

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 & Public Affairs, at tshanaman@nwrealtor.com with any local legislative issues that may need our attention. **The next issue will be released in July 2022.**

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HOUSING INVENTORY

URBAN GROWTH CAPACITY REPORT: 2021 Amendments Affect Housing Supply

King County's 2021 Urban Growth Capacity Report - which was prepared in connection with the 2021 amendments to the Countywide Planning Policies - provides a periodic assessment of development capacity for future housing and employment. The report is a mid-planning cycle assessment on how jurisdictions are achieving the planning goals contained in their comprehensive plans to accommodate growth through the year 2035.

According to King County "The report is a culmination of the county's Review and Evaluation Program, commonly referred to as 'Buildable Lands,' as required by the Growth





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Management Act in RCW 36.70A.215, and it is King County's fourth buildable lands report. It is a collaborative production of the 40 jurisdictions across King County that analyzes the form, quantity, and density of residential and non-residential development observed between 2012 and 2018. It also estimates capacity for accommodating 2035 growth targets with consideration for market and infrastructure constraints."

Importantly, the capacity assessments are based upon growth "targets" derived from county-specific "growth projections" the state government has provided to each county that is required to comply with GMA, including King County.

Because those state growth projections have failed to accurately predict in-migration-related population growth for more than a decade, city and county land use plans have failed, and continue to fail, to ensure the supply of housing allowed to be built under local comprehensive plans and development regulations is sufficient to accommodate housing for everyone who needs a place to live. The result has been skyrocketing home prices and rents that far exceed the purchasing power of median household incomes in King County.

Land Use Planning Failures:

The land use planning failures are compounded by the reluctance of numerous local elected officials to take on more density in their own municipality, as reflected in city opposition during the 2022 legislative session to bills that would have helped to increase the supply of housing available to households throughout Washington.

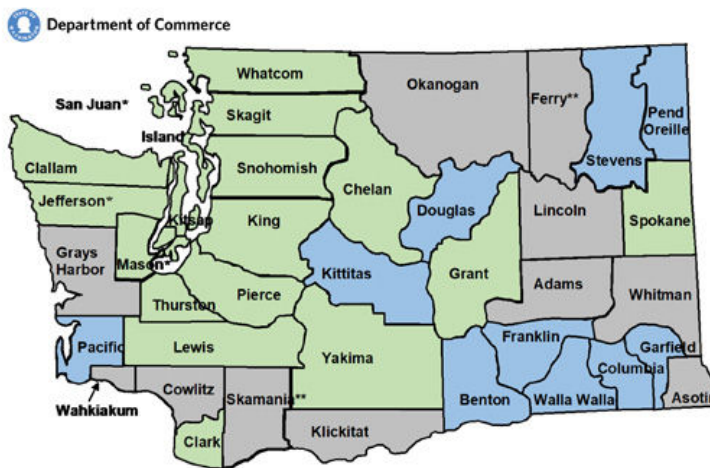
So, comprehensive land use planning under GMA remains a largely "desktop" exercise that is significantly disconnected from the realities of growth "on the ground." As a result, the 2021 amendments to the Countywide Planning Policies, the PSRC's Regional Housing Strategy, PSRC's Vision 2050, the King County Urban Growth Capacity Report, and King County's Review and Evaluation Program/Buildable Lands Report - all of which are tethered to the state's errant growth forecasts - continue to be insufficient to address the region's Housing Supply Crisis.

Nevertheless, amendments to the Growth Management Act in 2017 required historically fast-growing counties in Washington state (including King, Snohomish, Pierce, Kitsap, Thurston and Clark counties) to examine more broadly how jurisdictions are achieving their growth targets and density goals.

If a jurisdiction does not have sufficient capacity to accommodate its growth targets, or if a jurisdiction is not achieving either its growth targets or urban densities, a city or county could be required under GMA's Buildable Lands review provisions in RCW 36.70A.215 to adopt "Reasonable Measures" to correct the deficiency. Such Reasonable Measures would have to be adopted in the next periodic update of comprehensive plans, which in King County will occur in 2024.

In response to the 2017 amendments to state law, the 2021 Urban Growth Capacity Report:

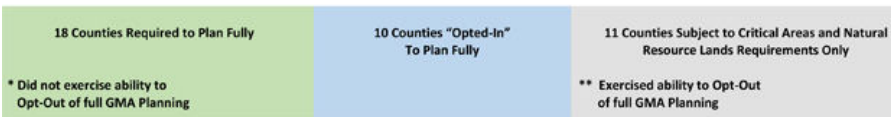
- Compares estimated housing and employment growth from 2006 - 2018 to the 2006 - 2035 growth targets, and
 - Compares the densities allowed in the zoning and development regulations to the densities actually achieved in new development projects between 2012 - 2018.
- The 2017 GMA amendments also call for the historically fast-growing Buildable Lands counties to scrutinize market constraints, infrastructure gaps and development regulation assumptions utilized in the report to ensure that more meaningful market-based assumptions guide capacity calculations.



2021 Urban Growth Capacity Report:

The 2021 Urban Growth Capacity Report (which is intended to implement King County’s Review and Evaluation Program as set out in the King County Countywide Planning Policies) contains some interesting data on development patterns during the period 2012 to 2018:

- For New Residential Development:
 - o Nearly 70% of the hous-



- o ing permitted during the evaluation period was developed at densities of at least 48 dwelling units per acre
 - o 17% of permitted housing during this period was constructed at under 10 dwelling units per acre.
 - o Development in middle-density formats was more limited.
 - o Approximately two-thirds of King County’s developable residential land is zoned for 10 dwelling units or less, making up 10% of residential capacity.
 - o 83% of the county’s developable residential capacity exists at densities greater than 24 dwelling units per acre.
- New Non-residential Development was more evenly distributed across density levels:
 - o Just over 40% of nonresidential built space was developed at the highest density level, reflecting the large volume of dense office and mixed-use development during that time.



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- o Half of observed non-residential development was built-out at densities less than 1 Floor Area Ratio, or FAR, which is a measure comparing the area of built space to the land area of the associated lot or parcel. Higher FAR values reflect more dense development, and values higher than 1.0 indicate that the built space surpasses the land area of the associated parcel (as can occur in multi-story buildings).
- o Nearly 80% of King County’s employment capacity is zoned at 1 FAR or higher.
- o There are roughly 6,350 acres of buildable land available for non-residential development, overwhelming focused in Metropolitan Cities and Core Cities, consistent with the location of the regional growth centers (RGCs) and manufacturing-industrial centers (MICs) that are identified in the region’s VISION 2050 plan. Other communities, cities, towns, and urban unincorporated areas have far less land available for non-residential development, totaling just 8% of total non-residential urban land supply across the county.

King County Growth Capacity:

The 2021 Urban Growth Capacity Report concluded that urban King County has capacity for over 400,000 housing units and 600,000 jobs, and that this capacity is sufficient to accommodate the remainder of the 2035 housing and employment growth targets for the 40 jurisdictions in King County.

That said, there is a small handful of cities with inconsistencies between targets and either planned densities or achieved densities that likely require Reasonable Measures be adopted to correct the deficiencies. Examples of Reasonable Measures include rezones, subarea planning, permitting process streamlining, and development incentives. Any Reasonable Measures selected to address inconsistencies are required to be adopted in comprehensive plans and monitored annually.

As a result of the review of potential inconsistencies, the Urban Growth Capacity Report recommends the following jurisdictions adopt Reasonable Measures in the 2024 periodic update to their comprehensive plans:

Jurisdiction	Inconsistency	Type(s) of Reasonable Measure Recommended
Burien	<ul style="list-style-type: none"> • Insufficient employment capacity • Employment growth rate inconsistent with target 	<ul style="list-style-type: none"> • Action to increase employment capacity • Action to encourage and/or incentivize nonresidential development
Pacific	<ul style="list-style-type: none"> • Insufficient employment capacity 	<ul style="list-style-type: none"> • Action to increase employment capacity
Sammamish	<ul style="list-style-type: none"> • Insufficient Housing Capacity 	<ul style="list-style-type: none"> • Action to increase residential capacity
Shoreline	<ul style="list-style-type: none"> • Insufficient employment capacity 	<ul style="list-style-type: none"> • Action to increase employment capacity
Tukwila	<ul style="list-style-type: none"> • Housing growth inconsistent with target • Employment growth rate inconsistent with target 	<ul style="list-style-type: none"> • Action to encourage and/or incentivize residential development • Action to encourage and/or incentivize non-residential development

Given that only two of these jurisdictions were cited for housing-related deficiencies, it seems unlikely in the extreme to anticipate that these five cities adopting the recommended “Reasonable Measures” will have a significant impact on solving King County’s Housing Supply crisis, homelessness, the special housing needs of the county’s most vulnerable populations, or home ownership opportunities for first-time buyers and historically disadvantaged members of the BIPOC community.

Landlord Tenant Regulations Update

As we begin to emerge from the COVID pandemic, there has been a great deal of regulatory activity in the landlord tenant category. Many jurisdictions have established renter relief programs that include assistance for landlords in providing back rent. Some jurisdictions are contemplating new tenant protections.

SKCR’s goal is to seek a balanced approach to landlord tenant regulation that does not unduly burden landlords who own a small number of units, many of whom are our members and/or for whom our members work.

Seattle Ends Eviction Moratorium:

In Seattle, Mayor Harrell took an important step in ending the eviction moratorium. Councilmember Sawant attempted to overturn the mayor’s executive order ending the eviction moratorium on February 28th and extend it indefinitely until the end of the civil emergency.

As a sign of a return to more moderate policy in City Hall, Sawant’s resolution failed 5 to 3. Councilmembers Lisa Herbold, Teresa Mosqueda, and Sawant voted yes. Councilmembers Andrew Lewis, Sara Nelson, Alex Pedersen, Dan Strauss, and Debora Juarez voted no. Councilmember Tammy Morales was absent. In Seattle, there are several resources for tenants in need of assistance:

- Free legal assistance is available from the Housing Justice Project
- The city offers assistance for rent and utility payments due to COVID financial hardships
- Rules limit evictions of tenants with delinquent rent accrued between March 3rd, 2020, and up to six months after the end of the moratorium.
- Rules limit eviction from September to June based on Seattle public schools’ calendar for households with students (childcare to under 18), educators and employees of schools.

Additional information can be found at www.seattle.gov/rentinginSeattle

Bellevue Eviction Resolution Pilot Program:

The city of Bellevue is running an Eviction Resolution Pilot Program (ERPP) that provides



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landlords and tenants an opportunity to negotiate repayment plans for rent arrearages.

The program that works in partnership with Resolution Washington, King County Superior Court, Administrative Office of the Courts (AOC), Housing Justice Project (HJP), Eastside Legal Assistance Program (ELAP), King County Dispute Resolution Center, King County Eviction Prevention and Rent Assistance Program (EPRAP), Department of Commerce Treasury Rent Assistance Program (T-RAP), Eastside Rental Assistance Coalition, Lake Washington and Bellevue School Districts, Eastside Homelessness Advisory Commission, and landlord and tenant organizations.

In April 2021, the Washington State legislature passed SB 5160. A part of this legislation mandates that dispute resolution centers across the state provide the ERPP to negotiate repayment plans between landlords and tenants as a prerequisite (or alternative) to landlords filing unlawful detainer suits against tenants.

Through the ERPP, trained conciliators provide help with:

- Free conflict coaching to help landlords and tenants resolve eviction-related issues.
- Conciliating financial disputes that put tenants at risk of losing their rental housing and landlords operating without rental income.
- Facilitating mediated agreements between tenant and landlord, to develop reasonable arrangements for unpaid rent.
- Coordinating rental assistance (when available).
- Sharing referral and resource information; and
- Providing a Certificate of Participation once negotiation has ended to both landlord and tenant.
- Bellevue's Conflict Resolution Center's ERPP does not:
- Assist those tenants or landlords outside Bellevue or Kirkland.
- Offer legal advice or representation; or
- Offer rental assistance directly.



RESULTS The ERPP is structured to create a process for landlords and tenants to negotiate agreements that help households remain housed and remediate losses for landlords. Since the eviction moratorium has ended:

- 92 percent of those who respond either enter into negotiations for a mediated rent repayment plan agreement or meet their financial obligation through income or rent assistance.
 - 78 percent of tenants who received ERPP notices from their landlords responded to our intake calls.
 - Only 8 percent of cases, mostly due to non-response, resulted in a certificate of participation the landlord can use to file for unlawful detainer in Superior Court.
- The ERPP is expected to operate until June 2023.

Caseloads are increasing with likely corresponding increases in evictions. Rent assistance

from King County EPRAP has been distributed to 12,000 households, with an additional 11,000 households that have applied for additional assistance. Bellevue's rent assistance ARPA funds have already been distributed to approximately 2,000 households. The ERPP will continue to refer landlords and tenants to any known and available rent assistance funds.

Issaquah Rental Assistance

For members and/or clients with tenants in need of rental assistance in the city of Issaquah, the City Council has updated the Issaquah Rental Assistance Program to remove a three-month limit on rental assistance provided through the program to include all rental arrearages and redistribute the original allocation of \$500,000 in rental assistance to include: \$350,000 to Hopelink and Up to \$150,000 to Imagine Housing.

The program began in October 2021 with \$500,000 of American Rescue Plan Act (ARPA) funding with the goal of helping Issaquah households impacted by the COVID-19 Pandemic and behind on their rent. The program sought to fill the gaps in King County's Eviction Prevention and Rental Assistance Program (EPRAP), which covered rent arrearages for residents with incomes below 50% of Area Median Income (AMI).



Current residents of Issaquah Households meeting income requirements at or below 80% of the area median income (\$90,500 per year for a household of four) and demonstrated need of temporary financial assistance because of the impact caused by COVID-19 are eligible.

How to Apply

- o Call Bellevue Hopelink 425-943-7555 and indicate you are inquiring about the Issaquah Rental Assistance Program; or
- o Apply online [here](#)

Kenmore Tenant Protections

The city of Kenmore is pursuing a range of new tenant protections beyond the robust set of protections adopted by the state legislature during the 2020-2021 session.

Measures under consideration include:

- 180-day notice of rent increase.
- No rent increase if property is in poor condition.
- Cap on late fees \$10 per month.
- Move-in fees capped at one month's rent.
- Tenant right to a payment plan.





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- Establish city rental registration and inspection program.
- Just cause eviction.
- Relocation assistance if rent increase is more than 5%, landlord pays three times rent to tenant.
- Prohibit use of Social Security number.
- Rent due date may be altered if the tenant is on fixed income.
- Landlord may not demand that a child or a person with a disability be a signatory to the lease if tentative record is already a signatory.

SKCR is urging restraint and cautioning that added regulations will create disincentives to operating rental property and lead to increased rents. Particularly hard hit will be small, mom-and-pop landlords who own 1-5 units. Members report that COVID-related disruption in rental income has placed tremendous financial strain and uncertainty for many of these small owners since the mortgage, property taxes and utility bills are due regardless of rental income.

If you, your customers, or your colleagues have an interest in rental housing in Kenmore, now is an important time to convey your concerns to the City Council. Please contact SKCR for more information on how you can engage.

KING COUNTY

COUNTYWIDE PLANNING POLICIES (CPPs): Cities Acting to Ratify 2021 Amendments

The King County Council has ratified amendments to the Countywide Planning Policies that were proposed, and approved, by the County’s Growth Management Planning Council. Now, the cities in King County are engaged in the process of deciding whether or not they too will ratify the proposed amendments. It’s a big event that only happens once every five years, which raises two questions:

- Why is this happening, and
- Will it make a significant difference in solving the Housing Supply Crisis?

The answers are:

Washington’s Growth Management Act (GMA) requires review and amendment of the Countywide Planning Policies approximately every five years to ensure counties and their cities are accommodating growth, including the need for more housing.

And, NO, these amendments are NOT likely to make a significant difference in solving the Hous-



Photo Courtesy Puget Sound Regional Council

ing Supply Crisis because for more than a decade the state growth forecasts upon which the Countywide Planning Policies have been (and continue to be) based are seriously disconnected from the realities of the growth we've experienced "on the ground" in King County.

Here's the explanation:

Washington state's Growth Management Act (GMA), which was passed in 1990, required the fastest-growing counties in the state (as well as slower-growing counties that received financial funding for voluntarily agreeing to do so) to engage in comprehensive planning for growth for the first time in history.

Under the GMA, each county was required to adopt "Countywide Planning Policies" (CPPs) to govern and guide the comprehensive plan and development regulations of each city in the county. King County created a new "Growth Management Planning Council" - or GMPC - to oversee the creation and future amendments to King County's Countywide Planning Policies. The King County Council, the Seattle City Council, and the Sound Cities Association (consisting of the other 38 cities and towns in King County) each appoint representatives to serve on the GMPC.

Under the terms of an Interlocal Agreement established by the Growth Management Planning Council, both the initial CPPs, as well as future amendments, must be approved by 30% of the jurisdictions in King County that represent at least 70% of the population. This arrangement was not only intended to create a shared and consistent framework for growth management planning for all jurisdictions in King County in accordance with RCW 36.70A.210, it also gave (and continues to give) the King County Council, the city of Seattle, and collectively the Sound Cities Association (formerly the Suburban Cities Association) each a veto power over a wide variety of issues in the Countywide Planning Policies, including housing, transportation, basic infrastructure, growth centers, allocation of growth targets, the location of the Urban Growth Boundary, and delineation of rural and resource lands.

King County's initial Countywide Planning Policies were adopted in the early 1990s. The most recent comprehensive review and update of the policies occurred in 2012.

Then, late last year, in 2021, additional amendments were proposed to make the Countywide Planning Policies be consistent with the Multicounty Planning Policies (MPPs) and the Regional Growth Strategy (RGS) contained in the Puget Sound Regional Council's (PSRC) VISION 2050.

The GMA allows multiple counties to collaborate in the adoption of policies, which are referred to as Multicounty Planning Policies (MPPs). King County, together with Kitsap County, Pierce County, Snohomish County, and the cities in each county, comprise the Puget Sound Regional Council (PSRC). PSRC included the MPPs in Vision 2050, which was adopted in October 2020.



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According to King County, the guiding principles for the 2021 Countywide Planning Policies update include:

- Centering social equity and health outcomes
- Integrating regional policy and legislative changes
- Implementing the Regional Growth Strategy, and
- Providing clear, actionable direction for comprehensive plan updates.

According to the County, the 2021 CPP update was years in the making, with the Growth Management Planning Council (GMPC) being the primary elected body in charge of the update. GMPC approved the guiding principles in June 2020 and focused on the addition of equity-related considerations and establishing new growth targets for each city, after which they went to the King County Council for consideration.

As a part of the CPP Update, new “growth targets” were recommended for the 2024-2044 planning period. Those growth targets are based on population and employment growth projections prepared by the state’s Office of Financial Management (OFM), as required by state law.

Growth targets are policy statements about the amount of housing and jobs each jurisdiction will plan for in local comprehensive plan updates that are required in 2024 by state law. Growth targets are created collaboratively by cities and King County to provide land use assumptions for periodic comprehensive plan updates, and for implementing the Region’s VISION 2050 Growth Strategy.



Each city, as well as King County, is required by GMA to do a “Major Update” of its comprehensive plan approximately every five years. The next “Major Update” is required to be completed in 2024, and these 2021 Countywide Planning Policies amendments are intended to affect both the process and substance of those mandatory 2024 updates.

In addition to the required periodic “Major Updates” required by state law, cities are allowed - but are not required - to make annual smaller urgent/emergency amendments to their comprehensive plan. Because of this “once a year” limitation in state law, cities typically begin in the late fall of every year to compile a list of ideas (typically referred to as a “comp plan docket”) for smaller amendments. Then, in the spring, cities begin working in earnest to draft and consider proposed tweaks to the comprehensive plan before finally adopting an annual update just before year-end.

King County facilitates the development of growth targets in the CPPs by convening staff representatives from each city and unincorporated King County to determine a set of draft growth targets which become a component of the draft Countywide Planning Policies.

In addition to the proposed amendments to the Countywide Planning Policies, King County also adopted and ratified an “Urban Growth Capacity Report” during the CPP process. The Report is a required component of the Growth Management Act and implements the County’s “Review and Evaluation Program” - known previously as the “Buildable Lands Program” - to ensure the CPPs and city comprehensive plans not only accommodate employment growth, but also ensure there is enough housing for everyone who needs a place to live at prices buyers and renters can afford.

The on-going systemic failures of the Countywide Planning Policies, Growth Targets and Review and Evaluation Program are central to the decades-long Housing Supply Crisis that is at the very core of skyrocketing increases in King County’s home prices and rents, both of which are rising dramatically faster than household incomes, despite the fact that GMA’s Housing Goal in RCW 36.70A.020 (4) requires local government to plan for, and accommodate, housing that is affordable to all economic segments of the population of the state.

The primary reason the Countywide Planning Policies, Growth Targets and Review and Evaluation Program have failed is that for more than a decade the state’s growth projections (upon which those planning exercises are based) have fallen far short of the reality on the ground. The result has been land use planning that is significantly disconnected from what’s actually happening in the real estate market as a result of employment-related in-migration of workers coming to the Central Puget Sound Region from out-of-state, as well as from other counties within Washington.

During the Growth Management Planning Council’s review of the proposed Countywide Planning Policies amendments, several cities in South King County (Federal Way, Kent, Renton, SeaTac and Tukwila) commented on the draft, expressing concerns in a May 5, 2021, joint letter which recommended modifications in the form of additional language that would:

- Recognize that affordable housing was not evenly distributed throughout King County.
- Account for the impact that regional facilities (such as transfer stations, jails, behavioral health facilities, homeless shelters, etc.) have on communities in South King County.
- Ensure that seemingly impartial standards like “efficiency” are not used to perpetuate historical impacts on the BIPOC communities in South King County; and
- Recognize that regional challenges should be addressed through a well-defined collaborative process.

On December 14, 2021, the Metropolitan King County Council adopted two ordinances (#19384 and #19369) which ratified the GMPC’s approval of the 2021 CPP amendments. Now, the 2021 CPP amendments are being reviewed by the county’s 39 cities for ratification.



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Each City Council has three options:

1. To ratify the CPPs through the passage of a City Council Resolution; or,
2. To not ratify the CPPs through the passage of a City Council Resolution; or,
3. To take no action. By not acting, a city will automatically ratify the CPPs.

The CPPs will become effective when ratified by ordinance or resolution of at least 30% of the city and county governments representing 70% of the population of King County. In order to assure ratification, the Interlocal Agreement provides that a city will be “deemed” to have ratified the amendments to the CPPs unless the city takes legislative action to disapprove the amendments within 90 days of adoption by King County, which in this case is, April 6, 2022.

Even so, cities are now going through the process of formally ratifying the proposed amendments, which helps city councilmembers to better understand the content, limitations and requirements which flow from the CPPs into their respective city’s comprehensive plans and development regulations.

King County has requested that any questions about the amendments or ratification process be directed to Andy Micklow of the Metropolitan King County Council Staff at (206) 263-3226, or to Ivan Miller, Countywide Planning Manager in the King County Office of Performance, Strategy and Budget at (206) 263-8297.

SEATTLE

Setting a new tone in Seattle City Hall

Two SKCR-supported candidates won election and now are setting a new tone in City Hall: Mayor Bruce Harrell and Councilmember Sara Nelson.



Bruce Harrell

Mayor Bruce Harrell: In his State of the City address, Mayor Harrell took pains to commit to a new vision for the city that based on collaborative, responsive, responsible government.



City of Seattle

He said, the “status quo is unacceptable – that is the one area where we must all agree...every day I hear stories of longtime small businesses closing their doors for good or leaving our city; of families

forever changed because of senseless tragedy driven by gun violence or overdose; of rising rents and an inability to pay bills or find housing; of climate impacts; of disillusioned youth and residents who don't feel seen or heard."

He stressed the need to work together and shed the divisive atmosphere that has stymied the city during the past several years.

Our priorities do not have to contradict – instead of looking at differing opinions as mutually exclusive, we can look to the politics of AND. The right number of officers AND the right kind of officers. More housing AND vibrant, unique neighborhoods. Climate justice AND new jobs. Diversity AND commonality.

The mayor pledged to go back to the basic of good city governance including housing the unhoused, fixing potholes, making sure sidewalks and parks are safe for children and families to use, and making sure criminal laws are enforced against those harming others.

He noted the launch of a Comprehensive Plan Update that will give all communities, especially communities of color, a voice in shaping the future of the city, as we work to build walkable, transit-oriented neighborhoods with a housing supply that meets the needs of the future.

Home ownership opportunities AND displacement protection. More housing AND expanded tree canopy. Improving equity can take many forms.

The mayor has made several impressive hires including:

- Tim Burgess, former City Councilmember, and interim Mayor, is the Mayor's Director of Strategic Initiatives
- Marco Lowe, formerly with the Master Builders Association, is the City's new Chief Operating Officer.
- Markham McIntyre, formerly with the Greater Seattle Chamber, is the mayor's nominee to head the Office of Economic Development

Councilmember Sara Nelson:

Sara Nelson brings to the Council her experience as a lead staffer to former Councilmember Richard Conlin who led the council in a series of residential upzones needed to accommodate Seattle's fast growth. Councilmember Nelson also is a small business owner who has navigated Fremont Brewing through the pandemic and public safety challenges at her Fremont and Ballard locations.



Sarah Nelson

She chairs the council's Economic Development, Technology and City Light Committee which she kicked off with a panel of small business owners and representatives of neighborhood business dis-



tricts from across the city to discuss the impacts of escalating crime on their businesses, workers, and customers.

She said she convened the roundtable to not only give voice to the overwhelming chorus of small employer's frustration but also to generate ways to document, mitigate, and ideally reduce crime short of addressing the root causes of our current public safety crises and immediately brings SPD up to adequate staffing levels which will take years.

Sound Transit Light rail extensions to West Seattle and Ballard

Sound Transit is in the planning stage for a line that extends from Downtown to West Seattle and Ballard. The plan would extend the 3 Line to the SODO, Delridge, Avalon, and Alaska Junction neighborhoods, and the 1 Line to the Denny Triangle, South Lake Union, Uptown, Smith Cove, Interbay and Ballard. As part of the 1 Line extension, the project would construct a second tunnel through downtown to expand light rail system capacity at SODO, Chinatown-International District, Midtown, and Westlake.

While light rail extensions to West Seattle and Ballard may be years away, planning conversations about the routes and station locations are happening now and you have an opportunity to make your voice heard.

On January 28 Sound Transit published a Draft Environmental Impact Statement (EIS) for the West Seattle and Ballard Link Extensions (WSBLE) project.

The Draft EIS is an environmental analysis of the potential impacts and benefits of the project

- Identifies alternatives under consideration, including station location
- Describes the potential environmental impacts and benefits of each alternative
- Proposes actions that will help mitigate impacts

Comments will be accepted through April 28. As station area planning ensures, SKCR will be encouraging the agency to maximize housing opportunities around stations as well as ensuring neighborhood quality and livability.

MAPLE VALLEY

Rules for the City's New Downtown May Be Ready by Summer

In a presentation to the Maple Valley - Black Diamond Chamber of Commerce on February 16th, Matt Torpey reported that the Planning Commission is completing work on its recommendations to the City Council for development standards and guidelines for Maple Valley's New Downtown, and that the City Council is likely to take final action on the matter

by this summer. Torpey is the Community Development Manager for the City of Maple Valley.

The city's effort to develop a New Downtown began in the spring of 2019 with a community visioning process that extended into May 2020. In the fall of that year, the City's Planning Commission began its work on the project which is bordered by SE 264th Street on the south, SE 260th Street on the north, the King County Trail on the west and the Maple Valley-Black Diamond Highway on the east.

The site is one of the last two large remaining parcels of land available in the city, and is currently used for trucking, storage, and open space. The other property, which is not part of the Downtown planning process at this time, is known as "The Legacy Site" which is located immediately north of the proposed New Downtown.

The city anticipates that future land uses will shift towards open space, residential, commercial, lodging, utilities and civic uses that will be both active and non-active in nature, as well as provide for multi-family residential and office uses above first floor retail.

As envisioned in the most recent proposals under consideration, the New Downtown will include a "Main Street" on a 60' right-of-way that is already owned by the city. This Main Street - which will run North and South - will consist of three blocks, each between 207' and 360' long that will "front" on a two-lane street for motor vehicles, and also include a 6' wide planter strip.

To make the New Downtown pedestrian friendly, the New Downtown will include 2.1 miles of sidewalks, buildings will front on Main Street, and parking requirements will be different than they are for other areas of the city. The modified parking standards are an effort to encourage people to "park once, and then walk" - rather than driving between stores the way they do in other commercial areas of Maple Valley. The city envisions secondary (east-west) street connections to Main Street that will be limited to five general kinds of configurations: shared alleys, Woonerf (similar to the Pike Place Market Road), pedestrian alleys, arcades and traditional alleys.

According to Torpey, the draft plans also include a Civic Plaza which will serve as a community space adjacent to Main Street. To maintain a Northwest ambience, exterior build-



Photo courtesy of the City of Maple Valley



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ing materials will be limited to brick, wood, finished metal and stone.

To ensure that development options were not compromised during the planning process, on July 8, 2019, the city council approved a six-month building and development moratorium intended to maintain the status quo until the city completes its plans for the area, including zoning and development code provisions to regulate new construction so that it's consistent with the city's plans for the area.

However, under state law, a development and building moratorium can only be in-effect for six months at a time and must then be renewed or modified. Otherwise, it automatically expires. As a result, the city has maintained the moratorium in-place by extending it every six months pending final action, which the city is hopeful will be accomplished by this summer.

The moratorium prohibits the acceptance of all development permit applications, including (but not limited to) building permit applications, and site development permit applications, affecting any portion of the property the City has identified as the intended location for a new Downtown Maple Valley.

SAMMAMISH

Comprehensive Plan Update

The city of Sammamish continues to struggle with accommodating growth. Over the past several years the city has been in a moratorium, particularly focused on the development of Town Center, which includes a need for multifamily units.

Recently, the city completed the Community Vision Project, involving extensive community outreach to identify priorities and explore potential revisions to the 2024 Comprehensive Plan Update.



According to the city, public engagement revealed the following about what is important to residents and stakeholders about current and future quality of life and experience in Sammamish:

1. Sammamish prizes diversity and the richness it brings to the community. Sammamish is a city that is inclusive, safe, and welcoming and enables all residents to thrive.
2. Sammamish embraces a tight-knit character while providing access to retail, restaurants, critical services, and other amenities.
3. Sammamish protects and enhances the natural environment as a hallmark of community character and an asset to the quality of life for residents and visitors alike.

4. Sammamish values a range of housing types and choices that meet the needs of its residents.
 5. Sammamish seeks to expand transportation connectivity for all modes of travel, including walking, biking, transit, and other options besides driving.
 6. Sammamish wants to be a resilient community with a solid social network and well-protected and well-maintained infrastructure.
- Public support for Item 4 is good news for SKCR's efforts to encourage increased housing supply and a more responsible approach to accommodating the region's growth pressures.

KIRKLAND

Tree Code: what it means for ADUs and developed property

Tree removal for ADUs:

After three and a half years of work and COVID delays, the Kirkland City Council has passed a substantial update to tree code on a 5-2 vote, with Mayor Sweet and Councilmember Nixon voting no due to the onerous impacts on property rights and affordability.

New regulations should not impact ADUs.

If a property owner proposes to build an ADU, tree removal/retention would be governed under KZC 95.30 and the associated building permit, and the tree removal allowances and regulations in KZC 95.25 would not be applicable.

For example, if a property owner submits a building permit for the construction of a detached ADU, they would be required to submit a Tree Retention Plan showing all Regulated trees on their property. The city would then identify trees of High Retention Value (trees in required yards, Landmark Trees, Groves).

If the Tree Retention Plan showed any of these trees as proposed for removal and the retention standards of the code indicated that there were options for retention, staff would provide a comment to the applicant. At that time, the property owner would then either submit alternate plans for the location and layout of the ADU utilizing the development standards outlined in the proposed KZC 95.30.4 or provide rationale for why the proposed ADU location is the only feasible option. The Planning Official would then review this proposal and either; a) authorize the applicant to utilize the development standards or, b) approve the tree for removal after the applicant has demonstrated that "there is no practicable or feasible alternative development proposal that results in fewer tree removals" [KZC 95.30.6].

Due to the frequency of concern that tree retention might limit the City's desire for more ADUs, staff is proposing an addition to the development guarantees of 95.30 to include ADUs and has added this revision to the draft code.



Issues & Impacts

Tree removal on developed property:

Any private property owner of developed property may remove up to a specified number of regulated trees based on property size within a 12-month period with the submittal of a Tree Removal Notification Form. For any tree removal that is beyond what is allowed in this section, a Tree Removal Permit is required.

The following activities do not require the submittal of a Tree Removal Permit:

- a. The tree is not a Landmark Tree. Landmark Tree removals are regulated pursuant to subsection (4) of this section.
- b. The tree removal does not result in less than the minimum number of regulated trees to remain on the subject property shown in Table 95.25.1. Trees that qualify as hazard or nuisance trees may be permitted for removal with approval of a tree removal permit and tree replacements based on the size of the removed trees:

Property Size	Maximum Allowance for Tree Removal per 12 Months	Minim Number of Regulated Trees to Remain on Subject Property
Up to 10,000 sf	2	2
10,001 to 20,000 sf	3	3
20,001 sf or greater	4	4

c. There is no active application for development activity for the subject property. Development activity within 12- or 24-months following tree removal may be subject to additional limitations

Diameter of Removed Tree	Number of Replacement Trees Required
6 to 15 inches diameter at base height	1
16 to 26 inches diameter at base height	2
26 inches diameter at base height or higher	3

PUBLIC SAFETY

County Covid Mandates Affecting Police Staffing in “Contract Cities”

The majority of the 39 cities in King County have their own police departments to ensure public safety. But many of the 39 cities have a contract with the King County Sheriff's Office for police services, including Beaux Arts Village, Burien, Carnation, Covington, Kenmore, Maple Valley, Newcastle, Sammamish, SeaTac, Shoreline, Skykomish and Woodinville - as well as Sound Transit, Metro Transit, King County International Airport, and the Muckleshoot Indian Tribe.

King County Executive Dow Constantine instituted a mandate requiring Sheriff's deputies to be vaccinated against Covid or lose their jobs, even though some employees may not be able to take the vaccine for medical reasons, and others may choose not to take the vaccine for religious reasons. The County Executive's directive did not include an alternative opportunity for a “periodic Covid testing” exemption for employees with bona fide medical or religious reasons for not getting vaccinated.

The situation has begun to impact cities that contract with the Sheriff's office for police services, including the city of Covington which lost its County-provided police chief because of the vaccination mandate. Cities have responded by requesting the County Executive to allow an exemption to the vaccination mandate in the form of weekly Covid testing.



On February 1st the Covington City Council held a special meeting for the purpose of approving a letter to the County requesting modification of the vaccination policy to allow for weekly testing for Sheriff deputies who were unable to take the vac-

ination for medical reasons, or for religious reasons. The city's letter stressed the likely impact on public safety in the contract city communities and noted the impacts would not be limited to Covington. The city of Covington is already unable to obtain the level of police services staffing from the county it would prefer, and the mandate further exacerbates that situation.

In addition, King County Councilmember Reagan Dunn has called for King County to end the vaccine mandate for employees, especially King County Sheriff's office deputies. Dunn stated, “I believe that King County needs to stop firing King County Sheriff's Office deputies who are unvaccinated. Violent crime and murders are at an all-time high—and meanwhile, KCSO is dealing with a major staffing shortage and struggling to hire enough deputies to keep our neighborhoods safe. Forceful vaccine mandates that push our deputies



Reagan Dunn



out of their jobs are causing far more harm than good. Dunn, who is a former federal prosecutor, provided a medical explanation from an IHME epidemiologist that Dunn said supported his contention that it is time to end all employee vaccine mandates.

REALTORS® are following the issue, not only because of notable recent increases in the level of serious crimes in King County, but also because neighborhood safety and the quality of schools remain important considerations for buyers and homeowners when making a decision about where to live, even when housing options are limited because of the continually worsening housing supply crisis.

WATER SUPPLY

Cities Lobby Congress for Howard Hanson Dam Construction Projects

In the long history of the West, perhaps nothing has been more important for accommodating growth, or more hotly contested, than water. Potable water for people and animals. Household water for washing. Water for industry, hydropower, and agriculture. Navigable water, and more recently, water for fish.



Photo courtesy of U.S. Army Corps of Engineers

So, it's no surprise that local cities in King County are focused on water in connection with land use planning efforts to accommodate future growth of their populations and employment opportunities. Some cities have their own water utilities, while others rely upon public water districts. For example, the King County cities of Black Diamond, Covington, and Maple Valley obtain their water supplies from the Covington Water District.

And, in South King County, some of the entities - including the Covington Water District - have interlocal agreements with water purveyors, such as Tacoma Public Utilities (aka Tacoma Water).

Tacoma Water submitted a 2022 Water Resources Development Act (WRDA) request to Congress seeking funding for the Howard A. Hanson Dam Additional Water Storage Project Post-Authorization Change.

If the "Howard Hanson Dam" name seems familiar, it may be because several years ago leaks in the Howard Hanson earthen dam on the Upper Green River presented a potential catastrophic breaching risk that resulted in millions of dollars being spent on precautionary flood sandbagging in order to protect vital infrastructure, employment centers and residential properties in the Kent-Auburn-Renton Valley.

Howard Hanson Dam not only provides flooding protection, it is also a critically important source of water storage for Tacoma Water, and in turn for local water districts and cities. As a result, in early February 2022, cities and water districts in South King County began lobbying Congress in support of Tacoma Water's funding application, noting that "This important water infrastructure project will have an impact on the entire region—including for the King County communities of Black Diamond, Covington, and Maple Valley served by the Covington Water District."

According to the cities, "This critical project would help achieve the necessary storage behind Howard Hanson Dam to meet future water supply needs expected with regional growth and climate change. Reauthorization of the project is necessary for continued development of the long-awaited Downstream Fish Passage Facility at Howard Hanson Dam, which is necessary to bring about the reintroduction of ESA-listed salmon and steelhead upstream of the dam. Completion of this project would approximately double the amount of habitat available to salmon in the Green/Duwamish River and represents the single largest increase in potential salmon habitat in Puget Sound."

In addition, the South King County cities and special purpose districts reminded Washington's Congressional Delegation that federal funding is essential for the U.S. Army Corps of Engineers to meet its obligation under a 2019 Jeopardy Biological Opinion issued by the National Marine Fisheries Service, which requires completion of the Howard Hanson Dam Downstream Fish Passage System by 2030.

"Completion of the facility will improve recovery of ESA-listed Puget Sound steelhead and chinook salmon, which are the primary food source for the ESA-listed Southern Resident Orca population," said the cities.

No firm date has yet been set for congressional action on the funding request.

2022 RPAC AUCTION RAISED \$56,644.00



SEATTLE KING COUNTY REALTORS



RPAC

REALTORS® POLITICAL ACTION COMMITTEE

RPAC DID THAT!



76 IN ATTENDANCE:

- ★ SKCR LEADERSHIP AND MEMBERS
- ★ WOMENS COUNCIL OF REALTORS
- ★ ASIAN REAL ESTATE ASSOCIATION OF AMERICA



89 AUCTION ITEMS

THE HIGHLIGHTS



1 BALLOON ARCH



10 CAKES EATEN



80 BOTTLES OF WINE



3 CRUISES AUCTIONED

7 NEW PRESIDENT'S CIRCLE MEMBERS YTD

JOIN US AT PRESIDENT'S CIRCLE CONFERENCE IN

CANCUN MEXICO

HALL OF FAME

8

2021 INDUCTEE

GEORGIA STEVENS

THANK YOU!

10K PLATINUM: LENNOX SCOTT

2021 MAJOR INVESTORS

45

2022 LEGISLATIVE ELECTION YEAR



KING COUNTY



• 51 TOTAL LEGISLATIVE SEATS



• 46 LEGISLATIVE SEATS SUBJECT TO ELECTION



• 6 STATEWIDE SEATS SUBJECT TO ELECTION (CONGRESSIONAL DISTRICT SEATS 1, 7, 8, 9; 1 U.S. SENATE SEAT; AND SECRETARY OF STATE.)



• 78% SKCR'S 2021 WIN RATE

AS OF 3/31/2022, INFORMATION IS SUBJECT TO CHANGE.



Issues & Impacts

REALTORS® Political Action Committee (RPAC)

An Easy, Quick Way to Protect Your Business - REALTOR® PAC ONLINE

Introducing a new secure, online REALTOR® PAC (RPAC) investment site making it easier than ever for busy REALTORS® to protect their business. We can't all go to Washington D.C., the state Capital, or even our City Halls while government leaders are making decisions that affect our industry; but while we are busy, REALTOR® PAC can fight for us and for our clients. Please make an investment of **\$50**, **\$100**, or **\$500** to ensure that when government acts, there is no harm to real

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Issues & Impacts is a quarterly publication produced by Seattle King County REALTORS® to inform members about current issues and successes within your Governmental Affairs Department. We will release our next publication in July 2022.

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

Please call Taylor at 425.974.1013 ext. 704 if there are any local legislative issues that need our attention.