

Reasonable Measures Program Technical Supplement: Response to E2SSB-5254

In 2019, Snohomish County began preparing for the 2021 Buildable Lands Report (BLR). Part of this preparation process included reviewing new legislation (E2SSB-5254) that resulted in changes to the Review and Evaluation Program for Buildable Lands. In December 2018, the Department of Commerce published updated Buildable Lands Guidelines (Guidelines) as a response to the requirements passed in E2SSB-5254. Snohomish County identified key issues necessary to address in the methodology for the 2021 BLR. The County worked with ECONorthwest to review and evaluate a subset of these issues including: (1) land classification definitions, (2) market factor rates, (3) infrastructure gaps assessment, and (4) reasonable measures. The first three issues are addressed in the Technical Supplement to the Methods and Procedures document. This supplement addresses the review and recommendations for the Reasonable Measures Program document.

Relevant E2SSB-5254 requirements

The Buildable Lands Program requires the jurisdictions to apply reasonable measures under a set of circumstances, unless they are able to provide a rationale for how the issue will be resolved over time without specific additional actions. Without that rationale, the Guidelines emphasize the need to use specific reasonable measures to address an issue.

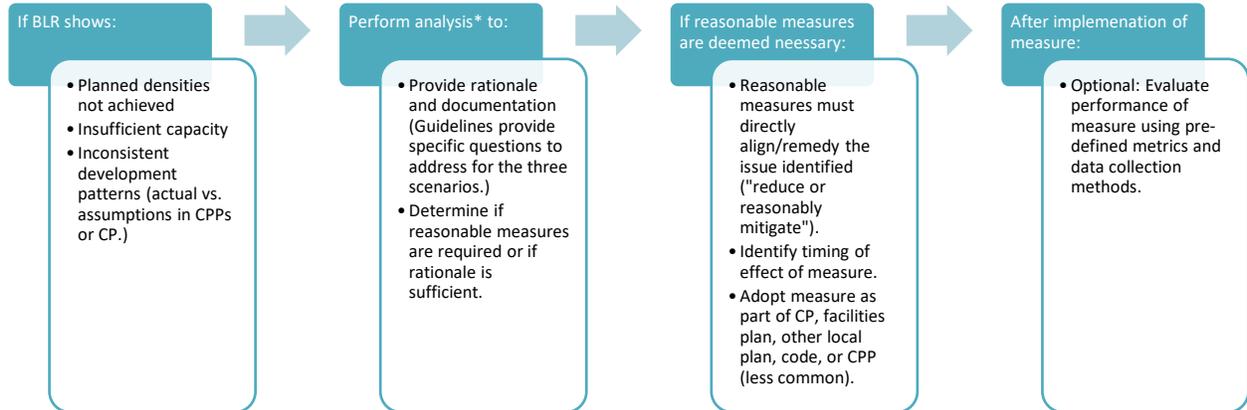
“Based upon the outcome of the assessment, reasonable measures must be adopted and implemented unless it is determined that they are not necessary to resolve the inconsistency. It is important that CPPs and/or administrative procedures outline how these determinations will be made and documented.”

Appendix B of the Guidelines provide a list of several reasonable measures that Buildable Lands counties currently used, with comments on measures that have a large or moderate impact on addressing issues related to density, capacity, or growth patterns.

Recommendation

ECONorthwest evaluated the updated Guidelines and the recommendations related to reasonable measures. Conversations with County staff and through initial discussions with the subcommittee resulted in suggested updates to the County’s current list of reasonable measures and the applicability of these measures to align with the Guidelines.

Exhibit 1. Summary of process for determining whether reasonable measures are required.



Source: Department of Commerce Buildable Lands Guidelines (2018) pp. 42-45

*Note: Guidelines state: "It is important that CPPs and/or administrative procedures outline how these determinations will be made and documented."

Based on the required updates related to reasonable measures defined in the Guidelines, ECONorthwest recommends adding the following elements to the reasonable measures matrix in Appendix D of the Countywide Planning Policies (CPPs):

- Identification of measures applicable to issues defined in the Guidelines—planned densities not achieved; insufficient capacity; or inconsistent development patterns
- Scale of impact of each measure, aligning with comments on certain measures provided in Appendix B of the Guidelines. Jurisdictions may need to apply multiple measures to address an issue if the scale of impact is small.

Appendix D in the "Snohomish County Method Alternatives and Evaluation Criteria" memorandum provides the proposed updated matrix. It is also provided on the next page(s).

Reasonable Measures Matrix Recommended Updates

- Directly applicable
- ◐ Partially applicable

Measures to increase density	Applicability of Measure										Additional metrics			Scale of impact
	Increases densities	Increases redevelopment	Increases Infill	Changes housing type/ increases options	Provides affordable housing	Economic Development	Make efficient use of infrastructure	Ensure efficient land uses	Urban design/form	Prevents dev. in critical areas	Issue Category			
											Planned Densities not Achieved	Insufficient Capacity	Inconsistent Dev. Patterns	
Measures that increase Residential Capacity														
Permit Accessory Dwelling Units (ADUs) in single family zones.	◐		●	◐	●		●					✓		Small
Provide Multifamily Housing Tax Credits to Developers	●		●	●	◐		◐	●				✓		Small-Moderate
Provide Density Bonuses to Developers	●	◐	◐	◐	◐		●	●				✓		Small-Moderate
Transfer/Purchase of Development Rights	●	◐	◐	◐			◐					✓		Small-Moderate
Allow Clustered Residential Development	◐			●			◐	◐		●		✓		Moderate
Allow Co-housing	◐	◐	◐	◐	●							✓		Small
Allow Duplexes, Townhomes, and Condominiums	◐		◐	●	●		◐					✓		Moderate
Increase Allowable Residential Densities	●				◐						✓	✓		High
Mandate Maximum Lot Sizes	●						◐	●				✓		High
Mandate Minimum Residential Densities	●						◐	●			✓	✓		High
Reduce Street Width Standards	●						◐	●				✓		Small
Allow Small Residential Lots	●				●		◐	●				✓		Small
Encourage Infill and Redevelopment	●	●	●				◐	●				✓		Small-Moderate
Enact an inclusionary zoning ordinance for new housing developments	◐			◐	●							✓		Small-Moderate
Plan and zone for affordable and manufactured housing development	◐			●	●							✓		Small-Moderate
Measures that increase Employment Capacity														
Develop an Economic Development Strategy						●				◐		✓		Small-Moderate
Create Industrial Zones		◐				●						✓		Small-Moderate
Zone areas by building type, not by use	●					●						✓		Moderate
Develop or strengthen local brownfields programs		●	●									✓		Small-Moderate

- Directly applicable
- ◐ Partially applicable

Measures to increase density	Applicability of Measure										Additional metrics			Scale of impact once implemented
	Increases densities	Increases redevelopment	Increases Infill	Changes housing type/ increases options	Provides affordable housing	Economic Development	Make efficient use of infrastructure	Ensure efficient land uses	Urban design/form	Prevents dev. in critical areas	Planned Densities not Achieved	Insufficient Capacity	Inconsistent Dev. Patterns	
Measures that support increased densities														
Encourage the Development of Urban Centers and Urban Villages	●	◐	◐	◐	◐	◐					✓			Moderate-High
Allow Mixed Uses	◐	◐	◐	◐	◐			●	●		✓	✓		Low
Encourage Transit-Oriented Design	◐			◐	◐	◐	●	●			✓			Moderate-High
Downtown Revitalization	◐	●	●	◐	◐	●	◐				✓		✓	High
Require Adequate Public Facilities	◐						●				✓			Small-Moderate
Specific Development Plans	◐	◐	◐	◐	◐	◐	◐			◐	✓			Moderate-High
Encourage Transportation-Efficient Land Use	◐			◐	◐	◐	◐				✓			Small-Moderate
Urban Growth Management Agreements	◐						◐	●		◐	✓			Small
Create Annexation Plans	◐						◐	●		◐	✓			Small-Moderate
Encourage developers to reduce off-street surface parking	◐						◐	◐			✓			Small-Moderate
Implement a program to identify and redevelop vacant and abandoned buildings	◐	●				◐	◐				✓			Small-Moderate
Concentrate critical services near homes, jobs, and transit							●	●			✓			Small
Locate civic buildings in existing communities rather than in Greenfield areas							◐	◐			✓			Small
Implement a process to expedite plan and permit approval for smart growth projects	◐	◐	◐	◐	◐	◐	◐	◐		◐	✓			Small
Measures to mitigate the impact of density														
Design Standards									●				✓	Small
Urban Amenities for Increased Densities									●				✓	Small
Conduct community visioning exercises to determine how and where the community will grow									●				✓	Small
Other measures														
Mandate Low Densities in Rural and Resource Lands									●				✓	Small
Urban Holding Zones									●			✓		Moderate-High
Capital Facilities Investments							●	●				✓		High
Environmental Review and Mitigation Built into the Subarea Planning Process	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐			✓	Small
Partner with nongovernmental organizations to preserve natural resource lands										●			✓	Small

Potential Measures to Add

Name	Description	Scale of Impact
Administrative and Procedural Reforms	Key consideration: how to streamline the review process and still achieve the intended objectives of local development policies	Small
Streamline Zoning Code and other Ordinances	The policy is intended to increase density and lower housing costs.	Small to moderate
Preserving Existing Housing Supply	Approaches include examples such as: housing preservation ordinances, housing replacement ordinances, etc.	Small to moderate
Re-Designate or Rezone Land for Housing	The policy increases opportunity for comparatively affordable multifamily housing and provides opportunities for mixing residential and other compatible uses.	Small to large
Allow Stacked Townhouses, Garden Apartments and larger-scale Apartments in high density zones		Small to large
Allow Live-Work housing or Mixed-use housing in commercial zones		Small to large
Allow small or "tiny" homes	Smaller homes allow for smaller lots, increasing land use efficiency. They provide opportunities for affordable housing, especially for homeowners.	Small
Parcel assembly	Parcel assembly can lower the cost of multifamily development because the City is able to purchase land in strategic locations over time. Parcel assembly is often associated with development of affordable housing (affordable to households with income below 60% of MFI), where the City partners with nonprofit affordable housing developers.	Small to large
Land Banking	Land banks support housing development by reducing or eliminating land cost from development, with the goal of increasing the affordability of housing.	Small to large
Community Land Trusts	A land trust is typically a nonprofit organization that owns land and sells or leases the housing on the land to income-qualified buyers.	Small to large
Public Land Disposition	Land acquired with funding sources such as tax increment, EB-5, or through federal resources such as CDBG or HUD Section 108 can be sold or leased at below market rates for various projects to help achieve redevelopment objectives.	Small to moderate
Reduced / Waived Building Permit fee, Planning fees, or SDCs	Programs that reduce various development fees as an incentive to induce qualifying types of development or building features.	Small
Scaling SDCs to Unit Size	Offering lower SDC for smaller units can encourage development of smaller units, such as small single-family detached units or cottage cluster units.	Small to moderate
SDC Financing Credits	May help to offset the an SDC charge, which is a one-time fee that is issued when there is new development or a change in use.	Small to moderate
Sole Source SDCs	Retains SDCs paid by developers within a limited geographic area that directly benefits from new development, rather than being available for use city-wide.	Small to moderate
Fees or Other Dedicated Revenue	Directs user fees into an enterprise fund that provides dedicated revenue to fund specific projects.	Not listed

Name	Description	Scale of Impact
Reimbursement District	A Reimbursement District is a cost sharing mechanism, typically Initiated by a developer. The purpose is to provide a reimbursement method to the developer of an infrastructure improvement, through fees paid by property owners at the time the property benefits from the improvement.	Small to moderate
Linkage Fees	Linkage fees are charges on new development, usually commercial and / or industrial development only, that can be used to fund affordable housing.	Small to moderate
Nonprofit Corporation Low Income Housing Tax Exemption	Land and improvement tax exemption used to reduce operating costs for regulated affordable housing affordable at 60% AMI or below.	Small to moderate
Low-Income Rental Housing Tax Exemption	The low-income rental housing program exemption lasts 20 years. Rents must reflect the full value of the property tax abatement and City can add additional criteria.	Small to moderate
Construction Excise Tax (CET)	CET is a tax assessed on construction permits issued by local cities and counties. The tax is assessed as a percent of the value of the improvements for which a permit is sought, unless the project is exempted from the tax.	Depends on amount of available funding
Phasing/tiering Urban Growth	From Guidelines appendix B	
Creative Use of Impact Fees	From Guidelines appendix B	
Promote Vertical Growth	From Guidelines appendix B	
Narrow Streets/Reduce Street Width	From Guidelines appendix B	
Allow for alternative sanitary sewer systems in unincorporated UGAs	From Guidelines appendix B	
Remove preplanning allowances in UGAs	From Guidelines appendix B	
Provide for regional stormwater facilities in unincorporated UGAs	From Guidelines appendix B	
Strengthen and amend policies to promote low impact development	From Guidelines appendix B	
Consolidated comprehensive plan land use designations	From Guidelines appendix B	
SEPA Categorical Exemptions for Mixed Use and Infill Development & Increased Thresholds for SEPA Categorical Exemptions	From Guidelines appendix B	