under this chapter. Determinations of the Director shall be in writing issued within fourteen days of submitting a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.
- C. Impact fees shall be assessed prior to the issuance of a building permit for each unit in a development, using either the impact fee schedules then in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in SMC 17D.075.050. The impact fees shall be paid at the issuance of a building permit or at the completion of construction. To defer the payment of the impact fee to the end of construction, the developer shall provide prior to issuance of a building permit a recorded "certificate of title notice" evidencing an encumbrance on the title for each parcel of land, on forms provided by the city attorney's office, recorded with the Spokane County auditor's office which requires that the impact fee be paid as part of the closing of the construction financing, transfer of title to another party or issuance of a certificate of occupancy, whichever shall first occur. For commercial development involving multiple users, impact fees shall be assessed and collected prior to issuance of building permits that authorize completion of tenant improvements for each use. Furthermore, the City shall not accept an application for a building permit unless, prior to submittal or concurrent with submittal, the feepayer submits complete applications for all other discretionary reviews needed, including, but not limited to, design review, the environmental determination, and the accompanying checklist.
- D. Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to SMC 17D.075.070, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to SMC 17D.075.070 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, shall be collected from the feepayer at the time the building permit is issued for each unit in the development.
- E. For mixed use buildings or development, impact fees shall be imposed for the proportionate share of each land use based on the applicable unit of measurement found on the schedule in SMC 17D.075.180.

- F. The department shall place a hold on permits for development approval unless and until the impact fees required by this chapter, less any permitted exemptions, credits or deductions, have been paid.

**Section 3.** That SMC Section 17D.075.060 is amended to read as follows:

**17D.075.060 Exemptions (~~[[RESERVED]]~~)**

- A. The City Council finds that ~~development of (i) manufacturing and production facilities industrial and/or manufacturing development~~ (see SMC 17C.190.320), ~~(ii) industrial service~~ (see SMC 17C.190.310), ~~(iii) warehouse and freight movement~~ (see SMC 17C.190.340), ~~(iiv) hotels and motels, (iiiv) office uses~~ (see SMC 17C.190.250), and ~~(ivi) residential household living uses~~ (see SMC 17C.190.110) within the boundaries of the Northeast Public Development Authority and the West Plains/Airport Area Public Development Authority ~~have has~~ broad public purposes and ~~shall may~~ be exempted from the payment of impact fees.
- B. Requests for the exemptions set forth in subsection A of this Section 17D.075.060 shall be submitted to the Department on such forms as the Director may provide. The Director ~~shall review applications for exemption under subsection A of this Section 17D.075.060 and shall advise the applicant in writing of the granting or denial of the application~~ is authorized to determine whether a particular development activity falls within the exemption identified in this Section and funds are available. In addition, the Director shall notify the City Council when such applications are granted or denied. The Director's determination shall be ~~in writing and shall be~~ subject to the appeals procedures set forth in Section 17D.075.090.
- C. The impact fee for an exempt development shall be calculated as provided for in this Chapter and paid with public funds other than the impact fee account. Such payment may be made by including such amount(s) in the public share of system improvements undertaken within the applicable service area.
- ~~C.D.~~ On an annual basis, simultaneous with the report required under Section 17D.075.100, the Director shall provide a report to the council regarding the exemptions approved under this Section and the status of public funds available to pay the impact fees that would have otherwise been paid by the exempted development activity.

**Section 4.** That SMC Section 17D.075.070 is amended to read as follows:

**17D.075.070 Credits**

- A. A feepayer can request a credit for the total value of dedicated land or public facilities provided by the feepayer if the land and public facilities are identified as system improvements or in cases where the director, in the director's discretion,

determines that such dedication of land or public facilities would serve the goals and objectives of the capital facilities plan.

- B. The city council finds that certain types of development activity (~~((including development with the City's center and corridor zones) is))~~ are likely to generate fewer p.m. peak hour vehicle trips than other development activity. Consistent with this finding, a feepayer may request a partial credit for the following:
1. Development within center and corridor zones shall qualify for a partial credit of ten percent of the impact fees otherwise payable as a result of the development activity.
  2. Mixed use development incorporating an "active" first floor (e.g. office, retail) and residential shall qualify for a partial credit of ten percent of the impact fees otherwise payable as a result of the development activity.
  3. Development of ~~((complete streets that provide))~~ bicycle and pedestrian connections through their site to ((surrounding neighborhoods and districts)) a public park or school, or that expand the connectivity of the trail network shall entitle a feepayer to a partial credit of ten percent of the impact fees otherwise payable as a result of the development activity. ~~((The credit provided for in this section shall only apply to the extent a feepayer is developing a complete street on the entire length of the block on which the development activity is occurring.))~~ The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the ~~((complete street))~~ connection.
  4. Development projects that incorporate covered and lockable bicycle storage for at least fifty percent of their required bicycle parking shall qualify for a credit of \$1,000 per bike space, subject to the limitation in subsection (B)(6) below. The bicycle storage area must be dedicated for that use only. See SMC 17C.230.200 for space requirements.
  5. Development projects located on a transit corridor may make improvements in coordination with Spokane Transit Authority (STA) and will qualify for a partial credit of up to ten percent of the impact fees otherwise payable as a result of the development activity. The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the improvements. Eligible improvements include the installation of weather cover, lighting, HPTN stop infrastructure or the dedication of right-of-way for transit stop improvements, as warranted by current or reasonably anticipated future usage of a transit stop, consistent with STA's established policies and design standards. The credit provided for in this section shall be limited to the cost of the right-of-way or the expense incurred by the feepayer in developing the transit stop.
- ~~((4))~~ 6. The cumulative credits granted in subsections (B)(1) through (B)(~~35~~) above ~~((for center and corridor development, mixed use development incorporating active first floors, and development of complete streets,))~~ shall not exceed ~~((twenty))~~ thirty percent of the impact fees otherwise payable as a result of the development activity.



((5)) 7. The director shall be authorized to determine whether a particular development activity falls within a credit identified in this Section B, in any other section, or under other applicable law. Determinations of the director shall be in writing issued within fourteen days of a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.

- C. For each request for a credit, under subsection (A) above, if appropriate, the director shall select an appraiser or the feepayer may select an independent appraiser acceptable to the director. The appraiser must be a Washington State certified appraiser or must possess other equivalent certification and shall not have a fiduciary or personal interest in the property being appraised. A description of the appraiser's certification shall be included with the appraisal, and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised.
- D. The appraiser shall be directed to determine the total value of the dedicated land and/or public facilities provided by the feepayer on a case-by-case basis.
- E. The feepayer shall pay for the cost of the appraisal. The feepayer may request that the cost of the appraisal be deducted from the credit which the director may be providing to the feepayer, in the event that a credit is awarded.
- F. After receiving the appraisal, and where consistent with the requirements of this section, the director shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated where applicable, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the director before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within sixty calendar days shall nullify the credit. The credit must be used within seventy-two months of the award of the credit.
- G. Any claim for credit must be made prior to issuance of a building permit, provided any claim for credit submitted later than twenty calendar days after the submission of an application for a building permit shall constitute a waiver and suspension of timelines established by state and/or local law for processing of permit applications.
- H. In no event shall the credit exceed the amount of the impact fees that would have been due for the proposed development activity.
- I. No credit shall be given for project improvements.
- J. Determinations made by the director pursuant to this section shall be subject to the appeals procedures set forth in SMC 17D.075.090.

**Section 5.** That SMC Section 17D.075.100 is amended to read as follows:

**17D.075.100 Establishment of Impact Fee Account**

- A. Impact fee receipts shall be earmarked specifically and deposited in special interest-bearing accounts for each service area. The fees received shall be prudently invested in a manner consistent with the investment policies of the City.
- B. There is hereby established an impact fee account for the fees collected pursuant to this chapter known as the transportation impact account. Except as provided in SMC 17D.075.080, funds withdrawn from this account must be used in accordance with the provisions of SMC 17D.075.120. Interest earned on the fees shall be retained in each of the accounts and expended for the purposes for which the impact fees were collected.
- C. On an annual basis, the chief financial officer and director shall provide a report to the council on the account showing the source and amount of all moneys collected, earned, or received, and system improvements that were financed in whole or in part by impact fees and contributions towards meeting concurrency goals and requirements.
- D. Impact fees shall be expended or encumbered within ~~((six))~~ ten years of receipt, unless the council identifies in written findings an extraordinary and compelling reason or reasons for the City to hold the fees beyond the ~~((six-year))~~ ten-year period. Under such circumstances, the council shall establish the period of time within which the impact fees shall be expended or encumbered.

**Section 6.** That SMC Section 17D.075.110 is amended to read as follows:

**17D.075.110 Refunds**

- A. If the City fails to expend or encumber the impact fees within ~~((six))~~ ten years of when the fees were paid, the current owner of the property for which impact fees have been paid may receive a refund of such fees, provided a refund is not required where extraordinary or compelling reasons exist for holding the fees longer than ~~((six))~~ ten years, as identified in written findings by the city council. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first in, first out basis.
- B. The City shall notify potential claimants by first class mail deposited with the United States postal service at the last known address of the claimants.
- C. Property owners seeking a refund of impact fees must submit a written request for a refund of the fees to the director within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later.

- D. Any impact fees for which no application for a refund has been made within the one-year period shall be retained by the City and expended on the appropriate public facilities.
- E. Refunds of impact fees under this chapter shall include any interest earned on the impact fees by the City.
- F. A feepayer may request and shall receive a refund, including interest earned on the impact fees, when the feepayer and/or the feepayer's successors and assigns do not proceed with the development activity and there has been no impact to the City's transportation system. A request for a refund pursuant to this section must be accompanied by an acknowledgement that the feepayer's underlying development approval, including any associated permits, has expired and that any application to reinstate the development approval shall be subject to the payment of impact fees pursuant to this chapter.

**Section 7.** That SMC Section 17D.075.140 is amended to read as follows:

**17D.075.140 Review**

- A. The fee schedules set forth in this chapter shall be reviewed by the city council as it may deem necessary and appropriate ~~((every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan))~~, typically every four to six years, considering significant changes to the regional travel demand model, the impact fee projects in the City's comprehensive plan, and area growth. ~~—~~
- B. A transportation impact fee advisory board consisting of individuals representing the building, real estate, and property development industries, the broader business community, community leaders, community assembly, and citizens shall be appointed by the mayor to review proposed changes to the fee schedules set forth in this chapter prior to their review and adoption by the city council. This review shall occur ~~((when the city council may deem it necessary and appropriate every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan)) as described in accordance with 17D.075.140(A).~~ Provided, this section shall not be interpreted as requiring review by an advisory board or city council prior to the automatic fee adjustments contemplated in SMC 17D.075.040(A).

**Section 8.** That SMC Section 17D.075.180 is amended as follows:

**17D.075.180 Appendix A – Impact Fee Schedule**

**Section 9.** That SMC Section 17D.075.190 is amended as follows:

**17D.075.190 Appendix B – Service Area Map**

**Section 10.** That SMC Section 17D.075.200 is amended as follows:

**17D.075.200 Appendix C – Trip Rates, Pass-By Trips, and Trip Length Adjustment Factors**

**Section 11.** That SMC Section 17D.075.210 is amended as follows:

**17D.075.210 Appendix D – Impact Fee Project List**

ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_

(Delivered to the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_)

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Section 17D.075.210**

**Appendix A**  
**Impact Fee Schedule**



## Northeast District Transportation Impact Fee Schedule

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$683.28
Multi-Family 1-2 level	220	dwelling	\$481.27
Multi-Family 3-10 level	221	dwelling	\$316.06
Multi Family Low-Income	-	dwelling	\$287.33
Nursing Home	254	bed	\$157.50
Continuing Care Retirement Comm	255	dwelling	\$86.90
Assisted Living	620	bed	\$119.49
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$458.26
Hotel/Motel	320	room	\$365.06
Movie Theater	444	sq ft/GFA	\$1.32
Health Club	492	sq ft/GFA	\$1.59
Day Care	565	sq ft/GFA	\$3.24
Bank	912	sq ft/GFA	\$3.55
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.36
Middle School	522	sq ft/GFA	\$0.25
High School	530	sq ft/GFA	\$0.29
University/College	550	ASF	\$0.39
Religious Institute	560	sq ft/GFA	\$0.32
Library	590	sq ft/GFA	\$2.14
Hospital	610	sq ft/GFA	\$0.73
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$2.98
General Office	710	sq ft/GFA	\$1.02
Medical Office / Clinic	720	sq ft/GFA	\$2.25
Office Park	750	sq ft/GFA	\$1.01

**BASE RATE PER PM TRIP****\$584**

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$1.07
Specialty Retail Center	826	sq ft/GLA	\$0.61
Hardware/Paint Store	816	sq ft/GFA	\$1.09
Nursery/Garden Center	817	sq ft/GFA	\$1.99
Shopping Center	820	sq ft/GLA	\$0.91
Car Sales - New/Used	841	sq ft/GFA	\$1.35
Tire Store	848	Service bay	\$1,190.80
Supermarket	850	sq ft/GFA	\$2.33
Convenience Market	851	sq ft/GFA	\$5.26
Pharmacy	881	sq ft/GFA	\$1.65
Furniture Store	890	sq ft/GFA	\$0.09
Quick Lubrication Vehicle Shop	941	Service Bay	\$1,939.81
Auto Parts & Service Center	943	sq ft/GFA	\$1.46
Service Station/Minimart/Carwash	853	VFP	\$2,004.64
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$0.85
Heavy Industrial	120	sq ft/GFA	\$0.60
Industrial Park	132	sq ft/GFA	\$0.74
Manufacturing	140	sq ft/GFA	\$0.64
Warehousing	150	sq ft/GFA	\$0.28
Mini-Storage	151	sq ft/GFA	\$0.14
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$2.66
Quality Restaurant	931	sq ft/GFA	\$2.56
High Turnover Restaurant	932	sq ft/GFA	\$2.59
Fast Casual	-	sq ft/GFA	\$4.31
Fast Food Restaurant	934	sq ft/GFA	\$6.39
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$2.50

**Notes:**

Updated Dec 2016 using the ITE Trip Generation Manual, 9th Edition  
Fees are reduced, where applicable, to account for "pass-by" trips

**Definitions:**

VFP- Vehicle Fueling Positions (Maximum number of vehicles that can be fueled simultaneously)

GFA= Gross Floor Area

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Fast Food Restaurant = with drive-thru and indoor seating, open breakfast-lunch-dinner, order at register and pay before eating (Ex. McDonalds, Zips, Taco Bell)

Multi-Family = Apartments, condominiums, townhouses where 4 or more units share a building.

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## Northwest District Transportation Impact Fee Schedule

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$817.83
Multi-Family 1-2 level	220	dwelling	\$576.05
Multi-Family 3-10 level	221	dwelling	\$378.30
Multi Family Low-Income	-	dwelling	\$343.91
Nursing Home	254	bed	\$188.52
Continuing Care Retirement Comm	255	dwelling	\$104.01
Assisted Living	620	bed	\$143.02
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$548.51
Hotel/Motel	320	room	\$436.94
Movie Theater	444	sq ft/GFA	\$1.58
Health Club	492	sq ft/GFA	\$1.91
Day Care	565	sq ft/GFA	\$3.88
Bank	912	sq ft/GFA	\$4.25
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.43
Middle School	522	sq ft/GFA	\$0.30
High School	530	sq ft/GFA	\$0.35
University/College	550	ASF	\$0.47
Religious Institute	560	sq ft/GFA	\$0.38
Library	590	sq ft/GFA	\$2.56
Hospital	610	sq ft/GFA	\$0.87
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$3.56
General Office	710	sq ft/GFA	\$1.22
Medical Office / Clinic	720	sq ft/GFA	\$2.70
Office Park	750	sq ft/GFA	\$1.21

**BASE RATE PER PM TRIP**
**\$699**

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$1.28
Specialty Retail Center	826	sq ft/GLA	\$0.73
Hardware/Paint Store	816	sq ft/GFA	\$1.30
Nursery/Garden Center	817	sq ft/GFA	\$2.38
Shopping Center	820	sq ft/GLA	\$1.09
Car Sales - New/Used	841	sq ft/GFA	\$1.61
Tire Store	848	Service bay	\$1,425.29
Supermarket	850	sq ft/GFA	\$2.78
Convenience Market	851	sq ft/GFA	\$6.30
Pharmacy	881	sq ft/GFA	\$1.97
Furniture Store	890	sq ft/GFA	\$0.11
Quick Lubrication Vehicle Shop	941	Service Bay	\$2,321.80
Auto Parts & Service Center	943	sq ft/GFA	\$1.75
Service Station/Minimart/Carwash	853	VFP	\$2,399.39
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$1.02
Heavy Industrial	120	sq ft/GFA	\$0.71
Industrial Park	132	sq ft/GFA	\$0.89
Manufacturing	140	sq ft/GFA	\$0.77
Warehousing	150	sq ft/GFA	\$0.34
Mini-Storage	151	sq ft/GFA	\$0.17
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$3.19
Quality Restaurant	931	sq ft/GFA	\$3.06
High Turnover Restaurant	932	sq ft/GFA	\$3.10
Fast Casual	-	sq ft/GFA	\$5.16
Fast Food Restaurant	934	sq ft/GFA	\$7.65
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$2.99

**Notes:**

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**Definitions:**

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Specialty Retail = Generally small strip shopping centers that contain a variety of retail shops and specialize in quality apparel, hard goods and services such as real estate offices, dance studios, salons, florists and small restaurants.



## West Plains District Transportation Impact Fee Schedule

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$1,258.92
Multi-Family 1-2 level	220	dwelling	\$886.73
Multi-Family 3-10 level	221	dwelling	\$582.33
Multi Family Low-Income	-	dwelling	\$529.39
Nursing Home	254	bed	\$290.20
Continuing Care Retirement Comm	255	dwelling	\$160.11
Assisted Living	620	bed	\$220.15
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$844.34
Hotel/Motel	320	room	\$672.61
Movie Theater	444	sq ft/GFA	\$2.44
Health Club	492	sq ft/GFA	\$2.93
Day Care	565	sq ft/GFA	\$5.98
Bank	912	sq ft/GFA	\$6.54
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.66
Middle School	522	sq ft/GFA	\$0.45
High School	530	sq ft/GFA	\$0.54
University/College	550	ASF	\$0.72
Religious Institute	560	sq ft/GFA	\$0.59
Library	590	sq ft/GFA	\$3.95
Hospital	610	sq ft/GFA	\$1.34
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$5.49
General Office	710	sq ft/GFA	\$1.88
Medical Office / Clinic	720	sq ft/GFA	\$4.15
Office Park	750	sq ft/GFA	\$1.86

**BASE RATE PER PM TRIP****\$1,076**

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$1.97
Specialty Retail Center	826	sq ft/GLA	\$1.12
Hardware/Paint Store	816	sq ft/GFA	\$2.01
Nursery/Garden Center	817	sq ft/GFA	\$3.66
Shopping Center	820	sq ft/GLA	\$1.68
Car Sales - New/Used	841	sq ft/GFA	\$2.48
Tire Store	848	Service bay	\$2,194.01
Supermarket	850	sq ft/GFA	\$4.28
Convenience Market	851	sq ft/GFA	\$9.70
Pharmacy	881	sq ft/GFA	\$3.04
Furniture Store	890	sq ft/GFA	\$0.17
Quick Lubrication Vehicle Shop	941	Service Bay	\$3,574.04
Auto Parts & Service Center	943	sq ft/GFA	\$2.69
Service Station/Minimart/Carwash	853	VFP	\$3,693.48
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$1.57
Heavy Industrial	120	sq ft/GFA	\$1.10
Industrial Park	132	sq ft/GFA	\$1.37
Manufacturing	140	sq ft/GFA	\$1.18
Warehousing	150	sq ft/GFA	\$0.52
Mini-Storage	151	sq ft/GFA	\$0.27
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$4.91
Quality Restaurant	931	sq ft/GFA	\$4.71
High Turnover Restaurant	932	sq ft/GFA	\$4.77
Fast Casual	-	sq ft/GFA	\$7.94
Fast Food Restaurant	934	sq ft/GFA	\$11.77
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$4.61

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**Definitions:**

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## Downtown District Transportation Impact Fee Schedule

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$99.45
Multi-Family 1-2 level	220	dwelling	\$70.05
Multi-Family 3-10 level	221	dwelling	\$46.00
Multi Family Low-Income	-	dwelling	\$41.82
Nursing Home	254	bed	\$22.92
Continuing Care Retirement Comm	255	dwelling	\$12.65
Assisted Living	620	bed	\$17.39
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$66.70
Hotel/Motel	320	room	\$53.13
Movie Theater	444	sq ft/GFA	\$0.19
Health Club	492	sq ft/GFA	\$0.23
Day Care	565	sq ft/GFA	\$0.47
Bank	912	sq ft/GFA	\$0.52
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.05
Middle School	522	sq ft/GFA	\$0.04
High School	530	sq ft/GFA	\$0.04
University/College	550	ASF	\$0.06
Religious Institute	560	sq ft/GFA	\$0.05
Library	590	sq ft/GFA	\$0.31
Hospital	610	sq ft/GFA	\$0.11
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$0.43
General Office	710	sq ft/GFA	\$0.15
Medical Office / Clinic	720	sq ft/GFA	\$0.33
Office Park	750	sq ft/GFA	\$0.15

**BASE RATE PER PM TRIP****\$85**

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$0.16
Specialty Retail Center	826	sq ft/GLA	\$0.09
Hardware/Paint Store	816	sq ft/GFA	\$0.16
Nursery/Garden Center	817	sq ft/GFA	\$0.29
Shopping Center	820	sq ft/GLA	\$0.13
Car Sales - New/Used	841	sq ft/GFA	\$0.20
Tire Store	848	Service bay	\$173.32
Supermarket	850	sq ft/GFA	\$0.34
Convenience Market	851	sq ft/GFA	\$0.77
Pharmacy	881	sq ft/GFA	\$0.24
Furniture Store	890	sq ft/GFA	\$0.01
Quick Lubrication Vehicle Shop	941	Service Bay	\$282.34
Auto Parts & Service Center	943	sq ft/GFA	\$0.21
Service Station/Minimart/Carwash	853	VFP	\$291.77
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$0.12
Heavy Industrial	120	sq ft/GFA	\$0.09
Industrial Park	132	sq ft/GFA	\$0.11
Manufacturing	140	sq ft/GFA	\$0.09
Warehousing	150	sq ft/GFA	\$0.04
Mini-Storage	151	sq ft/GFA	\$0.02
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$0.39
Quality Restaurant	931	sq ft/GFA	\$0.37
High Turnover Restaurant	932	sq ft/GFA	\$0.38
Fast Casual	-	sq ft/GFA	\$0.63
Fast Food Restaurant	934	sq ft/GFA	\$0.93
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$0.36

**Notes:**

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## South District Transportation Impact Fee Schedule

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$1,160.64
Multi-Family 1-2 level	220	dwelling	\$817.51
Multi-Family 3-10 level	221	dwelling	\$536.87
Multi Family Low-Income	-	dwelling	\$488.06
Nursing Home	254	bed	\$267.54
Continuing Care Retirement Comm	255	dwelling	\$147.61
Assisted Living	620	bed	\$202.96
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$778.42
Hotel/Motel	320	room	\$620.10
Movie Theater	444	sq ft/GFA	\$2.25
Health Club	492	sq ft/GFA	\$2.71
Day Care	565	sq ft/GFA	\$5.51
Bank	912	sq ft/GFA	\$6.03
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.60
Middle School	522	sq ft/GFA	\$0.42
High School	530	sq ft/GFA	\$0.50
University/College	550	ASF	\$0.66
Religious Institute	560	sq ft/GFA	\$0.55
Library	590	sq ft/GFA	\$3.64
Hospital	610	sq ft/GFA	\$1.23
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$5.06
General Office	710	sq ft/GFA	\$1.73
Medical Office / Clinic	720	sq ft/GFA	\$3.82
Office Park	750	sq ft/GFA	\$1.72

**BASE RATE PER PM TRIP****\$992**

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$1.81
Specialty Retail Center	826	sq ft/GLA	\$1.04
Hardware/Paint Store	816	sq ft/GFA	\$1.85
Nursery/Garden Center	817	sq ft/GFA	\$3.37
Shopping Center	820	sq ft/GLA	\$1.55
Car Sales - New/Used	841	sq ft/GFA	\$2.29
Tire Store	848	Service bay	\$2,022.73
Supermarket	850	sq ft/GFA	\$3.95
Convenience Market	851	sq ft/GFA	\$8.94
Pharmacy	881	sq ft/GFA	\$2.80
Furniture Store	890	sq ft/GFA	\$0.15
Quick Lubrication Vehicle Shop	941	Service Bay	\$3,295.03
Auto Parts & Service Center	943	sq ft/GFA	\$2.48
Service Station/Minimart/Carwash	853	VFP	\$3,405.14
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$1.44
Heavy Industrial	120	sq ft/GFA	\$1.01
Industrial Park	132	sq ft/GFA	\$1.26
Manufacturing	140	sq ft/GFA	\$1.09
Warehousing	150	sq ft/GFA	\$0.48
Mini-Storage	151	sq ft/GFA	\$0.25
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$4.52
Quality Restaurant	931	sq ft/GFA	\$4.35
High Turnover Restaurant	932	sq ft/GFA	\$4.40
Fast Casual	-	sq ft/GFA	\$7.32
Fast Food Restaurant	934	sq ft/GFA	\$10.85
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$4.25

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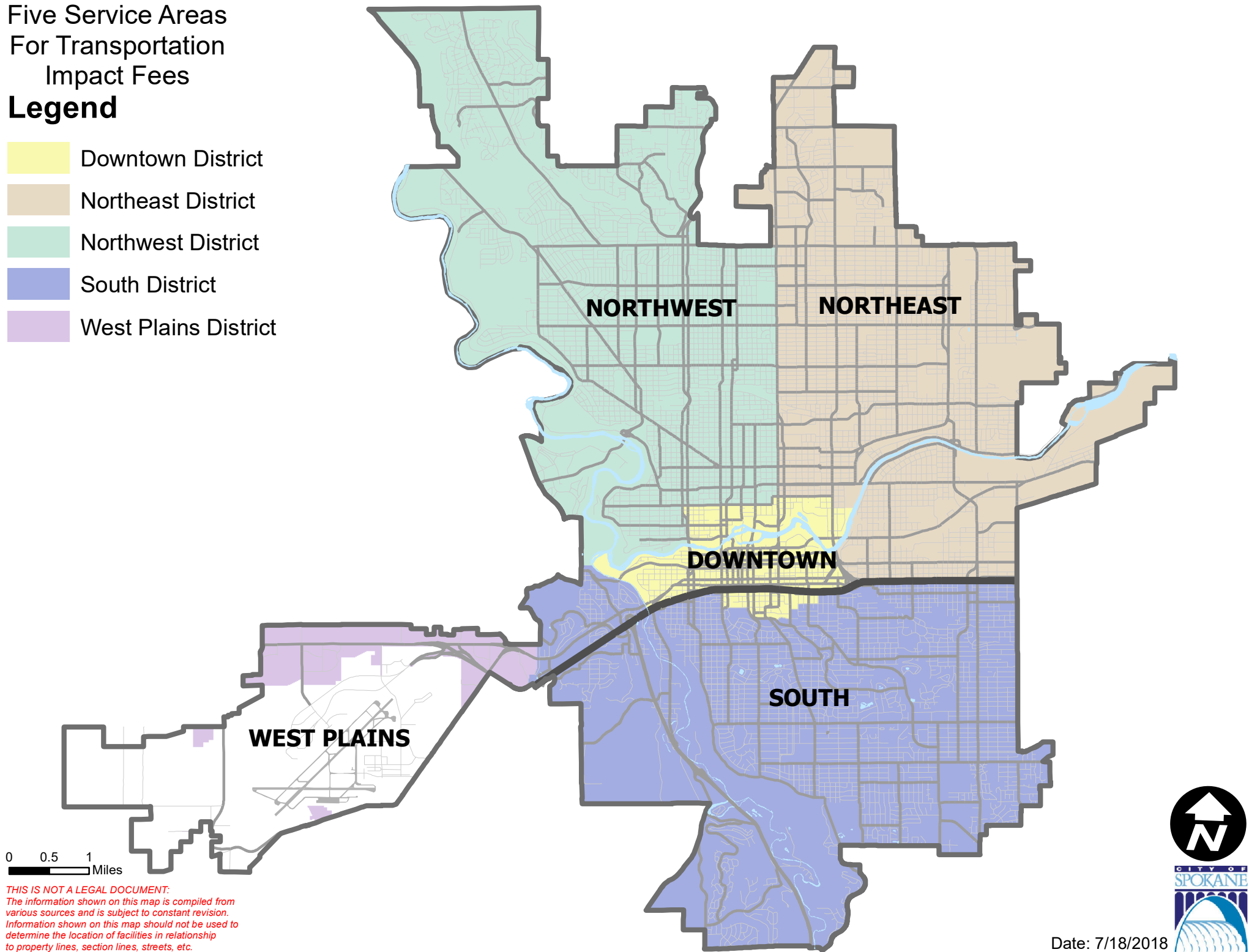
**Section 17D.075.210**

**Appendix B**  
**Service Area Map**

# Five Service Areas For Transportation Impact Fees

## Legend

-  Downtown District
-  Northeast District
-  Northwest District
-  South District
-  West Plains District



**THIS IS NOT A LEGAL DOCUMENT:**  
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

Date: 7/18/2018





**Section 17D.075.210**

**Appendix C**

**Formulas, Trip Rates, Pass-By, Trip Length Adjustment Factors used in Rate Schedule**

## 17D.075.200 Appendix C

### **Formula for Base Fee by District**

$$\text{Base Fee} = (\text{Project Costs}) / (\text{Trip Ends}) * \text{Developer \%}$$

Project Costs = Total cost of capacity improvement projects for each district

Trip Ends = growth in PM peak trips over 20 years from SRTC travel demand model.

Developer % = Share of costs assigned to developers vs. city or grant funds. (currently 50%)

### **Formula for Land Use Rates**

$$\text{Rate} = [(\text{Base Fee} * \text{ITE Trip Rate}) - (\text{Base Fee} * \text{ITE Trip Rate} * \text{Pass-by \%})] * \text{Trip Length Factor}$$

ITE Trip Rate = Trip generation rate from ITE Manual, varies by land use

Pass-by % = Trips that are already using the adjacent arterial and stop at the land use. Does not add new trips to the network.

Trip Length Factor = adjusts the rate to account for trip length. People drive farther to unique destinations such as Costco or the hospital, but often go to the closest grocery store or gas station.

# 17D.075.200 Appendix C

## Trip Rates, Pass-By, Trip Length Adjustment Factors used in Rate Schedule

				Trip
		ITE Avg.	Pass-by	Length Adj.
Land Use Category	Land Use	Trip Rate	Rate	Factor*
<b>Residential</b>	<b>Code</b>	<b>Unit</b>		
Single Family	210	dwelling 1	0%	1.17
Multi-Family 1-2 level	220	dwelling 0.67	0%	1.23
Multi-Family 3-10 level	221	dwelling 0.44	0%	1.23
Multi Family Low-Income	-	dwelling 0.4	0%	1.23
Assisted Living	254	bed 0.29	0%	0.93
Continuing Care Retirement Community	255	dwelling 0.16	0%	0.93
Nursing Home	620	beds 0.22	0%	0.93
<b>Commercial Services</b>				
Hotel (3 Levels or More)	310	room 0.59	0%	1.33
Hotel/Motel	320	room 0.47	0%	1.33
Multiplex Movie Theater	445	sq ft/GFA 0.00294	0%	0.77
Health Club	492	sq ft/GFA 0.00353	25%	1.03
Day Care	565	sq ft/GFA 0.01234	25%	0.60
Bank	912	sq ft/GFA 0.0243	50%	0.50
<b>Commercial Institutional</b>				
Elementary School	520	sq ft/GFA 0.0013	30%	0.67
Middle School	522	sq ft/GFA 0.0009	30%	0.67
High School	530	sq ft/GFA 0.0007	20%	0.90
University/College	550	ASF * 0.000445	0%	1.50
Religious Institute	560	sq ft/GFA 0.00055	0%	1.00
Library	590	sq ft/GFA 0.0073	25%	0.67
Hospital	610	sq ft/GFA 0.00093	20%	1.67
<b>Commercial - Restaurant</b>				
Drinking Establishment	925	sq ft/GFA 0.01134	40%	0.67
Quality Restaurant	931	sq ft/GFA 0.00749	35%	0.90
High Turnover Restaurant	932	sq ft/GFA 0.00985	40%	0.75
Fast Casual Restaurant	-	sq ft/GFA 0.01835	40%	0.67
Fast Food Restaurant (with drive-thru)	934	sq ft/GFA 0.03265	50%	0.67
Coffee Shop with Drive-Thru	937	sq ft/GFA 0.0428	80%	0.50
<b>Commercial - Retail</b>				
Free-Standing Discount Superstore	813	sq ft/GLA 0.00435	40%	0.70
Specialty Retail Center	826	sq ft/GLA 0.00271	45%	0.70
Hardware/Paint Store	816	sq ft/GFA 0.00484	45%	0.70
Nursery/Garden Center	817	sq ft/GFA 0.00694	30%	0.70
Shopping Center	820	sq ft/GLA 0.00371	40%	0.70
Automobile Sales - Used/New	841	sq ft/GFA 0.00262	20%	1.10
Tire Store	848	Service bay 3.54	28%	0.80
Supermarket	850	sq ft/GFA 0.00948	40%	0.70
Convenience Market	851	sq ft/GFA 0.05241	60%	0.43
Pharmacy	881	sq ft/GFA 0.00991	50%	0.57
Furniture Store	890	sq ft/GFA 0.00045	40%	0.57
Quick Lubrication Vehicle Shop	941	Service Bay 5.19	20%	0.80
Auto Parts & Service Center	943	sq ft/GFA 0.00446	30%	0.80
Service Station/Minimart/Carwash	853	VFP 19.07	70%	0.60
<b>Industrial</b>				
Light Industry/High Technology	110	sq ft/GFA 0.00097	0%	1.50
Heavy Industrial	120	sq ft/GFA 0.00068	0%	1.50
Industrial Park	130	sq ft/GFA 0.00085	0%	1.50
Manufacturing	140	sq ft/GFA 0.00073	0%	1.50
Warehousing	150	sq ft/GFA 0.00032	0%	1.50
Mini-Storage	151	sq ft/GFA 0.00019	0%	1.30
<b>Commercial - Administrative Office</b>				
Veterinary Clinic	640	sq ft/GFA 0.00472	10%	1.20
General Office	710	sq ft/GFA 0.00149	10%	1.30
Medical Office / Clinic	720	sq ft/GFA 0.00357	10%	1.20
Office Park	750	sq ft/GFA 0.00148	10%	1.30

**Section 17D.075.210**

**Appendix D**  
**Impact Fee Project List**



Appendix D - Impact Fee Project List

Project	Description	Need for Project	Estimated Cost (in 2019 dollars)	District	Approx. Build Timeline	
					6-yr	20-yr
5th Ave / Sherman St	Intersection - Install new traffic signal	LOS F, expected to meet signal warrants	\$670,000	D		X
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	better traffic dispersion through network	\$216,000	D	X	
Washington / North River Drive	Add NB left turn lane, rebuild signal to add west approach	North Bank redevelopment, improves capacity by adding left turn pocket	\$238,000	D	X	
D Bicycle Improvements	stripe bike facilities on arterials, bike share parking, crossing improvements	reduce vehicle trips	\$200,000	D		X
D Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips, transit access	\$200,000	D		X
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	LOS F in future	\$3,090,000	NW		X
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	LOS F at Indian Trail / Pacific Park, lanes must continue southward	\$4,100,000	NW	X *	X
Wellesley / Driscoll	WB right turn lane	LOS F in future	\$31,000	NW		X
Wellesley / Assembly	signal	arterial intersection expected to meet signal warrants (with school development)	\$1,030,000	NW	X	
Wellesley / Maple	WB thru pocket, NB right turn lane	LOS F in future	\$1,145,000	NW		X
Francis/Alberta	modify NB and SB lanes to allow protected phasing	LOS F in future	\$824,000	NW		X
Francis/Maple	add WBR lane	LOS F in future	\$824,000	NW		X
NW Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$100,000	NW		X
NW Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips, transit access	\$100,000	NW		X
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	LOS F in future	\$244,000	S	X	
29th/ Regal	intersection improvements - EBR turn lane, possibly others	STA HPTN route	\$515,000	S	X	
Ray-Freya Alternative	Placeholder for after analysis is complete. May include improvements at 37th/Freya and 37th/Ray	preserve Regal capacity, better traffic dispersion through network	\$4,120,000	S		X
57th/Hatch	Intersection capacity improvements - needs further analysis	Long queues on Hatch, LOS F	\$750,000	S		X
44th Ave from Crestline to Altamont	new collector road section	better traffic dispersion through network	\$1,007,000	S		X
44th/Regal	Widen northbound approach to 2 lanes	better utilization of existing infrastructure, shorter queues, minor capacity increase	\$484,000	S		X
Freya / Palouse Hwy	roundabout (or turn lanes)	LOS F in future	\$1,545,000	S	X	
Sunset Highway/Assembly	signal	growth on Assembly	\$515,000	S	X	
US 195 Frontage from 16th to Thorpe	2-3 lane frontage road, with bridge for trail	LOS F in future at Thorpe, 16th	\$7,210,000	S		X
US 195 / Meadowlane Intersection	interim improvements to expand capacity	LOS F in future	\$2,060,000	S		X
S Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$100,000	S		X
S Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips, transit access	\$100,000	S		X
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 5-lane east of Nevada 1000'	LOS F in future	\$1,545,000	NE		X
Hamilton St Corridor - Desmet Ave to Foothills Ave	Segment Improvements - Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing. New signal at Desmet.	LOS F in future	\$4,580,000	NE	X	
Haven/Wellesley improvements	Add WBL turn lane, rebuild signal to allow protected lefts on Wellesley	LOS E-F in future and to improve interchange access	\$500,000	NE		X
Mission/Havana	signal	arterial intersection expected to meet signal warrants	\$824,000	NE		X
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.	LOS F in future	\$670,000	NE		X
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner	LOS E-F in future	\$1,030,000	NE		X
Sprague/Freya	Add NBR turn lane	LOS E-F in future	\$503,000	NE		X
NE Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$100,000	NE		X
NE Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips, transit access	\$100,000	NE		X
21st Avenue: Deer Heights to Flint/Granite & Deer Heights: extend to 21st	segment - construct new 3-lane arterial	better traffic dispersion through network, preserve Highway 2 capacity	\$2,472,000	WP		X
12th Avenue: Deer Heights to Flint	segment - construct new 2-lane arterial	better traffic dispersion through network, preserve Highway 2 capacity	\$1,921,000	WP	X	
W Bicycle Improvements	stripe bike facilities on arterials or US 2 Bike Path	reduce vehicle trips	\$50,000	WP		X
W Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips, transit access	\$50,000	WP		X

Total Downtown =	\$1,524,000
Total Northwest =	\$11,244,000
Total South =	\$18,650,000
Total Northeast =	\$9,852,000
Total West Plains =	\$4,493,000
Grand Total =	\$45,763,000

**BRIEFING PAPER**  
**City of Spokane**  
**Plan Commission Briefing**  
**July 24, 2019**

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**Subject**

During the last legislative session, a bill was passed that encourages cities to address their ability to provide housing by increasing urban residential capacity. **E2SHB 1923** provides grant funding for cities over 20,000 population to implement at least two of listed legislative actions in the bill, **or** to develop a housing action plan. Grant funding can be in the amount of \$100,000.

**Background**

- On July 15, 2019 Commerce issued a memorandum that outlines the List of Actions (cities must pick two) and describes the alternative available to cities which is to develop a Housing Action Plan. This memo is attached and available at [www.commerce.wa.gov/serving-communities/growth-management/growth-management-grants](http://www.commerce.wa.gov/serving-communities/growth-management/growth-management-grants).
- Commerce is expecting that grants will be available in August. There may be a second round of funding later in the year, if funds are available.
- If cities accept these grant funds (up to \$100,000.) action must occur by April 1, 2021.
- E2SHB1923 protects cities from certain legal appeals under SEPA or legal challenges under GMA when they adopt any of the actions specified in the new law to accommodate urban capacity.
- Adoption of either of these grant funding opportunities will likely affect the Plan Commission's Work Program for 2020 and 2021.

Another outcome of E2SHB 1923 is that every two years, the Washington Center for Real Estate Research at the University of Washington will produce a study that compiles housing supply and affordability metrics for each city with a population of 10,000 or more planning under GMA. The initial study must be completed by October 14, 2020.

**What Happens Next:**

- This information is provided to the Plan Commission on an informational basis. If the City decides to accept a grant from Commerce to move forward with either option, acceptance of a grant will occur through City Council action.
  - The City Council has a scheduled study session on August 1, 2019 at 3:30 in the City Council Briefing Center; E2SHB 1923 is on this agenda.
  - Additionally, this item will be on a City Council Committee subcommittee meeting as a consent item such as Urban Experience; not yet scheduled.
  -

**Additional and Related Information:**

- The WA state legislature page has the full text of the bill [E2SHB 1923](#).
- [Department of Commerce Growth Management Planning for Housing webpage](#) has a recently released [Housing Memo: Issues Affecting Housing Availability and Affordability](#).
- Another bill passed by the legislature this year is [HB 1406](#) Encouraging Investments in affordable and supportive housing.



## Department of Commerce

# Increasing Residential Building Capacity E2SHB 1923 Grant Opportunity Overview

### Growth Management Services

### Local Government Division

E2SHB 1923 (2019) encourages all cities planning under the Growth Management Act (GMA) to adopt actions to increase residential building capacity. Cities are especially encouraged to increase residential building capacity in areas that have supportive transportation and utility infrastructure, and are served with frequent transit service. Cities are also encouraged to prioritize the creation of affordable, inclusive neighborhoods and to consider the risk of residential displacement, particularly in neighborhoods with communities at high risk of displacement.

This bill provides a total \$5,000,000 in grants assistance, prioritized by the legislature for cities over 20,000 in population. A city may receive up to \$100,000 in grant funds for:

1. taking at least two of the actions to increase residential building capacity listed below,  
or
2. developing a housing action plan.

Commerce will reach out directly to eligible cities to apply for the funding. Those cities will be asked to complete a survey about eligible actions, specifically if they already have them, and for which ones they intend to apply for funding. Commerce will use the information to make decisions about the grant program. Applications will be available in August. In the meantime, we recommend that eligible jurisdictions work with decision makers to review the list of eligible activities below, and decide which ones they may pursue for funding. If your city has not received notification of the survey, please contact Paul Johnson at (360) 725-3048 or [paul.johnson@commerce.wa.gov](mailto:paul.johnson@commerce.wa.gov).

After the first round of grants, if funding allows, Commerce may consider accepting and funding applications from cities with a population of less than 20,000 if the actions proposed will result in significant housing capacity or regulatory streamlining.

#### Commerce contacts:

Dave Andersen, GMS Managing Director / Project Lead, (509) 434-4491

Paul Johnson, GMS Grants Coordinator, (360) 725-3048

Email: [dave.andersen@commerce.wa.gov](mailto:dave.andersen@commerce.wa.gov) and [paul.johnson@commerce.wa.gov](mailto:paul.johnson@commerce.wa.gov)

## Activities eligible for E2SHB 1923 funding

### 1. Select at least two of the actions listed below:

- a) Increase residential density near commuter or light rail stations to 50 dwelling units per acre. Designated areas should be at least 500 acres in size.***

This may be done in the form of a sub-area plan or rezoning within a designated area in response to or anticipation of commuter or light rail stations. Special attention should be paid to prioritize bicycle, pedestrian, and transit access to station areas. Regulations should require *no more than an average of one on-site parking space per two bedrooms* in multifamily areas.

- b) Increase residential density along high frequency transit corridors to 25 dwelling units per acre. Designated areas should be at least 250 acres for cities with a population of less than 40,000 people, or 500 acres for cities with a population over 40,000.***

This may be done in the form of a sub-area plan or rezoning along a transit corridor in response to or in anticipation of high frequency transit corridors. *High frequency transit service is defined as bus service at least four times per hour, at least 12 hours per day.* Rezones should include higher density residential development within a 10- to 15-minute walk of transit stops, with special attention to considerations for road crossings to transit service. Regulations should require *no more than an average of one on-site parking space per two bedrooms* in multifamily areas.

- c) Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure or physical constraint that would make this requirement unfeasible for a particular parcel.***

This option would allow much more diversity in housing stock within single family zoning districts. Documentation of specific infrastructure or physical constraints should go beyond whether sewer or other services currently exist at the location. Documentation should describe how specific geographic features of the land, such as water bodies or critical areas make it extremely difficult to develop, or serve isolated parcels with urban services.

- d) Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences;***

**Cluster zoning** is a zoning method in which development density is determined for an entire specified area, rather than on a lot-by-lot basis. Within the specified cluster



zone, a developer can exercise greater flexibility in designing and placing structures, as long as the total density requirement is met.

**Lot size averaging** allows the size of individual lots within a development to vary from the zoned maximum density, provided that the average lot size in the development as a whole meets that maximum. Housing can then be developed on lots smaller than otherwise permitted in a zone, allowing for greater densities in some areas and more diversity throughout the development.

These tools can be especially useful in lands encumbered by critical areas or other constraints that point to a more flexible approach.

- e) ***Authorize attached accessory dwelling units (ADUs) on all parcels containing single-family homes where the lot is at least 3,200 square feet in size, and permit both attached and detached ADUs on all parcels containing single-family homes, provided lots are at least 4,356 square feet in size. Qualifying city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below 1,000 square feet for the accessory dwelling unit, and must not prohibit the separate rental or sale of accessory dwelling units and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the accessory dwelling unit. To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances.***

All jurisdictions planning under the GMA over 20,000 in population and all counties over 125,000 in population are already required to allow accessory dwelling units (ADUs) in single family zones.<sup>1</sup> To be eligible for funding under E2SHB 1923, eligible jurisdictions must adopt an ADU ordinance that is consistent with these specifications for lot size, unit size, no parking requirement, no owner occupancy requirement, reduced impact fees, and subsequent separate sale of separate units. Beyond these items, local governments may choose to waive utility connection fees, building or permit fees, or address design. For more information please review [MRSC's guidance](#) on this topic, except that the [1994 CTED ADU guidance](#) is superseded by these requirements.

- f) ***Adopt a subarea plan pursuant to RCW 43.21C.420.***

Cities with populations over 5,000 may adopt optional elements of comprehensive plans of development regulations that apply within subareas for areas that are either:

- a. Areas designated as mixed use or urban centers in a land use or transportation plan adopted by a regional transportation planning organization; or

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<sup>1</sup> See RCW 36.70A.400 and RCW 43.63A.215(3) (laws of 1993)

- b. Areas within one half mile of a major transit stop, zoned for an average minimum density of 15 units per gross acre. A major transit stop is defined as a stop on a high capacity transportation service funded under RCW 81.104, commuter rail stops, stops on rail or fixed guideways, stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or stops for a bus or other transit mode providing fixed route service at intervals of at least thirty minutes during the peak hours of operation.

The plan must be accompanied by an environmental impact statement (EIS) assessing and disclosing the probable significant adverse environmental impacts. Any development proposed within 10 years of the EIS, which is consistent with the plan and regulations may not be challenged under SEPA.<sup>2</sup>

***g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii).***

A planned action is an adopted plan and environmental review on a sub-area within an urban growth area, consistent with a comprehensive plan adopted under the Growth Management Act. The plan and environmental review are completed before projects are proposed. Project-level significant impacts must be addressed in a State Environmental Policy Act (SEPA) document, unless the impacts are specifically deferred for consideration at the project level. The SEPA document may be a determination of non-significance (DNS), a mitigated determination of significance (MDNS), or an environmental impact statement EIS). To be eligible for funding, the planned action area should:

- Contain mixed use or residential development; and
- Encompasses an area that is within one-half mile of a major transit stop; or will be within one-half mile of a major transit stop no later than five years from the date of the designation of the planned action. Major transit stop means a commuter rail stop, a stop on a rail or fixed guideway or transitway system, or a stop on a high capacity transportation service funded or expanded under chapter [81.104](#) RCW.

For more information see <http://mrsc.org/Home/Explore-Topics/Planning/Land-Use-Administration/Planned-Action.aspx>

***h) Adopt an infill exemption under RCW 43.21C.229 for residential or mixed-use development***

This section allows for exemptions from SEPA evaluation if the city or county's applicable comprehensive plan was previously subjected to environmental analysis and if the local government considers the specific probable adverse environmental impacts of the proposed action and determines they are adequately addressed by the development regulations or other requirements.

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<sup>2</sup> See RCW 43.21C.420 (amended by E2SHB 1923, laws of 2019)

Such an exemption categorically exempts government action related to development proposed to fill in an urban growth area, where current density and intensity of use in the area is lower than called for in the goals and policies of the applicable comprehensive plan and the development is either (i) Residential development, (ii) Mixed-use development, or (iii) Commercial development up to 65,000 square feet, excluding retail development. It does not exempt government action related to development that is inconsistent with the applicable comprehensive plan or would exceed the density or intensity of use called for in the comprehensive plan.

- i) Adopt a form-based code in one or more zoning districts that permit residential uses. "Form-based code" means a land development regulation that uses physical form, rather than separation of use, as the organizing principle for the code;***

The purpose of a form-based code is to control the size and bulk of buildings, instead of regulating by the number of units. This can help a local government encourage development that meets the desired community character, but encourages a greater number of units of a given parcel, as the number of units are not restricted. For more information see [mrsc.org/Home/Explore-Topics/Planning/Development-Types-and-Land-Uses/Form-Based-Codes.aspx](http://mrsc.org/Home/Explore-Topics/Planning/Development-Types-and-Land-Uses/Form-Based-Codes.aspx).

- j) Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.***

A duplex on a corner lot can have the advantage of looking like a single-family housing unit with a front-facing door on each corner. This approach can add density in single-family areas without appearing to add a traditional duplex, but provides the benefit of additional smaller units which can be more affordable.

- k) Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW;***

RCW 58.17.020(6) defines a short subdivision as "the division or re-division of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine. This applies in all cities and for counties within urban growth areas. By increasing the number of lots in short plat, more development may be permitted by the quicker short plat process, which can be processed administratively, rather than the longer subdivision process, which generally requires approval of the legislative body. Local governments may also wish to review RCW 58.17.100 which allows for delegation of final plat approval to the planning commission or staff rather than going back to council.

- l) Authorize a minimum net density of six dwelling units per acre in all residential zones, where the residential development capacity will increase within the city.***

This option is applicable where net density in residential zones is less than six dwelling units per acre. Net density is the gross acreage minus public right of ways, divided by the number of units. Where areas are encumbered by critical areas, clustering can help achieve the target density.

## **2. Cities may instead adopt a Housing Action Plan**

*The goal of any such housing plan must be to encourage construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes, including strategies aimed at the for-profit single-family home market. The housing action plan should:*

- (a) Quantify existing and projected housing needs for all income levels, including extremely low-income households, with documentation of housing and household characteristics, and cost-burdened households; and c) Analyze population and employment trends, with documentation of projections;***

Data should document the type and age of housing within the community, and the demographics of the households within the communities. It should look across income segments and identify how many households in each income segment are paying more than 30 percent of their income for housing costs. The analysis should also project population demographics and income levels for the planning period and identify the types and densities of housing that are needed for housing suitable and affordable for all demographic and economic segments. This analysis should specifically consider multifamily and attached housing types. For more information see WAC 365-196-410.

- (b) Develop strategies to increase the supply of housing, and variety of housing types, needed to serve the housing needs identified in (a) of this subsection;***

Data gathered in the previous section should point to the types of housing that should be allowed by local zoning, and the types of incentives and regulations that will be needed to encourage the development of appropriate housing affordable to all income segments of the community. Trade-offs in parking requirements, setbacks, and open space considerations may be reviewed as they affect the yield in housing. Strategies to encourage and support the development of subsidized housing, such as fee waivers and free land should be considered, along with options for creating more



housing. For a full menu of strategies, see [www.ezview.wa.gov](http://www.ezview.wa.gov) (Affordable Housing Planning Resources). Policy actions can be evaluated on the whether they are short term, or long term, how effective they are, or whether they have a fiscal impact.

***(d) Consider strategies to minimize displacement of low-income residents resulting from redevelopment;***

Economic displacement occurs where low-income residents are forced out of traditional low-cost areas as redevelopment occurs and rents rise. Strategies to minimize displacement include preserving existing affordable housing, encouraging greater housing development, including, but not limited to affordable housing (so more housing is available for all income segments), using collective ownership of housing, engaging existing residents in identifying strategies, and taking a broader look using regional rather than localized strategies. For more information consider US Department of Housing and Urban Development (HUD) resources such as: [www.huduser.gov/portal/sites/default/files/pdf/DisplacementReport.pdf](http://www.huduser.gov/portal/sites/default/files/pdf/DisplacementReport.pdf)

***(e) Review and evaluate the current housing element adopted pursuant to RCW 36.70A.070, including an evaluation of success in attaining planned housing types and units, achievement of goals and policies, and implementation of the schedule of programs and actions;***

The housing element of the comprehensive plan should be evaluated for how well development is implementing policies, specifically whether the community is on track to accommodate the portion of the countywide population allocated to the community within the planning period, and whether the housing types are affordable to all economic segments. If these metrics are not met, new comprehensive plan policies should be proposed to support zoning that allow the size and types of housing that can be affordable to most economic segments of the population. Policies may also encourage or incentivize the development of subsidized affordable housing. Action strategies or housing metrics can help the plan stay on track over time.

***(f) Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups; and***

Broad participation from all parts of the community can help to understand and communicate the housing need. Members of the public can provide information and perspective on how the community can meet the state requirements to plan for housing affordable to all economic segments.

***(g) Include a schedule of programs and actions to implement the recommendations of the housing action plan.***

The housing action plan should cumulate in a broad array of potential programs and actions that the jurisdiction has committed to pursue, or can partner with other organizations to implement. The actions should include an update to policies in the comprehensive plan, along with actions to update regulations to implement selected strategies. The schedule should include a timeline for actions and funding, if required to implement the plan.

### **Actions protected from appeal**

If adopted between July 28, 2019, and April 1, 2021, ordinances, amendments to development regulations, and other nonproject actions taken by a city are not subject to administrative or judicial appeal under the State Environmental Policy Act (SEPA).<sup>3</sup> This excludes the adoption of a sub-area plan adopted pursuant to RCW 43.21C.420.

In addition, any action taken by a city prior to April 1, 2021 to amend their comprehensive plan, or adopt or amend ordinances or development regulations to enact any of the twelve actions to increase residential building capacity is not subject to appeal to the Growth Management Hearings Boards.<sup>4</sup>

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<sup>3</sup> E2SHB 1923, Section 1(3)

<sup>4</sup> E2SHB 1923, Section 1 (4)

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1923**

Chapter 348, Laws of 2019

66th Legislature  
2019 Regular Session

URBAN RESIDENTIAL BUILDING CAPACITY

EFFECTIVE DATE: July 28, 2019—Except for section 11, which becomes effective July 1, 2019.

Passed by the House April 24, 2019  
Yeas 75 Nays 19

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 22, 2019  
Yeas 33 Nays 16

CYRUS HABIB

**President of the Senate**

Approved May 9, 2019 3:12 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1923** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 13, 2019

**Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1923**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Fitzgibbon, Macri, Appleton, Doglio, Dolan, Santos, and Frame)

READ FIRST TIME 03/01/19.

1       AN ACT Relating to increasing urban residential building  
2 capacity; amending RCW 36.70A.030, 43.21C.420, and 36.70A.490; adding  
3 new sections to chapter 36.70A RCW; adding new sections to chapter  
4 43.21C RCW; adding a new section to chapter 35.21 RCW; adding a new  
5 section to chapter 35A.21 RCW; adding a new section to chapter 36.22  
6 RCW; providing an effective date; and declaring an emergency.

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

8       NEW SECTION.   **Sec. 1.** A new section is added to chapter 36.70A  
9 RCW to read as follows:

10       (1) A city planning pursuant to RCW 36.70A.040 is encouraged to  
11 take the following actions in order to increase its residential  
12 building capacity:

13       (a) Authorize development in one or more areas of not fewer than  
14 five hundred acres that include at least one train station served by  
15 commuter rail or light rail with an average of at least fifty  
16 residential units per acre that require no more than an average of  
17 one on-site parking space per two bedrooms in the portions of  
18 multifamily zones that are located within the areas;

19       (b) Authorize development in one or more areas of not fewer than  
20 five hundred acres in cities with a population greater than forty  
21 thousand or not fewer than two hundred fifty acres in cities with a



1 population less than forty thousand that include at least one bus  
2 stop served by scheduled bus service of at least four times per hour  
3 for twelve or more hours per day with an average of at least twenty-  
4 five residential units per acre that require no more than an average  
5 of one on-site parking space per two bedrooms in portions of the  
6 multifamily zones that are located within the areas;

7 (c) Authorize at least one duplex, triplex, or courtyard  
8 apartment on each parcel in one or more zoning districts that permit  
9 single-family residences unless a city documents a specific  
10 infrastructure of physical constraint that would make this  
11 requirement unfeasible for a particular parcel;

12 (d) Authorize cluster zoning or lot size averaging in all zoning  
13 districts that permit single-family residences;

14 (e) Authorize attached accessory dwelling units on all parcels  
15 containing single-family homes where the lot is at least three  
16 thousand two hundred square feet in size, and permit both attached  
17 and detached accessory dwelling units on all parcels containing  
18 single-family homes, provided lots are at least four thousand three  
19 hundred fifty-six square feet in size. Qualifying city ordinances or  
20 regulations may not provide for on-site parking requirements, owner  
21 occupancy requirements, or square footage limitations below one  
22 thousand square feet for the accessory dwelling unit, and must not  
23 prohibit the separate rental or sale of accessory dwelling units and  
24 the primary residence. Cities must set applicable impact fees at no  
25 more than the projected impact of the accessory dwelling unit. To  
26 allow local flexibility, other than these factors, accessory dwelling  
27 units may be subject to such regulations, conditions, procedures, and  
28 limitations as determined by the local legislative authority, and  
29 must follow all applicable state and federal laws and local  
30 ordinances;

31 (f) Adopt a subarea plan pursuant to RCW 43.21C.420;

32 (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii),  
33 except that an environmental impact statement pursuant to RCW  
34 43.21C.030 is not required for such an action;

35 (h) Adopt increases in categorical exemptions pursuant to RCW  
36 43.21C.229 for residential or mixed-use development;

37 (i) Adopt a form-based code in one or more zoning districts that  
38 permit residential uses. "Form-based code" means a land development  
39 regulation that uses physical form, rather than separation of use, as  
40 the organizing principle for the code;

1 (j) Authorize a duplex on each corner lot within all zoning  
2 districts that permit single-family residences;

3 (k) Allow for the division or redivision of land into the maximum  
4 number of lots through the short subdivision process provided in  
5 chapter 58.17 RCW; and

6 (l) Authorize a minimum net density of six dwelling units per  
7 acre in all residential zones, where the residential development  
8 capacity will increase within the city.

9 (2) A city planning pursuant to RCW 36.70A.040 may adopt a  
10 housing action plan as described in this subsection. The goal of any  
11 such housing plan must be to encourage construction of additional  
12 affordable and market rate housing in a greater variety of housing  
13 types and at prices that are accessible to a greater variety of  
14 incomes, including strategies aimed at the for-profit single-family  
15 home market. A housing action plan may utilize data compiled pursuant  
16 to section 3 of this act. The housing action plan should:

17 (a) Quantify existing and projected housing needs for all income  
18 levels, including extremely low-income households, with documentation  
19 of housing and household characteristics, and cost-burdened  
20 households;

21 (b) Develop strategies to increase the supply of housing, and  
22 variety of housing types, needed to serve the housing needs  
23 identified in (a) of this subsection;

24 (c) Analyze population and employment trends, with documentation  
25 of projections;

26 (d) Consider strategies to minimize displacement of low-income  
27 residents resulting from redevelopment;

28 (e) Review and evaluate the current housing element adopted  
29 pursuant to RCW 36.70A.070, including an evaluation of success in  
30 attaining planned housing types and units, achievement of goals and  
31 policies, and implementation of the schedule of programs and actions;

32 (f) Provide for participation and input from community members,  
33 community groups, local builders, local realtors, nonprofit housing  
34 advocates, and local religious groups; and

35 (g) Include a schedule of programs and actions to implement the  
36 recommendations of the housing action plan.

37 (3) If adopted by April 1, 2021, ordinances, amendments to  
38 development regulations, and other nonproject actions taken by a city  
39 to implement the actions specified in subsection (1) of this section,  
40 with the exception of the action specified in subsection (1)(f) of

1 this section, are not subject to administrative or judicial appeal  
2 under chapter 43.21C RCW.

3 (4) Any action taken by a city prior to April 1, 2021, to amend  
4 their comprehensive plan, or adopt or amend ordinances or development  
5 regulations, solely to enact provisions under subsection (1) of this  
6 section is not subject to legal challenge under this chapter.

7 (5) In taking action under subsection (1) of this section, cities  
8 are encouraged to utilize strategies that increase residential  
9 building capacity in areas with frequent transit service and with the  
10 transportation and utility infrastructure that supports the  
11 additional residential building capacity.

12 (6) A city with a population over twenty thousand that is  
13 planning to take at least two actions under subsection (1) of this  
14 section, and that action will occur between the effective date of  
15 this section and April 1, 2021, is eligible to apply to the  
16 department for planning grant assistance of up to one hundred  
17 thousand dollars, subject to the availability of funds appropriated  
18 for that purpose. The department shall develop grant criteria to  
19 ensure that grant funds awarded are proportionate to the level of  
20 effort proposed by a city, and the potential increase in housing  
21 supply or regulatory streamlining that could be achieved. Funding may  
22 be provided in advance of, and to support, adoption of policies or  
23 ordinances consistent with this section. A city can request, and the  
24 department may award, more than one hundred thousand dollars for  
25 applications that demonstrate extraordinary potential to increase  
26 housing supply or regulatory streamlining.

27 (7) A city seeking to develop a housing action plan under  
28 subsection (2) of this section is eligible to apply to the department  
29 for up to one hundred thousand dollars.

30 (8) The department shall establish grant award amounts under  
31 subsections (6) and (7) of this section based on the expected number  
32 of cities that will seek grant assistance, to ensure that all cities  
33 can receive some level of grant support. If funding capacity allows,  
34 the department may consider accepting and funding applications from  
35 cities with a population of less than twenty thousand if the actions  
36 proposed in the application will create a significant amount of  
37 housing capacity or regulatory streamlining and are consistent with  
38 the actions in this section.

39 (9) In implementing this act, cities are encouraged to prioritize  
40 the creation of affordable, inclusive neighborhoods and to consider

1 the risk of residential displacement, particularly in neighborhoods  
2 with communities at high risk of displacement.

3 **Sec. 2.** RCW 36.70A.030 and 2017 3rd sp.s. c 18 s 2 are each  
4 amended to read as follows:

5 Unless the context clearly requires otherwise, the definitions in  
6 this section apply throughout this chapter.

7 (1) "Adopt a comprehensive land use plan" means to enact a new  
8 comprehensive land use plan or to update an existing comprehensive  
9 land use plan.

10 (2) "Agricultural land" means land primarily devoted to the  
11 commercial production of horticultural, viticultural, floricultural,  
12 dairy, apiary, vegetable, or animal products or of berries, grain,  
13 hay, straw, turf, seed, Christmas trees not subject to the excise tax  
14 imposed by RCW 84.33.100 through 84.33.140, finfish in upland  
15 hatcheries, or livestock, and that has long-term commercial  
16 significance for agricultural production.

17 (3) "City" means any city or town, including a code city.

18 (4) "Comprehensive land use plan," "comprehensive plan," or  
19 "plan" means a generalized coordinated land use policy statement of  
20 the governing body of a county or city that is adopted pursuant to  
21 this chapter.

22 (5) "Critical areas" include the following areas and ecosystems:  
23 (a) Wetlands; (b) areas with a critical recharging effect on aquifers  
24 used for potable water; (c) fish and wildlife habitat conservation  
25 areas; (d) frequently flooded areas; and (e) geologically hazardous  
26 areas. "Fish and wildlife habitat conservation areas" does not  
27 include such artificial features or constructs as irrigation delivery  
28 systems, irrigation infrastructure, irrigation canals, or drainage  
29 ditches that lie within the boundaries of and are maintained by a  
30 port district or an irrigation district or company.

31 (6) "Department" means the department of commerce.

32 (7) "Development regulations" or "regulation" means the controls  
33 placed on development or land use activities by a county or city,  
34 including, but not limited to, zoning ordinances, critical areas  
35 ordinances, shoreline master programs, official controls, planned  
36 unit development ordinances, subdivision ordinances, and binding site  
37 plan ordinances together with any amendments thereto. A development  
38 regulation does not include a decision to approve a project permit  
39 application, as defined in RCW 36.70B.020, even though the decision



1 may be expressed in a resolution or ordinance of the legislative body  
2 of the county or city.

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

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

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

32 (11) "Long-term commercial significance" includes the growing  
33 capacity, productivity, and soil composition of the land for long-  
34 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 (12) "Minerals" include gravel, sand, and valuable metallic  
38 substances.

39 (13) "Public facilities" include streets, roads, highways,  
40 sidewalks, street and road lighting systems, traffic signals,

1 domestic water systems, storm and sanitary sewer systems, parks and  
2 recreational facilities, and schools.

3 (14) "Public services" include fire protection and suppression,  
4 law enforcement, public health, education, recreation, environmental  
5 protection, and other governmental services.

6 (15) "Recreational land" means land so designated under RCW  
7 36.70A.1701 and that, immediately prior to this designation, was  
8 designated as agricultural land of long-term commercial significance  
9 under RCW 36.70A.170. Recreational land must have playing fields and  
10 supporting facilities existing before July 1, 2004, for sports played  
11 on grass playing fields.

12 (16) "Rural character" refers to the patterns of land use and  
13 development established by a county in the rural element of its  
14 comprehensive plan:

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

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

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

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

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

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

27 (g) That are consistent with the protection of natural surface  
28 water flows and groundwater and surface water recharge and discharge  
29 areas.

30 (17) "Rural development" refers to development outside the urban  
31 growth area and outside agricultural, forest, and mineral resource  
32 lands designated pursuant to RCW 36.70A.170. Rural development can  
33 consist of a variety of uses and residential densities, including  
34 clustered residential development, at levels that are consistent with  
35 the preservation of rural character and the requirements of the rural  
36 element. Rural development does not refer to agriculture or forestry  
37 activities that may be conducted in rural areas.

38 (18) "Rural governmental services" or "rural services" include  
39 those public services and public facilities historically and  
40 typically delivered at an intensity usually found in rural areas, and

1 may include domestic water systems, fire and police protection  
2 services, transportation and public transit services, and other  
3 public utilities associated with rural development and normally not  
4 associated with urban areas. Rural services do not include storm or  
5 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

6 (19) "Short line railroad" means those railroad lines designated  
7 class II or class III by the United States surface transportation  
8 board.

9 (20) "Urban governmental services" or "urban services" include  
10 those public services and public facilities at an intensity  
11 historically and typically provided in cities, specifically including  
12 storm and sanitary sewer systems, domestic water systems, street  
13 cleaning services, fire and police protection services, public  
14 transit services, and other public utilities associated with urban  
15 areas and normally not associated with rural areas.

16 (21) "Urban growth" refers to growth that makes intensive use of  
17 land for the location of buildings, structures, and impermeable  
18 surfaces to such a degree as to be incompatible with the primary use  
19 of land for the production of food, other agricultural products, or  
20 fiber, or the extraction of mineral resources, rural uses, rural  
21 development, and natural resource lands designated pursuant to RCW  
22 36.70A.170. A pattern of more intensive rural development, as  
23 provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed  
24 to spread over wide areas, urban growth typically requires urban  
25 governmental services. "Characterized by urban growth" refers to land  
26 having urban growth located on it, or to land located in relationship  
27 to an area with urban growth on it as to be appropriate for urban  
28 growth.

29 (22) "Urban growth areas" means those areas designated by a  
30 county pursuant to RCW 36.70A.110.

31 (23) "Wetland" or "wetlands" means areas that are inundated or  
32 saturated by surface water or groundwater at a frequency and duration  
33 sufficient to support, and that under normal circumstances do  
34 support, a prevalence of vegetation typically adapted for life in  
35 saturated soil conditions. Wetlands generally include swamps,  
36 marshes, bogs, and similar areas. Wetlands do not include those  
37 artificial wetlands intentionally created from nonwetland sites,  
38 including, but not limited to, irrigation and drainage ditches,  
39 grass-lined swales, canals, detention facilities, wastewater  
40 treatment facilities, farm ponds, and landscape amenities, or those

wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

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

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

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

(25) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(26) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(27) "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay, paired with on-site or off-site voluntary services designed to support a person living with a disability to be a successful tenant in a housing arrangement, improve the resident's health status, and connect residents of the housing with community-based health care, treatment, and employment services.

(28) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted 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 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A  
4 RCW to read as follows:

5 The Washington center for real estate research at the University  
6 of Washington shall produce a report every two years that compiles  
7 housing supply and affordability metrics for each city planning under  
8 RCW 36.70A.040 with a population of ten thousand or more. The initial  
9 report, completed by October 15, 2020, must be a compilation of  
10 objective criteria relating to development regulations, zoning,  
11 income, housing and rental prices, housing affordability programs,  
12 and other metrics relevant to assessing housing supply and  
13 affordability for all income segments, including the percentage of  
14 cost-burdened households, of each city subject to the report required  
15 by this section. The report completed by October 15, 2022, must also  
16 include data relating to actions taken by cities under this act. The  
17 report completed by October 15, 2024, must also include relevant data  
18 relating to buildable lands reports prepared under RCW 36.70A.215,  
19 where applicable, and updates to comprehensive plans under this  
20 chapter. The Washington center for real estate research shall  
21 collaborate with the Washington housing finance commission and the  
22 office of financial management to develop the metrics compiled in the  
23 report. The report must be submitted, consistent with RCW 43.01.036,  
24 to the standing committees of the legislature with jurisdiction over  
25 housing issues and this chapter.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21C  
27 RCW to read as follows:

28 If adopted by April 1, 2021, amendments to development  
29 regulations and other nonproject actions taken by a city to implement  
30 section 1 (1) or (4) of this act, with the exception of the action  
31 specified in section 1(1)(f) of this act, are not subject to  
32 administrative or judicial appeals under this chapter.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A  
34 RCW to read as follows:

35 In counties and cities planning under RCW 36.70A.040, minimum  
36 residential parking requirements mandated by municipal zoning

ordinances for housing units constructed after July 1, 2019, are subject to the following requirements:

(1) For housing units that are affordable to very low-income or extremely low-income individuals and that are located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for very low-income or extremely low-income individuals. The covenant must address price restrictions and household income limits and policies if the property is converted to a use other than for low-income housing. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

(2) For housing units that are specifically for seniors or people with disabilities, that are located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, a city may not impose minimum residential parking requirements for the residents of such housing units, subject to the exceptions provided in this subsection. A city may establish parking requirements for staff and visitors of such housing units. A city may establish a requirement for the provision of one or more parking space per bedroom if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for seniors or people with disabilities.

NEW SECTION. **Sec. 6.** A new section is added to chapter 43.21C RCW to read as follows:

1 (1) A project action pertaining to residential, multifamily, or  
2 mixed use development evaluated under this chapter by a city or town  
3 planning under RCW 36.70A.040 is exempt from appeals under this  
4 chapter on the basis of the evaluation of or impacts to  
5 transportation elements of the environment, so long as the project  
6 does not present significant adverse impacts to the state-owned  
7 transportation system as determined by the department of  
8 transportation and the project is:

9 (a) (i) Consistent with a locally adopted transportation plan; or

10 (ii) Consistent with the transportation element of a  
11 comprehensive plan; and

12 (b) (i) A project for which traffic or parking impact fees are  
13 imposed pursuant to RCW 82.02.050 through 82.02.090; or

14 (ii) A project for which traffic or parking impacts are expressly  
15 mitigated by an ordinance, or ordinances, of general application  
16 adopted by the city or town.

17 (2) For purposes of this section, "impacts to transportation  
18 elements of the environment" include impacts to transportation  
19 systems; vehicular traffic; waterborne, rail, and air traffic;  
20 parking; movement or circulation of people or goods; and traffic  
21 hazards.

22 **Sec. 7.** RCW 43.21C.420 and 2010 c 153 s 2 are each amended to  
23 read as follows:

24 (1) Cities with a population greater than five thousand, in  
25 accordance with their existing comprehensive planning and development  
26 regulation authority under chapter 36.70A RCW, and in accordance with  
27 this section, may adopt optional elements of their comprehensive  
28 plans and optional development regulations that apply within  
29 specified subareas of the cities, that are either:

30 (a) Areas designated as mixed-use or urban centers in a land use  
31 or transportation plan adopted by a regional transportation planning  
32 organization; or

33 (b) Areas within one-half mile of a major transit stop that are  
34 zoned to have an average minimum density of fifteen dwelling units or  
35 more per gross acre.

36 (2) Cities located on the east side of the Cascade mountains and  
37 located in a county with a population of two hundred thirty thousand  
38 or less, in accordance with their existing comprehensive planning and  
39 development regulation authority under chapter 36.70A RCW, and in

1 accordance with this section, may adopt optional elements of their  
2 comprehensive plans and optional development regulations that apply  
3 within the mixed-use or urban centers. The optional elements of their  
4 comprehensive plans and optional development regulations must enhance  
5 pedestrian, bicycle, transit, or other nonvehicular transportation  
6 methods.

7 (3) A major transit stop is defined as:

8 (a) A stop on a high capacity transportation service funded or  
9 expanded under the provisions of chapter 81.104 RCW;

10 (b) Commuter rail stops;

11 (c) Stops on rail or fixed guideway systems, including  
12 transitways;

13 (d) Stops on bus rapid transit routes or routes that run on high  
14 occupancy vehicle lanes; or

15 (e) Stops for a bus or other transit mode providing fixed route  
16 service at intervals of at least thirty minutes during the peak hours  
17 of operation.

18 (4) (a) A city that elects to adopt such an optional comprehensive  
19 plan element and optional development regulations shall prepare a  
20 nonproject environmental impact statement, pursuant to RCW  
21 43.21C.030, assessing and disclosing the probable significant adverse  
22 environmental impacts of the optional comprehensive plan element and  
23 development regulations and of future development that is consistent  
24 with the plan and regulations.

25 (b) At least one community meeting must be held on the proposed  
26 subarea plan before the scoping notice for such a nonproject  
27 environmental impact statement is issued. Notice of scoping for such  
28 a nonproject environmental impact statement and notice of the  
29 community meeting required by this section must be mailed to all  
30 property owners of record within the subarea to be studied, to all  
31 property owners within one hundred fifty feet of the boundaries of  
32 such a subarea, to all affected federally recognized tribal  
33 governments whose ceded area is within one-half mile of the  
34 boundaries of the subarea, and to agencies with jurisdiction over the  
35 future development anticipated within the subarea.

36 ~~(c) ((In cities with over five hundred thousand residents, notice~~  
37 ~~of scoping for such a nonproject environmental impact statement and~~  
38 ~~notice of the community meeting required by this section must be~~  
39 ~~mailed to all small businesses as defined in RCW 19.85.020, and to~~  
40 ~~all community preservation and development authorities established~~



~~under chapter 43.167 RCW, located within the subarea to be studied or within one hundred fifty feet of the boundaries of such subarea. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea planning process.~~

~~(d))~~ The notice of the community meeting must include general illustrations and descriptions of buildings generally representative of the maximum building envelope that will be allowed under the proposed plan and indicate that future appeals of proposed developments that are consistent with the plan will be limited. Notice of the community meeting must include signs located on major travel routes in the subarea. If the building envelope increases during the process, another notice complying with the requirements of this section must be issued before the next public involvement opportunity.

~~((e))~~ (d) Any person that has standing to appeal the adoption of this subarea plan or the implementing regulations under RCW 36.70A.280 has standing to bring an appeal of the nonproject environmental impact statement required by this subsection.

~~((f) Cities with over five hundred thousand residents shall prepare a study that accompanies or is appended to the nonproject environmental impact statement, but must not be part of that statement, that analyzes the extent to which the proposed subarea plan may result in the displacement or fragmentation of existing businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups within the proposed subarea plan. The city shall also discuss the results of the analysis at the community meeting.~~

~~(g))~~ (e) As an incentive for development authorized under this section, a city shall consider establishing a transfer of development rights program in consultation with the county where the city is located, that conserves county-designated agricultural and forestland of long-term commercial significance. If the city decides not to establish a transfer of development rights program, the city must state in the record the reasons for not adopting the program. The city's decision not to establish a transfer of development rights program is not subject to appeal. Nothing in this subsection (4)

~~((g))~~ (e) may be used as a basis to challenge the optional comprehensive plan or subarea plan policies authorized under this section.

1       (5)(a) Until July 1, ((2018)) 2029, a proposed development that  
2 meets the criteria of (b) of this subsection may not be challenged in  
3 administrative or judicial appeals for noncompliance with this  
4 chapter as long as a complete application for such a development that  
5 vests the application or would later lead to vested status under city  
6 or state law is submitted to the city within a time frame established  
7 by the city, but not to exceed the following time frames:

8       (i) Nineteen years from the date of issuance of the final  
9 environmental impact statement, for projects that are consistent with  
10 an optional element adopted by a city as of the effective date of  
11 this section; or

12       (ii) Ten years from the date of issuance of the final  
13 environmental impact statement, for projects that are consistent with  
14 an optional element adopted by a city after the effective date of  
15 this section.

16       (b) A proposed development may not be challenged, consistent with  
17 the timelines established in (a) of this subsection, so long as the  
18 development:

19       (i) Is consistent with the optional comprehensive plan or subarea  
20 plan policies and development regulations adopted under subsection  
21 (1) or (2) of this section;

22       (ii) Sets aside or requires the occupancy of at least ten percent  
23 of the dwelling units, or a greater percentage as determined by city  
24 development regulations, within the development for low-income  
25 households at a sale price or rental amount that is considered  
26 affordable by a city's housing programs. This subsection (5)(b)(ii)  
27 applies only to projects that are consistent with an optional element  
28 adopted by a city pursuant to this section after the effective date  
29 of this section; and ((that))

30       (iii) Is environmentally reviewed under subsection (4) of this  
31 section ~~((may not be challenged in administrative or judicial appeals~~  
32 ~~for noncompliance with this chapter as long as a complete application~~  
33 ~~for such a development that vests the application or would later lead~~  
34 ~~to vested status under city or state law is submitted to the city~~  
35 ~~within a time frame established by the city, but not to exceed ten~~  
36 ~~years from the date of issuance of the final environmental impact~~  
37 ~~statement))~~.

38       ((b)) (c) After July 1, ((2018)) 2029, the immunity from  
39 appeals under this chapter of any application that vests or will vest  
40 under this subsection or the ability to vest under this subsection is

1 still valid, provided that the final subarea environmental impact  
2 statement is issued by July 1, ~~((2018))~~ 2029. After July 1, ~~((2018))~~  
3 2029, a city may continue to collect reimbursement fees under  
4 subsection (6) of this section for the proportionate share of a  
5 subarea environmental impact statement issued prior to July 1,  
6 ~~((2018))~~ 2029.

7 (6) It is recognized that a city that prepares a nonproject  
8 environmental impact statement under subsection (4) of this section  
9 must endure a substantial financial burden. A city may recover or  
10 apply for a grant or loan to prospectively cover its reasonable  
11 expenses of preparation of a nonproject environmental impact  
12 statement prepared under subsection (4) of this section through  
13 access to financial assistance under RCW 36.70A.490 or funding from  
14 private sources. In addition, a city is authorized to recover a  
15 portion of its reasonable expenses of preparation of such a  
16 nonproject environmental impact statement by the assessment of  
17 reasonable and proportionate fees upon subsequent development that is  
18 consistent with the plan and development regulations adopted under  
19 subsection (5) of this section, as long as the development makes use  
20 of and benefits ~~(([from]))~~ from, as described in subsection (5) of  
21 this section, ~~((from))~~ the nonproject environmental impact statement  
22 prepared by the city. Any assessment fees collected from subsequent  
23 development may be used to reimburse funding received from private  
24 sources. In order to collect such fees, the city must enact an  
25 ordinance that sets forth objective standards for determining how the  
26 fees to be imposed upon each development will be proportionate to the  
27 impacts of each development and to the benefits accruing to each  
28 development from the nonproject environmental impact statement. Any  
29 disagreement about the reasonableness or amount of the fees imposed  
30 upon a development may not be the basis for delay in issuance of a  
31 project permit for that development. The fee assessed by the city may  
32 be paid with the written stipulation "paid under protest" and if the  
33 city provides for an administrative appeal of its decision on the  
34 project for which the fees are imposed, any dispute about the amount  
35 of the fees must be resolved in the same administrative appeal  
36 process.

37 (7) If a proposed development is inconsistent with the optional  
38 comprehensive plan or subarea plan policies and development  
39 regulations adopted under subsection (1) of this section, the city

shall require additional environmental review in accordance with this chapter.

**Sec. 8.** RCW 36.70A.490 and 2012 1st sp.s. c 1 s 309 are each amended to read as follows:

The growth management planning and environmental review fund is hereby established in the state treasury. Moneys may be placed in the fund from the proceeds of bond sales, tax revenues, budget transfers, federal appropriations, gifts, or any other lawful source. Moneys in the fund may be spent only after appropriation. Moneys in the fund shall be used to make grants or loans to local governments for the purposes set forth in RCW 43.21C.240, 43.21C.031, ~~((~~0~~))~~ 36.70A.500, section 1 of this act, for costs associated with section 3 of this act, and to cover costs associated with the adoption of optional elements of comprehensive plans consistent with RCW 43.21C.420. Any payment of either principal or interest, or both, derived from loans made from this fund must be deposited into the fund.

NEW SECTION. **Sec. 9.** A new section is added to chapter 35.21 RCW to read as follows:

A city may not prohibit permanent supportive housing in areas where multifamily housing is permitted.

NEW SECTION. **Sec. 10.** A new section is added to chapter 35A.21 RCW to read as follows:

A code city may not prohibit permanent supportive housing in areas where multifamily housing is permitted.

NEW SECTION. **Sec. 11.** A new section is added to chapter 36.22 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, a surcharge of two dollars and fifty cents shall be charged by the county auditor for each document recorded, which will be in addition to any other charge or surcharge allowed by law. The auditor shall remit the funds to the state treasurer to be deposited and used as follows:

(a) Through June 30, 2024, funds must be deposited into the growth management planning and environmental review fund created in RCW 36.70A.490 to be used first for grants for costs associated with

1 section 1 of this act and for costs associated with section 3 of this  
2 act, and thereafter for any allowable use of the fund.

3 (b) Beginning July 1, 2024, sufficient funds must be deposited  
4 into the growth management planning and environmental review fund  
5 created in RCW 36.70A.490 for costs associated with section 3 of this  
6 act, and the remainder deposited into the home security fund account  
7 created in RCW 43.185C.060 to be used for maintenance and operation  
8 costs of: (i) Permanent supportive housing and (ii) affordable  
9 housing for very low-income and extremely low-income households.  
10 Funds may only be expended in cities that have taken action under  
11 section 1 of this act.

12 (2) The surcharge imposed in this section does not apply to: (a)  
13 Assignments or substitutions of previously recorded deeds of trust;  
14 (b) documents recording a birth, marriage, divorce, or death; (c) any  
15 recorded documents otherwise exempted from a recording fee or  
16 additional surcharges under state law; (d) marriage licenses issued  
17 by the county auditor; or (e) documents recording a federal, state,  
18 county, or city lien or satisfaction of lien.

19 (3) For purposes of this section, the terms "permanent supportive  
20 housing," "affordable housing," "very low-income households," and  
21 "extremely low-income households" have the same meaning as provided  
22 in RCW 36.70A.030.

23 NEW SECTION. **Sec. 12.** Section 11 of this act is necessary for  
24 the immediate preservation of the public peace, health, or safety, or  
25 support of the state government and its existing public institutions,  
26 and takes effect July 1, 2019.

Passed by the House April 24, 2019.  
Passed by the Senate April 22, 2019.  
Approved by the Governor May 9, 2019.  
Filed in Office of Secretary of State May 13, 2019.

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# 2019 Housing Bills for Planners

## Overview

Several bills passed in the 2019 legislative session that may affect the work of local planners on housing actions.

- E2SHB 1923 provides incentives to larger cities and protections to all Washington cities to adopt a menu of measures to increase affordability. It also adds definitions to the Growth Management Act (GMA) and limits the amount of parking a city may require for senior, disabled and low-income housing.
- SB 5383 enables cities and counties to permit tiny home villages in manufactured home parks.
- SHB 1377 requires cities to provide a bonus density for affordable housing on property owned or controlled by a religious organization.
- HB 1219 extends cities' and counties' ability to use local real estate excise taxes for their own homelessness and housing efforts.
- SHB 1406 allows for a sales tax reversion from the state to cities, which the cities can bond for affordable housing.

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## 1. E2SHB 1923 asks cities to increase residential building capacity

All cities planning under the GMA are encouraged to adopt actions to increase residential building capacity. Cities are especially encouraged to increase residential capacity in areas that have supportive transportation and utility infrastructure, and are served with frequent transit service.<sup>1</sup> Cities are also encouraged to prioritize the creation of affordable, inclusive neighborhoods and to consider the risk of residential displacement, particularly in neighborhoods with communities at high risk of displacement.<sup>2</sup>

E2SHB 1923 also provides grants and other incentives to encourage adoption of actions to increase housing affordability. Cities over 20,000 in population adopting at least two of 12 specific actions to increase residential building capacity between July 28, 2019<sup>3</sup>, and April 1, 2021, or a housing action plan, are eligible to apply for up to \$100,000 in the form of a planning assistance grant.<sup>4</sup> Grant funding is available through the Department of Commerce for the 2019-2021 biennium. For information on the grant program, see [www.commerce.wa.gov/serving-communities/growth-management/growth-management-grants/](http://www.commerce.wa.gov/serving-communities/growth-management/growth-management-grants/).

## 2. New definitions added to the Growth Management Act<sup>5</sup>

E2SHB 1923 added the following definitions to GMA. Jurisdictions should ensure that these definitions are included in their codes for reference in any tool they use to address affordable housing, that doesn't also have its own definitions in RCW.

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

*(a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development (HUD).*

*(b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as*

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<sup>1</sup> E2SHB 1923 Section 5.

<sup>2</sup> E2SHB 1923 Section 1(9).

<sup>3</sup> The effective date of E2SHB 1923

<sup>4</sup> E2SHB 1923, Section 1(1, 6, 7, 8). Funding comes from a \$2.50 addition to document recording fees, for a limited time, after which, the funds are to be used for maintenance and operation costs of permanent supportive housing and affordable housing for very low-income and extremely low-income households.

<sup>5</sup> E2SHB 1923 Section 2

reported by the United States Department of Housing and Urban Development (HUD).

(25) "**Extremely low-income household**" means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development (HUD).

(26) "**Low-income household**" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development (HUD).

(27) "**Permanent supportive housing**" is subsidized, leased housing with no limit on length of stay, paired with on-site or off-site voluntary services designed to support a person living with a disability to be a successful tenant in a housing arrangement, improve the resident's health status, and connect residents of the housing with community-based health care, treatment, and employment services.

(28) "**Very low-income household**" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development (HUD).

### 3. Parking maximums for certain types of development<sup>6</sup>

E2SHB 1923 limits the amount of parking a city may require for low income, senior, and affordable housing for housing units located near high quality transit service. This applies to all units constructed after July 1, 2019.

- (1) For housing units that are affordable to very low-income or extremely low-income individuals, located within 1/4 mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for very low-income or extremely low-income individuals. The covenant must address price restrictions and household income limits and policies if the property is converted to

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<sup>6</sup> E2SHB 1923, Section 5.

*a use other than for low-income housing. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.*

- (2) *For housing units that are specifically for seniors or people with disabilities, that are located within 1/4 mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, a city may not impose minimum residential parking requirements for the residents of such housing units, subject to the exceptions provided in this subsection. A city may establish parking requirements for staff and visitors of such housing units. A city may establish a requirement for the provision of one or more parking spaces per bedroom if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for seniors or people with disabilities.*

#### **4. Permanent supportive housing may not be prohibited**

A city planning under RCW 35.21 and a code city planning under RCW 35A.21 may not prohibit permanent supportive housing in areas where multifamily housing is permitted.<sup>7</sup>

**"Permanent supportive housing"** is defined as *subsidized, leased housing with no limit on length of stay, paired with on-site or off-site voluntary services designed to support a person living with a disability to be a successful tenant in a housing arrangement, improve the resident's health status, and connect residents of the housing with community-based health care, treatment, and employment services.*

Local governments should ensure that zoning ordinances include this definition, and do not prohibit this type of housing where multifamily housing is permitted.

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<sup>7</sup> E2SHB 1923 Sections 9 and 10.

## 5. Appeals of actions implementing E2SHB 1923 are limited, if adopted before April 1, 2021

If adopted between July 28, 2019, and April 1, 2021, ordinances, amendments to development regulations, and other nonproject actions taken by a city are not subject to administrative or judicial appeal under the State Environmental Policy Act (SEPA).<sup>8</sup> This excludes the adoption of a sub-area plan adopted pursuant to RCW 43.21C.420. Any action taken by a city prior to April 1, 2021 to amend their comprehensive plan, or adopt or amend ordinances or development regulations to enact any of the 12 actions to increase residential building capacity is not subject to appeal to the Growth Management Hearings Boards.<sup>9</sup>

## 6. Help with data from the Washington Center for Real Estate Research

The **Washington Center for Real Estate Research (WCRER)** at the University of Washington shall produce a report every two years that compiles housing supply and affordability metrics for each GMA city with a population of 10,000 or more.<sup>10</sup> An initial report, due Oct. 15, 2020, will be a compilation of objective criteria relating to development regulations, zoning, income, housing and rental prices, housing affordability programs, and other metrics relevant to assessing housing supply and affordability for all income segments, including the percentage of cost-burdened households. The 2022 report will also include data relating to actions taken by cities under E2SHB 1923. The 2024 report will also include relevant data relating to buildable lands reports prepared under RCW 36.70A.215, where applicable, and updates to comprehensive plans under this chapter. For more information about WCRER, see its web site at <http://realestate.washington.edu/research/wcrer/>

## 7. Development projects may be protected from SEPA appeal on transportation impacts<sup>11</sup>

E2SHB 1923 provides an option to protect SEPA decisions from appeal *for impacts to transportation elements of the environment*, when the approved residential, multifamily, or mixed-use project in a GMA city or town is:

- Consistent with the local adopted transportation plan or transportation element of the comprehensive plan, and;

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<sup>8</sup> E2SHB 1923, Section 1(3)

<sup>9</sup> E2SHB 1923, Section 1 (4)

<sup>10</sup> E2SHB 1923 Section 3

<sup>11</sup> E2SHB 1923 Section 6.



- Is subject to locally adopted impact fees and/or traffic and parking impacts are expressly mitigated under another ordinance, and;
- If WSDOT determines the project would not present significant adverse impacts to the state-owned transportation system.

This provision is intended to encourage development within central infill areas because it is less likely to impact the state system. This is an optional process where the local SEPA responsible official or developer may consult with WSDOT regional Development Services offices to obtain a letter of no significant adverse impact to "transportation elements of the environment," which include impacts to transportation systems; vehicular traffic; waterborne, rail, and air traffic; parking; movement or circulation of people or goods; and traffic hazards.

For technical assistance for protecting project applications from appeal based on transportation impact contact the WSDOT Development Services office for your region, or Barb De Ste. Croix, PS&E and Development Services Manager, [destecb@wsdot.wa.gov](mailto:destecb@wsdot.wa.gov) or 360.705.7251.

## 8. Project appeal exemptions under RCW 43.21C.420 extended<sup>12</sup>

RCW 43.21C.420 was adopted in 2010 with the intent to encourage high-density, compact, in-fill development and redevelopment within existing urban areas in order to further the goals of the GMA, to promote the use of public transit and encourage further investment in transit systems, and to contribute to the reduction of greenhouse gas emissions. RCW 43.21C.420 provides that certain local governments may adopt an optional comprehensive plan element or sub-area plan and regulations within higher density areas, well served by transit, and evaluated by EIS. The deadline for project exemptions from appeal under this section is **extended to July 1, 2029** for a complete application that:

- Is consistent with the optional plan element or subarea plan, and development regulations, and
- Is submitted within locally adopted time frames adopted pursuant to RCW 43.21C.420(5), and
- Sets aside at least 10 percent of the units for low income households pursuant to RCW 43.21C.420 (5)(b)(ii).

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<sup>12</sup> E2SHB 1923, Section 7

## 9. New provisions for tiny homes and tiny home communities

ESSB 5383 (laws of 2019) allows for the regulation of tiny houses with wheels. It allows that cities and towns may regulate tiny home communities and added new definitions to RCW 35.21.

*A **"Tiny house"** and **"tiny house with wheels"** means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.*

***"Tiny house communities"** means real property rented or held out for rent to others for the placement of tiny houses with wheels or tiny houses utilizing the binding site plan process in RCW 58.17.035*

The Subdivision Act (RCW 58.17.040) adds tiny houses, or tiny houses with wheels, to the exemption from subdivision for mobile homes.

RCW 35.21.684 is amended to add tiny homes. A city or town may not prevent entry or require the removal of a recreational vehicle or a tiny house with wheels used as a primary residence in manufactured/mobile home communities, except for regulations related to fire, safety, or other regulations related to recreation vehicles, or requires utility hookups to meet state or federal building code standards. If a tiny house with wheels does not have an internal toilet and shower, the manufactured home community must provide toilets and showers.

The land owner of the tiny home community shall make reasonable accommodation of utility hookups for water, power, and sewerage services and comply with all other duties of RCW 59.20. Tenants of tiny house communities are entitled to all rights and subject to all duties and penalties required under RCW 59.20. The Building Code Council must adopt specific standards for tiny houses by December 31, 2019.

## 10. Bonus density for affordable housing on religious organizations' land

A city planning RCW 35.63, RCW 35A.63, or RCW 36.70A, must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization<sup>13</sup> provided that:

*(a) The affordable housing development is set aside for or occupied **exclusively by low-income households**;*

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<sup>13</sup> SHB 1377 (laws of 2019).

- (b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for **at least fifty years**, even if the religious organization no longer owns the property; and*
  - (c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability, or otherwise act in violation of the federal fair housing amendments act of 1988.*
- 2) *A city may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development. An ordinance authorizing the bonus density should include reference to this bill, and possibly RCW 36.70A.540, and should ensure that regulations meet the specifications of this bill.*
- (3) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development. (4) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.*

For purposes of this section:

- (a) "**Affordable housing development**" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;*
- (b) "**Low-income household**" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and*
- (c) "**Religious organization**" has the same meaning as in RCW 35.21.915.*

## 11. New funding options for affordable housing

**EHB 1219 amended RCW 82.46.035.** This statute allows cities and counties to charge up to a 0.25 percent Real Estate Excise Tax (REET 1) to pay for capital facilities. This statute was amended to renew recent authorization for a city or county required to plan under the GMA to charge a **second 0.25 percent (REET 2)** to be used for *planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of facilities for those experiencing homelessness and affordable housing projects*. Any county choosing to plan under the GMA, and any city within it, may also charge the fee if a majority votes for this charge. These funds may be spent only for housing-related projects after the jurisdiction documents in the capital facilities plans that it has funds during the next two years for capital projects. *Until Jan. 1, 2026, \$100,000 or 25 percent of available funds (but not to exceed \$1,000,000) may be used for housing projects. These limits do not apply for to a county or city that used this revenue to provide housing for the homeless prior to June 30, 2019.*<sup>14</sup>

**SHB 1406 added a new section RCW 82.14** authorizing city and county legislative bodies to implement a local sales tax, proportionally reducing the state sales tax, to fund affordable and permanent supportive housing. To impose the tax, a county or city legislative authority must adopt a resolution of intent within six months of the effective date of the bill and impose the tax within one year. The tax expires 20 years after the jurisdiction first imposes the tax.

A county or city may use funds on a cash basis or bond against the revenue. The collected revenue or bond issuance may only be used for the following activities:

- Acquiring, rehabilitating, or constructing affordable housing, including new units of affordable housing within an existing structure, or facilities providing supportive housing services to individuals with mental or behavioral disorders; or
- Operations and maintenance costs of new units of affordable or supportive housing.

Counties with a population of 400,000 or less, and cities with a population of 100,000 or less may also use the revenue to provide rental assistance to tenants. There is a somewhat complicated revenue sharing formula in the bill, essentially designed to share the money among cities and counties unless a city adopts a separate local housing or mental health levy. In that case, the city would also receive access to the county's share of revenues generated within their city. If either the city or the county chooses not to access this resource after one year, then the other party may levy the second share of the tax.

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<sup>14</sup> <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1219.sl.pdf>

For the first 12 months after the effective date of the bill, both cities and counties may access their half of the resources provided by the state by adopting a local sales tax of up to 0.0073 percent. A maximum tax rate of 0.0146% is available to cities levying a “qualifying local tax”. The maximum rate is also available to cities within counties that do not levy the tax and to counties in unincorporated areas and within boundaries of cities that do not levy the tax.

After the bill has been effective for one year:

- Cities without a qualifying tax may impose a rate of 0.0073 percent.
- A county may impose a rate of 0.0073 percent within the unincorporated areas and the limits of a city that levies this **HB 1406** tax but does not impose a qualifying tax.
- The maximum rate of 0.0146 percent is available to:
  - A city levying a qualifying local tax (in which case a county may not levy the tax within the limits of the city)
  - A county within its unincorporated areas and within the limits of a city that is not levying the **HB 1406** tax.
  - A city that is in a county that has chosen not to levy the **HB 1406** tax

A "qualifying local tax" is defined as the affordable housing levy, property tax levies dedicated to affordable housing, the sales and use tax for housing and related services, or the sales and use tax for chemical dependency and mental health treatment services or therapeutic courts.

## 12. State contacts

**Department of Commerce, Growth Management Services:** For technical assistance on planning for housing, contact Anne Fritzel, Senior Planner, [Anne.Fritzel@commerce.wa.gov](mailto:Anne.Fritzel@commerce.wa.gov) (360) 725-3064 <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/>

**Department of Commerce, Community Services and Housing Division:** For technical assistance on financial programs, specifically **SHB 1406**, contact **Emily Grossman, Housing Policy Lead**, [emily.grossman@commerce.wa.gov](mailto:emily.grossman@commerce.wa.gov) 360.725.2798

**WSDOT Development Review:** For technical assistance for protecting project applications from appeal based on transportation impact, contact the WSDOT Development Services office for your region, or Barb De Ste. Croix, PS&E and Development Services Manager, [destecb@wsdot.wa.gov](mailto:destecb@wsdot.wa.gov) (360) 705-7251.

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<https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/>



**Department of Ecology, State Environmental Policy Act (SEPA) Assistance:** Contact Brendan McFarland (360) 407-6976 [bmcf461@ecy.wa.gov](mailto:bmcf461@ecy.wa.gov), Fran Sant Environmental Planner, (360)407.6004 [fsan461@ecy.wa.gov](mailto:fsan461@ecy.wa.gov)  
<https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance>

**Washington Department of Labor and Industries:** For information on inspection and approval of construction of tiny homes on wheels. [www.lni.wa.gov/TradesLicensing/FAS/default.asp](http://www.lni.wa.gov/TradesLicensing/FAS/default.asp)

**Building Code Council:** <https://apps.des.wa.gov/SBCC/>

**Washington Center for Real Estate Research:** <http://realestate.washington.edu/research/wcrer/>

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<https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/>