

Issues & Impacts

Seattle-King County REALTORS® (SKCR) is working to ensure that public policies support homeownership and your business's bottom line. Please contact Taylor Shanaman, Director of Governmental and Public Affairs, at tshanaman@nwrealtor.com with any local legislative issues that may need our attention. [The next issues will be released in July 2023.](#)

In this issue:

Cities Active on Middle Housing > [Page 4](#)

Benefits of Trees and Housing > [Page 6](#)

Kirkland Pre-Approved DADUs > [Page 6](#)

Capital Facilities for Schools > [Page 7](#)

Renton Minimum Wage > [Page 8](#)

New Commercial Airport > [Page 9](#)

Mercer Island Win! > [Page 11](#)

MISSING MIDDLE HOUSING TOUR

Stakeholders from jurisdictions throughout King County joined representatives from organizations involved in the housing industry last month for a half-day “missing middle” housing tour and presentation by an urban planner/project manager from Opticos Design, the firm whose founder coined the term “missing middle.”

Following welcoming remarks from event partners, including Seattle King County REALTORS® (SKCR) which organized the tour, some 70 participants boarded buses in Bellevue. From there, they embarked on a combination of drive-by views and stops where they heard from tour partners, city officials and developers/builders of various projects. Most of the tour took place in Kirkland, which was described as “exemplifying middle housing in a number of ways.”

Issues & Impacts

Kirkland had rules in place in 2005 for what are now considered missing middle housing options, but the city adopted new, more lenient regulations in 2020. That multi-faceted approach enabled more aggressive upzoning, essentially making these options “permissible everywhere.” according to Adam Weinstein, director of the city’s Planning and Building Department, who joined the tour.

In sum, the reform’s key changes allow two ADUs per single-family residence on a lot (with possible limitations on DADUs), AADUs and DADUs of up to 1,200 square feet, looser parking requirements, and no owner occupancy requirements. ADUs must conform to ordinary setback, height limit, and lot coverage standards of the corresponding zone.

A few numbers illustrate growing acceptance of missing middle housing types, which encompass cottages, accessory dwelling units (attached and detached), duplexes, fourplexes, townhomes and similar “midsized, often moderately priced homes.”

In 2019, before Kirkland overhauled its rules, 23 ADUs were created; last year, there were 100. Only 14 cottages (which can be up to 1,700 square feet) were produced. Last year, 70 such units were approved.

One of the stops on the tour was the “Carpe Diem Cottage,” in multi-award-winning Conover Commons. The cluster of homes is just moments from both Kirkland’s and Redmond’s urban centers, and Redmond’s walking trail system. It borders a nearly five acre permanently protected woodland with views of the Cascade Mountains.

When crafted in 2004 by The Cottage Company®, the dwelling sold for \$400,000. Late last month, it sold for \$950,000. (The median price for single family homes that sold in Kirkland during 2022 was nearly \$1.3 million.)

Issues & Impacts

While cottages and ADUs have gained growing acceptance in Kirkland, which Weinstein attributes to regulatory changes allowing for more flexibility and relaxed parking standards, he said the city has not seen comparable growth in duplexes and triplexes. He suspects that may be due to some resistance to shared walls.

Another stop was an “alley tour” to show examples of “gentle density,” meaning it may be invisible to passersby as the homes face alleyways.

Participants also visited REIN by Merit Homes, a project of five efficiently-sized homes from the builders’ “Urban Series.” Located in North Rose Hill, the 3-bedroom, 3-bath open concept floorplans have built-in smart home technology, skylights, and a main floor with a den/4th bedroom.

Between stops, tour-goers heard from Shane Hope from the State Department of Commerce. She highlighted some of the findings from recent research and previewed some of the assistance that agency provides to cities and counties as they update their comprehensive plans.

In a recent news release, DOC said more than one million more homes are needed statewide by 2044, which equates to an average of 50,000 new units per year. That agency’s housing team believes middle housing can help alleviate the shortfall.

During the tour, Hope, a DOC policy specialist, cited a survey Commerce did with the Puget Sound Regional Council that showed housing is the #1 concern for residents, regardless of where they live.

Hope also provided a handout summarizing Commerce’s Middle Housing Program. It includes grants and technical assistance to help cities in the central Puget Sound region provide for middle housing. These jurisdictions have the first deadlines for updating the comprehensive plans and development regulations for

Issues & Impacts

accommodating housing needs. Other regions will be added later.

Among technical assistance is a toolkit of objective design and development standards, which is being prepared for Commerce by Opticos Design. This resource is slated for completion in June.

Joining SKCR as tour partners were Puget Sound Regional Council, Sound Cities Association, the City of Kirkland, and the Master Builders Association of King and Snohomish Counties.



CITIES ACTIVE ON ADUs FOR MIDDLE HOUSING

Even though proposals to allow “detached” Accessory Dwelling Units in rural areas have not been approved by the legislature this year, cities throughout King County are improving opportunities for both “attached” and “detached” ADU’s in the urban incorporated areas of King County.

Black Diamond, Burien, Bothell, Enumclaw, Kenmore, Kent, Kirkland, Milton, North Bend, Redmond, Renton, and Seattle have all been active in working to accommodate more Accessory Dwelling Units to address the shortage of Middle Housing in King County. Similar efforts are also gaining notoriety in Snohomish County, Olympia, and Tacoma.

Issues & Impacts

For example:

- **BURIEN:** The city is working to promote the development of ADUs within both new plats and existing single-family developments, including providing incentives for incorporating a percentage of ADUs in new residential construction projects.
- **KENT:** The city is conducting surveys to identify issues and regulatory mandates that may constitute barriers to the construction of more ADUs. As a result of the preliminary survey results, the city is considering reductions and waivers of park and fire impact fees for ADUs.
- **RENTON:** The city is looking at increasing the incentives available to encourage more ADUs, and to bolster the city's Permit Ready Accessory Dwelling Unit program that provides free ADU plans, reduced fees and expedited reviews of development applications.
- **SEATTLE:** The 988 newly-constructed ADUs built during 2022 exceeded the number of new single-family homes built in Seattle last year. City officials point out that in 2019 the city changed its code to allow two ADUs (one of which may be a detached unit, or DADU) on each building lot in the NR3, NR2, and NR1 zones. Additionally, the city eliminated a requirement that the property owner live on-site, and dramatically reduced parking rules that previously required off-street parking. Since 2020 the city has offered property owners 10 pre-approved ADU plans. Those standard plans were used by property owners to build 130 of the new ADUs.

Other Local Housing Initiatives to Improve Middle Housing:

FEDERAL WAY: The City of Federal Way is reviewing proposals for significant up-zones to add more ownership Middle Housing opportunities in the city. Councilmember Jack Dovey - whose City Council campaign was supported by Seattle-King County REALTORS® last year - advised he is hopeful the up-zones will be completed by December 31, 2023.

The Federal Way Planning Commission is considering potential code amendments to increase housing opportunities in the Commercial Business, City Center Frame and City Center Core zoning districts.

Issues & Impacts

RENTON: Construction of additional Middle Housing (including both more affordable units, and also ownership homes) is moving forward in the Renton Highlands. Plans call for 686 new dwelling units, 96 of which will be ownership housing. The Watershed Renton Apartments will have 145 new units, and the Sunset Gardens project will include 76 new units.

BOTH: BENEFITS OF TREES & HOUSING

SKCR is working with a broad coalition including the Master Builders Association and Habitat for Humanity to develop tree regulations within the City of Seattle that support both trees and housing.

The coalition is asking that the City develop a tree ordinance that is pragmatic, balanced, and evidence based, and best serves the City's long-term needs. There are vital benefits to both trees and housing, and they are not mutually exclusive. Legislation is now moving through the Land Use Committee of the Seattle City Council. A final council vote is expected in May.

KIRKLAND PRE-APPROVED DADUS

The Kirkland City Council has created a pre-approved detached accessory dwelling unit (DADU) program. These plans offer a faster and cheaper way to create an accessory dwelling unit on your property. To use a pre-approved plan, a homeowner pays a royalty, set by the designer up to \$1,000, for the use of their plan.

To use a plan, homeowners connect with its designer. The designer can guide the homeowner through the permitting process, describe other services they offer, and share the fee to use their design.

Homeowners may use other professionals or complete work on their own. The designer can require a liability release that the homeowner must sign to use the plan.

See the City of Kirkland website for more information or to connect with a designer: Accessory Dwelling Units - [City of Kirkland \(kirklandwa.gov\)](https://www.kirklandwa.gov)

Issues & Impacts

CAPITAL FACILITIES FOR SCHOOLS

What Happens After Enumclaw Voters Just Say No!

Washington state may be on the precipice of a new approach for funding the construction and repair of basic K-12 school facilities.

Historically, and currently, school facilities are funded through local voter-approved property tax levies and bonds. The state assists with a relatively small smattering of partial funding for school construction. Financial support from the state (for new school construction) has tended to be based on the number of students who will be attending the school when it is first occupied, and not on the size of the building that is likely to be needed going forward.

This has led to significant disparities in the quality of school facilities among different school districts. Most “property rich” school districts (that have a large tax base) can afford serviceable facilities. However, students in some “poor” districts go to schools that have leaky roofs which require teachers cover the computers in their classrooms with tarps when it rains.

The fundamental question is: Who pays for basic school facilities when the voters fail or refuse to do so. Additionally, in such situations, how does the state government satisfy its obligation to provide “ample” funding for basic education, which is the State’s preeminent constitutional responsibility?

The issue is not limited to school districts in Eastern Washington, or other more sparsely populated areas of the state.

Earlier this year, voters in the Enumclaw School District rejected a \$253 million bond issue by a 3 to 1 margin (with approximately 75% voting against the bond). The bond would have paid for two elementary schools, a performing arts center, and a sports stadium. The district covers both Enumclaw and Black

Issues & Impacts

Diamond, but the only two precincts where a majority of voters approved the bond measure were in Black Diamond, meaning the rejection rate in other areas of the district was higher than 75%.

But now, litigation has been filed against the State of Washington by Wahkiakum School District No. 200, which is located in the town of Cathlamet in Southwest Washington.

The Wahkiakum school district has 149 students who are served by one elementary school, one middle school, and one high school. The Wahkiakum lawsuit asks the Washington State Supreme Court to declare the State's constitutional obligation (for funding K-12 basic education) extends to funding basic school facilities for all children residing in the state. The district claims that students can't receive the basic education promised to them by the Washington Constitution if there is no adequate basic classroom where they can receive the education.

The case was recently argued before the Washington State Supreme Court. Attorneys for the plaintiffs acknowledged that - as is the case with funding for educational programs - any "enrichments" to school facilities may be a local responsibility. But, they argued, basic school buildings and facilities - including facilities for special needs and disabled students - are a state responsibility.

RENTON MINIMUM WAGE

Raising the minimum-wage among service workers has been an important priority for organized labor in South King County, including the local Service Employees International Union (SEIU), and more recently the Transit Riders Union (which is a political advocacy organization, not a traditional union recognized by the National Labor Relations Board to represent workers in collective bargaining).

The first local effort to raise the minimum-wage in South King County focused on airport-related workers in SeaTac, which now has the highest minimum-wage in the nation. More recently, an initiative to create a city minimum-wage in Tukwila was approved by voters there. These minimum-wage proposals are part of a double-edged effort that also includes efforts to increase tenant protections beyond those provided to renters in state law.

Issues & Impacts

On the heels of the political successes in SeaTac and Tukwila, a similar measure was recently filed in the city of Renton. Proponents of the Renton minimum-wage proposal have been circulating petitions, and seeking to gather signatures, in order to have the proposal placed on the ballot.

But officials in Renton report the effort is struggling to get traction in their city. In a bit of a surprise, it appears advocates for the Renton minimum-wage are encountering resistance in their efforts to obtain enough signatures on petitions to place the measure on the ballot. Apparently, the campaign is relying significantly on high school student volunteers who are going door-to-door where they have not been especially well-received.

NEW COMMERCIAL AIRPORT

Although the issue is not attracting a lot of attention in the “close-in” Seattle area, proposals to create a new “SeaTac-sized Commercial Airport” in South King County, or farther south in Pierce or Thurston County, have mobilized citizens, local elected officials and legislators who appear passionately opposed to the idea. The only area to actively welcome a possible new airport has been Yakima.

The final decision on where to locate the new airport will likely be made by legislators, the FAA, and sponsor airlines who plan to use the new facility (and who will be asked to underwrite significant portions of the cost).

Washington state needs an additional new commercial airport by 2040, but the problematic nature of deciding on the location of a new airport makes achieving that goal problematic, at best. In the meantime, passenger volumes will soon exceed the capacity of SeaTac International Airport by tens of millions of travelers annually.

In response, the legislature created a “Commercial Aviation Coordination Commission (CACC)” to consider possible locations for a new airport within 200 miles of SeaTac, but outside of King County.

Separately, the Federal Aviation Administration required a review of potential “greenfield” sites for a new airport. King County locations were not excluded from this FAA-required analysis.

Issues & Impacts

The Washington Department of Transportation was charged with conducting both reviews, and making a final recommendation for a single location by mid-year. Earlier this year, WSDOT identified the Enumclaw Plateau as the highest-rated “greenfield” site for a new airport. Two other non-greenfield locations that WSDOT identified in Pierce County - one in proximity to JBLM - also prompted fierce opposition. Citizens have also formed opposition groups in the Olympia/Thurston County area.

In response to pushback from local officials and residents, legislators from Grant, Pierce and Thurston counties have introduced HB 1791 - which would revamp both the CACC, and the deadline for making any recommendations for any decision.

The bill:

- Replaces the Commercial Aviation Coordinating Commission (CACC) with a Commercial Aviation Work Group (Work Group) that is required to comprehensively evaluate the long-range commercial aviation needs of Washington within the broader context of state transportation needs, and the specific needs of Western Washington.
- Requires the Work Group to consider alternatives to additional aviation capacity, which might include a “cargo hub” airport to which cargo could be diverted (while passenger travel remains directed to existing airport locations).
- Requires the Work Group to investigate the expansion of existing aviation facilities and possible siting locations for new greenfield aviation facilities, and report on the strengths and weaknesses of each site considered, including the impacts to water quality, state-established greenhouse gas emission goals, and local planning related to the Growth Management Act.
- Requires the Work Group to consider both (a) sites previously identified by aviation planning documents, and (b) new sites. The Work Group must not consider the expansion opportunities for a port or county-run airport located in a county with a population of 2 million or more residents (King County), or the expansion of an existing airport, or the siting of a new airport, that would be incompatible with the operations of a military installation (JBLM). In that regard, the first report of the Work Group must include a list of areas which will not receive further review because the location conflicts with the operations of a military installation.
- Requires the workgroup to make efforts to collaborate with federal agencies, federally recognized tribes, the environmental community, local communities, and economic development agencies; consider site infrastructure, including transportation infrastructure; and analyze - in cooperation with the Federal Aviation Administration - the airspace requirements and restrictions, terrain and man-made obstacles, and weather patterns of potential sites.

Issues & Impacts

The Work Group must submit a progress report to the Governor and the Transportation Committees of the Legislature by January 1st of each year.

MERCER ISLAND WIN!

After nearly a year of work, SKCR has made voluntary a proposed Point of Sale mandate in the City of Mercer Island

SKCR conveyed to the City that Realtors want to bring energy issues into the real estate discussion and make energy issues actionable for the home buyer and homeowner without confusing, delaying or discouraging the real estate transaction. Point of sale mandates add delay and complication to an already complicated and lengthy process. In addition, these measures will increase the cost of housing in a city that is already among the highest priced in the region.

A big thanks to our Mercer Island members for helping educate the council on this important issue.

Issues & Impacts

REALTORS® POLITICAL ACTION COMMITTEE

An Easy, Quick Way to Protect Your Business - Invest in RPAC Online



Scan the code to invest in RPAC.

Issues & Impacts is a quarterly publication produced by Seattle King County REALTORS® to inform members about current issues and successes within your Government Affairs Department.

Your Advocacy Leadership:

Michele Hunt, 2023 VP of Governmental & Public Affairs -

michelehunt@outlook.com

Gina Madeya, 2023 VP-Elect of Governmental & Public Affairs -

ginam@windermere.com

Taylor Shanaman, Director of Governmental and Public Affairs-

tshanaman@nwrealtor.com

Local Legislative Housing Advocates:

Sam Pace - sam@sampace.com and Randy Bannecker - randy@bannecker.com

Please call Taylor at 425.974.1013 for questions or comments.