
CED Committee Members:

Chair – Anthony Wright
Chance La Fleur
Beau Chevassus

Support Staff:

Chris Pasinetti, CD Director
Chris Searcy, City Administrator

AGENDA

COMMUNITY & ECONOMIC DEVELOPMENT (CED) COMMITTEE

CITY OF ENUMCLAW – VIRTUAL TEAMS MEETING

Monday, June 13, 2022

*******4:30PM*******

I. OLD BUSINESS

- A. Meeting Summary from May 9, 2022
- B. Ordinance No. 2738, Temporary sign code amendments

II. NEW BUSINESS

- A. Design Review Board Member removal
- B. Building permits and uses
- C. Department of Commerce Grants (Climate & Housing)

III. ADJOURNMENT

Next Scheduled Meeting: June 20, 2022 --- 4:30 p.m

CSD Committee Members:
Chair – Anthony Wright
Chance La Fleur
Beau Chevassus

Support Staff:
Chris Pasinetti, CD Director
Chris Searcy, City Administrator

CSD SUMMARY

COMMUNITY & ECONOMIC DEVELOPMENT (CED) COMMITTEE

CITY OF ENUMCLAW – VIRTUAL TEAMS MEETING

Monday, May 9, 2022

******* 4:30 p.m. *******

THE MEETING BEGAN AT 4:35 PM AND ENDED AT 5:30 PM. COUNCILMEMBERS WRIGHT, CHEVASSUS AND LA FLEUR PRESENT AS WELL AS STAFF MEMBER CHRIS PASINETTI.

I. OLD BUSINESS

- A. Meeting summary from April 25, 2022 approved.
- B. Temporary Signs. Pasinetti gave a description of the extremely large “event” sign installed by a local business owner. This resulted in a code enforcement action as city’s temporary sign code does not permit banners or any signs this large to be installed.

II. NEW BUSINESS

- A. Grace Point Church Annexation. Pasinetti described the annexation request along with background on the annexation. Resolution No. 1754 would approve the annexation as request. Councilmember La Fleur stated that he felt that they set a precedent annexing the Mount Rainier Christian Center and they should honor that. The committee agreed and supported the annexation request.
- B. Building permit fee reduction for solar energy projects. Pasinetti gave an overview of some of the recent solar energy projects and the building permit costs. Description of what other cities are doing. The committee discussed the possibility of a building permit discount and was not in favor of providing a discount.
- C. Planning Department workload and hiring status. Pasinetti described the current workload in the Planning Department. With the inclusion of an annexation and the lack of planning staff to process this application along with all of the other land use and building permits, a consultant will be needed to complete the current amount of work in the department. Councilmember LaFluer asked if staff knew what the approximate cost of hiring a consultant to process the annexation if the request is accepted? Pasinetti stated that after contacting a couple consultation firms, the approximate cost would be \$15,000 to \$18,000; which appears to be consistent with the time spent by staff on the last annexation.

III. AJOURNMENT

5:30 pm



City Council
AGENDA BILL

MEETING DATE: 06/13/2022

SUBJECT: Public Hearing Ordinance No. 2738 Amending the Municipal Code regarding temporary signs

CATEGORY: ORDINANCE	2738	BUDGET IMPACT: Reduction in Plan review fees	
		Expenditure Budget:	\$
		Revenue Budget:	\$
		Proposed Budget Amendment:	\$

RELATED ORDINANCE OR RESOLUTION NO. 2738

ATTACHMENTS: Staff report, DRAFT Ordinance

STAFF CONTACT: Chris Pasinetti, Community Development Director

SUMMARY/BACKGROUND: Public hearing for Ordinance No. 2738. The ordinance would amend the sign code specific to temporary signs and exemptions. The amendments are necessary to clarify the code requirements regarding temporary signs and permits required for certain temporary signs.

In 2018 the City of Enumclaw adopted Ordinance No. 2645 which adopted major revisions to the city sign code regulations. Implementation of the codes has been difficult regarding temporary signage for city staff and code enforcement. Particularly during election season. The proposed amendments will adopt reasonable regulations regarding temporary signs, locations, sizes, and materials.

The Planning Commission reviewed a DRAFT proposal for these sign code amendments on March 24, 2022. The Planning Commission held a public hearing on the proposed amendments on May 26, 2022. After the close of the public hearing the commission made a recommendation to pass the amendments. The amendments are attached as an Exhibit to Ordinance No. 2738.

RECOMMENDATIONS:

DATE SENT TO COMMITTEE: 06/07/2022

DATE RETURNED: 06/07/2022

COUNCIL COMMITTEE:

STAFF: Recommends opening the public hearing, accept testimony and after close of the public hearing give first reading of Ordinance No. 2738

(BELOW TO BE COMPLETED BY CITY CLERKS OFFICE)

COUNCIL ACTION:

APPROVED

DENIED

TABLED/DEFERRED/NO ACTION

MOVED TO SECOND READING (ordinances only)

1ST reading _____

Enactment reading _____

ORDINANCE # _____

RESOLUTION # _____



STAFF REPORT

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Mayor and City Council

FROM: Chris Pasinetti, AICP, Community Development Director

DATE: For the June 13, 2022

SUBJECT: Public Hearing for Ordinance No. 2738, amendments regarding temporary signs

Sign Code Amendments

PROPOSAL: The proposal would amend the sign code specific to temporary signs and exemptions. The amendments are necessary to clarify the code requirements regarding temporary signs and permits required for certain temporary signs.

REVIEW AND BACKGROUND: In 2018 the City of Enumclaw adopted Ordinance No. 2645 which adopted major revisions to the city sign code regulations. Implementation of the codes has been difficult regarding temporary signage for city staff and code enforcement. Particularly during election season. The proposed amendments will adopt reasonable regulations regarding temporary signs, locations, sizes, and materials.

The Planning Commission reviewed a DRAFT proposal for these sign code amendments on March 24, 2022. At that meeting the commission did not have many comments regarding the proposed changes. At that meeting staff had recommended a few additional changes that are incorporated in the attachment to this staff report. On May 26, 2022, the Planning Commission held a public hearing on the proposed amendments and at the conclusion of the hearing made a recommendation to the City Council to pass the amendments as proposed.

Ordinance No. 2738 (Exhibit A) amends the exemption and temporary sign sections within Chapter 19.10. In general, the Exemptions section (19.10.050) is edited, removing temporary sign exemption and legal non-conforming signs. The Temporary Signs (19.10.210) section is edited to outline the areas where temporary signs are not allowed to be placed. The section also states that signs that are two (2) square feet and limited to three (3) feet in height are exempt from a sign permit.

The proposed amendments will help outline the rules and regulations for city staff and for the public.

RECOMMENDATION: Staff recommends the City Council open the Public Hearing for Ordinance No. 2738. After receiving all of the testimony, close the public hearing and give first reading of Ordinance No. 2738.

ATTACHMENTS:

- A. Comments received by the public**
- B. Draft Ordinance No. 2738**

From: [Chris Searcy](#)
To: [Chris Pasinetti](#)
Subject: FW: sign issues
Date: Monday, February 7, 2022 11:32:17 AM

[She had your email address incorrect...](#)

From: Almost Necessities [mailto:almostnecessities@aol.com]
Sent: Monday, February 7, 2022 11:25 AM
To: CPasinetti@ci.enumclaw.wa.us
Cc: Jan Molinaro <JMolinaro@ci.enumclaw.wa.us>; Chris Searcy <CSearcy@ci.enumclaw.wa.us>
Subject: sign issues

Good morning,

My name is Peggy Wenham and my husband, Toby, and I own the Enumclaw National Bank Building downtown. We are, also, former business owners of 3 different retail shops downtown. One for five years, one for 25 years and one for 16 years. During that time we were very active in promoting downtown with the Chamber, Enumclaw Downtown Partnership, in which I helped establish and was President for a couple of years and Live Local 98022. I'm telling you this so that you don't think that I'm some flake with a petty complaint. Toby and I both care about the prosperity and aesthetics of our Historic downtown. My complaint is against Ryan Lundeen. I have told him twice now that I don't want his signs in front of my building. I have removed them and he has replaced them 4 times. We had a conversation on Friday afternoon. Ryan was accusing Trip Hart of stealing his signs when in fact I gave Trip permission to take them down for me as I wasn't sure I was going to be in town. And it's not just Ryan's signs that I object to. I don't want any signs in the planted area in front of our building. It makes downtown look trashy. I was going to try to explain this to him but because he wouldn't stop interrupting me and making false accusations, I was unable to get through to him. It is probably pointless to complain about this now since the election is tomorrow but I want it on the record. I would also like to see the City put a permanent ban on any and all signage in all of the planted areas in the downtown core.

Thank you for your time.

Peggy Wenham
Almost Necessities

ORDINANCE NO. 2738

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON REPEALING CHAPTER 19.10, ENUMCLAW MUNICIPAL CODE, “SIGNS” AND ENACTING A NEW EMC CHAPTER 19.10, “SIGN CODE”.

WHEREAS, Chapter 19.10 Enumclaw Municipal Code (EMC) set forth the purposes and intent of allowable signage, and

WHEREAS, to maintain the classic downtown atmosphere of the City in light of new technology and graphics in commercial signage, changes in the sign code are necessary, and

WHEREAS, signage is necessary to identify commercial establishments, and

WHEREAS, the sign code is consistent with the Comprehensive Plan and has no adverse environmental effect, and

WHEREAS, sign code amendments were made in 2018 to maintain content neutrality; and

WHEREAS, certain provisions within the temporary sign section and exemption section conflicted with each other; and

WHEREAS, the proposed amendments rectify that conflict as well as includes other provisions to aid in the implementation of the sign code and temporary sign code sections; and

WHEREAS, a SEPA Determination of Non-significance was issued on April 13, 2022; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on May 26, 2022 and recommended to the city council to approve the

amendments as proposed; and

WHEREAS, The City Council held a public hearing on June 13, 2022.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1: Section 19.10, "Signs" EMC, is hereby amended as shown in Exhibit "A".

Section 2: If any provision of this ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance shall remain in force and effect.

Section 3: This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law

PASSED IN REGULAR AND OPEN SESSION this _____ day of _____, 2022.

Mayor Jan Molinaro
INTRODUCED _____
PASSED _____
APPROVED _____
PUBLISHED _____

Attested:

Approved as to Form:

Maureen Burwell, City Clerk

Michael J. Reynolds, City Attorney

(Underlined text is added, struck-out ~~text~~ is deleted):

19.10.050 Exemptions

The following signs or activities relating to signs are exempt from the permitting requirements of this chapter:

~~A. Legal nonconforming signs.~~

BA. The normal repair and maintenance of conforming or legal nonconforming signs.

~~C. Temporary signs on private property or public property, meeting the requirements in EMC 19.10.210 (Temporary Signs).~~

~~D. Temporary signs meeting the following standards are exempt from the requirements of this chapter:~~

~~1. Five signs total; and~~

~~2. The sign or signs is displayed for a period of five days each up to 25 days per calendar year; and~~

~~3. The area of the sign is 24 square feet or less; and~~

~~4. The height of the sign is six feet or less.~~

EB. Building identification numbers and occupant names or plaques, including but not limited to business logos or social media, i.e., nameplates not exceeding two square feet in area containing the name of the occupant of the premises.

FC. Governmental signs. Signs installed by the city, county, or a federal or state governmental agency for the protection of the public health, safety and general welfare, including, but not limited to, the following:

1. Emergency and warning signs necessary for public safety or civil defense;

2. Traffic and/or wayfinding signs erected and maintained by an authorized public agency;

3. Signs required to be displayed by law;

4. Signs showing the location and providing information on public facilities, tourist spots and public points of interest; and

5. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety and general welfare.

GD. Flags. Any flags, provided that they conform to all provisions of this chapter for signs.

~~HE~~. Stone or cement plaques and cornerstones with engraved or cast text or symbols and permanently embedded in the building's foundation or masonry siding materials, provided that none of these exceed four square feet in area.

~~IF~~. Interior signs. Signs or displays located entirely inside of a building and located at least three feet away from transparent doors and windows.

~~JG~~. Vehicle with signs. Any sign on a currently licensed and operable motor vehicle parked or driven on a roadway, driveway or vehicle parking area, where the primary function of the vehicle is not to display the sign (i.e., delivery vans and trucks or service vehicles).

~~KH~~. Temporary signs in windows. ~~Any~~ temporary sign taped or otherwise affixed to the inside of a window, in such a manner as to be easily removed, ~~provided that the sign complies with the restrictions of EMC 19.10.070(M) (Prohibited Signs) and 19.10.210 (Temporary Signs) and does not exceed four (4) square~~ feet.

~~LJ~~. Bench signs. Any outdoor bench or furniture with any signs one square foot or less in area.

~~MJ~~. Original noncommercial art displays are allowed; provided, that they meet the following requirements:

1. Must not be placed on a dwelling;

2. Must not extend more than six inches from the plane of the wall upon which it is painted or to which it is affixed;

~~3. Must be no more than 64 square feet in size, per lot or parcel;~~

~~43~~. Compensation will not be given or received for the display of the original art or the right to place the original art on site; and

~~54~~. Must not be illuminated.

~~NK~~. Noncommercial statues.

~~OL~~. Nonverbal symbols attached to places of worship.

~~PM~~. Privately maintained traffic control signs in a subdivision with private roads.

~~QN~~. Signs on structures or improvements intended for separate use, such as phone booths, donation containers and newspaper recycling boxes.

~~RO~~. Permanent noncommercial private signs not exceeding ~~two~~four square feet per sign face, regulating pedestrian and vehicular circulation and parking of a development, such as signs imposing parking restrictions and identifying entrances to parking lots and buildings.

19.10.210 Temporary Signs

Certain temporary signs ~~not exempted by EMC 19.10.050 shall~~ be allowed under the conditions listed below.

H. City Right-of-Way outside of the Roadway. Temporary signs are prohibited from being placed within roundabouts, medians, shoulders, travel lanes and areas of the public right-of-way that are not accessible by a sidewalk or pedestrian walking path. Temporary signs shall not be located in right-of-way adjacent to public property owned or under the control of a unit of federal, state or local government, or special purpose district such as a school, park, public utility, port or library district, unless otherwise approved by the unit of government or special purpose district, or as conditioned in a right-of-way use permit.~~in the roadway.~~ Temporary signs on city right-of-way placed outside of the roadway must comply with the following requirements:

1. Location. Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the roadway pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrian or vehicular use,~~or as conditioned in a right-of-way use permit.~~
2. Approval of Abutting Owner. Approval of the abutting owner is required.
3. Type. Temporary signs on stakes ~~that can~~shall be manually pushed or hammered into the ground are allowed.
4. Size and Height. Limited to four square feet and three feet in height. Temporary signs limited to two square feet and three feet in height, and comply with all of the requirements outlined in EMC19.10.210(H)(1-4) are exempt from a temporary sign permit.
5. Dilapidated, Abandoned or Nuisance Signs. Any temporary sign in the right-of-way that is dilapidated, abandoned or a nuisance shall be removed by the person responsible for placement of the sign.
6. The time limits of subsection A of this section shall not apply to temporary signs in the city right-of-way. Temporary signs authorized by this subsection H shall be newly constructed when installed and shall be removed within 45 days after each year's November general election held immediately after installation.

DRAFT Feb 2022



City Council
AGENDA BILL

MEETING DATE: 06/13/2022

SUBJECT: Design Review Board Member Removal

CATEGORY: RESOLUTION

BUDGET IMPACT:

Expenditure Budget: ~~150~~

Revenue Budget: ~~150~~

Proposed Budget Amendment: ~~150~~

RELATED ORDINANCE OR RESOLUTION NO.

ATTACHMENTS:

STAFF CONTACT: Chris Pasinetti

SUMMARY/BACKGROUND: A request to remove Nick Cochran from his appointment on the Design Review Board (DRB). Mr. Cochran was appointed to the Design Review Board in January of 2017. Since 2020, Mr. Cochran has missed all of the DRB meetings excluding one (November of 2020).

RECOMMENDATIONS:

DATE SENT TO COMMITTEE: 06/13/2022

DATE RETURNED: 06/13/2022

COUNCIL COMMITTEE:

STAFF: Approve

(BELOW TO BE COMPLETED BY CITY CLERKS OFFICE)

COUNCIL ACTION:

- APPROVED
- DENIED
- TABLED/DEFERRED/NO ACTION
- MOVED TO SECOND READING (ordinances only)

1ST reading _____

Enactment reading _____

ORDINANCE # _____

RESOLUTION # _____



STAFF REPORT

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Mayor / City Council
FROM: Chris Pasinetti, Community Development Director
DATE: For the City Council Meeting June 13, 2022
SUBJECT: Design Review Board Member removal

SUMMARY OF REQUEST:

A request to remove Nick Cochran from his appointment on the Design Review Board (DRB).

BACKGROUND AND REVIEW:

Mr. Cochran was appointed to the Design Review Board in January of 2017. Since 2020, Mr. Cochran has missed all of the DRB meetings excluding one (November of 2020).

RECOMMENDATION:

Mr. Cochran's contributions have been appreciated, however it's important to attend meetings regularly. Staff recommends removing Mr. Cochran from the DRB to give the city an opportunity to recruit a member who may have more time to dedicate to the DRB and their duties.



STAFF REPORT

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Community and Economic Development
FROM: Chris Pasinetti, AICP, Community Development Director
DATE: For the June 13, 2022
SUBJECT: Department of Commerce Grants (Middle income housing & climate change)

PROPOSAL: The Governor and the Legislature made a historic investment in Growth Management Act planning during the 2022 Legislative Session. As a result, Department of Commerce expects to provide grant funding to all counties, and cities within those counties, in advance of their upcoming comprehensive plan and development regulation “periodic updates,” required under RCW 36.70A.130(5).

As part of the grants funding above, additional funding is being provided this year for middle income housing and climate resiliency.

Middle Housing Grant Program

Funding for Eligible Cities

Starting in mid-May, Middle Housing Grants will be available to cities within King, Kitsap, Pierce and Snohomish counties as follows.

Funding Amounts:

- Cities over 20,000 population: \$100,000
- Cities 10,000 – 20,000 population: \$75,000
- Cities under 10,000 population: \$60,000

This funding will be available for **State Fiscal Year 2023 (July 1, 2022 – June 30, 2023)**.

Grant Requirements

Grantee jurisdictions must conduct actions relating to adopting ordinances that authorize middle housing types on at least 30% of lots currently zoned as single family residential. “Middle housing types” include

duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, cottage housing and stacked flats.

Each city must use a racial equity analysis and establish anti-displacement policies as required under [RCW 36.70A.070\(2\)\(e\)](#) through (h) to ensure there will be no net displacement of very low, low or moderate-income households, as defined in [RCW 43.63A.510](#), or individuals from racial, ethnic and religious communities which have been subject to discriminatory housing policies in the past.

Application Materials

Some of our materials were updated as a result of feedback received in last week's pre-application workshop. Please click on the following links to see our [workshop power point](#) and [workshop Q&A](#). Select one of the following links for the updated [Grant Application \(Word\)](#) and the updated [Application Instructions \(PDF\)](#). For the first round of grants, applications and supporting documentation must be emailed to gmsgrants@commerce.wa.gov by 5:00 p.m. on Thursday, June 9, 2022 PST. A second round of grants will be offered to jurisdictions that can submit a letter of intent by the same date and time as the round one applicants. If you meet this qualification, second round applications can be submitted to gmsgrants@commerce.wa.gov up until 5:00 p.m. on July 5, 2022 PST. Please let us know if you have any further questions.

Commerce will prioritize applications which:

- Aim to authorize middle housing types in the greatest proportion of zones.
- Plan to subcontract with multiple community-based organizations that represent different vulnerable populations in overburdened communities, as defined in [RCW 70A.02.010](#) that have traditionally been disparately impacted by planning and zoning policies and practices, to engage in eligible activities.

Climate Program - Early Planning Grants

Funding for Eligible Counties and Cities

Commerce is providing \$2.3 million in grant funding for counties and cities to incorporate climate action into their periodic updates. Climate change elements in local comprehensive plans are not currently required by state law. However, this climate program grant is intended to support those jurisdictions that are ready to proceed with climate change planning activities.

Grant funding will be available through a competitive application process to counties and cities with a 2024 periodic update deadline, and funds must be applied toward eligible activities. Counties will be eligible for up to **\$100,000**, and cities will be eligible for up to **\$80,000**, with funding available for **State Fiscal Year 2023 (July 1, 2022 – June 30, 2023)**.

Grant Requirement and Eligible Activities

Jurisdictions need to focus efforts on one of the following activities for grant applications.

Green House Gas Emissions:

- Identification or implementation of measures to reduce per capita greenhouse gas emissions or per capita vehicle miles traveled.

Vulnerability and Risk Assessment:

- Explore climate-related trends to identify current and anticipated impacts.
- Identify vulnerable populations and assets (social, economic, environmental).
- Characterize risks for such assets to identify where policies are needed.

Commerce Encourages the Following:

Counties and cities that have never previously conducted one of the eligible activities are encouraged to apply. We encourage jurisdictions to include measures that generate co-benefits of improved ecological function and increase resilience or livability in areas with social, economic or environmental health disparities.

Application Materials:

To apply, select from the following links for the [Grant Application \(Word\)](#) and the [Application Instructions \(PDF\)](#). For the first round of grants, applications and supporting documentation must be emailed to gmsclimate@commerce.wa.gov by 5:00 p.m. on Friday, June 17, 2022 PST. A second round of grants will be offered to jurisdictions that can submit a letter of intent by the same date and time as the round one applicants. If you meet this qualification, second round applications can be submitted to gmsclimate@commerce.wa.gov up until 5:00 p.m. on July 15, 2022 PST. If you would like to learn more, please select the link to the [power point presentation](#) from the **pre-application** workshop held on May 19, 2022. For more information on Commerce's Climate Program, visit the [Climate Program page](#).

Middle Housing Grant Q&A

Summary:

In the 2022 legislative session, Growth Management Services (GMS) received \$7.5 million to create a grant program for middle housing. In May, GMS formalized the grant program application process, grant requirements, and provided an informational workshop on May 23, 2022 to discuss the program with potential applicants. Approximately 30 city representatives attended the workshop, and asked questions. This Q&A captures those questions and answers, and others sent by email, providing an update to the grant program.

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Proviso excerpt:

MIDDLE HOUSING GRANT PROGRAM PROVISO EXCERPT

(189) \$7,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to administer grants to eligible cities for actions relating to adopting ordinances that would authorize middle housing types on at least 30 percent of lots currently zoned as single family residential.

For the purposes of this subsection, "middle housing types" include duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, cottage housing, and stacked flats.

- (a) For the purposes of this subsection, a city is eligible to receive a grant if:
 - i. The city is required to plan under RCW 36.70A.040; and
 - ii. The city is required to take action on or before June 30, 2024, to review and, if needed, revise its comprehensive plan and development regulations pursuant to RCW 36.70A.130(5)(a).
- (b) Grant recipients must use grant funding for costs to conduct at least three of the following activities:
 - i. Analyzing comprehensive plan policies and municipal code to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential;
 - ii. Preparing informational material for the public;
 - iii. Conducting outreach, including with the assistance of community-based organizations, to inform and solicit feedback from a representative group of renters and owner-occupied households in residential neighborhoods, and from for-profit and nonprofit residential developers;
 - iv. Drafting proposed amendments to zoning ordinances for consideration by the city planning commission and city council;
 - v. Holding city planning commission public hearings;
 - vi. Publicizing and presenting the city planning commission's recommendations to the city council; and
 - vii. Holding city council public hearings on the planning commission's recommendations.
- (c) Before updating their zoning ordinances, a city must use a racial equity analysis and establish antidisplacement policies as required under RCW 36.70A.070(2)(e) through (h) to ensure there will be no net displacement of very low, low, or moderate-income households, as defined in RCW 43.63A.510, or individuals from racial, ethnic, and religious communities which have been subject to discriminatory housing policies in the past.
- (d) The department shall prioritize applicants who:
 - i. Aim to authorize middle housing types in the greatest proportion of zones; and
 - ii. Subcontract with multiple community-based organizations that represent different vulnerable populations in overburdened communities, as defined in RCW 70A.02.010, that have traditionally been disparately impacted by planning and zoning policies and practices, to engage in eligible activities as described in (b) of this subsection.

SOURCE: Section 189 of [Engrossed Substitute Senate Bill 5693](#), the 2022 supplemental operating budget

Questions & Answers

WHAT DO YOU MEAN BY “MIDDLE HOUSING” AND 30%?

Q: The proviso seems to say that the 30% condition is only one of a list of seven activities a community must conduct with the grant funding, while the instructions reads as if the activities chosen must enable middle housing on at least 30% of lots. Is there a discrepancy here, or am I misreading the proviso? A: It is only one of the seven activities, but if you take it off the list, there is no direction about what you are supposed to be doing. (ii) through (vii) follow (i). (i) is very broad in the types of activities that you can do to meet the goal, so there is room for a lot of activities, but the goal is clearly stated.

Q: Does a city have to authorize all middle housing types or is a subset of them ok? A: The grant proviso includes a definition for “middle housing types”, which includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, cottage housing, and stacked flats. We suggest considering the whole suite of middle housing types, and think about where they might fit in your community. It may not be appropriate that all types are allowed in all parts of your community. For example, higher intensity types might be more appropriate in corridors or commercial nodes, where 2-3,4 plexes might be more appropriate for low density residential zones. None of the middle housing types may be appropriate in high density centers and transit station areas. The recommendations should take into account your public engagement findings, and document how the suite of middle housing types were considered.

Q: How are you calculating the 30%? Does it have to be considered in existing zones, or do we need to develop new zones? And are we calculating based on area or number of parcels? And when do you calculate that? A: We see the complications. The proviso said “lots” but there is definitely room for interpretation. If you are fully platted, you can count all lots. If you have a lot of unplatted land, look at area. There is no requirement to create a new zone. Also, Commerce realizes that many communities already changed their zoning with or without state funds. So any changes to your zoning code since January 1, 2019 (when housing action plan grants first were provided), may be considered in the calculation of 30%.

Q: We are struggling with this 30%. Does this refer to platted lots or land area? Could it be 30% of buildable or developable lots? We have issues with changing zoning on newly developed subdivisions. There is a lot of concern and fear from new homeowners if they hear of zoning changes. People are worried. A: The proviso appears to look at the net number of lots, and since middle housing is generally applied by zone, it would make sense to apply by zoning district. However, 30% can be however you work it out, but it appears to be total lots or area in the community. The Buildable Lands Report can help to see what is possible.

Q: 30% seems premature with the intentions of the grant to have middle housing conversations, and seems prescriptive. A: The grant program must reflect the language in the proviso. We are requiring that the application show a minimum of 30% of area or lots as a place where middle housing types are considered.

Q: How do you authorize the most middle housing types? Would you split some zones to allow more in other areas? How you achieve it is flexible. There is no specific requirement to change existing zones or create new ones.

Q: What would the deliverable be when final products are not required? A. The example scope of work shows deliverables as reports on the racial equity analysis, and on the middle housing work. Middle housing grant

deliverables could be draft policies to include in the comprehensive plan update, related to middle housing. Such policies are already required for areas inside the UGA as part of the periodic update. Another deliverable could be recommendations on which zones could accommodate which types of middle housing, or draft changes to zoning codes, permit structures, fees, etc., that could feed into the update.

Q: Even to just have those conversations by June of 2023 is a tight timeline. But if conversations are still going on in June 2023 – what would be the deliverables that are being submitted to Commerce? A: The way we think it might work is to include a review of the policies and regulations and structures. The range of things a city could do to address middle housing could include a report that provides the data, analysis, draft policies and recommendations for amendments to the development regulations. Much of this is already required for your housing element update.

Q: What if you already meet the 30% threshold? A: That's great! What types of other middle housing work you can do? Can you evaluate fees, permitting processes, and incentives? Could you refine the zoning, design, etc.? What else can you do to incentive or remove barrier to these housing types?

HOW MUCH COMMITMENT DOES A CITY HAVE TO MAKE TO GET THE GRANT?

Q: We don't have a commitment from the council to do this amount of work. Does this exclude us from working on this? What is your guidance for us if we don't have the ability to predict it's not going to go sideways when it goes to council? Council members in Washington and Minneapolis lost their seats over middle housing. A: There is no requirement to adopt the policy changes or zoning code amendments because the timeline is so short. We assume the legislature wanted cities to have these discussions and understand where these middle housing types are most appropriate in their community, and propose updates to their policies and regulations. There is enough money that the legislature envisioned every community would have these conversations. Regarding the City of Minneapolis, recent information is that the city has authorized about 9,000 housing units since they authorized middle housing on all lots in the city, and only 50 units are middle housing.

Q: It appears that the grant does not require us to adopt anything. Is that correct? A: Yes, due to the tight time frame, the grant requires certain activities, but should end with recommendations that would be eventually adopted or incorporated into the periodic update of the comprehensive plan and regulations.

Q: Is the letter of commitment from the mayor (or authorized official) required to even be eligible for the grant, or does it only factor into scoring for the "Local Commitment" points? A. A letter of commitment to authorize staff to do the work is required. Unlike the HAP grants, which required adoption of a final result, this grant, like the majority of growth management grants requires consideration of the proposals, but does not presuppose a final result. We do require agreement from city leadership to work on the issues. .

Q: Do you think it's essentially a non-starter for a city being awarded a middle housing grant if they can't state a commitment to that 30% threshold through their proposed eligible activities under the grant? A: The grant application requires you to submit a zoning map, buildable lands report, and a summary of how you might be considering getting to the 30% threshold. If that shows that it is possible, and that you are considering a minimum of 30% of lots, you would be able to receive the grant. If the map and analysis shows that you are only considering 10 or 20% of lots or area, you are not meeting the minimum threshold for receiving the funds.

Q: We thought we would not qualify because we don't have direction from council yet. We are still looking at our strategy for growth. One of their goals is to have more middle housing – but it would put the cart before the horse if we say we have this grant to do 30% of SF lots as middle housing – they will say they have not done the pre-work. A: This grant could be very good for your community to explore your middle housing goal and capacity. The intent is to queue up work in your periodic update. This will help define the goal for middle housing and see where it might work in your community.

Q: Our city has a Housing Action Plan (HAP) grant, but we are nervous about changing goal posts. With Vision 2050, we have a certain amount of growth they have to accommodate. The director is nervous about the perception that the two grants are similar but different perspective work products. A: The requirements for a housing action plan and a housing element are similar, and the work required by the middle housing grant is also similar to that needed for a housing element. Here is a chart with the major components

Housing Element RCW 36.70A.-070(2) (required for all GMA cities and counties)	Housing Action Plan (Optional grant to fund many required activities)	Middle Housing Grant Optional grant to fund mostly required activities	Other Comments
a. Housing needs assessment	Required		Housing projections by income band and for shelters will be provided by Commerce
b. Goals and policies..., for preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;	Must review housing element. Must develop strategies for meeting housing needs	Middle housing is one strategy, consider policies and zoning, and other programs to support middle housing	Local policies must be consistent with countywide planning policies and Vision 2050
c.. Land capacity analysis for housing	Required, and must analyze employment trends	May consider capacity for middle housing	Jurisdictions inside the Puget Sound region should have already completed a buildable lands report
d. adequate provisions for all economic segments, consider housing location relative to employment, ADUs	Suggested		
e.. to h. Address racial discrimination, exclusion and displacement in housing	Must address displacement	Must address racial discrimination, exclusion and displacement in housing	Guidance and technical assistance on this topic will come this summer
Community Engagement	Required	Required	
	Implementation Plan Required		

Q: This should be a tool to help with other work. So this will not create new goal posts? A: Correct. This can fund about half of the update requirements for the housing element. A HAP is optional, and helps support overall housing planning work.

WHAT ARE ELIGIBLE ACTIVITIES?

Q: If we already have a grant to develop code amendments (to do missing middle). Could we use this grant to supplement that grant to do more with addressing equity and displacement and other impediments to middle housing? A: Yes, but Commerce can't pay twice for the same thing – so we just need to clearly document what is covered under one grant and what is covered in another grant. But your other work to address middle housing should be consistent with this grant, considering all middle housing types, and considering on at least 30% of lots.

Q: So we do not have to use this funding to create a new zone. Could we create new zone? A: Yes.

Q: Could we conduct financial analysis of proposed policies to evaluate affordable housing requirements? A. The grant funds can be used to outreach to, communicate with, and educate the community on issues related to middle housing as long as the jurisdiction is using that outreach to evaluate the implementation of middle housing types on at least 30% of the lots currently zoned as single family. If some of that communication includes clear analysis and information on middle housing types, affordable housing, and implementation this could be included in the grant.

Q: Can the grant be used to assess displacement, equity, and other impediments to middle housing like fees, financing, etc.? A: Yes. Absolutely!

Q: Can the final deliverable be only draft comp plan policies, or would it also have to include draft zoning code amendments? A: In looking at the proviso, the language is “\$7,500,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to administer grants to eligible cities for actions relating to adopting ordinances that would authorize middle housing types on at least 30 percent of lots currently zoned as single family residential. “ The list of eligible activities leads with “(i) Analyzing comprehensive plan policies and municipal code to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential;”

Policy changes are certainly part of the support for code changes, and it is great time to review policies, but the intent of the proviso is beyond changing policies, it needs to be on the path to adopting ordinances, or changes in code. You will only have 12 months, so the analysis and shaping potential middle housing will take a while. A first draft of code amendments would likely be sufficient, or even a list of which specific code sections would be need to be revised.

TIMING OF APPLICATIONS AND POTENTIAL LEGISLATION

Q: Could we have more time? A: No. We may ask for re-appropriation of unspent funds, but it is uncertain as this is operating funds, not capital funds (capital funds are what is typically re-appropriated). The current state biennium is July 1, 2021 through June 30, 2023. Typically operating funds are to be spent within the biennium.

Q: If we choose to submit for the July 5 deadline – will we receive lower priority like the climate grants? A: No, we should be able to fund everyone in this program.

Q: Can you speak to missing middle housing bills that didn't pass? A. The middle housing bill (HB 1782) and others did not pass last year. It would have required significant densities around transit services. I have heard the bill may come back next session. We believe this grant program was intended as a voluntary approach at this time.

MORE DETAIL ON COMMERCE TECHNICAL ASSISTANCE OPPORTUNITIES

Comment: Cities like the sound of technical assistance. We have already come across the lack of capacity in the consultant world. So prepping a clear explanation of what those technical assistance people can do to help cities do the work would be really helpful.

Q: Is the interdisciplinary team to help reduce jurisdiction reliance on consultants? A: Yes, we recognize that it is very difficult to hire consultants, or staff, at this time. The interdisciplinary team is Commerce in-house assistance to support in-house city staff or hired consultants. The team will be able to help in several ways:

- Review existing comprehensive plans and other housing policies and suggest changes
- Review your local code and recommend approaches to allowing middle housing
- Assisting with community outreach
- Completing the racial equity analysis,
- Communications and messaging and a series of videos, presentations and handouts on various housing topics.

Q: What are you looking for in terms of the pilot studies for middle housing? A: We are looking for communities that have done the policy work for middle housing. We can then hire a national level firm that develops model missing middle housing codes and design guidelines for cities of different sizes.

Q: Our council isn't even aware of this need. Can we use the Commerce tech team to present on the need? A: yes! And we have provided slides on the grant program that local planners can use.

MORE DETAIL ON WORKING WITH COMMUNITY-BASED ORGANIZATIONS (CBOs)

Q: What are the parameters for subcontracting with CBOs? Are there certain eligibility requirements? Do they have to be based in the city? A: There are some guidelines for paying people to attend your meetings. We can find if there are state guidelines for working with CBOs. We will have to get back to you.

Q: When we hear "CBO" – we hears a cultural identity group, NGO, etc. Is there something more specific or broad this is referring to? A: We will have to do more research to find out that answer.

Q: Is it correct that we are not required to subcontract with community-based organizations, but applications that do include that aspect are prioritized? A: That is correct, subcontracting is not required, but consultation is certainly recommended. The proviso says that Commerce shall prioritize applicants who subcontract with multiple

community-based organizations that represent different vulnerable populations in overburdened communities, as defined in RCW 70A.02.010, that have traditionally been disparately impacted by planning and zoning policies and practices, to engage in eligible activities as described in (b) of this subsection.

Q: Regarding CBO subcontracting funds, application instructions state, “Additional funding requests will be reviewed after the first round of applications are received.” Is this above and beyond the base grant limits listed by city size (i.e. \$100K for cities over 20K pop)? Yes.

Q: Are there guidelines/limits for this additional CBO funding, and can you share that? There are no limits, but we put \$20,000 in the example. We have heard that it can cost \$2,000 to work with a community-based organization. So we thought about working with 10 groups. I think you would need to provide enough detail in your proposal to provide clear explanations about the improved engagement, and outcome based on how you would spend the extra money.

Q: Should the additional funding for CBOs be explained and requested through the grant applications due June 9, or will there be a separate request period for that CBO funding? The request should be submitted as the same time.

Q: Can you tell me more about Civic Spark Fellows to help with the work? [CivicSpark](#) is an AmeriCorps program operated by CivicWell (formerly the Local Government Commission) in California. Over the last seven years 500+ CivicSpark Fellows have contributed over 500,000 hours of support for hundreds of community resilience projects (e.g., climate action, affordable housing, mobility, and equitable community engagement) with over 250 public agencies. CivicSpark is coming to Washington in the Fall of 2022 and they are looking for local governments and organizations across the state who might be interested in hosting one or more AmeriCorps Fellows who will spend 11 months supporting local resilience projects including affordable housing.

CivicSpark places highly motivated emerging leaders with local organizations for 11-months to support research, planning, and implementation projects for community resilience. CivicSpark Fellows are AmeriCorps Members selected through a competitive national application process. Fellows have at minimum a college degree in a relevant field, as well as workplace and community service experience. Public agencies, state agencies, Tribes, and non-profit organizations can contract directly to host CivicSpark Fellows. To date, housing support projects have generally focused on priorities such as analysis of housing capacity and inventory, planning for increased housing supply, housing equity programs, and disaster recovery and rebuilding support. Applications are being accepted on a rolling basis, but they encourage interested applicants to apply in parallel with the Middle housing grant process (e.g. June 9). The local financial contribution is \$29,000, which can be covered by the grant.

For a bit more about the program, the background, and the process of getting involved, please see the attached flyer, visit the [Washington Partner page](#), check out a recent MRSC Blog posting at [Tapping the Power of Emerging Leaders for Climate Resilience](#) or reach out directly to Kif Scheuer (kif@farallonstrategies.com).