

Tuesday, May 16, 2023
College Place Planning Commission- (Hybrid: In-Person & Electronic)

7:00 P.M.

414th Regular Planning Commission Meeting

Agenda: <http://go.boarddocs.com/wa/cocp/Board.nsf/goto?open&id=CRMUAD7AFE01>

City Fire Department

629 S College Avenue

College Place WA 99324

Meeting may be viewed at: Live Stream on City of College Place, Washington YouTube at https://www.youtube.com/channel/UCbx3qrqzLDL_05NusReSI-g/featured

Zoom Attendee Link: <https://us06web.zoom.us/j/87585402716>

Or you may call this number to listen: 1-669-900-9128 ID# 875 8540 2716 Phone controls: *6 - toggle mute/un-mute and *9 - raise hand

1. OPENING ITEMS

Subject :	1.01 Call To Order 414th Regular Planning Commission Meeting
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	1. OPENING ITEMS
Access :	Public
Type :	Procedural
Subject :	1.02 Roll Call
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	1. OPENING ITEMS
Access :	Public
Type :	Information, Procedural

Public Content

Position 1 - Wrandoll Brenes-Morua- term exp. 12-31-2023 - Chair

Position 2 - VACANT

Position 3 - Ben Dawson - term exp. 12-31-2024

Position 4 - Brandon Aberle - term exp. 12-31-2024

Position 5 -Ruben Alvarado - term exp. 12-31-2025

Position 6 - Leroy Waggoner - term exp. 12-31-2024

Position 7 - Todd A. Reiswig -term exp. 12-31-2023 - Vice Chair

Staff

Jon Rickard - Community Development Director

Kristi Scherger - Community Development Administrative Assistant

Athen Reid - Deputy Clerk

Subject :	1.03 Public Comment
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	1. OPENING ITEMS
Access :	Public
Type :	Information

Public Content

Planning Commission meetings are primarily structured to permit Commission members to make recommendations to the City Council regarding decisions necessary to govern the City.

Public Comment is the time set aside for Citizens to address the Planning Commission regarding items of concern/interest either not appearing on this agenda, or on the consent agenda. *If you wish to speak on any such item, this is the time to come forward when the Chair asks for public comments.*

COVID-19 Virtual Meeting Protocol for Public Comment:

When submitting public comments, include the following regardless of the manner you are using: - Note that there are deadlines for each method of commenting.

- Your Name
- Your Address

Public comments may be provided in writing (If typewritten, no less than 11 pt font). Submit to Clerk@cpwa.us no later than 4:30 PM on the meeting date to be included in the record.

Public Comments in person may be made by telephone or virtually during the meeting:

- Telephone comment - Call 1-669-900-9128, entering the meeting ID (provided at beginning of agenda) and raising your hand (*9 to raise hand, *6 to mute/un-mute) when comments are requested.
- Virtual comment - Join using the Zoom Attendee link (provided at beginning of agenda) and raise your hand when comments are requested.

Once recognized, you will have five minutes to speak on any subject that is under the control of the Commission.

2. CONSENT AGENDA

Subject :	2.01 Approve Agenda for May 16, 2023.
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Subject :	2.02 Approve Minutes from February 21, 2023.
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent)

File Attachments

[PC MINUTES FEB 21 23.pdf \(870 KB\)](#)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

Subject :	2.03 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Planning Commission by a single motion. Most of the items listed under the consent agenda have gone through previous review either at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Planning Commission and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Planning Commission member.
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	2. CONSENT AGENDA
Access :	Public
Type :	Action (Consent)
Recommended Action :	Motion to approve consent agenda items 2.01 through 2.03

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

3. REGULAR AGENDA

Subject :	3.01 Engrossed House Bill 1337 - Accessory Dwelling Units
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	3. REGULAR AGENDA
Access :	Public
Type :	Discussion, Information

Public Content

Recently the state legislature passed Engrossed House Bill 1337 relating to accessory dwelling units. The Governor signed this into law on May 10th excluding section 5 pertained to waivers and/or deferral of fees, taxes, or other incentives.

The cities or counties fully planning under the GMA must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes in the following configurations:

- (i) One attached accessory dwelling unit and one detached accessory dwelling unit;
- (ii) Two attached accessory dwelling units; or
- (iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures;

The city or county must permit accessory dwelling units in structures detached from the principal unit;

The city or county must allow an accessory dwelling unit on any lot that meets the minimum lot size required for the principal unit;

The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;

The city or county may not establish roof height limits on an accessory dwelling unit of less than 24 feet, unless the height limitation that applies to the principal unit is less than 24 feet, in which case a city or county may not impose roof height limitation on accessory dwelling units that is less than the height limitation that applies to the principal unit;

A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;

A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

A city or county may not require public street improvements as a condition of permitting accessory dwelling units.

A city or county subject to the requirements of this section may not:

- (i) Require off-street parking as a condition of permitting development of accessory dwelling units within one-half mile walking distance of a major transit stop;
- (ii) Require more than one off-street parking space per unit as a condition of permitting development of accessory dwelling units on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot splits; and
- (iii) Require more than two off-street parking spaces per unit as a condition of permitting development of accessory dwelling units on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley;

Section 5 was vetoed by the Governor. - section pertained to waivers and/or deferral of fees, taxes, or other incentives.

Administrative File Attachments

[EHB 1337 Partial Veto Letter for bill.pdf \(290 KB\)](#)
[EHB 1337 as Passed Leg.pdf \(126 KB\)](#)

Subject :	3.02 SEPA - Categorical Exemptions
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	3. REGULAR AGENDA
Access :	Public
Type :	Discussion, Information

Public Content

The Washington State Environmental Policy Act requires that the permitting of new construction activities include an environmental analysis except when specifically exempted. There are 27 categories of exemptions including minor new construction activities. Within this category local governments have the flexibility to set the threshold for certain types of construction activities and recently the State Legislature increased the range of these flexible thresholds.

The maximum exemption levels are:

Single family residential - 30 units; (CP current threshold is 9; Walla Walla recently approved up to 14)

Single family residential with the total square footage less than 1,500 square feet - 100 units (Walla Walla did not adopt this exemption)

Multifamily residential 200 units (CP does not have an exemption for multifamily; Walla Walla recently approved up to 60 MFR)

Barn, loafing shed, farm equipment storage, produce storage or packing structure - 40,000 square feet (CP currently at 30,000; Walla Walla 10,000)

Office, school, commercial, recreational, service, storage building, parking facilities - 30,000 square feet and 90 parking spaces (This represents our current code; Walla Walla just increased to 30,000 and 90 parking spaces)

Fill or excavation 1,000 cubic yards (CP currently 200 cubic yards, Walla Walla increased to 1,000)

File Attachments

[WAC 197-11-800.pdf \(371 KB\)](#)

4. REPORTS

Subject :	4.01 Countywide Planning Policies Update
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	4. REPORTS
Access :	Public
Type :	Reports

Public Content

Attached is the proposal from the firm LDC that was selected to assist the local jurisdictions in the process of updating the Countywide Planning Policies. Walla Walla County is lead agency and is working with LDC on a contract.

File Attachments

[LDC and Watershed Submittal for CPP Update 2023-03-27.pdf \(2.478 KB\)](#)

Subject :	4.02 Development Activity
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	4. REPORTS
Access :	Public
Type :	Reports

Public Content

- Lions Park
- Burger King
- Chipotle

- Soda Stop
- Deer Meadows
- Salerno Estates
- Villages of Garrison Creek phases XII & XIII
- Villages at Fort Walla Walla Apartments
- Vespr Apartments - College Ave
- SW 6th Oakwood Apartments

5. OTHER BUSINESS

6. CLOSING ITEMS

Subject :	6.01 Conclude - Next regularly scheduled meeting is June 20, 2023.
Meeting :	May 16, 2023 - College Place Planning Commission- (Hybrid: In-Person & Electronic)
Category :	6. CLOSING ITEMS
Access :	Public
Type :	Procedural

College Place Planning Commission- (Hybrid: In-Person & Electronic) (Tuesday, February 21, 2023)

Generated by Kristi Scherger on Tuesday, February 21, 2023

1. OPENING ITEMS

1.01 Call To Order 413th Regular Planning Commission Meeting

Commissioner Reiswig called the meeting to order at 7:02 PM.

1.02 Roll Call

PRESENT:	Commission Members	Ruben Alvarado Brandon Aberle LeRoy Waggoner Ben Dawson Wrandoll Brenes-Morua
ABSENT:		Leroy Waggoner
	Staff	Jon Rickard - Community Development Director Kristi Scherger - Community Development Administrative Assistant Athen Reid - Deputy City Clerk
	Guest Speaker	Gregg Dohrn - G.R. Dohrn Associates Planning Consultant

1.03 Public Comment
None.

2. CONSENT AGENDA

Action (Consent): 2.01 Approve Agenda for February 21, 2023.

Action (Consent): 2.02 Approve Minutes from January 17, 2023.

Action (Consent): 2.03 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Planning Commission by a single motion. Most of the items listed under the consent agenda have gone through previous review either at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Planning Commission and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Planning Commission member.

Recommended Action: Motion to approve consent agenda items 2.01 through 2.03

Commissioner Alvarado made a motion to approve the consent agenda items 2.01 through 2.03. Second by Commissioner Brenes-Morua and the motion passed.

3. REGULAR AGENDA

3.01 Review of the Future Land Use Map (FLUM)

Guest Speaker Gregg Dohrn presented an overview of The Future Land Use Map (FLUM).

4. REPORTS

None.

5. OTHER BUSINESS

None.

6. CLOSING ITEMS

6.01 Conclude - Next regularly scheduled meeting is March 21, 2023.

Commissioner Alvarado motioned to conclude the meeting. Seconded by Commissioner Aberle and the motion passed.

Commissioner Reiswig concluded the meeting at 8:14 PM.

Approved:

Wrandoll Brenes-Morua
Chairman
Attest:

Jon Rickard
Community Development
Director

The foregoing minutes are the official record of the Planning Commission meeting that occurred February 21, 2023. Further detail may be obtained by reviewing the actual audio recording made during this session.



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

May 10, 2023

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 5, Engrossed House Bill No. 1337 entitled:

"AN ACT Relating to expanding housing options by easing barriers to the construction and use of accessory dwelling units."

Section 5 of the bill gives local governments authority to waive or defer fees, defer payment of taxes, or waive other regulations for the development of accessory dwelling units (ADUs) if specified conditions are met. The specified conditions are that the ADU must be located within an urban growth area, and the ADU must be subject to a locally adopted covenant program ensuring that the ADU will be primarily utilized for long-term housing. Current law allows local governments to waive fees, taxes, and to establish various incentives for the construction of ADUs without requiring the creation of a local covenant program. The administrative costs necessary to administer a new covenant program for ADUs may cause some cities to discontinue current incentive programs.

For these reasons I have vetoed Section 5 of Engrossed House Bill No. 1337.

With the exception of Section 5, Engrossed House Bill No. 1337 is approved.

Respectfully submitted,

Jay Inslee
Governor

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1337

68th Legislature
2023 Regular Session

Passed by the House April 14, 2023
Yeas 85 Nays 11

**Speaker of the House of
Representatives**

Passed by the Senate April 6, 2023
Yeas 39 Nays 7

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1337** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1337

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Gregerson, Barkis, Berry, Christian, Duerr, Fitzgibbon, Taylor, Ramel, Reeves, Simmons, Walen, Graham, Bateman, Reed, Lekanoff, Doglio, Tharinger, Cortes, Macri, and Stonier

Read first time 01/16/23. Referred to Committee on Housing.

1 AN ACT Relating to expanding housing options by easing barriers
2 to the construction and use of accessory dwelling units; amending RCW
3 36.70A.696, 43.21C.495, and 36.70A.280; adding new sections to
4 chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding
5 a new section to chapter 64.32 RCW; adding a new section to chapter
6 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new
7 section; and repealing RCW 35.63.210, 35A.63.230, 36.70A.400,
8 36.70.677, and 43.63A.215.

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

10 NEW SECTION. **Sec. 1.** (1) The legislature makes the following
11 findings:

12 (a) Washington state is experiencing a housing affordability
13 crisis. Many communities across the state are in need of more housing
14 for renters across the income spectrum.

15 (b) Many cities dedicate the majority of residentially zoned land
16 to single detached houses that are increasingly financially out of
17 reach for many households. Due to their smaller size, accessory
18 dwelling units can provide a more affordable housing option in those
19 single-family zones.

20 (c) Localities can start to correct for historic economic and
21 racial exclusion in single-family zones by opening up these

1 neighborhoods to more diverse housing types, including accessory
2 dwelling units, that provide lower cost homes. Increasing housing
3 options in expensive, high-opportunity neighborhoods will give more
4 families access to schools, parks, and other public amenities
5 otherwise accessible to only the wealthy.

6 (d) Accessory dwelling units are frequently rented below market
7 rate, providing additional affordable housing options for renters.

8 (e) Accessory dwelling units can also help to provide housing for
9 very low-income households. More than 10 percent of accessory
10 dwelling units in some areas are occupied by tenants who pay no rent
11 at all; among these tenants are grandparents, adult children, family
12 members with disabilities, friends going through life transitions,
13 and community members in need. Accessory dwelling units meet the
14 needs of these people who might otherwise require subsidized housing
15 space and resources.

16 (f) Accessory dwelling units can meet the needs of Washington's
17 growing senior population, making it possible for this population to
18 age in their communities by offering senior-friendly housing, which
19 prioritizes physical accessibility, in walkable communities near
20 amenities essential to successful aging in place, including transit
21 and grocery stores, without requiring costly renovations of existing
22 housing stock.

23 (g) Homeowners who add an accessory dwelling unit may benefit
24 from added income and an increased sense of security.

25 (h) Accessory dwelling units provide environmental benefits. On
26 average they are more energy efficient than single detached houses,
27 and they incentivize adaptive reuse of existing homes and materials.

28 (i) Siting accessory dwelling units near transit hubs, employment
29 centers, and public amenities can help to reduce greenhouse gas
30 emissions by increasing walkability, shortening household commutes,
31 and curtailing sprawl.

32 (2) The legislature intends to promote and encourage the creation
33 of accessory dwelling units as a means to address the need for
34 additional affordable housing options.

35 **Sec. 2.** RCW 36.70A.696 and 2021 c 306 s 2 are each amended to
36 read as follows:

37 The definitions in this section apply throughout RCW 36.70A.697
38 ~~((and)),~~ 36.70A.698, and sections 3 and 4 of this act unless the
39 context clearly requires otherwise.

1 (1) "Accessory dwelling unit" means a dwelling unit located on
2 the same lot as a single-family housing unit, duplex, triplex,
3 townhome, or other housing unit.

4 (2) "Attached accessory dwelling unit" means an accessory
5 dwelling unit located within or attached to a single-family housing
6 unit, duplex, triplex, townhome, or other housing unit.

7 (3) "City" means any city, code city, and town located in a
8 county planning under RCW 36.70A.040.

9 (4) "County" means any county planning under RCW 36.70A.040.

10 (5) "Detached accessory dwelling unit" means an accessory
11 dwelling unit that consists partly or entirely of a building that is
12 separate and detached from a single-family housing unit, duplex,
13 triplex, townhome, or other housing unit and is on the same property.

14 (6) "Dwelling unit" means a residential living unit that provides
15 complete independent living facilities for one or more persons and
16 that includes permanent provisions for living, sleeping, eating,
17 cooking, and sanitation.

18 (7) "Gross floor area" means the interior habitable area of a
19 dwelling unit including basements and attics but not including a
20 garage or accessory structure.

21 (8) "Major transit stop" means:

22 (a) A stop on a high capacity transportation system funded or
23 expanded under the provisions of chapter 81.104 RCW;

24 (b) Commuter rail stops;

25 (c) Stops on rail or fixed guideway systems, including
26 transitways;

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

29 (e) Stops for a bus or other transit mode providing actual fixed
30 route service at intervals of at least fifteen minutes for at least
31 five hours during the peak hours of operation on weekdays.

32 ~~((+8))~~ (9) "Owner" means any person who has at least 50 percent
33 ownership in a property on which an accessory dwelling unit is
34 located.

35 ~~((+9))~~ (10) "Principal unit" means the single-family housing
36 unit, duplex, triplex, townhome, or other housing unit located on the
37 same lot as an accessory dwelling unit.

38 (11) "Short-term rental" means a lodging use, that is not a hotel
39 or motel or bed and breakfast, in which a dwelling unit, or portion

1 thereof, is offered or provided to a guest by a short-term rental
2 operator for a fee for fewer than 30 consecutive nights.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A
4 RCW to read as follows:

5 (1)(a) Cities and counties planning under this chapter must adopt
6 or amend by ordinance, and incorporate into their development
7 regulations, zoning regulations, and other official controls the
8 requirements of this section and of section 4 of this act, to take
9 effect six months after the jurisdiction's next periodic
10 comprehensive plan update required under RCW 36.70A.130.

11 (b) In any city or county that has not adopted or amended
12 ordinances, regulations, or other official controls as required under
13 this section, the requirements of this section and section 4 of this
14 act supersede, preempt, and invalidate any conflicting local
15 development regulations.

16 (2) Ordinances, development regulations, and other official
17 controls adopted or amended pursuant to this section and section 4 of
18 this act must only apply in the portions of towns, cities, and
19 counties that are within urban growth areas designated under this
20 chapter.

21 (3) Any action taken by a city or county to comply with the
22 requirements of this section or section 4 of this act is not subject
23 to legal challenge under this chapter or chapter 43.21C RCW.

24 (4) Nothing in this section or section 4 of this act requires or
25 authorizes a city or county to authorize the construction of an
26 accessory dwelling unit in a location where development is restricted
27 under other laws, rules, or ordinances as a result of physical
28 proximity to on-site sewage system infrastructure, critical areas, or
29 other unsuitable physical characteristics of a property.

30 (5) Nothing in this section or in section 4 of this act prohibits
31 a city or county from:

32 (a) Restricting the use of accessory dwelling units for short-
33 term rentals;

34 (b) Applying public health, safety, building code, and
35 environmental permitting requirements to an accessory dwelling unit
36 that would be applicable to the principal unit, including regulations
37 to protect ground and surface waters from on-site wastewater;

38 (c) Applying generally applicable development regulations to the
39 construction of an accessory unit, except when the application of

1 such regulations would be contrary to this section or to section 4 of
2 this act;

3 (d) Prohibiting the construction of accessory dwelling units on
4 lots that are not connected to or served by public sewers; or

5 (e) Prohibiting or restricting the construction of accessory
6 dwelling units in residential zones with a density of one dwelling
7 unit per acre or less that are within areas designated as wetlands,
8 fish and wildlife habitats, flood plains, or geologically hazardous
9 areas.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A
11 RCW to read as follows:

12 (1) In addition to ordinances, development regulations, and other
13 official controls adopted or amended to comply with this section and
14 section 3 of this act, a city or county must comply with all of the
15 following policies:

16 (a) The city or county may not assess impact fees on the
17 construction of accessory dwelling units that are greater than 50
18 percent of the impact fees that would be imposed on the principal
19 unit;

20 (b) The city or county may not require the owner of a lot on
21 which there is an accessory dwelling unit to reside in or occupy the
22 accessory dwelling unit or another housing unit on the same lot;

23 (c) The city or county must allow at least two accessory dwelling
24 units on all lots that are located in all zoning districts within an
25 urban growth area that allow for single-family homes in the following
26 configurations:

27 (i) One attached accessory dwelling unit and one detached
28 accessory dwelling unit;

29 (ii) Two attached accessory dwelling units; or

30 (iii) Two detached accessory dwelling units, which may be
31 comprised of either one or two detached structures;

32 (d) The city or county must permit accessory dwelling units in
33 structures detached from the principal unit;

34 (e) The city or county must allow an accessory dwelling unit on
35 any lot that meets the minimum lot size required for the principal
36 unit;

37 (f) The city or county may not establish a maximum gross floor
38 area requirement for accessory dwelling units that is less than 1,000
39 square feet;

1 (g) The city or county may not establish roof height limits on an
2 accessory dwelling unit of less than 24 feet, unless the height
3 limitation that applies to the principal unit is less than 24 feet,
4 in which case a city or county may not impose roof height limitation
5 on accessory dwelling units that is less than the height limitation
6 that applies to the principal unit;

7 (h) A city or county may not impose setback requirements, yard
8 coverage limits, tree retention mandates, restrictions on entry door
9 locations, aesthetic requirements, or requirements for design review
10 for accessory dwelling units that are more restrictive than those for
11 principal units;

12 (i) A city or county must allow detached accessory dwelling units
13 to be sited at a lot line if the lot line abuts a public alley,
14 unless the city or county routinely plows snow on the public alley;

15 (j) A city or county must allow accessory dwelling units to be
16 converted from existing structures, including but not limited to
17 detached garages, even if they violate current code requirements for
18 setbacks or lot coverage;

19 (k) A city or county may not prohibit the sale or other
20 conveyance of a condominium unit independently of a principal unit
21 solely on the grounds that the condominium unit was originally built
22 as an accessory dwelling unit; and

23 (l) A city or county may not require public street improvements
24 as a condition of permitting accessory dwelling units.

25 (2)(a) A city or county subject to the requirements of this
26 section may not:

27 (i) Require off-street parking as a condition of permitting
28 development of accessory dwelling units within one-half mile walking
29 distance of a major transit stop;

30 (ii) Require more than one off-street parking space per unit as a
31 condition of permitting development of accessory dwelling units on
32 lots smaller than 6,000 square feet before any zero lot line
33 subdivisions or lot splits; and

34 (iii) Require more than two off-street parking spaces per unit as
35 a condition of permitting development of accessory dwelling units on
36 lots greater than 6,000 square feet before any zero lot line
37 subdivisions or lot splits.

38 (b) The provisions of (a) of this subsection do not apply:

39 (i) If a local government submits to the department an empirical
40 study prepared by a credentialed transportation or land use planning

expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection for accessory dwelling units will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities and counties on items to include in the study; or

(ii) To portions of cities within a one mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(3) When regulating accessory dwelling units, cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less.

(4) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of the effective date of this section, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).

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

To encourage the use of accessory dwelling units for long-term housing, cities and counties may adopt ordinances, development regulations, and other official controls which waive or defer fees, including impact fees, defer the payment of taxes, or waive specific regulations. Cities and counties may only offer such reduced or deferred fees, deferred taxes, waivers, or other incentives for the development or construction of accessory dwelling units if:

(1) The units are located within an urban growth area; and

(2) The units are subject to a program adopted by the city or county with effective binding commitments or covenants that the units will be primarily utilized for long-term housing consistent with the public purpose for this authorization.

Sec. 6. RCW 43.21C.495 and 2022 c 246 s 3 are each amended to read as follows:

1 (1) Adoption of ordinances, development regulations and
2 amendments to such regulations, and other nonproject actions taken by
3 a city to implement: The actions specified in section 2, chapter 246,
4 Laws of 2022 unless the adoption of such ordinances, development
5 regulations and amendments to such regulations, or other nonproject
6 actions has a probable significant adverse impact on fish habitat;
7 and the increased residential building capacity actions identified in
8 RCW 36.70A.600(1), with the exception of the action specified in RCW
9 36.70A.600(1)(f), are not subject to administrative or judicial
10 appeals under this chapter.

11 (2) Adoption of ordinances, development regulations and
12 amendments to such regulations, and other nonproject actions taken by
13 a city or county consistent with the requirements of sections 3 and 4
14 of this act are not subject to administrative or judicial appeals
15 under this chapter.

16 **Sec. 7.** RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
17 read as follows:

18 (1) The growth management hearings board shall hear and determine
19 only those petitions alleging either:

20 (a) That, except as provided otherwise by this subsection, a
21 state agency, county, or city planning under this chapter is not in
22 compliance with the requirements of this chapter, chapter 90.58 RCW
23 as it relates to the adoption of shoreline master programs or
24 amendments thereto, or chapter 43.21C RCW as it relates to plans,
25 development regulations, or amendments, adopted under RCW 36.70A.040
26 or chapter 90.58 RCW. Nothing in this subsection authorizes the board
27 to hear petitions alleging noncompliance ~~((with RCW 36.70A.5801))~~
28 based on a city or county's actions taken to implement the
29 requirements of sections 3 and 4 of this act within an urban growth
30 area;

31 (b) That the ~~((twenty-))~~ 20-year growth management planning
32 population projections adopted by the office of financial management
33 pursuant to RCW 43.62.035 should be adjusted;

34 (c) That the approval of a work plan adopted under RCW
35 36.70A.735(1)(a) is not in compliance with the requirements of the
36 program established under RCW 36.70A.710;

37 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not
38 regionally applicable and cannot be adopted, wholly or partially, by
39 another jurisdiction; or

1 (e) That a department certification under RCW 36.70A.735(1)(c) is
2 erroneous.

3 (2) A petition may be filed only by: (a) The state, or a county
4 or city that plans under this chapter; (b) a person who has
5 participated orally or in writing before the county or city regarding
6 the matter on which a review is being requested; (c) a person who is
7 certified by the governor within (~~sixty~~) 60 days of filing the
8 request with the board; or (d) a person qualified pursuant to RCW
9 34.05.530.

10 (3) For purposes of this section "person" means any individual,
11 partnership, corporation, association, state agency, governmental
12 subdivision or unit thereof, or public or private organization or
13 entity of any character.

14 (4) To establish participation standing under subsection (2)(b)
15 of this section, a person must show that his or her participation
16 before the county or city was reasonably related to the person's
17 issue as presented to the board.

18 (5) When considering a possible adjustment to a growth management
19 planning population projection prepared by the office of financial
20 management, the board shall consider the implications of any such
21 adjustment to the population forecast for the entire state.

22 The rationale for any adjustment that is adopted by the board
23 must be documented and filed with the office of financial management
24 within ten working days after adoption.

25 If adjusted by the board, a county growth management planning
26 population projection shall only be used for the planning purposes
27 set forth in this chapter and shall be known as the "board adjusted
28 population projection." None of these changes shall affect the
29 official state and county population forecasts prepared by the office
30 of financial management, which shall continue to be used for state
31 budget and planning purposes.

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

34 (1) By December 31, 2023, the department must revise its
35 recommendations for encouraging accessory dwelling units to include
36 the provisions of sections 3 and 4 of this act.

37 (2) During each comprehensive plan review required by RCW
38 36.70A.130, the department must review local government comprehensive
39 plans and development regulations for compliance with sections 3 and

1 4 of this act and the department's recommendations under subsection
2 (1) of this section.

3 NEW SECTION. **Sec. 9.** A new section is added to chapter 64.34
4 RCW to read as follows:

5 (1) Except a declaration created to protect public health and
6 safety, and ground and surface waters from on-site wastewater, a
7 declaration created after the effective date of this section and
8 applicable to a property located within an urban growth area may not
9 impose any restriction or prohibition on the construction,
10 development, or use on a lot of an accessory dwelling unit that the
11 city or county in which the urban growth area is located would be
12 prohibited from imposing under section 4 of this act.

13 (2) For the purposes of this section, "urban growth area" has the
14 same meaning as in RCW 36.70A.030.

15 (3) A city or county issuing a permit for the construction of an
16 accessory dwelling unit may not be held civilly liable on the basis
17 that the construction of the accessory dwelling unit would violate a
18 restrictive covenant or deed restriction.

19 NEW SECTION. **Sec. 10.** A new section is added to chapter 64.32
20 RCW to read as follows:

21 (1) Except a declaration created to protect public health and
22 safety, and ground and surface waters from on-site wastewater, a
23 declaration created after the effective date of this section and
24 applicable to a property located within an urban growth area may not
25 impose any restriction or prohibition on the construction,
26 development, or use on a lot of an accessory dwelling unit that the
27 city or county in which the urban growth area is located would be
28 prohibited from imposing under section 4 of this act.

29 (2) For the purposes of this section, "urban growth area" has the
30 same meaning as in RCW 36.70A.030.

31 (3) A city or county issuing a permit for the construction of an
32 accessory dwelling unit may not be held civilly liable on the basis
33 that the construction of the accessory dwelling unit would violate a
34 restrictive covenant or deed restriction.

35 NEW SECTION. **Sec. 11.** A new section is added to chapter 64.38
36 RCW to read as follows:

1 (1) Except governing documents of associations created to protect
2 public health and safety, and ground and surface waters from on-site
3 wastewater, governing documents of associations created after the
4 effective date of this section and applicable to a property located
5 within an urban growth area may not impose any restriction or
6 prohibition on the construction, development, or use on a lot of an
7 accessory dwelling unit that the city or county in which the urban
8 growth area is located would be prohibited from imposing under
9 section 4 of this act.

10 (2) For the purposes of this section, "urban growth area" has the
11 same meaning as in RCW 36.70A.030.

12 (3) A city or county issuing a permit for the construction of an
13 accessory dwelling unit may not be held civilly liable on the basis
14 that the construction of the accessory dwelling unit would violate a
15 restrictive covenant or deed restriction.

16 NEW SECTION. **Sec. 12.** A new section is added to chapter 64.90
17 RCW to read as follows:

18 (1) Except declarations and governing documents of common
19 interest communities created to protect public health and safety, and
20 ground and surface waters from on-site wastewater, declarations and
21 governing documents of common interest communities created after the
22 effective date of this section and applicable to a property located
23 within an urban growth area may not impose any restriction or
24 prohibition on the construction, development, or use on a lot of an
25 accessory dwelling unit that the city or county in which the urban
26 growth area is located would be prohibited from imposing under
27 section 4 of this act.

28 (2) For the purposes of this section, "urban growth area" has the
29 same meaning as in RCW 36.70A.030.

30 (3) A city or county issuing a permit for the construction of an
31 accessory dwelling unit may not be held civilly liable on the basis
32 that the construction of the accessory dwelling unit would violate a
33 restrictive covenant or deed restriction.

34 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
35 each repealed:

36 (1) RCW 35.63.210 (Accessory apartments) and 1993 c 478 s 8;

37 (2) RCW 35A.63.230 (Accessory apartments) and 1993 c 478 s 9;

38 (3) RCW 36.70A.400 (Accessory apartments) and 1993 c 478 s 11;

1 (4) RCW 36.70.677 (Accessory apartments) and 1993 c 478 s 10; and
2 (5) RCW 43.63A.215 (Accessory apartments—Development and
3 placement—Local governments) and 1993 c 478 s 7.

--- END ---

WAC 197-11-800 Categorical exemptions. The proposed actions contained in Part Nine are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in WAC 197-11-305.

Note: The statutory exemptions contained in chapter 43.21C RCW are not included in Part Nine. Chapter 43.21C RCW should be reviewed in determining whether a proposed action not listed as categorically exempt in Part Nine is exempt by statute from threshold determination and EIS requirements.

(1) Minor new construction - Flexible thresholds.

(a) The exemptions in this subsection apply to all licenses required to undertake the construction in question. To be exempt under this subsection, the project must be equal to or smaller than the exempt level. For a specific proposal, the exempt level in (b) of this subsection shall control, unless the city/county in which the project is located establishes an exempt level under (c) of this subsection. If the proposal is located in more than one city/county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency. The exemptions in this subsection apply except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

(b) The following types of construction shall be exempt:

- (i) The construction or location of four attached or detached single family residential units.
- (ii) The construction or location of four multifamily residential units.
- (iii) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots.
- (iv) The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for 20 automobiles. This exemption includes parking lots for 20 or fewer automobiles not associated with a structure.

(v) Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any excavation, fill or grading necessary for an exempt project in (i), (ii), (iii), or (iv) of this subsection shall be exempt.

(c) Cities, towns or counties may raise the exempt levels up to the maximum specified in (d) of this subsection by implementing ordinance or resolution. Such levels shall be specified in the agency's SEPA procedures (WAC 197-11-904). Separate maximum optional thresholds are established in (d) of this subsection applying to both incorporated areas and unincorporated urban growth areas in fully planning jurisdictions under RCW 36.70A.040; other unincorporated areas in fully planning counties; and jurisdictions in all other counties. Agencies may adopt the maximum level or a level between the minimum and maximum level. An agency may adopt a system of several exempt levels, such as different levels for different geographic areas, and mixed use projects.

At a minimum, the following process shall be met in order to raise the exempt levels.

(i) Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations. The city, town, or county must document the result of its outreach with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to state-owned transportation facilities.

(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.

(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of 60 days notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.

(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:

- Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments.

- Planning and permitting processes that ensure compliance with applicable laws including chapters 27.44, 27.53, 68.50, and 68.60 RCW.

- Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.

(d) The maximum exemption levels applicable to (c) of this subsection are:

	Fully planning GMA counties			All other counties
Project types	Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single family residential	30 units	30 units	20 units	20 units
Single family residential with the total square footage less than 1,500 square feet	100 units	30 units	20 units	20 units
Multifamily residential	200 units	60 units	25 units	25 units

	Fully planning GMA counties			All other counties
Project types	Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 square feet	40,000 square feet	40,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 square feet and 90 parking spaces	30,000 square feet and 90 parking spaces	12,000 square feet and 40 parking spaces	12,000 square feet and 40 parking spaces
Fill or excavation	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards

(2) **Other minor new construction.**

(a) The exemptions in this subsection apply to all licenses required to undertake the following types of proposals except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

(b) The construction or designation of bus stops, loading zones, shelters, access facilities, pull-out lanes for taxicabs, transit and school vehicles, and designation of transit only lanes.

(c) The construction or installation of commercial on-premise signs, and public signs and signals, including those for traffic control and wayfinding.

(d) The construction or installation of minor road and street improvements by any agency or private party that include the following:

- (i) Safety structures and equipment: Such as pavement marking, adding or removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle traffic speed or volume, freeway surveillance and control systems, railroad protective devices (not including grade-separated crossings), grooving, glare screen, safety barriers, energy attenuators;
- (ii) Transportation corridor landscaping (including the application of state of Washington approved herbicides by licensed personnel for right of way weed control as long as this is not within watersheds controlled for the purpose of drinking water quality;
- (iii) Temporary traffic controls and detours;
- (iv) Correction of substandard curves and intersections within existing rights of way, widening of a highway by less than a single lane width where capacity is not significantly increased and no new right of way is required;
- (v) Adding auxiliary lanes for localized purposes, (weaving, climbing, speed change, etc.), where capacity is not significantly increased and no new right of way is required;
- (vi) Channelization, rechannelization, elimination of sight restrictions at intersections, street lighting, guard rails and barricade installation;
- (vii) Installation of catch basins and culverts for the purposes of road and street improvements;

(viii) Reconstruction of existing roadbed (existing curb-to-curb in urban locations), including adding or widening of shoulders where capacity is not increased and no new right of way is required;

(ix) Addition of bicycle lanes, paths and facilities, and pedestrian walks and paths including sidewalk extensions, but not including additional automobile lanes.

(e) Grading, excavating, filling, septic tank installations, and landscaping necessary for any building or facility exempted by subsections (1) and (2) of this section, as well as fencing and the construction of small structures and minor facilities accessory thereto.

(f) Additions or modifications to or replacement of any building or facility exempted by subsections (1) and (2) of this section when such addition, modification or replacement will not change the character of the building or facility in a way that would remove it from an exempt class.

(g) The demolition of any structure or facility, the construction of which would be exempted by subsections (1) and (2) of this section, except for structures or facilities with recognized historical significance such as listing in a historic register.

(h) The installation or removal of impervious underground or above-ground tanks, having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On agricultural and industrial lands, the installation or removal of impervious underground or above-ground tanks, having a total capacity of 60,000 gallons or less.

(i) The vacation of streets or roads, converting public right of way, and other changes in motor vehicle access.

(j) The installation of hydrological measuring devices, regardless of whether or not on lands covered by water.

(k) The installation of any property, boundary or survey marker, other than fences, regardless of whether or not on lands covered by water.

(1) The installation of accessory solar energy generation equipment on or attached to existing structures and facilities whereby the existing footprint and size of the building is not increased.

(3) **Repair, remodeling and maintenance activities.** The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt (examples include repair or replacement of piling, ramps, floats, or mooring buoys, or minor repair, alteration, or maintenance of docks). The following maintenance activities shall not be considered exempt under this subsection:

(a) Dredging of over 50 cubic yards of material;

(b) Reconstruction or maintenance of groins and similar shoreline protection structures;

(c) Replacement of utility cables that must be buried under the surface of the bedlands; or

(d) Repair/rebuilding of major dams, dikes, and reservoirs shall also not be considered exempt under this subsection.

(4) **Water rights.** Appropriations of one cubic foot per second or less of surface water, or of 2,250 gallons per minute or less of groundwater, for any purpose. The exemption covering not only the permit to appropriate water, but also any hydraulics permit, shoreline

permit or building permit required for a normal diversion or intake structure, well and pumphouse reasonably necessary to accomplish the exempted appropriation, and including any activities relating to construction of a distribution system solely for any exempted appropriation.

(5) **Purchase or sale of real property.** The following real property transactions by an agency shall be exempt:

(a) The purchase or acquisition of any right to real property.

(b) The sale, transfer or exchange of any publicly owned real property, but only if the property is not subject to a specifically designated and authorized public use established by the public landowner and used by the public for that purpose.

(c) Leasing, granting an easement for, or otherwise authorizing the use of real property when the property use will remain essentially the same as the existing use for the term of the agreement, or when the use under the lease, easement or other authorization is otherwise exempted by this chapter.

(6) **Land use decisions.** The following land use decisions shall be exempt:

(a) Land use decisions for exempt projects, except that rezones must comply with (c) of this subsection.

(b) Other land use decisions not qualified for exemption under subsection (a) (such as a home occupation or change of use) are exempt provided:

(i) The authorized activities will be conducted within an existing building or facility qualifying for exemption under WAC 197-11-800 (1) and (2); and

(ii) The activities will not change the character of the building or facility in a way that would remove it from an exempt class.

(c) Where an exempt project requires a rezone, the rezone is exempt only if:

(i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;

(ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and

(iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.

(d) Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW 58.17.060, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW 58.17.020. This exemption includes binding site plans authorized by RCW 58.17.035 up to the same number of lots allowed by the jurisdiction as a short subdivision.

(e) Granting of variance based on special circumstances, not including economic hardship, applicable to the subject property, such as size, shape, topography, location or surroundings and not resulting in any change in land use or density.

(f) Alteration of property lines as authorized by RCW 58.17.040(6).

(7) **Open burning.** Opening burning and the issuance of any license for open burning shall be exempt. The adoption of plans, programs, objectives or regulations by any agency incorporating general standards respecting open burning shall not be exempt.

(8) **Clean Air Act.** The granting of variances under RCW 70.94.181 extending applicable air pollution control requirements for one year or less shall be exempt.

(9) **Water quality certifications.** The granting or denial of water quality certifications under the Federal Clean Water Act (Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1341) shall be exempt.

(10) **Activities of the state legislature.** All actions of the state legislature are exempted.

(11) **Judicial activity.** The following shall be exempt:

(a) All adjudicatory actions of the judicial branch.

(b) Any quasi-judicial action of any agency if such action consists of the review of a prior administrative or legislative decision. Decisions resulting from contested cases or other hearing processes conducted prior to the first decision on a proposal or upon any application for a rezone, conditional use permit or other similar permit not otherwise exempted by this chapter, are not exempted by this subsection.

(12) **Enforcement and inspections.** The following enforcement and inspection activities shall be exempt:

(a) All actions, including administrative orders and penalties, undertaken to enforce a statute, regulation, ordinance, resolution or prior decision. No license shall be considered exempt by virtue of this subsection; nor shall the adoption of any ordinance, regulation or resolution be considered exempt by virtue of this subsection.

(b) All inspections conducted by an agency of either private or public property for any purpose.

(c) All activities of fire departments and law enforcement agencies except physical construction activity.

(d) Any action undertaken by an agency to abate a nuisance or to abate, remove or otherwise cure any hazard to public health or safety. The application of pesticides and chemicals is not exempted by this subsection but may be exempted elsewhere in these guidelines. No license or adoption of any ordinance, regulation or resolution shall be considered exempt by virtue of this subsection.

(e) Any suspension or revocation of a license for any purpose.

(13) **Business and other regulatory licenses.** The following business and other regulatory licenses are exempt:

(a) All licenses to undertake an occupation, trade or profession.

(b) All licenses required under electrical, fire, plumbing, heating, mechanical, and safety codes and regulations, but not including building permits.

(c) All licenses to operate or engage in amusement devices and rides and entertainment activities including, but not limited to, cabarets, carnivals, circuses and other traveling shows, dances, music machines, golf courses, and theaters, including approval of the use of public facilities for temporary civic celebrations, but not including licenses or permits required for permanent construction of any of the above.

(d) All licenses to operate or engage in charitable or retail sales and service activities including, but not limited to, peddlers, solicitors, second hand shops, pawnbrokers, vehicle and housing rental agencies, tobacco sellers, close out and special sales, fireworks, massage parlors, public garages and parking lots, and used automobile dealers.

(e) All licenses for private security services including, but not limited to, detective agencies, merchant and/or residential patrol

agencies, burglar and/or fire alarm dealers, guard dogs, locksmiths, and bail bond services.

(f) All licenses for vehicles for-hire and other vehicle related activities including, but not limited to, taxicabs, ambulances, and tow trucks: Provided, That regulation of common carriers by the utilities and transportation commission shall not be considered exempt under this subsection.

(g) All licenses for food or drink services, sales, and distribution including, but not limited to, restaurants, liquor, and meat.

(h) All animal control licenses including, but not limited to, pets, kennels, and pet shops. Establishment or construction of such a facility shall not be considered exempt by this subsection.

(i) The renewal or reissuance of a license regulating any present activity or structure so long as no material changes are involved.

(14) **Activities of agencies.** The following administrative, fiscal and personnel activities of agencies shall be exempt:

(a) The procurement and distribution of general supplies, equipment and services authorized or necessitated by previously approved functions or programs.

(b) The assessment and collection of taxes.

(c) The adoption of all budgets and agency requests for appropriation: Provided, That if such adoption includes a final agency decision to undertake a major action, that portion of the budget is not exempted by this subsection.

(d) The borrowing of funds, issuance of bonds, or applying for a grant and related financing agreements and approvals.

(e) The review and payment of vouchers and claims.

(f) The establishment and collection of liens and service billings.

(g) All personnel actions, including hiring, terminations, appointments, promotions, allocations of positions, and expansions or reductions in force.

(h) All agency organization, reorganization, internal operational planning or coordination of plans or functions.

(i) Adoptions or approvals of utility, transportation and solid waste disposal rates.

(j) The activities of school districts pursuant to desegregation plans or programs; however, construction of real property transactions or the adoption of any policy, plan or program for such construction of real property transaction shall not be considered exempt under this subsection.

(k) Classification of land for current use taxation under chapter 84.34 RCW, and classification and grading of forest land under chapter 84.33 RCW.

(15) **Financial assistance grants.** The approval of grants or loans by one agency to another shall be exempt, although an agency may at its option require compliance with SEPA prior to making a grant or loan for design or construction of a project. This exemption includes agencies taking nonproject actions that are necessary to apply for federal or other financial assistance.

(16) **Local improvement districts and special purpose districts.** The formation of local improvement districts and special purpose districts, unless such formation constitutes a final agency decision to undertake construction of a structure or facility not exempted under WAC 197-11-800 and 197-11-880. A special district or special purpose district is a local government entity designated by the Revised Code of Washington (RCW) and is not a city, town, township, or county.

(17) **Information collection and research.** Basic data collection, research, resource evaluation, requests for proposals (RFPs), and the conceptual planning of proposals shall be exempt. These may be strictly for information-gathering, or as part of a study leading to a proposal that has not yet been approved, adopted or funded; this exemption does not include any agency action that commits the agency to proceed with such a proposal. (Also see WAC 197-11-070.)

(18) **Acceptance of filings.** The acceptance by an agency of any document or thing required or authorized by law to be filed with the agency and for which the agency has no discretionary power to refuse acceptance shall be exempt. No license shall be considered exempt by virtue of this subsection.

(19) **Procedural actions.** The proposal, amendment or adoption of legislation, rules, regulations, resolutions or ordinances, or of any plan or program shall be exempt if they are:

(a) Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

(b) Text amendments resulting in no substantive changes respecting use or modification of the environment.

(c) Agency SEPA procedures.

(20) **Reserved.**

(21) **Adoption of noise ordinances.** The adoption by counties/cities of resolutions, ordinances, rules or regulations concerned with the control of noise which do not differ from regulations adopted by the department of ecology under chapter 70.107 RCW. When a county/city proposes a noise resolution, ordinance, rule or regulation, a portion of which differs from the applicable state regulations, SEPA compliance may be limited to those items which differ from state regulations.

(22) **Review and comment actions.** Any activity where one agency reviews or comments upon the actions of another agency or another department within an agency shall be exempt.

(23) **Utilities.** The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.

(a) All communications lines, including cable TV, but not including communication towers or relay stations.

(b) All stormwater, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines 12 inches or less in diameter.

(c) All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (up to and including 115,000 volts); within existing rights of way or developed utility corridors, all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.

(d) All natural gas distribution (as opposed to transmission) lines and necessary appurtenant facilities and hookups.

(e) All developments within the confines of any existing electric substation, reservoir, pump station vault, pipe, or well: Additional appropriations of water are not exempted by this subsection.

(f) Periodic use of chemical or mechanical means to maintain a utility or transportation right of way in its design condition: Provided, the chemicals used are approved by Washington state and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.

(g) All grants of rights of way by agencies to utilities for use for distribution (as opposed to transmission) purposes.

(h) All grants of franchises by agencies to utilities.

(i) All disposals of rights of way by utilities.

(24) **Natural resources management.** In addition to the other exemptions contained in this section, the following natural resources management activities shall be exempt:

(a) Issuance of new grazing leases covering a section of land or less; and issuance of all grazing leases for land that has been subject to a grazing lease within the previous 10 years.

(b) Licenses or approvals to remove firewood.

(c) Issuance of agricultural leases covering 160 contiguous acres or less.

(d) Issuance of leases for Christmas tree harvesting or brush picking.

(e) Issuance of leases for school sites.

(f) Issuance of leases for, and placement of, mooring buoys designed to serve pleasure craft.

(g) Development of recreational sites not specifically designed for all-terrain vehicles and not including more than 12 campsites.

(h) Periodic use of chemical or mechanical means to maintain public park and recreational land: Provided, That chemicals used are approved by the Washington state department of agriculture and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.

(i) Issuance of rights of way, easements and use permits to use existing roads in nonresidential areas.

(j) Establishment of natural area preserves to be used for scientific research and education and for the protection of rare flora and fauna, under the procedures of chapter 79.70 RCW.

(25) **Wireless service facilities.**

(a) The siting of wireless service facilities are exempt if:

(i) The collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures that does not substantially change the physical dimensions of such structures; or

(ii) The siting project involves constructing a wireless service tower less than 60 feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone.

(b) For the purposes of this subsection:

(i) "Wireless services" means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

(ii) "Wireless service facilities" means facilities for the provision of wireless services.

(iii) "Collocation" means the mounting or installation of equipment on an existing tower, building, structure for the purposes of either transmitting or receiving, or both, radio frequency signals for communication purposes.

(iv) "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.

(v) "Substantially change the physical dimensions" means:

(A) The mounting of equipment on a structure that would increase the height of the structure by more than 10 percent, or 20 feet, whichever is greater; or

(B) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than 20 feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.

(c) This exemption does not apply to projects within a critical area designated under GMA (RCW 36.70A.060).

(26) **State transportation projects.** The following Washington department of transportation projects and activities shall be exempt: The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation, as long as the action:

(a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

(27) **Structurally deficient city, town and county bridges.** The repair, reconstruction, restoration, retrofitting, or replacement of a structurally deficient city, town or county bridge shall be exempt as long as the action:

(a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

"Structurally deficient" means a bridge that is classified as in poor condition under the state bridge condition rating system and is reported by the state to the national bridge inventory as having a deck, superstructure, or substructure rating of four or below. Structurally deficient bridges are characterized by deteriorated conditions of significant bridge elements and potentially reduced load-carrying capacity. Bridges deemed structurally deficient typically require significant maintenance and repair to remain in service, and require major rehabilitation or replacement to address the underlying deficiency.

[Statutory Authority: RCW 43.21C.110 and 2022 c 246. WSR 23-01-119 (Order 22-08), § 197-11-800, filed 12/20/22, effective 1/20/23. Statutory Authority: RCW 43.21C.110. WSR 16-13-012 (Order 15-09), § 197-11-800, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW 43.21C.110 and 43.21C.100 [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-800, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW

43.21C.110. WSR 13-02-065 (Order 12-01), § 197-11-800, filed 12/28/12, effective 1/28/13. Statutory Authority: RCW 43.21A.090, chapter 43.21C RCW, RCW 43.21C.035, 43.21C.037, 43.21C.038, 43.21C.0381, 43.21C.0382, 43.21C.0383, 43.21C.110, 43.21C.222. WSR 03-16-067 (Order 02-12), § 197-11-800, filed 8/1/03, effective 9/1/03. Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-800, filed 10/10/97, effective 11/10/97. Statutory Authority: RCW 43.21C.110. WSR 84-05-020 (Order DE 83-39), § 197-11-800, filed 2/10/84, effective 4/4/84.]

WALLA WALLA COUNTY COUNTYWIDE PLANNING POLICIES UPDATE

SUBMITTED BY
LDC, INC

LDC | Surveying
Engineering
Planning



March 27, 2023

SUBMITTED TO:

Walla Walla County Community Development

Attn: Lauren Prentice, County Community
Development Director

310 W. Poplar Street, Suite 200
Walla Walla, WA 99362

www.LDCcorp.com

HQ: 20210 142nd Ave NE, Woodinville, WA 98072
KENT: 1851 Central Place South, Suite 101, Kent, WA 98030
OLYMPIA: 1411 State Ave NE, Suite 200, Olympia, WA 98506

COVER LETTER

March 27, 2023

Lauren Prentice, Community Development Director
Walla Walla County
310 W. Poplar Street, Suite 200
Walla Walla, WA 99362

RE: RFP Walla Walla County Countywide Planning Policies (CPPs) Update

Dear Lauren:

The LDC team is pleased to present our proposal to Walla Walla County for supporting the Countywide Planning Policies (CPPs) Update. Our team brings a breadth of experience that will ensure each element of this project is a success. This includes significant experience with the Growth Management Act (GMA) and developing and updating CPPs. We also have a great deal of experience working and leading projects which include multiple jurisdictions and stakeholder interests. Our project approach will help ensure we can successfully assist the county and cities in developing new CPPs that meet GMA requirements and enhance coordination into the future.

As the proposed project lead, I bring nearly 25 years of planning experience to this project. This includes over 16 years working for both cities and counties in Washington State and 12 years working as a planner in Eastern Washington. My experience includes successfully leading complex GMA projects, including comprehensive plan and CPP updates.

Here are some of the other advantages of hiring the LDC team:

- **Experience updating Countywide Planning Policies:** we recently led the successful update of the Kitsap Countywide Planning Policies. The project was completed on time and the new and revised policies were ratified by the county and each city.
- **Plans that work:** Policy solutions that work in one community may not work in another. We tailor our work to ensure that our plan works well for your community when implemented. Our goal is to assist the county and the cities in creating joint policies that will increase coordination and communication and growth occurs.
- **Project management:** we focus on proactive project management to ensure projects are delivered on time and on budget.

Our approach to this project is simple – to provide you with action on our living motto: "Service Above the Standard"; we strive to provide you with service beyond what you would typically expect. We hope to have the opportunity to earn your trust, assist your team, and serve the citizens of Walla Walla County on this exciting project.

Sincerely,



Clay White, Director of Planning

TEAM INTRODUCTION



LDC will be the lead consultant on this project and will be responsible for ensuring that the project meets and exceeds the expectations of Walla Walla County. Our entire team has a large breadth of experience helping counties and cities with planning policy updates and comprehensive planning.

LDC, Inc., founded in 2003, is a multi-disciplinary, minority-owned firm with its headquarters in Woodinville, Washington that provides long-range planning, permitting, civil engineering, and surveying services to both public and private sector clients throughout the Northwest. The LDC planning team provides a diverse range of services to all corners of Washington State. This includes long-range planning and policy updates, on-call permitting and planning for cities and counties, code development, housing studies, and complex permitting services.

The LDC planning team's specialty is utilizing our keen understanding of land use law, policy, and regulations to assist our clients with the development of policy and regulations that work. This unique but important perspective is ingrained in our approach because of our experience writing codes and policies that we also have had to implement at the front counter. LDC is experienced in developing and translating strategies and policy to codes and permit processes. Every community is different and has unique needs. We get to know and listen to the communities we work with to produce strategies and actions that help communities thrive.



THE
WATERSHED
COMPANY

The Watershed Company has earned a reputation as one of the leading specialty environmental firms in the Pacific Northwest with over four decades of experience in helping communities understand their environments and reach sustainable development solutions, providing natural resource assessment, geospatial mapping and analysis, and long-range planning for local

governments across Washington. Their multidisciplinary staff includes biologists and other scientists, planners, arborists, and landscape architects that bring technical knowledge and practical problem solving to the project development and design process. Watershed has been serving public sector clients in the politically charged area of Growth Management Act and Shoreline Management Act compliance since 2001, successfully helping over 80 jurisdictions engage their communities to create practical and science-based policies and regulations. Watershed has completed and is in the process of completing numerous comprehensive planning efforts for Counties, such as Walla Walla, Kitsap, Skagit, and San Juan, and cities, such as Covington, Bremerton, Kirkland, Redmond, Medina, Coupeville, and many more.

PROJECT NARRATIVE & APPROACH

As provided for in the Growth Management Act (GMA), Countywide Planning Policies (CPPs) provide a countywide framework from which county and city comprehensive plans are developed and adopted. They help ensure there is consistency and coordination on important planning topics that transcend jurisdictional boundaries. This includes important topics such as joint planning within Urban Growth Areas, annexations, siting of capital facilities, transportation, and affordable housing. While the GMA prescribes that CPPs cover certain topic areas, many adopted policy plans go beyond, to focus on specific areas where interjurisdictional planning and/or coordination is important to the community. The CPPs can also outline projects and programs where there will be regional coordination and be unique to your planning needs.

What is interesting about the GMA is that while it requires CPPs to be developed and adopted, there is no requirement that they be updated prior to comprehensive plan updates. Given the current CPPs were adopted in November of 1993, this is a great opportunity to create new and revised policies that match your current needs. We will also be able to create a revised document that is easily navigable and which aligns with respective comprehensive plans and policies.

Our approach will be to work collaboratively with the county and cities to create a new set of CPPs. Plans are often developed with policies that sound great but don't necessarily work well when implemented or aren't implemented at all. CPPs can speak to processes and programs that enhance regional coordination, but they must respect and recognize that policies which direct action will have to be supported by the resources necessary for proper implementation. It is also important to note that while regional coordination is very important, the county and cities may have different goals or objectives related to important planning topics. Our goal is to listen to your needs and develop new and revised policies that will work for each community.

In addition, given the requirement for comprehensive plans to be consistent with CPPs, we will work to make sure new and revised policies can be implemented at the city/county comprehensive plan level.

This project presents a wonderful opportunity to update the 1993 plan to recognize that Walla Walla County and the cities of Walla Walla, College Place, Waitsburg, and Prescott have changed over the past 30 years and will be changing in the future as growth occurs. However, some of the current plan still rings true, that the purpose of the document is to "...ensure that city and county comprehensive plans are consistent internally and with the plans of the other jurisdictions..." while highlighting that each jurisdiction is encouraged to make independent planning decisions best for their community.

The following outlines the proposed project Actions and Tasks to implement the project approach. We can certainly work with the county and cities to revise the scope as needed. In addition, we have listed some potential dates for the actions and tasks. This would be revised as part of the project charter process.

ACTION 1: PUBLIC, AGENCY & STAKEHOLDER INVOLVEMENT

TASK 1.1 – PROJECT KICKOFF/CHARTER DEVELOPMENT/ENGAGEMENT PLAN (May-June 2023)

The deliverables in this task are designed to set a great foundation for the project. This includes setting the project schedule, goals, and development of an engagement plan.

- Hold kickoff meeting with the Project Management Team (PMT). This could be completed in person or remotely. This initial meeting will help inform the project schedule, development of project charter, and project engagement plan.
- Prepare a short project charter to include project goals and objectives, the project schedule, tasks, PMT members, and project risks/mitigation for those risks. This upfront process will also solidify processes for public participation and ratification process by the County Commissioners. The draft project charter will be prepared for review and a final project charter will then be completed by the Consultant. This upfront process will also provide a great opportunity for the PMT to learn about what each jurisdiction would most like to get out of the update process and key topic areas which should be addressed.
- Prepare a short engagement plan to outline public, agency, and stakeholder involvement processes which will be utilized as part of the CPP update process. This includes coordination with each jurisdiction and appointed and elected officials outside of the adoption process.

Deliverable

- ✓ Hold kick-off meeting. Project team to develop meeting agenda and meeting minutes for distribution.
- ✓ Develop a project charter. Includes development of a draft and one round of review and edits by jurisdictions.
- ✓ Develop engagement plan. Methods for engagement will be discussed during the project kickoff meeting. Options for public, agency, and stakeholder involvement.

Setting a great foundation for a project is the primary key to ensure projects are completed on time and task. The kickoff meeting and project charter will ensure project goals and timelines are met, and project roles are understood upfront!

TASK 1.2 – PMT MEETINGS AND PUBLIC HEARINGS AND PUBLIC, AGENCY, AND STAKEHOLDER ENGAGEMENT (May 2023 – May 2024)

This Task is focused on working with the PMT on the development of the revised CPPs. It also includes public meetings and hearings with the Board of County Commissioners and engagement with each community, other agencies, and interested stakeholders.

As part of Task 1.1, a short engagement plan will be prepared. This will outline opportunities to connect with each jurisdiction on the update process and amendments, as needed to support staff from each city. We will also develop tactics to engage with other agencies and provide stakeholder input processes.

- Attendance of PMT meetings. Clay White, along with support staff will attend each meeting. Watershed will attend meetings focused on Resource Lands and the environment. Budget is based upon preparation of materials and assisting with facilitation of eight PMT meetings.
- Attendance at Commission meetings/hearing. Clay White will attend and present, as requested, as part of the legislative process to adopt the CPPs.
- Preparation of materials. Meeting materials could include agendas, PowerPoint presentations, and other background materials requested by the PMT. This also includes assisting with the preparation of notices and other materials as part of the adoption process.
- Agency and stakeholder engagement. Although an engagement plan will be put together as part of Task 1.1, this could include development of a project website and content, materials that each jurisdiction could utilize for Planning Commission and City Council/Commissioner meetings, and short surveys or other materials to educate agencies and stakeholders about the project, goals, timelines, and how they can actively participate and engage.

Deliverable

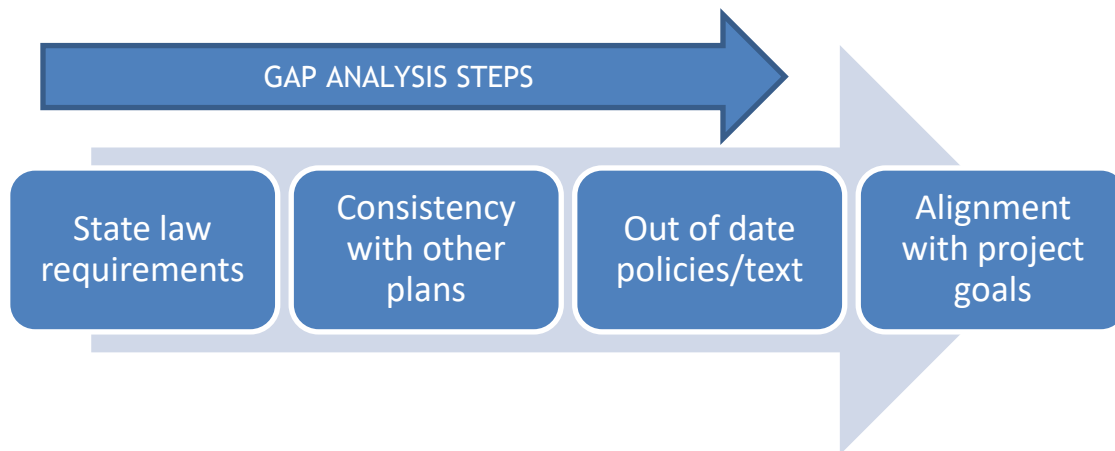
- ✓ Preparation of materials and attendance at up to eight, two hour, PMT meetings. Includes meeting facilitation.
- ✓ Preparation of materials and attendance at up to three Board of County Commission meetings/hearings.
- ✓ Assist with preparation of engagement materials.

ACTION 2: POLICY GAP AND CONSISTENCY ANALYSIS

TASK 2.1 POLICY GAP AND CONSISTENCY ANALYSIS (June-July 2023)

The Consultant will prepare an analysis to identify policy gaps. This can be utilized as a foundation for new and revised policy development. There are four separate, but important steps proposed for consistency review including:

- Review of CPPs and state law requirements in the Growth Management Act ([RCW 36.70A.210](#)).
- Review the current CPPs for consistency with other planning efforts, including:
 - Walla Walla Metropolitan Planning Organization (WWVMPPO) 2045 Plan
 - Walla Walla Regional Housing Action Plan (HAP) - July 2021
 - UGA review process
- Identification of policies that may be out of date.
- Review for policies that align with the goals for the update. Goals will be defined in the project charter and this task will identify how those policy goals are currently addressed.



We also propose utilizing this task to outline additional structural and substantive changes to the CPP document as updates and revisions are made. These can then be discussed further in Action 3. This could include:

- Options for including definitions within the CPPs, especially for critical terms such as “should”, “must” and “shall” which are utilized throughout the document and have specific meaning when interpreting how the policies are applied at the local level.
- Policy changes or additions that may not be required by updates to state law but that might be beneficial for consideration as changes are contemplated.
- Structural changes to make the document more user friendly, such as including quick links to CPP chapters from the Table of Contents and links on each page back to the Table of Contents.
- Structural changes such as modifying the CPP chapters (new or consolidated chapters).
- Identify best practice policies from other CPPs that could be considered.

- Updating the “Document purpose”. This could include a larger vision statement about how the county and cities coordinate and collaborate on important planning issues.

Deliverables

- ✓ Preparation of gap analysis document that can be utilized as a foundation for the drafting process. This includes preparation of the analysis and one round of review edits.
- ✓ All meetings are included under Action 1.

ACTION 3 – POLICY REVIEW AND DRAFTING

TASK 3.1 POLICY REVIEW AND DRAFTING (August 2023 – March 2024)

Based upon Action 2, the consultant will work closely with the PMT members to review each CPP element and the need for new or modified policies. As part of this process, we will also include a focused discussion of optional policy changes to consider including (but not limited to):

- New or revised policies that will enhance regional coordination on important issues or highlight the opportunities, challenges, and uniqueness of Walla Walla County as it relates to planning requirements.
- Policies that should be revised to function more effectively based upon members’ experiences.
- Other substantive changes to the CPPs outlined in Action 2.

In addition, the consultant will work with the PMT on the possible development and addition of new chapters/policies as outlined within the RFP. We expect there to be several meetings during this phase of the project and we anticipate bringing draft elements to the PMT one or two at a time for initial feedback. We will then bring back revised policies. As part of the project charter process, we will outline a full schedule of meetings and meeting objectives to ensure we can move from initial policy discussions to a fully vetted set of draft policy changes that are ready to move forward through the legislative process.

Deliverables

- ✓ Development of draft policy changes.
- ✓ Modification of draft policies based upon PMT and engagement feedback.
- ✓ We anticipate reviewing draft changes one or two elements at a time. Once each element has been reviewed and changes updated, a complete draft will be prepared.
- ✓ The draft will be a new document fully formatted and prepared to be easily navigable and user friendly.
- ✓ Task includes modification to the full draft after Board of County Commissioner review and public hearing.
- ✓ Assist with response to public comments.
- ✓ All meetings are included under Action 1.

The LDC team has substantial experience working with multi-agency organizations on complex planning processes and documents. This includes updating CPPs, Comprehensive Plan updates and facilitating state projects involving diverse stakeholders. All these projects involved stakeholders with different perspectives, backgrounds, and ideas. We are experts at breaking down complex issues, bring forward unique solutions, listening, and helping shape policy that will meet your goals.

PROJECT EXAMPLES & REFERENCES

The projects spotlighted for this proposal are designed to highlight our experience as it relates to your project goals and scope of work. We have highlighted our experience with policy development and our expertise with GMA and regional policies as well as working on complicated policy issues, collaborating with complex stakeholder groups, and successfully seeing projects through.

KITSAP COUNTY COUNTYWIDE PLANNING POLICIES | KITSAP COUNTY, WA

LDC was hired by the Kitsap Regional Coordination Council (KRCC) to lead the update of the Kitsap Countywide Planning Policies (CPP). This project included completing a gap analysis comparing existing CPPs with Growth Management Act (GMA). The gap analysis identified areas where new or revised policies were warranted. This work was matched with issues that the KRCC members (elected and appointed) wanted to see addressed within the CPPs including equity and climate change. LDC worked to develop new and revised policies, added new definitions, worked with appointed and elected officials throughout the review process, and reformatted the document to make user friendly. The CPPs were adopted on time and work was completed within budget. We are worked with the KRCC member jurisdictions to adopt new population and employment targets which will be utilized during the 2024-2044 update. Our work included coordination and presentations for KRCC jurisdictions and assistance as targets were worked through with the county and cities.

Reference: Sophie Glass, Director, Triangle and Associates
E: sglass@triangleassociates.com **P:** 206-583-0655 x119



WALLA WALLA COUNTY ON-CALL PERMITTING & PLANNING | WALLA WALLA COUNTY, WA

Walla Walla County hired LDC, Inc. to provide on-going assistance to the County's Community Development Department. We have provided permit review, assistance with GIS mapping, and long-range planning assistance. We have also completed code work for the county, including development of subarea code amendments for the Burbank UGA.

Reference: Lauren Prentice, Director Community Development
E: lprentice@co.walla-walla.wa.us **P:** 509-524-2620



CITY OF WALLA WALLA SEPA UPDATE | WALLA WALLA, WA

The City of Walla Walla hired LDC, Inc. to assist with implementing one of the actions identified in its adopted Housing Action Plan. This code update consists of updating the city's SEPA code consistent with state rule and requirements. Our work has included preparation of a technical memorandum outlining how the proposed changes meet state law requirements and preparation of code changes, presentations and supporting materials.

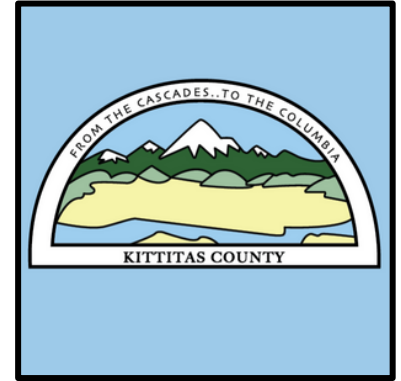
Reference: Preston Frederickson, Development Services Director
E: pfred@wallawallawa.gov **P:** 509-524-4735



KITTITAS COUNTY CODE UPDATE | KITTITAS COUNTY, WA

LDC is assisting Kittitas County with a code update to integrate the City of Ellensburg's code into Kittitas County code for use within the Urban Growth Area. This project is implementing an Interlocal Agreement (ILA) that Kittitas County has entered with the City of Ellensburg. LDC's work has included both draft and the final code development as well as working with city of Ellensburg and Kittitas County staff on the preparation and presentation of materials at public meetings and hearings before the County Planning Commission and Board of County Commissioners.

Reference: Dan Carlson, AICP, Community Development Director
E: dan.carlson@co.kittitas.wa.us **P:** 509-933-8244



NET ECOLOGICAL GAIN | WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE

The Watershed Company, as a subconsultant, assisted the Washington State Department of Fish and Wildlife in assessing the implications of implementing the Net Ecological Gain (NEG) policy. Watershed assisted in developing the assessment and stakeholder engagement process in consultation with WDFW. The project deliverable was a final report that equipped legislators with information to determine the next steps for NEG in Washington State.

Reference: WDFW - Jeffrey Davis, Habitat Program Assistant Director
E: Jeffrey.Davis@dfw.wa.gov **P:** 360-902-2527



SHORELINE MASTER PROGRAM AND CRITICAL AREAS ORDINANCE UPDATE | SKAGIT COUNTY

The Watershed Company has assisted Skagit County with updates to both the Shoreline Master Program and Critical Areas Ordinance over the past decade. The Skagit County SMP covers a staggering amount of shoreline: 228 miles of marine and estuarine shorelines, 598 miles of rivers and streams, and 53 lakes and reservoirs. A central part of the Skagit County SMP update process was the creation of a 17-member advisory committee by the Board of County Commissioners to review draft materials and advise the County throughout the process. The Watershed Company facilitated advisory committee meetings, and also put on a series of public visioning workshops and public open houses at multiple locations throughout the County. Watershed led the production of major technical deliverables including the shoreline inventory and characterization report, the cumulative impacts analysis, and restoration plan. Staff also provided significant input into policy and regulation development, facilitated 19 Shoreline Advisory Committee meetings, and assisted with all aspects of public involvement. The County completed the comprehensive update in 2022.

Reference: Skagit County, Betsy Stevenson, AICP, Senior Planner, Natural Resources Team Supervisor
E: betsyds@co.skagit.wa.us **P:** 360-336-9410



PROPOSED BUDGET

The following budget proposal breaks down the tasks described in the project narrative and approach section and assigns hours and costs for each person assigned to the project. We are happy to evaluate allocated hours with the client as part of the Scope of Work development to ensure we focus hours on the tasks most important to you.

Walla Walla County Countywide Planning Policies (CPP's) Update Project Budget					
	Clay White	Matt Covert	Sami Adams	Mark Daniels	
	Project Lead	Policy Support	Project Support	Environmental Policy	Estimated Cost by Task
2020 Hourly Rate	\$280	\$180	\$137	\$184	
Action 1: PUBLIC, AGENCY & STAKEHOLDER INVOLVEMENT					
Project Kickoff Meeting	3	2	4	2	\$2,116
Prepare Project Charter (Draft and Final)	8	2	18		\$5,066
Prepare Engagement Plan (Draft and Final)	4	8	12		\$4,204
PMT meetings and public hearings and public, agency, and stakeholder engagement	70	30	30	20	\$32,790
TASK TOTAL					\$44,176
Task 2: POLICY GAP AND CONSISTENCY ANALYSIS					
Prepare Gap Analysis Outline	10	18	4	6	\$7,692
Gap Analysis (Draft and Final)	10	12	4		\$5,508
TASK TOTAL					\$13,200
ACTION 3: POLICY REVIEW AND DRAFTING					
Draft Policy Amendments	60	50	10	20	\$30,850
Final Policy Amendments	35	20	10	5	\$15,690
Preparation of new CPP document	6	5	50		\$9,430
TASK TOTAL					\$29,450
MATERIALS/SUPPLIES/PRINTING/TRAVEL 2%					\$1,718
TOTAL PROJECT BUDGET					\$88,544

TEAM RESUMES



CLAY WHITE DIRECTOR OF PLANNING

24 YEARS OF EXPERIENCE

EDUCATION

- Bachelor in Geography
- Bachelor in Anthropology

EXPERTISE

- Countywide Planning Policy development
- Navigation of Complex Projects
- Stakeholder Discussions
- Comprehensive Planning
- Housing Action Plans
- Project Management
- QA/QC
- Policy & Code Updates
- Project Coordination
- Permit Review
- Land Use Planning
- Land Use Permitting
- Long Range Planning
- State & Regional Growth Law & Policy
- SEPA

Clay White is the director of planning with LDC, Inc. He has over 20 years of experience serving private sector clients and cities and counties throughout Washington as a land use planner. Most recently, Clay spent over five years as Planning and Development Services Director for Snohomish County. His unique understanding of how to work with local governments, his attention to detail and focus on communication coupled with the relationships he has forged in the public sector ensure smooth and efficient permitting processes for clients.

Clay has broad experience at the local, regional, and state level on planning issues. He has extensive code and policy experience, including leading the development of the recently adopted Kitsap Countywide Planning Policies and several comprehensive plan updates.

He has served as president of the Washington State Association of Regional and County Planning Directors, been a member of the Washington State Transportation Improvement Board, and co-chair of the regional staff committee for the Puget Sound Regional Council.

Clay will be the lead consultant for this project. He will be active with each phase of the proposal by framing up the project charter, working on the CPP Gap Analysis, attending, and participating at all meetings, drafting policy revisions, and presenting the project to the County Commissioners.

RELEVANT EXPERIENCE

- Countywide Planning Policy Update, Kitsap County
- Countywide Planning Policies Update, Snohomish County
- On-Call Services, Walla Walla County
- On-Call/Interim Director Services, City of Everett
- On-Call/Interim Director Services, City of Normandy Park
- Comprehensive Plan Update, Whitman County
- Comprehensive Plan Update, City of Normandy Park
- Comprehensive Plan Update, Kitsap County
- Middle Housing Project, City of Snohomish
- Middle Housing Project, City of Mill Creek
- Development Regulation Updates, City of Sumner
- Development Regulation Updates, City of Bonney Lake
- SEPA Code Update, City of Walla Walla
- Housing Action Plan, Cities of Bonney Lake & Sumner
- Housing Action Plan, City of University Place
- Housing Action Plan, City of Prosser
- Collaborative Roadmap, Phase III, Dept. of Commerce
- Comprehensive Plan Update, Snohomish County
- Comprehensive Plan Development, Stevens County
- Development of GMA Unified Development Code, Stevens County



MATT COVERT, AICP SENIOR PLANNER

10 YEARS OF EXPERIENCE

EDUCATION

- Master of Science in Environment and Resources, University of Wisconsin-Madison

EXPERTISE

- Comprehensive Planning
- Policy Analysis
- Land Use Planning
- GMA Requirements
- Regional and Countywide Requirements
- Public Engagement
- Data Analysis
- Writing and Communication
- Project Management
- Housing Needs Analysis
- Housing Action Plans
- Plan Review
- Permitting
- Community Engagement
- State & Regional Growth Law & Policy
- Elected Official Presentations
- Policy & Code Updates
- Long Range Planning

Matt Covert a Senior Planner with LDC with 10 years of experience in the planning field. Matt provides a variety of planning services for public-sector clients, including housing action plans and housing needs analyses, writing comprehensive plan updates, conducting gap analyses, and assisting projects such as the Department of Commerce's Collaborative Roadmap Phase III project to recommend updates to the state laws that cover growth policy. He also has years of experience from the other side of the counter assisting private clients in navigating the land use and development permitting process in dozens of jurisdictions. Prior to LDC, Matt served as a planner with a regional planning agency in Wisconsin where he conducted scenario planning, land use analysis, and housing market analysis.

Matt will be an integral part of this project. He will be assisting with the preparation of the project charter, completing research and analysis for the CPP Gap Analysis, attending several project meetings, assisting with proposed policy revisions, and lead the development of creating a more user friendly CPP document as outlined within the proposal.

RELEVANT EXPERIENCE

- SEPA Code Update, City of Walla Walla
- Countywide Planning Policy Update, Kitsap County
- Comprehensive Plan Update, City of University Place
- Comprehensive Plan Update, Kitsap County
- Land Use and Economic Analysis, City of Snohomish
- Lake Stevens Buildable Lands Analysis & GMA, City of Lake Stevens
- Housing Action Plan, City of Snoqualmie
- Housing Action Plan, City of Woodinville
- Housing Action Plan, City of Bainbridge Island
- Housing Action Plan, City of Oak Harbor
- Housing Action Plan, City of Monroe
- Housing Action Plan, City of University Place
- Housing Action Plan, City of Bonney Lake and Sumner (*joint plan*)
- Development Code Update, City of Sultan
- Development Code Update, City of Sumner
- On-call Planning, City of Everett
- On-call Planning, City of Woodinville
- Collaborative Roadmap Phase III, Washington Department of Commerce



SAMANTHA ADAMS
ASSOCIATE PLANNER

3 YEARS OF EXPERIENCE

EDUCATION

- BA Urban Planning & Sustainable Development, Western Washington University
- Geographic Information Sciences (GIS) Certificate

EXPERTISE

- Code Updates
- Code Development
- Long-range Planning
- Research & Analysis
- Public Outreach
- Demographic & Geospatial Analysis & Modeling
- Report Production
- Land Use Permitting

Samantha is an Associate Planner at LDC. She works on housing action plans, comprehensive plans, and land use policy projects. In addition, she provides GIS mapping, project research, and graphic support. Samantha also provides project support for a variety of planning projects and leads permitting and land use review.

Sami will be working behinds the scenes on numerous tasks during the project. She will be completing project policy research, assist with note taking for meetings as requested, and preparing formatting changes to the existing CPPs. If requested, Sami will also produce GIS maps to help support policy decisions.

RELEVANT EXPERIENCE

- Walla Walla County On-Call Services, Walla Walla County
- Walla Walla County Floodplain Mapping, Walla Walla County
- Countywide Planning Policy update, Kitsap County
- Housing Action Plan, City of Snoqualmie
- Housing Action Plan, City of Woodinville
- Housing Action Plan, City of Bainbridge Island
- Housing Action Plan, City of Oak Harbor
- Housing Action Plan, City of Monroe
- Housing Action Plan, City of University Place
- Housing Action Plan, City of Bonney Lake and Sumner (*joint plan*)
- Middle Housing Project, City of Snohomish
- Middle Housing Project, City of Mill Creek



**MARK DANIEL, AICP
(WATERSHED)
ENVIRONMENTAL POLICY
LEAD**

15 YEARS OF EXPERIENCE

EDUCATION

- Master of Urban Planning, 2007, University of Washington
- B.A., Economics/Environmental Studies, 2005, Western Washington University
- B.A., Kinesiology, 1996, University of Colorado

EXPERTISE

- Environmental Planning
- Project-specific Environmental Analysis
- Policy & Code Review/Writing
- Framework for Planning in Washington
- Stakeholder Involvement
- GIS

Mark is a certified planner and project manager dedicated to helping clients create sustainable, livable communities that maintain the integrity of their natural systems. He has over 15 years of experience with environmental planning and a strong understanding of project-specific environmental analysis. Mark helps municipalities and agencies throughout Washington with long-range and current planning projects, including comprehensive plan updates, shoreline master program updates, critical areas ordinance updates, urban design guidelines, and master plans. His strengths include attention to detail, conciseness, and problem solving.

Mark will lead development of revised environmental policies. His work will include completing research and analysis for the CPP Gap Analysis, attending several project meetings, assisting with proposed policy revisions.

RELEVANT EXPERIENCE

- Comprehensive Plan Periodic Update, Kitsap County
- Comprehensive Plan Periodic Update, Walla Walla County
- Comprehensive Plan Periodic Update, City of Walla Walla
- Shoreline Master Program Comprehensive Update, Skagit County
- Shoreline Master Program Comprehensive Update, Klickitat County
- Shoreline Master Program Comprehensive Update, Adams County
- Shoreline Master Program Periodic Review, Whatcom County
- Shoreline Master Program Periodic Review, City of Langley
- Shoreline Master Program Periodic Review, City of Port Angeles
- Critical Areas Ordinance Update, City of Burien
- Critical Areas Ordinance Update, City of Lake Forest Park
- Critical Areas Ordinance Update, Benton County