

Appendix B: Adequate provisions checklists

This appendix provides checklists to use in documenting barriers and programs and actions to achieve housing availability (RCW 36.70A.070(2)(d)), as well as examples of how to complete each of these steps and document the work. These checklists include the following:

- Exhibit B1: Moderate Density housing barrier review checklist
- Exhibit B2: Low-Rise or Mid-Rise housing barrier review checklist
- Exhibit B3: Supplemental barrier review checklist for PSH and emergency housing
- Exhibit B4: Accessory dwelling unit barrier review checklist
- Exhibit B5: Checklist for local option tools for addressing affordable housing funding gaps
- Exhibit B6: Example completed Moderate Density barriers review checklist
- Exhibit B7: Example completed local option tools for addressing affordable housing funding gaps checklist

Documentation of the barriers to housing availability and the programs or actions needed to overcome these barriers must be in a public document and typically should be included as an appendix to the comprehensive plan housing element.

Barrier review checklists

Exhibit B1: Moderate Density housing barrier review checklist

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barrier.
DEVELOPMENT REGULATIONS			
Unclear development regulations			
Prohibiting some moderate density housing types, such as: <ul style="list-style-type: none"> <input type="radio"/> Duplexes <input type="radio"/> Triplexes <input type="radio"/> Four/five/six-plexes <input type="radio"/> Townhomes <input type="radio"/> Cottage housing <input type="radio"/> Live-work units <input type="radio"/> Manufactured home parks 			
High minimum lot sizes			
Low maximum densities or low maximum FAR			
Low maximum building heights			
Large setback requirements			
High off-street parking requirements			
High impervious coverage limits			
Lack of alignment between building codes and development codes			
Other (for example: complex design standards, tree retention regulations, historic preservation requirements)			

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barrier.
PROCESS OBSTACLES			
Conditional use permit process			
Design review			
Lack of clear and accessible information about process and fees ¹³⁶			
Permit fees, impact fees and utility connection fees			
Processing times and staffing challenges			
SEPA process			
LIMITED LAND AVAILABILITY AND ENVIRONMENTAL CONSTRAINTS			
Lack of large parcels for infill development			
Environmental constraints			

¹³⁶ For example: guidance resources are unclear or difficult to find, no digital permit tracking system, staff do not provide fee estimates or permitting time estimates are unavailable or inaccurate.

Exhibit B2: Low-Rise or Mid-Rise housing barrier review checklist

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barrier.
DEVELOPMENT REGULATIONS			
Unclear development regulations			
High minimum lot sizes			
Low maximum densities or low maximum FAR			
Low maximum building heights			
Large setback requirements			
High off-street parking requirements			
High impervious coverage limits			
Lack of alignment between building and development codes			
Other (for example: ground floor retail requirements, open space requirements, complex design standards, tree retention regulations, historic preservation requirements)			
PROCESS OBSTACLES			
Conditional use permit process			
Design review			
Lack of clear and accessible information about process and fees			

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barrier.
Permit fees, impact fees and utility connection fees			
Process times and staffing challenges			
SEPA process			
LIMITED LAND AVAILABILITY AND ENVIRONMENTAL CONSTRAINTS			
Lack of large parcels for infill development			
Environmental constraints			

Exhibit B3: Supplementary barrier review checklist for PSH and emergency housing

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barriers.
DEVELOPMENT REGULATIONS			
Spacing requirements (for example, minimum distance from parks, schools or other emergency/PSH housing facilities) ¹³⁷			
Parking requirements			
On-site recreation and open space requirements			

¹³⁷ Note that RCW 35A.21.430 expressly states requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii). The restrictions on these uses must be to protect public health and safety.

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barriers.
Restrictions on support spaces, such as office space, within a transitional or PSH building in a residential zone			
Arbitrary limits on number of occupants (in conflict with RCW 35A.21.314)			
Requirements for PSH or emergency housing that are different than the requirements imposed on housing developments generally (in conflict with RCW 36.130.020)			
Other restrictions specific to emergency shelters, emergency housing, transitional housing and permanent supportive housing			

Exhibit B4: Accessory dwelling unit barrier review checklist

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barriers.
DEVELOPMENT REGULATIONS			
<p>Consistent with HB 1337 (2023)</p> <ul style="list-style-type: none"> ○ Must allow two ADUs on each lot in urban growth areas; ○ May not require the owner to occupy the property, and may not prohibit sale as independent units, but may restrict the use of ADUs as short term rentals; ○ Must allow an ADU of at least 1,000 square feet; ○ Must set parking requirements based on distance from transit and lot size; ○ May not charge more than 50% of the impact fees charged for the principal unit; ○ Must permit ADUs in structures detached from the principal unit; ○ May not restrict roof heights of ADUs to less than 24 feet, unless that limitation applies to the principal unit; ○ May not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for ADUs that are more restrictive than those for principal units; ○ Must allow an ADUs on any lot that meets the minimum lot size required for the principal unit; 			

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barriers.
<ul style="list-style-type: none"> ○ Must allow detached ADUs 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; ○ Must allow conversions from existing structures, even if they violate current code requirements for setbacks or lot coverage; and ○ May not require public street improvements as a condition of permitting ADUs. 			
Unclear development regulations			
Large setback requirements			
Off-street parking requirements			
Other (for example: burdensome design standards, tree retention regulations, historic preservation requirements, open space requirements, etc.)			
PROCESS OBSTACLES			
Lack of clear and accessible information about process and fees			
Permit fees, impact fees and utility connection fees that are not proportionate to impact			
Processing times and staffing challenges			

Exhibit B5: Checklist for local option tools for addressing affordable housing funding gaps

Local option tools for addressing affordable housing funding gaps*	Implementation status	Plans for implementation
Housing and related services sales tax (RCW 82.14.530)		
Affordable housing property tax levy (RCW 84.52.105)		

Local option tools for addressing affordable housing funding gaps*	Implementation status	Plans for implementation
REET 2 (RCW 82.46.035) – GMA jurisdictions only and only available through 2025		
Affordable Housing Sales Tax Credit (RCW 82.14.540) – was only available to jurisdictions through July 2020		
Lodging Tax (RCW 67.28.150 and RCW 67.28.160) to repay general obligation bonds or revenue bonds		
Mental Illness and Drug Dependency Tax (RCW 82.14.460) – jurisdictions with a population over 30,000		
Donating surplus public lands for affordable housing projects (RCW 39.33.015)		
Impact fee waivers for affordable housing projects (RCW 82.02.060)		
Application fee waivers or other benefits for affordable housing projects (RCW 36.70A.540)		
Multifamily Tax Exemption (MFTE) with affordable housing requirement (RCW 84.14)		
General funds (including levy lid lifts to increase funds available)		

* Some tools may be unavailable for certain jurisdictions. For example, only GMA jurisdictions can use REET 2, or the surrounding county may have already implemented the housing and related services sales tax. See MRSC’s summary of [Affordable Housing Funding Sources](#) for more details and the Association of Washington Cities (AWC)/MRSC booklet on [Homelessness & housing toolkit for cities](#) (2022).

Completed checklist examples

Exhibit B647. Example Moderate Density barriers review

Barrier	Is this barrier likely to affect production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barriers.
DEVELOPMENT REGULATIONS			
Unclear development regulations	Yes	We reviewed our zoning code for inconsistencies and missing definitions and found several that relate to moderate density housing.	Updates to development regulations to add missing definitions and remove inconsistencies.
Prohibiting some moderate density housing types, such as: <ul style="list-style-type: none"> ○ Duplexes ○ Triplexes ○ Four/five/six-plexes ○ Townhomes ○ Cottage housing ○ Live-work units ○ Stacked flats ○ Manufactured home parks 	No	<p>All of these housing types, except for manufactured home parks, are allowed outright in all residential zones. Mobile home parks are allowed in the Mobile Home Park zone.</p> <p>Developers indicated that [jurisdiction name] has much more flexible zoning than surrounding jurisdictions for moderate density housing.</p>	N/A
High minimum lot sizes	No	This topic did not emerge in developer engagement.	N/A
Low maximum densities	No	This topic did not emerge in developer engagement.	N/A
Low maximum building heights	No	This topic did not emerge in developer engagement or discussions with development review staff.	N/A
Large setback requirements	Yes	Three out of four developers and all five individual property owners we spoke with indicated that required setbacks have presented a barrier for them, particularly for moderate density housing types.	New comprehensive plan policy H.2.B includes actions to add flexibility to development regulations, specifically setbacks for moderate density housing.

Large off-street parking requirements	Yes	Three out of four developers and all five individual property owners we spoke with indicated that parking minimums have presented a barrier for them, particularly for moderate density housing types. The developers advocated for eliminating parking minimums for all moderate density housing types.	New comprehensive plan policy H.2.C includes actions to add flexibility to parking minimums (but not eliminate them) for moderate density housing in areas served by major transit lines.
High impervious coverage limits	Yes	Two out of four developers and three out of five individual property owners we spoke with indicated that high impervious coverage limits presented a barrier to moderate density housing types.	New comprehensive plan policy H.2.B includes actions to add flexibility to development regulations, specifically impervious coverage limits for moderate density housing. Coordination with the Department of Ecology may be needed before changes to development regulations are implemented.
Lack of alignment between building and development codes	No	Developer interviews did not reveal any issues with lack of alignment between building and development codes. Staff are also not aware of any specific inconsistencies.	N/A
Other (for example: complex design standards, tree retention regulations, historic preservation requirements)	Yes	All four developers and all five individual property owners we spoke with indicated that the design standards were complex and difficult to meet without requesting any variances.	The jurisdiction will update its design standards to be clear and objective in response to HB 1293 (laws of 2023). The jurisdiction will work in partnership with stakeholders in this process.
PROCESS OBSTACLES			
Conditional use permit process	No	Moderate density housing types are all allowed outright in residential zones and no conditional use permit is required.	N/A
Design review	Yes	All four developers and all five individual property owners we spoke with indicated that the design review process was slow and costly for their projects.	New comprehensive plan policy H.4.F includes actions to clarify and simplify the steps for design review. The jurisdiction will also update its design standards to be clear and objective, include no more than one public meeting, and concurrently conduct design review

			with the consolidated review and decision process in response to HB 1293 (laws of 2023).
Lack of clear and accessible information about process and fees¹³⁸	No	<p>[Jurisdiction name] implemented a new permitting system in 2019, which addressed many of the known issues experienced by users in the past.</p> <p>Staff also provide cost estimates for permitting at pre-application meetings, which developers and property owners have said they found to be helpful and similar to final costs.</p> <p>Our discussions with developers and individual property owners revealed that the new system is working well.</p>	N/A
Permit fees, impact fees and utility connection fees	Yes	<p>[Jurisdiction name] revisited permit fees in 2020, substantially reducing them with special exceptions for affordable housing developers.</p> <p>However, as development has increased, so has the need for water, sewer and storm sewer infrastructure. To address this, impact fees were raised substantially in 2022.</p> <p>Our discussions with triplex and four-plex developers indicated that these impact fees are prohibitively expensive.</p>	To comply with SB 5258 (laws of 2023), the jurisdiction will study the most appropriate way to scale impact fees (based on square footage or type of unit), instead of a standard fee per unit, and implement these changes so that impact fees reflect the proportionate impact of new housing units.
Processing times and staffing challenges	Yes	All four developers mentioned that permit timelines have slowed since 2020 and the timeline estimates on the permit site are inaccurate in their experiences. We are currently understaffed and having trouble filling two permit technician positions.	Work with human resources to fill the two open permit technician positions and/or hire contracted technicians until permanent positions can be filled. Create streamlined onboarding training to bring new staff up to speed quickly.

¹³⁸ For example: guidance resources are unclear or difficult to find, no digital permit tracking system, staff do not provide fee estimates, permitting time estimates are unavailable or inaccurate.

			Also, provide better communication on permit timelines and update the permit website with more accurate estimates.
SEPA process	No	<p>Our jurisdiction has already modified SEPA exemptions in line with the flexible exemption thresholds (WAC 197-11-800(1)(c)).</p> <p>We typically combine the DNS and notice of application comment periods where appropriate.</p> <p>We have also engaged in a subarea plan with non-project EIS for a transit-oriented development center to simplify the SEPA process for later development.</p>	N/A
LIMITED LAND AVAILABILITY AND ENVIRONMENTAL CONSTRAINTS			
Lack of large parcels for infill development	No	When asked, developers expressed that they do not have challenges finding large enough parcels for their projects.	N/A
Environmental constraints	Yes	The Land Capacity Analysis found that many otherwise buildable parcels contain wetlands. Developers mentioned that, in combination with setbacks, wetland buffers sometimes make development very difficult if not impossible.	<p>Review code provisions for clustering and other site design provisions and consider modifying the regulations for more flexibility.</p> <p>Consider other areas where upzoning may be appropriate to accommodate more moderate density housing.</p> <p>Update the LCA data so that unbuildable parcels are reflected accurately in that analysis.</p>

Exhibit B7. Example local option tools for addressing affordable housing funding gaps checklist

Local option funding tools for affordable housing	Implementation status	Plans for implementation
Housing and related services sales tax (RCW 82.14.530)	Implemented. An affordable housing sales tax was adopted by ballot measure in 2019.	None.
Affordable housing property tax levy (RCW 84.52.105)	Not implemented	New comprehensive plan policy H.6.E includes an action to complete a study on the feasibility of affordable housing funding tools.
REET 2 (RCW 82.46.035) – GMA jurisdictions only	Not implemented	New comprehensive plan policy H.6.E includes an action to complete a study on the feasibility of affordable housing funding tools.
Affordable Housing Sales Tax Credit (RCW 82.14.540) – was only available to jurisdictions through July 2020	County implemented this tool and manages these funds through an inter-jurisdictional process that our city participates in.	None.
Lodging Tax (RCW 67.28.150 and RCW 67.28.160) to repay general obligation bonds or revenue bonds	Not implemented	New comprehensive plan policy H.6.F includes an action to implement affordable housing taxes, such as this lodging tax. After adoption of the comprehensive plan, the city will evaluate when imposing this tax is appropriate given a financial review of the lodging industry in the city and developing a plan for how the funds will be used.
Mental Illness and Drug Dependency Tax (RCW 82.14.460) – jurisdictions with a population over 30,000	Not implemented	New comprehensive plan policy H.6.F includes an action to implement affordable housing taxes, such as this lodging tax. After adoption of the comprehensive plan, the city will authorize the tax and coordinate dispersion of funds in coordination with the county program that dedicates funds as grants to develop and operate new supportive housing with mental health treatment programs.
Donating surplus public lands for affordable housing projects (RCW 39.33.015)	Not implemented	New comprehensive plan policy H.6.B prioritizes the disposal of surplus public lands for affordable housing. The city will then evaluate the feasibility of surplus public land for affordable housing and identify potential parcels for donation, as well as coordinate land assembly as needed.

Local option funding tools for affordable housing	Implementation status	Plans for implementation
Impact fee waivers for affordable housing projects (RCW 82.02.060)	Implemented. Ordinance No. 14583 exempts qualified affordable housing projects from Building Fees, Traffic Impact Fees, Parks Impact Fees and Sanitary Sewer System/ Facilities Charges subject to funding availability.	Assess if the budgeted general funds are sufficient to meet all demand for fee waivers in 2023 and adjust 2024 budget accordingly.
Application fee waivers or other benefits (RCW 36.70A.540)	Not implemented	Evaluate the costs and benefits of application fee waivers for affordable housing projects and determine at which scale waivers should be applied. Adopt ordinance if budgeted general funds are sufficient to meet all demand, as comprehensive plan policy H.6.D already supports this action.
Multifamily Tax Exemption (MFTE) with affordable housing requirement (RCW 84.14)	Implemented. 12-year MFTE requiring at least 20% of units affordable at 80% of AMI is available in the Downtown residential target area.	New comprehensive plan policy H.6.G includes an action to review the MFTE incentive program and designate additional residential target areas within ½ mile of frequent transit service.
General funds (including levy lid lifts to increase funds available)	The 2023 city budget includes \$1,000,000 to offset waived impact fee revenue for qualified affordable housing projects.	See above.