

# STAFF REPORT

Date: April 9, 2024  
To: City Council and Planning Commission  
From: Brad Medrud, Planning Manager



## 2025 Comprehensive Plan Periodic Update – Housing Tour

On a ten-year cycle, the City is required to conduct a Growth Management Act periodic update of its Comprehensive Plan and related development regulations. For the current cycle, the City is obligated to complete work on the periodic update by December 31, 2025. Work on the periodic update started in 2022.

The updated Comprehensive Plan will address diversity, equity, and inclusion throughout the Plan and incorporate many State required changes addressing housing, climate change, and other topics, as well as City amendments identified through the public engagement process.

The Joint City Council & Planning Commission Housing Tour will be on April 9, 2024, from 6:00 p.m. to 8:00 p.m. The focus of the tour will be on existing middle housing opportunities in Olympia and Tumwater, looking at what has worked and what can be improved as a way for us to start our discussion on Housing Element policy development and outcomes.

This staff report is intended to provide background information on the Housing Element and development code update requirements.

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## 1. The Need

It is clear there is a need to do more to support increasing the City's housing supply as part of the Comprehensive Plan update, even without the State requirements to do so.

### A. Statewide Need

According to the State Department of Commerce, statewide 1.1 million new homes will be needed in the next 20 years.

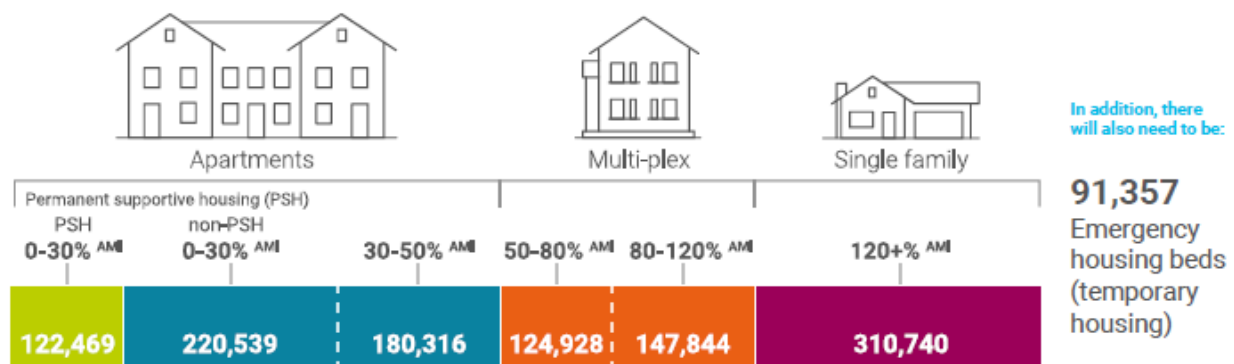


Figure 1. State Department of Commerce.

### B. Who Are We Planning For?

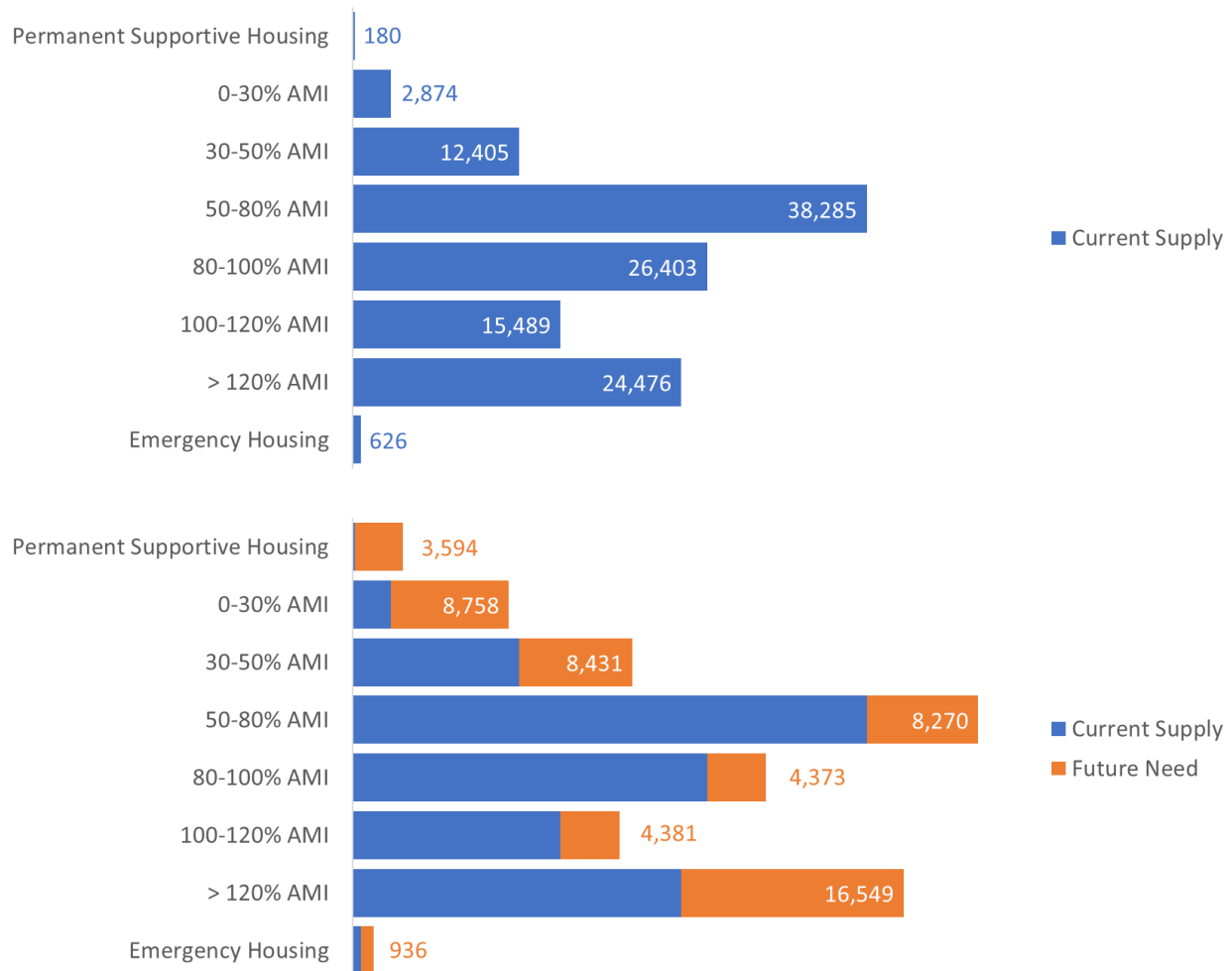
The State Growth Management Act requires the City to “**plan for and accommodate housing affordable to all economic segments of the population.**”

This means the City must plan for housing can be provided for all the categories of area median income (AMI) under 120% as well as emergency housing and shelter.

Income Category	Percent of Area Median Income	Equivalent Household Income*
Permanent Supportive Housing	0-30% AMI	Less than \$30,750
Extremely Low-Income		
Very Low-Income	30-50% AMI	\$30,751 to \$51,250
Low-Income	50-80% AMI	\$51,251 to \$82,000
Moderate-Income	80-100% AMI	\$82,001 to \$102,500
	100-120% AMI	\$102,501 to \$123,000
Remainder	>120% AMI	\$123,001 and greater

Also: Emergency Shelter, Emergency Housing (temporary shelter for people experiencing homelessness or at imminent risk of becoming homeless).

## C. Countywide Need



AMI = Area Median Income (\$102,500 in 2023)

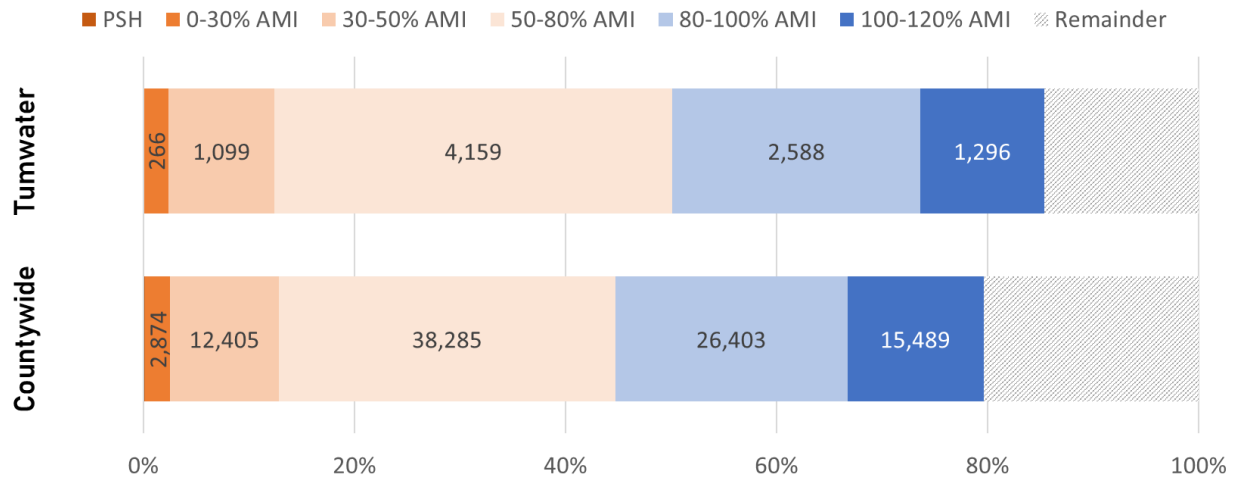
## D. City Need

### 1) Total 2020 Supply and 2045 Need

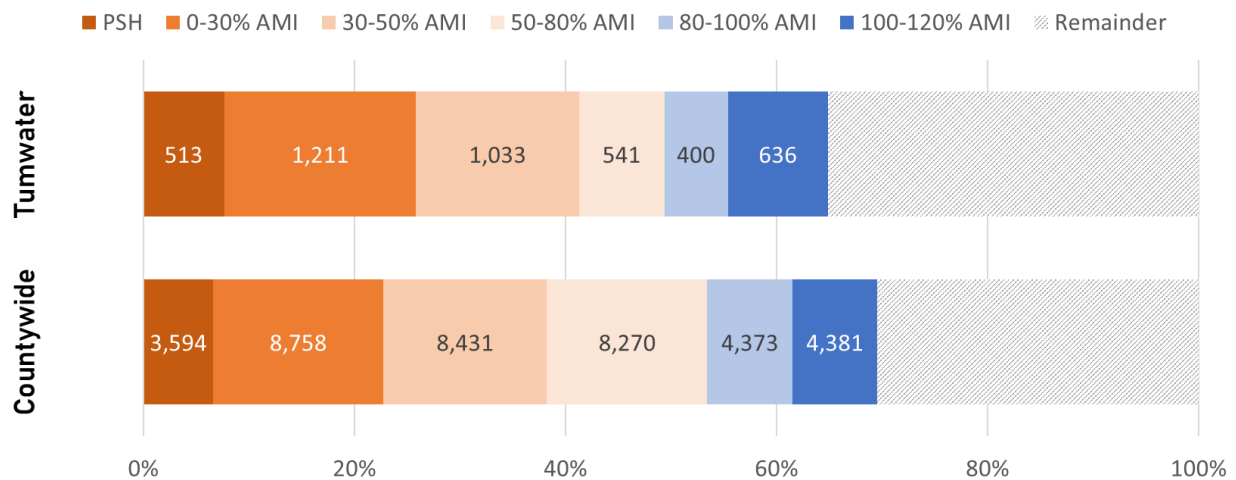
	City	UGA	Total
2020 Housing Supply	11,064	1,210	12,274
2020-2045 Housing Need*	6,676	2,516	9,192
	<b>+60%</b>	<b>+208%</b>	<b>+75%</b>

\*TRPC projection, adopted 2018

## 2) 2020 Housing Supply



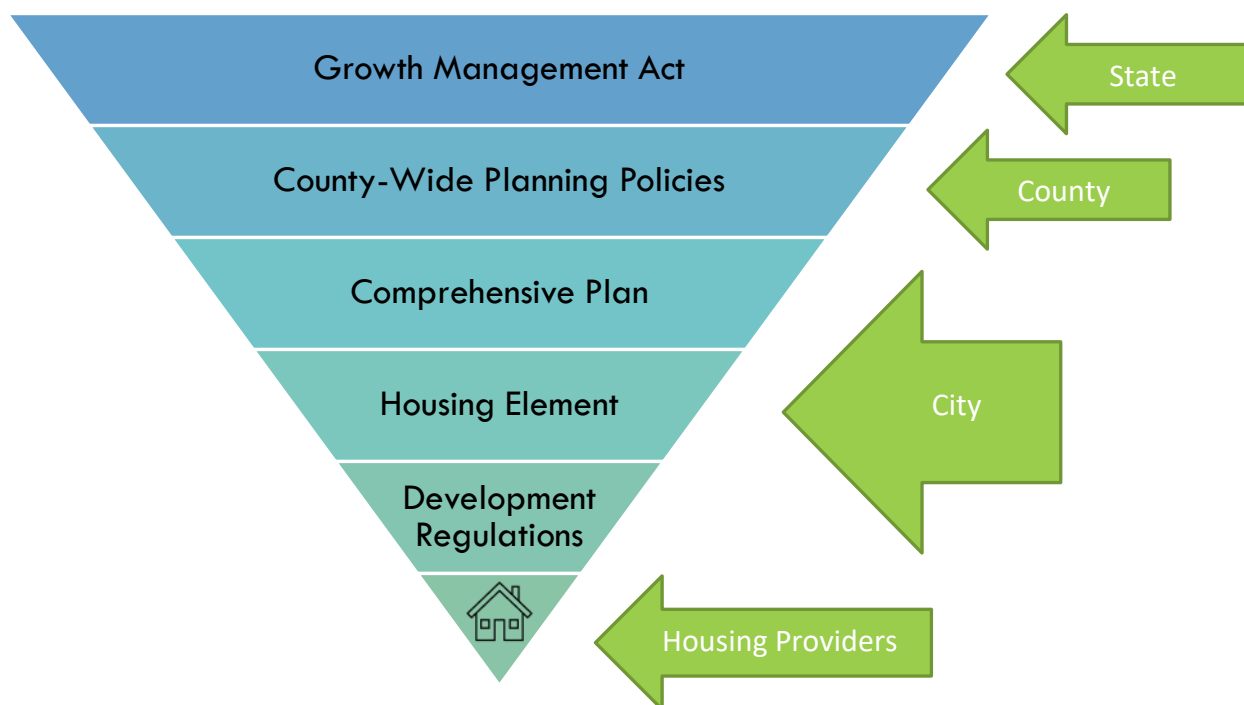
## 3) 2020-2045 Housing Need



PSH = Permanent Supportive Housing

## 2. Requirements for the Housing Element Update

### A. How All the Parts Are Related



### B. Growth Management Act

#### 1) Housing Goal

The state Growth Management Act (Chapter 36.70A Revised Code of Washington (RCW)) requires that the City demonstrate that each Element in its Comprehensive Plan meets the relevant fifteen planning goals contained within the Act. The fifteen goals guide the development and adoption of the City's Comprehensive Plan and development regulations.

The following is a summary of how the updated Housing Element will need to meet the housing goal of the Growth Management Act. The housing goal was substantially updated in 2022 by the state legislature.

4. **Housing.** *Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

How affordable housing will be accommodated for all economic classes will be specifically set forth in the Housing Element of the Comprehensive Plan. The Housing Element plays a role in working with the Land Use Element to allocate sufficient land to ensure an adequate supply of buildable land for housing serving each economic class.

Each residential land use designation, including the Mixed Use designation, will provide a variety of housing types at varying densities. Each Neighborhood subarea will also

need to contain sufficient variability in housing types to ensure housing needs can be met for all segments of the City's population for the next 20 years. It is expected that the 2021 Tumwater Housing Action Plan will inform the update of the Land Use and Housing Elements. The goals, policies, and actions of the current Housing Element are found in Appendix B of this staff report.

## **2) Requirements for Housing Elements**

In addition to the housing goal, the City's Housing Element will need to address the following state Growth Management Act requirements from RCW 36.70A.070 as substantially amended in 2023 to ensure the vitality and character of established residential neighborhoods.

1. Include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the State Department of Commerce, including:
  - a. Units for moderate, low, very low, and extremely low-income households; and
  - b. Emergency housing, emergency shelters, and permanent supportive housing;
2. Include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;
3. Identify sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and consideration of duplexes, triplexes, and townhomes;
4. Make adequate provisions for existing and projected needs of all economic segments of the community, including:
  - a. Incorporating consideration for low, very low, extremely low, and moderate-income households;
  - b. Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
  - c. Consideration of housing locations in relation to employment location; and
  - d. Consideration of the role of accessory dwelling units in meeting housing needs;
5. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
  - a. Zoning that may have a discriminatory effect;
  - b. Disinvestment; and



- c. Infrastructure availability;
- 6. Identify and implement policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
- 7. Identify areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
- 8. Establish antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

The adoption of nonproject actions taken that increase housing capacity, increase housing affordability, and mitigate displacement as required under RCW 36.70A.070, and that apply outside of critical areas, are not subject to administrative or judicial appeal under SEPA unless the adoption of the nonproject actions has a probable significant adverse impact on fish habitat.

The full text of the state requirements for the Housing Element from WAC 365-196-410 is found in Appendix C of this staff report. For a copy of the complete State Department of Commerce Expanded Housing Checklist, see Attachment D.

In addition to the state requirements in WAC 365-196-410, the City will need to address new state legislation regarding accessory dwelling units and conversion of existing commercial or office uses to residential uses. A summary of the State required Development Code amendments required as part of the update is found in Appendix D of this staff report.

### **3) Requirements for Middle Housing**

The Washington Legislature passed E2SHB 1110 in 2023. The bill requires the City to adopt development regulations allowing for middle housing on all lots zoned predominantly for residential use, including minimum unit per lot standards, maximum parking requirements, and requiring administrative design review in cases where design review is used.

The State Department of Commerce User Guide for Middle Housing Model Ordinances is found in Attachment I of the meeting packet and the current Tumwater Citywide Design Guidelines related to residential development are found in Attachments E through H of the meeting packet.

## **C. County-Wide Planning Policies – Affordable Housing**

The Growth Management Act requires that Thurston County and the other jurisdictions within the County coordinate their plans and make them consistent. The framework for this coordination is known as County-Wide Planning Policies, which was developed by Thurston

County in collaboration with its cities and towns in 1992 and last amended in 2015. The Policies are used to frame how the Comprehensive Plans of Thurston County and its seven cities and towns will be developed and coordinated.

The County-Wide Planning Policies cover a number of topics including urban growth areas, economic development, transportation, and coordination between the jurisdictions. It is expected that the Policies will be amended again after the Update process is complete to address new state requirements.

The specific County-Wide Planning Policies related to housing include the following:

**I. GENERAL POLICIES**

- 1.10 Meet basic human needs of clean water and air, healthy food, adequate housing, quality education, public safety, and equal access, regardless of socio-economic status.*

**VIII. AFFORDABLE HOUSING**

- 8.1 Increase housing choices to support all ranges of lifestyles, household incomes, abilities, and ages. Encourage a range of housing types and costs that are commensurate with the employment base and income levels of jurisdictions' populations, particularly for low, moderate and fixed income families.*
- 8.2 Accommodate low and moderate income housing throughout each jurisdiction rather than isolated in certain areas.*
- 8.3 Explore ways to reduce the costs of housing.*
- 8.4 Establish and maintain a process to accomplish a fair share distribution of affordable housing among the jurisdictions.*
- 8.5 Work with the private sector, Housing Authority, neighborhood groups, and other affected citizens, to facilitate the development of attractive, quality, low and moderate income housing that is compatible with the surrounding neighborhood and located within easy access to public transportation, commercial areas and employment centers.*
- 8.6 Regularly examine and modify policies that pose barriers to affordable housing.*
- 8.7 When possible, provide assistance in obtaining funding and/or technical assistance for the expansion or establishment of low cost affordable housing for low, moderate and fixed income individuals and families.*

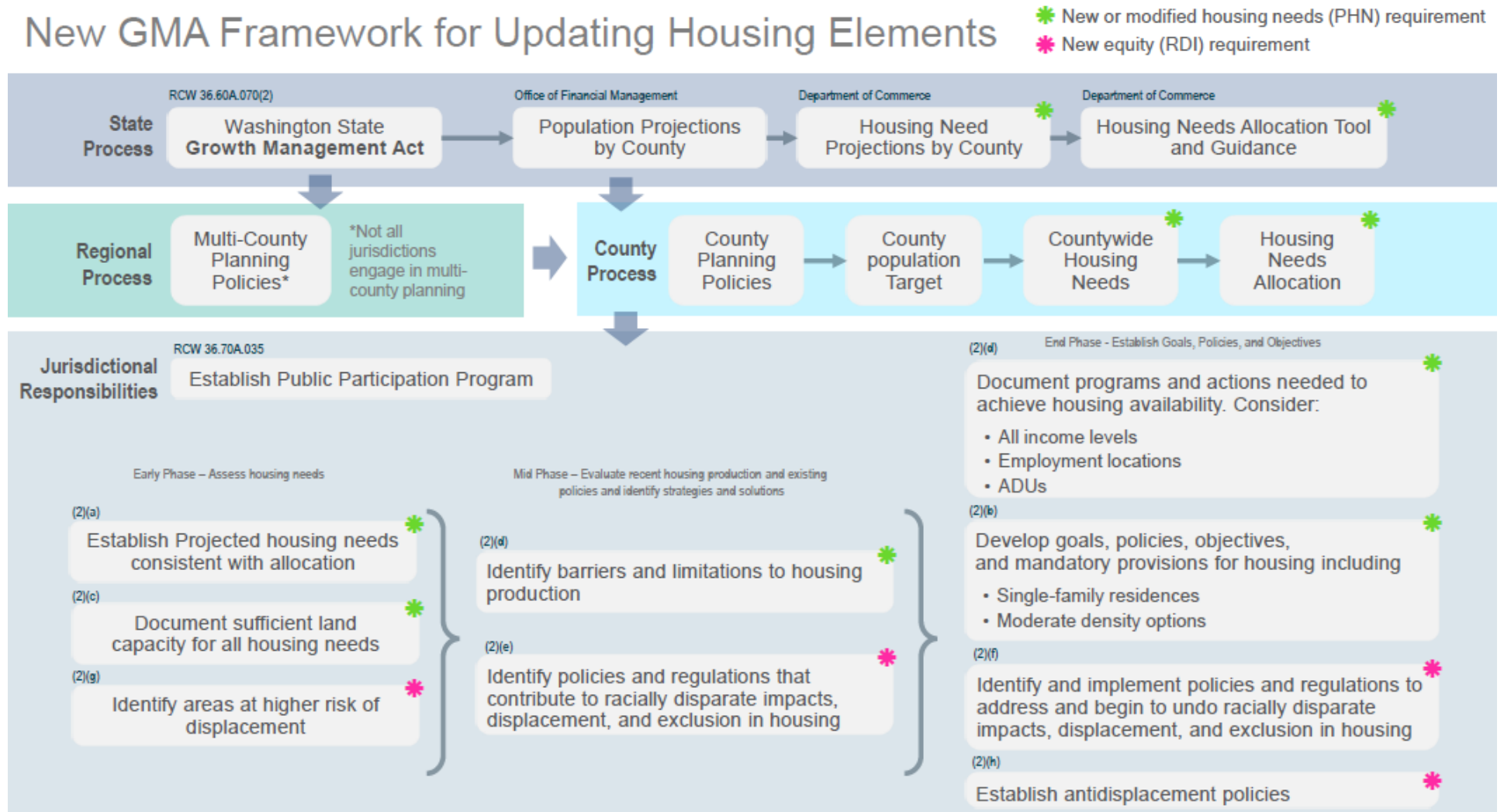


Figure 2. State Department of Commerce.

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## D. Other Related State Housing Laws

### 1) Washington Housing Policy Act

The Washington Housing Policy Act (RCW 43.185B.007 (1993 and amended 2004)) states:

*It is the goal of the state of Washington to coordinate, encourage, and direct, when necessary, the efforts of the public and private sectors of the state and to cooperate and participate, when necessary, in the attainment of a decent home in a healthy, safe environment for every resident of the state.*

[...]

*The objectives of the Washington housing policy act shall be to attain the state's goal of a decent home in a healthy, safe environment for every resident of the state by strengthening public and private institutions that are able to:*

- (1) Develop an adequate and affordable supply of housing for all economic segments of the population, including the destitute;*
- (2) Identify and reduce the causal factors preventing the state from reaching its goal;*
- (3) Assist very low-income and special needs households who cannot obtain affordable, safe, and adequate housing in the private market;*
- (4) Encourage and maintain homeownership opportunities;*
- (5) Reduce life-cycle housing costs while preserving public health and safety;*
- (6) Preserve the supply of existing affordable housing;*
- (7) Provide housing for special needs populations;*
- (8) Ensure fair and equal access to the housing market;*
- (9) Increase the availability of mortgage credit at low interest rates; and*
- (10) Coordinate and be consistent with the goals, objectives, and required housing element of the comprehensive plan in the state's growth management act in RCW 36.70A.070.*

## E. Sustainable Thurston Goals

The Sustainable Thurston project began in early 2011 with question for the Thurston Region's residents: "How do you want your community to look, function, and feel in 2035?"

Online and in person, a thousand of engaged residents helped the Sustainable Thurston Task Force craft a regional vision of sustainable development that encompassed land use, housing, energy, transportation, food, health, and other interconnected issues.

*Creating Places — Preserving Spaces: A Sustainable Development Plan for the Thurston Region* was intended to integrate sustainability into all regional decision-making to achieve a healthy economy, society, and environment.

Tumwater adopted as part of the Housing Element the following Sustainable Thurston housing goals:

#### **1.4.3 Housing Goals**

- H-1: Improve regulatory clarity and predictability to encourage urban infill and redevelopment.*
- H-2: Increase housing amid urban corridors and centers to meet the needs of a changing population.*
- H-3: Provide sufficient housing for low and moderate income households within each jurisdiction.*
- H-4: Maximize opportunity to redevelop land in priority areas by investing in infrastructure and environmental remediation.*
- H-5: Provide sufficient service enriched housing for homeless and high-risk populations*
- H-6: Encourage housing density and diversity in neighborhoods to add vibrancy and increase equitable access to opportunity.*
- H-7: Encourage the construction, weatherization, and operation of homes to boost energy efficiency.*

### **3. Racially Disparate Impacts**

As part of its Comprehensive Plan update, under HB 1220 (2023) the City must now do the following:

1. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
  - a. Zoning that may have a discriminatory effect;
  - b. Disinvestment; and
  - c. Infrastructure availability;
2. Identify and implement policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
3. Identify areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
4. Establish anti-displacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely

low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

The State Department of Commerce released the final version of the *Racially Disparate Impacts Guidance* April 2023. The Guidance offers recommendations on how the City's Housing Element might be updated to address new Growth Management Act requirements regarding racially disparate impacts, displacement, exclusion, and displacement risk.

Addressing the new housing element requirements warrants recognition that the City's current housing is the product of many forces including policy, regulations, macroeconomic changes, lending practices, cost of development, and individual preference.

Land use and related policies contribute to the City's housing conditions as they can impact who has access to "areas of opportunity" in our communities, including access to healthy environments, safety, recreational opportunities, education, jobs, nutrition, and other basic needs. Land use decisions also shape the cost to produce housing, by defining the types and sizes of homes that can be built. These constraints affect the affordability and accessibility of housing for different households, and more specifically, determining if and where households can live within a community, based on their income.

Increasing housing supply and opportunity, specifically at prices affordable to Black, Indigenous, and People of Color (BIPOC) households, is one approach to reduce equity-related effects that discriminatory practices have created. Examples of these effects include:

- Past practices like redlining and restrictive covenants have denied many minorities and low-income households the opportunity to share in wealth building offered by homeownership, resulting in lasting racial and economic inequities seen today.
- Homeownership is out of reach of many minorities and low-income households, making these households particularly vulnerable to housing insecurity and displacement caused by rising rents.
- Higher poverty rates in certain minority neighborhoods have contributed to disinvestment of capital, businesses, and services from these neighborhoods.
- Compared to wealthier neighborhoods, residents in lower income and minority neighborhoods often are less engaged and less represented in local government processes and decisions that directly affect their neighborhoods and quality of life.

As part of the update, the City is required to review any history of racially disparate impacts, exclusion, and displacement, and take actions to begin to undo patterns of racial segregation and exclusion in land use policy making. Most directly, land use decisions shape the cost to produce housing, and thus the affordability and accessibility of housing for different households. The City's review and updates to housing policies and regulations will seek to provide equitable opportunity for safe and healthy housing for all members of the community.

The Guidance recommends that the Housing Element update process include, among other items, an evaluation of data and policies, as well as community engagement, following the steps below.



Figure 3. State Department of Commerce.

To assist the City on the data evaluation component, the State Department of Commerce will be issuing a Racially Disparate Impact Data Toolkit. This Toolkit will provide the City with a base level of data to use in its analysis, particularly in identifying racially disparate impacts and exclusion.

Information on the following data parameters will be available in the Toolkit, which will include comparative data for Thurston County:

- Racial composition (2015 and 2020)
- Cost burden by race and tenure (2019)
- Rental housing affordability by income categories (2019)
- Households by income and race (2019)
- Owner and renter households by racial group (2019)

Currently, the Toolkits are only available to jurisdictions in King, Pierce, Snohomish, and Kitsap Counties, as these counties and their cities and towns have a December 31, 2024, periodic update deadline. Similar information will eventually be provided to other local jurisdictions in the State, as they get closer to their respective periodic update deadlines.

#### **4. Housing Action Plan**

The City Council adopted the Tumwater Housing Action Plan in 2021. The Plan is intended to inform the City's Comprehensive Plan policies and development regulations and to guide implementation strategies to help the City meet its housing needs and strategic objectives.

The Plan built on the affordable housing work the City had started in 2018. It was the next step in the process of identifying actions to increase the amount of affordable housing in the City.



The Plan consolidated all affordable housing action items into one document that the City uses to support the development of more affordable housing in the City.

The Housing Action Plan will be used to support the update of the Housing Element.



Figure 4. State Department of Commerce and BERK

## 5. Current Housing Element

### A. Background

The 2016 Housing Element of the Comprehensive Plan was prepared in accordance with the requirements of the Growth Management Act, adopted Thurston County-Wide Planning Policies, and Sustainable Thurston Policies and Actions.

The 2016 Housing Element covered the 20-year planning period from 2015 to 2035. The Housing Element of the Comprehensive Plan was last fully updated in 2016 and amended in 2021.

The goals, policies, and actions of the current Housing Element are found in Appendix B of this staff report.



## B. Structure

The current Housing Element consists of the following parts:

1. Introduction
    - 1.1 Introduction, including Table of Foundational Plans and Data
    - 1.2 Growth Management Act Goals Compliance
    - 1.3 County-Wide Planning Policy Compliance
    - 1.4 Sustainable Thurston Goals
      - 1.4.1 Priority Goals
      - 1.4.2 Community Goals
      - 1.4.3 Housing Goals
    - 1.5 Affordable Housing Definition
    - 1.6 Ongoing Review Program
    - 1.7 Amendments
  2. Existing Housing Distribution
    - 2.1 Introduction
    - 2.2 Housing Pattern
    - 2.3 Housing Trends and Projections
  3. Existing Housing Investment Profile
    - 3.1 Introduction
    - 3.2 Federal and State Housing Financing Programs
    - 3.3 Local Financing
    - 3.4 Conclusion
  4. Affordable Housing Needs
    - 4.1 Introduction
    - 4.2 Emergency Shelters and Transitional Housing
    - 4.3 Private Subsidized Housing
    - 4.4 Publicly Subsidized Housing
    - 4.5 Low and Moderate Income Definitions
    - 4.6 Housing Needs Gaps and Coordination Points
    - 4.7 Homelessness
    - 4.8 Conclusion
-

- 5. Housing Goals, Policies, and Actions
    - 5.1 Housing Goals, Policies, and Actions
  - 6. Regulatory Barrier Assessment
    - 6.1 Introduction
    - 6.2 Community Perceptions
    - 6.3 Growth Management
    - 6.4 Permitting
    - 6.5 Infrastructure
    - 6.6 Zoning Code
    - 6.7 Building Code
    - 6.8 Conclusion
  - 7. Citywide Housing Needs
    - 7.1 Introduction
    - 7.2 Housing Needs
    - 7.3 Conclusion
  - 8. Sufficient Land for Housing
    - 8.1 Introduction
    - 8.2 Identification of Expected Population
    - 8.3 Identification of Sufficient Land for Housing
    - 8.4 Sufficient Land for Specific Housing Needs
      - 8.4.1 Government Assisted Housing
      - 8.4.2 Housing for Low Income People
      - 8.4.3 Manufactured Housing
      - 8.4.4 Multi-Family Housing
      - 8.4.5 Group and Foster Care Homes
    - 8.5 Vacancy Rates
    - 8.6 Conclusion
  - 9. Existing and Future Housing Provisions
    - 9.1 Introduction
    - 9.2 Protection of Existing Housing Stock
    - 9.3 Low and Moderate Income Provisions
-

- 9.4 Regulatory Barriers to Affordable Housing
- 9.5 Sufficient Land for 20 Years of Housing
- 9.6 Employment
  - 9.6.1 Thurston County Employment Base
- 9.7 Unemployment
- 9.8 Conclusion

## C. Link to Current Housing Element

<https://www.ci.tumwater.wa.us/departments/community-development-department/tumwater-comprehensive-plan>

## **6. Housing Element Review and Update**

### A. Plan Development

- Identify barriers and limitations to housing production.
- Identify policies and regulations that contribute to racially disparate impacts, displacements, and exclusion in housing.
- Document programs and actions needed to achieve housing availability.
- Develop goals, policies, objectives, and mandatory provisions for housing.
- Identify and implement policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing.
- Establish antidisplacement policies.

### B Specific Topics Addressed as Part of the Update

- Incorporate consideration of Diversity, Equity, and Inclusion throughout
  - Environmental Justice
    - Special consideration for environmental justice in goals and policies (E2SHB 1181)
- Comprehensive Plan Update
  - Housing Element
    - Update goals, policies, and actions for the preservation, improvement, and development of housing.

- Revise to consider of housing locations in relation to employment locations and the role of accessory dwelling units.
- Revise inventory and analysis of existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction's share of housing need, as provided by the State Department of Commerce.
- Revise to include adequate provisions for existing and projected housing needs for all economic segments of the community.
- Revise identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing.
- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect, disinvestment, and infrastructure availability.
- Establish policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, Plans, and actions.
- Identify areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments.
- Establish anti-displacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.
- Update information on federal, State, and local financing programs.
- Update housing services provided by public and private service agencies.
- Update information on housing needs gap.
- Consider policies to support rental and residential inspections programs.
- Update regulatory barrier assessment, citywide housing needs, and existing and future housing needs to year 2045.
- Incorporate provisions of the updated 2023 Hazard Mitigation Plan as appropriate.
- Address Regional Housing Council and Five-Year Thurston County Homeless Plan

## C. Schedule

In March 2024, HB 2296 (SB 6150) extended the Comprehensive Plan and Development Code update deadline from June 30, 2025, to December 31, 2025. It did not extend any of the Commerce Contracts to change the due dates to spend the grants by June 2024 or June 2025.

### **1. Housing Element Development**

1. Continuing Community Outreach
  - January 2024 –December 2025
2. Joint City Council and Planning Commission Housing Tour
  - April 9, 2024
3. First Discussion – Discuss Housing Tour and Next Steps
  - General Government Committee April 10, 2024
  - Planning Commission April 23, 2024
4. Community Conversation – Housing
  - In Person Meeting May 29, 2024
  - Online Component May 29, 2024 – June 12, 2024
5. Land Capacity Analysis Complete
  - Summer 2024
6. Displacement Analysis Complete
  - Summer 2024
7. Second Discussion – Portions of Draft Element for review
  - Planning Commission August 13, 2024
  - General Government Committee October 13, 2024
8. Third Discussion – Complete Draft Element for Review
  - Planning Commission January 28, 2025
  - General Government Committee February 12, 2025

### **2. Comprehensive Plan Ordinance Adoption Process**

1. Prepare Ordinance
    - October 2024
  2. SEPA Review
    - April – May 2025
  3. Commerce Notice of Intent Review
-

- April – June 2025
- 4. Ordinance Adoption Process
  - Planning Commission March 2025 – August 2025
  - City Council September 2025 – December 2025

## Appendix A. Resources and Guidance

### 1. City of Tumwater

[2025 Comprehensive Plan Update | City of Tumwater, WA](#) contains links to guidance material and information about the update.

### 2. State Department of Commerce

#### A) General Guidance

The State Department of Commerce has provided guidance specific to the periodic update on their Periodic Update webpage.

<https://www.commerce.wa.gov/serving-communities/growth-management/periodic-update/>

[www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics](http://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics)

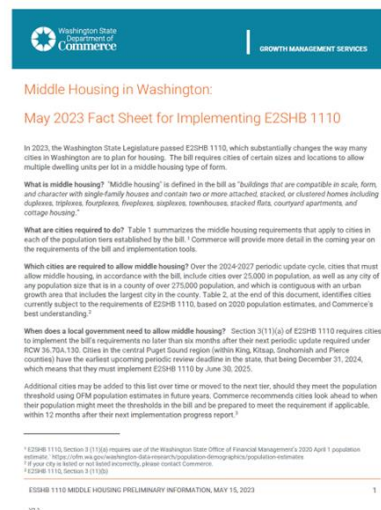
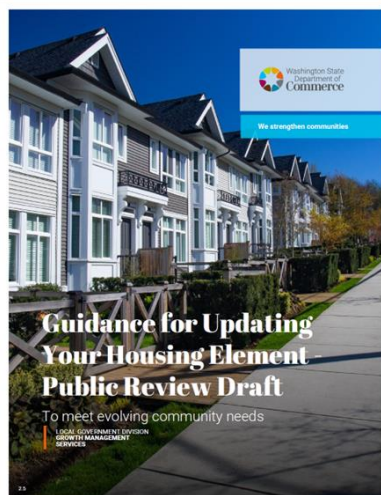
The State Department of Commerce has prepared a general webinar on the periodic update process.

[Periodic Update Workshop Kickoff](#)

#### B) Housing Guidance

The State Department of Commerce's Growth Management Act Housing Element webpage contains guidance on planning for housing under the Growth Management Act, including the new requirements established by House Bill 1220 (2021).

[Updating GMA Housing Elements - Washington State Department of Commerce](#)



The State Department of Commerce has prepared a number of webinars on how to address the new requirements.

[Guidance and Data for Updating Housing Elements: Implementing HB 1220](#)

[Guidance and Data for Updating Housing Elements: Land Capacity Analysis and Adequate Provisions](#)

[Updating your Housing Element: Racially Disparate Impacts Training](#)

[Talking Race for Planners Toolkit](#)

The State Department of Commerce maintains an Affordable Housing Planning Resource webpage containing a number of useful resources related to housing issues.

[Affordable Housing Planning Resources](#)

The State Department of Commerce recently released several materials related to missing middle housing and accessory dwelling units.

[Planning for Middle Housing](#)

### 3. Puget Sound Regional Council

The Puget Sound Regional Council as conducted a series of workshops on a variety of topics related to the periodic update.

[www.psrc.org/our-work/passport-2044-comprehensive-plan-workshop-series](http://www.psrc.org/our-work/passport-2044-comprehensive-plan-workshop-series)

### 4. Municipal Research Services Center

The Municipal Research Services Center has a Comprehensive Planning webpage.

<https://mrsc.org/getdoc/d7964de5-4821-4c4d-8284-488ec30f8605/Comprehensive-Planning.aspx>

And prepared held a webinar on updating a Housing Element

[MRSC Webinar on Housing Elements](#)

### 5. Association of Washington Cities

The Association of Washington Cities has prepared a series of short five-to-eight-minute videos covering various a number of topics related to Comprehensive Plans from roles and responsibilities, budget, and economic development to implementation, and community engagement. Each video comes with a set of discussion questions.



<https://wacities.org/data-resources/gma-comp-plan-conversation-starters>

## Appendix B. Current Housing Goals, Policies, and Actions

### 1. Introduction

Goals and policies describe how the City proposes to address identified needs. Goals are statements of desired outcomes or intended achievements. Policies are specific statements that guide actions and provide a framework for future decision-making. Actions are specific implementations of goals and policies.

Example from the current Housing Element:

**GOAL H-1: To conserve and improve the existing city housing stock and quality of life of neighborhoods.**

<u>Policy</u>	<u>Action</u>
H-1.1	Assist city neighborhoods in maintaining and rehabilitating the existing housing stock as decent, safe, sanitary, and affordable housing.
	H-1.1.1 Create a formal maintenance and rehabilitation program beyond the current City code enforcement procedures to support Policy H-1.1 in coordination with the City's work with the Regional Housing Council.

How key terms are used in goals, policies, and actions:

- "Shall" means implementation of the policy is mandatory and imparts a higher degree of substantive direction than "should".
- "Should" means implementation of the policy is expected but its completion is not mandatory.
- "May" means the actions described in the policy are either advisable or are allowed.
- "Ensure" means actions described in the policy are guaranteed.
- "Must" means implementation of the policy is an obligation.
- "Require" means implementation of the policy is compulsory.
- "Support" means to advocate for implementation of the policy.
- "Promote" means to help bring about implementation of the policy.
- "Encourage" means to foster or help implementation of the policy.
- "Consider" means to take into account.
- "Coordinate" means to bring into a common action, movement, or condition.
- "Implement" means to carry out or accomplish.
- "Integrate" means to form, coordinate, or blend into a functioning or unified whole.

- “Make” means to enact or establish.
- “Engage” means to do or take part in something.

## 2. Policy Strength Continuum

When developing goals and policies, it is important to understand the policy strength continuum. The Puget Sound Regional Council developed the following example.

<div> <div>Passive</div> <div>Policy Strength</div> <div>Active</div> </div>		
<b>Statements of Inclination</b> Conveys intent, but establishes no target or definition of success	<b>Statements of Principle</b> Describes clear targets or conditions of success	<b>Statements of Impact</b> Go further, describing specific situations where housing is a priority
<b>Example</b> The City shall encourage expeditious and efficient infill development.	<b>Example</b> The City shall endeavor to process completed development applications with 120 days.	<b>Example</b> Work with public and private developers to support housing for income groups under 80% AMI.

For an example of how policies can be written to be more active and how implementation strategies can be established for policies, include identifying who will be responsible for implementing the policy and the timeframes to do so, see Attachment J – Example - City of SeaTac Housing Element.

## 3. Other Questions to Consider

The Growth Management Act requirements related to addressing racially disparate impacts, displacement, and exclusion focus primarily on the update of the Housing Element. However, the Growth Management Act does require consideration of the effects of disinvestment and infrastructure availability for their contribution to racially disparate impacts (RCW 36.70A.070(2)(e)).

In addition, the Growth Management Act’s internal consistency requirements will lead to amendments to the Land Use, Lands for Public Purposes, and Utilities Element as well as the Transportation Plan, so they are consistent with the Housing Element.

The section “Step 3: Evaluate Policies”<sup>1</sup> of the State Department of Commerce’s Racially Disparate Impacts Guidance provides a recommended process for assessing goals and policies

<sup>1</sup> State Department of Commerce, Racially Disparate Impacts Guidance – Final (April 2023), pp. 33-41.

according to two lenses that both contribute to the policy impacts. The first lens focuses on actions the policies support or prohibit, and the second lens focuses on the narrative effect of the policy and if furthers harmful biases about groups of people and communities.

## 4. Current Housing Element

The Housing Element contains goals, policies, and actions meant to set forth a direction for how housing will be provided and maintained in the City based on its 20-year community vision. The goals, policies, and actions ensure coordination with the Comprehensive Plan Elements, Sustainable Thurston, and County-Wide Planning Policies.

The current Housing Elements goals, policies, and actions, found in Section 5.1 of the Housing Element include the following.

**GOAL H-1:           To conserve and improve the existing city housing stock and quality of life of neighborhoods.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-1.1	Assist city neighborhoods in maintaining and rehabilitating the existing housing stock as decent, safe, sanitary, and affordable housing.
	H-1.1.1           Create a formal maintenance and rehabilitation program beyond the current City code enforcement procedures to support Policy H-1.1 in coordination with the City's work with the Regional Housing Council.
H-1.2	Encourage a range of housing, economic development, and community revitalization in the city.
H-1.3	Promote the quality of life of existing communities and implementation of community housing goals through the preparation of comprehensive plans and the development review process.
H-1.4	Provide assistance to improve community surroundings and infrastructure in residential areas.
H-1.5	Encourage and facilitate economic development as an important part of provision of housing by providing jobs.
	H-1.5.1           Continue implementation of economic development efforts to provide jobs in Tumwater.

**GOAL H-2:           To provide a sufficient number of single family dwelling units, multi-family dwelling units, manufactured homes, and group housing to provide an**

**affordable selection of housing to each economic segment of the Tumwater population.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-2.1	Provide sufficient, suitably zoned land for development of all housing types to accommodate the future needs for each type of housing, including single-family detached dwellings, accessory dwelling units, townhouses, duplexes, triplexes, fourplexes, multi-family dwellings, cottage housing, senior housing, roominghouses, group housing, and manufactured homes in manufactured home parks and on single lots.
H-2.2	Provide opportunities for a range of housing types to provide for all economic segments of Tumwater's population.
H-2.2.1	Monitor the Land Use Element and Zoning Code to ensure an adequate supply of suitably zoned land.

**GOAL H-3: To provide adequate, affordable housing for residents of all income groups, including sufficient housing affordable to low and moderate-income groups.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-3.1	Encourage the development of innovative plans, codes, standards, and procedures in order to take advantage of new private and public sector approaches to housing provision.
H-3.1.1	The Zoning Code allows manufactured homes on single-family lots in all residential zones. It is the intent of the Housing Element to promote the designation of a sufficient supply of land for traditional mobile/manufactured home parks and to recognize that modular/manufactured housing on single family lots and in manufactured home parks is a viable form of housing construction.
H-3.1.2	Increase code enforcement efforts and build public private partnerships to encourage renovations of unfit structures for use as transitional or affordable housing.
H-3.2	Encourage provision of adequate building sites through appropriate land use planning and zoning codes, infrastructure supply, and overall regulatory climate.
H-3.3	Tumwater should assume its "fair share" of housing for low and moderate income groups, in cooperation with other jurisdictions in Thurston County.
H-3.3.1	Monitor land supply, census data, and housing policies to ensure Tumwater accommodates its fair share of housing for low and moderate income groups.

- H-3.3.2 Work with Tumwater School District, Housing Authority, and other agencies and organizations to pursue grant funding and implement transitional housing strategies for families with children.
- H-3.3.3 Establish a multi-family tax exemption program that gives financial incentive for developers to create multi-family structures in target areas and to set aside a percentage of units as low-income housing.
- H-3.4 Tumwater should work with the other jurisdictions in Thurston County as part of the Regional Housing Council to share decision making responsibilities related to homelessness and affordable housing in Thurston County to allow for collaboration in expanding affordable housing options and sharing the planning for, identification of, and resource allocation to activities and programs intended to support individuals experiencing homelessness in Thurston County.

**GOAL H-4: To provide adequate opportunities for housing for all persons regardless of age, race, color, national origin, ancestry, sex, sexual orientation, familial status, marital status, ethnic background, source of income use of federal housing assistance, or other arbitrary factors.**

**Policy**

**Action**

- H-4.1 Support the inclusion of living opportunities for families with children throughout the city.
- H-4.2 Support and encourage a variety of housing types and price ranges through appropriate policies and regulations.
  - H-4.2.1 Continue the requirement for reasonable maximum lot sizes in order to create smaller lots that are more affordable and that allow a more efficient use of City services.
  - H-4.2.2 Encourage homeowner associations to adopt Covenants, Conditions, and Restrictions (CCRs) consistent with this policy.

**GOAL H-5: To supply sufficient, safe, suitable housing sites and housing supply to meet projected future housing needs for Tumwater over the next 20 years.**

**Policy**

**Action**

- H-5.1 Ensure appropriate land use designations and Zoning Code designations to provide sufficient land for housing construction.
  - H-5.1.1 Monitor the Land Use Element and Zoning Code to ensure an adequate supply of suitably zoned vacant land. (2.1.1)
  - H-5.1.2 Continue joint planning with Thurston County to plan for future growth in Tumwater.

H-5.2 Lands not suitable for development due to site constraints such as wetlands, steep slopes, geologically hazardous areas, etc., should be identified and considered when determining sufficient land for new housing in accordance with Tumwater's Conservation Plan.

H-5.3 Encourage construction practices, which exceed minimum standards. Tumwater will support the use of alternative building designs and methods that exceed the minimum standards set by Tumwater.

**GOAL H-6: To promote a selection of housing that is decent, safe, and sound, in close proximity to jobs and daily activities, and varies by location, type, design, and price.**

**Policy**

**Action**

H-6.1 Protect residential areas from undesirable activities and uses through aggressive enforcement of adopted City codes.

H-6.2 Provide for a dynamic mix of residential land uses and zones in order to create a diverse mix of sites available for different housing types.

H-6.2.1 Continue to monitor the available land supply, census data, and City policies to ensure a diverse mix of land for residential housing stock.

H-6.2.2 Continue to implement innovative design techniques, such as zero lot line developments, architectural design standards, alley houses, and attached single-family housing. Zero lot line developments are residential real estate in which the structure comes up to or very near to the edge of the property. Zero-lot-line houses are built very close to the property line in order to create more usable space.

H-6.3 Support increasing housing opportunities along urban corridors and centers.

H-6.4 Encourage provision of affordable housing near public transit routes to promote efficient transportation networks.

H-6.4.1 Continue to involve Intercity Transit in Tumwater's development review process.

H-6.5 Tumwater will maintain current Building Code standards and will use the most up to date future Code editions.

H-6.6 Increase the variety of housing types outside of corridors and centers of appropriate intensities with supporting design guidelines to meet the needs of a changing population.

**GOAL H-7: To ensure that housing is compatible in quality, design, and density with surrounding land uses, traffic patterns, public facilities, and environmentally sensitive areas.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-7.1	Support the stability of established residential neighborhoods through appropriate plans and codes.
	H-7.1.1 Continue to implement design standards for multi-family and attached single-family dwellings in order to ensure compatibility with existing neighborhoods.
H-7.2	Assure housing will be well maintained and safe.
H-7.3	Enhance the appearance of and maintain public spaces in residential areas.
H-7.4	Promote community involvement to achieve neighborhood improvement.

**GOAL H-8: To support healthy residential neighborhoods which continue to reflect a high degree of pride in ownership or residency.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-8.1	Support the stability of established residential neighborhoods.
H-8.2	Assure housing will be well maintained and safe.
	H-8.2.1 Protect residential areas from undesirable activities and uses through aggressive enforcement of adopted City codes.
H-8.3	Enhance the appearance of and maintain public spaces in residential areas.
H-8.4	Promote community involvement to achieve neighborhood improvement.
	H-8.4.1 Encourage neighborhood meetings to discuss community issues as situations and concerns arise.
H-8.5	Encourage home ownership for Tumwater residents.

**GOAL H-9: To encourage a variety of housing opportunities for those with special needs, particularly those with problems relating to age or disability.**

<b><u>Policy</u></b>	<b><u>Action</u></b>
H-9.1	Require housing to meet the needs of those with special housing requirements without creating a concentration of such housing in any one area.
H-9.2	Assist social service organizations in their efforts to seek funds for construction and operation of emergency, transitional, and permanent housing.
H-9.3	Support and plan for assisted housing opportunities using federal, state, or local aid.
H-9.4	Encourage and support social and health service organizations, which offer support programs for those with special needs, particularly those programs that help people remain in the community.



H-9.5 Encourage alternative housing strategies for homeless youth, which may include Host Homes.

**GOAL H-10: To provide housing that is compatible and harmonious with existing neighborhood character through use of innovative designs that enhance the appearance and quality of Tumwater's neighborhoods.**

**Policy**

**Action**

H-10.1 Encourage innovation and variety in housing design and development. Tumwater will support efforts to build housing with unique individual character, which avoids monotonous neighborhood appearance.

H-10.2 Multi-family residential housing should be subject to design criteria that relate to density, structure bulk, size and design, landscaping, and neighborhood compatibility.

H-10.2.1 Continue to implement multi-family housing design standards.

**GOAL H-11: To provide housing to accommodate Tumwater's housing needs in the urban growth area and make the most efficient use of infrastructure and services.**

**Policy**

**Action**

H-11.1 Reference the Transportation Element and anticipated transportation impacts when making housing decisions affecting the location and density of housing.

H-11.2 Reference utility plans and the impact of housing decisions on capital improvements planning.

H-11.3 Encourage the construction of affordable housing, including cottage housing and accessory dwelling units, within a half mile or twenty minute walk of an urban center, corridor or neighborhood center with access to goods and services to provide access to daily household needs.

**GOAL H-12: To encourage urban growth within the city limits with gradual phasing outward from the urban core.**

**Policy**

**Action**

H-12.1 Encourage the construction of housing on vacant property within the city and the redevelopment of underdeveloped property within residential areas to minimize urban sprawl and associated public service costs.

H-12.1.1 Continue to review and revise, as necessary, City Development Standards deemed unnecessary and make development more expensive and/or difficult.

- H-12.1.2 Continue to support high-density zoning within specific areas of the city that have the infrastructure and services to support high-density housing.
- H-12.1.3 Continue to implement minimum density levels for all residential zoning districts to ensure efficient use of the urban growth area.
- H-12.1.4 Work cooperatively with Thurston County to provide for more efficient and orderly annexations to facilitate urban service delivery.

**GOAL H-13: Ensure consistency with RCW 36.70A.070(2)(c) which requires sufficient land be available for all types of housing including manufactured housing.**

**Policy**

**Action**

- H-13.1 Maintain the manufactured home park district zoning in appropriate areas in order to prevent conversion of affordable housing to other uses without replacement.
  - H-13.1.1 Encourage manufactured housing park district zoning to locate near transit services.
- H-13.2 When locating zones and designations for manufactured home parks, carefully consider the risks from natural hazards, such as flooding and liquefaction, and the impacts of those hazards on the future residents of those manufactured home parks, Tumwater's emergency responders, and the city as a whole.

## **Appendix C. WAC 365-196-410 Housing Element**

### **WAC 365-196-410**

#### **Housing element.**

(1) Requirements. Counties and cities must develop a housing element ensuring vitality and character of established residential neighborhoods. The housing element must contain at least the following features:

(a) An inventory and analysis of existing and projected housing needs.

(b) A statement of the goals, policies, and objectives for the preservation, improvement, and development of housing, including single-family residences.

(c) Identification of sufficient land for housing including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, group homes and foster care facilities.

(d) Adequate provisions for existing and projected housing needs of all economic segments of the community.

(2) Recommendations for meeting requirements. The housing element shows how a county or city will accommodate anticipated growth, provide a variety of housing types at a variety of densities, provide opportunities for affordable housing for all economic segments of the community, and ensure the vitality of established residential neighborhoods. The following components should appear in the housing element:

(a) Housing goals and policies.

(i) The goals and policies serve as a guide to the creation and adoption of development regulations and may also guide the exercise of discretion in the permitting process.

(ii) The housing goals and policies of counties and cities should be consistent with countywide planning policies and, where applicable, multicounty planning policies.

(iii) Housing goals and policies should address at least the following:

(A) Affordable housing;

(B) Preservation of neighborhood character; and

(C) Provision of a variety of housing types along with a variety of densities.

(iv) Housing goals and policies should be written to allow the evaluation of progress toward achieving the housing element's goals and policies.

(b) Housing inventory.

(i) The purpose of the required inventory is to gauge the availability of existing housing for all economic segments of the community.

(ii) The inventory should identify the amount of various types of housing that exist in a community. The act does not require that a housing inventory be in a specific form. Counties and cities should consider WAC 365-196-050 (3) and (4) when determining how to meet the housing inventory requirement and may rely on existing data.

(iii) The housing inventory may show the affordability of different types of housing. It may provide data about the median sales prices of homes and average rental prices.

(iv) The housing inventory may include information about other types of housing available within the jurisdiction such as:

(A) The number of beds available in group homes, nursing homes and/or assisted living facilities;

(B) The number of dwelling units available specifically for senior citizens;

(C) The number of government-assisted housing units for lower-income households.

(c) Housing needs analysis.

(i) The purpose of the needs analysis is to estimate the type and densities of future housing needed to serve all economic segments of the community. The housing needs analysis should compare the number of housing units identified in the housing inventory to the projected growth or other locally identified housing needs.

(ii) The definition of housing needs should be addressed in a regional context and may use existing data.

(iii) The analysis should be based on the most recent 20-year population allocation.

(iv) The analysis should analyze consistency with countywide planning policies, and where applicable, multicounty planning policies, related to housing for all economic segments of the population.

(d) Housing targets or capacity.

(i) The housing needs analysis should identify the number and types of new housing units needed to serve the projected growth and the income ranges within it. This should be used to designate sufficient land capacity suitable for development in the land use element.

(ii) Counties and cities may also use other considerations to identify housing needs, which may include:

(A) Workforce housing which is often defined as housing affordable to households earning between 80 to 120 percent of the median household income.

(B) Jobs-to-housing balance, which is the number of jobs in a city or county relative to the number of housing units.

(C) Reasonable measures to address inconsistencies found in buildable lands reports prepared under RCW 36.70A.215.

(D) Housing needed to address an observed pattern of a larger quantity of second homes in destination communities.

(iii) The targets established in the housing element will serve as benchmarks to evaluate progress and guide decisions regarding development regulations.

(e) Affordable housing. RCW 36.70A.070 requires counties and cities, in their housing element, to make adequate provisions for existing and projected needs for all economic segments of the community.

(i) Determining what housing units are affordable.

(A) In the case of dwelling units for sale, affordable housing has mortgages, amortization, taxes, insurance and condominium or association fees, if any, that consume no more than 30 percent of the owner's gross annual household income.

(B) In the case of dwelling units for rent, affordable housing has rent and utility costs, as defined by the county or city, that cost no more than 30 percent of the tenant's gross annual household income.

(C) Income ranges used when considering affordability. When planning for affordable housing, counties or cities should use income ranges consistent with the applicable countywide or multicounty planning policies. If no such terms exist, counties or cities should consider using the United States Department of Housing and Urban Development (HUD) definitions found in 24 C.F.R. 91.5, which are used to draft consolidated planning documents required by HUD. The following definitions are from 24 C.F.R. 91.5:

(I) Median income refers to median household income.

(II) Extremely low-income refers to a household whose income is at or below 30 percent of the median income, adjusted for household size, for the county where the housing unit is located.

(III) Low-income refers to a household whose income is between 30 percent and 50 percent of the median income, adjusted for household size, for the county where the housing unit is located.

(IV) Moderate-income refers to a household whose income is between 50 percent and 80 percent of the median income where the housing unit is located.

(V) Middle-income refers to a household whose income is between 80 percent and 95 percent of the median income for the area where the housing unit is located.

(ii) Affordable housing requires planning from a regional perspective. Countywide planning policies must address affordable housing and its distribution among counties and cities. A county's or city's obligation to plan for affordable housing within a regional context is determined by the applicable countywide planning policies. Counties and cities should review countywide affordable housing policies when developing the housing element to maintain consistency.

(iii) Counties and cities should consider the ability of the market to address housing needs for all economic segments of the population. Counties and cities may help to address affordable housing by identifying and removing any regulatory barriers limiting the availability of affordable housing.

(iv) Counties and cities may help to address affordable housing needs by increasing development capacity. In such an event, a county or city affordable housing section should:

(A) Identify certain land use designations within a geographic area where increased residential development may help achieve affordable housing policies and targets;

(B) As needed, identify policies and subsequent development regulations that may increase residential development capacity;

(C) Determine the number of additional housing units these policies and development regulations may generate; and

(D) Establish a target that represents the minimum amount of affordable housing units that it seeks to generate.

(f) Implementation plan.

(i) The housing element should identify strategies designed to help meet the needs identified for all economic segments of the population within the planning area. It should include, but not be limited to, the following:

(A) Consideration of the range of housing choices to be encouraged including, but not limited to, multifamily housing, mixed uses, manufactured houses, accessory dwelling units, and detached houses;

(B) Consideration of various lot sizes and densities, and of clustering and other design configurations;

(C) Identification of a sufficient amount of appropriately zoned land to accommodate the identified housing needs over the planning period; and

(D) Evaluation of the capacity of local public and private entities and the availability of financing to produce housing to meet the identified need.

(ii) The housing element should also address how the county or city will provide for group homes, foster care facilities, and facilities for other populations with special needs. The housing element should provide for an equitable distribution of these facilities among neighborhoods within the county or city.

(iii) The housing element should identify strategies designed to ensure the vitality and character of existing neighborhoods. It should show how growth and change will preserve or improve existing residential qualities. The housing element may not focus on one requirement (e.g., preserving existing housing) to the exclusion of the other requirements (e.g., affordable housing) in RCW 36.70A.070(2). It should explain how various needs are reconciled.

(iv) The housing element should include provisions to monitor the performance of its housing strategy. A monitoring program may include the following:

(A) The collection and analysis of information about the housing market;

(B) Data about the supply of developable residential building lots at various land-use densities and the supply of rental and for-sale housing at various price levels;

(C) A comparison of actual housing development to the targets, policies and goals contained in the housing element;

(D) Identification of thresholds at which steps should be taken to adjust and revise goals and policies; and

(E) A description of the types of adjustments and revisions that the county or city may consider.

[Statutory Authority: RCW 36.70A.050 and 36.70A.190. WSR 23-08-037, § 365-196-410, filed 3/29/23, effective 4/29/23; WSR 10-03-085, § 365-196-410, filed 1/19/10, effective 2/19/10.]

## Appendix D. Housing Related Development Code Updates

### 1. State Required Development Code Updates

#### A) Accessory Dwelling Units

Accessory Dwelling Units (EHB 1337)		
Summary	Code to be Amended	Notes
Expand housing options by easing barriers to the construction and use of accessory dwelling units.	Sections throughout Title 18 Zoning, especially TMC 18.42.010 Accessory Dwelling Units	<p>Ensure accessory dwelling unit development regulations address the following state requirements:</p> <ul style="list-style-type: none"> <li>• Impact fees for accessory dwelling units may not be greater than 50% of single-family homes.</li> <li>• Allow two accessory dwelling units per lot.</li> <li>• Maximum size of accessory dwelling units may be no less than 1,000 square feet.</li> <li>• No development or design standards for accessory dwelling units that are more restrictive than on the principal home.</li> <li>• Must allow conversion of existing building to an accessory dwelling unit even if nonconforming.</li> </ul> <p>Actions to implement EHB 1337 are exempt from appeal under SEPA and to the Growth Management Hearings Board.</p> <p>MRSC Article: <a href="#">MRSC – Major Changes to Washington's Housing Laws</a></p> <p>Effective no later than six months after 2025 Comprehensive Plan update deadline (December 31, 2025), or EHB 1337 supersedes City code.</p>

#### B) Co-Living Housing

Co-Living Housing, Such as Rooming House Related Uses (ESHB 1998)		
Summary	Code to be Amended	Notes
Increase the supply and affordability of residential units affordable to people with an AMI of 50% or more.	Sections throughout Title 18 Zoning	<p>Co-living housing is a residential development with sleeping units that are independently rented and provide living and sleeping space, in which residents share kitchen facilities with residents of other units in the building.</p> <p>Address the following:</p>



		<ul style="list-style-type: none"> <li>Allow co-living housing as a permitted use on any lot located within the City that allows at least six multifamily residential units, including on a lot zoned for mixed use development.</li> </ul> <p>Effective no later than the 2025 Comprehensive Plan update deadline (December 31, 2025).</p>
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### C) Condominiums and Smaller Residential Units

Condominiums and Smaller Residential Units (E2SSB 5258)		
Summary	Code to be Amended	Notes
Increase the supply and affordability of small residential units such as condominium units and townhouses.	Chapter 3.50 Impact Fees  Title 17 Land Division	Address the following: <ul style="list-style-type: none"> <li>Impact fee schedule must reflect the proportionate impact of new housing units, including multifamily and condominium units, based on the square footage, number of bedrooms, or trips generated, in the housing unit to produce a proportionally lower impact fee for smaller housing units.</li> <li>Amend short plat regulations procedures for unit lot subdivisions to allow division of a parent lot into separately owned unit lots (unit lot subdivision). Portions of the parent lot not subdivided for individual unit lots would be owned in common by the owners of the individual unit lots, or by a homeowners' association made up of the owners of the individual unit lots.</li> </ul> <p>Impact fee requirements effective no later than six months after 2025 Comprehensive Plan update deadline (December 31, 2025),</p> <p>Unit lot subdivision requirements effective July 23, 2023.</p>

### D) Design Review Standards

Design Review Standards (ESHB 1293)		
Summary	Code to be Amended	Notes
Apply only clear and objective design review	Chapter 18.43 Citywide Design Standards	Review all design standards to ensure they meet the bill's definition of 'clear and objective.'

standards to the exterior of new development.		<p>Ensure that the City's design review process is concurrent with the land use permit process and has no more than one public design review meeting.</p> <p>Effective no later than six months after 2025 Comprehensive Plan update deadline (December 31, 2025)</p>
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## E) Manufactured Housing

Manufactured Housing (SB 5452)		
Summary	Code to be Amended	Notes
Update manufactured housing codes to meet state requirements.	Chapter 18.48 Designated Manufactured Homes – Manufactured Homes – New Manufactured Homes – Mobile Homes – Manufactured Home Parks	<p>Starting in 2019, manufactured housing is regulated the same as site-built housing (RCW 35.21.684 amended in 2019, RCW 35.63.160, RCW 35A.21.312 amended in 2019 and RCW 36.01.225 amended in 2019).</p> <p>The City may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood but may not discriminate against consumer choice in housing.</p>

## F) Middle Housing

Middle Housing (E2SHB 1110)		
Summary	Code to be Amended	Notes
Increase middle housing in areas traditionally dedicated to single-family detached housing	Throughout Title 18 Zoning  Title 17 Land Division	<p>Address the following:</p> <ul style="list-style-type: none"> <li>At least two units per lot in residential zones except on lots less than 1,000 square foot, unless higher-density zoning applies.</li> <li>At least four units per lot in residential zones except lots less than 1,000 square foot, unless higher-density zoning applies, if at least one unit is affordable housing.</li> <li>Tumwater does not have any major transit stops that meet the bill's definition.</li> </ul> <p>According to the legislation:  <i>"Major transit stop" means:</i>  <i>(a) A stop on a high-capacity transportation system funded or</i></p>

Middle Housing (E2SHB 1110)		
Summary	Code to be Amended	Notes
		<p><i>expanded under the provisions of chapter 81.104 RCW;</i>  <i>(b) Commuter rail stops;</i>  <i>(c) Stops on rail or fixed guideway systems; or</i>  <i>(d) Stops on bus rapid transit routes.</i></p> <ul style="list-style-type: none"> <li>• Note that the requirements for accessory dwelling units, parking, and transit availability are broader than what is in E2SHB 1110.</li> <li>• As an alternative to first two bullets above, meet their density requirements on 75% of City lots that are primarily dedicated to single-family. Also, meet criteria for the other 25%.</li> <li>• Meeting the two accessory dwelling unit per lot requirements of EHB 1337 may address some of these requirements.</li> <li>• Allow at least six of the nine types of middle housing in residential zones.</li> <li>• Allow zero lot line short plats.</li> <li>• Limit design review for middle housing to administrative process, and not apply any development standards that do not apply to single-family houses.</li> <li>• Limit parking requirements for middle housing to one parking space on lots less than 6,000 square feet and two spaces on lots greater than 6,000 square feet. There is a possibility to submit a transportation safety study to Commerce.</li> <li>• Actions on all the above bullets are exempt from appeal under SEPA.</li> <li>• There is a possibility for Commerce approval of 'substantially similar' plans and regulations to those required in this bill.</li> <li>• There is a possibility for Commerce to give a timeline extension if will result in displacement or overburdened infrastructure. The Capital Facilities Plan update can also be delayed by the City if an extension is granted.</li> <li>• Actions to remove parking requirements for infill development in an urban growth area categorically exempt from SEPA.</li> </ul>

Middle Housing (E2SHB 1110)		
Summary	Code to be Amended	Notes
		<p>Common Interest Communities (e.g., condominium or homeowners' associations) cannot prohibit implementation of this bill.</p> <p>MRSC Article: <a href="#">MRSC – Major Changes to Washington's Housing Laws</a></p> <p>MRSC Article: <a href="#">MRSC – Missing Middle Housing</a></p> <p>MAKERS Article: <a href="#">How Washington's Middle Housing Legislation Applies in Your Community – MAKERS architecture and urban design</a></p> <p>Effective no later than six months after 2025 Comprehensive Plan update deadline (December 31, 2025).</p>

## G) Parking for Affordable and Multifamily Housing Near Transit

Parking for Affordable and Multifamily Housing Near Transit (E2SHB 1923/SHB 2343)		
Summary	Code to be Amended	Notes
Update parking code to reflect recent state legislation	Chapter TMC 18.50 Parking	<p>(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 two 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 0.75 space per unit.</p> <p>The City may establish a requirement for the provision of more than one parking space per bedroom or 0.75 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.</p> <p>This would affect such developments along the Intercity Transit 12 and 13 lines.</p>

Parking for Affordable and Multifamily Housing Near Transit (E2SHB 1923/SHB 2343)		
Summary	Code to be Amended	Notes
		<p>(2) For housing units that are specifically for seniors or people with disabilities, which 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, the City may not impose minimum residential parking requirements for the residents of such housing units.</p> <p>The City may establish parking requirements for staff and visitors of such housing units and consider other special conditions.</p> <p>This would affect developments along the Intercity Transit 13 lines.</p> <p>(3) For market rate multifamily housing units that are located within one-quarter mile of a transit stop that receives transit service from at least one route that provides 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 0.75 space per unit.</p> <p>The City may establish a requirement for the provision of more than one parking space per bedroom or 0.75 space per unit if it 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.</p> <p>This would affect developments along the Intercity Transit 13 lines.</p>

## H) Permit Review Process

Project Permit Review (2SSB 5290)		
Summary	Code to be Amended	Notes
Merge local permit review processes	Title 14 Development Code Administration	<p>There are new permit review timelines for project permit applications submitted to the City after January 1, 2025:</p> <ul style="list-style-type: none"> <li>• For projects that do not require public notice, the final decision must be issued within 65 days of the determination of completeness.</li> <li>• For projects that do require public notice, the final decision must be issued within one hundred days of the determination of completeness.</li> <li>• For project permits which require both notice and a public hearing, the final decision must be issued within 170 days of the determination of completeness.</li> </ul> <p>Failure to adhere to the established permit review timelines would result in the City refunding an applicant's permit fees on a pro-rated basis — up to a 20% refund depending on the length of the delay.</p> <p>Address the following:</p> <ul style="list-style-type: none"> <li>• Review permits to decide what can be excluded from RCW 36.70B timelines.</li> <li>• Exclude interior alterations from site plan review.</li> <li>• Commerce will have new grant programs for permitting process improvements.</li> <li>• Review Title 18 permit procedures for compliance with the bill's amendments to RCW 36.70B.</li> </ul> <p>Update annual report on permit timelines as described in the bill (Commerce to develop report template).</p> <p>MRSC Article: <a href="#">MRSC – 2023 Legislative Updates to Modernize and Streamline Local Project Review</a></p> <p>Effective January 1, 2025, except second bullet is effective July 23, 2023.</p>

## I) Religious Sponsored Housing Density Bonus

Religious Sponsored Housing Density Bonus (SB 1377)		
Summary	Code to be Amended	Notes
Provide an increased density bonus for affordable housing development (either single-family or multifamily) on property owned or controlled by a religious organization, provided certain conditions are met.	Title 18 Zoning	The housing must be affordable for households earning less than 80% of the area median income and must remain affordable for at least 50 years—regardless of whether the religious organization continues to own the property.  Supported by the Tumwater Housing Action Plan.

## J) Religious Sponsored Temporary Housing

Religious Sponsored Homeless Housing (ESHB 1754)		
Summary	Code to be Amended	Notes
Review existing regulations on outdoor encampments, safe parking efforts, indoor overnight shelters, and temporary small houses if on property owned or controlled by a religious organization	TMC 18.59.050 Homeless encampments	The legislation limits City requirements on outdoor encampments, safe parking efforts, indoor overnight shelters, and temporary small houses on property owned or controlled by a religious organization.

## K) Residential Density Review

Review Residential Densities Citywide (E2SHB 1220)		
Summary	Code to be Amended	Notes
Review the minimum and maximum residential densities in all zone districts that allow residential uses to ensure there is adequate capacity for affordable housing for all income groups.	Title 18 Zoning	Identified in the 2019 City Council Housing Affordability Work Plan – Housing Text Implementation and the Tumwater Housing Action Plan.  Considered as a 2020 Annual Comprehensive Plan amendment. The City deferred action on the amendment to the 2025 Comprehensive Plan update.  E2SHB 1220 contains extensive new requirements for removing barriers to providing affordable housing to all income groups in the City. The City must plan and allow for the development of new housing units affordable to all income groups.

Review Residential Densities Citywide (E2SHB 1220)		
Summary	Code to be Amended	Notes
		<p>Amendments to Comprehensive Plan land use designations text and map and the Zoning Map and Title 18 Zoning would occur simultaneously.</p> <p>Could include reducing the number of Comprehensive Plan land use designations to streamline rezone permit processes.</p>

## L) SEPA Categorical Exemptions

SEPA (SSB 5818/2SSB 5412)		
Summary	Code to be Amended	Notes
Authorize City adoption of SEPA categorical exemption for project actions that develop housing within a UGA.	Chapter 16.04 Environmental Policy	<p>Adoption of higher categorical exemptions for all housing in UGA. Must follow the specific process to do 'up-front' environmental analysis when adopting.</p> <p>MRSC Article: <a href="#">MRSC – New Legislation Related to Climate and the Natural Environment</a></p> <p>MRSC Article: <a href="#">MRSC – Major Changes to Washington's Housing Laws</a></p> <p>Effective July 23, 2023.</p>

## M) Use of Existing Buildings for Residential Purposes

Existing Buildings for Residential Use (ESHB 1142)		
Summary	Code to be Amended	Notes
Use of existing commercial, industrial, or institutional buildings for residential purposes.	<p>Title 15 Buildings and Construction</p> <p>Title 18 Zoning</p>	<p>Addresses the following:</p> <ul style="list-style-type: none"> <li>• In zone districts that allow multifamily residential, allows internal units up to 50% of maximum zoning density.</li> <li>• Does not require more parking for internal units.</li> <li>• Does not impose permitting or development standards beyond those that apply to all residential uses in that zone district.</li> <li>• Makes design standards not applicable to residential conversions in existing buildings.</li> </ul>



Existing Buildings for Residential Use (ESHB 1142)		
Summary	Code to be Amended	Notes
		<ul style="list-style-type: none"> <li>Allows residential units in all areas of buildings except defined ground floor retail on 'major pedestrian corridors.'</li> </ul> <p>For creation of units within an existing building, need to ensure that the following does not happen:</p> <ul style="list-style-type: none"> <li>Require unchanged units meet new energy code. The State Building Code Council required to amend the Washington State Energy Code.</li> <li>Deny building permit due to existing nonconformities.</li> <li>Require a transportation concurrency study or environmental study.</li> </ul> <p>An existing building is a building that has had a Certificate of Occupancy at least three years prior.</p> <p>Amendments to implement this bill are SEPA exempt.</p> <p>Effective no later than six months after 2025 Comprehensive Plan update deadline (December 31, 2025).</p>

## 2. City Sponsored Development Code Updates

### A) Density Bonus Requirements

Density Bonus Requirements		
Summary	Code to be Amended	Notes
Update the City's density bonus requirements for permanently affordable housing and the transfer of development rights.	Title 18 Zoning	<p>Consider changing the City's current affordable housing requirement bonus to a 1 to 1 instead of 2 to 1.</p> <p>Remove transfer of development requirement to achieve highest residential densities.</p>