

# King County Affordable Housing Committee Meeting Minutes

July 23, 2024 | 11:30 a.m. – 1:00 p.m.

Location: Teams Meeting

## Introductions and Agenda Review

Members	Member Present	Alternates Present
Affordable Housing Committee Chair King County Councilmember Claudia Balducci	X	
Thatcher Imboden, Sound Transit		Mara D'Angelo, Sound Transit
Susan Boyd, Bellwether Housing		
Affordable Housing Committee Vice Chair Alex Brennan, Futurewise	X	
Jane Broom, Microsoft Philanthropies	X	
Kelly Coughlin, SnoValley Chamber of Commerce	X	
Kirkland Councilmember Amy Falcone on behalf of Sound Cities Association	X	
Kenmore Mayor Nigel Herbig on behalf of Sound Cities Association	X	
Ryan Makinster, Washington Multi-Family Housing Association	X	
Sunaree Marshall, Dept. of Community and Human Services, on behalf of King County Executive Dow Constantine		Xochitl Maykovich, Dept. of Community and Human Services, on behalf of King County Executive Dow Constantine
Renton Councilmember Ryan McIrvine on behalf of Sound Cities Association	X	
Seattle Councilmember Cathy Moore		
King County Councilmember Teresa Mosqueda	X	
Bellevue Mayor Lynne Robinson on behalf of Sound Cities Association	X	
Robin Walls, King County Housing Authority		
Veronica Shakotko, Master Builders Association of King and Snohomish Counties	X	
Maiko Winkler-Chin, Seattle Office of Housing, on behalf of Mayor Bruce Harrell	X	
		Shoreline Councilmember Annette Ademasu on behalf of Sound Cities Association (non-voting)
		Issaquah Council President Lindsey Walsh on behalf of Sound Cities Association (non-voting alternate)

- Affordable Housing Committee (AHC or Committee) Vice Chair Futurewise Executive Director Brennan welcomed new members:
  - o Thatcher Imboden, the new Sound Transit representative, replacing Don Billen,
  - o Mara D'Angelo, the new Sound Transit alternate, replacing Thatcher Imboden, and
  - o Sound Cities Association Alternate Shoreline Councilmember Ademasu replacing Covington Councilmember Cimaomo.
- Vice Chair Brennan reviewed the agenda for the meeting.
  - o Staff will provide an update on the plan review program.
  - o Staff will then brief the Committee on the comment letters for Bellevue, Auburn, Bothell, Issaquah, Federal Way, and Covington followed by potential Committee action to approve the letters.

**Action Item: Adoption of June 6, 2024, AHC Meeting Minutes**

- Kirkland Councilmember Falcone moved to adopt the June 6, 2024, meeting minutes.
  - Kenmore Mayor Herbig seconded the motion.
  - Motion to approve the June 6, 2024, meeting minutes passed unanimously.
- AHC Chair and King County Councilmember Balducci and King County Councilmember Mosqueda joined late and were not present to vote for the adoption of the meeting minutes. They voted in later AHC motions following their arrival.

**Briefing: Comprehensive Plan Review Program Updates**

- Vice Chair Brennan invited AHC staff member Isaac Horwith to provide an update on the Housing-focused Draft Comprehensive Plan Review Program.
- Isaac shared that:
  - o AHC has approved five comment letters: Algona, Burien, King County, Maple Valley, and Redmond
  - o Fifteen additional plans are under AHC review: Auburn, Bellevue, Black Diamond, Bothell, Covington, Enumclaw, Federal Way, Issaquah, Kenmore, Kirkland, Medina, Sammamish, Seattle, Beaux Arts Village, and North Bend.
  - o Six letters are up for AHC consideration at today's meeting: Auburn, Bellevue, Bothell, Covington, Issaquah, and Federal Way.
- Regarding the timing issue, Isaac shared that comprehensive plans submitted after the July 23, 2024 Committee meeting would result in the Committee reviewing letters in October or November. This timing would place jurisdictions in a difficult position of deciding whether to:
  - o adopt their plan before receiving;
  - o adopt their plan before having enough time to incorporate feedback from the comment letters to meet the December 31, 2024 state comprehensive plan adoption timeline; or
  - o decide to adopt their plan late in 2025.
- Staff members' approach for jurisdictions which submitted after July 23 was:
  - o Strive to keep initial review as close to two months as possible.
  - o In the letters issued after November, have the letters acknowledge the challenge in potentially incorporating feedback in 2024 and encourage jurisdictions to amend their plans in 2025 if they didn't incorporate the feedback in 2024.

- If a jurisdiction didn't submit to the plan review program, staff would find they weren't in alignment with the housing chapter because they wouldn't have created those implementation strategies.
- Staff members' approach to jurisdictions which did not submit would be:
  - If a jurisdiction explicitly stated they intended not to submit – which had not happened as of yet, or
  - If staff hadn't heard from a jurisdiction and they hadn't submitted to the program by the November meeting, then,
  - Staff proposed preparing a letter for the December AHC meeting stating their plan isn't in alignment with the King County Countywide Planning Policies (CPP) Housing Chapter and recommend the jurisdiction submit to the program and work with AHC staff in 2025.
- Isaac concluded the program update briefing.
- AHC Chair King County Councilmember Balducci arrived at the Affordable Housing Committee Meeting. She requested Vice Chair Brennan finish the agenda item.
- Vice Chair Brennan opened the floor for questions.
  - Issaquah Council President Walsh was glad to see the Committee was not just writing letters, but also following up. She would like to understand not only what the next step were for the letters, but if there was an intent to verify that the recommendations would be incorporated after a letter is submitted.
    - Isaac answered that Carson Hartmann in his current role was developing the monitoring and reporting framework. While the CPP Housing Chapter didn't explicitly direct staff to follow up with jurisdictions on if and how they incorporated feedback from the letters, it was a task the Committee and staff could take up next year and be added to the 2025 work plan.
      - Carson reminded the Committee that, per the current schedule with monitoring and reporting, staff planned to bring a full proposal to the Committee in early 2025.
    - Chair Balducci commented that smaller jurisdictions, including those in her district, had asked for help due to various situations such as staff turnover, small number of staff, or an overly complex planning process for jurisdictions which even at full staffing, had limited resources.
      - The County unsuccessfully applied for a grant to help them bring on board some resources which could help those jurisdictions.
      - Chair Balducci suggested an alternate path where staff could work with small jurisdictions in the first year of their new comprehensive plan, especially those with lesser resources.
  - Kirkland Councilmember Falcone asked about jurisdictions which did not submit to the AHC. Councilmember Falcone understood that the Puget Sound Regional Council (PSRC) would do their own review of comprehensive plans. She asked what the Committee's role in PSRC's review process was.
    - Chair Balducci responded that PSRC reviewed and certified comprehensive plans, but only their transportation elements. The PSRC didn't certify housing elements.
    - Isaac offered a few points:

- Staff were already coordinating with PSRC and the Washington State Department of Commerce.
- Following approval of draft recommendation letters, AHC staff sent the letters to the PSRC and Commerce.
- AHC staff meet with PSRC and Commerce staff monthly to provide AHC updates.
  - Chair Balducci shared the Committee had not yet experienced a jurisdiction which did not want to work with the Committee and Chair Balducci hoped not to. However, in the case of a jurisdiction not wanting to work with the Committee, the Committee could convene and talk about it later in the plan review process.
- Isaac shared he will be starting parental leave on August 15 and that he was attending his last Committee meeting for the year.
  - Carson Hartmann was selected to serve in a special duty position and will take the reins on the Housing-focused Draft Comprehensive Plan Review Program.
  - Isaac will return in 2025.
- King County Councilmember Mosqueda arrived at the AHC meeting.

#### **Briefing: Comprehensive Plan Review Comment Letters**

- Chair Balducci shared there were six letters for review.
- Chair Balducci provided some opening comments, expressing gratitude and appreciation for all participants.
- Chair Balducci provided her reasoning behind sharing draft letters in advance of meetings with jurisdictions. She heard her draft letters came off harsh and she clarified she did not intend it to be that way.
  - Chair Balducci noted all plans proposed significant changes that would play their part within each jurisdiction to help make King County's housing more affordable. Each jurisdiction had really strong parts to the plans.
  - Chair Balducci and Vice Chair Brennan met regularly with AHC staff. The draft letters were drafted very mindfully and shared with the jurisdiction so they could provide feedback.
  - Chair Balducci welcomed feedback on the Committee's process as they worked through the letters.
- Chair Balducci shared the Committee would take up six letters: Bellevue, Auburn, Bothell, Issaquah, Federal Way, and Covington. She laid out the process for the letter briefings, comments, and approvals.
  - Chair Balducci hoped to move all or as many of the letters as possible as a consent agenda. If any letter required specific discussion or amendment, it would be taken up separately.
- Isaac reminded the Committee of the Housing-focused Draft Comprehensive Plan Review Program, how jurisdiction staff participated, and the standards AHC staff used in plan review.
- AHC staff presented the jurisdictions in the order in which they submitted to the program.

- Isaac presented on the City of Bellevue, including a city snapshot, comprehensive plan strengths, and AHC staff recommendations for actions to align Bellevue’s plan with the CPP Housing Chapter goals and policies.
- He flagged recommendation three, regarding adoption of inclusive planning tools alongside increases in residential density, for discussion. In summary:
  - Bellevue’s draft comprehensive plan included a policy to explore opportunities to include incentives or mandatory inclusionary housing policies.
  - Bellevue’s housing economic analysis and community feedback suggested mandatory programs produced a greater number of units and worked well in strong housing markets.
  - AHC staff recommended the City of Bellevue should make a stronger commitment to adopt a mandatory inclusionary housing policy beyond just exploring opportunities.
- Isaac passed the presentation to AHC staff member Skye D’Aquila.
- Chair Balducci paused the presentation.
  - Chair Balducci asked the Committee if it would be easier for Committee if a moment was provided for staff from each jurisdiction to provide comment rather than going through each jurisdiction, followed by six comments.
    - Isaac shared he had no concerns with the idea.
  - Chair Balducci decided to allow feedback after each jurisdiction presentation.
- Chair Balducci invited Bellevue Mayor Robinson to provide comment.
  - Mayor Robinson shared it was difficult providing 0-30 percent and 0-50 percent of area median income (AMI) units. She shared it would not be accomplished with incentives nor mandatory inclusionary housing, but through funding and partnerships.
  - Mayor Robinson proposed an amendment for recommendation three which stated “Bellevue should provide a clearer statement of intent to adopt the mandatory inclusionary housing provisions concurrent with the code changes to implement the comprehensive plan’s proposed increases in residential density. Additionally, Bellevue should replace “explore” in the housing element policy HO 34 with “include” or equivalent.”
    - There were many tools to achieve affordable housing in Bellevue which included mandatory inclusionary housing or deed in lieu. Mayor Robinson did not want to risk the opportunity to use tools other than mandatory inclusionary housing.
    - City of Bellevue staff had done studies on mandatory inclusionary housing, and Mayor Robinson was concerned mandatory inclusionary housing would scare developers away from creating housing.
    - Mayor Robinson proposed recommendation three state “include, where appropriate”, at the end.
      - The amended recommendation would state “Bellevue should replace ‘explore’ in their housing element policy with ‘include, where appropriate.’”
  - Chair Balducci noted down the possible amendment, thanked Mayor Robinson, and turned the conversation to Auburn.

- Skye presented on Auburn. She provided a city snapshot, comprehensive plan strengths, and recommendations for Auburn to align with the CPP Housing Chapter goals and policies.
- She flagged recommendation six, about adjusting affordability assumptions for accessory dwelling units, for discussion.
  - Following discussion with the Washington State Department of Commerce, AHC staff determined that accessory dwelling units could not be deemed affordable to households earning below 80 percent of AMI in King County without a market analysis showing otherwise or subsidies to support their affordability. AHC staff will update the program's Frequently Asked Questions to reflect that understanding. AHC staff recommended Auburn update their land capacity analysis to assume ADUs provide capacity for households above 80% AMI, provide evidence in a detailed market analysis that ADUs are affordable to low-income households, or propose subsidies or development incentives and set reasonable expectation that ADUs would be affordable to low-income households.
- Chair Balducci invited Auburn Planning Services Manager Alexandria Teague to comment.
  - Alexandria shared Auburn intended to comply with the recommendations outlined in the letter by adjusting the land capacity to accommodate ADU affordability for only over 80 percent of AMI.
  - Alexandria shared Auburn would incorporate middle housing and be more aggressive with the amount of density and units they will allow across the city.
  - Chair Balducci thanked Alexandria for her hard work.
- AHC staff member Carson Hartmann presented on the City of Bothell providing a city snapshot, outlining comprehensive plan strengths, and recommendations for Bothell to align with the CPP Housing Chapter goals and policies.
- Carson noted recommendation number five for discussion. Staff found the plan did not set reasonable expectations that proposed changes to land use and allow for density within the city. Carson cited CPPs H-18, and H-9. The result would be large swaths of unaffordable residentially zoned land inaccessible to low-income households.
- Chair Balducci invited Bothell Deputy Director of Community Development Christian Gutz to provide comment.
  - Christian shared Bothell will use the recommendation as they move forward in their final draft. Recommendation five will help the Bothell key in on how to tweak the final zoning and look at opportunities for increasing densities throughout Bothell's residential medium and low zones.
  - Chair Balducci thanked Christian for his comment. She requested Christian pass on the Committee's appreciation for the housing-positive lean the Committee saw from leaders in Bothell.
- Skye presented on the City of Issaquah, providing a city snapshot, strengths of Issaquah's comprehensive plan, and recommendations necessary for the City of Issaquah to align with the CPP Housing Chapter goals and policies.
- She flagged recommendation five regarding partnering with Sound Transit to help ensure future light rail stations are in areas conducive to housing development, including income-restricted

housing, for discussion. Despite light rail not opening in Issaquah until the early 2040s, Skye noted the partnership would provide Issaquah time to identify opportunities to support the development of income-restricted housing in the area.

- Chair Balducci invited Issaquah Council President Walsh to speak for the City.
  - o Council President Walsh shared the City of Issaquah intended to go through with the AHC's recommendations and the City of Issaquah was on board with the plan review process. She thanked the Committee.
- Isaac presented on the City of Federal Way's comprehensive plan, presenting a city snapshot, strengths of the City of Federal Way's draft comprehensive plan, and recommendations for Issaquah to align with the CPP Housing Chapter goals and policies.
- Isaac noted recommendation three for AHC discussion which identified a deficit in capacity for permanent supportive housing in Federal Way's land capacity analysis. This deficit was the result of the 7,000-foot spacing requirement between permanent supportive housing and other units. Isaac flagged that the Department of Commerce had noted in a Revised Code of Washington (RCW) that cities may not impose additional restrictions on affordable housing that was more than what they require of housing generally. Staff recommend Federal Way demonstrate in their comprehensive plan how they will have enough capacity for permanent supportive housing. One way was to eliminate the spacing requirement.
- Isaac said Federal Way Community Development Director Keith Niven sent a letter in response to Federal Way's draft comment letter in which he stated that Federal Way intended to demonstrate they had sufficient capacity for permanent supportive housing in their adopted plan and that they would take the guidance about the RCW under consideration in their legal review, community engagement, and final decisions.
- Chair Balducci invited Federal Way City Manager Brian Davis to speak.
  - o Brian thanked Chair Balducci. Sending the draft letters to city staff ahead of time allowed Federal Way's elected officials to appreciate the process because they valued the opportunity to comment.
- Skye presented on the City of Covington's draft comprehensive plan. She provided a city snapshot, described comprehensive plan strengths, and recommendations for Issaquah to align with the CPP Housing Chapter goals and policies. She noted that Covington fulfilled recommendation four through their targeted engagement survey. However, as it was not in the materials submitted to the AHC staff for review, staff could not determine if it was in alignment with the CPPs, which was why it remained a recommendation.
- Skye flagged recommendation six for discussion. Recommendation six was similar to Auburn regarding accessory dwelling unit affordability assumptions. Per CPP H-11, Skye recommended City of Covington staff propose new capacity for affordable housing as accessory dwelling units were only affordable to 80% AMI unless otherwise shown.
- Chair Balducci invited the City of Covington Community Development Director Salina Lyons to speak.
  - o Salina thanked Skye for the presentation. Salina shared City of Covington staff were in talks with their consultant and have been working with the Department of Commerce on the land capacity issue.
  - o Salina wanted to mention two things around the overall process and how the process was one piece of the larger comprehensive plan.

- Covington was adopting the step ordinance which was the transitional emergency housing. It will go before their council around September. The ordinance will allow transitional emergency housing in all their zones where appropriate.
  - Covington staff set minimum height standards in the downtown region which would hold developers accountable for higher growth targets.
  - Covington will be moving forward with 2023 House Bill 1110. Staff completed their gap analysis. The City of Covington had always allowed every housing type in the missing middle. The City was committed to its role in providing housing, meeting AMI targets, and addressing the needs of 0-30 percent of AMI households.
- Councilmember Ademasu posted in the chat, asking: “There are tax incentives for developers in 80% AMI MFTE. Can we have tax incentives for ADU providers for 50%-80% AMI?”
  - Isaac responded to her in the chat, “My understanding is that there has been a state bill proposed in recent years that would allow a tax incentive for ADUs if they were income restricted. I don’t think that’s passed yet. I’m not 100 percent sure about that though. I would like to double check.”
  - Kristen Holdsworth replied to Isaac in the chat: “RCW 84.36.400 (SB 5045) was adopted in 2023. It is a "may" and requires a County to take action. My team is working on ADU implementation/resources and were researching the status for King County. We reached out to Ivan, and he connected us to others in King County who said the County has not adopted this option as an ADU incentive for affordable housing. I believe Thurston County has adopted/has a program.”
- Chair Balducci appreciated all participants in the Housing-focused Draft Comprehensive Plan Review Program in addition to all their other responsibilities.
- Chair Balducci sought a motion to approve letters for Auburn, Bothell, Issaquah, Federal Way, and Covington.
  - Mayor Robinson moved to approve the five letters as a package.
  - Councilmember Falcone seconded the motion to approve the five letters.
- Chair Balducci opened the floor for discussion.
  - Chair Balducci reminded everyone present that this was the first time King County has asked jurisdictions to undergo a comprehensive plan review process and to correct a shortage of housing in one planning cycle. The Committee was asking jurisdictions to develop plans which could make up for a gap that was the result of several planning cycles, which was several decades in the making.
  - The motion passed unanimously.
- Chair Balducci invited a motion to put Bellevue’s letter before the Committee, followed by taking up of an amendment.
  - Mayor Robinson moved to approve Bellevue’s letter.
  - Council President Falcone seconded the motion to approve Bellevue’s letter.
  - Chair Balducci invited Mayor Robinson to amend Bellevue’s to the letter.
    - Mayor Robinson proposed to amend recommendation three in Bellevue’s comment letter.:



- The recommendation originally read: “To align with CPPs H-8 and H-18(c), Bellevue should provide a clearer statement of intent to adopt mandatory inclusionary housing provisions concurrent with the code changes to implement the comprehensive plan’s proposed increases in residential density. Additionally, Bellevue should replace “explore” in their Housing element policy HO-34 with “include” or equivalent.”
    - Mayor Robinson proposed amending the recommendation to add “, where appropriate” after “include”.
    - With the amendment, the recommendation would read: “To align with CPPs H-8 and H-18(c), Bellevue should provide a clearer statement of intent to adopt mandatory inclusionary housing provisions concurrent with the code changes to implement the comprehensive plan’s proposed increases in residential density. Additionally, Bellevue should replace “explore” in their Housing element policy HO-34 with “include, where appropriate” or equivalent.”
  - Mayor Robinson shared that the City of Bellevue was committed to creating 0 to 30 percent and 0 to 50 percent AMI housing and that there were many tools the City needed to use to do so. One tool was mandatory inclusionary zoning and she wanted to use it where appropriate since there were other tools.
- Chair Balducci opened the floor up for discussion.
  - Councilmember Falcone thanked Mayor Robinson for raising the amendment. Councilmember Falcone’s noted that Bellevue’s letter was the first letter to include a recommendation about inclusionary zoning.
    - Councilmember Falcone shared that her caucus, the Sound Cities Association (SCA), discussed the amendment, inclusionary zoning, and what CPP H-18 said. CPP H-18 included the “where appropriate” text. However, SCA was concerned including that “where appropriate” text in the recommendation letter would introduce unnecessary subjectivity.
      - The SCA caucus in their discussion came to a consensus that their preference would be an amendment in the form of a footnote that explicitly stated the language of CPP H-18(c). Councilmember Falcone proposed this footnote as a friendly amendment.
  - Mayor Robinson clarified she wanted to say “put mandatory inclusionary housing where appropriate” because it was not appropriate everywhere Bellevue was trying to incentive affordable housing.
  - Mayor Robinson invited AHC staff to weigh in on the two ideas: adding “, where appropriate” versus the footnote.
    - Isaac shared that he didn’t have the technical guidance on what the substantive difference would be in citing the CPP directly as a footnote.
  - Mayor Robinson addressed Councilmember Falcone and shared that what she’d prefer would be to take a vote on the amendment on the floor.
  - Chair Balducci noted that Councilmember Falcone’s amendment was not accepted as a friendly amendment.

- City of Bellevue Intergovernmental Policy Advisor Laura Benjamin-LaPitz shared that her preference would be the amendment put on the floor by Bellevue Mayor Robinson.
- Deputy Division Director Xochitl Maykovich introduced herself as staff with the Department of Community and Human Services (DCHS) serving in Sunaree Marshall's role of alternate on the Committee while Sunaree was on maternity leave. Xochitl asked Mayor Robinson a clarifying question about what Mayor Robinson meant by "appropriate" as Xochitl wasn't familiar with any inclusionary housing policy which targeted the 0 to 30 percent of AMI population. Xochitl asked if Bellevue planned to use inclusionary housing for the 0 to 30 percent of AMI population.
  - Mayor Robinson clarified that was not what she meant. Instead, she was trying to express her commitment to creating affordable housing at all levels and that mandatory inclusionary housing was one tool of creating affordable housing at certain levels.
- Vice Chair Brennan commented he would be abstaining from the votes on the Bellevue letter as Futurewise was playing a neutral convening role for the Eastside Housing Roundtable.
- Chair Balducci added her thoughts that the proposed amendment was appropriate in the sense it simply imported words directly from CPP H-18(c).
- Chair Balducci shared that many other jurisdictions found appropriate zones or subareas for affordable housing, so it would be a high bar for a jurisdiction to claim nowhere within their city would be appropriate.
- Chair Balducci shared that she would support the motion.
- Chair Balducci called for a voice vote on the amendment.
- The motion passed. Vice Chair Brennan abstained.
- Chair Balducci called for a vote on the letter.
- The motion passed. Vice Chair Brennan abstained.

### **Chair's Report**

- Chair Balducci reminded the Committee the next AHC meeting would be on September 5 from 2:00 P.M. to 3:30 P.M.
- Chair Balducci tentatively anticipated staff bringing forward draft comment letters for Black Diamond, Enumclaw, Kenmore, Kirkland, Medina, Sammamish, and Seattle.
- Chair Balducci reiterated that the AHC as a collective would make a big difference in the work it was doing.