

THE WILLIAM D. RUCKELSHAUS CENTER

UNIVERSITY OF WASHINGTON

A ROAD MAP TO WASHINGTON'S FUTURE

Final Report

June 30, 2019

VOLUME 3

Table of Contents

Potential Indicators for Washington's Growth Planning System: Performance Measurement Tools for Comprehensive Planning Under the Growth Management Act (pgs 1-176)

Fiscal Tools for Affordable Housing: An Analysis of Tax Increment Financing, Multi-Family Tax Exemptions, Impact Fee Exemptions, and Latecomer Agreements (pgs 177-236)

Successful Collaborative Planning in Washington State: Five Case Studies (pgs 237-264)

Washington State's Centennial Accord and the Role of Tribal Governments in Regional Comprehensive Planning under the Growth Management Act and Associated Planning Laws (pgs 265-358)

Local Areas of More Intensive Rural Development (LAMIRDs): A Report Analyzing Whatcom, Skagit, Island, and San Juan County LAMIRDs (pgs 359-391)

Local Areas of More Intensive Rural Development (LAMIRDs): A Report Analyzing Snohomish, Stevens, and Spokane County LAMIRDs (pgs 392-438)



POTENTIAL INDICATORS FOR WASHINGTON'S GROWTH PLANNING SYSTEM:

Performance Measurement Tools for Comprehensive Planning
Under the Growth Management Act

PART OF THE EVANS SCHOOL STUDENT CONSULTING LAB

A Capstone Project Submitted in Partial
Fulfillment of the Requirements for the
Degree of Master of Public
Administration

For the William D. Ruckelshaus Center:
A Road Map to Washington's Future

Kevin Behr and Chun-Ting Liu
University of Washington
Daniel J. Evans School of Public Policy
& Governance

PREFACE

We are a graduate consultant team from the Evans School of Public Policy & Governance at the University of Washington that developed this report collaboratively with the William D. Ruckelshaus Center (Center). We are part of the Evans School Student Consulting Lab, which has been producing program evaluations, strategic plans and policy analyses that address the real-world needs of nonprofit and public agencies for more than two decades.

The Center was asked by the Washington State legislature in 2015 to design a process for a comprehensive and collaborative look at the Growth Management Act (GMA). To address this topic, the Center collaborated with the University of Washington's Evans School Student Consulting Lab for the creation and development of performance measurement tools and methodologies for comprehensive planning regarding Washington's GMA. The Center contracted with Evans School Student Consulting Lab to deliver a policy report that explores indicators and performance measurement tools for local governments' comprehensive plans in order to better assess the progressive changes that have been introduced to local governments of Washington State since the GMA was enacted in 1990. The Center collected this data to use in their report, *A Road Map to Washington's Future*, to articulate a vision of Washington's desired future and identify additions, revisions, or clarifications to the state's growth management framework of laws, institutions, and policies needed to reach that future for Washington's State legislatures.

ACKNOWLEDGMENTS

We would like to thank the following people for their help and support on this project:

First, we would like to thank our faculty advisor Dr. Joaquin Herranz for mentoring us and guidance, as well as our peer reviewers for their comments, support, and feedback throughout the process of this report.

Secondly, we would like to thank Joseph W. Tovar and Amanda Murphy for their guidance, feedback, and advice that you both provided for us from the beginning to the end of this project.

Lastly, we would like to thank all the experts, city managers, officials, administrators, and other parties for their insights and expertise, which helped us develop our report, provided indicators, and guided our recommendations.

Thank you.

Executive Summary

Purpose and Problem to Address

This report provides a systematic set of performance measurement tools for jurisdictions to utilize or adapt based on the legal requirements of updating their comprehensive plans, as well as theoretical models and methodologies that have or had been utilized in the field of performance assessment for jurisdictions within Washington's current planning framework under the Growth Management Act (GMA). This report also provides a monitoring system and mechanism for the performance of jurisdictions according to the updates of their comprehensive plans that has lacked a systematic measurement system for almost three decades.

The main issue we faced was the lack of a performance measurement system pertaining to assessing Washington's GMA. Although there are indicators that have been adopted by a few jurisdictions to assess their performance, we found that they defined or interpreted the same legislative goals in a variety of ways due to the huge variations in economic, environment, demography, geography and administrative structure across jurisdictions. Furthermore, since only a few jurisdictions utilize performance measurements to assess their outcomes from their comprehensive plans, it suggests that most jurisdictions update their comprehensive plans without truly understanding their outcomes. However, our report prototyped an inventory of indicators that can be used to steer policy development and revision to incrementally orient change for jurisdictions towards achieving the goals of the GMA from their comprehensive plans to address the research question: *What are viable performance measurements and methodologies for comprehensive plans pursuant to Washington's GMA?*

Methodology

Through our research of meta-analysis, case examples, and interviews, we purposefully searched for consistency and pattern in all the findings. We then integrated all the results and delivered performance measurements and indicators that could be introduced to the process of measuring the performance of the comprehensive plans of jurisdictions under Washington's GMA. This was performed by:

- Examining existing literature regarding the issue of growth management systems and performance measurements to better review and understand the research question.
- Conducting a meta-analysis to systematically summarize indicators that have or had been utilized to provide descriptive information about what might be the appropriate indicators to recommend, since there is no precedent of systematically adopting indicators.
- Designing and conducting interviews with experts, government officials, practitioners, city managers and planners, to establish the best indicators and criteria to assess the indicators.

Analysis

After reviewing and collecting all the necessary information, we conducted a qualitative data analysis throughout our interviews to collaborate and determine the best performance measurements and indicators from the ones we collected. A list of around the top 50 indicators pursuant to the GMA goals was chosen from **Appendix V: Indicator Chart with Sources** primarily based on the standard being scalable for all jurisdictions, which we furthered assessed by our criteria chart that consisted of feasibility, validity, reliability, and flexibility. The following criteria chart consisted of three levels, High, Medium, and Low to determine each indicator's relevancy and capacity according to their pursuant goal. These levels help determine the advantages and disadvantages of each indicator as it corresponds to each criterion that can be found in **Appendix VII: Criteria Chart**.

Findings

We have chosen not to suggest indicators or performance measurements for three of the GMA goals: 6) Property Rights, 13) Historic Preservation, and 14) The Shoreline Management Act. These three goals

either consist of rigid requirements that are especially problematic to be measured, or they have requirements that need to be adapted and formulated specifically for each jurisdiction that it applies to, hence we believe number-based indicators are not appropriate to mandate and measure the performance of these three goals of the GMA. Due to this, we only examined the capacity of indicators that corresponds to the GMA goals 1-5 and 7-12 to determine the potential of those indicators being adopted within Washington State, which we developed an initial supporting system for the growth management system to solve issue regarding the periodic update requirements through an inventory of indicators for jurisdictions under Washington's GMA. Therefore, this report delivered:

- An inventory of indicators that could be used as a reference point for developing performance measurements for jurisdictions under the GMA.
- A prototyped systematic set of performance measurement tools which can serve as a toolkit for examining the performance of comprehensive plans for jurisdictions to utilize or adapt based on the legal requirement of updating their comprehensive plan within the GMA.
- A summarization of the advantages and disadvantages of the top 50 indicators based on the criteria of feasibility, reliability, validity, and flexibility.
- Detailed limitations and strengths of the use of our selected indicators for adoption for jurisdictions.

However, we recognize that there are three limitations that need to be addressed. These include no precedent in performance measurements, different priorities of jurisdictions, and limited time, resources, and the scope of research of this report. Furthermore, the uniqueness of jurisdictions and fiscal feasibility are barriers that we observed and will need to be addressed in future research.

Recommendations

From our research, we suggest that using our indicators within comprehensive planning to greatly benefit the growth management system in Washington. We integrated our findings and provided our recommendations to address the issue below:

- Utilize our criteria chart for assessing potential indicators.
- Use our inventory of indicators as a toolkit for assessing the performance and outcomes of their comprehensive plans.
- Adapt our indicators according to local circumstances.
- Jurisdictions should pay more attention to value issues surrounding equity and accountability by collaborating with jurisdictions, tribal governments, and stakeholders to improve the conditions for each jurisdiction.
- Address the issue of unmeasurable outcomes for goals regarding property rights, historic preservation, and shoreline management by developing checklists or task-sheets locally to correspond community-based needs.
- Utilize dashboards and Balanced Scorecards to help local jurisdictions fully assess their comprehensive plans and provide transparency for stakeholders and other parties that are affected by the growth management system.

Conclusion

This paper provides legislators, officials and other parties guidance and a better understanding of the current best practices for measuring the performance of comprehensive plans and what indicators could be applied to the GMA's comprehensive planning requirements. These indicators can be used to steer policy development and revision to incrementally orient change for local government entities through policy direction and specific requirements for local governments and counties to formulate and periodically update their comprehensive plans according to the fourteen goals of the GMA found in RCW 36.70A.020.

Table of Contents

Chapter 1: Introduction.....	1
Purpose.....	1
Overview of the GMA	3
Planning Goals.....	3
Background.....	5
Research Problem.....	6
Research Question.....	8
Moving Forward	9
Chapter 2: Literature Review.....	10
Chapter 3: Research Methods and Data	18
Research Methodology and Strategies.....	18
Interview Protocol & Questionnaire Domain.....	22
Data Collection.....	22
Looking Ahead	26
Chapter 4: Data Analysis	27
Introduction to the Analysis	27
Criteria for Indicators	28
Assessment of Indicators.....	32
Chapter 5: Findings.....	36
Insight from Interviews.....	36
Excluded Goals and Indicators.....	38
Areas to Improve for the GMA	41
Findings from the Criteria Chart.....	44
Positives Outcomes	46
Unintended Outcomes	47
Chapter 6: Recommendations.....	50
Application of Indicators.....	51
Additions to the GMA Requirements.....	53
Performance Measurement Tools and Data Visualization	59
Implications	62
Limitations	62
Barriers.....	65

Further Research.....	67
Conclusion	71
Bibliography	74
Appendixes.....	77
Appendix I: Overview of the Shoreline Management Act.....	77
Appendix II: Project Overview	79
Appendix III: Structure of the GMA	81
Appendix IV: GMA Fully Planning and Partially Planning Counties Map.....	82
Appendix V: Indicators Chart with Definitions.....	84
Appendix VI: Indicator Chart with Sources.....	103
Appendix VII: Interview Questions.....	127
Appendix VIII: Criteria Chart	128
Appendix IX: QBL Prototype for GMA Application; Evans School Working Paper	138

Chapter 1: Introduction

Purpose

This report explores methodologies, performance measurements, and indicators that had previously or is currently utilized by cities, states, and countries to assess their comprehensive planning¹ in Washington State. Through a variety of research, including a literature review, interviews, and case examples, we designed and explored performance measurements and indicators that can be introduced to monitor comprehensive planning for cities and counties of Washington under the Growth Management Act (GMA).² This paper provides legislators, city planners, mayors, other stakeholders and parties a better understanding of the current best practices and what may be applied to the GMA's comprehensive planning requirements through the form of performance measurements and indicators. For the final product, we developed a list of indicators corresponding to each of the Fourteen goals of Washington's GMA. Additionally, we created criteria to assess indicators that were scalable for jurisdictions of all sizes. Furthermore, due to the capacity difference of small-scale or rural governments, we provided recommendations to address this issue by using the indicators that we found as a checklist or guide for jurisdictions to utilize to assess their comprehensive plans.

¹ A comprehensive plan articulates a series of goals, objectives, policies, actions, and standards that are intended to guide the day-to-day decisions of elected officials and local government staff according to the Municipal Research and Services Center.

² Refer to pages three and four for further information regarding the planning goals of the GMA.

Previous Work

A variety of stakeholders had conducted past research into performance measurements and benchmarking indicator. Northwest Center for Livable Communities³ produced an article regarding performance measurements for Washington's GMA, *Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop*.⁴ Their report helped serve as a foundation of our report due to the similarities in goals for an outcome of indicators pertaining to the GMA for use by cities and counties to measure the performance of their comprehensive plans. The authors explained the legislative intent of the GMA, and the idea to conceive a benchmarking program, which could be used to steer policy development and revision to continually orient change in the state towards achieving the legislative goals of the GMA.⁵ By following the same outcome-oriented monitoring approach and collaborating with experts in different fields, we developed a broad set of indicators that had been used by local jurisdictions and provided a list of possible indicators that could be adopted as performance indicators for cities or counties to achieve the goals of GMA in the future.

An inventory of indicators to assess and update comprehensive plans have been researched and used in some jurisdictions, reports and workshops over the past two decades. We collected and examined those various indicators and we sought critical perspectives and insights with representatives from officials and a variety of stakeholders, other parties, and experts from

³ A research and policy center focused on issues of environmental and economic sustainability, quality of life, and responsible governance using Washington as a model.

⁴ Northwest Center for Livable Communities "Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop." University of Washington: College of Architecture and Urban Planning. Working Report (Draft), February 2005.

⁵ Northwest Center for Livable Communities "Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop." University of Washington: College of Architecture and Urban Planning. Working Report (Draft), February 2005.

Washington, other states and countries through interviews, case examples, and research. These processes helped modify and adapt indicators to make them more effective and accurate, instead of directly applying performance indicators from other states and countries in the context of Washington State. Thus, this report expands on this previous work and provides an applicable and reasonable framework for various governments to measure the consistency of the results of their comprehensive plans with the objectives of Washington’s GMA.

Overview of the GMA

Washington State Legislature passed the GMA, **RCW 36.70A** in 1990 to create a method for comprehensive land use planning involving counties, cities, citizens, and the private sector to prevent uncoordinated and unplanned growth, which posed a variety of threats to future development. To address this, under “RCW 36.70A.020, the GMA establishes a series of 13 goals that should act as the basis of all comprehensive plans. The legislature then added the goals and policies of the Shoreline Management Act as the fourteenth GMA goal (**RCW 36.70A.480**).”⁶ The indicators that we suggest directly correspond to one or more of the fourteen goals of the GMA. To give more insight into these fourteen goals, a brief description of the goals from the Revised Code of Washington (**RCW 36.70A.020**) states:

Planning Goals

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW **36.70A.040**. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

1. Urban growth: Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

⁶ “Growth Management Act.” Municipal Research and Services Center (MRSC), MRSC Local Government Success, mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx.

2. Reduce sprawl: Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
3. Transportation: Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
4. Housing: Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
5. Economic development: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
6. Property rights: Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
7. Permits: Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.
8. Natural Resource Industries: Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.
9. Open Space and Recreation: Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
10. Environment: Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
11. Citizen Participation and Coordination: Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.
12. Public Facilities and Services: Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.
13. Historic Preservation: Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

[2002 c 154 § 1; 1990 1st exist. c 17 § 2.]

NOTES: *For a 14th goal: See RCW 36.70A.480.*

The 14th goal taken from the Shoreline Management Act (RCW 90.58) was integrated into the GMA in 1997. The intention of this goal can be found in RCW 36.70A.480. For the purpose of this study, we simplified the 14th goal as follows:

The SMA requires that each city and county have its own Shoreline Master Program (SMP) and are required to be updated by law.⁷ SMPs protect natural resources for future generations, provide for public access to the shorelines, and plan for water-dependent uses. For further information, refer to **Appendix I: Overview of the Shoreline Management Act**.

⁷ "Shoreline Master Programs" Water & Shorelines – Shoreline Management, Department of Ecology, State of Washington, <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-Master-Programs> .

These fourteen goals served as a foundation of this report. Due to this, many important public issues such as healthcare, public safety or financial sustainability regarding local jurisdictions are excluded from this report. We focused on the application of the GMA and potential indicators and performance measures to improve comprehensive plans for jurisdictions, which will directly affect the decision-making process of local jurisdictions and the public. To better understand the background, research questions and the structure of this report, refer to the next section and **Appendix II: Project Overview.**

Background

The original legislative intent of the GMA is to consciously maintain a high quality of life in Washington State in anticipation of future growth. As time goes by, due to the change of environment, social needs and population, the laws or norms established in the past could be out of date. If the local comprehensive plan under the GMA framework cannot evolve to meet the needs of the residents, local governments may have to face the consequence that the fourteen GMA goals would not be achieved. Experiences in other states have shown unforeseen difficulties in the process of implementing and achieving a variety of objectives of GMA. Therefore, this report is built on the premise that unless an objective, outcome-oriented monitoring system is utilized to assess the performance of local jurisdictions, the belief that governments will spontaneously accomplish the goals of GMA through local comprehensive plans would be untenable, even though there are requirements in GMA for local jurisdictions to periodically update the comprehensive plans. For a visual representation of this, refer to **Appendix III: Structure of the GMA.**

Research Problem

Washington's current planning framework for the Growth Management Act (GMA) provides policy direction and specific requirements for local governments and counties to formulate and periodically update their comprehensive plans. Those comprehensive plans are to be guided by the fourteen planning goals of the GMA found at RCW 36.70A.020. The planning goals, in turn, provide direction to the development and adoption of comprehensive plan elements and development regulations. Although such a mechanism has been applied for more than two decades, there has been no measurement of how local governments comprehensive plans perform. As the GMA requires cities and counties to adjust their comprehensive plan periodically, jurisdictions are now in a situation where they must update their comprehensive plans without truly knowing what was successful or not, which prevents them from adapting their plans accordingly to improve them moving forward. In order to address this issue, an inventory of methodologies and strategies are needed to fully assess and evaluate the effectiveness of the comprehensive plans of the 29 Washington counties and their cities that are under the GMA. For a visual representation of this refer to **Appendix IV: GMA Fully Planning and Partially Planning Counties Map** from the Washington State Department of Commerce.

Additionally, as the phrasing of the GMA's legislative intent and the language of the fourteen goals are not perfectly clear, with no specifications on how a performance measurement approach could be adopted and what success may entail, determining what measurements and indicators to use proved difficult. To decrease this ambiguity and satisfy legislative requirements for jurisdictions, choosing and determining indicators pertaining to the fourteen goals will help improve clarity on the measuring goals regarding periodic updating of comprehensive plans. As

you will read in the next chapter, our literature review suggested an application of a conformance-based approach in assessing Swiss's comprehensive has been successfully applied. Another example is shown in Zahirul Hoque and Carol Adams's study regarding the Australian government (2011), balanced scorecard performance measures can be used to satisfy legislative requirements, that is, strict adherence to rules and regulations and compliance.⁸ However, our report adopted in an outcome-based approach, which mainly aims to facilitate the process of monitoring and to assess the outcomes of the local comprehensive plans by utilizing quantifiable and measurable indicators. By recognizing proper and quantifiable performance measurement indicators for different jurisdictions, we will be able to provide a feedback loop to incentivize or require regional and local governments to adapt to changing circumstances or priorities to align with the GMA goals at RCW 36.70A.020.

Currently, requiring local governments to periodically update their comprehensive plans without providing a set of general or standardized performance measurements may disorient local jurisdictions the goal of conducting performance measurement, with little understanding of the outcomes of their comprehensive plans. Furthermore, the GMA encompasses various policy areas, it complicates the issue of measuring the performance of comprehensive plans due to the overlapping nature of the fourteen goals. To alleviate these issues, a set of performance measurements and indicators would help local jurisdictions focus on an outcome-based performance measurement system, which should improve the implementation of the GMA and

⁸ Zahirul Hoque and Carol Adams (2011). "The rise and use of balanced scorecard measures in Australian government departments" *Financial Accountability & Management*, 27(3), August 2011.

jurisdictions' comprehensive plans. This could also prevent the updating of comprehensive plans from becoming a mere formality for local jurisdictions.

Research Question

Washington's current planning framework for the GMA provides policy direction and specific requirements for local governments to periodically update their comprehensive plans. As there is no requirement to measure their efforts, an inventory of methodologies and strategies are needed to fully assess and evaluate the effect on Washington's local governments. The research question that we focused on is the following:

- *What are viable performance measurements and methodologies for comprehensive plans pursuant to Washington's GMA?*

To fully answer this question, we define viable as feasible options that are available and can be adopted by local and county governments for their comprehensive plans according to Washington's GMA fourteen goals. To achieve this, we answer the following secondary questions as well, to gain more information on the topic:

- *How can performance measurement methodologies be refined and adapted to measure state, regional, and local government achievement of Washington's fourteen planning goals?*
- *How do the Oregon, and other states and provinces comprehensive planning frameworks measure achievement?*
 - *Pursuant to a statewide or regional goal?*
 - *What components may be incorporated into future Washington performance measurement methodology or best practices?*
- *How can tools measure performance in achieving state goals be scaled to reflect different levels of institutional capacity?*
 - *How can these processes be made portable or scalable to different circumstances?*

In addressing these questions, we developed a comprehensive policy report which provides:

1. An inventory of methodologies, best practices, challenges and lessons learned in other states in the measuring the performance of regional, county and city comprehensive plans and strategies.
2. Methodologies and best practices that could be adapted to measure the performance of regional, county and city comprehensive plans in Washington State relative to the specific Growth Management Act goals at RCW 36.701A.020.

Moving Forward

By identifying performance measurement options for Washington's planning framework, it could provide policy direction and specific requirements to regional, county, and city governments pursuant to Washington's GMA. By providing an outcome monitoring system corresponding to the fourteen goals of the GMA, it will allow mayors, city managers, and councils to have better decision-making processes and to prioritize comprehensive plans in accordance to these measurements and indicators. Such performance measurement tools will enable Washington's cities and counties to maintain and adapt their comprehensive plans to help achieve those goals. To gather more information regarding performance measuring tools, indicators, and methodologies, in the next chapter, we conducted a holistic literature review to have a better understanding of the material and to use within the report.

Chapter 2: Literature Review

This study describes the creation and development of performance measurement tools and methodologies for comprehensive planning regarding Washington’s Growth Management Act (GMA). Relevant literature was identified through iterative reviews of articles to identify and recognize what tools, measurements, and methodologies have been previously utilized and studied. Furthermore, we reviewed literature related to comprehensive planning related to urban development and state-level development within the U.S. and abroad. According to the United States Government Accountability Office’s (GAO) report for assessing a specific program, there are four main stages in the performance measurement process—“identifying goals,” “developing performance measures,” “collecting data,” and “analyzing the data and reporting the results.”⁹ In the context of the GMA in Washington State, as there has been no systematic way to understand how well this policy is working and this study aims to provide an inventory of methods for examining the achievement of the GMA, we largely focused on the first two stages in measuring WA governments’ performance in the comprehensive plan. By “Identifying Goals,” we translated long-term GMA goals to specific, annual performance goals and objectives. By “Developing Performance Measures,” we developed outcome measures for activities through quantifiable and readily measurable performance indicators that can last and be adapted for years for the cities and counties under the GMA.¹⁰ Further summarizations of relevant articles and

⁹ Ennemoser, Rusty et al., “Performance measures to evaluate the effectiveness of public involvement” Center for Urban Transportation Research, Tampa, Florida: 2007.

¹⁰ Ennemoser, Rusty et al., “Performance measures to evaluate the effectiveness of public involvement” Center for Urban Transportation Research, Tampa, Florida: 2007.

topics regarding comprehensive planning, performance measurements, and indicators are discussed below.

Performance Measurement Approach

The term “performance measurement” has been officially defined by the United States GAO as “the ongoing monitoring and reporting of program accomplishments, particularly progress toward pre-established goals.”¹¹ By referring to “program,” GAO defines it as any activity or policy that has a set of identified goals, such as the fourteen goals of the GMA. In general, most of the performance measures in the U.S. government system falls into the following three categories: addressing the type or level of program activities conducted (Process), measuring the direct products and services delivered by a program (Outputs), or assessing the results of those products and services (Outcomes).¹² Correspondingly, there is a variety of different approaches to evaluations. Dahler-Larsen presented at least three types of approaches for conducting evaluations, including goal-oriented approaches, theory-based approaches, and responsive and participatory approaches.¹³ Drawing from these points of views, our study is mainly concentrating on translating the outcomes of the local plans into measurable indicators and reviewing best practice in other agencies to lay the groundwork for local governments to assess their comprehensive plans under the GMA.

¹¹ United States Government Accountability Office (GAO), “Performance Measurement and Evaluation: Definitions and Relations.” May 2011.

¹² United States Government Accountability Office (GAO), “Performance Measurement and Evaluation: Definitions and Relations.” May 2011.

¹³ Dahler-Larsen, Peter. “Evaluation and Public Management.” Oxford Handbooks of Public Management, June 2007. Online Publication, September 2009.

Performance Measurements and Methodologies

Performance measurements and methodologies that have been examined and used come from a variety of places and have an abundance of differences between them. Performance measurement and benchmarking systems can help with the development of performance metrics, as seen in Florida's Benchmarking Consortium.¹⁴ The tension of scalability from this study can be applied as a tool in methodology for the GMA. Another methodology can be the Plan-Process-Results (PPR) for evaluating planning and plan implementation.¹⁵ This methodology provides a criterion that can be adapted and used for the criteria of our performance measurements for Washington's GMA.

There are several principles and illustrations of performance measurements. Some of these indicators focus on one component, such as transportation policies, which could be utilized for the GMA. Five indicators included accessibility, reach, diversity, impact and participant satisfaction have been used previously for performance measurements regarding transportation.¹⁶ Additionally, an overarching or one-size-fits-all policy suggestion or program, like the required performance measurement of the GMA, often disproportionately weakens the budget and autonomy of local governments. Morrison (2014) developed a set of regional governance index which aims to assess the capacity difference among rural government entities. Morrison broke the institutional capacity of rural governments into four components and assigned numeric points for each of them at a different level in order to assess the resilience and resourcefulness of rural

¹⁴ Boyer, Susan R and Martin, Lawrence L. "The Florida Benchmarking Consortium: A Local Government Performance Measurement and Benchmarking Network." *Public Performance & Management Review*; Philadelphia Vol. 36, Issue 1, (Sep 2012).

¹⁵ Oliveira, V., & Pinho, P. (2010). Measuring success in planning: Developing and testing a methodology for planning evaluation. *The Town Planning Review*, 81(3), 307-332.

¹⁶ Ennemoser, Rusty et al., "Performance measures to evaluate the effectiveness of public involvement" Center for Urban Transportation Research, Tampa, Florida: 2007.

jurisdictions. Four of the key elements of Morrison's model includes levels of engagement in regional networks, levels of diversity and synergies across the instrument mix, levels of robustness and adaptability in instrument design and levels of broader fiscal, administrative and democratic support.¹⁷ By utilizing this framework, future studies could categorize rural areas in a more sophisticated way, instead of using the simple dichotomy of urban/rural area. For our study, this may improve the process of selecting and recommending proper performance indicators for rural areas in the context of Washington's GMA.

Types of Indicators and Tools

In a study conducted by Dennis E. Gale in 1992, *Eight State-Sponsored Growth Management Programs: A Comparative Analysis*, several indicators focusing on governments' consistency, compatibility, compliance with laws, financial support and regional oversight from other governments were discussed as part of the criterion for indicators.¹⁸ Another study called *Smart Growth Policies: An Evaluation of Programs and Outcomes* created indicators regarding policy outputs of state planning systems with specific indicators for different aspects like compact development, environmental protection and affordable housing based off criteria consisting of validity, availability, and reliability.¹⁹ By referencing this conceptual framework, we seek to evaluate each indicator for the GMA in a more systematic way and decide whether such an indicator is a beneficial measurement.

¹⁷ Morrison, T H. "Developing a Regional Governance Index: The Institutional Potential of Rural Regions." *Journal of Rural Studies* Vol. 35, (July 2014).

¹⁸ Gale, Dennis E. "Eight State-Sponsored Growth Management Programs: A Comparative Analysis", *Journal of the American Planning Association*, 58:4, 425-439, 1992.

¹⁹ Yu-Hung Hong, Tom Clark and Allan Wallis, "Smart Growth Policies: An Evaluation of Programs and Outcomes." Chapter II, Lincoln Institute of Land Policy, Cambridge, Massachusetts: 2009.

Comprehensive Planning

The National Performance Management Advisory Commission introduces many frameworks that have been applied by local or state governments for performance measurement, including performance dashboards, strategy maps, benchmark, and balanced scorecard. The examples of state and local performance measurement initiatives in Minnesota, Texas, Virginia and Oregon provided us with insight and understanding of the best practices that states have utilized thus far.²⁰ An evaluation of the success of Oregon's statewide Growth Management Program, which enacted as Senate Bill 100 in 1973, provided insight to how other state governments measure comprehensive plans and the indicators used to do so.²¹ However, since their program uses a top-down approach, we need to be cautious in applying some of the same methodologies that they used since Washington uses a fusion model.²² Similarly, a study focused on the performance evaluation for Swiss cantonal comprehensive plan proposed a task-sheet based approach, which aims to determine whether a government conforms to the policy prescription stated in the comprehensive plan when implementing planning tasks.²³ The author developed a set of indicators that can be used to understand to which degree the tasks a government carried out work to promote its objectives of a comprehensive plan.²⁴ Although an application of a conformance-based approach in evaluating Swiss cantonal comprehensive plans is successful, it

²⁰ National Performance Management Advisory Commission, "A Performance Management Framework for State and Local Government: From Measurement and Reporting to Management and Improving." Library of Congress, 2010.

²¹ Liberty, R. L. (1992). Oregon's Comprehensive Growth Management Program: An Implementation Review and Lessons for Other States. *Environmental Law Reporter*, 22, 10367-10391.

²² Top Down is State oversight or mandate, while fusion model is a combination of State and county oversight. Refer to Gale, Dennis E. "Eight State-Sponsored Growth Management Programs: A Comparative Analysis" for more information.

²³ Mueller, G. P., & Hersperger, A. M. "Implementing comprehensive plans: Indicators for a task-sheet based performance evaluation process." *Journal of Environmental Planning and Management*, 58(11), 2015.

²⁴ Mueller, G. P., & Hersperger, A. M. "Implementing comprehensive plans: Indicators for a task-sheet based performance evaluation process." *Journal of Environmental Planning and Management*, 58(11), 2015.

may not be able to be adapted into our research. With different goals and objectives between the two plans and structure of government and jurisdictions, as well as specific policy areas, like shoreline management or permit processing cannot be applied or easily measured through indicators. However, this type of approach might be appropriate for monitoring the performance of a policy, particularly if in a form of checklist or task-sheet.

Meanwhile, Jerry Anthony (2004) examined the effect of growth management regulation on urban density across 49 states by conducting regression analysis. From his results, Anthony suggested that in order to fully implement state-mandated measures at the local level, a high degree of state oversight and well-defined requirement and incentives may be beneficial and desired. For Washington State, he recommends providing financial incentives for local government and having agencies develop consistently with local plans to facilitate local and improve regional implementation.²⁵ These suggestions may only alleviate issues regarding urban sprawl for fast-growing counties in Washington State, as well as countries like Switzerland and Canada. However, his study provided insights that other exogenous elements, such as institutional incentive, legal requirement, and the intergovernmental relationship could also affect the effectiveness of Washington's GMA.

²⁵ Anthony, Jerry. "Do state growth management regulation reduce sprawl?" Urban affairs review, University of Iowa: 2004.

The Balanced Scorecard

Besides indicators, another performance measurement model that has been applied by the public sector for many years is the Balanced Scorecard. Balanced Scorecards could be utilized as a measurement system, strategic management system, or communication tool.²⁶ There are many benefits to applying the Balanced Scorecard when assessing a government's performance, including demonstrating accountability and generating results, focusing on fundamental goals and producing real information.²⁷ Others have also claimed that Balanced Scorecard aims to translate an organization's vision into actions in different perspectives with four major aspects, which includes "Financial Perspective," "Innovation and Learning Perspective," "Internal Process Perspective," and "Customer Perspective."²⁸ These perspectives may alter according to the organization, but regardless, they can be used as a strategic measurement system, not a measure of a strategy through its top-down reflection of an organization's mission and strategy. By addressing current and future success, integrating external and internal measures and helping focus on the outcomes,²⁹ the Balanced Scorecard provides decision makers both financial and non-financial information of performance. This concept is directly related to the goals of the GMA as stated in the Research Problem section at the beginning of the report. This concept could be beneficial if applied to Washington because it will provide a system to measure, strategize and communicate across sectors to better achieve the goals of the GMA. When Balanced Scorecards were applied to Australia, it helped Australia's governmental departments

²⁶ Paul R. Niven (2015). "Balanced Scorecard: Step-by-Step for Government and Nonprofit Agencies" John Wiley & Sons, Inc, September 2015.

²⁷ Paul R. Niven (2015). "Balanced Scorecard: Step-by-Step for Government and Nonprofit Agencies" John Wiley & Sons, Inc, September 2015.

²⁸ Kaplan, Robert S., and David Norton (1992). "The Balanced Scorecard: Measures that Drive Performance." Harvard Business Review 70, no. 1 (January–February 1992): 71–79.

²⁹ Kaplan, Robert S., and David Norton (1992). "The Balanced Scorecard: Measures that Drive Performance." Harvard Business Review 70, no. 1 (January–February 1992): 71–79.

improve the efficiency and effectiveness of their programs.³⁰ However, due to the different internal and external constitutional settings, Washington cannot replicate this model directly but can use the same underlying aspects of a Balanced Scorecard.

Our literature review helped us gain an initial understanding about the concepts of growth management systems, types of performance measurements, and approaches to comprehensive planning. This review provided us with knowledge which allowed us to tailor and frame the interview questions and research based on the needs of this report. It also helped us provide background information about Washington's GMA for our report, as well as the potential indicators we could examine. Lastly, this literature review provided us with an outline of the information that we could use, as well as what material and data we still needed to collect to help us formulate the research methods and strategies we would use for this report.

³⁰ Zahirul Hoque and Carol Adams (2011). "The rise and use of balanced scorecard measures in Australian government departments" *Financial Accountability & Management*, 27(3), August 2011.

Chapter 3: Research Methods and Data

Research Methodology and Strategies

To collect data and information surrounding current methodologies, performance measurements, and indicators, we used a broad range of resources to gain valuable insight, including meta-analysis, semi-structural interviews, and case examples. The following are the methods and strategies that we utilized to answer the research question at hand fully:

Meta-Analysis: ³¹

As the performance measurement of Washington's GMA is still in the nascent step, we reviewed practices and experience from other cities, states and countries using Growth Management Programs to assess different tools regarding performance measurements and indicators. We utilized existing government documents, experiences from other Growth Management Programs, and academic articles to assess different tools regarding performance measurements. Throughout the interview process, we learned that one of the main difficulties in measuring comprehensive plans at the local level is that rural jurisdictions are often disproportionately affected by state legal requirements due to their limited budgets. For example, one of our interviewees from City of Federal Way specifically mentioned that unless they have additional grants from the state, it is difficult to conduct a full assessment regarding their comprehensive plan. Therefore, synthesizing findings from how comparable rural jurisdictions operate in other locations helped us gain a thorough understanding of what could be implemented in Washington State.

³¹ Johnson, Gail. 2015. *Research Methods for Public Administrators*. Third ed., New York: Routledge, 2015. Meta-analysis studies systematically summarized issues or topics to provide descriptive information about common themes as well as to assess the effectiveness of a program or draw a general conclusion about the issue at hand.

*Semi-Structured Interviews:*³²

As it is difficult to capture all the potential information of a complex issue like Washington's GMA in a structured format, we decided to utilize semi-structured interviews. Conducting semi-structured interviews provided us the opportunity to acquire rich, qualitative data. One strength of this approach is that we have the flexibility to adjust questions throughout the process allowing us to maximize the information we gather and ensure its relevance. Since our interviewees may have more experience and background knowledge in the field, such an interview approach also allows us to clarify concepts during the interview process. By interviewing key stakeholders with expertise, we can gain valuable insight and documents from them, particularly pertaining to Washington's fourteen planning goals, Oregon's Growth Management Program (GMP), and performance measurements for local governments.

We adopted a snowball sampling³³ method for recruiting and reaching out to our interviewees. Initially, our client provided us a list with contact information about the interviewees, who in turn would provide us with more relevant experts and stakeholders who were their colleagues, co-workers, or previous co-workers to discuss this topic with. Additionally, throughout the development of this research, we actively reached out to city managers and administrators, or other experts that we believed would advance our findings. We believed that people working within Washington State would be more familiar with Washington's GMA, have more local understandings, and have a stronger understanding of Washington's constitutional context, hence we primarily focused on stakeholders that are located within Washington. However, we still

³² Johnson, Gail. 2015. *Research Methods for Public Administrators*. Third ed., New York: Routledge, 2015. Semi-structured interviews are used to understand stories, complex topics and processes, or exploratory research through none specific and a variation of questions to prevent a limited set of possible answers.

³³ Participants recruit other participants for a test or a study.

interviewed stakeholders and other parties outside of Washington to gain more understanding from our case examples.

*Case Examples:*³⁴

Considering that the GMA has been implemented for more than two decades, all the cities under the specifications of the GMA must have periodically updated their comprehensive plans at least twice due to the legal requirement of updating plans every seven to eight years. Consequently, due to the lack of a required monitoring system, it is expected that the plans have not varied greatly throughout these decades since there is no monitoring system to determine what has been successful or not. However, some local jurisdictions in Washington, other states, and countries have created their own systems to measure, better assess, update, and improve their comprehensive plans. Based on the information from these other jurisdictions regarding comprehensive planning measurements and the indicators they employ, we have collected and included them within our report in **Appendix V: Indicator Chart with Definitions**, which explains the indicators that are not inherent, and **Appendix VI: Indicator Chart with Sources**, which allows the reader to review where the indicators came from and where they are currently being utilized. The data used for these charts were formulated from the literature review and from research regarding government reports and documents.

Case Selection Process

From our literature review, we recognized that the legal structures, specifications, and goals of growth management systems from other states do not necessarily share the similarities with the

³⁴ A variety of jurisdictions that currently use metrics, performance measurements, or indicators as part of performance measurements for assessing their comprehensive plans.

GMA in Washington State, as indicated by Dennis Gale in *Eight State-Sponsored Growth Management Programs: A Comparative Analysis*.³⁵ Hence, in order to alleviate the unexpected costs of adopting indicators from other states, we primarily focused on jurisdictions that are located within Washington and Oregon. Nevertheless, we reviewed cases and performance measurement reports from Canada and other states within the U.S. Although a few of the indicators within the documents we reviewed, like the report from Minnesota and City of Austin, do not directly pertain to measuring growth management systems, after deliberation with relevant experts, we believe that including these indicators may be beneficial to acknowledge and include as our recommended indicators.³⁶

Likewise, for specific GMA-related indicators that are not necessarily included in a city's report, e.g. indicators regarding historic preservation and natural resource industries, we examined their corresponding programs, including Certified Local Government Programs (CLGs) and Voluntary Stewardship Programs (VSPs) to seek appropriate performance measurement and indicators. In **Appendix II: Project Overview**, we visualized the data sources of these referenced government documents, while providing **Appendix VI: Indicator Chart with Sources** for a holistic review. These indicators could be served as an improvement, extension, or decision support system to advance or refine the approach adopted by local jurisdictions to assess their comprehensive plans in a more formal and thorough approach.

³⁵ Gale, Dennis E. "Eight State-Sponsored Growth Management Programs: A Comparative Analysis", *Journal of the American Planning Association*, 58:4, 425-439, 1992.

³⁶ Refer to **Appendix VI: Indicator Chart with Sources**, where Indicator 12.4 and 12.10 have been incorporated under indicator 12.11 in **Appendix VIII: Criteria Chart** from Minnesota and Austin, TX.

Interview Protocol & Questionnaire Domain

We developed a set of general questions pertaining to growth management, development, and performance measurements in local governments by identifying the key concepts and features through our literature review. The qualitative data that we gain from interviews allowed us to have a more thorough understanding of what performance measurement systems are being used to assess jurisdictions, as well as giving us a foundation for the research to recognize the pros-and-cons of different measurement tools. As our interviewees have both international and domestic working experience, what was pivotal for us is to understand the effectiveness of different measurement tools in the different constitutional context and the adaptivity and scalability of those tools for jurisdictions of different magnitude. The insights acquired from the interviews could potentially expand the inventory of methodologies regarding performance measurement of Washington's GMA, and to provide successful practices as an initial reference point for Washington in the years to come, regardless of the performance tools the government eventually apply.

Data Collection

We planned to primarily use face-to-face and online interviews in a semi-structured approach to acquire qualitative data regarding performance measurements and methodologies. Most of our questions for the interview are developed based on our first two research questions: *1) What are viable performance measurements and methodologies for comprehensive plans pursuant to Washington's GMA? 2) How can performance measurement methodologies be refined and adapted to measure state, regional, and local government achievement of Washington's fourteen planning goals?* However, due to the uncertainty regarding performance measurements and

methodologies to access the aspects of the GMA, the answer of those questions provided us with a broad range of options, current measurements, and methodologies that are being utilized in other cities, states and countries. Such information and feedback further enhanced the effectiveness of Washington's future performance measurement tools.

Interviews

We utilized the semi-structured data collection approach for gathering data regarding performance measurement methodologies and indicators. By conducting interviews with experts and government employees who work directly with the GMA, with comprehensive planning, or indicators allowed us to gain technical aspects (hands-on knowledge and frontline experience) and options for the inventory of methodologies that we developed. Experts include professionals from the Municipal Research and Services Center (MRSC), Washington State Department of Ecology, Sound Transit, Washington City County Managers Association, Washington State Department of Archaeology & Historic Preservation, City of Kirkland, City of Federal Way, and the Planning and Economic Development Department (Canada). Furthermore, many of the experts are important stakeholders of implementing smart growth policy in different jurisdictions as well as within Washington, which provided us with more insight and specifics surrounding the policies and performance indicators that have been applied in the past.

Interview Protocol

The process of interviewing stakeholders was ongoing throughout the research. Prepared questions relating to all elements of the GMA were considered and addressed before the interview. A set of questions pertaining to each's expertise was utilized to gain the most insight

as we could from each interview. When discussing indicators and metrics, we focused only on their expertise area, for example for those involved in transportation, we only discussed the 3rd goal of the GMA, Transportation, but when interviewing the Department of Ecology, we focused on the 14th goal, the Shoreline Management Act (SMA). Experts provided us a holistic review of the GMA indicators and provided us with insights and personal opinions. Experts were also consulted to help narrow the indicators that we discovered for scalability for all jurisdictions and those who were most likely to pass the criteria that we created. We have included in **Appendix VII: Interview Questions** that provides a variety of questions that we asked our interviewees.

By analyzing the results after each interview, we were able to gather new insights and leads surround the GMA and it allowed us to make the necessary adjustments to the interview protocol, especially to narrow the focus of our questions for future selected interviewees. This practice led us to participants who helped confirm what performance measurements have been proven practical or unnecessary, but it also allowed us to interview participants who have opposing perspectives to current metrics and measures, which furthered our understanding for the best indicators for all jurisdictions. This approach equipped us with an in-depth understanding of issues surrounding the growth management system in wide-ranging areas, from rural small cities to larger urban counties. We believe the practices we discovered from these interviews could be adapted for other jurisdictions and accommodated to Washington's GMA.

Case Examples

We reviewed various government reports regarding comprehensive planning for cities across Washington such as Redmond, Olympia, and Kenmore; from other states such as Oregon, Texas;

and other countries, including Canada. These cases are valuable to review due to their experience with performance measurements of comprehensive plans, where we examined the successes and failures and proceeded to set Washington with the best metrics that can align with Washington's GMA goals. In terms of data collection, we found jurisdictions that have city comprehensive plans, annual plans, and city planning that utilized indicators and measurement systems to assess and improve their plans. We primarily reviewed these public documents as supporting materials, which also included public information on government websites and relevant local reports. Our goal was to fathom to what extent indicators were being used to signal blind spots for those governments, how they adapted and integrated their indicators into previous reports to better understand what could be improved in the future, and to lay out the advantages and limitation of their plans by utilizing their indicators as a tool to reinforce the process of monitoring performance. Through this process, we were able to collect and create **Appendix V: Indicator Chart with Definitions** and **Appendix VI: Indicator Chart with Sources** to use as a template to choose the best indicators for Washington's jurisdictions to potentially use. Refer to *Figure 1: Indicator Chart with Definitions Example* and *Figure 2: Indicator Chart with Sources Example* to see the example of the visual design for both appendixes.

Figure 1: Indicator Chart with Definitions Example

1. <u>Concentrated Urban Growth</u>	
Indicators/Metrics	Definition
1.1 Actual vacant and underutilized developed acres that have converted to build or converted to an easement.	<p>Land used for infrastructure is not available for housing or employment development. It is important to know the amount of available land that will be needed to provide the necessary infrastructure for development. This indicator will help calculate the amount of land needed for growth. Criteria for classifying lands as not built are as follows.</p> <p>Residential: <u>Vacant land</u> - Building value is less than \$13,000. <u>Underutilized land</u> - Building value per acre of land is below the 20th percentile of building value per acre for all residential parcels within all UGAs. The 20th percentile is calculated by the model for each year and for each UGA alternative.</p> <p><u>Mansions and Condos</u> - Building value per acre is greater than the 20th percentile.</p> <p>Commercial and industrial: <u>Vacant land</u> - Building value is less than \$67,500. <u>Underutilized land</u> - Building value per acre is less than \$50,000.</p> <p>For a complete description of the Vacant Buildable Lands Model, please refer to the link below. http://gis.clark.wa.gov/applications/gishome/reports/?pid=vblm</p>

Figure 2: Indicator Chart with Sources Example

3. Regional Transportation			
Indicators/Metrics	Previously Applied	Data Source	Links
3.1 Corridor Travel Time (average travel time)	Puget Sound Regional Council	Federal Highway Administration	https://www.psrc.org/corridor-travel-time

Looking Ahead

Due to the limited laboring and time we have, our report by no means provides a comprehensive assessment of performance indicators for monitoring or evaluating the success of Washington’s GMA. Instead, by identifying performance measurement options for Washington’s planning framework, this report could be used as a foundation of providing policy direction and specific requirements to city, county, and regional governments pursuant to Washington’s GMA. In addition, by adopting the indicators, a feedback loop can be provided to incentivize or require regional and local governments to adapt periodically to changing circumstances or priorities to align with the Growth Management Act goals at RCW 36.70A.020. In the next chapter, we will elaborate on what we found in our research and what could be improved for future research.

Chapter 4: Data Analysis

In terms of data analysis, we reviewed and examined the information from our interviews and case examples to determine the best tools and indicators from the ones collected. As mentioned in the previous chapter, our interviews significantly helped us develop the indicator charts and narrow our indicators to the top 50 so that we could further access the top indicators pursuant to the goals they could be applied to. This chapter details our approach of examining and refining our indicator charts to narrow down the indicators and explain how they hold up according to the criteria that we have created. At the end of this chapter, we present the results of our analysis based on our appendixes.

Introduction to the Analysis

After conducting over twenty interviews with stakeholders and reviewing various kind of government reports and analysis, including Oregon Performance Measures Report, Puget Sound Regional Databases, King County Benchmark Program and Performance Indicators for the Growth Plan for the Greater Golden Horseshoe, we gained a more thorough understanding of how the current performance measurements process is going and what the commonly-used indicators are. However, having indicators utilized in government reports do not mean the indicators are adaptable for all jurisdictions. In this Chapter, we integrated the opinion from practitioners and experts in relevant fields to suggest indicators from our list that could be scalable.

From both the literature review and interviews, we developed charts that all stakeholders could review to see what measurements and indicators are currently being used in Washington, other states and Canada for comprehensive planning. **Appendix V: Indicator Chart with Definitions** contains all the indicators, with definitions for those that may be unclear. Meanwhile, **Appendix VI: Indicator Chart with Sources** contains all the indicators, including which jurisdiction they are currently being utilized and the links to those sources for anyone to explore themselves. To explore these indicators further, we created criteria to better assess these indicators.

Criteria for Indicators

A set of criteria is necessary to better understand the costs and benefits of the indicators suggested. This evaluation method involves analyzing each indicator through individual criteria, to allow for detailed and transparent comparison, since these indicators will directly influence the well-being of Washington's counties or cities, its citizens, industries, and its workers. Due to this, it is important to better understand how the indicators will affect jurisdictions. These criteria will be used to determine which recommended indicator will best meet GMA's fourteen goals.

As Bardach and Patashink (2015) indicated in their book, *Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*, selecting evaluative criteria is the most important part of introducing values and philosophy into policy analysis.³⁷ Accordingly, we decided to cull out the most important criteria from the provided criteria in the book that were most relevant to the goals of the GMA pertaining to scalable indicators.

³⁷ Bardach, E. & Patashnik, E. (2015). *Practical Guide for Policy Analysis: The Eightfold Path to More Effective Problem Solving*. Washington, DC: CQ Press.

This report aims to recommend several indicators for jurisdictions to assess how their comprehensive plans have aligned with the GMA's fourteen goals currently and since they were first created over two decades ago. Since each of the additional indicators in our proposal will affect the local government's workload and workflow to a certain extent and asking for data on new indicators will incur additional costs for the governments, it is necessary to check the *Feasibility* of our indicators.

Likewise, as the purpose of using indicators is to help governments understand whether their programs have been achieving the goals of GMA since 1990, we believe it is important for an indicator to have the potential of assisting a government achieving its objectives across borders, and the connection between the indicator and the policy goal must be clear. In this sense, we selected *Validity* and *Reliability*. Additionally, in order to address the issue of regional difference, we decide to include *Flexibility* in our criteria.

Based on the previous information, we recommend using the following four criteria to select a solution based on our literature review, from the best practices from our research surrounding comprehensive planning, and from what we believe is most vital for evaluating these indicators:

Feasibility:

Generally, the indicators should be available in databases, which means that relevant secondary data must be accessible to fully understand the impacts of the GMA.³⁸

Additionally, an indicator should be quantifiable to be measured at the operational level.

³⁸ Yu-Hung Hong, Tom Clark and Allan Wallis (Smart Growth Policies: An Evaluation of Programs and Outcomes

Otherwise, jurisdictions may be confused about what needs to be measured and what is the purpose of using an indicator. Likewise, being able to manage and enforce new policies to support the data collection of these indicators are important for a new system of benchmarking the GMA, particularly for administrative and democratic support.³⁹ Accordingly, both the availability of the data and manageability, which refers to the organizational capacity of a government, are considered as a part of the feasibility for an indicator.

Validity:

The linkage between a comprehensive planning and the relevant indicators must be relatively strong and theoretically sound, which means that anyone with knowledge will be able to easily understand the connection between the indicator and the corresponding GMA goals. Additionally, validity can ensure that all the indicators, regardless of different jurisdictions, would be measured in the same units of measurement, e.g. percentages or ratios.⁴⁰

Reliability:

In order to ensure comparability, data must be collected by states agencies or local entities in formats that are consistent across all counties and cities in the GMA.⁴¹ The data collection process and the data itself cannot be inconsistent, but rather thorough and complete. Jurisdictions should be using the same measurements and collecting the same

³⁹ Morrison, T H. "Developing a Regional Governance Index: The Institutional Potential of Rural Regions." Journal of Rural Studies Vol. 35, (July 2014).

⁴⁰ Yu-Hung Hong, Tom Clark and Allan Wallis (Smart Growth Policies: An Evaluation of Programs and Outcomes

⁴¹ Yu-Hung Hong, Tom Clark and Allan Wallis (Smart Growth Policies: An Evaluation of Programs and Outcomes

data, regardless the variations between jurisdictions so that the Washington state and counties can use that information to assess countywide comprehensive plans and determine statewide trends and outcomes.

Flexibility:

The ability to be adaptable, resilient and change according to the needs of all cities and counties is vital because no one size fits all. Indicators should be an integrated governing capacity to adapt to unforeseen events since all jurisdictions are unique with a level of “robustness and adaptability in instrument design.”⁴²

We selected around 50 indicators that correspond to one of the fourteen goals of the GMA to assess using the selected criteria. These indicators were chosen from **Appendix VI: Indicator Chart with Sources** due to the belief that they were the most scalable indicators from the selections so that all jurisdictions, regardless of the size or capacity could implement them. Although the indicators we chose may not be the desired indicators for all jurisdictions, **Appendix V: Indicator Chart with Definitions** or **Appendix VI: Indicator Chart with Sources** can be used as a checklist for which indicators jurisdictions believe can best help measure their comprehensive plans. Nevertheless, to better assess these indicators to the criteria, we created three levels, *High (Green)*, *Medium (Blue)* and *Low (Red)* to determine their capacity based on the selected criteria.⁴³ High corresponds with the indicators being the most correlated and beneficial with the criteria, while low being the least linked and suitable to the indicator.

⁴² Morrison, T H. “Developing a Regional Governance Index: The Institutional Potential of Rural Regions.” Journal of Rural Studies Vol. 35, (July 2014).

⁴³ The colors corresponding to the levels to assess the indicators to help provide a visual understanding their impact.

These levels can help determine the advantages and disadvantages of each indicator as it corresponds to each criterion. Potentially, these indicators could be adopted and adapted to each city base on its own need. To understand how we determine each indicator, we provided a short explanation for each decision that we made within Chapter 5. A visual summary of these results, table or chart, is presented using a policy matrix can be found in **Appendix VIII: Criteria Chart**. Refer to *Figure 3: Criteria Chart Example* for a visual example of with the chart consists of and looks like.

Figure 3: Criteria Chart Example

11. Early and Continuous Public Participation				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
11A) 11.1 Measures unique design and layout characteristics that help define a community's sense of place	Medium: Data is incomplete and hard to manage	High: Relatively strong and theoretically sound	Low: Data is not consistent across jurisdictions	Medium: Disparity between urban and rural

Assessment of Indicators

Excluded Goals

As mentioned before regarding the limitation of using indicators for measuring performance, along with discussions with experts and practitioners, we have chosen not to suggest indicators or performance measurements for three of the GMA goals. These goals include 6) Property Rights, 13) Historic Preservation, and 14) The Shoreline Management Act. These three goals either consist of rigid requirements that cannot be measured, or they have requirements that need to be adapted and formulated specifically for each jurisdiction that it applies to. We have provided some measurements and indicators that could be utilized by jurisdictions if they choose

to in **Appendix VIII: Criteria Chart**. However, they may not be helpful to other jurisdictions due to the sensitivity in a case by case basis. The indicators found are not appropriate to mandate and do not give a good picture of the underlying goal of the GMA for managing growth while protecting the state's natural resources and beauty. These indicators were too narrow based on the goal, particularly for individual indicators based on diverse and broad goals for those in the 14th goal, the Shoreline Management Act.

Included Goals

For analysis with the criteria chart, we included GMA goals 1-5 and 7-12. The indicators pertaining to these goals were chosen from **Appendix VI: Indicators Chart with Sources** and were the ones that we deemed most scalable for all jurisdictions, most practical for cities and counties to record, and most useful based on our research through literature and from our interviews. We purposefully asked our interviewees to help us truncate our original list of indicators that have been utilized by local jurisdictions. We culled them out based on the assumption that regardless of the capability and resourcefulness of the jurisdictions, most jurisdictions would be able to utilize the indicators as a tool to measure the performance of their comprehensive plans. From this culling, we created **Appendix VIII: Criteria Chart** contains the most pertinent indicators, along with the criteria and how well they match up.

We adapted and integrated the original indicators from a variety of government documents based on performance measurements currently being used for the assessment of comprehensive plans. All the adaptations and adjustments of indicators have been examined, approved and finalized by judgments from experts and by us. Likewise, jurisdictions could adapt and alter the

recommended indicators if they believe it would be more appropriate and effective. We summarized and illustrated our reasoning in **Appendix VIII: Criteria Chart**. Below, you can see for more regarding the cross-over of indicators and goals, as well as the adjustments and adaptations made to have indicators that are more aligned with the GMA goals:

- For indicators like unemployment rates in the 5th goal of the GMA (**5C**), we did not explicitly quote it from a specific city because the unemployment rate has been commonly used by many jurisdictions countrywide. This indicator we believe is extremely relevant and can help jurisdictions understand their economic development.
- In terms of the (**12C**) Condition of City Infrastructure, we integrated a few indicators relating to city infrastructure to condense and provide clarity for jurisdictions, as well as due to their similarities and the overlapping concepts of these indicators. The indicators we integrated included, **12.7** Measures percent of city facilities that meet operating standards, **12.8** Measures maintenance condition of pavement, water mains, and sewer lines, **12.9** Percent of lane miles in the City's street inventory that are in fair to excellent condition, **12.11** Water/Sewer/ Maintenance crew per 100 lane miles and **12.12** Street Maintenance crew FTE's per 100 lane miles. This polished many indicators that had concepts that were similar to make it easier for all jurisdictions.
- Indicator (**11A**) **11.1** Measures unique design and layout characteristics that help define a community's sense of place is not fully developed and defined in our report, many of our interviewees agree to keep it as a rough guideline or focus for jurisdictions, since it values and promotes community input and participation, which directly connects to the 11th goal of the GMA.
- For the 6th, 13th and 14th goals of the GMA, we also received diverging opinions about including indicators for measuring the performance of these goals or not. We acknowledge that utilizing indicators in such fields might be helpful; however, we believe it is restricted to the use of informing the public or communicating with the stakeholder rather than updating the policy implementation of SMA or historic preservation. Guidance or checklist that could identify critical aspects of SMA or historic preservation or property rights to guide the focus for jurisdictions would be appropriate.
- For indicator **12.2** the percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities, we moved the indicator for our criteria chart to (**1B**). This was due to our belief that the indicator does a better job at demonstrating to what extent the city is concentrated in a certain area or designated development area. Understanding how far housing is from schools, supermarkets, and stores would help illustrate whether an area is developing in a low-density way and the livelihoods of their citizens.

- We moved indicator **(7B) 6.2** Time Required for final decisions on complete application by property type (city and county) into the permit processing goal since it could be generalized as the time need for every different application type, including commercial, industrial and residential development permits. This provides simplicity and better understanding for permit processing, especially considering how we chose not to include indicators for property rights.
- We adapted indicator **9.10** Participation in Parks, Arts and Recreational Activities (Hours) into indicator **(9D)** in our criteria chart. For **(9D)** in our criteria chart, we decided to exclude **9.10**'s aspect of arts within this indicator as it is not directly relevant to the 11th goal of early and continuous public participation. Likewise, we include per capita hours as a measurement to account for the population difference across jurisdictions.
- We decided to adapt indicator **10.13** Tree Canopy: Percentage of Redmond land area covered by tree foliage into a more generalized one, indicator **(10A)**, in order to make it applicable more all jurisdictions under Washington's GMA.

Chapter 5: Findings

In Chapter 5, we examine the data we collected from the literature review, government document review and interviews. We integrated and finalized the insights, opinions, feedback, and comments from the various stakeholders and parties in **Appendix V: Indicator Chart with Definition** and **Appendix VIII: Criteria Chart**. We explained the reasons why we choose to exclude some of the indicator based on the opinions of interviewees and the relevance to the GMA goals. In **Appendix VIII: Criteria Chart**, we discussed the advantages and disadvantages of the remaining indicators, which could be potentially used as a reference for developing performance measurement for jurisdictions under Washington's GMA. Furthermore, we elaborated on the limitation of using indicators and the rationale of excluding the use of indicators regarding Property Rights, Historic Preservation, and Shoreline Management Act. Lastly, we summarized the findings from the criteria chart, as well as the limitations we recognized in the process of data collection and data assessment.

Insight from Interviews

Interviews were conducted to gain more insight and opinions from stakeholders involved in comprehensive planning, performance measurements, and Washington's GMA. These stakeholders included Washington city managers and administrators, Municipal Research and Services Center (MRSC), and city officials in Washington, Canada, and other places. Expertise was gained from all sectors that are involved with the fourteen goals of the GMA. During the interviews, we gathered opinions and advice for indicators and performance measurements, as well as insight on how well the indicators that we found and collected would play out if

implemented. For people who specialize in different policy areas, such as transportation, shoreline management, and city planning, we prepared different sets of key questions for them. We incorporated their feedback and opinions into **Appendix VIII: Criteria Chart**, which a large part of the content for the levels of the indicators for their criteria are constructed based on the opinion of our interviewees and our professional opinions. Main insights included, which indicators should be part of the top 50 based on scalability, and the levels of the selected indicators.

We considered their opinions and applied them for the creation of **Appendix VIII: Criteria Chart** so stakeholders and other parties can understand how these indicators may or may not be useful for jurisdictions adapting comprehensive plans under the GMA. Their thoughts helped us prototype and frame our final recommendation of performance indicators; we also selected certain indicators based on our government document reviews, research, and interviews. The final version of the indicator chart can be used as a reference or anchor point for performance evaluation for jurisdictions under Washington's GMA.

Capacity for Indicators

A potential statewide, overarching requirement for jurisdictions to adopt a set of indicators to measure their performance regarding their comprehensive plans could disproportionately affect the capacity of small-scale jurisdiction, particularly in rural areas. Throughout our interview process, we discovered that many experts acknowledge the problem that the budgets and staffing may have on certain jurisdictions to take on a new requirement to assess their plans using indicators, especially for rural and small jurisdictions. Hence, to better utilize the indicators

without weakening the capacity of rural governments, our report assessed each of the indicators based on its scalability and condensed the original list of indicators from **Appendix VI: Indicators Chart with Sources** into a refined version for all jurisdictions. Furthermore, we examined the remaining indicators with the four criteria, which we culled out from the literature review and comments of experts, to give a holistic review about what the weaknesses and strengths of each indicator may be to help how jurisdictions could incorporate these indicators into their performance measurements process. However, there remained some GMA goals that we believed should not include indicators to assess comprehensive plans.

Excluded Goals and Indicators

As mentioned previously, through discussions with experts and practitioners and our research, we have chosen not to suggest indicators or performance measurements for three of the GMA goals due to limitations regarding the use of indicators for measuring performance. These three goals include 6) Property Rights, 13) Historic Preservation, and 14) The Shoreline Management Act. These three goals either consist of rigid requirements that cannot be measured, or they have requirements that need to be adapted and formulated specifically for each jurisdiction that it applies to. We have provided some measurements and indicators that could be utilized by jurisdictions if they choose to in **Appendix V: Indicators Chart with Definitions** or **Appendix VI: Indicator Chart with Sources**. However, they may not be helpful to other jurisdictions due to the sensitivity of a case by case basis. The indicators found are not appropriate to mandate and does not give a good picture of the underlying goal of the GMA. They are too narrow based on the goal, particularly for individual indicators based on diverse and broad goals for those in the

6th, 13th, and 14th goal of the GMA. The following explains our reasoning to exclude these three goals from having indicators:

Goal 6: Property Right

As Goal 6 explicitly indicated, private property shall not be taken for public use without just compensation having been made, and we believe that the goal is to reinforce procedural justice. When the purpose is to enable the government to comply with legal requirements or regulations, it is not appropriate to use numbers and percentages to assess this performance of the 6th GMA goal. For example, using checklists or task-sheets to check whether local governments meet legislative requirements in the process of compensating landowners can reveal more information about whether discriminatory actions have been introduced into a case. Hence, we decided not to recommend any indicator to measure this goal due to the previous reasons and the insufficient validity of using indicators.

Goal 13: Historic Preservation

Determining what measurements and indicators to use while considering what data is available proved to be difficult. We discovered that Washington's Department of Archeology and Historic Preservation (DAHP) collects data, which is available and can be used to create metrics, but they would not be meaningful for the 13th GMA goal. Jurisdictions report on number places they chose, and the updates and costs it will incur, which will prove difficult to measure and compare annually and to another jurisdiction. Another issue is that not all cities and counties within the GMA have historic

preservation programs or Certified Local Government Programs (CLGs). To create an indicator, all the jurisdictions within the GMA should have similar programs like the CLGs to be able to compare their impacts. Furthermore, performance measures would be a more bureaucratic exercise to have a handle on how they are doing it and how well and all parts can be very subjective since it is more quantitative than qualitative. Lastly, it should be noted that tribal governments can have their own preservation offices as well, which they do on their own plans and designation to the National Park Service, rather than DAPH, which may affect how the GMA works within certain regions.

Goal 14: The Shoreline Management Act (SMA)

Determining exact measurements and indicators for this goal proved to be difficult as it did for the Northwest Center for Livable Communities.⁴⁴ Due to the uniqueness of every shoreline and lack of consistency among them, creating a rigid metric for all shorelines would not be beneficial. Jurisdictions are in the process of making their shoreline inventories available, which can be used to measure for themselves but having statewide measurements do not seem to be beneficial, as advised by a variety of stakeholders. However, these individual shoreline inventories can provide information such as development and vegetative cover in these areas, which should be used to see if a net loss was reached throughout the years.

⁴⁴ Northwest Center for Livable Communities “Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.” University of Washington: College of Architecture and Urban Planning. Working Report (Draft), February 2005.

Areas to Improve for the GMA

Historic Preservation

Some of the policies under or related to the GMA, such as certified local government programs (CLGs) regarding historic preservation, and Shoreline Master Programs (SMP) regarding shoreline management should be adapted based on each jurisdiction, as numbers and percentages here cannot tell the public the whole story behind the policies. Our interviewees specifically informed us that local governments under Washington's GMA are recommended to work together in the Federal Preservation Program to help communities save the irreplaceable historic character of places, especially for the jurisdictions under the GMA.⁴⁵ As CLGs could provide grants, training, on-site assistance, education, and workshop activities to jurisdictions according to their needs on a yearly basis, it is recommended for jurisdictions to partake in the CLGs.

Currently, there are few indicators that are utilized to track the overall picture of the progress of historic preservation, including the number of new inventories (counted by project) entered into Washington State Department of Archaeology & Historic Preservation's (DAHP) database and the number of jurisdictions that have incorporated CLGs as mentioned previously. Nevertheless, local projects are not necessarily reported to DAHP and there is no requirement for them to report to DAHP. If DAHP only has incentives for encouraging jurisdictions to participate in CLGs, the DAHP database would be hard to complete. Consequently, these potential indicators would not be accurate enough and would not give a full picture of the underlying success related to the 13th goal of the GMA. Furthermore, as the use of the potential indicators is narrow in

⁴⁵ National Park Service, U.S. Department of the Interior, "Certified Local Government Program & Local Preservation Tools." <https://www.nps.gov/clg/>

focus, looking at raw numbers does not give the public the meaningfulness behind them, especially the history behind places with cultural and archaeological significance. As jurisdictions and indigenous communities have more local wisdom to recognize heritages and archaeological significant places, and a community-based or grassroots-driven commitment is more likely to sustain CLGs and update comprehensive plans in an engaging way, participating in CLGs could be a recommended solution for achieving the historic preservation goal of the GMA. Hence, we believe using indicators to inform the performance of the 13th goal is relatively unjustifiable, even with a complete database, CLGs have the previously mentioned downsides that could differentiate them from the goals of the GMA.

Shoreline Master Programs (SMPs)

Currently, for comprehensive SMP updates, jurisdictions are encouraged to fill out a checklist to show where they are covering all the procedural and substantive requirements of SMA.⁴⁶ The many tools used for the checklist are included in the Washington State Department of Ecology *Shoreline Planners Toolbox*.⁴⁷ Likewise, the Washington State Department of Commerce has a checklist for GMA periodic updates, which essentially accomplishes the same goal as the Ecology periodic review checklist. For a broader overview of issues surrounding shoreline management, state and regional tools can also be utilized to inform decision-making processes. For example, Puget Sound High Resolution Change Detection provided by the Washington Geospatial Open Data Portal and High-Resolution Aerial Imagery Change Detection from

⁴⁶ Washington State Department of Commerce. “Critical Areas Checklist,” February 2018.

⁴⁷ Department of Ecology, State of Washington. “Shoreline & Coastal Management: Shoreline Planners Toolbox” Washington State Department of Ecology.

Washington Department of Fish and Wildlife (WDFW) is capable of answering overall questions about amount and rates of changes in actual land cover regarding the 14th goal of the GMA.⁴⁸

According to our interviews, the Washington State Department of Ecology works with the Washington State Department of Commerce and WDFW for achieving one of the primary goals of protecting shorelines, with the standard of no net loss. They follow the guidelines provided by the *Critical Areas Handbook*,⁴⁹ which was published by the Washington State Department of Commerce, to monitor how successful jurisdictions' SMPs are and what could be improved. The five steps of developing a monitoring and adaptive management program from jurisdictions' SMPs including: *Determine the Reasons for Monitoring, Establish Key Objectives and Study Questions, Design the Monitoring Program, Determine the Monitoring Time Frame, and Evaluate Results and Make Recommendations*. Likewise, there are detailed substantive instructions and operational definitions in the handbook for developing a feedback loop for the permit implementation and updates of SMPs. Our interviewees also specifically indicated that the bulk of the handbook shows profiles of different community approaches, which level of detail should be done by individual communities since they manage the permit tracking software and records.

⁴⁸ Washington Geospatial Open Data Portal. "Puget Sound High Resolution Change Detection 2006-2015." http://geo.wa.gov/datasets/5892e152820a4720b7185bd0ee08976a_0

⁴⁹ Washington State Department of Commerce. "Critical Areas Handbooks" 2018. & Nancy K. Ousley, Assistant Director, Local Government Division. "Critical Areas Assistance Handbook: Protecting Critical Areas Within the Framework of the Washington Growth Management Act" Washington State Department of Community, Trade and Economic Development, November 2003.

Additionally, the Washington Joint Legislative Audit and Review Committee (JLARC) mentioned that there is no systematic performance measurement for environmental outcomes.⁵⁰ Regulatory programs like the shoreline management rules in Washington State should have some forms of performance measurements or indicators to understand their long-term outcomes. However, based on the information we were able to gather during the development of this report, we choose to not include any indicator in our recommendations regarding the GMA's 14th Goal, as SMPs vary in detail according to each jurisdiction and the outcomes are sometimes hard to quantify and measure. In addition, the mechanism for updating and approving SMPs is completely different from the mechanism for assessing the performance of comprehensive programs, which creates ambiguity in the decision-making process for the comprehensive plans. Since the Department of Ecology defines, reviews and approves the SMPs of jurisdictions, which suggested that they have more control over the 14th goal than jurisdictions do themselves, we believe it is better to leave the department developing performance measurements in a case-by-case approach, rather than recommending any overarching indicators. **Refer to Appendix I: Overview of the Shoreline Management Act** for further information.

Findings from the Criteria Chart

The assigned levels in the criteria chart are by no means definitive or universal, considering that every jurisdiction has its unique circumstance, but from our intensive study and opinions from stakeholders, we believe that the final decisions for these indicators are appropriate. Therefore, this chart provides a reference point to assess each indicator that we recommended, and it

⁵⁰ Washington Joint Legislative Audit and Review Committee. "Measuring Outcomes of Land Acquisitions and Regulations" January 2018.

provides a framework for jurisdictions to examine the potential indicators that they would like to utilize for assessing their comprehensive plans. To gain more insight on how we determined the levels for the indicators and the reasoning behind it, we discuss two indicators.

The first indicator is **12B) Annual per capita investment in infrastructure**. Since the demographic and fiscal data can be retrieved from government documents easily and all our interviewees agreed on the accessibility and manageability of the data for this indicator is high, hence we ranked feasibility high. For its validity, we believe **12B)** can appropriately reflect the 11th GMA goal as if the value of this indicator is high, we can expect the jurisdiction to attach great importance to their infrastructure and are willing to invest in infrastructure, which is aligned with the goal of ensuring public facilities and services necessary to support development. However, considering that population and appropriation vary from one place to another, the same value of 12B may represent a different meaning for different jurisdictions or a different set of data, which causes the level of reliability to be medium. Lastly, **12B)**'s flexibility was ranked low because it cannot account for the difference between rural and urban areas, since small or rural jurisdictions may not have the financial capacity to have annual investments in their infrastructure.

For the second indicator, the following illustration is a visual review of indicator **9C) 9.7** that we selected to explain the reasoning for its levels for each criterion.

9. Open Space and Recreation				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
9C) 9.7 Walkability: Percent of population with convenient access to parks and trails, measured as ability to walk less than ¼ mile to a park or trail from home or office	Medium: Data is incomplete	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions

- *Feasibility*: This was ranked as medium because not all jurisdictions will be able to easily manage without new systems put into place
- *Validity*: This was ranked as high because there is a clear connection of this indicator and the 9th goal of the GMA, particularly relating to enhancing recreational opportunities, and increasing access to natural resource lands and water, and develop parks and recreation facilities.
- *Reliability*: This was ranked as high because the data for this is collected for all jurisdictions in similar formats and is available to assess.
- *Flexibility*: This was ranked as medium because the governing capacity of the jurisdictions under the GMA is unique and this indicator is not as relevant for rural jurisdictions that are more spread out and more likely to be near trails and parks than urban jurisdictions.

Positives Outcomes

The chart and indicators we selected were primarily positive and received high scores based on our criteria chart. However, this was expected due to the collaboration we had with experts and other parties to purposefully select the best indicators and criteria that could be utilized for every jurisdiction to address the issue of scalability. We also focused on the connections between indicators and GMA goals to ensure that all the indicators are categorized into the right policy areas and are directly relevant to the policy goals. Due to this ongoing refining process, most of the recommended indicators scored high in at least one of the four criteria areas, especially in terms of reliability and validity. Eight of the indicators even scored *High* in terms of all the selected criteria. Some of these indicators included:

- **3B) 3.4** Vehicle Miles Traveled (a. Average Daily Vehicle Miles Traveled per Capita b. Total Vehicle Miles Traveled)
- **5B) 5.2** Per capita and household income

- **7A) 7.1** Permitted Housing Units (new units/ lost units/ net unit)
- **9A) 9.2** Number of parks and acres of Metro/Other parks and greenspaces per thousand persons
- **10E) 10.14** Percent of water quality tests that meet compliance standards

These indicators are highly recommended for jurisdiction to include if they chose to use performance measurements within their comprehensive plans, regardless of size, capability, or location. These indicators are considered the best out of all the ones we found due to their high scores in all the criteria. This means that most of the indicators have a *High* level of feasibility, which means that current data pertaining to this indicator are available for most of the jurisdictions, they do not have to conduct new surveys to collect new data. They also have *High* validity, which indicates that the indicators have a strong connection to the corresponding GMA goal. Likewise, many had a *High* level of reliability, which means that regardless of which jurisdiction is collecting data for this indicator, the numeric outcomes have the same implication for all jurisdictions. However, the flexibility of all the indicators was the least likely to receive a high score due to the vast disparities among urban and rural, and small and large jurisdictions.

Unintended Outcomes

This chart and indicators do not holistically show the results of a jurisdiction's comprehensive plans. Rather it can help jurisdictions see some areas that they may need to improve and revise within their plans to gain more favorable outcomes in the following years. We only focused on four criteria, but we suggest that a more thorough approach should include more criteria.

Likewise, some of the indicators that we have selected may not be as beneficial or useful for all

jurisdictions. The biggest issue that came with the indicators was their flexibility. Many of the best ones we found were still not as adaptable and able to change according to the needs of all jurisdictions. We observed this in:

- **5F) 5.16** Economic diversification/employment concentration
- **12B) 12.2** Annual per capita investment in infrastructure.

However, the main reason for poor scores based on our criteria chart was from a combination of incomplete data that may not be collected by all jurisdictions, along with the disparity among jurisdictions. These indicators included:

- **1B) 12.2** The percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities
- **8C) 8.4** Changes in flows that are attributable to agricultural practices
- **11A) 11.1** Measures unique design and layout characteristics that help define a community's sense of place.

Although some of the recommended indicators are not highly scalable, they are still more scalable than the other indicators that we excluded from the criteria chart. For example, **1B) 12.2** The percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities is not as fair for rural jurisdictions that may not have parks or shopping centers anywhere near where they reside. We still believe these indicators are valuable since they can inform the performance of jurisdictions' comprehensive plans regarding the GMA goals better than if they were not considered. Furthermore, some indicators will rely on mapping data using GIS, which is a huge undertaking to compile and analyze. This will make it very difficult for many jurisdictions which are already having issues maintaining the current

requirements under the GMA. Likewise, unless some of the indicators use longitudinal data or can compare the datum to a related factor, like with local or state median income or unemployment, they will not be as beneficial as a performance measurement. However, if the longitudinal data is available, it could greatly help assess the indicators and trends to allow jurisdictions to adjust their plans.

Chapter 6: Recommendations

In this chapter, we provide instructions for jurisdictions about how they could utilize our criteria chart for assessing potential indicators. We also discuss how they could treat our inventory of indicators as a toolkit for assessing the performance and outcomes of their comprehensive plans. Besides our recommendation to include indicators and to adapt them according to local circumstances, we also hope that governments will become aware of the issues surrounding equity and accountability. Likewise, we suggest increasing and acknowledging the interaction with other jurisdictions and sovereign tribal governments as issues pertaining to the fourteen goals of the GMA cannot be defined within only one jurisdiction, especially the goals regarding natural resources and shoreline management. At the end of this chapter, we provide information about the use of dashboards and Balanced Scorecard to help local jurisdiction moving forward.

Overview of this Report

This report aims to develop an inventory of indicators that could be used as a reference point for developing performance measurement for jurisdictions under Washington's GMA. In the previous chapters, we prototyped a list of indicators with the highest validity, reliability, and scalability based on the respondents' insights into the relationships between a set of indicators and specific policy objectives. The result of our data analysis and interviews have been finessed in **Appendix VIII: Criteria Chart**, which could be served as a toolkit for examining the performance of comprehensive plans for the jurisdictions.

The remaining indicators in **Appendix VIII: Criteria Chart** were distilled from **Appendix VI: Indicators Chart with Sources**, which was developed based on the reviews of various government documents, performance measurement reports and literature. As mentioned in Chapter 4, we examined the indicators through selected four criteria based on our literature review. We purposefully sought feedback from stakeholders, experts and other parties to have a more holistic review of our indicators pertaining to each criterion. We integrated our findings and opinions from them by assigning three different levels (*High, Medium, Low*) to present the strengths and weaknesses of each of the indicators associated with their corresponding policy goal. By illustrating the advantages and disadvantages of our recommended indicators for jurisdictions, it will provide them with a more thorough understanding of what should be adapted based on their individual circumstance. Within this section, we further explained the most important and scalable indicators, the application of indicators, recommended additions to the GMA, implication to this project and the GMA, and further research that will benefit the GMA moving forward.

Application of Indicators

Our narrowed list of about fifty recommended indicators as seen in **Appendix VIII: Criteria Chart**, may still be a burden for small jurisdictions located in rural areas who will be required to collect all the relevant data, especially for those governments that only have a low capacity due to a small number of staff or resources. To complete all the required performance measurement works regarding their comprehensive plans, we want to mention that even these indicators we determined were most important, it may still add burdens to jurisdictions. Due to this, we recommend jurisdictions use our indicator charts as a tool for developing their own performance

measurements or indicators. As each jurisdiction has its unique circumstance, we do not expect all our recommended indicators can work well in such context, tweaks and adaptation are welcomed. This could allow jurisdictions to use the larger list of indicators in **Appendix V: Indicator Chart with Definitions** and **Appendix VI: Indicators Chart with Sources** as a reference to make an application to help tell the story of their comprehensive plans, as permitted by State Legislators. Each jurisdiction can cull out the indicators that they think is appropriate for their comprehensive plans and use our indicator charts as a complementary of their existing performance measurements and indicators. Furthermore, we recommend jurisdictions to develop their own task-sheets or checklists to correspond to the GMA goals. Such an approach is less expensive, but it also will make the process more effective and helpful for jurisdictions if they do not have the capacity, resources, or budget to measure their comprehensive plans in a more sophisticated and complete way.

Nevertheless, it could prove beneficial to use this matrix system, but by applying different indicators for both rural and urban jurisdictions due to their vast differences in resources and ability to include the indicators in their comprehensive plan. This way, the best indicators can be chosen from **Appendix VI: Indicator Chart with Sources** accordingly, since scalability will not be the priority to have for all indicators. Such process of selecting indicators could allow jurisdictions of all sizes have requirements and metrics that correspond most with their comprehensive plans, rather than trying to enact indicators that many jurisdictions simply cannot complete like the larger, urban jurisdictions that have vast resources.

Additions to the GMA Requirements

The indicators that we have selected were the ones that had relatively higher scalability. Most of the indicators rely on percentages, numbers, and statistics to determine the outcomes of the plans. However, this interpretation of the data could introduce biases into the review process of comprehensive plans as well. In order to better hold elective officials accountable for the implementation of the GMA, other aspects deserve attention in the process of performance measurements to ensure that biases do not occur or are as limited as possible. We acknowledge that elected officials make decisions based on the preferences of the majority, which means that policies can sometimes disproportionately affect minority groups. These decisions may be inherently biased, as will potential selected indicators. If a biased indicator was introduced in the process of performance measurements, then the monitoring process may unconsciously perpetuate inequities. Being aware of this potential issue, there are a few aspects that deserve attention in the process of performance measurements if citizens want to hold their elective officials accountable for their implementation of the GMA, which directly affects them. These aspects consist of *Equity* and *Accountability*.

Equity⁵¹

Acknowledging the issue of equity across jurisdictions for each indicator should also be addressed within the GMA. Goals should be including measurements pertaining to equity, which we believe should include diversity inclusion, environmental justice, and resilience among the society. Selected policies need to be implemented to either set up or enforce equity requirements

⁵¹ Equity: the quality of being fair or impartial; fairness; impartiality.

and incentives for all counties and cities to promote equity, diversity and environmental justice within jurisdictions' comprehensive plans.

The Healthy Environment for All (HEAL) Act

The GMA was created for comprehensive land use planning involving counties, cities, citizens, and the private sector to prevent uncoordinated and unplanned growth, which posed a variety of threats to future development. A large factor in land use planning involves equity, diversity and environmental justice, but this is not explicitly stated within the GMA and is not consistently incorporated into comprehensive plans. Comprehensive plans have an impact on minority and disadvantaged groups, so equity needs to be considered and included to prevent discrimination and harm. The HEAL Act aims to address this through additions to the GMA and is described as:

“Establishing a healthy environment for all by creating a definition of environmental justice, directing agencies to address environmental health disparities, and creating a task force.”⁵²

By adding or incorporating the HEAL Act into the GMA or within the performance measurements, it will ensure that jurisdictions take equity, diversity and environmental justice into account and into their plans. Currently, Washington's Department of Health creates and assesses maps for environmental justice. By collaborating with them, jurisdictions could assess and determine some of their equitable outcomes, the Department of Health could help shape how the HEAL Act could be included in the comprehensive plans of local jurisdictions.

⁵² The HEAL Act, Senate Bill (SB) 5489, 2019-2020, 2019 Reg. Sess. (Washington State 2019). <https://app.leg.wa.gov/billsummary?BillNumber=5489&Year=2019>

Consequently, Herranz (2016) provided a conceptual framework, the Quadruple Bottom Line (QBL), that integrates the convergence of various trends, including social equity, creative cultural vitality, information-based knowledge, regional innovation, and accountability & transparency.⁵³ The QBL model presents an opportunity and a reference point for Washington’s jurisdictions to further examine their comprehensive plans, performance measurements and management through a diverse lens, which could help promote equity, diversity and environmental justice within jurisdictions’ comprehensive plans. Comprehensive plans should promote and aim to have positive impacts on minority groups and those disadvantaged. By referring to the QBL framework, jurisdictions can focus on the extrinsic and intrinsic value assumptions associated with art, culture, and creativity, which can further acknowledge and include more equity-related issues in the decision-making process of implementing and planning comprehensive plans.⁵⁴

Furthermore, a working paper from Evans School of Public Policy and Governance from the University of Washington developed a QBL prototype indicators pertaining to GMA application called *A Place-Based Evaluation of The Washington State Growth Management Act: Issaquah & the Quadruple Bottom Line*, introduced the idea of QBL and the equity viewpoint into the GMA in 2017.⁵⁵ We have included this working paper in this report as **Appendix IX: QBL Prototype for GMA Application; Evans School Working Paper** to use as a reference. This report addressed the QBL and applied the concept of equity as a case example to the city of Issaquah,

⁵³ Herranz Jr., Joaquín. “*Quadruple Bottom Line Performance: A Conceptual Framework*.” Working paper from Evans School of Public Policy and Governance, University of Washington, 2016.

⁵⁴ Herranz Jr., Joaquín. “*Quadruple Bottom Line Performance: A Conceptual Framework*.” Working paper from Evans School of Public Policy and Governance, University of Washington, 2016.

⁵⁵ Brianna May, Geoffrey Gund, Martin Patterson, Corbin Muck, Ella Williams, Austin Goble. “*A Place-Based Evaluation of The Washington State Growth Management Act: Issaquah & the Quadruple Bottom Line*.” Working paper from Evans School of Public Policy and Governance, University of Washington, 2017.

Washington. To analyze the comprehensive plans from the equity viewpoint of the QBL, May et al. (2017, p. 13) suggested applying the following metrics:⁵⁶

- ***Equity concerns are explicitly stated and addressed.*** *Comprehensive plans should specifically address equity, include language recognizing the need to ensure that marginalized populations benefit rather than suffer from growth, and detail strategies to make this happen. Ideally, equity will be mentioned specifically in terms of each of the nine goals outlined above, with specific policies directed towards promoting it.*
- ***Continuous measuring, tracking, and reporting.*** *Since marginalized populations are at greater risk of inequity, these issues are likely to be overlooked. As such, comprehensive plans should set goals for tracking how growth and development are impacting equity over time. Comprehensive plans should include indicators of interest and a plan for tracking those indicators, as well as information on what will be done with that information.*
- ***Community participation.*** *Comprehensive plans should specifically discuss how they are ensuring overall community participation, and should detail plans to ensure that marginalized communities are able to equitably participate in the public process as it relates to growth.*

As cities and counties in Washington develop, the impacts of their growth will likely not be equitably distributed, and that marginalized populations may receive fewer benefits while suffering a disproportionate share of the burden. However, by applying the metrics above into the comprehensive plans and using equity as a focus in development, it may alleviate and resolve many issues that jurisdictions are facing. Likewise, by including the concepts of the QBL to Washington's comprehensive plans, jurisdictions could have a more holistic review of the impact of the growth management system to continuously improve it for all people moving forward. This concept of equity has already been introduced to legislation by legislators who see it as an important issue as we see in the new HEAL Act.

⁵⁶ Brianna May, Geoffrey Gund, Martin Patterson, Corbin Muck, Ella Williams, Austin Goble. "A Place-Based Evaluation of The Washington State Growth Management Act: Issaquah & the Quadruple Bottom Line." Working paper from Evans School of Public Policy and Governance, University of Washington, 2017.

Accountability

In the public interest, citizens holding their public officials accountable for policies and programs is necessary. For the current system used for measuring comprehensive plans under the GMA, the process of updating comprehensive plans is not transparent and cannot be examined by the public easily. The results of the updated plans cannot show any signs of improvement due to the lack of performance measurements to truly assess it. However, by including a requirement for assessment of comprehensive plans through performance measurements and indicators, we can hold jurisdictions and officials accountable for the changes they have made to their comprehensive plans. The inclusion of indicators may help alleviate the accountability issue by providing clear and easy to understand information for officials and the general public. These indicators will help show what is going well and what aspects of their plans need improvement. They may help determine what jurisdictions need to do differently when creating and updating their plans and helps govern the electives in power. We understand that one size does not fit all due to the variations created by the complex natures of jurisdictions so indicators chosen could be adapted accordingly. Bracketing the measurements and indicators to be used as a guideline or checklist could help alleviate this issue. Regardless, this will provide jurisdictions with accessible outcomes that could be used to better assess and improve their plans, while holding themselves to a better level of accountability.

Nonetheless, the awareness of equity and accountability issue in the process of performance measurements needs continuous efforts. As equity and accountability by themselves are difficult to quantify, public officials need to purposefully acknowledge and address these issues during the process of data interpretation and the implementation of comprehensive plans. In this

context, checklists or task-sheets may serve as tools for public officials to avoid introducing biases when they are adapting our recommended indicators for their jurisdictions. Still, such checklists and task-sheets may pose other complications; hence, further research is recommended. Another dimension of equity to consider and address regards the sovereignty of tribal governments interaction with the GMA. Currently, there is no explicit language in Washington's GMA to acknowledgment and proactively involve tribal governments. To further improve equity and accountability for the GMA, the inclusion of tribal governments needs to be considered.

Tribal Governments

We believe tribal governments have been underemphasized and underrepresented in the process of implementing the GMA. There is an overlap between relations with tribal governments and equity for marginalized populations that should be addressed. However, as tribal governments are sovereign, separated nations that are not subject to state law, local jurisdictions within Washington State should treat the process of collaboration with them as they would do with another sovereign independent country. Any activities should be made mutually beneficial and respectful. Considering how tribal governments are sovereign and collaborate with local, state and federal governments, their input needs to be addressed and acknowledged. Tribal governments collaborate with the jurisdictions that are along their boundaries, which creates more complexity pertaining to comprehensive plans. Particularly pertaining to GMA Goal 13: Historic Preservation. When considering archaeological significance, tribal governments should have more influence and local wisdom, and work closely with jurisdictions to determine what is historically significant. This collaboration effect should be extended to all aspects of the GMA to

include further input of tribal governments and improve relations moving forward and to improve land use and planning for all people that are impacted under this legislation.

Performance Measurement Tools and Data Visualization

Dashboards

Dashboards would be an efficient and transparent way for stakeholders, tribal governments, and the public to see how successful jurisdictions' comprehensive plans are at achieving their intended goals. Additionally, dashboards provide management a quick view of organizational performance measures, so government officials can better assess the performance of the organization and make decisions pertaining to that performance.⁵⁷ Nevertheless, decision-makers should be aware that dashboards should only be treated as a data visualization tool and that the effectiveness of dashboards depends on the users.⁵⁸ Many cities in the U.S. have integrated basic dashboards to visualize the results performance measurements. For example, Michigan's dashboard presents data on education, health and wellness, infrastructure, public safety, energy, and the environment, while Baltimore's focuses on economic strength, health and education, and public safety data.⁵⁹ Meanwhile, Atlanta's dashboard embodies "Efficient and Effective Government," "Safe City," "Financially Stable" and "Strong Infrastructure."⁶⁰ All these examples could be served as a reference for the jurisdictions under Washington's GMA for

⁵⁷ DeBusk, Gerald & Brown, Robert & Killough, Larry. (2003). Components and Relative Weights in Utilization of Dashboard Measurement Systems like the Balanced Scorecard. *The British Accounting Review*. 35. 215-231.

⁵⁸ Sukumar Ganapati (2011). "Use of Dashboards in Government." IBM Center for The Business of Government. *Fostering Transparency and Democracy Series*. Florida International University, 2011.

⁵⁹ Shannon Mattern, "Mission Control: A History of the Urban Dashboard," *Places Journal*, March 2015. Accessed 06 Mar 2019.

⁶⁰ Edwards, D., & Thomas, J. (2005). Developing a Municipal Performance-Measurement System: Reflections on the Atlanta Dashboard. *Public Administration Review*, 65(3), 369-376.

utilizing dashboard as a tool to communicate with the public, as well as meeting the societal expectations for transparency and full accountability of governments.⁶¹ Based on these examples, we recommend that jurisdictions should present particular findings on a variety of the GMA goals on their websites to be more transparent for the public if they are capable of doing so. However, the uniqueness of every city means that no overarching dashboard system is applicable for all jurisdictions without some adaptations, each city could adopt their own versions of dashboards to make them more applicable for every jurisdiction, as the concept of using a Balanced Scorecard.⁶²

Balanced Scorecard

Balanced Scorecards has been adopted by both the private and public sector, not just in the United States, but abroad as well. These cases illustrate the wide application, the relatively mature development, and practical use of Balance Scorecard models.⁶³ These models can be applied to many different fields as a tool for performance measurement and management, including public transportation,⁶⁴ higher education,⁶⁵ and health care industry.⁶⁶ Paul R. Niven (2015) also presented a successful case from City of Charlotte of using Balanced Scorecard in

⁶¹ Herranz Jr., Joaquín. "Quadruple Bottom Line Performance: A Conceptual Framework." Working paper from Evans School of Public Policy and Governance, University of Washington, 2016.

⁶² Edwards, D., & Thomas, J. (2005). Developing a Municipal Performance-Measurement System: Reflections on the Atlanta Dashboard. *Public Administration Review*, 65(3), 369-376.

⁶³ Geert J.M. Braam, Edwin J. Nijssen, "Performance effects of using the Balanced Scorecard: a note on the Dutch experience," *Long Range Planning*, Volume 37, Issue 4, 2004, Pages 335-349, ISSN 0024-6301 and Alexandros Papalexandris, George Ioannou, Gregory P. Prastacos, "Implementing the Balanced Scorecard in Greece: a Software Firm's Experience," *Long Range Planning*, Volume 37, Issue 4, 2004, Pages 351-366, ISSN 0024-6301.

⁶⁴ Phillips, J. (2004). An Application of the Balanced Scorecard to Public Transit System Performance Assessment. *Transportation Journal*, 43(1), 26-55.

⁶⁵ Beard, D. F. (2009). Successful Applications of the Balanced Scorecard in Higher Education. *Journal of Education for Business*, 84(5), 275-282.

⁶⁶ Kunz, H., & Schaaf, T. (2011). General and specific formalization approach for a Balanced Scorecard: An expert system with application in health care. *Expert Systems with Applications*, 38(3), 1947-1955.

improving government administrative effectiveness and performance measurement.⁶⁷ Therefore, we believe this model could contribute to the jurisdictions under Washington's GMA to facilitate the process of measuring the performance of their comprehensive plans. Nevertheless, as the cost of implementing Balanced Scorecards for jurisdictions is relatively high for local jurisdictions, and the mechanism is too sophisticated to be built in a short period of time without professional consultants, our research does not focus on this model or explicitly utilizing the elements of it. Although this model has been proven effective for providing a comprehensive evaluation in the private sector, currently, Washington State or other states have no relevant experience of employing the model in measuring the performance of a growth management systems. Since this report aims to develop an inventory of performance measurements tools that had been utilized by governments in the past rather than creating a new performance system, our research methods exclude the idea of the Balanced Scorecard. For further information, refer to the next chapter to have an overview of how we answer the research questions and collect data.

The use of dashboards or Balanced Scorecards will allow and help jurisdictions fully assess their comprehensive plans and provide transparency for stakeholders and other parties that are affected by Washington's growth management system. Although they may add additional costs, they can provide clear visuals and easy to understand statistics for all parties to examine and recognize the differences that jurisdiction's comprehensive plans are having. It will also provide more transparency and accountability for comprehensive plans, as well as provide the State with basic metrics and visuals to allow them to assess all jurisdictions that utilize the common concepts to illustrate their results.

⁶⁷ Paul R. Niven (2015). "Balanced Scorecard: Step-by-Step for Government and Nonprofit Agencies" John Wiley & Sons, Inc, September 2015, Chapter 13.

Implications

In this section, we explain the implications of the limitations and barriers that the GMA and jurisdictions face pertaining to the adoption of our recommendations. The indicators that could be used to better assess and improve their comprehensive plans still face uncertainties. The three biggest limitations that need to be addressed include, no performance measurement precedent, different priorities of jurisdictions, and limited time, resources and scope of research. Due to this, many aspects of this research may have been overlooked or excluded. Furthermore, the uniqueness of jurisdictions and fiscal feasibility are barriers that we observed and will need to be addressed in future research.

Limitations

First, as we stated previously, the performance measurement of Washington's GMA is still in the early steps for developing performance measurements pertaining to the GMA goals, since there is no precedent for using indicators. More specifically, for most states that adopt growth management system, there is not a systematic and universal way of measuring the performance of such a system, not to mention a performance measurement system consisting only of performance indicators. By applying meta-analysis and interviews, we largely focus on prototyping an indicator chart, however, our decision of utilizing indicators that corresponds to the fourteen goals of Washington's GMA to help governments update their comprehensive plan may not be strongly justified. Consequently, in the process of developing the indicator chart, we encountered difficulties of using numeric metrics to measure the success of each of the GMA goals.

Second, each state prioritizes its objectives of the city or regional plans in a different way. For example, Washington's GMA does not include issues like health and public safety within the scope of the GMA, which other states and jurisdictions include as a goal of their plans, like the city of Atlanta, Georgia, and Michigan state.⁶⁸ Further, as all of the growth management systems are implemented in different contexts, for example City of Hamilton in Canada has a parallel growth management system for rural areas and urban areas, it is hard to justify that all the indicators adopted by other governments outside of Washington can be applied by jurisdictions within Washington State. In addition, we did make use of indicators from a handful of cities within Washington State that served as performance measurements for cities' comprehensive plan. Nonetheless, due to the variances of all jurisdictions and the nature of the adoption of performance measurements, the recommended indicators may need to be more adaptable for jurisdictions within Washington's GMA. Since some of the indicators are from the Puget Sound Area, which is situation-specific and space-specific, they may be hard to account for all the variations Washington's jurisdictions, particularly the rural ones. Managing the growth in a diverse state could be challenging and indicators need to be able to be customized by jurisdictions to better assess their plans.

Third, due to the limited time, resources, and scope of this research, most of our interviewees are located within Washington State, which led to a design of over-sample of Washington stakeholders over outside experts. This design was intentional due to the lack of States with required comprehensive plans, and those States that do have required plan had vast variations

⁶⁸ Shannon Mattern, "Mission Control: A History of the Urban Dashboard," *Places Journal*, March 2015. Accessed 06 Mar 2019 and Edwards, D., & Thomas, J. (2005). Developing a Municipal Performance-Measurement System: Reflections on the Atlanta Dashboard. *Public Administration Review*, 65(3), 369-376.

within their planning goals, which led to low comparisons, as well as low access to their prominent stakeholders who were knowledgeable. Outreach to experts and officials from States outside of Washington was difficult due to the short timeframe of this project, schedules, or other unstated reasons. This led to a lack of input in our report from many jurisdictions in other states that may have shaped our decisions differently. However, many of the interviewees were from the Pacific Northwest, particularly in Washington, which provided us with more local wisdom about what may be best for improving Washington's comprehensive plans but did not allow us to view other options for comprehensive planning.

Since a majority of our interviewees were located around the Puget Sound Area, there may be an overrepresentation of this sample during our process of assessing our indicators due to the capacity and access of our research. At the same time, it would be appropriate to over-sample the Puget Sound Region since it is a significant contributor to the Washington's economic growth and associate pressures on land development and population. Additionally, we also reach out to interviewees outside of Washington, but since they do not have a stake in the issue of measuring the success of Washington's GMA, the response rate was not satisfactory to suggest aspects of their comprehensive planning programs. Likewise, many interviewees were not confident with providing us clear and precise answers due to the lack of familiarity with Washington's GMA, which is unique and not necessarily comparable to other jurisdictions comprehensive plans. Furthermore, it proved difficult to find jurisdictions and states that have a comparable growth planning system to Washington's GMA. Hence, we believe that the knowledgeable stakeholders from other states may not have the most relevant and appropriate information to share for us, due to the vast difference and variances in planning systems.

Barriers

There are also a variety of barriers that include capability, resources, landscape, and uniqueness of jurisdictions that may affect the process of including additional indicators for measuring the performance of comprehensive plans. Furthermore, to fully assess and collect valuable data to understand and improve the effectiveness of comprehensive plans, surveys and grants should be considered, tax incentives or funding may be warranted, and a new revenue stream should be discussed to help provide the funds to support a complete assessment of comprehensive plans. To address some of these issues, the two primary barriers we observed were *Uniqueness of Jurisdictions* and *Fiscal Feasibility*:

Uniqueness of Jurisdictions

One of the biggest issues that arose throughout our research and interview process was the vast differences and uniqueness between rural and urban, and large and small jurisdictions. These differences were due primarily to variances in capacity, resources, and staffing. If local jurisdictions can barely cover the requirements of the GMA before adopting the recommended indicators, it is unreasonable to enforce them to undertake new performance measurement programs without providing necessary assistance. Such additional burdens will impede the functioning of measuring the performance and success of their plans. Likewise, no two jurisdictions are the same or have the same development goals, which makes comparisons difficult. The outcomes of each jurisdiction will be different due to their development goals, which could prove difficult for State officials to assess the overarching outcomes from all the jurisdictions within Washington's GMA.

Fiscal Feasibility

One major aspect is the costs that may be incurred for small or rural jurisdictions with limited budgets. If additional costs for counties or cities occur, it may cause pushback. The advantage of acknowledging fiscal feasibility is yielding widely used numerical indicators that could serve to inform the local governments to better assess their capacity of adopting new performance measurements. Costs incurred by both counties and cities will play a pivotal role in determining which indicators jurisdictions will adopt, particularly if surveys are needed to collect the data. If local jurisdictions intend to properly assess and update their comprehensive plans, having sufficient funds for conducting performance measurements is a necessity. The implementation of indicators and required data collection and data analysis may not be fulfilled at the operational level or fully assessed unless grants can cover the incurred expenditures correspondingly for jurisdictions who do not have a sufficient budget or staff. However, examining fiscal feasibility does not necessarily mean that a new tax or grants for revenue are needed, but it may prove advantageous to do so. A process that may help alleviate this issue of insufficient funds may involve restructuring the tax system, new state funding, or modifying the existing administrative rules. All these options will cause additional costs and take a significant amount of time but may prove beneficial and effective for improving the GMA and helping jurisdictions for years to come.

Further Research

As mentioned previously in the project statement, our research can be used to provide an inventory of indicators to serve as an initial foundation of performance measurements for assessing and reviewing jurisdictions' comprehensive plans under Washington's GMA. The use of these indicators could pave the path for a more holistic understanding of how to adapt and redesign requirements to improve comprehensive plans to streamline the implementation process based on the results of the assessments for stronger outcomes. Our research also advances the agenda of the legislators for a smarter and inclusive and better growth management for Washington State by indicating several critical issues regarding equity between jurisdictions, a potential partnership among jurisdictions and tribal governments, and collaboration among state, regional and local jurisdictions.

Our initial attempt at developing a set of scalable indicators for performance measurement is not complete and thorough due to time restraints and the limited scope of our research. There are many aspects that need more attention from jurisdictions, including equity, fiscal feasibility, and accountability. We also believe that future researches are needed, especially researches regarding the scalable or effective performance measurements that are utilized in the context of other states' growth management systems. Furthermore, adopting indicators or a benchmarking system to the GMA still lacks a strong linkage between planning, management, and implementation. The best indicators could inform the decision-making process for what to change within comprehensive plans since indicators reflect how well a jurisdiction is doing for a specific goal within its plan. Therefore, if jurisdictions would like to evaluate the performance of their comprehensive plans or a specific policy program in a more sophisticated way, we suggest that

jurisdictions create *logic models*⁶⁹ corresponding the potential indicators to each of the fourteen GMA goals to have a better understanding of the purpose and outcomes that these chosen indicators may have on their comprehensive plans. By using a logic model, it could provide more clarity and accountability for jurisdictions' choice of indicators and may help with the decision-making process for evaluating their plans.

We also recommend using Geography Information Systems (GIS), if capable, to better assess indicators and could help provide more avenues for potential indicators that can help shape future decisions and policies for jurisdiction. Such a system could also serve as a communication tool for visualizing the findings to the public and stakeholders. Currently, some of the jurisdictions with the highest capacity are developing online interactive maps to present the result of their performance, like the Puget Sound Mapping Project, which is conducted by the Department of Commerce. Nevertheless, jurisdictions without sufficient budgets will not be able to utilize this technology in the near future. Additionally, if the jurisdiction cannot access GIS, does not perform as expected, or cannot collect all the necessary data pertaining to policy goals, then they do not tell a true story about how the plans' outcomes from their requirements have been. Indicators themselves cannot necessarily provide sufficient information to officials and State Legislatures to decide on what should be improved, revise, adapted in the GMA or what is the real problem of unsatisfactory performance may be. Further research on best practices for measuring success for comprehensive plans through a comparative analysis of States or jurisdictions with comprehending planning can be very beneficial moving forward, as well as understanding the implementation of utilizing the indicators for comprehensive planning.

⁶⁹ A *logic model* is a graphic theory of change or logical framework that presents the relationships and ideology among resources, activities, outputs, outcomes, and impact for a program.

Additionally, we suggest future research focusing on applying our recommended indicators and charts to review the comprehensive plans of two cities as a pilot test, one as a large or urban jurisdiction and one as a small or rural jurisdiction. The selection of these two jurisdictions should be within Washington's GMA, which could provide vital feedback on how the more scalable indicators may affect the process of measuring comprehensive planning and the impacts they may have on changing the plans based on the size and location of the jurisdiction. By examining how performance measurement could be strengthened through a pilot test, we might be able to conclude whether the indicators we collected will be successful or not for the use of comprehensive planning. This pilot test would also provide data regarding the real-world application of our measurements and indicators. This would provide feedback on how to condense, expand and improve indicators for a variety of jurisdictions that currently use indicators and performance measurements for their comprehensive plans, like Redmond and Kirkland. Furthermore, this pilot test would present an example for other local jurisdictions about how they could possibly use our report as a tool to improve the issue of lacking a feedback loop to adapt to changing circumstances.

We also recommend future research that focuses on the development of checklists for property rights, the Shoreline Management Act and for historic preservation pertaining to the 6th, 13th, and 14th goal of the GMA. This may include qualitative questions that identify issues regarding the implementation and outcomes of these goals to gather a better understanding of how the function and their success. For example, data regarding whether local governments issue a development permit with appropriate mitigation, whether permit applicants comply with the permit in the following years, or whether jurisdictions conform to legal procedure of SMA during the permit

review process could inform the public better than what numbers and percentages could do. The development of the checklists should also base on insights of expert, legal requirements, theoretical supports, and feasibility. It is important for jurisdictions to agree on what is the main purposes of these three goals to avoid the situation of misinterpreting the goals of the GMA.

Further research into the comprehensive planning systems of other States and countries should be conducted thoroughly. This can provide more details on the differences between the systems and help assess the GMA to other systems to see how Washington can improve their own.

Research into the system that Florida had previously before it was repealed could provide great details to some of the issues that comprehensive planning systems have so that Washington does not do the same. Likewise, research regarding longitudinal trends pertaining to the indicators that we suggest would also be beneficial to recognize how they may work and help assess and improve comprehensive plans. Likewise, conducting a study that inquires every single jurisdiction under the GMA about what would be most beneficial to measure according to their plans and needs could help clarify many unanswered and implicit questions. It will also provide a better understanding of how jurisdictions and communities are being affected by the GMA requirements.

One of the critical issues for the GMA regarding measuring the performance of comprehensive plans is the lack of funding. Many interviewees specifically mentioned that there were insufficient funding, resources, or staff that impede the process of meeting the requirements of the GMA and updating their plans. Appropriations and grants are not promised for jurisdictions that intend to update or reform their comprehensive plans, which increases their burden requiring

the GMA. Due to the restriction and the cap of levying new taxes, we cannot expect local jurisdictions to pay for the evaluation. Hence, more research is needed to address how local jurisdiction can pay for indicators and evaluation through a variety of funding streams, including, taxes, state appropriation, grants or others. This would provide more insight into solutions to address the issues regarding capacity, resources, and fairness for the requirements of the GMA.

Conclusion

This report provided a systematic set of performance measurement tools for jurisdictions to utilize or adapt based on the legal requirement of updating their comprehensive plan. These performance measurement tools consist of an inventory of indicators, theoretical models, and methodologies that can be utilized as a strategic performance management system for jurisdictions within Washington's GMA's planning framework to better understand the tradeoffs and outcomes of their management of growth related to land-use and development.

Our research advances the understanding of the performance measurements for local comprehensive plans and provides an initial framework and foundation for legislators to deliberate on for GMA related issues. We believe providing a better understanding of the current best practices for measuring the performance of comprehensive plans for legislators, officials, and other parties could assist in improving the growth management system for next generation of the GMA. Additionally, this report presented what indicators could be applied to the comprehensive planning update requirements, which advances the understanding of the performance measurements for local comprehensive plans. Further, our research can be utilized as an initial framework for legislators to deliberate on GMA related issues, as well as a

foundation for the public to actively acknowledge and understand the importance of the comprehensive plans.

This paper contributes by building an initial support system for the growth management system to solve the policy fragmentation issue regarding the periodic update requirement. In the past, some indicators have been adopted by a few jurisdictions regarding the performance of their comprehensive plans, yet, we found that governments often defined and interpreted the same legislative goals in a variety of way. For the GMA policy goal, jurisdictions need to have this support system to ensure consistency throughout them and to make the process of assessing them standardized, while eliminating ambiguity and inconsistencies that are present currently.

Our research also provides a policy-level and systematic framework for legislators to acknowledge issues, challenges, and trade-offs for the next generation of the GMA. We presented the introductory information of their comprehensive plans and for snapshots to provide an overview of our work. Then we applied our indicators to expand their sets of indicators and suggested how they could improve their previous comprehensive plans. We also laid out the advantages and limitations of utilizing our indicators as a tool to reinforce the process of monitoring performance. Our goal is to exhibit the capacity of our refined indicators to understand what local government could expect by utilizing our model.

The indicators we selected, along with the recommendations we provided can greatly benefit the assessment and analysis of Washington's jurisdictions to improve, adapt, and revise their comprehensive plans to ensure more transparency and accountability, create a feedback loop to

improve their comprehensive plans, and to create better policies moving forward. Likewise, by utilizing Balanced Scorecards and dashboards, jurisdictions will better see the impacts of their comprehensive plans, which could be used to advance the performance measurement or develop a strategic performance management process for Washington's GMA. We believe these models have the potential to help reinforce the feedback loop of updating comprehensive plans besides relying solely on the indicators.

Lastly, this paper provides a foundation for further research to advance the goals of the GMA for all jurisdictions and Washington State. We believe that building on or expanding our research will advance the understanding of how a measurement system with systematic tools to use and implement to manage the comprehensive plans can serve as a complement of the growth management system, especially facing the issue of the large variations of jurisdictions across the state. Also, potential implications from our research can be addressed with further research, which could help improve the outcomes of the comprehensive plans of Washington's jurisdictions under the GMA.

Our research can help to create and reinforce a feedback loop for updating comprehensive plans, which could also incentivize the public, stakeholders, and other parties to acknowledge the importance of conducting performance assessment and participation in the implementation of the GMA. By applying our research, it will help improve the process for performance measuring and performance management for jurisdictions and the State, assist jurisdictions in identifying policy issues during the implementation process and increase the probability of achieving the legislative intent of the GMA for the State of Washington.

Bibliography

- “A Road Map to Washington's Future | The William D. Ruckelshaus Center | Washington State University.” The William D. Ruckelshaus Center, The William D. Ruckelshaus Center, 14 July 2018, <https://ruckelshauscenter.wsu.edu/a-roadmap-to-washingtons-future/>.
- Alexandros Papalexandris, George Ioannou, Gregory P. Prastacos, “*Implementing the Balanced Scorecard in Greece: A Software Firm’s Experience*,” Long Range Planning, Volume 37, Issue 4, 2004, Pages 351-366, ISSN 0024-6301.
- Anthony, Jerry. “Do state growth management regulation reduce sprawl?” Urban affairs review, University of Iowa: 2004.
- Beard, D. F. (2009). *Successful Applications of the Balanced Scorecard in Higher Education*. Journal of Education for Business, 84(5), 275-282.
- Boyer, Susan R and Martin, Lawrence L. “The Florida Benchmarking Consortium: A Local Government Performance Measurement and Benchmarking Network.” *Public Performance & Management Review*; Philadelphia Vol. 36, Issue 1, (Sep 2012).
- Brianna May, Geoffrey Gund, Martin Patterson, Corbin Muck, Ella Williams, Austin Goble. “*A Place-Based Evaluation of The Washington State Growth Management Act: Issaquah & the Quadruple Bottom Line*.” Working paper from Evans School of Public Policy and Governance, University of Washington, 2017.
- “City of Tukwila Comprehensive Plan 2015” City of Tukwila, Washington, 8 Feb. 2016, <http://www.tukwilawa.gov/wp-content/uploads/DCD-Comprehensive-Plan.pdf>.
- Dahler-Larsen, Peter. “Evaluation and Public Management.” *Oxford Handbooks of Public Management*, June 2007. Online Publication, September 2009.
- DeBusk, Gerald & Brown, Robert & Killough, Larry. (2003). Components and Relative Weights in Utilization of Dashboard Measurement Systems like the Balanced Scorecard. The British Accounting Review. 35. 215-231.
- Department of Ecology, State of Washington. “Shoreline & Coastal Management: Shoreline Planners Toolbox” Washington State Department of Ecology. <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-planners-toolbox>
- Edwards, D., & Thomas, J. (2005). Developing a Municipal Performance-Measurement System: Reflections on the Atlanta Dashboard. Public Administration Review, 65(3), 369-376.
- Ennemoser, Rusty et al., “Performance measures to evaluate the effectiveness of public involvement” *Center for Urban Transportation Research*, Tampa, Florida: 2007.
- Gale, Dennis E. “Eight State-Sponsored Growth Management Programs: A Comparative Analysis”, *Journal of the American Planning Association*, 58:4, 425-439, 1992.
- Geert J.M. Braam, Edwin J. Nijssen, “*Performance effects of using the Balanced Scorecard: a note on the Dutch experience*,” Long Range Planning, Volume 37, Issue 4, 2004, Pages 335-349, ISSN 0024-6301
- “Green - Duwamish River Watershed.” Green - Duwamish River Watershed - King County, King County, Washington, 14 Sept. 2018, www.kingcounty.gov/services/environment/watersheds/green-river.aspx.
- “Growth Management Act.” Municipal Research and Services Center (MRSC), MRSC Local Government Success, mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx.

- Herranz Jr., Joaquín. “*Quadruple Bottom Line Performance: A Conceptual Framework.*” Working paper from Evans School of Public Policy and Governance, University of Washington, 2016.
- Jerry Anthony, “Do state growth management regulation reduce sprawl?” *Urban affairs review*, University of Iowa: 2004.
- Johnson, Gail. 2015. *Research Methods for Public Administrators*. Third ed., New York: Routledge, 2015.
- Kaplan, Robert S., and David Norton (1992). "The Balanced Scorecard: Measures that Drive Performance." *Harvard Business Review* 70, no. 1 (January–February 1992): 71–79.
- Kaplan, Robert S., and David Norton (1993). "Putting the Balanced Scorecard to Work." *Harvard Business Review* 71, no. 5 (September–October 1993): 134–147.
- Kunz, H., & Schaaf, T. (2011). General and specific formalization approach for a Balanced Scorecard: An expert system with application in health care. *Expert Systems with Applications*, 38(3), 1947-1955.
- Liberty, R. L. (1992). Oregon's Comprehensive Growth Management Program: An Implementation Review and Lessons for Other States. *Environmental Law Reporter*, 22, 10367-10391.
- Morrison, T H. “Developing a Regional Governance Index: The Institutional Potential of Rural Regions.” *Journal of Rural Studies* Vol. 35, (July 2014).
- Mueller, G. P., & Hersperger, A. M. “Implementing comprehensive plans: Indicators for a task-sheet based performance evaluation process.” *Journal of Environmental Planning and Management*, 58(11), 2015.
- Nadin, V., & Stead, D. (2013). “Opening up the Compendium: An Evaluation of International Comparative Planning Research Methodologies.” *European Planning Studies*, 21(10), 1542–1561.
- Nancy K. Ousley, Assistant Director, Local Government Division. “Critical Areas Assistance Handbook: Protecting Critical Areas Within the Framework of the Washington Growth Management Act” Washington State Department of Community, Trade and Economic Development, November 2003. <https://www.commerce.wa.gov/wp-content/uploads/2016/08/gms-ca-handbook-critareas-2007.pdf>
- National Park Service, U.S. Department of the Interior, “Certified Local Government Program & Local Preservation Tools.” <https://www.nps.gov/clg/>
- National Performance Management Advisory Commission, “A Performance Management Framework for State and Local Government: From Measurement and Reporting to Management and Improving.” Library of Congress, 2010.
- Newcomer, K., Hatry, Harry P., & Wholey, Joseph S. (2015). *Handbook of Practical Program Evaluation* (Fourth ed., Essential texts for nonprofit and public leadership and management). San Francisco: Jossey-Bass & Pfeiffer Imprints, Wiley.
- Northwest Center for Livable Communities “Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.” *University of Washington: College of Architecture and Urban Planning*. Working Report (Draft), February 2005.
- Oliveira, V., & Pinho, P. (2010). Measuring success in planning: Developing and testing a methodology for planning evaluation. *The Town Planning Review*, 81(3), 307-332.
- Paul R. Niven (2015). “Balanced Scorecard: Step-by-Step for Government and Nonprofit Agencies” *John Wiley & Sons, Inc*, September 2015.

- Phillips, J. (2004). *An Application of the Balanced Scorecard to Public Transit System Performance Assessment*. Transportation Journal, 43(1), 26-55.
- Shannon Mattern, "Mission Control: A History of the Urban Dashboard," Places Journal, March 2015. Accessed 06 Mar 2019.
- "Shoreline Master Program." Kirkland SMP - Shoreline Master Program, City of Kirkland, Washington, www.kirklandwa.gov/depart/planning/Topics/SMP.htm.
- Sukumar Ganapati (2011). "Use of Dashboards in Government." IBM Center for The Business of Government. Fostering Transparency and Democracy Series. Florida International University, 2011.
- The HEAL Act, Senate Bill (SB) 5489, 2019-2020, 2019 Reg. Sess. (Washington State 2019). <https://app.leg.wa.gov/billsummary?BillNumber=5489&Year=2019>
- United States Government Accountability Office (GAO), "Performance Measurement and Evaluation: Definitions and Relations." May 2011.
- Washington Geospatial Open Data Portal. "Puget Sound High Resolution Change Detection 2006-2015." http://geo.wa.gov/datasets/5892e152820a4720b7185bd0ee08976a_0
- Washington Joint Legislative Audit and Review Committee. "Measuring Outcomes of Land Acquisitions and Regulations" January 2018. <http://leg.wa.gov/jlarc/reports/2017/HabitatLands/f/default.html>
- Washington State Department of Commerce. "Critical Areas Checklist," February 2018. <https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/critical-areas/>
- Yu-Hung Hong, Tom Clark and Allan Wallis, "Smart Growth Policies: An Evaluation of Programs and Outcomes." Chapter II, *Lincoln Institute of Land Policy*, Cambridge, Massachusetts: 2009.
- Zahirul Hoque and Carol Adams (2011). "The rise and use of balanced scorecard measures in Australian government departments" *Financial Accountability & Management*, 27(3), August 2011.

Appendixes

Appendix I: Overview of the Shoreline Management Act

The 14th and most recent goal added to the Growth Management Act (GMA), Shoreline Management Act (SMA) had the intent to better ingrate the separate pieces of legislation, which now mandates planning to regulate the use of shorelines through Shoreline Master Programs (SMPs) for each city and county. SMPs are local land use policies and regulations that guide the use of Washington shorelines to protect natural resources for future generations, provide for public access to the shorelines, and plan for water-dependent uses.⁷⁰ Furthermore, Washington State's Department of Ecology defines, reviews and approves the SMPs of all jurisdictions under the GMA.

The department, in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:

1. Recognize and protect the statewide interest over local interest
2. Preserve the natural character of the shoreline
3. Result in the long term over short term benefit
4. Protect the resources and ecology of the shoreline
5. Increase public access to publicly owned areas of the shorelines
6. Increase recreational opportunities for the public in the shoreline
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary

Background information

Shoreline Master Programs are local land use policies and regulations that guide the use of Washington shorelines. SMPs apply to both public and private uses. They protect natural resources for future generations, provide for public access to the shorelines, and plan for water-dependent uses. SMPs implement the 1971 Washington State Shoreline Management Act.⁷¹ Most of local governments' SMP applies to land within 200 feet of nearby rivers or Lake Washington's ordinary high-water mark and within wetlands connected to them.

The SMA requires that each SMP be reviewed and revised if needed to stay up to date with changes in laws and rules according to the State of Washington, Department of Ecology, and local jurisdictions. One of the primary goals of the SMP Guidelines is the establishment of the standard of no net loss and other requirements stated in WAC 173-26. No net loss means that over time, the Citywide existing condition of shoreline ecological functions should remain the same as when the SMP is implemented. Simply stated, the no net loss standard is designed to avoid or minimize impacts resulting from new shoreline development.⁷²

⁷⁰ "Shoreline Master Program." Kirkland SMP - Shoreline Master Program, City of Kirkland, Washington, www.kirklandwa.gov/depart/planning/Topics/SMP.htm and Tukwila Comprehensive Plan 2015.

⁷¹ <https://www.kirklandwa.gov/depart/planning/Topics/SMP.htm>

⁷² <https://www.kirklandwa.gov/depart/planning/Topics/SMP.htm>

Goals and Requirement

Shoreline regulations apply to any new change in land use or new development activity that occurs within the shoreline jurisdiction. The SMP establishes the standard of no net loss, meaning that over time, the existing condition of shoreline ecological functions should remain the same as when the SMP was initially implemented. Simply stated, the no net loss standard is designed to avoid or minimize impacts resulting from new shoreline developments.⁷³

The Washington State Shoreline Management Act requires that, where alterations in the natural condition of a shoreline are authorized, priority shall be given to the following uses:

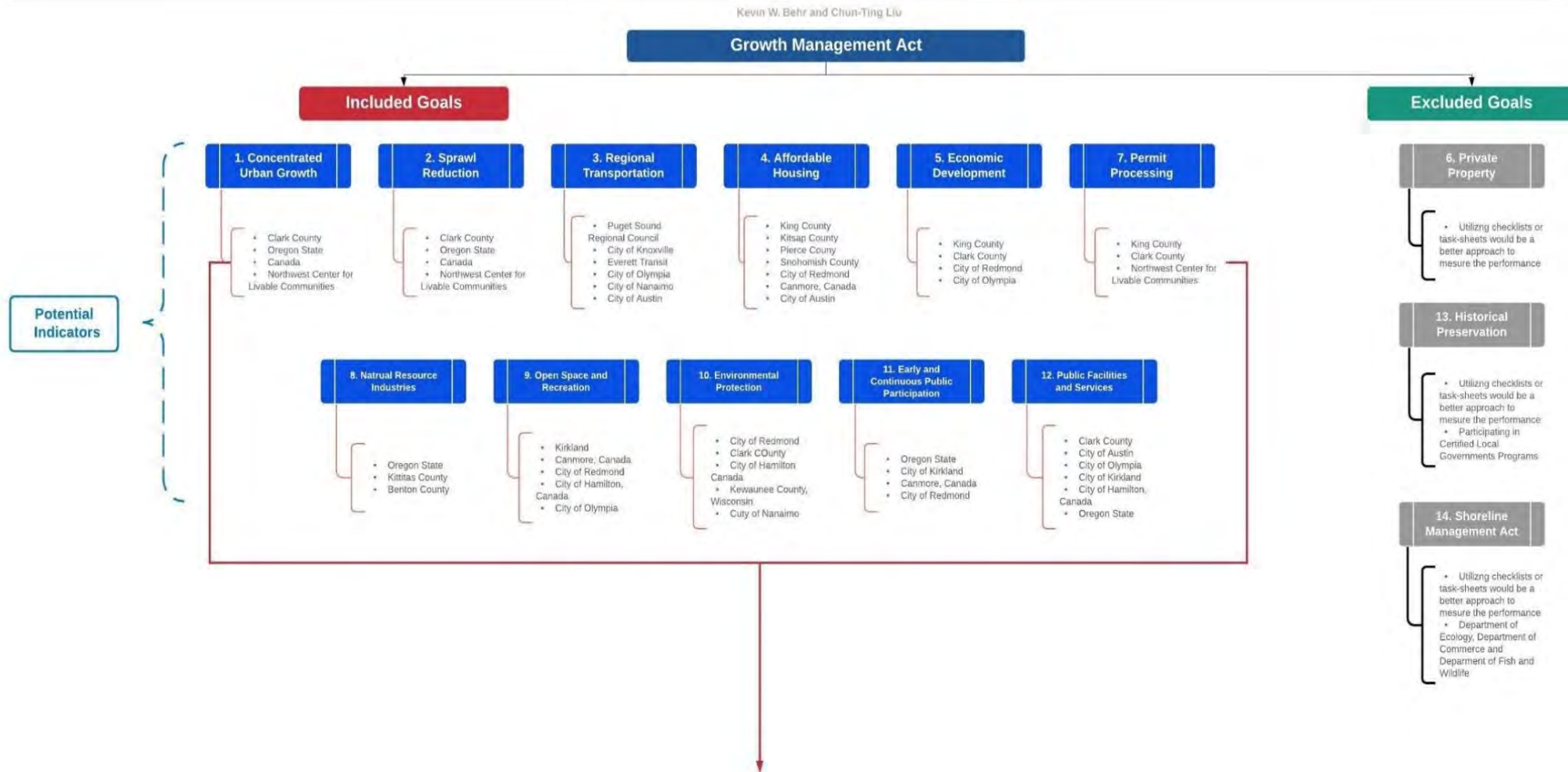
- Single-family residences, Ports, and Shoreline recreational uses
- Industrial and commercial developments dependent upon a shoreline location
- Single-family residences, Ports, and Shoreline recreational uses
- Industrial and commercial developments dependent upon a shoreline location
- Other developments that will provide an opportunity for a substantial number of people to enjoy the shoreline.

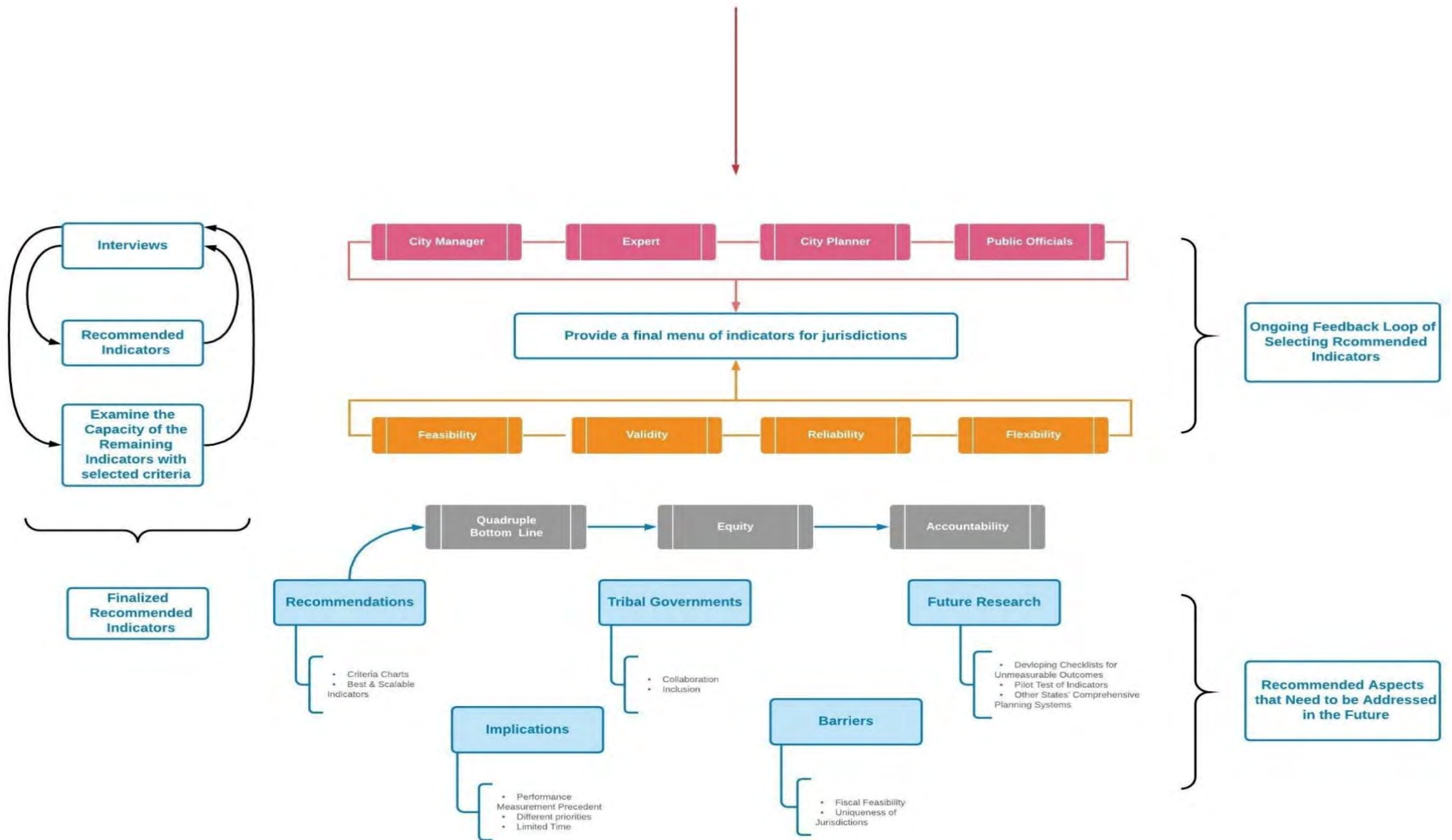
Currently, Department of Ecology measures the SMP based on the compliance with the SMA and the SMP guidelines, which have specific substantive requirements, while other requirements are relatively prescriptive. The Department of Ecology now utilizes checklists and other tools to complete the periodic update requirements.

⁷³ “Shoreline Master Program.” Kirkland SMP - Shoreline Master Program, City of Kirkland, Washington, www.kirklandwa.gov/depart/planning/Topics/SMP.htm.

Appendix II: Project Overview

Development of Recommended Indicators

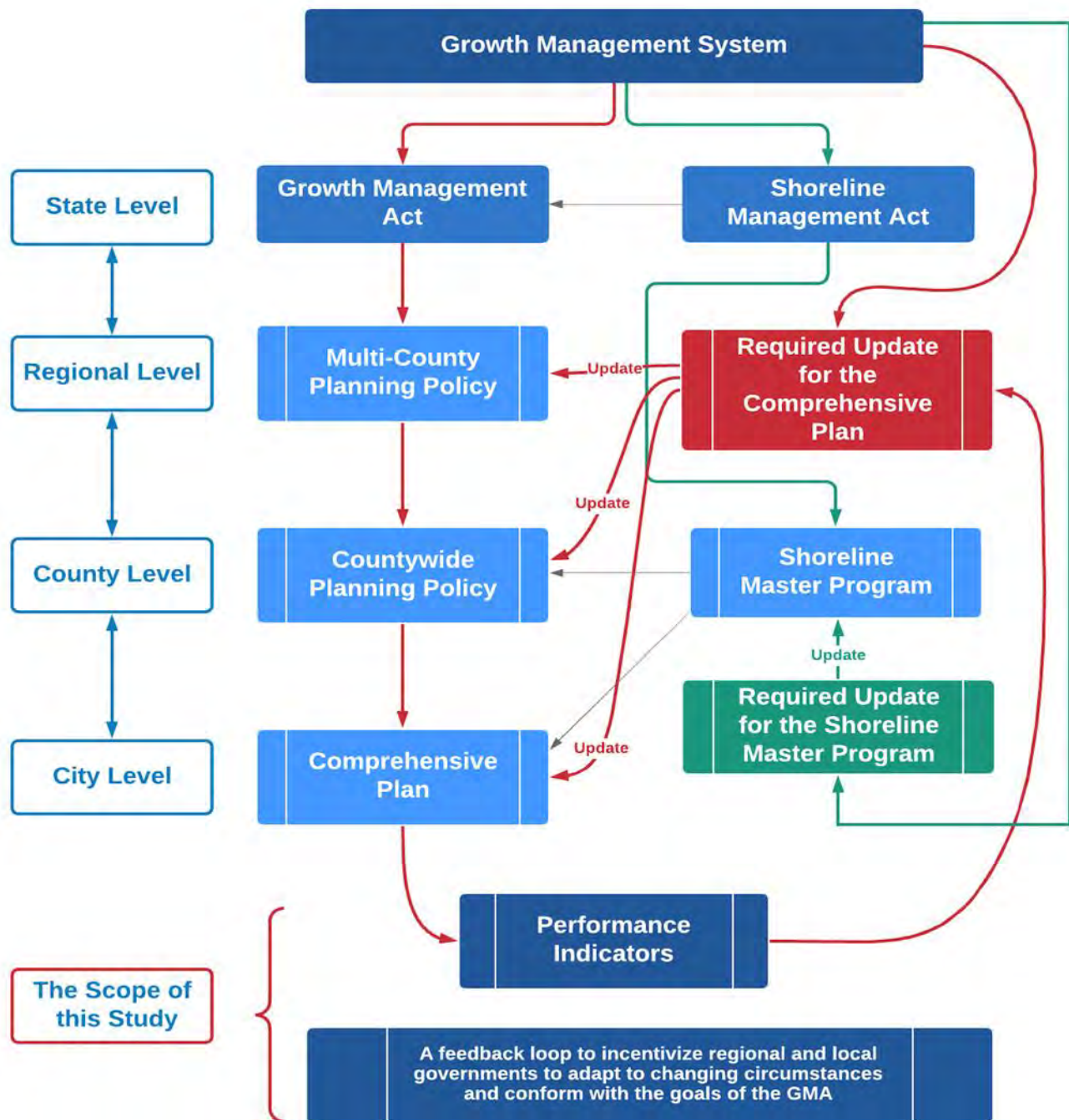




Appendix III: Structure of the GMA

Growth Management System in Washington State

Kevin Behr and Chun-Ting Liu



Appendix IV: GMA Fully Planning and Partially Planning Counties Map



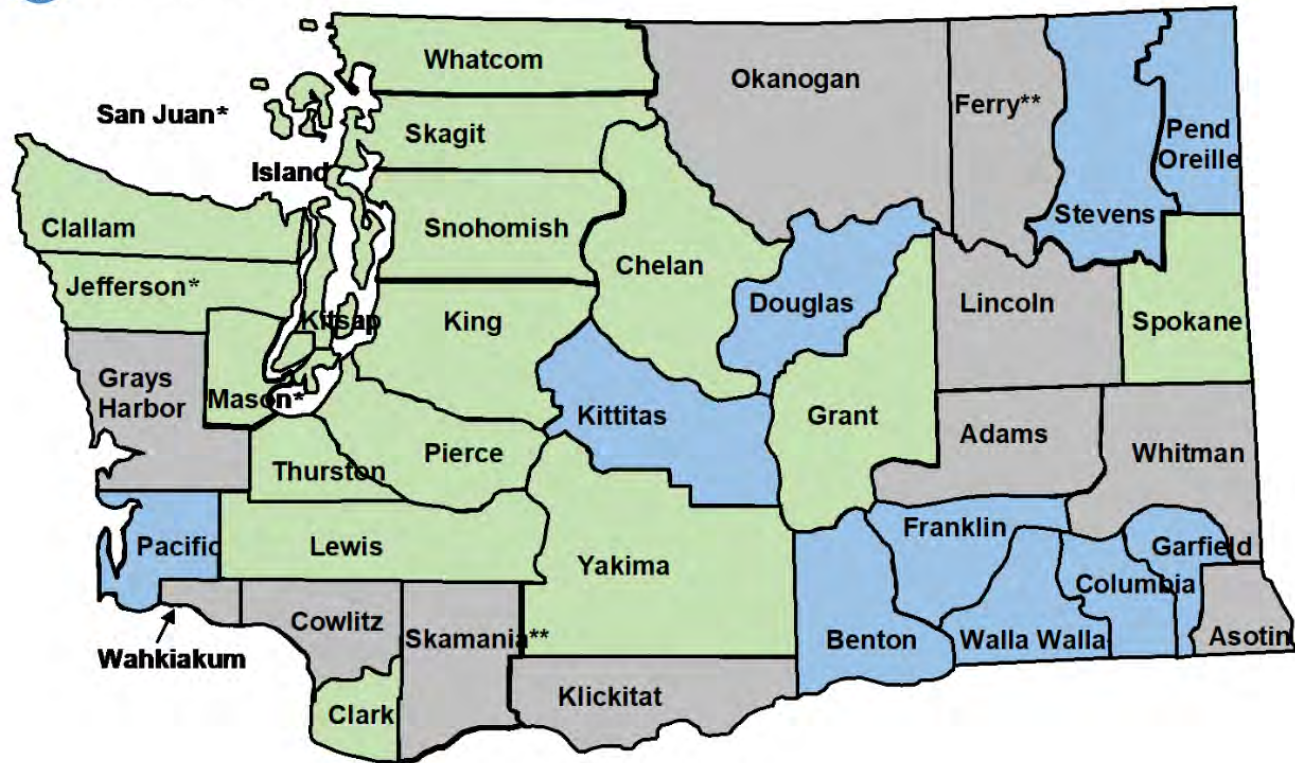
Department of Commerce

The Growth Management Act status of Washington counties and cities

Fully Planning Counties				Partially Planning Counties	
18 Counties Required to Plan Fully 18 counties are currently “fully planning” and required to comply with all provisions of the GMA. The list below indicates the counties fully planning date under GMA. (RCW 36.70A.040(1)). The effective date for fully planning status is listed for each county. *These counties did not exercise ability to “Opt-out” from “fully planning” status.		11 Counties “Opted-In” To Plan Fully 10 counties chose to “opt-in” to become GMA fully planning. (RCW 36.70A.040(5)) ***Ferry County adopted partial planning resolution in 2016. The effective date for fully planning status is listed for each county.		11 Counties Subject to Critical Areas and Natural Resource Lands Requirements Only 11 counties do not plan under RCW 36.70A.040, but must comply with some GMA requirements. Specifically, these counties and cities must adopt development regulations that designate and protect critical areas and designate natural resource lands. These counties are frequently labelled “partially planning”. (RCW 36.70A.060, .170) ** Skamania County exercised the ability to “opt-out” from fully planning status. ***Ferry County adopted partial planning resolution in 2016	
Chelan – 7/01/90	*Mason - 7/01/90	Benton – 10/01/90	Kittitas – 12/01/90	Adams	Lincoln
Clallam - 7/01/90	Pierce - 7/01/90	Columbia – 9/01/91	Pacific – 10/30/90	Asotin	Okanogan
Clark - 7/01/90	*San Juan - 7/01/90	Douglas – 10/01/90	Pend Oreille – 12/28/90	Cowlitz	**Skamania
Grant – 7/01/91	Skagit - 7/01/90	***Ferry – 12/27/90	Stevens – 9/28/93	Grays Harbor	Wahkiakum
Island - 7/01/90	Snohomish - 7/01/90	Franklin – 10/01/90	Walla Walla – 10/30/90	Klickitat	Whitman
*Jefferson - 7/01/90	Spokane – 7/01/93	Garfield – 10/01/91		***Ferry	
King- 7/01/90	Thurston – 7/01/90				
Kitsap - 7/01/90	Whatcom – 7/01/90				
Lewis – 7/01/93	Yakima – 7/01/90				



Department of Commerce



18 Counties Required to Plan Fully

* Did not exercise ability to
Opt-Out of full GMA Planning

10 Counties "Opted-In"
To Plan Fully

11 Counties Subject to Critical Areas and Natural
Resource Lands Requirements Only

** Exercised ability to Opt-Out
of full GMA Planning

Appendix V: Indicators Chart with Definitions

GMA Goal 1: Concentrated Urban Growth

1. <u>Concentrated Urban Growth</u>	
Indicators/Metrics	Definition
1.1 Actual vacant and underutilized developed acres that have converted to build or converted to an easement.	<p>Land used for infrastructure is not available for housing or employment development. It is important to know the amount of available land that will be needed to provide the necessary infrastructure for development. This indicator will help calculate the amount of land needed for growth. Criteria for classifying lands as not built are as follows.</p> <p>Residential: <i>Vacant land</i> - Building value is less than \$13,000. <i>Underutilized land</i> - Building value per acre of land is below the 20th percentile of building value per acre for all residential parcels within all UGAs. The 20th percentile is calculated by the model for each year and for each UGA alternative.</p> <p><i>Mansions and Condos</i> - Building value per acre is greater than the 20th percentile.</p> <p>Commercial and industrial: <i>Vacant land</i> - Building value is less than \$67,500. <i>Underutilized land</i> - Building value per acre is less than \$50,000.</p> <p>For a complete description of the Vacant Buildable Lands Model, please refer to the link below. http://gis.clark.wa.gov/applications/gishome/reports/?pid=vblm</p>
1.2 Housing Land supply- Percent of cities that have an adequate supply of buildable residential land to meet housing needs.	<p>Buildable Land and Open Space in Centers Compared to UGB Total Buildable Land.</p> <p>Buildable land – Vacant land identified through the Metro Data Resource Center’s vacant land inventory after subtracting land in Title 3 areas. Hard to define "adequate"</p>
1.3 Consumed Vacant Buildable Land/ Consumed Vacant Buildable Acres (for central city/ regional center/ town center)	<p>Consumed Vacant Buildable Land in Centers over time. Central City – The downtown and adjacent portions of the City of Portland; Regional centers – Areas of mixed residential and commercial use that serve hundreds of thousands of people and are easily accessible by different types of transit. Examples include traditional centers such as downtown Gresham and new centers such as Clackamas Town Center; Town centers – Areas of mixed residential and commercial use that serve tens of thousands of people. Examples include the downtowns of Forest Grove and Lake Oswego.</p>
1.4 Population Change in Neighboring Cities and Metro Region	<p>Population Change in the Portland MSA and Metro Boundary (certain boundary). Neighboring cities – Cities such as Sandy, Canby and Newberg that are outside Metro’s jurisdiction but will be affected by growth policies adopted by the Metro Council or other jurisdictions, such as North Plains, Estacada or Scappoose, which may be affected by Metro actions; Metro region (Metro boundary) – The jurisdictional boundary of Metro, the elected regional government of the metropolitan area.</p>

1.5 Number of people and jobs per mile in the urban growth centers identified in the growth plan	The Growth Plan identifies 25 existing downtowns or emerging centers as urban growth centers. Focusing growth to these areas supports the creation of regional focal points and more compact, mixed-use, transit-supportive and energy efficient communities in the region.
1.6 The relative diversity of land uses found within urban growth centers and the developing Designated greenfield areas (DGA)	A richness and diversity of land uses is an important component of a complete community that enables people to live, work and play in vibrant neighborhoods. Looking at land use diversity through time will provide a sense of whether implementation of the Growth Plan is resulting in a greater mix of land uses.
1.7 Percentage of major office space that has been developed inside urban growth centers and major transit stations since 1990	The Growth Plan identifies 25 existing downtowns or emerging centers as urban growth centers. New office buildings are a key measure of economic health. Major office developments also play a key role in the vitality of urban growth centers and major transit station areas, helping generate. Proximity between transit stations and office space can enhance employers' access to workers and give workers more transportation choice. The Growth Plan directs major office space to urban growth centers, major transit station areas, or areas with existing or planned frequent transit service.
1.8 Population density	
1.9 County Share of Regional Employment/ Percent Share of County Total Employment in Metro Region over years	Percent Share of County Total Employment in the Metro Region. Metro region (Metro boundary) – The jurisdictional boundary of Metro, the elected regional government of the metropolitan area.

GMA Goal 2: Sprawl Reduction

<u>2. Sprawl Reduction</u>	
Indicators/Metrics	Definition
2.1 Number of housing units per acre of land	The county's Comprehensive Plan county-wide planning policies indicate average residential densities in urban areas would be 8 units per net acre for Vancouver; 6 units per net acre for Battle Ground, Ridgefield, Camas and Washougal; 4 units per net acre for La Center; and no minimum for the town of Yacolt.
2.2 Change in Land Use Designation	Changes in land use designations provide some sense of conversion from one land use to another.
2.3 Estimated amount of gross vacant and underutilized land that has been developed	<p>Land used for infrastructure is not available for housing or employment development. It is important to know the amount of available land that will be needed to provide the necessary infrastructure for development. This indicator will help calculate the amount of land needed for growth. Criteria for classifying lands as not built are as follows.</p> <p>Residential: <u>Vacant land</u> - Building value is less than \$13,000. <u>Underutilized land</u> - Building value per acre of land is below the 20th percentile of building value per acre for all residential parcels within all UGAs. The 20th percentile is calculated by the model for each year and for each UGA alternative.</p> <p><u>Mansions and Condos</u> - Building value per acre is greater than the 20th percentile.</p> <p>Commercial and industrial: <u>Vacant land</u> - Building value is less than \$67,500. <u>Underutilized land</u> - Building value per acre is less than \$50,000.</p> <p>For a complete description of the Vacant Buildable Lands Model, please refer to the link below. http://gis.clark.wa.gov/applications/gishome/reports/?pid=vblm</p>
2.4 Population Distribution	Population changes by city.
2.5 Ratio of percentage change in size of settlement area to percentage change in planned population and employment	The Growth Plan aims to reduce sprawl and support the wise use of land and resources by requiring intensification and a more compact urban form, and by establishing rigorous requirements for settlement area expansions. It is expected that municipalities will make sure that any expansions to settlement areas are as small as possible, to make the most efficient use of land. By tracking the size of any new settlement area expansions compared to the forecasted population increase, this indicator will help determine whether municipalities are planning to use land more efficiently. Settlement Areas includes both Designated Greenfield Area and Built-up Area (urban areas that have already been developed).
2.6 Annexations and incorporations	
2.7 Population Change/ Population Change by city	

GMA Goal 3: Sprawl Reduction

<u>3. Regional Transportation</u>	
Indicators/Metrics	Definition
3.1 Corridor Travel Time (average travel time)	
3.2 Commute Mode Share	
3.3 Annual Transit Boarding / Transit ridership (number of passengers)	
3.4 Vehicle Miles Traveled (a. Average Daily Vehicle Miles Traveled per Capita b. Total Vehicle Miles Traveled)	
3.5 Average Occupied Parking Spaces (Capacity and Occupancy)	
3.6 Intersections Per Square Mile in Developed Portion of Sample Area/ Change in Intersections Per Square Mile in Developed Portion of Sample Area	Include the Hollywood, Gresham/Pleasant Valley, and Sunnyside areas.
3.7 Daily Vehicle Miles Traveled Per Capita	
3.8 Transit service hours per capita	
3.9 Percent of bus arrival is being on-time	
3.10 Annual Boarding per capita	
3.11 The number of people and jobs per mile within major transit station areas (MTSAs)	MTSAs are defined in the Growth Plan as the land within a 500-metre radius (approximate ten- minute walking distance) of an existing or planned higher order transit station in a settlement area, or of a bus depot within an urban core.
3.12 Percent of all trips, and the percent of morning commute trips, made by car, transit bike or walking for inner and outer municipalities	The Inner Ring includes City of Hamilton, Region of Durham, Region of Halton, Region of Peel, Region of York. The Outer Ring includes City of Barrie, City of Brantford, City of Guelph, City of Kawartha lakes City of Orillia, City of Peterborough County of Brant, County of Dufferin, County of Haldimand, County of Northumberland, County of Peterborough, County of Simcoe, County of Wellington, Region of Niagara, Region of Waterloo.
3.13 Street connectivity measured by the number of intersections per mile and ratio of connections to intersections (link-node ratio)	

3.14 Median distance of all trips and median distance of morning commute trips for municipalities	
3.15 Complete sidewalk construction on at least one side of all school walk routes	
3.16 Percent of bicycle network construction improvement projects completed	
3.17 Average Commute time	
3.18 Percent of residents 'satisfied' or 'very satisfied' with traffic flow on major streets	
3.19 Peak Hour Weekday Parking Occupancy (%)	
3.20 People Walking, Biking and Riding the Bus (%)	
3.21 Park and ride stalls (usage)	
3.22 Non-drive alone trips to work in the Central City, Regional and Town Centers	<p>Central City – The downtown and adjacent portions of the City of Portland; Regional centers – Areas of mixed residential and commercial use that serve hundreds of thousands of people and are easily accessible by different types of transit. Examples include traditional centers such as downtown Gresham and new centers such as Clackamas Town Center; Town centers – Areas of mixed residential and commercial use that serve tens of thousands of people. Examples include the downtowns of Forest Grove and Lake Oswego.</p>

GMA Goal 4: Affordable Housing

<u>4. Affordable Housing</u>	
Indicators/Metrics	Definition
4.1 Median/Average Home Price	In dollars
4.2 Renter Housing Cost Burden	Percent of Income
4.3 Median Rental Rates	In dollars
4.4 Supply and demand for affordable rental housing	
4.5 Percentage of homelessness	
4.6 Apartment vacancy rate	
4.7 Trend of housing costs in relation to income	This indicator tracks the annual change in median household income in King County, as it compares with annual changes in the median home price and average rental costs.
4.8 Existing housing affordable to low income household	<p>This indicator tracks the distribution of affordable home sales and rental units. It includes focus on rental housing that is affordable to households at 40%, 50% and 80% of median income in King County.</p> <p>Due to a gap in housing subsidy counts, only market-rate rental units are considered in the analysis of rental housing. As such, the distribution of rental housing likely underestimates the rates of affordability for lower income households.</p>
4.9 Affordability Gap	The indicator analyzes the "affordability gap" for median-income households to purchase a typical single-family home or condominium. The home purchase affordability gap is defined as the difference between the price that the average household can afford to pay for a home and the median price of housing on the market.
4.10 New Housing Units Permitted by Type (mobile home, multi-family, duplex and single family)	
4.11 Home ownership rate	
4.12 Rental Units Affordable to Households in Specified Income Groups/ Vacancy rate	Rental Units Affordable to Households in Specified Income Groups, 2000 By Jurisdiction. As a Percentage of Total Rental Units in the Jurisdiction.

4.13 The range and mix of housing types that have been completed each year, and mix of existing housing stock	The range and mix of housing types (single-detached dwellings, semi-detached dwellings, row and town houses and apartments) that have been completed each year in upper- and single-tier municipalities across the Greater Golden Horseshoe, and the mix of the existing housing stock. A mix of housing types is a component of vibrant and complete communities and helps to meet the needs for people's daily living throughout a lifetime. This indicator monitors the year-over-year change in the mix of completed housing units by structure type since 2006, as well as the total mix of existing housing in these areas at five-year intervals corresponding with census periods.
4.14 Total number of low- and moderate-income units brought online	
4.15 Ratio of jobs to housing	
4.16 Average Resale Price	
4.17 Housing Mix (Market Rate to Low Income Ratio)	The City's Comprehensive Plan targets 1/4 of the city's forecasted growth into downtown. This equals 5,000 new downtown residents living in approximately 2,500 to 3,500 new residences over the next 20 years. Most new downtown residences will be provided by private development. Providing an increased variety of housing choices will increase vibrancy, pedestrian activity, and support for local businesses.
4.18 Percent of homeless clients residing in shelters that receive case management services	
4.19 Subsidized Housing	Analyze the existing stock of subsidized housing in a given area and to inform government reports, develop and evaluate policies, and for advocacy.

GMA Goal 5: Economic Development

<u>5. Economic Development</u>	
Indicators/Metrics	Definition
5.1 Real wages per worker	
5.2 Per capita income and household income	
5.3 Percent below poverty	
5.4 New business created	
5.5 New jobs created	
5.6 Employment in export industries	
5.7 Graduation rate	
5.8 Estimated total population and jobs, and new jobs to new population ratio	
5.9 Net new businesses	
5.10 Office space vacancy rate	
5.11 Median household income	
5.12 Net job growth	
5.13 Labor force participation rate	
5.14 Business Longevity	
5.15 Gross Local Production	
5.16 Economic diversification/Employment concentration	
5.17 Educational attainment	

GMA Goal 6: Property Rights

<u>6. Property Rights</u>	
Indicators/Metrics	Definition
6.1 Change in development on market value/limiting potential usages	
6.2 Time Required for final decisions on complete application by property type (city and county)	
6.3 Count of successful, GMA-related “property rights” lawsuits (i.e., takings, substantive due process)	
6.4 Survey of local government property rights decision-making behavior	
6.5 Variability in permit requirements and conditions for similar permits among jurisdictions and among different decisions	

GMA Goal 7: Permit Processing

<u>7. Permit Processing</u>	
Indicators/Metrics	Definition
7.1 Permitted Housing Units (new units/ lost units/ net unit)	
7.2 Number of Commercial and Industrial development permits	
7.3 Average time required for a permit processing for industrial, residential, and commercial	

GMA Goal 8: Natural Resource Industries

<u>8. Natural Resource Industries</u>	
Indicators/Metrics	Definition
8.1 Tons of Solid Waste recovered and disposed within the Metro Boundary	Metro region (Metro boundary) – The jurisdictional boundary of Metro, the elected regional government of the metropolitan area.
8.2 Change in Population and Waste Disposed, Recovered and Generated	Changes in the amount of waste generated, recovered and disposed per capita is a good indicator of the region's overall efforts to effectively manage solid waste. The number of Metro-sponsored household hazardous waste collection events held since 1986 is a useful indicator of Metro efforts to alter the toxicity of waste generated and disposed.
8.3 Amount of Household Hazard Waste Collected in the Metro Boundary	Metro region (Metro boundary) – The jurisdictional boundary of Metro, the elected regional government of the metropolitan area.
8.4 Changes in flows that are attributable to agricultural practices (as opposed to regional drought); Data Source: Stream flow gauges, groundwater monitoring wells	Maintain or improve storage capacity and groundwater recharge.
8.5 Changes in volume of soil and/or overall soil fertility relative to critical areas; Data Source USDA NRI Monitoring result	Maintain or improve soil conservation and soil fertility.
8.6 Change in Category 2 through 5 303(d) listings, focused on parameters that potentially have an agricultural source; Data source: Water quality station	Maintain or improve surface water and groundwater quality; Determine whether water quality parameters are from agriculture or non- agriculture.
8.7 Number of water exchanges, storage, transfers, voluntary regional agreements, and/or water trusts maintained or established related to agricultural use	Aim is to increase water right stability for senior water rights holders and increase water availability for junior water rights holders.
8.8 Compliance with water quality regulations regarding suspended sediments and toxics where related to agricultural activities	Avoid increases in runoff and erosion associated with agricultural activities; Provide incentives for irrigation and nutrient management to increase crop yield and quality while reducing loss of inputs via leaching or runoff.
8.9 Riparian planting/protection projects (acres and linear feet)	Riparian vegetation to support biofiltration and bank stability in areas of agricultural intersect.

8.10 Irrigation efficiencies employed at the top of slopes; Implementation of conservation practices for slope stability (e.g. contour planting, retaining native vegetation, irrigation efficiencies)	Aim is to maintain or improve agricultural sustainability through improving soil health and reducing erosion.
8.11 Progress toward meeting Total Maximum Daily Load (TMDL) standards for suspended sediments	Encourage water reuse; Improve surface water quality conditions related to runoff and erosion associated with agricultural activities; Protect the integrity of steep slopes associated with agricultural production.
8.12 Miles of Completed Regional Trails	

GMA Goal 9: Open Space and Recreation

<u>9. Open Space and Recreation</u>	
Indicators/Metrics	Definition
9.1 Parks Accessibility (1/4-mile parks buffer)	
9.2 Number of Parks and Acres of Metro/Other Parks and Greenspaces Per Thousand Persons	A growing population puts pressure on public parks and natural areas to satisfy the recreational needs of those residing within the Metro area; Metro region (Metro boundary) – The jurisdictional boundary of Metro, the elected regional government of the metropolitan area.
9.3 Acres of natural area in restoration	
9.4 Recreation Operating & Maintenance	
9.5 Preserved Green Space for Public Use or Environmental Benefit (3.5 acres per 100 residents)	
9.6 Human / Wildlife Conflict: Bears/Cougars/Coyotes - Human Conflict Occurrences	
9.7 Walkability: Percent of population with convenient access to parks and trails, measured as ability to walk less than ¼ mile to a park or trail from home or office	
9.8 Citizen satisfaction with the appearance of park grounds	
9.9 Percentage of City Located within 1/2 Mile of Park or Open Space	
9.10 Participation in Parks, Arts and Recreational Activities (Hours)	
9.11 Planned densities for designated greenfield areas	

GMA Goal 10: Environmental Protection

<u>10. Environmental Protection</u>	
Indicators/Metrics	Definition
10.1 Percentage of total development that occurs in areas designated as environmentally critical	
10.2 Ozone Air pollution	
10.3 CarbonMonoxied Air Pollution over years	
10.4 Air pollution 10% reduction of 2005 emission levels	
10.5 Wetland Cover	
10.6 Per capita energy consumption	
10.7 Total GHG emissions from the buildings/transportation/ solid waste	
10.8 Total and per capita greenhouse gas emissions est. for the transportation sector by census division	
10.9 Riparian Vegetation	
10.10 Percent of population affected by a drinking water violation	
10.11 Per capita water usage	
10.12 Good air quality days	
10.13 Tree Canopy: Percentage of Redmond land area covered by tree foliage	
10.14 Percent of water quality tests that meet compliance standards	
10.15 Solid Waste Stream: The average weight of garbage collected, and percent of solid waste recycled, both per single family account per week.	
10.16 Tons of Solid Waste Going to Landfill (lbs./capita)	
10.17 Renewable power generated as a percent of consumption	
10.18 Recycling Diversion Rate	
10.19 Forest Cover	

GMA Goal 11: Early and Continuous Public Participation

<u>11. Early and Continuous Public Participation</u>	
Indicators/Metrics	Definition
11.1 Unique design and layout characteristics that help define a community's sense of place	
11.2 Citizen Volunteers regarding parks and greenspaces (Number of volunteers/ Total Hours Donated/ Value of Volunteer Hours)	
11.3 Number of attendees at City Council neighborhood meetings	
11.4 Sense of Community: Surveyed response to a "sense of community" question, intended to measure citizen sense of connectedness.	
11.5 Voter Participation/ Voter turnout	
11.6 Number of questions submitted to City Council neighborhood meetings	

GMA Goal 12: Public Facilities and Services

12. Public Facilities and Services	
Indicators/Metrics	Definition
12.1 Total taxable retail sales per person, and assessed property value per person	
12.2 The percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities	
12.3 Percent of highway miles rated in good condition	
12.4 Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.	This measure tracks the percentage of cities with a population over 10,000 that have completed an update within the last 10 years of their local plans for water and sewer system facilities needed to serve future land development within the urban growth boundary (UGB), including cost estimates and funding plans.
12.5 Percent of population that has access to advertised broadband speeds of 1GB or higher	
12.6 Tax Base Capacity	One approach to measuring the equitable distribution of the benefits and burden of growth is to compare the real property tax base capacity of jurisdictions. The revenue that property taxes generate is proportionate to the value of residential and non-residential properties that are located within each jurisdiction. Jurisdictions with medium- to high-value residential and non-residential uses are better able to adequately fund services and provide a range of growth management services.
12.7 Measures percent of City facilities that meet operating standards	
12.8 Measures maintenance condition of pavement, water mains, and sewer lines.	
12.9 Percent of lane miles in the City's street inventory that are in fair to excellent condition	
12.10 Condition of City Infrastructure	

12.11 Water/Sewer/maintenance crew per 100 lane miles	
12.12 Street Maintenance crew FTE's per 100 lane miles	

GMA Goal 13: Historic Preservation

<u>13. Historic Preservation</u>	
Indicators/Metrics	Definition
13.1 Extent of inventory coverage	
13.2 Change in number of jurisdictions with Historic Preservation Programs	
13.3 Percent loss of lands, sites, and structures deemed historically significant	
13.4 Change in number of jurisdictions with Historic Preservation Programs or Certified Local Governments (CLGs)	

GMA Goal 14: Shoreline Management

<u>14. Shoreline Management (RCW 36.70A)</u>	
Indicators/Metrics	Definition
14.1 Percent of hardened/impervious surfaces, natural cover, wetland features and woodland features in watersheds	
14.2 Ratio of percentage change in permits issued in shoreline areas to change in stream water quality	

Appendix VI: Indicator Chart with Sources

GMA Goal 1: Concentrated Urban Growth

<u>1. Concentrated Urban Growth</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
1.1 Actual vacant and underutilized developed acres that have converted to built or converted to an easement.	Clark County	Clark County Comprehensive Growth Management Plan Implementation 2009 Monitoring Report	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
1.2 Housing Land supply- Percent of cities that have an adequate supply of buildable residential land to meet housing needs.	Oregon state	Oregon Performance Measures Report	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
1.3 Consumed Vacant Buildable Land/ Consumed Vacant Buildable Acres (for central city/ regional center/ town center)	Oregon state	Oregon Performance Measures Report P.40	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
1.4 Population Change in Neighboring Cities and Metro Region	Oregon state	Oregon Performance Measures Report P.38 to 41	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
1.5 Number of people and jobs per mile in the urban growth centers identified in the growth plan	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
1.6 The relative diversity of land uses found within urban growth centers and the developing Designated greenfield areas (DGA)	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
1.7 Percentage of major office space that has been developed inside urban growth centers and major transit stations since 1990	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
1.8 Population density	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	

1.9 County Share of Regional Employment/ Percent Share of County Total Employment in Metro Region over years	Oregon state	Oregon Performance Measures Report P. 20	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
--	--------------	---	---

GMA Goal 2: Sprawl Reduction

<u>2. Sprawl Reduction</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
2.1 Number of housing units per acre of land	Clark County	Clark County Comprehensive Growth Management Plan Implementation 2009 Monitoring Report	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
2.2 Change in Land Use Designation	Clark County	Clark County Comprehensive Growth Management Plan Implementation 2009 Monitoring Report	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
2.3 Estimated amount of gross vacant and underutilized land that has been developed	Clark County	Clark County Comprehensive Growth Management Plan Implementation 2009 Monitoring Report	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
2.4 Population Distribution	Oregon State	Oregon Performance Measures Report P.16	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
2.5 Ratio of percentage change in size of settlement area to percentage change in planned population and employment	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
2.6 Annexations and incorporations	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
2.7 Population Change/ Population Change by city	Oregon State	Oregon Performance Measures Report P.17	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf

GMA Goal 3: Regional Transportation

<u>3. Regional Transportation</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
3.1 Corridor Travel Time (average travel time)	Puget Sound Regional Council	Federal Highway Administration	https://www.psrc.org/corridor-travel-time
3.2 Commute Mode Share	Puget Sound Regional Council (King, Kitsap, Pierce, Snohomish)	U.S. Census American Community Survey 5-year data" Means of Transportation to Work	https://www.psrc.org/commute-mode-share
3.3 Annual Transit Boardings / Transit ridership (number of passengers)	Everett Transit, Kitsap Transit, Pierce Transit, Sound Transit/ City of Knoxville	National Transit Database	https://www.psrc.org/transit-boardings
3.4 Vehicle Miles Traveled (a. Average Daily Vehicle Miles Traveled per Capita b. Total Vehicle Miles Traveled)	King, Kitsap, Pierce, Snohomish	Federal Highway Administration	https://www.psrc.org/vehicle-miles-traveled
3.5 Average Occupied Parking Spaces (Capacity and Occupancy)	King, Kitsap, Pierce, Snohomish	Puget Sound Regional Council Park-and-Ride database	https://www.psrc.org/park-and-ride-usage
3.6 Intersections Per Square Mile in Developed Portion of Sample Area/ Change in Intersections Per Square Mile in Developed Portion of Sample Area	Oregon State	Oregon Performance Measures Report P. 71	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
3.7 Daily Vehicle Miles Traveled Per Capita	Oregon State	Oregon Performance Measures Report P. 80	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
3.8 Transit service hours per capita	City of Nanaimo	Action Plan p.50	https://www.nanaimo.ca/property-development/community-planning-land-use/community-plans/community-sustainability-action-plan

3.9 Percent of bus arrival is being on-time	City of Nanaimo	Action Plan p.50	https://www.nanaimo.ca/property-development/community-planning-land-use/community-plans/community-sustainability-action-plan
3.10 Annual Boardings per capita	Oregon State	Oregon Performance Measures Report P. 80	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
3.11 The number of people and jobs per mile within major transit areas (MTSAs)	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
3.12 Percent of all trips, and the percent of morning commute trips, made by car, transit bike or walking for inner and outer municipalities	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
3.13 Street connectivity, measured by the number of intersections per mile and ratio of connections to intersections (link-node ratio)	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
3.14 Median distance of all trips and median distance of morning commute trips for municipalities	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
3.15 Complete sidewalk construction on at least one side of all school walk routes	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measure s.pdf
3.16 Percent of bicycle network construction improvement projects completed	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measure s.pdf
3.17 Average Commute time	City of Knoxville	Indicator dashboard	http://etindex.org/dashboard/city-knoxville
3.18 Percent of residents 'satisfied' or 'very satisfied' with traffic flow on major streets	City of Austin TX	Citywide Dashboard	https://data.austintexas.gov/stories/s/Citywide-Dashboard/jeip-haek/
3.19 Peak Hour Weekday Parking Occupancy (%)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx

3.20 People Walking, Biking and Riding the Bus (%)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
3.21 Park and ride stalls (usage)	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
3.22 Non-drive alone trips to work in the Central City, Regional and Town Centers	Oregon State	Oregon Performance Measures Report P. 79	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf

GMA Goal 4: Affordable Housing

4. Affordable Housing			
Indicators/Metrics	Previously Applied	Data Source	Links
4.1 Median/Average Home Price	Most of counties in WA	Local Governments	https://www.psrc.org/sites/default/files/trend-housing-201805.pdf
4.2 Renter Housing Cost Burden	No current data for local government	American Community Survey	https://www.psrc.org/sites/default/files/trend-housing-201805.pdf
4.3 Median Rental Rates	King, Kitsap, Pierce, Snohomish	American Community Survey	https://www.psrc.org/sites/default/files/trend-d6.pdf
4.4 Supply and demand for affordable rental housing	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH24_AffordabilityGap.aspx
4.5 Percentage of homelessness	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH23_Homelessness.aspx
4.6 Apartment vacancy rate	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH26_VacancyRate.aspx
4.7 Trend of housing costs in relation to income	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH27_TrendHousingCost.aspx

4.8 Existing housing affordable to low income household	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH29_ExistingAffordable.aspx
4.9 Affordability Gap	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH24_AffordabilityGap/AffordabilityGapTable.aspx
4.10 New Housing Units Permitted by Type (mobile home, multi-family, duplex and single family)	Snohomish County		
4.11 Home ownership rate	King County benchmark program/ City of Knoxville	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/AffordableHousing/AH25_HomeOwnershipRate.aspx
4.12 Rental Units Affordable to Households in Specified Income Groups/ Vacancy rate	Oregon	Oregon Performance Measures Report P 98	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
4.13 The range and mix of housing types that have been completed each year, and mix of existing housing stock	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100

4.14 Total number of low- and moderate-income units brought online	Kirkland Washington	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
4.15 Ratio of jobs to housing	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
4.16 Average Resale Price	Canmore, Canada	Canmore Community Monitoring Program	https://communityindicators.net/resources/canmore-community-monitoring-program-2016-final-report/
4.17 Housing Mix (Market Rate to Low Income Ratio)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
4.18 Percent of homeless clients residing in shelters that receive case management services	City of Austin TX	Citywide Dashboard	https://data.austintexas.gov/stories/s/Citywide-Dashboard/jeip-haek/
4.19 Subsidized Housing	King, Kitsap, Pierce, Snohomish	PSRC Regional Subsidized housing Database	https://www.psrc.org/subsidized-housing-puget-sound-region

GMA Goal 5: Economic Development

<u>5. Economic Development</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
5.1 Real wages per worker	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC01_RealWages.aspx
5.2 Per capita income and household income	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC02_Income.aspx
5.3 Percent below poverty	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC03_Poverty.aspx
5.4 New business created	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC04_NewBusinesses.aspx
5.5 New jobs created	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC05_NewJobs.aspx
5.6 Employment in export industries	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC06_ExportJobs.aspx
5.7 Graduation rate	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC08_Graduation.aspx

5.8 Estimated total population and jobs, and new jobs to new population ratio	Clark County	Clark County Comprehensive Growth Management Plan Implementation 2009 Monitoring Report	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
5.9 Net new businesses	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
5.10 Office space vacancy rate	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
5.11 Median household income	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
5.12 Net job growth	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
5.13 Labor force participation rate	Minnesota	MSP regional indicators dashboard 2017	https://communityindicators.net/wp-content/uploads/2018/01/GMSP-Dashboard-2017-5.5.pdf
5.14 Business Longevity	City of Redmond	Dashboard	http://www.redmond.gov/cms/one.aspx?objectId=189238
5.15 Gross Local Production	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
5.16 Economic diversification/Employment concentration	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
5.17 Educational attainment	King County benchmark program	Office of Performance, Strategy and Budget	https://www.kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/benchmark-program/Economy/EC07_Education.aspx

GMA Goal 6: Property Rights

<u>6. Property Rights</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
6.1 Change in development on market value/limiting potential usages			
6.2 Time Required for final decisions on complete application by property type (city and county)	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
6.3 Count of successful, GMA-related “property rights” lawsuits (i.e., takings, substantive due process)	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
6.4 Survey of local government property rights decision-making behavior	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
6.5 Variability in permit requirements and conditions for similar permits among jurisdictions and among different decisions	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	

GMA Goal 7: Permit Processing

<u>7. Permit Processing</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
7.1 Permitted Housing Units (new units/ lost units/ net unit)	Most of counties in WA	Puget Sound Regional Council database	https://www.psrc.org/sites/default/files/trend-d4.pdf https://www.psrc.org/residential-building-permits
7.2 Number of Commercial and Industrial development permits	Clark County	Clark County Comprehensive Growth Management Plan Implementation	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
7.3 Average time required for a permit processing for industrial, residential, and commercial	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	

GMA Goal 8: Natural Resource Industries

8. Natural Resource Industries			
Indicators/Metrics	Previousl y Applied	Data Source	Links
8.1 Tons of Solid Waste recovered and disposed within the Metro Boundary	Oregon State	Oregon Performance Measures Report P. 64	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
8.2 Change in Population and Waste Disposed, Recovered and Generated	Oregon State	Oregon Performance Measures Report P. 64	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
8.3 Amount of Household Hazard Waste Collected in the Metro Boundary	Oregon State	Oregon Performance Measures Report P.66	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
8.4 Changes in flows that are attributable to agricultural practices (as opposed to regional drought); Data Source: Stream flow gauges, groundwater monitoring wells	Kittitas County	Kittitas County Voluntary Stewardship Program P78	http://www.kccd.net/VoluntaryStewardship/KittitasVSP_ApprovedWorkPlan_w_Appendices_20180507.pdf
8.5 Changes in volume of soil and/or overall soil fertility relative to critical areas; Data Source USDA NRI Monitoring result	Kittitas County	Kittitas County Voluntary Stewardship Program P80	http://www.kccd.net/VoluntaryStewardship/KittitasVSP_ApprovedWorkPlan_w_Appendices_20180507.pdf
8.6 Change in Category 2 through 5 303(d) listings, focused on parameters that potentially have an agricultural source; Data source: Water quality station	Kittitas County	Kittitas County Voluntary Stewardship Program P79	http://www.kccd.net/VoluntaryStewardship/KittitasVSP_ApprovedWorkPlan_w_Appendices_20180507.pdf
8.7 Number of water exchanges, storage, transfers, voluntary regional agreements, and/or water trusts maintained or established related to agricultural use	Benton County	Benton County Voluntary Stewardship Program P3	https://www.co.benton.wa.us/files/documents/VSPBentonCh7-1GoalsBenchmarks3-27-17129123438032817PM.pdf

8.8 Compliance with water quality regulations regarding suspended sediments and toxics where related to agricultural activities	Benton County	Benton County Voluntary Stewardship Program	https://www.co.benton.wa.us/files/documents/VSPBentonCh7-1GoalsBenchmarks3-27-17129123438032817PM.pdf
8.9 Riparian planting/protection projects (acres and linear feet)	Benton County	Benton County Voluntary Stewardship Program	https://www.co.benton.wa.us/files/documents/VSPBentonCh7-1GoalsBenchmarks3-27-17129123438032817PM.pdf
8.10 Irrigation efficiencies employed at the top of slopes; Implementation of conservation practices for slope stability (e.g. contour planting, retaining native vegetation, irrigation efficiencies)	Benton County	Benton County Voluntary Stewardship Program	https://www.co.benton.wa.us/files/documents/VSPBentonCh7-1GoalsBenchmarks3-27-17129123438032817PM.pdf
8.11 Progress toward meeting Total Maximum Daily Load (TMDL) standards for suspended sediments	Benton County	Benton County Voluntary Stewardship Program	https://www.co.benton.wa.us/files/documents/VSPBentonCh7-1GoalsBenchmarks3-27-17129123438032817PM.pdf
8.12 Miles of Completed Regional Trails	Oregon State	Oregon Performance Measures Report P.106	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf

GMA Goal 9: Open Space and Recreation

<u>9. Open Space and Recreation</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
9.1 Parks Accessibility (1/4-mile parks buffer)	Oregon State/Kirkland	Oregon Performance Measures Report P.107	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
9.2 Number of Parks and Acres of Metro/Other Parks and Greenspaces Per Thousand Persons	Oregon State	Oregon Performance Measures Report P.106	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
9.3 Acres of natural area in restoration	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
9.4 Recreation Operating & Maintenance	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
9.5 Preserved Green Space for Public Use or Environmental Benefit (3.5 acres per 100 residents)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
9.6 Human / Wildlife Conflict: Bears/Cougars/Coyotes - Human Conflict Occurrences	Canmore, Canada	Canmore Community Monitoring Program	https://communityindicators.net/resources/canmore-community-monitoring-program-2016-final-report/
9.7 Walkability: Percent of population with convenient access to parks and trails, measured as ability to walk less than ¼ mile to a park or trail from home or office	City of Redmond	Dashboard	http://www.redmond.gov/Government/FinancesandBudget/Budget/PerformanceMeasures/
9.8 Citizen satisfaction with the appearance of park grounds	City of Austin	Citywide Dashboard	https://data.austintexas.gov/stories/s/Citywide-Dashboard/jeip-haek/
9.9 Percentage of City Located within 1/2 Mile of Park or Open Space	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
9.10 Participation in Parks, Arts and Recreational Activities (Hours)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx

9.11 Planned densities for designated greenfield areas	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
--	--------	--	---

GMA Goal 10: Environmental Protection

10. Environmental Protection			
Indicators/Metrics	Previous y Applied	Data Source	Links
10.1 Percentage of total development that occurs in areas designated as environmentally critical	Clark County	Clark County Comprehensive Growth Management Plan Implementation	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
10.2 Ozone Air pollution	Oregon	2009 Monitoring Report	http://library.oregonmetro.gov/files/full_2004_perf_meas_report.pdf
10.3 CarbonMonoxied Air Pollution over years	Oregon	Oregon Performance Measures Report P.84	http://library.oregonmetro.gov/files/full_2004_perf_meas_report.pdf
10.4 Air pollution 10% reduction of 2005 emission levels	City of Hamilton/ Kirkland	official plan P.40	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
10.5 Wetland Cover	City of Hamilton	official plan P.40	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/official-plan
10.6 Per capita energy consumption	City of Nanaimo	Action Plan p.50	https://www.nanaimo.ca/property-development/community-planning-land-use/community-plans/community-sustainability-action-plan
10.7 Total GHG emissions from the buildings/transportation/ solid waste	City of Nanaimo	Action Plan p.50	https://www.nanaimo.ca/property-development/community-planning-land-use/community-plans/community-sustainability-action-plan
10.8 Total and per capita greenhouse gas emissions est. for the transportation sector by census division	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
10.9 Riparian Vegetation	City of Hamilton	official plan P.40	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/official-plan

10.10 Percent of population affected by a drinking water violation	Minnesota	MSP regional indicators dashboard 2017	https://communityindicators.net/wp-content/uploads/2018/01/GMSP-Dashboard-2017-5.5.pdf
10.11 Per capita water usage	Minnesota	MSP regional indicators dashboard 2017	https://communityindicators.net/wp-content/uploads/2018/01/GMSP-Dashboard-2017-5.5.pdf
10.12 Good air quality days	Kewaunee county, Wisconsin	Quality of Life Report	
10.13 Tree Canopy: Percentage of Redmond land area covered by tree foliage	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189526
10.14 Percent of water quality tests that meet compliance standards	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189526
10.15 Solid Waste Stream: The average weight of garbage collected, and percent of solid waste recycled, both per single family account per week.	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189526
10.16 Tons of Solid Waste Going to Landfill (lbs./capita)	City of Olympia	Community Indicator Dashboard	http://olympiawa.gov/city-government/codes-plans-and-standards/action-plan/community-indicators.aspx
10.17 Renewable power generated as a percent of consumption	City of Austin	Citywide Dashboard	https://data.austintexas.gov/stories/s/Citywide-Dashboard/jeip-haek/
10.18 Recycling Diversion Rate	Kirkland WA	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
10.19 Forrest Cover	City of Hamilton	official plan P.40	https://www.hamilton.ca/city-planning/official-plan-zoning-by-law/official-plan

GMA Goal 11: Early and Continuous Public Participation

11. Early and Continuous Public Participation			
Indicators/Metrics	Previously Applied	Data Source	Links
11.1 Measures unique design and layout characteristics that help define a community's sense of place	Oregon	Oregon Performance Measures Report P.94	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
11.2 Citizen Volunteers regarding parks and greenspaces (Number of volunteers/ Total Hours Donated/ Value of Volunteer Hours)	Oregon	Oregon Performance Measures Report P.108	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
11.3 Number of attendees at City Council neighborhood meetings	City of Kirkland	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf
11.4 Sense of Community: Surveyed response to a "sense of community" question, intended to measure citizen sense of connectedness.	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189369
11.5 Voter Participation/ Voter turnout	Canmore, Canada	Canmore Community Monitoring Program	https://communityindicators.net/resources/canmore-community-monitoring-program-2016-final-report/
11.6 Number of questions submitted to City Council neighborhood meetings	City of Kirkland	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.pdf

GMA Goal 12: Public Facilities and Services

12. Public Facilities and Services			
Indicators/Metrics	Previously Applied	Data Source	Links
12.1 Total taxable retail sales per person, and assessed property value per person	Clark County	Clark County Comprehensive Growth Management Plan Implementation	https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/monitoring/2009MonitoringReportFinal.pdf
12.2 The percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities	Canada	2009 Monitoring Report	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
12.3 Percent of highway miles rated in good condition	Minnesota	MSP regional indicators dashboard 2017	https://communityindicators.net/wp-content/uploads/2018/01/GMSP-Dashboard-2017-5.5.pdf
12.4 Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.	Oregon state	Oregon Performance Measures Report P.	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
12.5 Percent of population that has access to advertised	Minnesota	MSP regional indicators dashboard 2017	https://communityindicators.net/wp-content/uploads/2018/01/GMSP-Dashboard-2017-5.5.pdf

broadband speeds of 1GB or higher			
12.6 Tax Base Capacity	Oregon	Oregon Performance Measures Report P 24	http://library.oregonmetro.gov/files/full_2004_perf_meas_report_.pdf
12.7 Measures percent of City facilities that meet operating standards	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189639
12.8 Measures maintenance condition of pavement, water mains, and sewer lines.	City of Redmond	Dashboard	http://www.redmond.gov/cms/One.aspx?portalId=169&pageId=189639
12.9 Percent of lane miles in the City's street inventory that are in fair to excellent condition	City of Austin TX	Citywide Dashboard	https://data.austintexas.gov/stories/s/Citywide-Dashboard/jeip-hack/
12.10 Condition of City Infrastructure	City of Olympia	Community Indicator Dashboard	
12.11 Water/Sewer/Maintenance crew per 100 lane miles	City of Kirkland	City of Kirkland Performance Measures 2017	http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.p df
12.12 Street Maintenance crew FTE's per 100 lane miles	City of Kirkland	City of Kirkland Performance Measures 2017	<a href="http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.p
df">http://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/2017+Performance+Measures.p df

GMA Goal 13: Historic Preservation

<u>13. Historic Preservation</u>			
Indicators/Metrics	Previously Applied	Data Source	Links
13.1 Extent of inventory coverage	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
13.2 Change in number of jurisdictions with Historic Preservation Programs	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
13.3 Percent loss of lands, sites, and structures deemed historically significant	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	
13.4 Change in number of jurisdictions with Historic Preservation Programs or Certified Local Governments (CLGs)			

GMA Goal 14: Shoreline Management (RCW 36.70A)

14. Shoreline Management (RCW 36.70A)			
Indicators/Metrics	Previously Applied	Data Source	Links
14.1 Percent of hardened/impervious surfaces, natural cover, wetland features and woodland features in watersheds	Canada	Performance Indicators for the Growth for the Greater Golden Horseshoe, 2006	https://www.placestogrow.ca/index.php?option=com_content&task=view&id=403&Itemid=100
14.2 Ratio of percentage change in permits issued in shoreline areas to change in stream water quality	Northwest Center for Livable Communities	“Towards A GMA Benchmarking System in Washington: Report on the Outcomes of a Western Washington Indicator Workshop.”	

Appendix VII: Interview Questions

Interviews were conducted to gain insight, expertise, and suggestions throughout our research. Due to this, our interview questions varied greatly depending on the timing of them throughout our report, the stakeholder we were talking to, and intention of the interview itself. Nevertheless, we have provided a short list of relevant questions that we asked our interviewees throughout the process:

Beginning of the Report

Purpose was to gain background knowledge, understanding of the current situation, and suggestions on who to reach out to and what literature to review.

- Are there any documents or articles that you could direct us to or that you suggest us utilizing for this project?
- Is there any way to address and resolve the issue of scalability for performance measurement regarding the GMA?
- What performance measurements do you find most cost efficient and beneficial in the cities you work in?

Halfway Through the Report

Purpose was to gain advices and feedback from our respondents for the development of our indicator charts as seen in **Appendix V** and **Appendix VI**. As some of the indicators are measurable but not too meaningful for all jurisdictions, it helped begin our process of choosing the best indicators available.

- Questions regarding specifics of measurements and indicators
- Questions regarding implementation within their jurisdiction
- Questions regarding if numbers or percentages are better for performance measurements to show the effects of comprehensive plans

Ending of the Report

Purpose was to gain feedback and suggestions for the final list of indicators that we chose to include in our paper with **Appendix VIII: Criteria Chart**. We integrated the opinion from practitioners and experts in different fields to suggest indicators from our list that could be scalable

- Questions regarding scalability
- Questions regarding whether the indicators can really measure the performance of the GMA pertaining to one of the fourteen goals
- Questions regarding indicators based on the selected criteria

Appendix VIII: Criteria Chart

GMA Goal 1: Concentrated Urban Growth

<u>1. Concentrated Urban Growth</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
1A) 1.4 Population Change in Cities and Metro Region and density	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
1B) 12.2 The percent of dwelling units in selected areas that are within walking distance of a community center, park, school, shopping opportunities	Medium: Data is incomplete	Medium: Not as relevant to the goal	Medium: Data not collected from all jurisdictions	Low: Rural jurisdictions tend to be more spread apart
1C) 1.5 Number of people and jobs per square mile in the urban growth centers identified in the growth plan	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
1D) 1.7 Percentage of major office space that has been developed inside urban growth centers and major transit stations since year 1990	Medium: Data is incomplete	Medium: Not as relevant to the goal	High: Data is collected and consistent	Low: Not all jurisdictions have an urban growth center

GMA Goal 2: Sprawl Reduction

<u>2. Sprawl Reduction</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
2A) 2.1 Number of housing units per acre of land (within planning area)	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
2B) 2.3 Estimated amount of gross vacant and underutilized land that has been developed	Medium: Data is incomplete	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
2C) 2.4 Population Distribution	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Disparity between urban and rural

GMA Goal 3: Regional Transportation

3. Regional Transportation				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
3A) 3.1 Corridor Travel Time (average travel time) (commute)	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
3B) 3.4 Vehicle Miles Traveled (a. Average Daily Vehicle Miles Traveled per Capita b. Total Vehicle Miles Traveled)	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
3C) 3.12 Percent of all trips, and the percent of morning commute trips, made by car, transit bike or walking for inner and outer municipalities	Medium: Data is not always collected	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Low: Large disparity between urban and rural

GMA Goal 4: Affordable Housing

4. Affordable Housing				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
4A) 4.1 Median Home Price	High: Data is accessible	Medium: Not as relevant to the goal	High: Data is collected and consistent	Medium: Disparity between urban and rural
4B) 4.9 Affordability Gap	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Low: Large disparity between urban and rural
4C) 4.12 Rental Units Affordable to Households in Specified Income Groups/ Vacancy rate/ cost burden	Medium: Data is incomplete	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions

GMA Goal 5: Economic Development

5. Economic Development				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
5A) 5.1 Real wages per worker	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
5B) 5.2 Per capita and household income	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
5C) Unemployment Rate	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
5D) 5.5 Jobs created	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
5E) 5.15 Gross Local Production	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
5F) 5.16 Economic diversification/employment concentration	High: Data is accessible	Medium: Not as relevant to the goal	High: Data is collected and consistent	Low: Large disparity between urban and rural

GMA Goal 6: Property Rights

<u>6. Property Rights</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
<i>No indicators are recommended. See page 36 for more details.</i>				

GMA Goal 7: Permit Processing

<u>7. Permit Processing</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
7A) 7.1 Permitted Housing Units (new units/ lost units/ net unit)	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
7B) 6.2 Time required for final decisions on complete application by property type (city and county)	Medium: Data is incomplete and hard to manage	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
7C) 7.2 Number of Commercial and Industrial development permits	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
7D) 7.3 Average time required for a permit processing	Medium: May be difficult to manage	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Disparity between urban and rural

GMA Goal 8: Natural Resource Industries

8. Natural Resource Industries				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
8A) 8.7 Number of water exchanges, storage, transfers, voluntary regional agreements, and/or water trusts maintained or established related to agricultural use	Medium: May be difficult to manage	Medium: Not as relevant to the goal	High: Data is collected and consistent	High: Applicable for all jurisdictions
8B) 8.10 Irrigation efficiencies employed at the top of slopes; Implementation of conservation practices for slope stability (e.g. contour planting, retaining native vegetation, irrigation efficiencies)	Medium: May be difficult to manage	Medium: Not as relevant to the goal	High: Data is collected and consistent	Low: Not applicable for all urban jurisdictions
8C) 8.4 Changes in flows that are attributable to agricultural practices (as opposed to regional drought); Data Source: Stream flow gauges, groundwater monitoring wells	Medium: May be difficult to manage	Medium: Not as relevant to the goal	Medium: Data not collected from all jurisdictions	Low: Not applicable for all urban jurisdictions

GMA Goal 9: Open Space and Recreation

9. Open Space and Recreation				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
9A) 9.2 Number of parks and acres of Metro/Other parks and greenspaces per thousand persons	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions
9B) 9.3 Acres of natural area in restoration	High: Data is accessible	Medium: Not as relevant to the goal	Medium: Data not collected from all jurisdictions	Medium: Disparity between jurisdictions
9C) 9.7 Walkability: Percent of population with convenient access to parks and trails, measured as ability to walk less than ¼ mile to a park or trail from home or office	Medium: Data is incomplete	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Not as adaptable for rural jurisdictions
9D) 9.10 Participation in parks and recreational activities (Hours per capita)	Medium: Data is incomplete and hard to manage	High: Relatively strong and theoretically sound	Medium: Data not collected from all jurisdictions	High: Applicable for all jurisdictions

GMA Goal 10: Environmental Protection

10. Environmental Protection				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
10A) 10.13 Tree Canopy	Medium: Data is incomplete and hard to manage	Medium: Not as relevant to the goal	Medium: Data not collected from all jurisdictions	Medium: Disparity between urban and rural
10B) 10.5 Wetland Cover	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Disparity between urban and rural
10C) 10.7 Total GHG emissions from the buildings/transportation/ solid waste over years	High: Data is accessible	High: Relatively strong and theoretically sound	Medium: Data not collected from all jurisdictions	Medium: Disparity between urban and rural
10D) 10.11 Per Capita Wastewater/Usage	High: Data is accessible	Medium: Not as relevant to the goal	High: Data is collected and consistent	High: Applicable for all jurisdictions
10E) 10.14 Percent of water quality tests that meet compliance standards	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions

GMA Goal 11: Early and Continuous Public Participation

11. Early and Continuous Public Participation				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
11A) 11.1 Measures unique design and layout characteristics that help define a community's sense of place	Medium: Data is incomplete and hard to manage	High: Relatively strong and theoretically sound	Low: Data is not consistent across jurisdictions	Medium: Disparity between urban and rural
11B) 11.2 Citizen volunteers regarding parks and greenspaces (Number of volunteers/ Total Hours Donated/ Value of Volunteer Hours)	Medium: Data is incomplete and hard to manage	Medium: Not as relevant to the goal	Medium: Data not collected from all jurisdictions	High: Applicable for all jurisdictions

GMA Goal 12: Public Facilities and Services

12. Public Facilities and Services				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
12A) 12.4 Percent of cities that have updated the local plan to include reasonable cost estimates and funding plans for sewer and water systems.	High: Data is accessible	High: Relatively strong and theoretically sound	High: Data is collected and consistent	Medium: Disparity between jurisdictions
12B) Annual per capita investment in infrastructure	High: Data is accessible	High: Relatively strong and theoretically sound	Medium: Data not collected from all jurisdictions	Low: Large disparity between urban and rural
12C) 12.10 Condition of City Infrastructure	Medium: Data is incomplete and hard to manage	High: Relatively strong and theoretically sound	High: Data is collected and consistent	High: Applicable for all jurisdictions

GMA Goal 13: Historic Preservation

<u>13. Historic Preservation</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
<i>No indicators are recommended. See page 36-37 for more details.</i>				

GMA Goal 14: Shoreline Management (RCW 36.70A)

<u>14. Shoreline Management (RCW 36.70A)</u>				
Indicators/ Metrics	Feasibility	Validity	Reliability	Flexibility
<i>No indicators are recommended. See page 37 for more details.</i>				

**Appendix IX: QBL Prototype for GMA Application; Evans School
Working Paper**

**A Place-Based Evaluation of
The Washington State
Growth Management Act:
Issaquah & the
Quadruple Bottom Line**

Brianna May
Geoffrey Gund
Martin Patterson
Corbin Muck
Ella Williams
Austin Goble

Table of Contents

Executive Summary	2
Washington’s Growth Management Act	4
The GMA and the Quadruple Bottom Line	7
Profit	7
Equity	10
Environment	13
Culture and Arts	16
Applying the Evaluative Framework to Issaquah	20
Profit	20
Equity	21
Environment	22
Culture and Arts	23
Recommendations for Amending the GMA	25
Bibliography	27
Appendices	28
Legislatively Stated Planning Goals of the GMA	28
QBL Comprehensive Plan Evaluation Matrix (Issaquah)	30

Executive Summary

Washington's Growth Management Act was passed in 1990 as a statewide response to rapid growth and the desire to protect the region's expansive natural resources while providing an organizational structure within which to plan for the expanding population and economy. The GMA provides legislatively stated goals,¹ which have been partly translated into mandated reporting requirements through city- and county-level comprehensive plans; a jurisdiction's comprehensive plan is the implementation tool of the GMA. In the nearly three decades since the GMA was passed, there has been no formal evaluative tool created to determine the effectiveness of the structure of the GMA or to determine its impacts.

Using the Quadruple Bottom Line (QBL) framework, we created a matrix² that allows cities and counties to look at the content of their comprehensive plans in terms of economic vitality, environmental sustainability, equity, and cultural vitality. Much of this work was based off an established evaluative tool developed in 2015. "Growth Management Act: Preliminary Evaluation"³ provided a baseline within each of the bottom lines off which to base an evaluation of a comprehensive plan, and thus the GMA in context.

Our examination of the 2015 work led us to develop a broader tool that cities and counties of all sizes can use in evaluation and amendment of their comprehensive plans. This tool allows for a holistic approach to each of the bottom lines, without dictating that the jurisdiction establish percentage point goals or dollar amount thresholds by which to measure success. To test the tool,

¹ Appendix A - Legislatively Stated Goals

² Appendix B - QBL Evaluation Matrix

³ Serebrin, Hester, Nancy Patino, Danielle Verwahren, and Cassandra Shoenmakers. 2015. *Growth Management Act: Preliminary Evaluation*. Seattle: PB AF 566.

we applied it to the City of Issaquah's comprehensive plan. The success of this process indicates that the matrix is appropriate for place-based evaluation of the GMA using the QBL framework.

Based on our evaluation of the original 2015 tool and the evaluation matrix, we recommend amending the GMA to more appropriately address the QBL, and to provide more guidance to comprehensive plans. The GMA should be amended to specifically address each of the four bottom lines, with a priority of integrating equity and cultural vitality throughout. One of the most glaring issues is the inconsistency between the legislatively stated planning goals of the GMA and the reporting requirements for comprehensive plans; as such, the GMA should require comprehensive plans to explicitly account for each GMA goal. Additionally, there are optional areas of reporting within the GMA; by requiring those additional areas, the GMA would more thoroughly, though not completely, address the bottom lines in the QBL framework.

Washington's Growth Management Act

Washington State's Growth Management Act (GMA) was originally adopted in 1990,⁴ responding to a need for fast-growing cities and counties to plan for expansion while protecting farm lands, animal habitat, and forests. The GMA has been amended at various times in the past few decades, ultimately leading to the following legislative goals:

- Urban Growth
- Reduce Sprawl
- Transportation
- Housing
- Economic Development
- Property Rights
- Permits
- Natural Resource Industries
- Open Space and Recreation
- Environment
- Citizen Participation and Coordination
- Public Facilities and Services
- Historic Preservation⁵
- Shoreline Management⁶

⁴ "Growth Management Act." *MRSC - Growth Management Act*, Municipal Research and Services Center (MRSC), 8 Sept. 2017, mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx.

⁵ "Planning Goals." *RCW 36.70A.020: Planning goals.*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>.

⁶ "Shorelines of the state." *RCW 36.70A.480: Shorelines of the state.*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.480>.

For the detailed explanation for each of these goals, please see Appendix A.

These are executed at the local level through comprehensive plans, overseen by the Washington State Department of Commerce. Cities and counties that have certain population levels are required to complete and implement comprehensive plans.⁷ While comprehensive plans are the implementation tool of the GMA, the goals established in legislation do not directly translate to the reporting requirements within comprehensive plans. The mandatory reporting areas are:

- Land Use
- Housing
- Capital Facilities Plan
- Utilities
- Rural Development (counties only)
- Transportation
- Economic Development
- Parks and Recreation⁸

Depending on the size and capacity of the jurisdiction's maritime ports, addressing Ports may be either mandatory or optional.⁹ The additional, optional areas that comprehensive plans can address under the GMA are:

⁷ "Who must plan." *RCW 36.70A.040: Who must plan-*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/rcw/default.aspx?cite=36.70A.040>.

⁸ "Growth Management Act."

⁹ If cities have more than \$60 million in annual port revenues, they are required to have a Port element in their comprehensive plans. "Growth Management Act."

- Conservation
- Solar Energy
- Recreation
- Subarea Plans (neighborhoods, rural villages, urban growth areas, tribal areas, etc.)

Comprehensive plans are based on projected population growth, determined by the Office of Financial Management, most of which the city or county must account for within an “urban growth area.”¹⁰ The urban growth area, designated by the County in which the city resides, is designed to concentrate areas of population growth and heavily restrict growth outside of that area to “not urban in nature.”¹¹ Typically, cities are within urban growth areas and keep most of their growth within those boundaries in order to “preserve farmland and open space and avoid creeping development.”¹²

Growth Management Act: Preliminary Evaluation

While no formally adopted evaluative tool exists for the GMA, an existing policy paper¹³ was used as the foundation for our assessment. This paper was also framed using the Quadruple Bottom Line (QBL), providing a solid foundation off which to base an amended and presumably improved tool that would be simple, and useful for jurisdictions to determine if their comprehensive plans would also assist their community with issues of economic efficiency,

¹⁰ Comprehensive plans-urban growth areas.” *RCW 36.70A.110*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.110>.

¹¹ “Comprehensive plans-urban growth areas.”

¹² Rosenberg, Matt. It’s Only A Matter of Time Before Washington State’s Growth Management Act Gets A Well-Deserved Overhaul. *The Lens*, 8 Mar. 2016, thelens.news/2016/03/08/its-only-a-matter-of-time-before-washington-states-growth-management-act-gets-a-well-deserved-overhaul/.

¹³ Serebrin, Hester, Nancy Patino, Danielle Verwahren, and Cassandra Shoenmakers. 2015. *Growth Management Act: Preliminary Evaluation*. Seattle: PB AF 566.

social equity, environmental sustainability, and cultural vitality. The specifics of how this paper examined each bottom line will be discussed in the following section.

The GMA and the Quadruple Bottom Line

The Quadruple Bottom Line (QBL) is a framework that intends to guide planning, based on the principles of “economic efficiency, social equity, environmental sustainability, and creative cultural vitality,”¹⁴ or in simpler terms, profit, equity, environment, and culture and arts. Used together, these principles provide a foundation for equitable and prosperous growth that acknowledges and honors a community’s history and the surrounding natural environment.

To understand how the GMA aligns with QBL principles, we consider the evaluation and recommendations developed by Serebrin et al. for the State Auditor’s Office (SAO)¹⁵, outline necessary adjustments, and propose specific metrics to define success for each element of the QBL.

Profit

Economic development is a central part of the GMA. The fifth planning goal in the state law addresses economic development, and details the following targets:¹⁶

¹⁴ Herranz Jr., Joaquín. Quadruple Bottom Line Performance: A Conceptual Framework. 2015.

¹⁵ Serebrin, Hester, Nancy Patino, Danielle Verwahren, and Cassandra Shoenmakers. 2015. *Growth Management Act: Preliminary Evaluation*. Seattle: PB AF 566.

¹⁶ “Planning Goals.” *RCW 36.70A.020: Planning goals.*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>.

- Encourage economic development throughout the state that is consistent with adopted comprehensive plans.
- Promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons.
- Promote the retention and expansion of existing businesses and recruitment of new businesses.
- Recognize regional differences impacting economic development opportunities and encourage growth in areas experiencing insufficient economic growth.

This goal clearly links economic development to environmental and equity concerns, in addition to the first bottom line.

Past Analytic Tools:

The SAO first recommends a cost-benefit analysis to evaluate the GMA. However, they note that this financial analysis only fits within the “profit” bottom line, and the impact of the GMA will have costs and benefits beyond finances. Therefore, it is important that other measurements are added to create a comprehensive QBL approach.

The cost-benefit analysis is comprised of two main areas of focus:

1. The impact of the GMA on government agencies.
2. The impact of the GMA on the broader economy.

In addition to these financial indicators, the SAO also recommends an impact analysis of governments that consider economic development within their comprehensive plan voluntarily and those who do not.

Adjusting SAO Report:

In order to apply the first cost-benefit analysis, we will assess the costs and benefits induced by the GMA on the city level. This could include the administrative costs, avoided costs, and increased revenue that the city has incurred as a result of their comprehensive plan (separate from economic development tax revenue, which is assessed below).

The SAO suggests using the following categories for the second cost-benefit analysis:

- **Employment quality:** income levels and distribution, job creation.
- **Investment:** financial viability for investors and taxpayers.
- **Cost of living:** specifically the impact of GMA.

Economic vitality impacts as suggested by the SAO are very important indicators in Issaquah's comprehensive plan.

Since the 2015 SAO analysis, the state has rewritten a requirement for economic development in comprehensive plans (SSB 5790, 2017). Since it is no longer a voluntary element, the comparison with other cities would not yield the desired measurements.

Evaluative Metrics:

- **Employment Quality.** Includes considerations of income levels and distribution, job creation, and job diversity.
- **Investment.** Plans should take into account financial viability for investors and taxpayers in the jurisdiction.
- **Cost of Living.** This includes the impact GMA has on other systems such as housing, food, and transportation cost.

Equity

As cities and counties in Washington grow, it is likely that the impacts of growth will not be equitably distributed, and that marginalized populations with limited voice and political power will receive fewer benefits while suffering a disproportionate share of the burden. While the GMA does not explicitly discuss equity in terms of marginalized and underserved populations, several of the goals do indicate concern for equity: the housing goal promotes the importance of affordable housing, and the economic development goal recognizes the need to facilitate economic opportunity for “disadvantaged persons” in particular.¹⁷ Simply calling out certain equity concerns, however, is not enough to satisfy the social equity aspect of the QBL; as such, it is important to consider how the implementation of the GMA through city and county comprehensive plans successfully accounts for the equity bottom line.

¹⁷ “Planning Goals.” *RCW 36.70A.020: Planning goals.*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>.

Past Analytic Tools:

In their analysis in the 2015 Auditor's Report, Serebrin et al. connect equity to four of the GMA's fourteen goals, and provide recommendations to evaluate the goals' impact on equity.¹⁸

Their recommendations for evaluating those four goals are briefly summarized here:

- **Concentrated Urban Growth:** analyze how neighborhoods are changing because of urban growth; identify where displaced households are going; identify best practices from cities and regions.
- **Affordable Housing:** measure housing and rental price increases over the last twenty years; identify best practices from cities and regions.
- **Economic Development:** determine whether the benefits from job growth are equitably distributed across demographic groups; “investigate how policymakers are addressing untapped human capital in their area”; identify best practices for workforce development from cities and regions.
- **Early and Continuous Public Participation:** analyze efforts across the state to effectively “give marginalized communities opportunities to be involved.”

The recommendations provided by Serebrin et al. are sensible and appropriately targeted towards the four goals identified, and if implemented would likely reveal a portion of the equity picture. That said, only focusing on four goals is a mistake. As such, adjustments should be made to their report.

¹⁸ Serebrin, Hester, Nancy Patino, Danielle Verwahren, and Cassandra Shoenmakers. 2015. *Growth Management Act: Preliminary Evaluation*. Seattle: PB AF 566.

Adjusting SAO Report:

The definition of equity Serebrin et al. use, provided by Leigh and Blakely (2013)¹⁹, does not adequately take into account that different aspects of the QBL intersect, meaning there are equity concerns for most GMA goals, just as there are profit, environmental, and cultural concerns. The following goals are particularly important in addition to the four analyzed in the 2015 Auditor's Report:

- **Regional transportation:** are the benefits from transportation being equitably realized?
Are marginalized communities benefiting from transportation and transit expansions? Is transit expansion contributing to displacement?
- **Open space and recreation:** is there equitable access to open space and recreation across socioeconomic, racial, and ethnic groups?
- **Environmental protection:** are the benefits and impacts of environmental protection efforts being distributed and felt equitably?
- **Public facilities and services:** is there equitable access to public facilities and services?
Are facilities and services adequately targeted towards marginalized groups?
- **Historic preservation:** do historic preservation processes include equity considerations?
Are marginalized communities represented in the historic preservation process?

Equity is a broad concern, touching most areas of policy; as such, evaluating equity is necessarily a broad endeavor. For the purposes of this comprehensive plan evaluation tool, therefore, the evaluative metrics are focused on ensuring that equity is generally address as well as specifically accounted for throughout.

¹⁹ Blakely, Edward J., and Nancey Green Leigh. "Community Economic Development." *Planning Local Economic Development: Theory and Practice*, SAGE, 2013

Evaluative Metrics:

- **Equity concerns are explicitly stated and addressed.** Comprehensive plans should specifically address equity, include language recognizing the need to ensure that marginalized populations benefit rather than suffer from growth, and detail strategies to make this happen. Ideally, equity will be mentioned specifically in terms of each of the nine goals outlined above, with specific policies directed towards promoting it.
- **Continuous measuring, tracking, and reporting.** Since marginalized populations are at greater risk of inequity, these issues are likely to be overlooked. As such, comprehensive plans should set goals for tracking how growth and development are impacting equity over time. Comprehensive plans should include indicators of interest and a plan for tracking those indicators, as well as information on what will be done with that information.
- **Community participation.** Comprehensive plans should specifically discuss how they are ensuring overall community participation, and should detail plans to ensure that marginalized communities are able to equitably participate in the public process as it relates to growth.

Environment

The Growth Management Act outlines approaches to environmental planning for communities. These planning perspectives, however, need to be evaluated critically in their effectiveness of achieving a Quadruple Bottom Line style incorporation of natural spaces and resources. This alignment is not purely an exercise in abstraction; differentiation between the two approaches has important implications about the effectiveness of the environmentally sustainable

underpinning of the GMA. It is neither enough to vaguely suggest that we protect or utilize the environment. nor to impose onerous standards that make environmental sustainability seem like an impediment rather than a benefit. This is quite the needle to thread when the traditional conversation around our natural spaces has been one of drastic binaries; clear-cutting or harvest moratoriums, sprawl or density, decimated fauna or a drastic encroachment on personal liberties and cultures. The QBL is meant to unpack this unproductive push and pull. So, if the GMA is effective conceptually at this task, it would likely be in agreement with a QBL approach.

Past Analytic Tools:

The 2015 Auditor's Report paper that began the process of building an evaluative framework for the GMA was somewhat specific in the scope of its environmental analysis. The tool has a number of strengths:

- **Comparing changes in urban growth boundary.** We agree that comprehensive plans should annually cross-compare the physical layout of their spaces.
- **Focus on critical resources areas.** Some spaces are too culturally significant, recreationally beloved, historically relevant, or valuable that they should be left undeveloped or revitalized. This is an important point to emphasize.
- **Resource needs of environmental planning** itself. The 2015 paper rightly points out that the GMA mandates a significant amount of work without necessarily allocating for its completion. This should be amended to ensure quality conclusions.
- **Specific focus on green building priorities.** Continual improvement and incorporation of best practices development will reap continuing rewards.

- **Community feedback and GMA requirement impacts in the community.**

Historically, recreational spaces, and natural spaces in particular, have often been stratified by class associated usages. Additionally, assumptions or stereotypes, as well as limited perspectives, run the risk of consciously limiting the diversity of use in green spaces. This can be at least partially mitigated by thorough community involvement.

Adjusting SAO Report:

The following issues with the SAO report should be addressed:

- **Vague definitional space around “urban growth”.** The previous assessment called for urban growth boundaries to battle the allure of sprawl. However, “urban zones” can mean a variety of things in different contexts, particularly for small cities and counties. Instead of a broad-brush, planners should use different metrics of density, infrastructure design, and community planning to fit the particular area. This can be crudely done by differentiating approaches between rural, urban, and suburban zones.
- **Limited steps to manifest the value of environmental responsibility.** There is little discussion around environmental sustainability as a self-evident, if abstract, good. We believe that to improve the tool we must require comprehensive plans to analyze significant externalities affecting the environment, science around the health and wellness effects of recreation and green spaces, as well as the potential economic benefits of tourism or the how smart management of resource extraction can perpetuate the resource rather than exhausting it.

Evaluative Metrics:

- **Preservation of high-value natural areas.** This could be done through the maintenance of acreage, water quality, floral/faunal diversity, or other specific protections.
- **Sustainable use of resources.** Resource stocks, if applicable, should set green, yellow, and red limit triggers to support revitalization. Ex: If salmon stocks run into yellow, they need to be supported, if they run into a red level of population, harvesting needs to be halted and additional measures taken.
- **Reduction of waste.** Authorities should set climbing metrics of waste reductions, recycling capacity, and mitigations of pollutants through a variety of measures.

Culture and Arts

To date, art and culture are not explicitly addressed in the thirteen goals identified in the GMA “to guide the development and adoption of comprehensive plans.”²⁰ Despite this omission, it is understood that economic and community development can be boosted by a strong and vibrant arts and community culture. People are drawn to locations that offer an appealing lifestyle that sufficiently meets their social needs.²¹ Jurisdictions that attend to art and culture are more likely to attract the Creative Class—people whose profession or craft focuses on innovation and creation—which creates a concentrated culture of innovation and problem solving that spurs economic development. Measuring the development or growth of a community’s Creative Class and the subsequent contributions local culture are an important component to identify within the GMA and comprehensive plans.

²⁰ “Planning Goals.” *RCW 36.70A.020: Planning goals.*, Washington State Legislature, 7 Dec 2017, <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>.

²¹ Florida, Richard (2005): “Cities and the Creative Class,” Chap 2 in *Cities in the Creative Class*.

Past Analytic Tools:

The overview provided by Serebrin et al. regarding the “play” bottom line focuses primarily on the arts, referring to references related to arts and culture as “minimal.” This assessment is correct as it pertains to *the creative arts*.

Concerning the minimal reference to art, Serebrin et al. provide two recommendations for assessing impacts of comprehensive plans established under the GMA:

1. Audit all existing comprehensive plans for goals or objectives explicitly addressing the arts
2. General assessment of investment made by jurisdictions in the arts, artists, and art institutions

These recommendations aid in establishing baseline data of the arts throughout jurisdictions covered by the GMA. However, because art is not a mandated component of comprehensive plans, connecting these findings to the GMA may be difficult. Moreover, these recommendations on their own are not sufficient to assess culture and creative aspects of the “play” bottom line.

Adjusting SAO Report:

Despite frequently referring to culture, Serebrin et al. propose recommendations focusing exclusively on art, and they fail to account for the impact other GMA goals have on culture. As Borrup (2006) points out, culture has a broader definition than merely a “sense of refinement” of

daily needs, and makes a distinction between art and culture: “Culture describes the human ability to communicate and to navigate the natural and social environment together.”²²

The GMA goals (9) *Open space and recreation* and (13) *Historic preservation* impact culture and must be tracked to adequately assess the “play” bottom line in the GMA, as they related to the cultural identity to a community. In addition to the two evaluative criteria proposed by Serebrin et al. below is a list of concepts should be considered to assess art and culture in comprehensive plans.

- **Lifestyle and activities:** what does the local community offer in terms of entertainment and unique experiences?
- **Opportunities for participation:** How do community members participate in cultural events? Are buildings and land developments designed for formal (e.g. stage productions, art shows) or informal (e.g. festivals, markets, crafts) participation?
- **Local support for the arts:** Besides an infusion of public money, are private and nonprofit entities actively investing in or supporting local arts? How is arts education incorporated in local schools?

Evaluative Metrics:

- **Arts and culture are explicitly addressed:** Comprehensive plans should include goals specific to the cultivation and conservation of arts and the arts community within the jurisdiction.

²² Borrup, Tom with Partners for Livable Communities (2006): *The Creative Community Builder's Handbook: How to Transform Communities using Local Assets, Art, and Culture*.

- **Incorporation of arts and cultural venues in new developments:** New developments should include provisions for including local art in the design, creating cultural event and recreational spaces, or studios for artists and performers.
- **Public arts inventory:** Comprehensive plans should include provisions for tracking publicly owned art, performance venues, and historical and cultural sites. Art preservation should be managed using this inventory.

Applying the Evaluative Framework to Issaquah

Our evaluation of the previous analytic tool allowed us to create a new evaluation tool. This tool, shown in Appendix B, is meant to be broadly applicable to any comprehensive plan that has grown out of the GMA and was developed using the analysis in the previous section. By applying our matrix to the Issaquah comprehensive plan, we were able to easily examine it from a Quadruple Bottom Line perspective to find both the strengths and weaknesses of both Issaquah's comprehensive plan and its roots within the GMA.

Profit

The metrics we applied to evaluate the Profit bottom line were: **Employment Quality; Investment;** and **Cost of Living.** Within those metrics, the Issaquah comprehensive plan broadly meets our expectations. Its vision includes creating a variety of employment and investment opportunities, dedicating resources to workforce development, and focusing on workforce housing issues. To achieve this, Issaquah has goals to attract businesses that create a diverse economic base at a variety of income levels, providing opportunities that allow residents and job seekers to find advancement employment opportunities within the community.

These are positive steps, however, Issaquah could go further. The comprehensive plan lacks specific and measured mechanisms for financial growth and investment activities. Issaquah's vision and goals seek diverse economic opportunities while addressing workforce development and transit, however, it does not explicitly address the ways that growth will affect cost of living for current residents. Cost of living measurements and goals pertaining to their increase would help to ensure that the planned economic growth would benefit all current residents.

Equity

To analyze the comprehensive plan from the Equity viewpoint, we applied the follow metrics:

Equity concerns are explicitly stated and addressed; Continuous measuring, tracking, and reporting; and Community participation. In those metrics, Issaquah meets our Equity expectations. The comprehensive plan includes goals that address many Equity concerns, including food access and security, the needs of people with disabilities, job training, and affordable housing. Further, Issaquah seeks to support a diverse community by ensuring that services and resources are presented in culturally and linguistically accessible ways for diverse and non-English speaking populations.

While the comprehensive plan has portions which mention equity, at no point does it do so explicitly. Those parts which address equity concerns often use “category 2”²³ language, which does not mandate action from the city. From the Equity bottom line perspective, Issaquah could improve by directly addressing equity with the same emphasis it uses to address other areas, like land use and economic vitality. Issaquah should also create specific mechanisms to measure, track, and report on equity issues as the city grows, in addition to the already-in-use measure that tracks progress of general impact of policies in the comprehensive plan. Binding language to mandate how such changes must be addressed should be the priority.

²³ Page I-7. United States of America, City of Issaquah Washington. *City of Issaquah Comprehensive Plan*, Volume 1. 29 March 2017. Retrieved from: <http://issaquahwa.gov/DocumentCenter>.

Environment

In order to understand the Environment perspective, we examined Issaquah's comprehensive plan with the following metrics: **preservation of natural areas of particular quality, importance, or fragility; sustainable use or revitalization of resource stocks; and reduction of carbon footprint and generated waste.** Overall, we found that the Issaquah comprehensive plan does an excellent job with addressing this bottom line and incorporating not only environmental sustainability but also the interaction between environment and community. Land use goals seek to protect current open space in perpetuity, maintain a minimum tree canopy of 50 percent in the city, and discourage low-density sprawl. The plan also explicitly protects environmentally sensitive areas like wetlands, riparian corridors, and vulnerable fish habitat.

As established above, Issaquah's comprehensive plan solidly address the Environment bottom line, however there are certain areas where the plan could improve. The City is clear on its goal to reduce its carbon footprint, including plans for community and constituent education, pursuing additional carbon-neutral policies, and encouraging private organizations within the city to reduce their carbon output; conversely, when Issaquah addresses the resource stocks, much of those plans include exploring outside partnerships and not taking action directly. Additionally, the city could develop metrics to measure the impact restoring salmon habitat on fish populations and health. The plan could also direct future developments to ensure access to variable recreation and green spaces, requiring a minimum of natural spaces or features in those newly constructed areas.

Culture and Arts

When looking at the Culture and Arts bottom line, we used the following metrics: **Arts and culture are explicitly addressed**, **Incorporation of arts and cultural venues in new developments**, and **Public arts inventory**. Outside any plans to preserve historic areas or buildings, Issaquah included these portions in their comprehensive plan without the mandate from the GMA; there are no requirements that a city or county address culture and arts in their community in their comprehensive plans. Because Issaquah did well in addressing the environment bottom line, the city framed access to green or open space as part of their culture. The maintenance of an existing Arts Commission is prioritized and the plan details additional avenues through which the city could promote the arts.

As with addressing equity, however, the city mainly used “category 2” verbs when discussing specific policies related to culture and arts. Issaquah relies on partners outside of city government and supporting their work, rather than taking direct action. To progress beyond the “category 2” work choice, the city should lead many of their stated policies and develop concrete criteria to measure the success toward their stated goals. Traditionally underrepresented populations and communities of color, including any immigrant populations, should also be provided culturally appropriate space as the demographics of Issaquah continue to grow and change.

Evaluation Conclusion

From a Quadruple Bottom Line perspective, the Issaquah Comprehensive Growth Plan does several things well. It strongly addresses the Environment and Culture bottom lines, and does an

acceptable job with Profit. Ultimately, while the comprehensive plan addresses the Equity bottom line in a tertiary manner, it can do so in a much stronger and more direct way. In many respects, this reflects shortcoming in the Growth Management Act itself. The GMA has strong goals and language for Profit and Environment, with Equity woven into many goals but not explicitly addressed. Interestingly, the Issaquah comprehensive plan addresses Culture in a much stronger manner than the GMA requires. The city recognized the importance of this aspect of community without any direction from the GMA. While this is positive for Issaquah, the GMA should have a stronger emphasis on Culture to ensure that future comprehensive plans address the Culture bottom line adequately and with substance.

Recommendations for Amending the GMA

The process of building upon the work of the SAO, developing our evaluative matrix, and applying it to Issaquah's comprehensive plan leads us to recommend the following changes to the GMA:

- 1. Align the goals of the GMA with the reporting requirements of the comprehensive plan.** At present, there is a disconnect between the goals of the GMA and the required elements within comprehensive plans. Directly connecting GMA goals to comprehensive plan requirements will add needed clarity and efficiency to the comprehensive plan development process.
- 2. Amend the GMA to specifically address each bottom line of the QBL.** The GMA should specifically discuss the implications of development on each of the four bottom lines. Since the GMA does not presently draw focus on the equity and arts and culture elements of the QBL, language recognizing the importance of each should be incorporated throughout the act. Because these bottom lines are implicitly embedded in many of the goals of the GMA, but are often overlooked during times of growth, they should be explicitly prioritized in the GMA and the implementation of comprehensive plans.
- 3. Amend the GMA to specify best practices for the different aspects of the bottom line.** Different localities have different levels of familiarity with each aspect of the QBL; as such, the GMA should provide best practices to encourage compliance. This could include baseline metrics or measurements to provide guidance on economic development,

social equity policies, environmental sustainability tools, or encouraging creative communities.

4. **Require comprehensive plans to develop and continuously track indicators related to each element of the QBL.** The GMA should require that cities and counties continuously monitor and evaluate how development within their jurisdiction is impacting each element of the QBL to inform future updates to their comprehensive plan and to the GMA as a whole.

Bibliography

Blakely, Edward J., and Nancey Green Leigh. "Community Economic Development." *Planning*

Local Economic Development: Theory and Practice, SAGE, 2013

Borrupt, Tom with Partners for Livable Communities (2006): *The Creative Community Builder's Handbook: How to Transform Communities using Local Assets, Art, and Culture*.

City of Issaquah Washington. *City of Issaquah Comprehensive Plan*, Volume 1. 29 March 2017.

<http://issaquahwa.gov/DocumentCenter>.

Florida, Richard (2005): "Cities and the Creative Class," Chap 2 in *Cities in the Creative Class*.

"Growth Management Act." *MRSC - Growth Management Act*, Municipal Research and

Services Center (MRSC), 8 Sept. 2017, [http://mrsc.org/Home/Explore-](http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx)

[Topics/Planning/General-Planning-and-Growth-Management/Comprehensive -Planning-Growth-Management.aspx](http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx).

"Growth Management Act." *RCW 36.70A.*, Washington State Legislature, 7 Dec 2017,

<http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A>

Herranz Jr., Joaquín. *Quadruple Bottom Line Performance: A Conceptual Framework*. 2015.

Rosenberg, Matt. It's Only A Matter Of Time Before Washington State's Growth Management

Act Gets A Well-Deserved Overhaul. *The Lens*, 8 Mar. 2016,

thelens.news/2016/03/08/its-only-a-matter-of-time-before-washington-states-growth-management-act-gets-a-well-deserved-overhaul/.

Serebrin, Hester, Nancy Patino, Danielle Verwahren, and Cassandra Shoenmakers. 2015. *Growth Management Act: Preliminary Evaluation*. Seattle: PB AF 566.

Appendices

Legislatively Stated Planning Goals of the GMA²⁴

RCW 36.70A.020 -- Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

1. **Urban growth.** Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
2. **Reduce sprawl.** Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
3. **Transportation.** Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
4. **Housing.** Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
5. **Economic development.** Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
6. **Property rights.** Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
7. **Permits.** Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.
8. **Natural resource industries.** Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.
9. **Open space and recreation.** Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
10. **Environment.** Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
11. **Citizen participation and coordination.** Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

²⁴ "Planning goals."

12. **Public facilities and services.** Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.
13. **Historic preservation.** Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

QBL Comprehensive Plan Evaluation Matrix (Issaquah)

Bottom Line	Evaluation Metric	Definition	Comp Plan Surpasses Expectation	Comp Plan Meets Expectation	Comp Plan Does Not Meet Expectation
Profit	Employment Quality	Includes considerations of income levels and distribution, job creation, and job diversity.		X	
	Investment	Plans that are aware of financial viability for investors and taxpayers in the jurisdiction have a strong measurement for growth.		X	
	Cost of Living	This includes the impact GMA has on other systems such as housing, food, and transportation cost.		X	
Equity	Equity concerns are explicitly stated and addressed.	Plans should specifically address equity, include language recognizing the need to ensure that marginalized populations benefit rather than suffer from growth, and detail strategies to make this happen. Ideally, equity will be mentioned specifically in terms of each of the nine goals outlined above, with specific policies directed towards promoting it.		X	
	Continuous measuring, tracking, and reporting.	Plans should set goals for tracking how growth and development are impacting equity over time. Comp plans should include indicators of interest and a plan for tracking those indicators, as well as information on what will be done with that information.	X		
	Community participation.	Comp plans should specifically discuss how they are ensuring overall community participation, and should detail plans to ensure that marginalized communities are able to equitably participate in the public process as it relates to growth.		X	
Environment	Preservation of natural areas of particular quality, importance, or fragility	This could be done through the maintenance of acreage, water quality, floral/faunal diversity, or other specific protections.	X		
	Sustainable use or revitalization of resource stocks	Resource stocks, if applicable, should set green, yellow, and red limit triggers to support revitalization. Ex: If salmon stocks run into yellow, they need to be supported, if they run into a red level of population, harvesting needs to be halted and additional measures taken.		X	
	Reduction of carbon footprint and generated waste	Authorities should set climbing metrics of waste reductions, recycling capacity, and mitigations of pollutants through a variety of measures.	X		
Culture	Audit comp plans for goals/objectives explicitly addressing the arts	Comprehensive plans should include goals specific to the cultivation and conservation of arts and the arts community within the jurisdiction	X		
	Incorporation of arts and cultural venues to new development plans	New developments should include provisions for including local art in the design, creating cultural event and recreational spaces, or studios for artists and performers.	X		
	Provision for public arts inventory (artwork, performance venues, historical and cultural sites), and historical tracking.	Comprehensive plans should include provisions for tracking publicly owned art, performance venues, and historical and cultural sites. Art preservation should be managed using this inventory.		X	

Fiscal Tools for Affordable Housing:

An Analysis of Tax Increment Financing, Multi-Family Tax Exemptions, Impact Fee Exemptions and Latecomer Agreements in Washington State

Report Prepared by Robby Perkins-High, Alexis Rinck, Qiqi Wang



Table of Contents

ACKNOWLEDGEMENTS	2
EXECUTIVE SUMMARY	3
1. PROJECT DESCRIPTION	4
1.1 Key Actors in Providing Affordable Housing in Washington State	5
1.2 The Housing Affordability Response Team (HART) Report	6
1.3 Guiding Questions	7
1.4 Report Overview	9
1.5 Limitations of the Project	9
2. LITERATURE REVIEW	11
2.1 What is Affordable Housing: Importance and Impact	11
2.2 Federal Fiscal Tools for Affordable Housing	15
2.3 Fiscal Tools for Affordable Housing in Washington State	17
3. RESEARCH METHODOLOGY	27
3.1 Data Sources	27
3.2 Interviews	27
3.3 Method of Analysis	27
4. HOUSING MARKET TYPOLOGY	29
5. METHODOLOGY FOR ANALYZING FISCAL TOOLS	40
5.1 Fiscal Tool Evaluation Criteria	40
5.2 Future Data Collection	42
6. CASE STUDIES	44
6.1 TIF Set-Aside Policy - The City of Portland, Oregon	44
6.2 Tax Increment Reinvestment Zones - The City of Austin, Texas	45
6.3 The Class 9 Affordable Housing (Class 9) Incentive program – Cook County, Illinois	47
6.4 Impact Fees Waivers and Reductions - The City of Albuquerque, New Mexico	49
6.5 Chapter 40B - Flexible Zoning Laws in Massachusetts	50
7. RECOMMENDATIONS	51

ACKNOWLEDGEMENTS

Embarking on this capstone was a journey to say the least. It has been an honor and a privilege to be able to do this project and we are grateful to everyone who played a supportive role during this process.

We are incredibly thankful to the individuals in the housing field that agreed to be interviewed and helped with this project. Thank you to:

- Peter Orser (HART Chair), Runstad Center for Real Estate Development
- M.A. Leonard (AHAB Chair), Non-profit Housing Developer
- Paul Trautman, City of Spokane, City Housing Authority
- Josh Karas, Joint Legislative Audit & Review Committee

A huge thank you to our wonderful capstone advisor, Dr. Sharon Kioko, University of Washington.

Special thanks to Assistant Professor Rachel Fyall, University of Washington, who inspired us with the idea of a market typology framework.

Lastly, thank you to all of our peer editors: Jay Shih, Rebecca Brunn, John Stovall, Winston Kelley, Siwen Hao, Zhiyi Wang, Marc Moshcatel, Amy Zhang, and Steven Le.

Thank you for your support and guidance!



Evans Consultant Team:

Robby Perkins-High robbyph@uw.edu

Alexis Rinck rincka@uw.edu

Qiqi Wang ps0205vi@uw.edu

EXECUTIVE SUMMARY

The Washington State Department of Commerce, in conjunction with the Ruckelshaus Center, has tasked us with examining the role of several fiscal tools in affordable housing development, as well as determining how these tools could be made more effective.

We conducted a literature review on affordable housing in the U.S., federal fiscal tools for affordable housing, and fiscal tools used in Washington State. Following this, we embarked in extensive research and completed a series of interviews with professionals in the housing development field.

Given time limitations and a lack of data on specific tools in Washington, we analyzed the current tools through three lenses. First, we created a system for housing market typology which categorizes housing market types and evaluates fiscal tool usage within different markets. Second, we established a comprehensive set of criteria that can be used to analyze these tools once more information is compiled. Lastly, we researched other areas using these tools and highlighted case studies that provide insight into how Washington State could modify existing tools.

Overall, we recommend that the Department of Commerce take the following steps moving forward in fiscal tool analysis:

- *Increase affordable MFTE programs and ensure MFTE usage*
 - *Develop a comprehensive database of affordable housing development in the state*
 - *Expand and Refine Housing Typology*
 - *Promote and incentivize the use of public land for housing projects*
 - *Promote mixed-income projects*
 - *Reduce challenges in utilizing fiscal tools for private developers*
 - *Reevaluate distribution of funds for development and renovation*
 - *Modify the LIFT, CRF and LRF programs*
 - *Modify Washington law to allow for TIF*
-

1. PROJECT DESCRIPTION

Washington State is facing a housing crisis. In the last decade, population growth has exceeded 12.1% and the housing stock growth, particularly in urban areas, has not kept up (at only 1.4%).^{1,2} This has driven home and rental prices to unaffordable levels. This is not just a problem in Washington – it’s a nationwide policy issue. The US has 11.4 million households with extremely-low incomes (earning less than 30% of area median income), but only 7.5 million affordable rental homes at that income level. The average short fall is 34 percent, and the situation can be even more severe in economically developed, more competitive areas.³

This pressure felt by so many in Washington is evident in the data. Per capita income in the state has increased 6%⁴ from 2014 to 2017. Over the same period, property values have grown 30%.⁵ Data shows that 36% of households spend between 30 and 50 percent of gross household income on housing, and 15.2% of households spend more than 50 percent. In total, this results in 51% of households that are cost-burdened.⁶ Households are considered to be “cost-burdened” if they spend more than 30 percent of household income on housing and are “severely cost-burdened” if they spend more than 50 percent of household income on housing.⁷

The lack of quality housing is not uniform throughout the state. In urban areas, high property values and density constraints create a shortage of housing supply. In rural areas where space is not an issue, there are fewer financing and development entities available to create successful affordable housing projects.

¹ U.S. Census Bureau. (2018). *QuickFacts*. Retrieved from <https://www.census.gov/quickfacts/wa>

² U.S. Census Bureau. (2019). Annual Estimates of Housing Units for the United States, Regions, Divisions, States, and Counties: April 1, 2010 to July 1, 2017, 2017 Population Estimates Retrieved from https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml

³ Aurand, A., Emmanuel, D., Errico, E., Pinsky, D., & Yentel, D. (2019). *The Gap: A Shortage of Affordable Homes*. Washington, DC: National Low Income Housing Coalition. Retrieved from https://www.ncsha.org/wp-content/uploads/Gap-Report_2019.pdf

⁴ Washington State Office of Financial Management. (2019). Washington and U.S. per capita personal income. Retrieved from <https://www.ofm.wa.gov/washington-data-research/statewide-data/washington-trends/economic-trends/washington-and-us-capita-personal-income>

⁵ Washington State Office of Financial Management. (2019). Median home price in Washington. Retrieved from <https://www.ofm.wa.gov/washington-data-research/statewide-data/washington-trends/economic-trends/median-home-price>

⁶ Affordable Housing Advisory Board. (2016). *AHAB Housing Needs Assessment Executive Summary*. Retrieved from <http://www.commerce.wa.gov/wp-content/uploads/2016/10/AHAB-Housing-Needs-Assessment-Exec-Summ.pdf>

⁷ Affordable Housing Advisory Board. (2018). *2017 Affordable Housing Update*. Retrieved from <http://www.commerce.wa.gov/wp-content/uploads/2018/04/AHAB-2017-Report.pdf>

Developers and builders remain apprehensive to build affordable units without subsidies. Without additional incentives, the supply of affordable housing will not increase at the same rate as the overall housing market, which presents an acute challenge to low and middle income residents.

In response to the housing affordability crisis, the Washington Department of Commerce (Commerce) is tasked with analyzing and assessing current actions being taken to combat this issue. Commerce specifically has looked to several fiscal tools to boost the development of affordable housing. Now, Commerce is trying to answer the question:

How can we improve fiscal tools to support affordable housing in Washington?

1.1 Key Actors in Providing Affordable Housing in Washington State

In Washington, two agencies are tasked with financing and creating policies for affordable housing: The Washington State Housing Finance Commission (WSHFC) and the Washington State Department of Commerce.⁸

Washington State Housing Finance Commission (WSHFC)

Programs administered by WSHFC focus on financing affordable housing projects. The agency's largest program is the allocation of the Low-Income Housing Tax Credit (LIHTC). LIHTC stimulates private investment by providing a dollar for dollar tax credit for taxes owed by a developer on other income. LIHTC credits come in two forms: 9% and 4% credits. 9% credits are allocated to private developers through a competitive application process, and can provide up to 70% of equity on a project. 4% credits are provided without competition to any project that has greater than 50% of its financing from Multifamily Bonds, and are only constrained by state bonding capacity.

WSHFC also administers the Land Acquisition Program (LAP), a revolving-loan fund designed to assist non-profit developers in land acquisition for housing projects.⁹

Washington State Department of Commerce (Commerce)

⁸ Affordable Housing Advisory Board. (2019). 2018 Affordable Housing Update. Retrieved from <http://www.commerce.wa.gov/wp-content/uploads/2019/01/COMMERCE-affordable-housing-update.pdf>

⁹ Washington State Housing Finance Commission. (n.d.). Multifamily Housing. Retrieved from <http://www.wshfc.org/mhcf/index.htm>

The Department of Commerce operates the Housing Trust Fund (HTF). HTF, established in 1986, is Washington's largest source of direct funding for affordable housing. It provides capital to incentivize the development and preservation of affordable housing, particularly for low-income populations, people with chronic mental illness, and the elderly.

Since 1986, HTF has spent more than \$1 billion on about 48,000 units of affordable housing, serving about 78,000 residents in Washington. HTF also operates the Preservation Program, which allocates capital for the repair of HTF's current portfolio of projects. Lastly, HTF administers Washington's HOME program (rental development funds) and Emergency Solutions Grant (which provides resources for adults and families facing homelessness).

Another essential role that Commerce fills is overseeing the Affordable Housing Advisory Board (AHAB). AHAB has 22 members that represent a wide range of housing stakeholders including private and non-profit developers, mortgage lenders, housing authorities, and the construction industry. AHAB is responsible for creating five-year housing advisory plans for the State and advises Commerce on housing-related issues.¹⁰

1.2 The Housing Affordability Response Team (HART) Report

In 2017, Governor Inslee asked AHAB to form a working group that would:

- Examine our existing systems that contribute to our housing stock.
- Examine how zoning and planning, permitting, development and financing, and construction processes can be improved to open increased opportunities for additional housing.
- Define where barriers exist and provide recommendations on how to remove barriers.
- Explore other areas that provide further insight on how to increase the affordable housing stock.¹¹

AHAB formed HART, an interdisciplinary team of housing development, construction, financing and planning experts, to identify barriers and possible solutions.¹² Their 2017 report identified challenges with affordable housing

¹⁰ Washington Governor. (2019). Affordable Housing Advisory Board. Retrieved from https://www.governor.wa.gov/boards-commissions/board-and-commissions/profile/AffordableHousingAdvisoryBoard?order=field_appointment_date&sort=desc

¹¹ Affordable Housing Advisory Board. (2017). 2017 Housing Affordability Response Team (HART) Recommendations. Retrieved from <http://www.commerce.wa.gov/wp-content/uploads/2017/07/HART-Housing-Affordability-2017.pdf>

¹² Affordable Housing Advisory Board. (2017). 2017 Housing Affordability Response Team (HART) Recommendations.

development in the state in the areas of (1) land use planning, (2) regulations and fees, and (3) finance and funding. They issued seven final recommendations, including “providing a stable and dependable source of funding for housing by providing predictable funding to the Housing Trust Fund” as well as “seeking responsible changes to development-related statutes” and “encouraging public agencies to consider underutilized public owned property as an opportunity to for affordable housing”. The report posed several areas of further research where they believed new successful strategies could be discovered and utilized in Washington.

1.3 Guiding Questions

We will seek to answer four of the questions related to fiscal tools identified in the HART report as important areas for further research.

1. What is the role of “tax increment financing” (TIF) on affordable housing? How have the Local Infrastructure Finance Tool (LIFT) and Community Revitalization Financing (CRF) tools impacted affordable housing? Would a revised CRF tool be useful for the development of affordable housing and also benefit communities?
2. How can the Multifamily Tax Exemption (MFTE) program be changed to support long-term affordability?
3. How are impact fees being used to fund infrastructure within communities? How is the exemption for affordable housing being used? Is this effective in enabling more affordable housing?
4. Are latecomer agreements useful to spread the cost of infrastructure extension? What is the threshold for cost-effective latecomer agreements? How can this support housing?

In answering these questions, we hope to understand challenges associated with the current policies and make recommendations that will enhance the development and financing of affordable housing in the state.

In this report, we evaluate the aforementioned fiscal tools. Briefly,

1. LIFT & CRF: Tax increment financing (TIF) is a tool used to capture increases in property values in a designated area. A typical example of this is a municipality investing in new transit infrastructure, which in turn increases the value of the adjacent homes. Through TIF, the municipality could capture some of that growth and use it to fund other infrastructure improvements, such as affordable housing. However, TIF cannot be adopted in Washington State due to two aspects of state law. First, creating a TIF district would direct

property taxes away from public schools, which was deemed unconstitutional. Second, it would break the uniformity clause, which requires all properties within the same class to be taxed at the same rate.

In response to these legal limitations, Washington has developed variations of TIF including the Local Infrastructure Financing Tool Program (LIFT) and the Community Revitalization Finance (CRF) Act. These are public improvements programs that do not specifically target affordable housing development, but have the potential to do so. LIFT, for example, permits a local government to create a revenue development area (RDA) in order to help raise funds for public infrastructure. Within the RDA, the local government can capture local property tax increases and increased sales and use tax. The state also contributes a matching portion of the increase in sales tax.¹³ CRF allows a local government to capture increases in non-state property taxes from other taxing governments (such as counties and special districts) in that area, with their approval.

2. MFTE: The Multifamily Tax Exemption (MFTE) provides an 8-year or 12-year property tax exemption to owners of multifamily residential projects. MFTEs are limited to cities with a population of more than 15,000. MFTEs allow developers to reduce their overall costs, thus making more multifamily projects feasible. The 8-year exemption comes with no affordability requirements, while the 12-year tax exemption requires the development to have at least 20% of units be affordable.
3. Impact Fees: Impact fees are one-time charges imposed by a local government against a new development project to help pay for new or expanded public facilities that directly address the increased demand for services created by that development.¹⁴ The impact fee statutes were amended in 2012 to allow local governments to waive 80 percent of assessed impact fee for affordable housing projects (30-80% of AMI¹⁵), but the remaining 20 percent still must be paid from public funds.¹⁶

¹³ Crawshaw-Lewis, S., & Gregory, D. (2008). Financing Public Infrastructure under the LIFT Statute. Retrieved from <http://mrsc.org/getmedia/EB5F2F23-B249-44A9-80C8-25EB59419926/bs08lift.aspx>

¹⁴ Municipal Research and Services Center. (2019). Impact fees. Retrieved from <http://mrsc.org/Home/Explore-Topics/Parks-and-Recreation/Parks-and-Recreation-Funding/Impact-Fees.aspx>

¹⁵ Area Median Income (AMI) is the midpoint of a region's income distribution. Affordable housing programs typically have a requirement of housing costs meeting a certain percentage of AMI.

¹⁶ Revised Code of Washington, Wash. Stat. §§ 82.02.060 (1990 & Supp. 2012).

4. Latecomer Agreements: Latecomer agreements (also known as recovery contracts, reimbursement agreements, or assessment reimbursement contracts) allow real estate developers, that have installed street or utility improvements, to recover a portion of the costs of improvements from other property owners who later develop property in the vicinity and use the improvements.¹⁷

1.4 Report Overview

In Section 2, we provide an overview of affordable housing literature with an emphasis on affordable housing financing. Our review focuses on federal financing tools and tools currently in effect in Washington State.

In Section 3, we summarize our methods of analysis used to assess the fiscal tools of Washington.

In Section 4, we provide different metrics that can be used to create a housing market typology in Washington. This includes an analysis on distribution of fiscal tools across these different housing typologies.

In Section 5, we propose a framework for criteria and data collection that could be used going forward if the Department of Commerce wants to continue analysis on effectiveness of fiscal tools.

In Section 6, we highlight case studies that use fiscal tools, similar to those in Washington, that have been successful at addressing the affordable housing crisis elsewhere. Using these cases, we recommend elements of policies that could be adopted in Washington.

In Section 7, we conclude with recommendations on how to adjust current fiscal tools in Washington, as well as create new tools, to promote affordable housing development.

1.5 Limitations of the Project

We limited our research to fiscal tools used to incentivize the development of affordable housing in Washington. Our report is therefore not a comprehensive review of “financing tools for affordable housing”, nor is it an evaluation of how to make existing units more affordable. There are additional limitations to our work including the number of interviewees, the scope of the project, project timeline

¹⁷ Municipal Research and Services Center. (2019). Latecomer Agreements. Retrieved from <http://mrsc.org/Home/Explore-Topics/Public-Works/Finance/Latecomer-Agreements.aspx>

and resources, and the authors' knowledge of complexities associated with financing affordable housing in Washington.

2. LITERATURE REVIEW

2.1 What is Affordable Housing: Importance and Impact

Housing, particularly quality affordable housing, plays a significant role in building healthy communities through its ability to create jobs, attract investment, provide the foundation for economic development, and yield better outcomes for children and families.¹⁸ Without quality options available, many individuals and families are forced to reside in inadequate housing which can increase an individual's vulnerability to a wide range of problems. Housing that is physically deficient poses health risks such as potential lead poisoning, asthma and other respiratory problems.¹⁹ When quality housing is unaffordable, it can lead to worse economic and educational outcomes for children than in non-rent burdened households.²⁰

In the housing field, “affordable housing” is an umbrella term that can refer to a variety of housing options that are funded by private, public and non-profit partners. Definitions of housing affordability vary. One widely accepted definition, recommended by the World Bank and the United Nations, is the “median multiple indicator”: the local median house price divided by median household income (before taxes).²¹ If the indicator is three or below, the housing is considered affordable. Anything above three is marked increasingly as moderately unaffordable, seriously unaffordable and severely unaffordable.²² At the federal level, a generally accepted benchmark is monthly housing costs that do not exceed 30% of a household's gross monthly income.²³ Washington State falls in accordance with this: The Revised Code of Washington (RCW) establishes that a housing unit is “affordable” if its monthly housing costs, including utilities other than telephone, do not exceed 30% of the household's monthly income.²⁴

¹⁸ PD&R Edge Magazine. (n.d.) Rental Burdens: Rethinking Affordable Housing. Retrieved from https://www.huduser.gov/portal/pdredge/pdr_edge_featd_article_092214.html

¹⁹ Schwartz, A. F. (2014). *Housing policy in the United States*. Routledge.

²⁰ National Low Income Housing Coalition. (2018). *Out of Reach. The High Costs of Housing*. Washington, D.C.: National Low Income Housing Coalition. Retrieved from https://nlihc.org/sites/default/files/oor/OOR_2018.pdf

²¹ The World Bank. (1992). The Housing Indicators Program. Retrieved from <http://siteresources.worldbank.org/INTURBANDEVELOPMENT/Resources/336387-1169578899171/rd-hs7.htm>

²² Cox, W., & Pavletich, H. (2018). 15th Annual Demographia International Housing Affordability Survey: 2019. Retrieved from <http://www.demographia.com/dhi.pdf>

²³ Washington State Labor Council (AFL-CIO). (2009). Affordable Housing and Homelessness. Retrieved from <https://web.archive.org/web/20120208113159/http://www.wslc.org/legis/afford.htm>

²⁴ Revised Code of Washington, Wash. Stat. §§ 84.14.010 (1995 & Supp. 2017).

Housing can be made affordable through a continuum of programs and initiatives from emergency shelters to subsidized housing.²⁵ Eligibility for these programs is often contingent on a measure known as Area Median Income (AMI). AMI is used to demonstrate the midpoint of a region's income distribution. Half of the families earn more than the median, and half of the families earn less than the median in that region.²⁶ Eligibility for types of affordable housing programs are usually dictated by AMI percentage level. Households that earn 30%, 50% and 80% of AMI are usually considered as the extremely low-, very low- and low-income households respectively. Some critics of AMI argue that the calculation of AMI disadvantages low-income folks. Since an entire region is included in the AMI calculation, the wealthy living in that region (especially in metropolitan areas) could skew the outcome.²⁷ In relation to AMI, the Department of Housing and Urban Development (HUD) uses "median family income" to adjust for household size.

In addition to the AMI limits, HUD publishes Fair Market Rents (FMRs) annually. FMRs are payment standards set at the metropolitan level and are applicable for all rental housing types (i.e., single-family houses, townhouse, duplexes and apartments). FMRs are used in several HUD programs such as the Housing Choice Voucher (Section 8), project-based Section 8 properties, the HOME Program, and Continuum of Care Grants.²⁸

Despite the importance of affordable housing for communities, it is becoming increasingly difficult to come by. Following the Great Recession, demand for rental housing increased nationwide by approximately 10 million households.²⁹ Again, in 2017, there were 11 million households in the US that were considered extremely low income. There were only 7.4 million affordable rental homes

²⁵ Anonymous. (2016). What affordable housing means and why it's important. Retrieved from https://www.huffingtonpost.ca/the-rentseekerca-team-/what-affordable-housing-means_b_10993522.html

²⁶ Metropolitan Council. (2018). AMI and Housing Affordability: Local Planning Handbook. Retrieved from <https://metrocouncil.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Area-Median-Income-and-Housing-Affordability.aspx>

²⁷ McCabe, B. (2016). The Area Median Income (AMI), explained. Retrieved from <https://ggwash.org/view/42671/the-area-median-income-ami-explained>

²⁸ National Multifamily Housing Council. (2010). How Subsidized Rents are Set: Area Median Incomes and Fair Market Rents. Retrieved from <https://www.nmhc.org/contentassets/0a91e23b99324a55acelfc9b0e92fcda/nmh-naa-briefing-how-subsidized-rents-set.pdf>

²⁹ National Low Income Housing Coalition. (2018). *Out of Reach. The High Costs of Housing*. Washington, D.C.: National Low Income Housing Coalition.

available.³⁰ This has resulted in nationwide shortage of affordable homes -- approximately 3.6 million affordable rental homes for extremely low-income renter households. If availability is considered, the shortage increases to 7 million available affordable rental homes.³¹

For households at or below the extremely low-income threshold in Washington, only 29 percent can find affordable units, a proportion that is much lower than the national average of 37 percent.³² Similarly, the statewide apartment vacancy rate of 2.7 percent is significantly lower than the national average of 5 percent.^{33,34} While a recent report published by AHAB found that although the affordable housing gap is shrinking, it is doing so very slowly.

Nationally, rents have been on the rise. Data from 2017 from Zillow show the median rent in the U.S. rose 2.8% to \$1,445.³⁵ The following graphic (Figure 1) from the National Low Income Housing Initiative demonstrates the hourly, full-time wage needed to afford a two-bedroom rental home without being “cost-burdened”.³⁶

³⁰ Aurand, A., Emmanuel, D., Errico, E., Pinsky, D., & Yentel, D. (2019). *The Gap: A Shortage of Affordable Homes*. Washington, DC: National Low Income Housing Coalition. Retrieved from https://www.ncsha.org/wp-content/uploads/Gap-Report_2019.pdf

³¹ Aurand, A., Emmanuel, D., Errico, E., Pinsky, D., & Yentel, D. (2019). *The Gap: A Shortage of Affordable Homes*. Washington, DC: National Low Income Housing Coalition.

³² Aurand, A., Emmanuel, D., Errico, E., Pinsky, D., & Yentel, D. (2019). *The Gap: A Shortage of Affordable Homes*. Washington, DC: National Low Income Housing Coalition.

³³ Runstad Department of Real Estate. (2018). Washington State Apartment Market Report – Spring 2018.

³⁴ Hagen, D., & Hansen, J. (2010). Rental housing and the natural vacancy rate. *Journal of Real Estate Research*, 32(4), 413-433.

³⁵ Zillow. (n.d.). *Housing data* [Data set]. Retrieved March 8, 2019, from <https://www.zillow.com/research/data/>

³⁶ National Low Income Housing Coalition. (2018). *Out of Reach. The High Costs of Housing*. Washington, D.C.: National Low Income Housing Coalition.

Represents the hourly wage that a household must earn (working 40 hours a week, 52 weeks a year) in order to afford the Fair Market Rent for a **TWO-BEDROOM RENTAL HOME**, without paying more than 30% of their income.



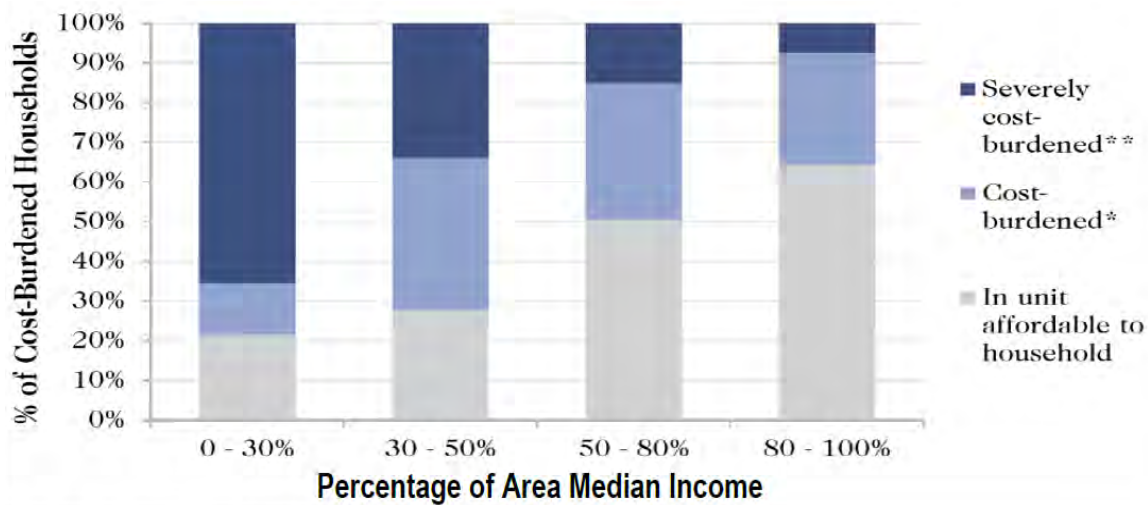
³⁷ National Low Income Housing Coalition. (2018). *Out of Reach. The High Costs of Housing*. Washington, D.C.: National Low Income Housing Coalition.

³⁸ National Low Income Housing Coalition. (2018). *Out of Reach. The High Costs of Housing*. Washington, D.C.: National Low Income Housing Coalition.

³⁹ Washington State Department of Commerce. (2018). Affordable Housing Desk: Reference for Local Governments. Retrieved from <https://www.kitsapgov.com/hs/HOUSINGBLOCK/Aff-Housing-Desk-Ref-final-06-26-18.pdf>

⁴⁰ Affordable Housing Advisory Board. (2019). 2018 Affordable Housing Update.

Figure 2. Percentage of Households Cost-Burdened by Percentage of Area Median Income



Source: Affordable Housing Advisory Board, 2019⁴¹

2.2 Federal Fiscal Tools for Affordable Housing

The federal government operates several programs through the Department of Housing and Urban Development (HUD) that provide affordable housing, such as the Section 8 Housing Choice Voucher program, public housing, and Choice Neighborhoods. Federal efforts to provide affordable, quality housing began in 1937 with the passage of the U.S. Housing Act, which created public housing. This was the first form of assistance, known as supply-side subsidies, to address the housing needs of low income Americans.^{42,43} With this also came several other programs, such as “Section 8 New Construction” where the federal government would subsidize the construction of privately owned low-income housing.⁴⁴

Public housing initiatives came with a variety of issues including an unprecedented cost of upkeep that was not matched with revenue being brought in.⁴⁵ Starting in the 1960’s, HUD began to compensate for this by providing subsidies to public housing agencies (PHAs) and state governments. A major form of federal housing subsidy that came into existence was the block grant system. The Community

⁴¹ Affordable Housing Advisory Board. (2019). 2018 Affordable Housing Update.

⁴² National Low Income Housing Coalition. (2015). Historical Overview of Affordable Rental Housing. Retrieved from https://nlihc.org/sites/default/files/Sec1.03_Historical-Overview_2015.pdf

⁴³ Schwartz, A. F. (2014). *Housing policy in the United States*. Routledge.

⁴⁴ Schwartz, A. F. (2014). *Housing policy in the United States*. Routledge.

⁴⁵ National Low Income Housing Coalition. (2015). A Brief Historical Overview of Affordable Rental Housing. Retrieved from https://nlihc.org/sites/default/files/Sec1.03_Historical-Overview_2015.pdf

Development Block Grant (CDBG) gives states and localities funding and discretion on how the funds may be used.

HUD sought to adopt public-private partnerships for affordable housing. This led to the development of the Low-Income Housing Tax Credit program (LIHTC). Created by the Tax Reform Act of 1986, the LIHTC program encourages the development of affordable rental housing by private developers.⁴⁶ Administered by state housing finance authorities, the program awards qualified tax credits to developers through a competitive process. Credits can then be sold to investors, providing the developers with equity that can lower financing costs of affordable housing units.⁴⁷ LIHTC manages \$8 billion a year in tax credits to support affordable housing construction and renovation.⁴⁸ The program is considered more effective than any other federal housing programs due to its higher than average occupancy rate (95% compared to the average 90%), and produces approximately 1,300 projects and 91,000 units a year.⁴⁹ The Low-Income Housing Tax Credit program is regarded by the HUD as “the most important resource for creating affordable housing in the United States today.”⁵⁰ However, lack of governmental oversight and accessibility of data on the LIHTC program has left the program susceptible to corruption by private developers. Additionally, LIHTC properties are disproportionately situated in high-poverty areas with communities of color which ultimately reproduce housing segregation trends and limit opportunities for individuals and families housed by LIHTC.⁵¹

The federal government also provides financing for affordable housing in rural communities through the U.S. Department of Agriculture (USDA). The Rural Development arm of the USDA runs affordable housing programs through the Rural Housing Service (RHS).⁵² Particularly, the Section 515 program. The program makes direct loans to developers to finance multifamily rental housing for low

⁴⁶ Keightley, M. P., & Stupak, J. M. (2014). *An Introduction to the Low-Income Housing Tax Credit*. Library of Congress, Congressional Research Service.

⁴⁷ Keightley, M. P., & Stupak, J. M. (2014). *An Introduction to the Low-Income Housing Tax Credit*. Library of Congress, Congressional Research Service.

⁴⁸ McClure, K. (2006). The Low-Income Housing Tax Credit Program Goes Mainstream and Moves to the Suburbs. *Housing Policy Debate*, 17(3), 419-446.

⁴⁹ McClure, K. (2006). The Low-Income Housing Tax Credit Program Goes Mainstream and Moves to the Suburbs. *Housing Policy Debate*, 17(3), 419-446.

⁵⁰ Office of Policy Development and Research. (2018). Low-Income Housing Tax Credits. Retrieved from <https://www.huduser.gov/portal/datasets/lihtc.html>

⁵¹ Fisher, W. (2018). Low-Income Housing Tax Credit Could Do More to Expand Opportunity for Poor Families. Retrieved from <https://www.cbpp.org/research/housing/low-income-housing-tax-credit-could-do-more-to-expand-opportunity-for-poor-families>

⁵² Strauss, L. R. (2017). *USDA Rural Rental Housing Programs*. Washington, DC: National Low Income Housing Coalition.

income families. These loans have a maturity of 50 years and very low interest rates (1 percent).⁵³

Despite its efforts to provide opportunities to finance building quality affordable housing, funding for HUD has declined over the years.⁵⁴ For example funding for rental assistance programs has declined \$6.2 million, as a result of caps included in the Budget Control Act of 2011. As the federal government shifts from providing aid, states have had to step in to address the lack of affordable housing for their residents.

2.3 Fiscal Tools for Affordable Housing in Washington State

Washington's first major steps towards addressing issues of affordable housing in the state came with the creation of the Washington State Housing Finance Commission (WSHFC) in 1983 and the Washington State Housing Trust Fund (HTF) in 1986.⁵⁵ WSHFC is a housing financing agency that was formed as a public-private partnership to encourage private sector involvement in affordable housing development. WSHFC provides access to tax-exempt bond financing for affordable housing development and administers an extensive portfolio of affordable housing initiatives. WSHFC's financing programs include the 4% TC Bond/Tax, 501(c)(3) financing, 80/20 housing bonds, and the Land Acquisition Program. WSHFC is a self-supporting agency.⁵⁶

The HTF administers the State's direct investment in affordable housing. Funding is awarded to developers of affordable housing projects both on a competitive basis and through legislator led projects. HTF began with a modest investment of \$1 million. The legislature has continued to provide funding for construction, rehabilitation, and acquisition of affordable housing.⁵⁷ Over its lifetime, the HTF has leveraged one billion dollars of investment into the development of over 48,000 units in both urban and rural areas (a statute requires that 30% of

⁵³ Cowan, T. (2016). *An Overview of USDA Rural Development Programs*. Washington, DC: Congressional Research Service.

⁵⁴ Rice, D. (2016). Chart Book: Cuts in Federal Assistance Have Exacerbated Families' Struggles to Afford Housing. [file:///localhost/Retrieved from https://www.cbpp.org/research/housing/chart-book-cuts-in-federal-assistance-have-exacerbated-families-struggles-to-afford](https://www.cbpp.org/research/housing/chart-book-cuts-in-federal-assistance-have-exacerbated-families-struggles-to-afford)

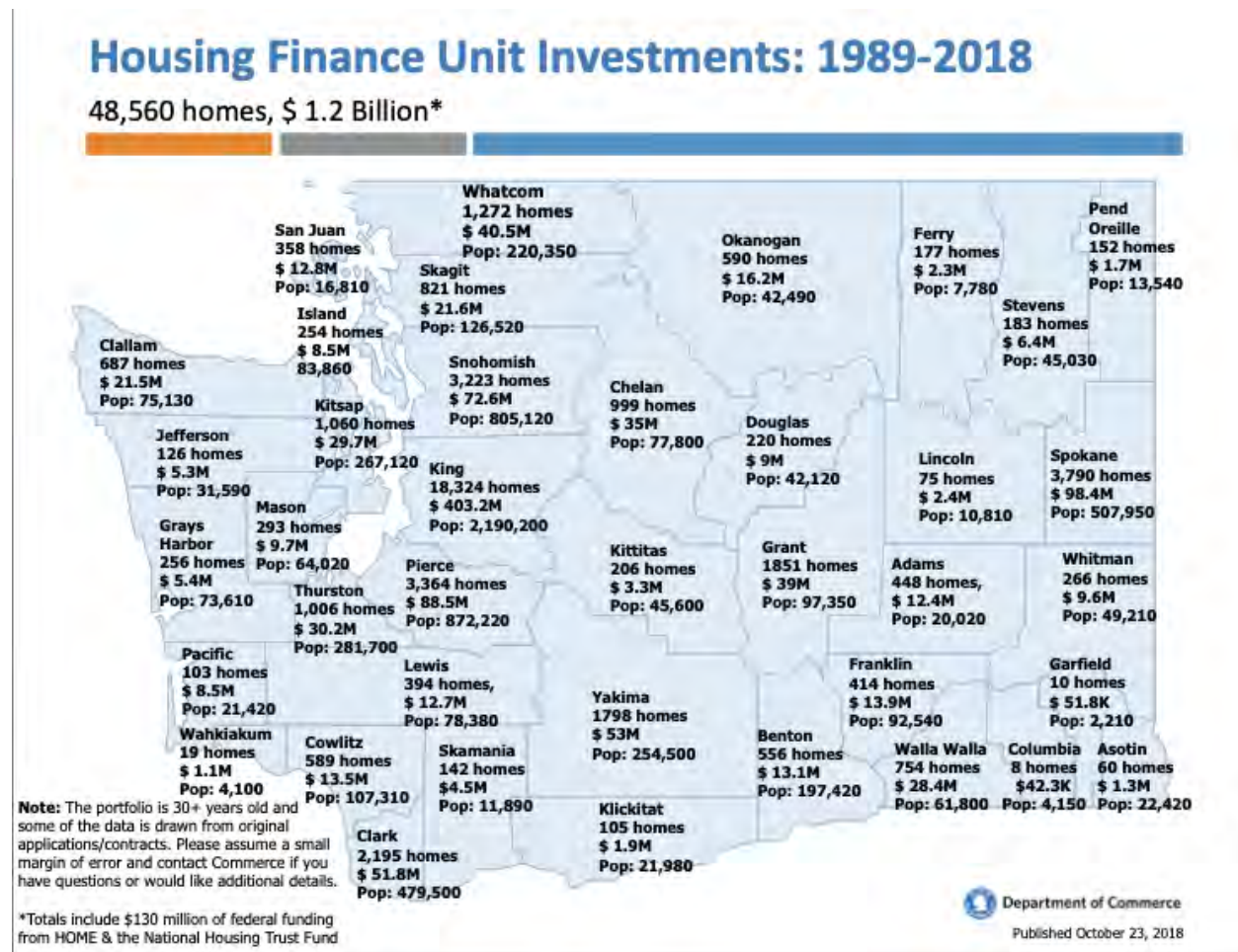
⁵⁵ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation. Retrieved from <http://www.wshfc.org/admin/LegislationSummary.pdf>

⁵⁶ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

⁵⁷ Washington State Housing Trust Fund. (2016). Celebrating 30 years of building a Washington. Retrieved from <http://www.wshfc.org/admin/30yearsHTF.pdf>

investment be in rural areas).⁵⁸ Figure 3 shows HTF investment by county since the fund's inception.

Figure 3. Housing Finance Unit Investments: 1989-2018



Source: Department of Commerce, 2018

Adopted in 1990, the Growth Management Act (GMA) created a land use planning framework to be used by cities and counties, which included requirements for localities to plan for affordable housing development. For the first time, local governments were forced to consider how they would go about putting conditions in place to incentivize private market developers to create affordable housing in their community to meet the need in years to come. The GMA incorporated

⁵⁸ Affordable Housing Advisory Board. (2019). 2018 Affordable Housing Update.

incentive programs to increase affordable housing, which led to many of the inclusionary zoning practices (see discussion below).⁵⁹

Affordable Housing Policy Instruments

Affordable housing programs attempt to address challenges in one of three ways: (a) by providing incentives to developers, (b) through regulation, or (c) by providing sources of funding (either through loans or additional revenue sources). Incentive tools reduce costs to developers through via exemptions. Regulatory tools either create or incentivize affordable housing development within a community. Revenue tools generate funds for local governments to use towards specific affordable housing development costs or related programs.

As the scope of this project was limited supply side affordable housing solutions (i.e., those that increase development of new units), we excluded programs geared towards moving low- and middle-income people into existing housing. Tools with “**” marks are our focus in this research.

Incentive Tools

Incentives are tools, authorized by the State, that local governments can use to reduce the costs of affordable housing construction. They aid in bringing in the private sector to construction. The primary incentive tools include Multi-Family Housing Tax Exemptions (MFTEs) and Impact Fee Exemptions.

****Multi-Family Tax Exemptions:** Eligibility for the Multifamily Tax Exemption (MFTE) program is restricted to projects whose residents earn less than 80% of AMI. MFTEs were first introduced through the “Tacoma Bill” passed in 1995, which provided municipalities with the authority to give property tax exemptions for multi-family housing projects (new construction or renewal) in cities with a population of 150,000 or more for ten years. The exemption has changed overtime to become much more inclusive. Changes in 1997, 2000, and 2002 reduced the minimum population for a city down to 30,000 or more. The largest restructuring of the program came in 2007. The population limit further lowered to 15,000. As a result, 100 cities in the state were eligible for to administer MFTEs. Additionally, instead of a ten year exemption, the property tax exemption was split into two categories: an eight year exemption for multi-family projects, and a twelve year exemption for projects that also included at least 20% affordable units.⁶⁰ There are currently 33,811 MFTE units statewide, with 21% of those having

⁵⁹ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

⁶⁰ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

an affordability restriction. Of the 7,118 affordable units, 1,034 will expire by January of 2022. Out of the 39 counties in Washington, 15 have affordable MFTE projects present.

***Impact Fee Exemptions:* Impact fees are one-time charges assessed by localities to developers to cover the costs of public infrastructure for new developments.⁶¹ Public infrastructure includes school facilities, publicly owned parks, streets and roads, and fire protection. Impact fee exemptions are a relatively new tool for the state. Passed into law in 2012, the exemptions allow for localities that are planning under the GMA, to waive impact fees for affordable housing projects.⁶² Exemptions for affordable housing can either be (1) no more than 80% of impact fees, or (2) the locality can provide a full waiver, but the remaining percentage of the exempted fee must be paid from public funds.⁶³ Every community makes policy decisions about whether the cost of new infrastructure is charged directly to the developer or whether the cost is distributed across the community through use of public funds. Lower costs to the developer is often expected to incentivize affordable housing construction.

Regulatory Tools

These are zoning tools that allow localities to create regulations that either require or incentivize affordable housing development.

Inclusionary Zoning: At the most direct level, localities can create zones that mandate a certain percentage of new housing units to be set at affordable rates. The zoning requirements ensure new developments include affordable housing units. Inclusionary zoning provisions may also include incentives, including density bonuses.⁶⁴ Others may expedite the permitting processes and or include waivers.⁶⁵ By creating incentives through zoning, localities can lower the costs to development and the as well as the quantity of housing built. These inclusionary zoning tools are authorized through RCW 36.70A.540, which included density bonuses, height and bulk bonuses, fee waivers or exemptions, parking reductions, and expedited permitting as accessible tools for localities to provide to incentivize development. Inclusionary zoning also can provide an option to pay an affordable housing fee in lieu of developing the units within a new building.

⁶¹ MRSC. (2019). Impact Fees.

⁶² Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

⁶³ RCW 82.02.060: Impact fees—Local ordinances—Required provisions. (n.d.). Retrieved May 31, 2019, from <https://app.leg.wa.gov/rcw/default.aspx?cite=82.02.060>

⁶⁴ A density bonus would allow a private developer to waive certain fees or guidelines as compensations for building a higher number of units in a certain area.

⁶⁵ MRSC. (2019). Affordable Housing.

ADUs and Tiny Houses: There have been recent efforts to update local zoning in order to try to meet housing demand in creative ways including the creation of smaller housing units that do not require new land to build on. Accessory dwelling units (ADUs) can help localities meet their affordable housing goals all the while preserving the “feel” or appearance of a neighborhood. While there is already state law that requires zoning for ADUs in certain cities and counties, the current codes make them hard to develop.⁶⁶ Some communities have begun to make changes in their requirements, including increases in allowable unit size, removal of parking space requirements, allowing detached units, removing an owner-occupancy requirement, and allowing for more than two dwelling units on a property.⁶⁷ The legislature passed a bill in 2018 that would promote construction of tiny homes (homes that are typically between 100 and 400 square feet), allowing localities to modify minimum floor space requirements. While tiny homes on wheels are allowed in manufactured home parks, they are not yet allowed in single family sites.⁶⁸

***Latecomer Agreements:* Latecomer agreements, or recovery contracts, allow developers who financed street or utility improvements for a new development to recover a portion of those costs from future property owners that benefit from improvements.⁶⁹ While not used directly in affordable housing, the HART report highlighted this tool has the potential to reduce the costs for affordable housing developments. While traditionally, a city or county recovers costs to the developer of the infrastructure, RCW 35.72.050 authorizes a city or county to finance street improvement projects and to be reimbursed in the same way a property owner of real estate would. Alternatively, a locality may “create an assessment reimbursement area on its own, without the participation of a private property owner, finance the costs of the street improvements, and become the sole beneficiary of the reimbursements that are contributed.”⁷⁰ Through our research, we found very limited information about cities and counties engaging in this form of latecomer agreements.

⁶⁶ AWC & MRSC. (2017). Homelessness & housing toolkit for cities. Retrieved from <http://mrsc.org/getmedia/4785af3e-35c7-42ef-8e8e-a44c8d0786c4/Homelessness-And-Housing-Toolkit-For-Cities.pdf.aspx?ext=.pdf>

⁶⁷ AWC & MRSC. (2017). Homelessness & housing toolkit for cities.

⁶⁸ <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bill%20Reports/Senate/5383%20SBR%20HSA%2019.pdf>

⁶⁹ MRSC. (2019). Latecomer Agreements.

⁷⁰ MRSC - Latecomer Agreements. (n.d.). Retrieved May 31, 2019, from <http://mrsc.org/Home/Explore-Topics/Public-Works/Finance/Latecomer-Agreements.aspx>

Revenue Tools

Revenue generating tools are means that Washington has authorized for localities to generate funding for affordable housing construction.

***Tax Increment Financing (TIF):* The basic concept is to capture increases in property values or other tax revenues within a certain area. TIF, as used in other states, cannot be exactly replicated in Washington due to a clause in the State's constitution, article IX section 2, which establishes that property tax collections cannot be diverted from education.⁷¹ Washington's budget-based property tax structure and property tax increase limits also make TIF tools very hard to implement.⁷²

The state has created financing tools that have similar mechanisms to TIF, including the Local Infrastructure Financing Tool Program (LIFT), Local Revitalization Financing (LRF), and the Community Revitalization Finance (CRF) Act. LIFT allows for a fixed amount of state credit revenues set aside to match local revenues that are generated from sales tax and property tax increases in a set area known a Revenue Development Area (RDA).⁷³ The State then contributes up to \$1 million of state-shared revenues per year per applicant. Within LRF, sponsoring agencies create a revitalization area (RA) which captures a portion of property and sales tax generated within the RA to be used for the payment of bonds issued to finance public improvement projects. LIFT and LRF must both garner state approval.⁷⁴ Comparatively, CRF allows cities to capture a portion of property tax increases (non-state) from other districts with their approval.

Despite how these tools have been able to skirt around the tax increment financing restrictions in Washington State, neither are used for affordable housing projects.

For LIFT, the funds raised within an RDA must be used for "local infrastructure financing".⁷⁵ This includes:

- Water and sewer system construction
- Parking, terminal and dock facilities
- Parks and recreational facilities
- Sidewalks, and street lights

⁷¹ *Leonard v. Spokane*, 127 Wn.2d 195 (S32, 1995)

⁷² PSRC. (2013). Value Capture Financing in Washington. Retrieved from <https://www.psrc.org/sites/default/files/valuecapturefinancingreport113-printing.pdf>

⁷³ Crenshaw-Lewis, Stacey and Deaana Gregory "Financing Public Infrastructure under LIFT Statute"

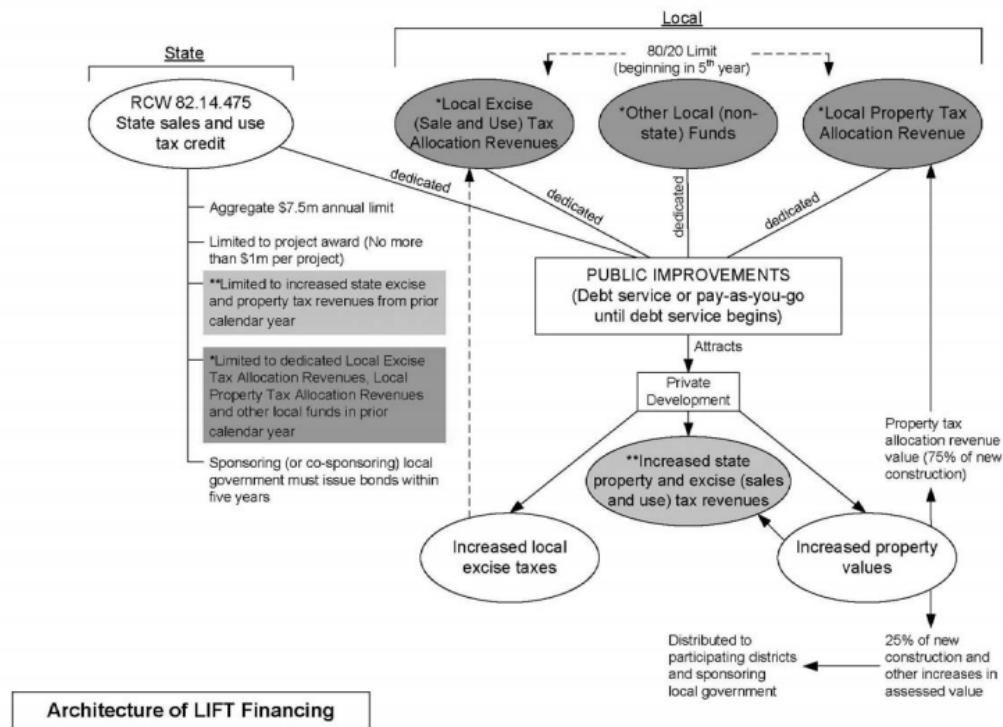
⁷⁴ "Comparison of Tax Increment Financing Statutes in Washington" Foster Pepper PLLC <http://mrsc.org/getmedia/a655f22b-b1e5-4c5f-9cb0-ea4312fle1c1/TIFchart.aspx>

⁷⁵ Crenshaw-Lewis, Stacey and Deaana Gregory "Financing Public Infrastructure under LIFT Statute"

- Stormwater and drainage management systems
- Bridge and road construction or maintenance
- Expenditures for facilities and improvements that support affordable housing⁷⁶

Since cities and local governments do not build housing, this tool in its current form cannot be used as a fiscal tool for affordable housing development.

A diagram of the LIFT financing model can be seen below:



Public improvements that may be financed with LRF include:

- Streets, roads, bridges and rail construction and maintenance
- Water and sewer system construction and improvement
- Sidewalks, landscaping, streetlights
- Park and ride facilities for a transit authority
- Electric, gas and other utility infrastructure
- Expenditure for:
 - Environmental analysis and professional management within RA
 - Historical preservation activities authorized under RCW 35.21.395

⁷⁶ Ibid

Similarly, CRF is intended to be used to raise revenue to finance public improvements that are “designed to encourage economic growth and development in geographic areas characterized by high levels of unemployment and stagnate employments and income growth”⁷⁷ CRF can finance the following public improvements:

- Street and road construction and maintenance
- Water and sewer system construction and improvements
- Sidewalks and street lights
- Parking, terminal and dock facilities
- Park and ride facilities of a transit authority
- Stormwater and drainage management systems
- Expenditure for:
 - Environmental analysis and professional management within RA
 - Historical preservation activities authorized under RCW 35.21.395

Local governments are sponsoring agencies for CRF projects as well, and since local governments themselves do not build housing, this tool is not used for affordable housing development.

Property Tax Levies: Localities may impose property tax levies to support housing for very low-income individuals (50% AMI or below) if approved by a majority vote of registered voters. Levies are limited to ten years and cannot exceed \$0.50 per \$1000 of assessed value. The locality is required to declare an emergency with respect to the availability of housing that is affordable to very low-income households and the legislative authority adopts an affordable housing finance plan.⁷⁸ Currently, the cities of Bellingham and Vancouver are the only municipalities to approve this levy (Jefferson County voted on, but did not pass a levy as well).⁷⁹ Bellingham’s most recent levy, passed in 2018, is projected to generate \$4,000,000 annually.⁸⁰

Sales Tax: In 2015 the legislature authorized localities to propose a 0.1 percent sales-tax levy to finance affordable housing projects, subject to voter approval. The

⁷⁷ RCW 39.89.010

⁷⁸ MRSC. (2019). Affordable Housing. Retrieved from <http://mrsc.org/Home/Explore-Topics/Planning/Specific-Planning-Subjects-Plan-Elements/Affordable-Housing-Ordinances-Flexible-Provisions.aspx>

⁷⁹ MRSC. (2019). Revenue Guide for Washington Counties. Retrieved from <http://mrsc.org/getmedia/4865001b-1f63-410a-a5ed-8d1ad8d752f3/Revenue-Guide-For-Washington-Counties.pdf.aspx?ext=.pdf>

⁸⁰ Bellingham City Council. (2018). Resolution No. 2018-09 - Levy Lid Lift/Affordable Housing Levy. Retrieved from <http://mrsc.org/getmedia/3fdef940-2560-4aa8-ad5c-cf54c32b1eb5/b45o2018-09.pdf.aspx>

revenue must be used for constructing affordable housing, constructing mental health related facilities, or funding operations and costs of new affordable housing developments.⁸¹ Two municipalities, Ellensburg and Olympia, have approved the 0.1% sales tax for affordable housing.⁸²

Document Recording Fees (Affordable Housing For All): Document recording fees were first adopted 2002 when the state authorized a \$10 charge for document processing for private housing development. Of the initial charge, 60% of revenue went to counties/cities to use and 40% went to the state Affordable Housing For All fund. Currently, document recording fees are \$62 per transaction, with revenues being split between housing initiatives and homelessness initiatives.⁸³ For the 2017-2019 biennium, the surcharge was forecasted to generate \$112,759,289 in revenue (to be divided between localities and the state fund).⁸⁴ This fee can be used both for local fees for affordable housing in addition to homelessness initiatives.

Affordable Housing Land Acquisition Program: LAP was created in 2007 to provide low-income housing developers with easier access to capital to purchase land for future affordable housing projects. LAP, like the HTF, is a revolving loan fund. Interest rates on loans are low (less than 1 percent) and housing units built on land using LAP funds must remain affordable for a minimum of 30 years. Funding from LAP on their selected projects, on average, makes up 47% of the total financing, which shows the gap that existed. As of 2014, LAP had loaned \$10.3 million for the acquisition of 18 parcels of land.⁸⁵

Rapid Response Loan Program: RRP provides streamlined loan access for affordable housing developers working in rapidly gentrifying areas or in areas where low-income people are being displaced. It was originally appropriated with \$10 million in funding in 2008. Funding targets populations below 80% AMI and the loans hold the same 30 year minimum affordability requirement.⁸⁶

⁸¹ MRSC. (2019). Affordable Housing.

⁸² MRSC. (2018). Local Ballot Measure Database. Retrieved from [http://mrsc.org/Elections.aspx - results](http://mrsc.org/Elections.aspx-results)

⁸³ Anderson, M. (2014). *Washington Passes Legislation to Extend Document Recording Fees/Surcharge for Homeless Programs*. Center for Community Change. Retrieved from <https://housingtrustfundproject.org/washington-passes-legislation-to-extend-document-recording-feessurcharge-for-homeless-programs/>

⁸⁴ WLIHA. (2017). Overview of the Homeless Housing and Assistance Surcharge. Retrieved from [https://www.wliha.org/sites/default/files/Overview of the Homeless Surcharge with Chart Final.pdf](https://www.wliha.org/sites/default/files/Overview%20of%20the%20Homeless%20Surcharge%20with%20Chart%20Final.pdf)

⁸⁵ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

⁸⁶ Washington State Housing Finance Committee. (2018). Summary of Washington State Housing-related Legislation.

While the breadth of tools in this policy space is expansive, we focus only on a handful of tools, a number of which were included in the HART Report.

3. RESEARCH METHODOLOGY

Our report has been driven in large part by self-directed research, but has also been informed by brief conversations with members of the AHAB committee who worked on writing the HART report.

3.1 Data Sources

To conduct our analysis and develop tools to evaluate housing markets and effectiveness, we reviewed published reports and publicly available data including Washington State 2015 Housing Needs Assessment (HNA) and the American Community Survey (ACS). We also had access to proprietary data from Zillow, the Housing and Transportation Affordability Index, and from JLARC researchers producing a report on MFTEs in Washington State. Where quantitative data was not available, we identified research reports from reputable sources including the Low Income Housing Coalition.

Given the limited data available, particularly in affordable housing development at the local level, we supplemented our research with insights from affordable housing professionals using interviews.

3.2 Interviews

To better understand the fiscal tools for affordable housing we spoke with housing development practitioners who helped draft the 2017 HART report.⁸⁷ The main purpose of the conversations was to help guide our research, as well as supplement our understanding on decisions and recommendations from the 2017 report. Additionally, interviews helped inform our recommendations for this report.

Interviews followed a semi-structured format. Interview questions and related protocols can be found in Appendix 1.

3.3 Method of Analysis

We followed a three-pronged method of analysis:

1. **We developed a housing market typology tool** that sorts counties into four distinctive categories based on a variety of demographic and housing data. The idea behind the typology was to gain a better understanding of the

⁸⁷ Affordable Housing Advisory Board. (2018). 2017 Affordable Housing Update. Retrieved from <http://www.commerce.wa.gov/wp-content/uploads/2018/04/AHAB-2017-Report.pdf>

housing market in each jurisdiction and identify the fiscal tool best suited for that housing market.

2. **We identified criteria** that can be used to assess the efficacy of the fiscal tools for affordable housing. These criteria fit into four main categories: effectiveness, efficiency, equity, and cost.
3. **We looked to other areas** to identify tools they are using to finance affordable housing to provide Washington with alternatives.

4. HOUSING MARKET TYPOLOGY

4.1 Introduction

This chapter describes our process of developing a housing market typology, notable characteristics of each housing market, an initial analysis of TIF-like tools and MFTE distribution across housing markets, and limitations of this framework.

We developed a housing market typology using county-level data. Like the “housing profile” from the GMA Handbook,⁸⁸ we collected data on housing and transit characteristics in each county, as these elements play a critical role in determining what kind of housing is currently needed or will be needed in the future.

While our housing market typology is in its formative stages, it can be used to identify fiscal tools to finance affordable housing in the different housing markets. Key findings are presented in this chapter. Data used to develop the housing market typology for all counties can be found in Appendix 2.

4.2 Data

We collected data on the following key elements:

- a) *Population Density*: We used population density instead of raw population size to determine whether a county was urban and non-urban. Definitions of rural and urban from other federal organizations have varying classifications. The Census Bureau does not define rural, but rather, anything that is not urban is considered rural. In this case, urban is regarded as 50,000 or more people (an urbanized area) or between 2,500 and 50,000 people (an urban cluster). The Office of Management and Budget designates metropolitan and micropolitan counties; a metro containing 50,000 or more and a micro containing between 10,000 and 50,000 people with everything below 10,000 considered rural. We chose to evaluate urban and rural distinction differently because with this measure, we were trying to capture prevalence of, or need for, multi-family housing which is best measured by with population density.

⁸⁸ “GMA Housing Planning Guidebook” (2018) Washington State Department of Commerce.

Population density (expressed people per square mile of land area)⁸⁹ data was derived from the 2017 American Community Survey 5-year population estimates.

- b) Public Transit: We included transit and transportation metrics in our assessment of housing market as transportation costs are frequently the second highest cost burden for a household.⁹⁰ Since land that is closer to public transit and employment centers tends to be more expensive, affordable housing developers are forced to develop on sites further away from employment centers, forcing cost-burdened residents to be reliant on auto transportation. Public transit systems are fundamental to housing development.⁹¹

There has been a notable concerted effort within King, Pierce, and Snohomish County to develop affordable housing around public transit.⁹²

All but the transit infrastructure metrics are from the H+T Affordability Index.⁹³

- *Transit infrastructure*: This is a measure of whether there are any public transit systems in the county. Currently there are 33 transit agencies in the state.⁹⁴ Some counties only have a city-based transit agency whereas other counties have a transportation benefit area (e.g., Kitsap and Pierce County). Information on transit infrastructure is from the 2019 Washington Infrastructure Report Card.
- *Transit Connectivity Index*: Developed as a part of the Housing and Transit Affordability Index, this measure is estimated using the number of bus and transit routes within walking distance for “Block Group” scaled by the “Frequency of Service”.⁹⁵ This index ranges

⁸⁹U.S. Census “Random Sampling” (n.d.) <https://www.census.gov/newsroom/blogs/random-samplings/2015/03/understanding-population-density.html>

⁹⁰ https://www.huduser.gov/portal/pdredge/pdr_edge_research_071414.html

⁹¹ The Center for Neighborhood Technology. (2019). The Housing and Transportation (H+T®) Affordability Index. Retrieved from <https://htaindex.cnt.org/>

⁹² Cohen, J. (n.d.). Can Puget Sound make room for 1.8M people without pushing anyone out? Retrieved May 12, 2019, from <https://crosscut.com/2019/03/can-puget-sound-make-room-18m-people-without-pushing-anyone-out>

⁹³ The Center for Neighborhood Technology. (2019). The Housing and Transportation (H+T®) Affordability Index. Retrieved from <https://htaindex.cnt.org/>

⁹⁴ “Washington Infrastructure Report Card” (2019)<https://www.infrastructurereportcard.org/wp-content/uploads/2016/10/2019-WA-Infrastructure-Report-Card.pdf>

⁹⁵ The Center for Neighborhood Technology. (2019). The Housing and Transportation (H+T®) Affordability Index.

from 0 to 50. The lower the index score the more likely the jurisdiction lacks an adequate public transit system. The range of scores across counties was 0 to 6.

- *Average Transportation Costs as Percent of Income:* The H+T Affordability Index estimates transportation costs including auto ownership, auto usage, and public transit usage. High average transportation costs stem from high auto usage, which also indicates limited public transit system.
 - *Autos per Household:* This is a measure of autos per household in every county. It is a proxy measure of transit infrastructure. For this characteristic, there was not significant variation across counties; the lowest being King County (1.73) and the highest being Skamania County (2.12).
- c) Housing Characteristics: Housing characteristics present a baseline understanding of the size of the housing supply, value of existing housing stock, the composition within the county including percent of owner occupied housing, and average housing cost as a percent of income. These are indicators of affordable housing need and supply.
- *Number of Housing Units:* Data for this characteristic was derived from 2013-2017 ACS estimates from the census. Housing units capture both single family homes as well as multi-family units. There is significant variation across counties. For example, in Garfield County, there were a reported 1,254 units. In King County, there were 902,107 units.
 - *Median Home Value:* This metric is used as a proxy measure for cost of living. Median home value describes that exactly half of the homes in the county are listed above this value and exactly half are listed below this value.⁹⁶ King County and San Juan County have the highest median home values \$620,500 and \$603,600 respectively. Median home values were sourced from the most recent data available on Zillow when data was collected (3/20/2019).
 - *Owner-Occupied Units and Renter Occupied Units:* To evaluate the composition of unit ownership in each county we collected data

⁹⁶ “What does Median Price Mean?” (n.d.) <https://www.realsourcebrokers.com/median-price/>

reporting owner-occupied units. Data reported in the H+T Affordability Index shows the Wahkiakum County had the highest percentage of owner-occupied units (79%). Whitman county on the other hand had the highest percentage of renter-occupied units. Notably, Whitman is the only county in the state that reports most of (56%) the housing units are renter occupied units.

- *Median Gross Monthly Rent:* To determine affordability for rental units, we collected data on median rental costs per month. Not surprisingly, there is significant variation in the data. Okanogan County reported the lowest rental costs -- \$432 per month. King County reported the highest median rental costs -- \$1,164 per month. Rental costs appear to be correlated with population density with less densely populated counties having lower median rents and vice versa. Data on median rents was sourced from the H+T Affordability Index.
- *Average Housing Cost as Percent of Income:* This measure is used to evaluate housing affordability; housing is generally considered unaffordable if housing related costs meet or exceed 30% of monthly income. Sourced from the H+T Affordability Index, this metric was used as a key component in designating typologies as affordable and unaffordable. For example, Garfield County is considered the most “affordable” county to live in (22% of income spent on housing). Comparatively, Pacific, Jefferson and Skagit counties tie as the most “unaffordable” counties with 32% of income spent on housing.
- *Rental Vacancy Rate:* The 2017 Housing Affordability Response Team report notes that there is a severe shortage of affordable housing. Additionally, the current state vacancy rate is 2.7%.⁹⁷ Vacancy rates measure the number of unoccupied rental housing units. We included this characteristic to differentiate between counties by vacancy rate. Rental vacancy rates are reported in the American Community Survey.

Using these data, we’ve identified four “housing market typologies”. First, we divided counties into urban and non-urban categories based on population density (person per square mile). Note that non-urban does not insinuate rural.

⁹⁷ Runstad Department of Real Estate. (2018). Washington State Apartment Market Report – Spring 2018.

We examined average housing costs as a percent of income in each county and sub-divided the categories based on housing affordability – i.e., those whose costs were more than 30 percent of personal income and thus considered unaffordable and those whose housing costs were less than 30 percent of personal income and therefore considered affordable. Our initial review identified four distinctive categories:

1. Urban/Unaffordable
2. Urban/Affordable
3. Non-Urban/Unaffordable
4. Non-Urban/Affordable

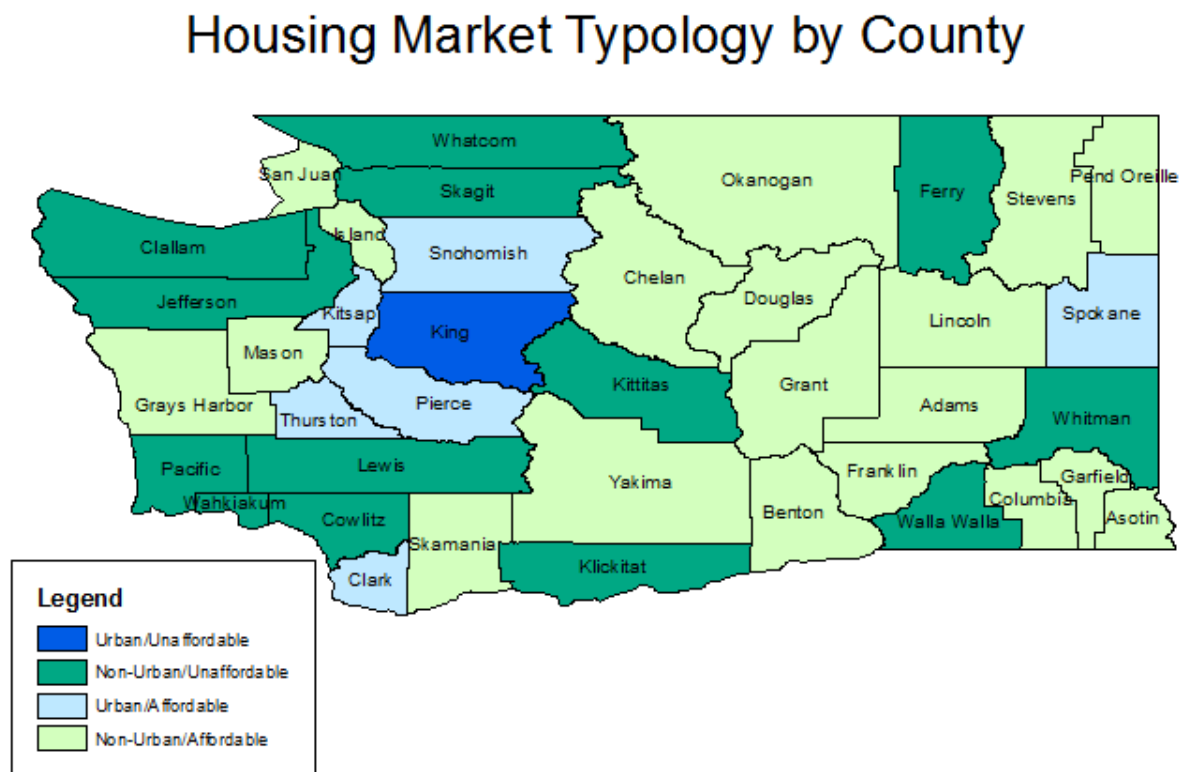
While population density and average housing costs as percent of income were the only two metrics used in developing the typology, we found that many of the other characteristics support our determination of four distinctive categories. The results are shown in Table 1.

Overall, the highest number of counties (17) fall within the non-urban/affordable category. Only one county, King County, falls within the urban/unaffordable category. Figure 4 below shows the geographical distribution of housing markets in the state.

Table 1: Counties by Typology			
Urban/ Unaffordable *1	Urban/Affordable *6	Non-Urban/ Unaffordable *15	Non-Urban/ Affordable *17
King County	Snohomish County	Klickitat County	Stevens County
	Thurston County	Ferry County	Lincoln County
	Clark County	Whitman County	Pend Oreille County
	Kitsap County	San Juan County	Franklin County
	Pierce County	Walla Walla County	Asotin County
	Spokane County	Wahkiakum County	Mason County
		Island County	Douglas County
		Jefferson County	Yakima County
		Skagit County	Adams County
		Lewis County	Columbia County
		Clallam County	Garfield County
		Whatcom County	Grays Harbor County
		Cowlitz County	Chelan County

		Kittitas County	Skamania County
		Pacific County	Benton County
			Okanogan County
			Grant County

Figure 4. Housing Market Typology by County



4.3 Typology Characteristics

Urban/Unaffordable

The urban/unaffordable typology is limited to one county -- King County. This typology is marked by some of the following distinct characteristics:

- Median home value is \$620,500; highest across all typologies exceeds the Washington State average of \$385,900. Percent of detached single-family homes are at 55%; the second lowest across all counties. Second lowest rate of owner-occupied units; 57%.
- Highest median gross monthly rent; \$1,164. Rental vacancy rate is 1.79%
- Average housing cost as percent of income is 31%, which is unaffordable on average, and housing is unaffordable to 52.3% of population.
- Ranked the highest on the transit connectivity index; indicating the influence of public transit infrastructure positively affecting transportation

costs. Lowest average number of autos per household. Lowest average transportation cost as percent of income.

Urban/Affordable

Six counties fall within this typology (Snohomish, Thurston, Clark, Kitsap, Pierce, Spokane). There were identified as “affordable” since average housing cost as percent of income fall below the 30% affordability threshold even though they represented densely populated areas (from 264 up to 648 people per square mile).

This typology is marked by some of the following distinct characteristics:

- Median home value is \$242,100 to \$470,900. The detached single-family home percentage ranges from 65% to 69%. Owner-occupied unit percentage ranges from 61% to 67%.
- Median gross monthly rent at \$774-\$1,106. Rental vacancy averages at 1.87%; higher than the comparable urban group.
- Number of housing units ranges from 110,944 to 339,302. A correlation between housing unit number and percent single family detached: fewer units are correlated with higher percentage of single-family homes.
- 24.7%-49.5% of populations within counties are experience housing unaffordability.

Non-Urban/Unaffordable

This typology is non-urban with a population density threshold of 1 to 250. Both non-urban typologies share the same average percentage of transportation costs as a percent of income (30%). However, average housing cost as percent of income for this typology surpasses the affordability standard of 30%, making housing unaffordable on average. The percent of the population whose housing is unaffordable to them ranges from 36.8% to 77.4%, Distinctive characteristics include:

- The range of median home value encompasses the state average: \$180,300 to \$396,900. Percent of single family detached homes is 49% to 85%. Owner-occupation ranges from 44% to 79%; Whitman County serves as an outlier in that it is the only county that has higher renter occupation than owner occupation.
- Average gross rent ranges from \$494 to \$1,012; more dispersed than the comparable non-urban typology. Lower average number of autos per household than the comparable non-urban group.
- Range of number of housing units is 2,108 to 94,452.

Non-Urban/Affordable

There are 17 counties that fall within this typology. While this group is on average considered affordable (housing costs on average are less than 30% of inhabitants’

monthly income), the range of percent of population who experience housing unaffordability reaches from 0%-49.5%. The six counties in the 40's range of unaffordability have a spread of relatively high and low median home values, suggesting this unaffordability rate is not correlated with median home value and perhaps could indicate relation to household earnings. Other notable characteristics are:

- This typology has the smallest county population and housing unit size in it; the range is 1,254 to 87,777 units.
- Median home value range (\$143,800 to \$334,100) is the only typology to fall below the Washington State median home value of \$385,900.⁹⁸ Percent of single-family households ranges from 56% to 82%. Owner occupied units has the highest range value; 61-79% owner occupied.
- Highest average of number of autos per household compared to the other typologies.
- Average gross rent remains the lowest across groups; \$432-\$883 a month. Vacancy rates remain low, with the highest value at 2.66% which is below the state average of 2.7%.

4.4 Fiscal Tool Usage by Housing Market

We completed a review of prevalence of fiscal tools (i.e., MFTE, CRF, LIFT and LRF) in each housing market. Information on MFTEs was provided by JLARC. They are expected to release a report on MFTE use in the state. The data includes MFTE units and MFTE units with affordability requirements. The results are shown in Table 2.

Table 2. Allocation of Fiscal Tools by Number

Housing Market Type	MFTE Total	MFTE Affordable	CRF	LIFT	LRF
Non-Urban Affordable	123	96	6	1	3
Non-Urban Unaffordable	560	0	0	2	1
Urban Affordable	6,774	1,001	0	5	10
Urban Unaffordable	26,365	6,032	0	1	4

Source: Washington State Department of Revenue, 2016⁹⁹; JLARC, 2019¹⁰⁰

⁹⁸ Zillow. (n.d.). *Housing Data* [Data set].

⁹⁹ Gearhart, M. (2016). Tax Increment Financing Type Programs in WA. Legislation and Policy Division. Department of Revenue WA. Retrieved from

Urban/Unaffordable

As we reported earlier, only one county -- King County is classified at Urban/Unaffordable. Data on MFTEs shows that 77.95% of all MFTE units and 84.6% of all affordable MFTE units were developed in King County. This suggests that MFTE may be better suited for areas characteristically like King County - high population density, meaning a need for multifamily housing, and issues with widespread housing unaffordability.

Even though King County has the largest percentage of all affordable MFTE units in the state, when compared to the total number of all MFTE units, only 22.8% of them have affordability requirements. Additionally, only five TIF-like tool projects have been used (one LIFT and four LRF).

Urban/Affordable

There are 6,774 total MFTE projects with 1,001 of them having affordability requirements (14% out of total affordable MFTE projects) developed in the six counties classified as Urban/Affordable.

Every county reported MFTE. However of the six, Thurston County did not report any affordable MFTE units. There are 15 TIF-like projects, (five LIFT and ten LRF) in the six counties. Over 50% of LIFT and LRF projects are in counties within this typology.

Counties in this typology likely benefit from lower land costs and more availability of projects due to the reduced density compared with King County. While they are still categorized as urban, their mean density was 408 people per square mile, which is less than half that of King County. While they have advantages compared to King County with this reduced density, these counties also still have the benefit of a robust number of housing entities and developers to facilitate affordable housing development, which is not the case in the non-urban areas.

Non-Urban/Unaffordable

There are 560 MFTE projects in this housing market made up of 15 counties. It is notable that this typology is delineated from the non-urban affordable typology because on average housing costs exceed 30% of monthly income making it unaffordable. Despite this, there are no MFTE units with affordability requirements in the counties that fall within this typology. Moreover, MFTE units were limited to Walla Walla County, Whatcom County and Kittitas County. The

<https://dor.wa.gov/sites/default/files/legacy/Docs/Pubs/Misc/LocalGovernment/TaxIncrementFinancing.pdf>

¹⁰⁰ JLARC. (2019). *Multifamily Tax Exemption Data* [Data set].

limited number of MFTE developments within this typology may be due to the lower population density often associated with fewer multifamily units; A different tool may be better suited for this market typology. There are three total TIF-like tool projects: two LIFT and one LRF.

Non-Urban/Affordable

This housing market, made up of 17 counties, reported 0.36 percent of MFTEs and 1.3% of the state's total MFTE affordable developments, and 33% of the total TIF-like tool projects. However, this is the only typology that has explored all four tools for affordable housing.

All of the counties that have community revitalization financing are within this typology. This may be because CRF was specifically designed to “encourage economic growth and development in geographic areas characterized by high levels of unemployment and stagnate employments and income growth”. This further speaks to the characterization of the area. For MFTE, only Yakima and Grant Counties have MFTE units and only Grant County has affordable MFTE units.

4.5 Implications and Uses

We hope that this framework can be used to understand how fiscal tools for affordable housing are used to increase the supply of affordable housing. While there are city-level housing market profiles, our statewide housing market typology provides the state with a broader understanding of housing market characteristics and current use of affordable housing tools.

To make this tool more robust, analysis could be done looking into historical data and trends by county to see how these counties may have shifted from different typologies over the years. Moving forward, systematic data collection, perhaps by zip code, would aid in the use of the use of this framework. Data should be collected on the location of impact fee exemptions as well as latecomer agreements. Once the distribution and prevalence of the tools across the typologies is established, analysis could be done to see potential associations or correlations with housing affordability metrics.

This framework can also be used to develop policy and determine resource allocation. For example, counties within the urban affordable typology may shift into the urban unaffordable as a result of migration. Should this happen, analysts could look to King County (the only urban/unaffordable housing market) to

identify new strategies to mitigating housing supply shortage and create more affordable housing.

4.6 Limitations

There are limitations to the housing market typology.

1. We were unable to identify academic research to provide a methodological basis for preparing this typology. Therefore, the development of this tool is based on informed yet subjective judgements.
2. The designation of four typologies, while effective for analysis, was done for simplicity reasons given time constraints.
3. Our analysis was also limited due to time constraints and lack of available information on latecomer agreements and impact fee exemptions. Two counties, San Juan County and Island County, had to be excluded from our analysis as there was no data on housing costs as percent of income. However, these two counties fall into the non-urban categorization so their placement would have been either in non-urban affordable or non-urban unaffordable.

5. METHODOLOGY FOR ANALYZING FISCAL TOOLS

To assess the success of fiscal tools used for affordable housing in Washington, we need to go beyond simply the number of units created using that policy. While the core question we are focused on is whether these tools do or do not create affordable housing, the reality is that effective affordable housing is not just a yes or no proposition. Due to the depth required to accurately analyze these tools, we are proposing a matrix analysis that will assess each tool across several key factors. We identified criteria that capture the complexities of affordable housing development. These criteria fit into four main categories: effectiveness, efficiency, equity, and total cost. Importantly, no single tool will excel in all of these areas. There will always be tradeoffs, but by highlighting which tools succeed in particular areas, decision makers will be able to more effectively implement and modify what is being used in Washington currently. After discussing the criteria, we will review what data would be needed in order to successfully apply the criteria and evaluate the tools.

5.1 Fiscal Tool Evaluation Criteria

Effectiveness

- *Total use*: How many affordable housing units have been created using this fiscal tool in the past ten years?
- *Percentage of use*: What percentage of affordable housing units in the past ten years utilize this tool?
- *Life cycle*: On average of affordable housing projects, how many years does this tool ensure housing affordability for?

**The time frame analyzed could be modified to meet the goals and needs of an assessment. Ten years was used to capture current use, but still provide a wide enough perspective to illuminate overall trends.*

The main question we want to address for effectiveness is: *How effective are the state's current fiscal tools at creating affordable housing?* Fiscal tools for affordable housing only matter if they succeed in helping to create affordable housing units in Washington. The “total use” and “percentage of use” criteria measure whether each tool was able to do that. A tool will score well if it frequently used and reports a higher proportion of affordable housing projects. Life cycle measure is to assess the instruments ability to secure affordable housing over time. For several of the tools analyzed, they include a set period for use, which means their effectiveness at

keeping units affordable is limited. Longer life cycles guarantee affordability in the long run. This however may limit the use of this tool by developers due to the additional costs.

Efficiency

- *Leveraging efficiency*: How many dollars of private investment can be brought in by \$1 of government investment?
- *Cost reduction*: To what extent does this tool lower costs for new developments?
- *Ease of use*: How easy is the tool to use for housing developers?

Fiscal tools can scale up and ultimately create more affordable units if they are able to bring in additional private investment through their use. This criterion measures how much private input each tool can leverage. A tool will score higher if it can leverage more private funds. We also want to know if these tools lower costs for developers. Ultimately, developers are motivated by profit margins, so an important way to assess each tool is through how much it is able to reduce overall costs. Lastly, accessibility will measure how easy each tool is to use. Some fiscal tools are far more complicated than others, which adds costs that may make them less appealing for developers.

Equity

- *Travel costs*: Does the tool create affordable housing in areas that have access to jobs and desirable amenities?
- *Community accessibility*: Does the demography (i.e. racial, gender, age, family composition makeup) of the beneficiaries of this tool look like the demography of local low-income families?

Housing policies need to ensure that people who are most vulnerable, and those that have been discriminated against in the past, benefit in an equal or greater way. Washington has had a history of racist housing policies that forced communities of color to live in specific areas through “redlining”. As such, equity considerations should be at the center of all discussions.

To measure equity, we suggest the use of two measures. Travel costs will be used as a proxy to assess job access and desirability of an area to live in. If travel costs are higher, it indicates that those that live in a community need to go outside of their immediate area in order to have access to jobs and other essentials that they need. Housing can be in quantity in areas that are not developed, but that does not mean that that is where the state should be focusing tools. Community accessibility will assess whether a tool is able to create housing in areas where all different types of

people are able to live. It is essential to be able to live in the community where you consider home to be, and if a tool only creates units in certain areas, it will be ignoring this key factor.

Total Cost

- *State investment*: How much state funding is directed towards affordable housing via fiscal tools (both in total and per unit of affordable housing)?
- *Local investment*: How much local funding is directed toward affordable housing via fiscal tools (both in total and per unit of affordable housing)?

For cost, we focused on the use of state and local government contributions. Federal contributions were considered in the incentives measure. State and local were broken out in separate categories as some of the tools in WA require direct state investment while others are focused on authorizing localities to contribute their own funds. Investments here are an important consideration as it represents an opportunity cost; any money being spent of affordable housing cannot be used elsewhere. These measures also included a cost per unit of affordable housing, as this will help assess how far that governmental investment can go in creation of housing units. Tools would score higher in total cost if they had lower levels of funding contributed, in conjunction with a lower ratio of funding per unit. This should be considered in context with criteria from other categories, as there could be a case with very low cost and a low ratio that did not result in the construction of many affordable units, or created units in locations where nobody wanted to live.

5.2 Future Data Collection

A significant impediment to our work analyzing the fiscal tools is the lack of a data on housing projects and affordable units inventory. To know how well these tools are working we need to have data on where they have been used and the number of units that have resulted from that investment. We recognize this effort will be time consuming and challenging, but attainable.

For historical data, all municipalities in the state would have to be contacted to generate information on what tools have been used. JLARC has just gone through this process with a focus on MFTE use. Going forward, the state should mandate that all municipalities submit data on affordable housing developments being built in their jurisdictions. This would be an added step to planning divisions of these governments, but one that would be worth the additional workload.

To use the criteria developed, one would need to collect for each project:

- Number of affordable housing units created
- Number of affordable housing projects completed
- Life cycle agreements for mandated affordable housing units
- Private sector investment for each project
- Estimated total cost savings to private sector (this could be provided by the private developer)
- State investment in each project
- Local investment in each project
- Reflection on the difficulties of using fiscal tools (this could be provided by a survey distributed to private developers)
- Demography of tenants of affordable housing projects

One potential challenge would be getting the data from developers. Firms would likely vary in their willingness to provide such information or data may be difficult to collect in a uniform way. A potential fix for this would be a state or local level mandate developers provide this information as a condition of funding. The data for the equity criteria could be found by comparing the locations of housing developments with travel cost or ACS (Census) data. For transit costs, a travel index such as the H+T Index (a housing and transit index used to categorize those costs) could be used. ACS data can delineate housing units development using a variety of socio-economic and demographic factors.

6. CASE STUDIES

Allbee, Johnson and Lubell divided fiscal tools for affordable housing into six categories: preservation, protection, inclusion, revenue generation, incentives and property acquisition.¹⁰¹ In total, there were 20 types of tools. For each type of tool, Allbee, Johnson and Lubell provided several famous examples of practical application. We further studied some of these cases of how other areas are using TIF, MFTE, impact fees waivers or similar tools to increase the supply of affordable housing. This offered Washington policy makers with alternatives.

6.1 TIF Set-Aside Policy - The City of Portland, Oregon

The population of the City of Portland is 647,800. It covers an area of 145 square miles, which results in a population density that is half of Seattle's. In 2016, Portland had 256,432 households.¹⁰² About 60% of total households were single-family homes.¹⁰³ 53% of total households were homeowners. The median annual income for renters was \$36,883 and for homeowners was \$83,708. For housing stock, there were 280,396 housing units, which was more than total households.¹⁰⁴ However, this does not equate to housing that is affordable. In 2018, the average monthly rent was \$1,430, and monthly homeowner cost was \$1,923.¹⁰⁵ 33% of homeowners and about 50% of renters are paying more than 30% of their income on housing.¹⁰⁶ For housing types, the more bedrooms a unit has, the less affordability to tenants.¹⁰⁷ A 3-person household in Portland must earn more than 80% AMI in order to make the average rent affordable.¹⁰⁸ In the greater Portland area, the shortage of affordable and available housing is 48,000 units.¹⁰⁹

To address the affordable housing shortage, the City of Portland implemented tax increment financing (TIF) in 2006, which used future tax growth to pay for current public investment. 30% of tax increment funding was set aside for affordable housing for households with less than the median family income. In 2015, that

¹⁰¹ Allbee, A., Johnson, R., & Lubell, J. (2015). Preserving, Protecting, and Expanding Affordable Housing: A Policy Toolkit for Public Health. *Oakland, CA: ChangeLab Solutions*. Retrieved from https://www.changelabsolutions.org/sites/default/files/Preserving_Affordable_Housing-POLICY-TOOLKIT_FINAL_20150401.pdf

¹⁰² Portland Housing Bureau. (2018). State of Housing in Portland. Retrieved from <https://www.portlandoregon.gov/phb/article/707182>

¹⁰³ City of Portland Bureau of Planning and Sustainability. (2010). Portland Plan Background Report Overview. Retrieved from <http://www.portlandonline.com/portlandplan/index.cfm?a=270959&c=51427>

¹⁰⁴ Portland Housing Bureau. (2018). State of Housing in Portland.

¹⁰⁵ Portland Housing Bureau. (2018). State of Housing in Portland.

¹⁰⁶ Housing & Community Development Division. (2017). Annual Housing Report. Retrieved from <http://portlandmaine.gov/AgendaCenter/ViewFile/Item/5538?fileID=27756>

¹⁰⁷ Portland Housing Bureau. (2018). State of Housing in Portland.

¹⁰⁸ Portland Housing Bureau. (2018). State of Housing in Portland.

¹⁰⁹ Small, R. (2018). You are here: A snapshot of greater Portland's need for affordable homes. Retrieved from <https://www.oregonmetro.gov/news/you-are-here-snapshot-greater-portlands-need-affordable-housing>

ratio was raised to 45%.¹¹⁰

Within five urban renewal areas, each designated area created a plan to allocate TIF revenue to help low-income households rent or own an affordable house.¹¹¹ By 2019, about 400 million dollars were used for affordable housing programs.¹¹² From 2015 to 2018, TIF in Portland had created 1,886 affordable rental units.¹¹³ The effect of TIF in Portland's housing market is significantly larger than the effect of LIFT or CRF in Washington, which had only 15 instances of use in Washington State .

While legal restrictions currently keep TIF from being a viable tool in Washington, there are two ideas that we can borrow from the TIF program in Portland.

- The City of Portland has uploaded reports every year containing comprehensive data. This helps in tracking the success and effectiveness of their work with TIF. Moving forward with affordable housing development, the development of a database of units for LIFT, CRF and also other tools would be helpful in evaluation and analysis initiatives.
- Washington may need to spread the use of TIF-like tools to allow for these tools to create bigger impact.

6.2 Tax Increment Reinvestment Zones - The City of Austin, Texas

Experiencing a lack of 48,000 affordable homes, the City of Austin created Homestead Preservation Districts (HPDs) and Homestead Preservation Reinvestment Zones (HPRZ). The Homestead Preservation Law describes that this initiative was designed to:

- Promote the ability of municipalities to increase home ownership, provide affordable housing, and prevent the involuntary loss of homesteads by existing low-income and moderate-income homeowners living in disadvantaged neighborhoods;
- Protect a municipality's interest in improving economic and social conditions within disadvantaged communities by enhancing the viability of home ownership among low-income and moderate-income residents in areas experiencing economic pressures; and
- Provide municipalities with a means to expand and protect the homestead interests of low-income and moderate-income families.¹¹⁴

¹¹⁰ BCP-HOU-1.06

¹¹¹ City of Portland. (n.d.). Tax Increment Financing Set Aside for Affordable Housing. Retrieved from <https://www.portlandoregon.gov/citycode/article/553338>

¹¹² Portland Housing Bureau. (2018). State of Housing in Portland.

¹¹³ Portland Housing Bureau. (2019). Tax Increment Financing Affordable Housing Set Aside 2019 Report. Retrieved from <https://www.portlandoregon.gov/phb/article/713383>

¹¹⁴ LOCAL GOVERNMENT CODE CHAPTER 373A. HOMESTEAD PRESERVATION DISTRICTS AND REINVESTMENT ZONES. (n.d.). Retrieved June 1, 2019, from <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.373A.htm>

Requirements to be designated as an HPD include size restrictions, a set poverty level, and median family income that is less than 80 percent of the median family income for the entire municipality. Once a HPD is established, three regulatory tools are used to achieve affordability for the area: HPRZs, Homestead Land Trusts, and Homestead Land Banks. The Homestead Preservation Districts and Reinvestment Zones do not establish new taxes or increase existing taxes on residents.¹¹⁵ HPRZs serve as a type of Tax Increment Financing and direct property tax money to land trusts or land banks.

One or more Homestead Land Trusts may operate within a HPD. Land trusts are organized as localized non-profit organizations that acquire property either through private donation or through government subsidies (in this case from the government) and then sell that land to low- or moderate-income buyers while maintaining the deed to the land.¹¹⁶ Should the buyer decide to sell in the future, the land trust will have a restriction in place for how much they can profit from the sale in order to ensure the affordability of the units. Leases through a land trust usually are 99 years in length, ensuring sustained affordability.¹¹⁷ For a homestead land trust within a HPD, they must lease or sell housing units to households at or below 70% median family income (MFI) with 40% of those units being leased or sold to households at 50% MFI and 10% of those households at 30% MFI.¹¹⁸

Additionally, a city may adopt a Homestead Land Bank which allows the City to purchase and hold land for “the purpose of creating affordable housing within the district”.¹¹⁹ The land bank may sell to a developer intending to build affordable housing. Part of the role of the land bank is they impose deed restrictions on the land that requires the developer to sell or rent the housing units to low-income households; specifically “all homes must be sold to households at or below 80 percent MFI with at least 25 percent of housing units sold to households earning at or below 60 percent MFI.”¹²⁰

There are several ideas that we can borrow from Austin:

¹¹⁵ Homestead Preservation Districts | Housing | AustinTexas.gov - The Official Website of the City of Austin. (n.d.). Retrieved June 1, 2019, from <https://austintexas.gov/page/homestead-preservation-districts>

¹¹⁶ Stephens, A. (2014). Should Community Land Trusts Rank Higher in the Affordable Housing Toolbox? Next City: Inspiring Better Cities. Retrieved from <https://nextcity.org/daily/entry/should-community-land-trusts-be-higher-in-the-affordable-housing-toolbox>

¹¹⁷ Ibid

¹¹⁸ Homestead Preservation Districts | Housing | AustinTexas.gov - The Official Website of the City of Austin. (n.d.). Retrieved June 1, 2019, from <https://austintexas.gov/page/homestead-preservation-districts>

¹¹⁹ Homestead Preservation Districts | Housing | AustinTexas.gov - The Official Website of the City of Austin. (n.d.). Retrieved June 1, 2019, from <https://austintexas.gov/page/homestead-preservation-districts>

¹²⁰ Homestead Preservation Districts | Housing | AustinTexas.gov - The Official Website of the City of Austin. (n.d.). Retrieved June 1, 2019, from <https://austintexas.gov/page/homestead-preservation-districts>

- Washington State can consider the possibility of establishing new tax increment reinvestment zones.
- Washington State should consider the possibility of getting non-government organizations (like Land Trust in Austin) involved.
- Washington State may also use multiple regulatory tools to achieve housing affordability.

6.3 The Class 9 Affordable Housing (Class 9) Incentive program – Cook County, Illinois

The economic crisis in 2008 started a national trend of people choosing to rent rather than purchase homes. This put low-income households in competition with middle- and higher-income households for affordable rental units. Cook County has the second largest population among all counties in the US. Its population density is 3.4 times of King County's and it suffered more from an increase in low-income renters and a shortage of affordable rental units. From 2009 to 2015, the gap between demand and supply of housing units kept the level at 180,000 households.^{121 122}

Cook County also has a focus on low-income renters. However, Cook County requires more action because of its huge population base. Instead of mandating rich homeowners to pay more taxes to subsidize renters facing poverty, Cook County tackled this problem by developing a program that encouraged property owners to invest in affordable housing units by offering a tax reduction called the Class 9 Program.

In Washington, MFTEs offers property tax reduction on the value of property improvements for 12 years for building affordable units, and for 8 years for building multifamily units. Like MFTE, Class 9 status can last 10 years and can be extended for two more 10-year extensions. To have a Class 9 status, a property should have seven or more rental residential units. More than 35% of all units must be affordable to tenants who must earn less than 80% of area median income. Affordability metrics are updated by the U.S. Department of Housing and Urban Development annually. The affordable rent rate is also about 30% of income.¹²³ There are also renovation requirements for Class 9 status.

In the mid-2000s, the taxable portion of the Class 3 commercial properties was 33%.¹²⁴ For Class 9, the assessment value for properties was only 16%. But in 2011,

¹²¹ Cook County Assessor's Office. (2013). Affordable Housing and the Alternative Affordable Relief Model. Retrieved from

<http://www.cookcountyassessor.com/assets/forms/Class9AffordableHousing.pdf>

¹²² Cain, S. (2018). New Incentives for Affordable Housing. Retrieved from <https://rogerspark.com/gallery/14-housing/237-new-incentives-for-affordable-housing>

¹²³ Cook County Assessor's Office. (2018). Class 9 Eligibility Bulletin. Retrieved from <http://www.cookcountyassessor.com/assets/forms/cls9b.pdf>

¹²⁴ Cain, S. (2018). New Incentives for Affordable Housing.

for both Class 3 and 9, the taxable rates were changed to 10%.¹²⁵ Since commercial properties are more profitable and the taxable portion for Class 3 and 9 are the same, some people believe that the incentives to Class 9 are decreasing. Although some researchers still consider Class 9 as an important tool to retain affordable housing, as a result, Class 9's participants decreased. In 2015, there were 1,792 Class 9 buildings but only 389 of them in 2017.^{126 127}

The Class 9 program is not attractive in the strong housing markets. Therefore, low-income households who live in Class 9 properties tend to live in low-opportunity areas, which is not beneficial to social mobility or community health. To attract more property owners to offer affordable rental units, Illinois General Assembly issued House Bill 2168 in 2019. Based on the Class 9, a new property tax incentive was designed with less requirements and more benefits to the multifamily property owners. The government hopes this would promote the growth of supply of affordable housing, especially in the strong housing market.

MFTE and Class 9 were contemporaries.¹²⁸ Also, they both serve urban and unaffordable housing market: King County and Cook County. Although MFTE has a higher utilization level in King County, some ideas from Class 9 can still be borrowed to increase the use of MFTE.¹²⁹

- It is important that a fiscal tool offers enough compensation to property owners to offset their loss. Class 9 does not work as well as MFTE because it does not offer an attractive deduction. To further expand its influence, MFTE could consider longer exemption period for affordable units (i.e., longer than 12 years) and shorter exemption period for multifamily units (i.e., shorter than 8 years).
- A fiscal tool can be designed for different types of housing market. This can be built on with our typology framework. In addition, further study should be conducted on the combination effect of MFTE and other fiscal tools.
- The application procedure should be easy and clear. Cook County complicated its application procedure (e.g. changed from requiring no follow-up affidavits submission to once a year, and this change was made without proper notification). It resulted in some Class 9 properties changing to Class 3 because the owners did not know that they needed to submit

¹²⁵ The Civic Federation. (2010). The Cook County Property Assessment Process. Retrieved from https://www.civiced.org/sites/default/files/100405_CookCountyAssessmentPrimer.pdf

¹²⁶ Cook County Assessor's Office. (2013). Affordable Housing and the Alternative Affordable Relief Model.

¹²⁷ Housing Action Illinois. (2019). Support HB 2168: Property Tax Incentive for Affordable Rental Homes (Feigenholtz-Zalewski-Turner-Williams-Evans). Retrieved from https://housingactionil.org/downloads/Policy/HB2168_PropertyTaxRentalHomes_Factsheet.pdf

¹²⁸ The Preservation Compact. (2017). Class 9 Part Deux: Reinstating Class 9 Status. Retrieved from <http://www.preservationcompact.org/wp-content/uploads/Class-9-presentation-2-Of-2-10.20.17.pdf>

¹²⁹ The Civic Federation. (2010). The Cook County Property Assessment Process.

materials.¹³⁰

6.4 Impact Fees Waivers and Reductions - The City of Albuquerque, New Mexico

Impact fees pay for new or expanded public facilities needed by a new development project. When more units are built, more impact fees are required. Therefore, developers tend to build fewer units, which reduces the supply of housing and in turn, affordable housing. In response to that, the City of Albuquerque enacted impact fee waivers and reductions for affordable housing in 2005, due to the rapid population growth for the city in the 2000s.

For property owners and developers, the impact fees can be completely waived if 1) the sales price is affordable to a 4-person household earning less than 80% of AMI, and 2) the housing is located in the designated development zones. In mixed-income projects, 60% of impact fees can be waived if 1) 20-50% of units are affordable at 80% of AMI, 2) at least 40% of units are affordable at 120% AMI or more, and 3) the housing is not located in the designated development zones.^{131 132}

For rental housing in designated areas and in the mixed-income projects, impact fees can be waived up to 100% if 1) 20-40% of units are affordable at 60% of AMI, 2) at least 30% of units are unaffordable to households with less than 80% of AMI, and 3) being affordable for more than 15 years. For buildings in the mixed-income projects but not in the designated areas, the impact fees can be waived up to 60%.¹³³
¹³⁴ For the units that are affordable at 30% of AMI or less, all impact fees can be waived.¹³⁵

It is difficult for us to approach the official data of the usage of impact fees waivers in Albuquerque. However, we can still be inspired by its policy design. For example, Albuquerque did not only regulate the upper limit for the households income of low-income families they serve, but also set the lower limit for the income of the rest families who are in the same housing projects. The takeaways from Albuquerque case are:

- The fiscal tools (not only impact fees waivers) can lean towards mixed-income projects to offer more opportunities to low-income households.
- The percentage of fees waiving can be more flexible (i.e. proportionate to

¹³⁰ The Preservation Compact. (n.d.). Cook County Class 9 Property Tax Workshop – Aug. 15th! Retrieved from <http://www.preservationcompact.org/events-archive/cook-county-class-9-property-tax-workshop-aug-15th/>

¹³¹ City of Albuquerque. (n.d.). Development Impact Fee Administrative Rules. Retrieved from <https://www.cabq.gov/council/documents/if/ImpactFeesRegulationswithApprovedAff.Housng.pdf>

¹³² City of Albuquerque. (2004). Amended and Adopted Resolution. Retrieved from <https://www.cabq.gov/council/documents/if/r-159fsfin.pdf>

¹³³ City of Albuquerque. (n.d.). Development Impact Fee Administrative Rules.

¹³⁴ City of Albuquerque. (2004). Amended and Adopted Resolution.

¹³⁵ City of Albuquerque. (2004). Amended and Adopted Resolution.

the percentage of affordable housing).

6.5 Chapter 40B - Flexible Zoning Laws in Massachusetts

In Massachusetts, affordable housing development is incentivized through a flexible zoning tool known as 40B. 40B allows developers to bypass traditional zoning requirements if they are building a housing development where at least 20-25% of the units will be at or below 80% AMI. These projects can be developed in any town or city that has less than 10% of their housing stock designated as affordable. In Massachusetts, more than 80% of towns do not meet this 10% threshold. Since its inception in 1969, 40B has produced over 60,000 units across 1,200 developments.¹³⁶

This model is particularly powerful because it does not require a subsidy or budget allocation on the state or local level. Rather, private developers are responsible for absorbing the costs of the affordable units in their projects. They are able to do this by building profitable developments that they may not otherwise be able to due to zoning restrictions. Even without a financial incentive from the state, 40B is highly utilized. Between 1997 and 2010, 78% of all new affordable housing was created through the use of 40B.

A final key aspect of 40B to highlight in regards to how it can affect Washington policy is the affordability restriction. Unlike the eight or twelve year limit applied to MFTEs in Washington, 40B's requirements carry on in perpetuity. That means that the affordable housing added will not fluctuate as is the case in Washington. It is important to see that this model can require permanent affordability and still be highly utilized and sought after by developers looking to make a profit.

¹³⁶ Citizens' Housing and Planning Association. (2011). Fact Sheet on 40B: The State's Affordable Housing Zoning Law. Retrieved from <https://www.chapa.org/sites/default/files/Fact%20Sheet%20on%20Chapter%2040B%202011%20update.pdf>

7. RECOMMENDATIONS

Based on the case studies, interviews, and analysis frameworks, Washington could pursue the following recommendations to improve fiscal tools for affordable housing.

Near Term

1) *Increase affordable MFTE programs and ensure MFTE usage*

Washington has been hesitant to raise affordability requirements for MFTEs, as current evidence suggests this could result in fewer applications. However, the state should consider increasing time limit requirements on the 12 year MFTE program on an incremental basis to test the effects. While there is a chance this could result in fewer affordable housing developments due to the increased costs, the provision will nevertheless guarantee more affordable units are available for a longer period time. 40B in Massachusetts highlights an example of how permanent affordability is not only feasible, but sought after by housing developers. Increased MFTE affordability would score highly on our life cycle criteria for effectiveness. By adding this increase gradually, the government can ensure new MFTE applicants every year and prevent a turn away from the program from private investors.

2) *Develop a comprehensive database of affordable housing development in the state*

The Department of Commerce should work with local governments to systematically collect data on affordable housing development and use of state-specific financing tools. While JLARC is currently centralizing data on MFTE use, future projects should report all on all fiscal tools supported by the State via the Department of Commerce to track where and how these tools are being used. This data then could be applied to the housing market typology developed in Chapter 4, and the evaluation criteria developed in Chapter 5. Chapter 5 lays out in detail the important aspects to analyze once the data becomes available. This includes measured for effectiveness, efficiency, equity, and total cost. Depending on which of these aspects are most important to the state, funding could be focused on tools that scored the highest in the relevant evaluation areas.

3) *Expand and Refine Housing Typology*

We recommend expanding upon our framework, or developing a more dynamic county-level housing typology to evaluate fiscal tool usage. A fiscal tool may be more suitable for certain types of markets, or could be adjusted to better suit a typology based on market characteristics. With a more robust typology framework, future decisions about tools could be made to best fit the various markets of Washington. This tailoring will help meet the efficiency and equity

criteria, since tools will better fit the financial needs of developers and the personal needs of the populations living in those areas.

4) *Promote and incentivize the use of public land for housing projects*

Washington passed HB 2382 in 2018, which authorized local governments to utilize publicly owned lands for affordable housing developments. This was a simple way to cut down on cost of development. Local governments could make this a focus: by providing their vacant lots to developers, they can create an opportunity for additional affordable housing. Vancouver, BC also provides an example of how Washington could utilize a vacancy tax to ensure that land that could be used for housing is not just sitting unused. Vancouver charges a 1% tax rate on all dwellings that are not used as a primary residence for more than six months of the year. This tax revenue is then used to support affordable housing initiatives. This makes the tool doubly effective by both incentivizing all housing to be used, and creating a new source of revenue. In 2017, the vacancy tax generated \$38 million in revenue.¹³⁷ While this method puts the cost on landowners themselves, the state could also impose a tax that forced local governments to bear the cost of undeveloped areas.

Another potential consideration for land use is the concept of transfer of development (TOD) rights. Many communities are concerned with maintaining the “feel” of their towns. In using TOD they would be forced to actively decide between the benefits of more open space with more dense housing versus a more uniform distribution of housing stock throughout the city. This tool would score highly in the cost reduction criteria. Additionally, it would represent no added cost to the state and a low cost for local governments. While there would an opportunity cost to giving the land to a housing project, the current alternative is having the lots sit vacant.

5) *Promote mixed-income projects*

Mixed-income projects would promote more equitable outcomes by creating more affordable housing units in areas that have access to jobs and education, while also offsetting the financial gap with market rate units. Developers of affordable housing often are forced to build in low opportunity areas based on lower land development costs. However, this often perpetuates the legacy of “redlining”. The state can provide funding to affordable housing developers building in higher opportunity zones. This recommendation would score highly on the equity criteria, since it would create more housing in areas where low-income individuals would want to live.

¹³⁷ City of Vancouver. (2018). Empty Homes Tax Annual Report. Retrieved from <https://vancouver.ca/files/cov/empty-homes-tax-annual-report.pdf>

Long Term

6) *Reduce challenges in utilizing fiscal tools for private developers*

The state should make fiscal tools easier to use. With the current processes for applying for exemptions using other fiscal tools, developers incur substantial costs through increased time and complications. Developers also may not want to operate outside of their normal business operations if the tools create too much added effort to be utilized. By reducing the barriers to using these tools, we will address the ease of use criteria, thus making fiscal tools in Washington more efficient. Latecomers have the potential to charge for infrastructure related costs later in the development process through the local government investing early on and the developer paying back later. However, we were unable to find examples of this to evaluate how well this was working. This was a huge limitation on our project.

7) *Reevaluate distribution of funds for development and renovation*

While new buildings are expensive, they create more units in the market. Older buildings are often cheaper to redevelop but they do not create additional units. The state should identify strategies for distributing resources to ensure growth in affordable housing units put preserving the quality of existing units. This compromise point will require balancing total cost and effectiveness concerns against equity and efficiency.

8) *Modify the LIFT, CRF and LRF programs*

There are two potential ways TIF-variant tools could be used to support development of affordable housing. Firstly, LIFT, CRF and LRF projects are intended to encourage private development through increase property values. For LIFT and LRF which require state approval (due to state contribution), counties and cities within the two non-urban housing market typologies could be prioritized in the selection process. Infrastructure improvements made into these areas could draw in more private developers and additional tools, such as an impact fee exemption, could provide an further incentive for affordable housing development.

Secondly, looking to the case study from Austin, Texas, in which Homestead Preservation Zones follow a tax increment financing model functioning like RDAs or RAs, these tools could be modified to allow for funds raised within these zones to be put towards a Homestead Land Trust or a Homestead Land Bank. This would create longer term affordability and invest in communities struggling with

affordability. Selection of zones to enact this could be based on market typology, in this case non-urban unaffordable.

9) *Modify Washington law to allow for TIF*

While we recognize that this recommendation is highly unlikely due to the politics in the State, we chose to include it since this was posed as a solution by our interviewees, and because it directly relates to how the State can serve affordable housing development. The TIF-like tools in Washington are not utilized at a high level because they simply do not bring in the amount of revenue that true TIF does. In order to move the needle on affordable housing development, local governments need to be able to generate more revenue. To create true TIF in Washington, the constitution would have to be amended to avoid the conflicts with the education property tax requirement and uniformity. Increased TIF revenue would be among the most effective of the fiscal tools analyzed, due to the dramatic increase in affordable housing revenue it would bring in. Additionally, it would have a low total cost -- TIF districts just capture the increased property tax values that are spurred through previous public investment.

APPENDIX I: INTERVIEW PROTOCOLS

Introduction

Thank you so much for taking the time to meet with us today. We are graduate students at the University of Washington pursuing Master's in Public Administration. As part of the program, all students complete a six-month consulting project with a client in the state. We're currently serving as consultants for the Washington Department of Commerce on a project focused on fiscal tools for affordable housing development in Washington. Specifically, we are working to supplement the research and recommendations made in the 2017 HART report.

As part of the process, we are interviewing people who were involved in writing the HART report or are practitioners of affordable housing in Washington. Our goal is to gather information around the use of several tools mentioned in the report, and to develop recommendations around the use of those tools.

We'll be using the interview content in our report only. Names of interviewees will not be used- only the ideas and advice that is generated. We are hoping that our final project can be used by the Department of Commerce as another piece of writing to advocate for successful and effective housing development in the State.

Do you have any questions about our background, the project, or what the interviews will be used for?

Questions for Peter Orser

- Could you describe the roles you have had related to affordable housing? (Affordable Housing Programs Manager at City of Spokane, AHAB member)
- As the affordable housing programs manager at City of Spokane, what are the biggest issues you see facing the supply of affordable housing in Spokane and in Washington?
- Given the number of federal and state tools available for developers in providing affordable housing, what tools (tax exemptions, subsidies) did you find useful in development?
- Why did the HART report authors highlight TIF tools, MFTEs, Impact Fees, and Latecomer Agreements as areas for further research?
- What aspects of those tools do you believe could be changed or expanded to create more affordable housing?

- Are there any effective fiscal tools, either in Washington or elsewhere, not mentioned in the final HART report that you believe are worth pursuing to create affordable housing?

Questions for Paul Trautman

- Could you describe the roles you have had related to affordable housing? (Affordable Housing Programs Manager at City of Spokane, AHAB member)
- As the affordable housing programs manager at City of Spokane, what are the biggest issues you see facing the supply of affordable housing in Spokane and in Washington?
- Given the number of federal and state tools available for developers in providing affordable housing, what tools (tax exemptions, subsidies) did you find useful in development?
- Why did the HART report authors highlight TIF tools, MFTEs, Impact Fees, and Latecomer Agreements as areas for further research?
- What aspects of those tools do you believe could be changed or expanded to create more affordable housing?
- Are there any effective fiscal tools, either in Washington or elsewhere, not mentioned in the final HART report that you believe are worth pursuing to create affordable housing?

Questions for M.A. Leonard

- Could you describe the roles you have had concerning affordable housing?
- As the chair of the Affordable Housing Advising Board, what are the biggest issues you see facing the supply of affordable housing in Washington?
- Given the number of federal and state tools available for developers in providing affordable housing, what tools (tax exemptions, subsidies) have you seen be useful in development?
- Why did the HART report authors highlight TIF tools, MFTEs, Impact Fees, and Latecomer Agreements as areas for further research?
- What aspects of those tools do you believe could be changed or expanded to create more affordable housing?
- Are there any effective fiscal tools, either in Washington or elsewhere, not mentioned in the final HART report that you believe are worth pursuing to create affordable housing?

APPENDIX II: HOUSING TYPOLOGY DATA

Urban-Unaffordable

County	Population Density (pop/sq mile) 2010 Data	Transit Infrastructure	Transit Connectivity Index	Transportation Costs (% of income)	Autos per Household	Percent of Single Family Detached Households	Number of Housing Units	Median Home Value	Owner-Occupied Units	Renter Occupied Units	Median Gross Monthly Rent	Average Household Size	Average Housing Cost (% of Income)	Unaffordable to % of population	Rental Vacancy
King County	837.13	King County Metro Transit	6	19%	1.73	55%	902,107	\$620,500	57.0%	43.0%	\$1,164	2.45	31%	52.30%	1.79%

Urban-Affordable

County	Population Density (pop/sq mile) 2010 Data	Transit Infrastructure	Transit Connectivity Index	Transportation Costs (% of income)	Autos per Household	Percent of Single Family Detached Households	Number of Housing Units	Median Home Value	Owner-Occupied Units	Renter Occupied Units	Median Gross Monthly Rent	Average Household Size	Average Housing Cost (% of Income)	Unaffordable to % of population	Rental Vacancy
Snohomish County	324.83	Community Transit (Snohomish County PTBA) + Everett Transit	2	20%	1.9	65%	302,725	\$470,900	66.0%	34.0%	\$1,106	2.68	29%	49.50%	1.53%
Thurston County	325.92	Intercity Transit (Thurston County)	2	23%	1.86	68%	113,936	\$321,200	65.0%	35.0%	\$1,030	2.52	28%	43.80%	1.61%
Clark County	648.42	C-TRAN (Clark County PTBA)	2	23%	1.85	68%	176,422	\$352,700	64.0%	36.0%	\$1,013	2.71	29%	43.80%	1.63%
Kitsap County	443.70	Kitsap Transit	2	23%	1.88	69%	110,944	\$370,900	67.0%	33.0%	\$983	2.54	29%	38.70%	2.05%
Pierce County	440.32	Pierce Transit	2	20%	1.84	65%	339,302	\$347,700	61.0%	39.0%	\$1,071	2.65	25%	24.70%	2.14%
Spokane County	264.58	Spokane Transit	4	25%	1.68	67%	211,007	\$242,100	63.0%	37.0%	\$774	2.45	29%	41.60%	2.28%

Non-Urban-Unaffordable

County	Population Density (pop/sq mile) 2010 Data	Transit Infrastructure	Transit Connectivity Index	Transportation Costs (% of income)	Autos per Household	Percent of Single Family Detached Households	Number of Housing Units	Median Home Value	Owner-Occupied Units	Renter Occupied Units	Median Gross Monthly Rent	Average Household Size	Average Housing Cost (% of Income)	Unaffordable to % of population	Rental Vacancy
Klickitat County	10.67		0	31%	2.03	75%	10,196	\$226,700	69.0%	31.0%	\$757	2.61	30%	36.80%	2.40%
Ferry County	3.35		0	36%	1.95	68%	4,492	\$180,300	71.0%	29.0%	\$566	2.39	30%	39.90%	3.40%
Whitman County	20.56	Pullman Transit (only city), Whitman County UTBA	0	33%	1.69	49%	20321	\$247,400	44.0%	56.0%	\$716	2.31	31%	44.20%	7.82%
San Juan County	25.39	N/A	N/A	N/A	1.85	85.70%	13,912	\$603,600	74.1%	25.9%	\$965	2.03	N/A	46.40%	1.41%
Walla Walla County	45.25	Valley Transit,	2	28%	1.8	67%	24,354	\$249,000	64.0%	36.0%	\$590	2.5	30%	47.10%	2.64%
Wahkiakum County	13.86		0	32%	1.98	77%	2,108	\$295,000	79.0%	21.0%	\$543	2.31	30%	47.70%	0.00%
Island County	151.85	Island Transit	N/A	N/A	1.91	78%	41,287	\$400,100	68.1%	31.9%	\$494	2.22	N/A	48.2%	1.60%
Jefferson County	13.68	Jefferson Transit Authority	1	27%	1.79	76%	18,295	\$381,300	75.0%	25.0%	\$818	2.18	32%	49.40%	0.57%
Skagit County	60.89	Skagit Transit	2	26%	1.92	71%	52,971	\$354,800	67.0%	33.0%	\$1,012	2.56	32%	51.70%	1.76%
Lewis County	30.97	Twin Transit (Lewis County PTBA)	0	32%	1.93	67%	34,753	\$231,600	67.0%	33.0%	\$801	2.52	31%	54.40%	2.28%
Clallam County	26.73	Clallam Transit System	1	28%	1.77	71%	36,492	\$289,700	70.0%	30.0%	\$827	2.27	31%	55.20%	2.33%
Whatcom County	80.36	Whatcom Transportation Authority	3	26%	1.87	64%	94,452	\$396,900	63.0%	37.0%	\$949	2.53	31%	55.80%	1.61%
Cowlitz County	87.83	RiverCities Transit (Cowlitz Transit Authority)	1	28%	1.82	68%	44,216	\$267,900	66.0%	34.0%	\$685	2.54	30%	56.50%	2.02%
Kittitas County	17.54		0	30%	1.92	65%	23,062	\$300,600	58.0%	42.0%	\$895	2.34	31%	68.50%	3.31%
Pacific County	17.11	Pacific Transit System	0	34%	1.83	71%	16,038	\$219,000	72.0%	28.0%	\$727	2.24	32%	77.40%	1.25%

Non-Urban-Affordable

County	Population Density (pop/sq mile) 2010 Data	Transit Infrastructure	Transit Connectivity Index	Transportation Costs (% of income)	Autos per Household	Percent of Single Family Detached Households	Number of Housing Units	Median Home Value	Owner- Occupied Units	Renter Occupied Units	Median Gross Monthly Rent	Average Household Size	Average Housing Cost (% of Income)	Unaffordable to % of population	Rental Vacancy
Stevens County	17.13		0	30%	2.01	71%	21,519	\$202,200	75.0%	25.0%	\$692	2.45	26%	24.10%	0.70%
Lincoln County	4.52		0	32%	2.06	78%	5,953	\$152,900	79.0%	21.0%	\$569	2.34	27%	11.20%	0.97%
Pend Oreille County	9.12		0	30%	2.03	73%	8,152	\$239,000	75.0%	25.0%	\$802	2.38	24%	4.90%	1.00%
Franklin County	61.79	Ben Franklin Transit	3	25%	2	68%	27,103	\$239,200	67.0%	33.0%	\$883	3.4	23%	7.10%	1.14%
Asotin County	33.73	Asotin County PTBA	0	29%	1.82	67%	9,984	\$207,900	67.0%	33.0%	\$762	2.34	26%	40.50%	1.19%
Mason County	57.75	Mason Transit	0	29%	1.97	74%	33,190	\$274,100	77.0%	23.0%	\$728	2.58	28%	47.30%	1.21%
Douglas County	20.78	Link Transit	2	28%	2	65%	16,637	\$334,100	72.0%	28.0%	\$733	2.76	29%	42.00%	1.25%
Yakima County	56.42	Yakima Transit Selah Transit, Union Gap Transit	1	32%	1.94	68%	87,777	\$211,300	62.0%	38.0%	\$781	3.05	29%	42.50%	1.29%
Adams County	9.70		0	32%	2.01	61%	6,479	\$167,100	65.0%	35.0%	\$663	3.24	26%	42.10%	1.46%
Columbia County	4.67	Columbia County Public Transportation	0	32%	2.09	82%	2,156	\$186,000	74.0%	26.0%	\$569	2.31	26%	13.90%	2.02%
Garfield County	3.16	Garfield County Transportation Authority	0	31%	1.96	75%	1,254	\$143,800	68.0%	32.0%	\$633	2.3	22%	0.00%	2.03%
Grays Harbor County	32.73	Grays Harbor Transit	0	31%	1.83	73%	35,850	\$182,900	68.0%	32.0%	\$713	2.51	29%	49.50%	2.03%
Chelan County	24.20	Link Transit	2	28%	1.99	67%	36,914	\$316,000	66.0%	34.0%	\$725	2.7	24%	21.40%	2.35%
Skamania County	6.58		0	27%	2.12	68%	5,766	\$332,200	70.0%	30.0%	\$815	2.49	25%	29.80%	2.44%
Benton County	99.53	Ben Franklin Transit	3	24%	1.93	63%	74,009	\$318,700	67.0%	33.0%	\$739	2.71	25%	19.30%	2.46%
Okanogan County	7.74	TranGO (Okanogan County Transit Authority)	0	33%	1.94	68%	22,897	\$146,400	68.0%	32.0%	\$432	2.42	28%	31.60%	2.50%
Grant County	31.93	Grant Transit Authority	1	30%	1.97	56%	36,484	\$175,500	61.0%	39.0%	\$731	3	25%	17.10%	2.66%

Successful Collaborative Planning in Washington State: Five Case Studies

Isabel Netelenbos

*Submitted to the School of Environmental and Forest Sciences
of the University of Washington in partial fulfillment of the
Spring 2019 capstone requirements.*

Clare Ryan, Capstone Project Advisor

May 29, 2019

Introduction

For my senior capstone project, I had the opportunity to work with Joseph Tovar, Project Co-Lead for the William D. Ruckelshaus Center's project; *Road Map to Washington's Future*. The project was funded by the Washington State Legislature to design a process for a "comprehensive and collaborative look at the Growth Management Act (GMA)" ("Road Map to Washington's Future", 2018). The GMA had been in place since 1990, with no official or comprehensive assessment ever done to see how these laws have aligned with the evolving challenges of growth management in the 21st Century. Therefore, the purpose of the Road Map project is to articulate a vision of the desired future in Washington and identify potential needed additions or revisions to the state's current system of growth management laws. For my contribution, I was tasked with studying five cases of successful collaborative efforts that the Road Map team learned about during their engagement with communities across the state in 2018. Each of these five cases were examples of effective collaboration in growth management planning for the future of their region. The cases included; The Dungeness Off-Channel Reservoir in Clallam County, Community Conversations in the Blue Mountain-Walla Walla Region, Our Valley Our Future action plan in the Wenatchee Valley, Sustainable Thurston plan in Thurston County, and the West Plains Public Development Authority in Spokane. The findings presented below are the culmination of a review of public documents as well as interviews conducted with key members involved in each project. In these interviews, we asked participants what was successful, where they encountered challenges, and if there was anywhere in the state's current growth planning framework they would offer suggestions for revision or addition. The goal of these case studies is to

understand why these models worked, and how they could be replicated in other areas of the state.

Dungeness Off-Channel Reservoir

Project Background The Dungeness Off-channel reservoir proposal started out as a plan brought forth by the City of Sequim about ten years ago, as an attempt to reduce flooding within the city and to capture more storm water. As the project developed, it became apparent to project heads that the benefits of having an off-channel reservoir were not just limited to the City of Sequim's needs- and as their vision of the project began to change, many important and influential partners were brought on in a largely collaborative effort to get the project funded. The partners brought on include Clallam County, Jamestown S'Klallam Tribe, Dungeness Valley Irrigators, Clallam Conservation District, and the Washington Water Trust. It has been proposed that the reservoir be part of a new, 320-acre County Park- where the reservoir itself will only be taking up 88 acres. These parcels, currently owned by the Washington Department of Natural Resources, are in the process of being transferred to the county. The project has succeeded in obtaining a four million-dollar grant from the Department of Ecology's Streamflow Restoration Grant Program to use for land acquisition, and have more funding applications pending as of Winter 2019 (Dungeness Off-Channel Reservoir, 2018). I had the opportunity to interview Mr. David Garlington, the Public Works Director for the City of Sequim, to get a better insight on how the project became so widely supported.

Elements of success The major factors aiding in the success of this project included broadening the scope, having additional partners, and a large amount of

public support. Mr. Garlington mentioned that one of the turning points for this plan's success was when the overall vision began to expand. It became apparent that having a reservoir to trap storm water would not only reduce flooding, but it could be a way to provide water for irrigators during the summer months, restore stream flow for endangered salmon in the area, and create an enormous 320-acre county park for residents to use for recreation. As the advantages of this reservoir began to become more apparent, it made sense that the City could gain more partners to back the project, as these advantages directly benefited them as well. By widening the scope of the project, the Public Works team was able to open doors to new partners, and new grant opportunities. Having these high-profile partners helped this plan gain public awareness and support from the legislature, in the form of a streamflow grant from the Department of Ecology.

One of the most important parts of any successful regional project is having public support. Most of the time, if an issue is important to the general public, it is important to the legislature- who can be a key player in funding. The Dungeness Off-Shore Reservoir team has been able to do this by holding value-based conversations with the public; understanding what it is that they wanted, and then educating them on the details and how the project will benefit them. Along with these conversations, multiple videos, graphics, and pictures have been made available to the citizens of the region and can easily be found on many of the partner's websites.

Mr. Garlington also mentioned how sometimes it just comes down to "dumb luck". One of the major reasons this project has been able to move forward is because of its ability to gain funding thru the Streamflow Restoration Grant Program via the Washington Department of Ecology. This grant is part of the new

Streamflow Restoration Law that was introduced back in January of 2018, and with the application only being available for 31 days in 2018 (October 1-31), there was only a small window for the project to submit an application. The Dungeness Off Channel Reservoir was one of fifteen projects chosen, out of forty-six applications total (“Water Resources Streamflow Restoration Grant”, 2018). They were able to obtain this grant due to many years of persistence, collaboration, and a solid understanding of the plan. When the opportunity for this grant arose, the project was being pushed by two state entities as well as the Jamestown S’Klallam Tribe, along with a few other high-profile partners, and everyone was ready to jump on the break. This preparedness made for a solid, timely application which lead to a four million-dollar grant. Mr. Garlington noted that, persistence is key in any project. It took many years of effort and determination for the project to reach the size and influence it has today, which has allowed for a well-articulated plan to be developed, producing an ideal candidate for receiving grants.

Future Challenges While they have secured funds for land acquisition, a future challenge I discussed that was identified is finding funding for construction once design plans have been approved and land has been acquired. This project relies heavily on grants, and is in the process of applying for more, but there is no guarantee that all the grants they apply for will be approved. While they are roughly 3 years out from a construction design, the city is applying for a hazard mitigation grant thru FEMA, in order to construct the storm water aspect of the project, which would only take an estimated 1 year to appraise and 1-1 ½ years to build.

Revisions or additions to framework Mr. Garlington did not suggest any revisions or additions in the state’s current growth management framework,

however he did emphasize the need for collaboration and communication between entities, along with extensive public outreach efforts.

Overall, it is clear that collaboration between entities, public support, funding, persistence, and good timing were all key in the success of this project. By identifying benefits outside of the City's direct needs, they were able to bring on a wide range of partners, acquire funding from a competitive grant program, and gain public support thru outreach efforts. Having patience and perseverance with this project has paid off enormously and is something David repeatedly mentioned as fundamental in finding success in any regional project planning. Therefore, when looking to this case as an example of success, it is important to remember that years of preparation and effort on this project heavily contributed to influential partnerships, cohesive planning, and a significant amount of public outreach and support.

Walla Walla Community Conversations

Project Background The Walla Walla Community Conversations project was introduced as a cross-jurisdictional effort to create a trusted gathering place for citizens in Walla Walla, Columbia, and Umatilla Counties. The purpose of these conversations was to identify shared priorities for regional planning between residents, and to create a plan for action that accurately represented their values. This project was led by the Walla Walla Community Council, with United Way of Walla Walla County, Sherwood Trust, Blue Mountain Community Foundation, and the Pomegranate Center acting as partners to create a Coordinating Team that managed meeting logistics. The Coordinating team was part of the Convening Group, which also included community leaders with “broad and deep social networks throughout the region”(Community Conversations, 2017).

The main purpose for these conversations was to get the community involved in local planning and ask residents “what ideas do you have for the region’s future?” Asking this question gave community leaders a better idea of what the public wanted, and what issues they thought were most important to address in the region. These conversations were used as a way to get more people directly involved in regional development and create an inclusive space for people who may not have felt welcome to be part of this kind of discussion in the past, or not known how to get involved. By having these conversations with residents, lawmakers and community leaders were able to gain a better understanding of what their people valued most and could allocate money and efforts towards these priorities.

This largely collaborative effort was broken up into 3 phases; Phase 1 started in May of 2016 and was dedicated to gathering ideas from residents via workshops and roundtable discussions spread out across the region, with over 450 participants. From these discussions, 13 goals arose. Phase 2 began in September of 2016 and was dedicated to prioritizing the goals that were brought forward in phase 1, using 3 prioritization workshops. From these meetings, 5 priorities emerged; Access to education, a strong and diverse economy, health, care for nature, and safety. The project concluded with Phase 3, “Establishing Foundation for Action” in December of 2016, with a regional celebration at the county fairground. Over 250 citizens participated in this celebration, breaking up into preliminary action groups for each of the 5 goals they were most passionate about. Since these conversations, multiple projects within the region have started, and actions groups are working on recommendations for community leaders (Community Conversations, 2017).

Elements of success I had the opportunity to speak with Ms. Mary Campbell, the Executive Director of Walla Walla Community Council, to understand a little bit more about why this project was so important, and what contributed to its overall success. She noted that having a collaborative approach and structuring workshops to create an inclusive environment is key in gaining accurate representation at meetings.

By involving so many different groups, the task force was able to bring in a more diverse audience than if the Community Council had approached this on their own. The joint effort of many organizations and inclusion of so many diverse people gave the project a grassroots effort, making it a safe space for people to come together and discuss ideas. Having a collective approach also helped keep

conversations rooted in shared values rather than political views, which helped make participants more comfortable and discussion more productive.

Another key factor for success was the structure and features of the workshops. Offering so many services for participants allowed for more people to show up; they had meetings in the day and the evening, childcare for people who couldn't leave their children at home, a meal so that people wouldn't miss dinner or lunch, and a professional translator (Ynez Vargas) was hired to translate the entire workshop into Spanish, with Spanish speakers using individual earbuds to hear the translations. Two of these meetings were held entirely in Spanish, with English translation available. It is important to note that the region is predominantly rural, with a large portion of the population being Hispanic, so having a Spanish translator present that was a respected member of the Latino community was vital in capturing ideas from a large set of the population, and allowed the Hispanic community to have their voices accurately represented-creating a more inclusive environment.

The structure of the workshops allowed each person to participate and have their ideas heard, with ground rules being; “everyone participates, speak and listen, respect differences, and make it work for all and for future generations”. A facilitator was present at each meeting (either a representative from Intermountain Impact Investments, Pomegranate Center, or Walla Walla Public Schools), to ensure conversation was productive and respectful (Community Conversations, 2017).

Having this open communication with the public was also a good way to collect data on certain issues, and as Ms. Campbell noted, was a real “eye opener” for the community. The workshops found that every community was concerned

about gang violence, however they were informed that domestic violence is a much larger problem in the area.

The Coordinating team presented a formula that determines the cost of living in the area, which showed a full-time job that pays \$28 an hour is required to provide just the essentials in a single household with 2 children- which is the most vulnerable population in the area. This information opened conversations about what kind of businesses the region wanted to recruit in the future, steering away from businesses that offer part time, minimum wage positions (e.g. retail, food service). These are just two examples provided when talking about the importance of communication between large organizations and residents of the area. It has also made elected officials aware of what the community would like funding allocated towards. For example, in Walla Walla, a sales tax that generates 1 million dollars annually for mental health services was renewed, with help from a report brought to lawmakers by Community Conversations.

Ms. Campbell did not identify any future challenges she saw for the project, nor revisions to the current framework.

Maintaining open dialogue between residents and different leaders of a community -in a way that ensures a diverse set of the population is heard- is vital in creating a plan that addresses important issues in a region. Community Conversations can be looked at as an example of how to create an inclusive, respectful conversation between residents and leaders. Collaboration between many non-governmental, non-profit, and government entities ensured a more comfortable, cohesive meeting that allowed everyone to be on the same page about issues in the area. When asked how lawmakers felt about this project, Ms. Campbell stated elected officials love this program because it lets them know what

priorities the people want addressed for the future and gets everyone in the room together to have issues-based discussions rather than politically charged ones.

Bringing together a community as large and diverse as the one found in the Blue Mountain Region is no easy task, but Community Conversations has provided an excellent example on how to approach community involvement in planning priorities.

Our Valley Our Future

Project Background Our Valley Our Future is an action plan that was brought to life in 2015, that started as a conversation with the Wenatchee Valley community about what they saw as the regions core values, strengths, challenges, and best ideas for the future. This project is overseen by a Core team, made up of representatives from the public, private, and non-profit sector- LIST THESE OFF. The Core team has appointed a Leadership Alliance to gain advice on their “game changer” project implementation as well as the “big-picture” issues that currently face the community. This alliance consists of elected officials, private, public, and non-profit organizations. The project is overseen on a day-to-day basis by Mr. Steve Maher, a contracted project coordinator, who I had the opportunity to speak with about this action plan.

The project reached out to the community in various ways, including online surveys, presentations to local organizations, interviews with community leaders, open houses, and workshops across the community. In these surveys and other various outreach techniques, one of the main questions asked was; what do you want your community to look like in 10, 15, and 20 years?

After all of the public outreach data was collected, it was compiled and analyzed into six key themes and seven “Game Changer” projects to drive the collective vision forward and produce progressive outcomes for the region. The themes include; economic development, transportation planning, sustaining the environment, education, recreation and housing, and civic engagement.

The seven Game Changer projects include a technology hub, regional housing approach, regional trails organization, alleviation of poverty, early childhood

learning, a graduate research center, and “One Community”. One hundred and fifty smaller projects have also been incorporated into the plan (“Our Valley Our Future Action Plan”, 2017).

Our Valley has made significant progress since these initial action plans were released in 2017, and after just one year of planning and recruiting lead partners, substantial action has been taken to complete the projects. Roughly 16% of the projects have been completed, with 70% underway in some capacity, and progress has been made in five out of the seven major Game Changer projects. Since the action plan has been completing projects, it is now accepting new ideas and has vetted and approved six new projects as of this year (Maher, 2019).

Elements of success Mr. Maher mentioned that one of the elements of success for the project was going to the people first. Using a model developed by Steven Ames, “The New Oregon Model of Community Visioning” as inspiration, Mr. Maher started this project by asking the community members what they valued most about their region, where the weaknesses were, and what ideas they had for the future. Starting with public outreach was not meant to shut out community leaders, rather get the opinions of the public first to create a grassroots movement that got the people excited and motivated to participate in public outreach efforts.

The way the surveys were formatted also contributed heavily to the high volume of responses they received. In order to target younger generations that are predominantly on smart phones, they set up the survey to be available on iPhones. In order to make the survey as inclusive as possible, they offered it in both English and Spanish, and had Latino community leaders introduce public outreach events to the rest of the Latino community. Mr. Maher commented on the success of the surveys, with over 5,000 responses captured. 23% of those surveyed self-identified

as Latino, which represented the community effectively, seeing that Latino citizens make up about 30% of Wenatchee Valley's demographic.

Once the data from the surveys and meetings had been compiled, popular answers and themes were grouped together and a report was developed on what the people valued. This report was presented at a summit consisting of about 150 people, where the findings of the surveys were unveiled and brainstorming for projects and programs began. At this summit, Mr. Maher noted that about two-thirds of the attendees were not officials or policy makers, further encouraging a grassroots foundation for the project.

Collaboration was a vital part of this project for multiple reasons, in particular for funding. The team had no way to lead all 150 projects on their own, let alone find enough funding for them. A solution to this, Steve said, was recruiting lead partners to work on all of the projects ranging from the private, public, and non-profit sectors. These lead partners have the resources and funding to take on the projects, and a successful application completed in 2016 by the Community Foundation of NCW and the United Way of Chelan and Douglas Counties to the Bill and Melinda Gates Grant Program for \$130,000 is being split up into smaller grants partners can apply for. These smaller grants are to be distributed over a 3 year period and are only available to lead partners in the action plan that demonstrate "they are collaborating with others on their project" and the project must be "action ready".

Even though this action plan was released in 2016, it is still extremely relevant in the community. They have been able to do this by allowing the plan to constantly evolve, and as they complete projects, the team will continue to accept and vet new project ideas. This constant progression is what Mr. Maher says keeps

people interested and captures the imagination of the community. Staying true to what the people have said and not being swayed by politics has also helped this cross-jurisdictional effort become so successful, keeping conversations issue and value based.

Challenges The challenges identified in this project included that large number of projects they decided to take on, and the amount of communication needed to successfully collaborate with so many different partners. Normally, projects like this take on 30-40 actions for a 5-year period, but with so much input and excitement from the community, it was hard to say no to all of the ideas being brought forward. To solve this, the team's goal is to not go above about 50 projects for the 2022-2026 action period.

Another challenge with a project this large is the sizable number of jurisdictions involved- multiple school districts, counties, cities, and entities were needed to create successful collaboration on this project. Constant communication between partners is necessary to keep everyone in the loop and on the same page about the project goals. Viewing the region as one community across both sides of the Columbia river is what allows this project to overcome the challenge of managing so many entities. Creating the drive to come together as one group from the very beginning of this project and forming collaborations across many different jurisdictions is one of the reasons why the public outreach effort and action plan so accurately encompassed what the entire community wanted for their region.

Mr. Maher did not identify any revisions or additions to the current framework during our interview.

This action plan would not have been possible without extensive teamwork between jurisdictions and entities. Going to the people of the region first created a

drive for a unified grassroots effort, along with successful partnerships across different sectors. Having such an inclusive and extensive public outreach phase of the plan was an effective way to get the people excited about the project and willing to participate.

Steering clear of political leverage or association is also important in keeping community planning issue-based and inclusive to everyone in the group. Our Valley's ability to morph the action plan over time has been a great way to keep the public engaged long after its initial implementation, and keeping doors open to new projects allows creativity and enthusiasm for the region's future to remain within the community. Overall, Mr. Maher said, this was an amazing way to bring people together and see them actually take action to better the region for future generations. There is a hunger to do something within the community here, and this action plan successfully united the Wenatchee Valley in a collaborative effort to better the region for generations to come.

Sustainable Thurston

Project Background Sustainable Thurston started in 2010 when the Thurston Regional Planning Council (TRPC) received a Sustainable Communities Regional Planning Grant from the U.S. Department of Housing and Urban Development. This council is a 22-member intergovernmental board, including local jurisdictions within Thurston County as well as the Confederated tribes of the Chehalis Reservation and Nisqually Indian Tribe.

The goal was to create a sustainable development plan and tactics to guide the region up to 2035. Over the next three years, *Sustainable Thurston* approached the community with a simple question- “How do you want your community to look, function, and feel in 2035”? The council held workshops attended by thousands of residents, provided surveys, and received online responses to the community’s ideas for the future, where they think the region is struggling, and where it is succeeding. They created *Sustainable Thurston* Panels that gathered information about topics that affect quality of life in the region. The most important information on each topic was compiled and included efforts from 180 residents, representing 104 jurisdictions, agencies, organizations, and entities.

In 2013, the *Sustainable Thurston* Task Force, made up of TRPC representatives, and a *Sustainable Thurston* Panel Chairperson from each panel, drafted “Creating Places, Preserving Spaces; A Sustainable Development Plan for the Thurston Region”. This plan was then accepted by the TRPC in late 2013 and was a plan that allowed the community to define the future of the region, and what actions were needed to reach it. By 2014, the plan was approved by 29 private and non-profit partners as well as all jurisdictions in the region (*Creating Places, Preserving Spaces*, 2013).

The plan looks at social, economic, and environmental needs for the region's future, and addresses many challenges for the future. These challenges include maintaining a strong economy, protecting the natural environment, managing a growing population, meeting needs of an aging population, addressing health concerns, funding government services and facilities, and using local resources efficiently. This plan also looks at opportunities for the region, and keys to achieving the desired future residents described during the public outreach period.

Sustainable Thurston is the most comprehensive and data intensive growth management plan that has ever been conducted in the region, and is extremely necessary to create a more sustainable future for the area. This is because current local land-use plans would result in a large loss in farmlands, forest lands, and prairies to urbanization, and would create difficulty conserving water and reaching greenhouse reduction targets. In short, "business as usual" would put Thurston in an unsustainable future. As of January 2019, over 80% of actions listed in the plan have been fully or partially implemented ("Sustainable Thurston Actions", 2019). I had the opportunity to speak with Ms. Veena Tabbutt, the Deputy Director of Thurston Regional Planning Council at the time, about what has made this project so successful.

Elements of success Extensive involvement from multiple organizations and effective community engagement were both key elements in this project's success. *Sustainable Thurston* gained written support in the form of a Memorandum of Understanding, from 29 local jurisdictions, agencies, organizations, and community groups that agreed to be involved in implementation and development of actions set out in the project. This collaboration is key in making sure the plan is carried out throughout the whole region and cover all topic areas thoroughly. This

widespread collaboration was key in acquiring funding from the Department of Housing and Urban Development, whose grant program focuses on programs with strong partnerships. Obtaining this funding and having these strong collaborations is one of the main reasons this project has taken off and allowed staff to be engaged in the planning process (“Sustainable Communities Regional Planning Grants”, USHUD).

Another key portion of this plan was community engagement, which was a great way for people of the region to talk about their passions. The Thurston region has a very diverse community, ranging from urban, corridor, rural, and tribal lands, all with different needs- so being able to hear members from each community speak gave planners specific ideas for each area. The public outreach portion of the project was a great way to hear feedback from the community, and also help inform residents about what growth management will look like in the region. For example, Ms. Tabbutt discussed how all of the communities wanted public transit available to them, but no one wanted to pay taxes for it. Having these conversations with communities helps ground some of the ideas the people have for the future and bring communities together to find cohesive solutions. These discussions caused regional planning to look at communities as they exist today, not artificial boundaries set up in the past.

Challenges Some of the challenges identified included artificial boundaries that seemed to “stick”, and a large community that didn’t want or understand growth in the area. Having an open dialogue with residents of the region helped get people more on board with the idea of growth in the area, seeing as the plan has a goal of building 95% of new development in cities, towns, and urban growth areas. This is

a more efficient growth management strategy than urban sprawl, and helps protect forest and farmland, stream basins, and rural areas.

Additions or revisions to framework When looking at Washington's current growth management framework, Ms. Tabbutt mentioned that more coordination with regional planning that is not centered around transportation within the Growth Management Act would be helpful for future planning needs. Funding and growth management grants also need to increase, as it is hard to move on any action plan without proper financing.

With that in mind, *Sustainable Thurston* is still the most comprehensive and extensive plan in that region's history and incorporates collaboration with various organizations and the public to facilitate action and progress towards more sustainable growth management (*Creating Spaces, Preserving Places*, 2013).

West Plains-Spokane Public Development Authority

The West Plains-Spokane Public Development Authority (PDA) is a zone that encompasses the Spokane International Airport and over 3,000 acres of city and county land. The idea started back in 2011, when Mr. Al French, a Spokane County Commissioner, had an idea that the City of Spokane (the City) and Spokane County (the County) needed to find a way to gain shared profits and remove some of the boundaries that existed between the two entities. Now in 2019, the PDA board is made up of the Spokane City Council President, City Administrator, the Spokane County Commissioner, members of the private sector, and an Executive Director.

The creation of this PDA was an attempt to create an entity that eliminated bureaucracy and rivalry between the City and County and discourage further City annexation in the area without working with the County (“The Dream Team”, Walters). The hope was, by doing this, the region would attract new industrial businesses to the area for job creation. As of April 2019, the West Plaines Airport PDA and Mullen Technologies have signed a Letter of Intent for the construction of 1.3 million square feet of facilities in the area, with a projected 863 jobs brought on by 2026. This success is possible because of the structure of the PDA, allowing the region to “lease back facilities... and compete with the rest of the state for good paying jobs,” Commissioner Al French stated in an Associated Press Release with Business Wire (“Mullen Technologies,” Associated Press).

I had the chance to speak with the Commissioner about his idea to bring these entities together, and how the PDA grew into such a successful and vital part of Spokane’s economic growth. Commissioner French spent eight years on the Spokane City Council, and nine on the Spokane Board of County Commissioners.

The history of economic development had long been a zero-sum game between the City and County. In 2011, he put together a revenue sharing agreement that stated that in the West Plains, any new business coming to the area would have revenue shared between the City and County. By doing this, he removed the idea of winners and losers between the City and County.

Under the agreement, the County would issue permits for development and the City would continue to annex it. Mr. French pointed out that, “It took six years to convince legislature that this PDA was a good idea,” and required educating people on the benefits of breaking through a very strong cultural wall between the County and City. While the County could invest in a project without votes, section 84D of the City Charter required a vote to allow the City to invest capital in the project. The City and County became 50/50 partners in ownership of the airport, which had acquired a surplus of land. Once the PDA was created, the City, County, and Airport seeded \$60,000 for 3 years of revenue so that the PDA could market and develop land.

The most critical part of success for this agreement was removing the zero-sum culture that had pre-existed between the City and County. The Commissioner met with the City Council President and other individual members to explain the merits of the program, build agreement and also gained support from local newspapers. They conducted meetings with all the departments at City Hall along with engineers from the City, County, and WSDOT to make sure everyone was on the same page about how utilities could be provided and by whom.

This approach allowed for the different entities to combine their abilities and help advance projects between them. For example, WSDOT had to accelerate a road project but didn’t have the capacity to do so, so the City provided resources to

help expedite the project. The City and County also did a joint bid on one contract, with water and sewer by the City and roads by the County. This PDA laid an incredibly successful foundation to win contracts, with the tax benefits of a Port District, and the ability to generate revenue from property, sales, and business taxes as well. The capacity for the PDA to become self-sufficient in generating revenue lead to a culture of partnership between the County and City that had not been seen in the past.

Challenges Mr. French emphasized that breaking a cultural boundary between the City and County was one of the biggest challenges this project faced. Removing a zero-sum mindset from each entity took many years and extensive education on how a PDA would positively impact everyone.

Mr. French did not identify any additions or revisions to the framework, but he did emphasize the need for collaboration and removing zero-sum culture in order to create a successful PDA in other regions.

Overall, this authority became so successful because of Commissioner French and his colleagues' ability to remove boundaries and hostile attitudes between the City and County and show how a joint-revenue mindset could benefit everyone. The PDA has attracted attention from multiple manufacturing companies and is a great example of how bringing entities together in a collaborative effort for economic growth planning can benefit everyone involved.

Conclusion

When beginning the study, we thought the laws and policies in Washington's growth framework would have been a bigger factor in the success and challenges of these projects. After conducting interviews, only one out of the five interviewees identified parts of the framework that should be revised and added. Given the information from the interviews, we were able to create general themes for success and potential challenges one might face when developing a sustainable growth management plan. These themes are listed below.

Elements for success Collaboration between entities, funding, providing inclusive and extensive public outreach, creating a "one-community" outlook, and perseverance over time were all identified as key factors in each case. It is important to note all of these projects were years in the making, and required a large joint effort between government, private, public, and non-profit organizations.

Challenges The main challenges that were common throughout each case included acquiring additional funding and breaking barriers between entities to gain interagency cooperation. Many of the projects relied on competitive grants or funding from the State to stay operational, and there was no guarantee that their proposals would be awarded the funding. Removing a zero-sum mindset also presented a challenge, and in some cases, such as the West-Plains Spokane PDA, took years to remove.

Revisions or additions to the framework Ms. Tabbut was the only interview participant that identified specific revisions to Washington's current growth framework. More coordination with regional planning that is not centered around transportation, as well as an increase in growth management grants available were her suggestions.

These findings have led to the conclusion that perhaps it is not the policy that needs to be drastically changed, rather communities need to be able to anticipate challenges and incorporate the factors for success listed. While these cases are just five examples of successful growth management planning in Washington State, they provide a great model for how to go about regional planning, and the themes identified can be used as a suggestion for other areas in the state to consider when looking for planning guidelines.

Acknowledgments

I would like to thank Joseph Tovar for giving me the opportunity to conduct this study and introducing me to many of the influential people I had the opportunity to speak with about these projects. I would also like to thank my advisor, Professor Clare Ryan for her help in guiding me through the process of interviews and protocols, as well as overseeing me through the drafting process. Finally, I would like to thank all interview participants for taking the time to speak with me about these projects and provide an inside look at their success. This study would not have been possible without the collaborative effort of all participants mentioned above.

Sources

Chapter 90.94 RCW: "STREAMFLOW RESTORATION", Washington State Legislature , 2018, app.leg.wa.gov/RCW/default.aspx?cite=90.94. Accessed 29 May 2019.

"Community Conversations Progress Report". Community Council , 2017, *Community Conversations Progress Report* , www.netreturns.biz/Client_Files/communitycouncil/CM/System/Progress%20Report%20May%202017.pdf. Accessed 29 May 2019.

"Community Health Needs Assessment". Providence St. Mary's Medical Center , 2018, www.psjhealth.org/-/media/files/providence-st-joseph-health/community-benefit/wa/2018chnaandchipwallawalla.pdf?la=en. Accessed 1 June 2019.

Department of Ecology – "Water Resources Streamflow Restoration Grant Application and Status List." 2018. Accessed 4 June 2019.

"Dungeness Off-Channel Reservoir." *Dungeness Off-Channel Reservoir | Sequim, WA - Official Website*, City of Sequim, www.sequimwa.gov/759/Dungeness-Off-Channel-Reservoir. Accessed 4 June 2019.

Maher , Steve. "Our Valley Our Future | More Grant Recipients Announced." *The Wenatchee World*, 18 May 2019, www.wenatcheeworld.com/news/local/our-valley-our-future-more-grant-recipients-announced/article_750fb678-a88d-5681-9596-86a805227ee5.html. Accessed 6 June 2019.

McCormick, Kathy. "A 'Sustainable' Thurston County Needs Wise Use of Land." *The Olympian*, The Olympian, 13 Feb. 2018, www.theolympian.com/opinion/op-ed/article199911494.html. Accessed 4 June 2019.

"Mullen Technologies Signs Letter of Intent to Manufacture Electric Vehicle in New West Plains Facilities." *AP NEWS*, Associated Press, Business Wire, 26 Apr. 2019, www.apnews.com/Business%20Wire/4d23dd83d65a4d44b74a286634572517. Accessed 1 June 2019.

"Our Valley Our Future Action Plan". Our Valley Our Future Core Team, 2018, *Our Valley Our Future Action Plan* , www.ourvalleyourfuture.org/wp-content/uploads/2018/06/OVWN-ActionPlan2018-web.pdf. Accessed 6 June 2019.

"Streamflow Restoration." *Washington State Department of Ecology - Streamflow Restoration*, Department of Ecology, ecology.wa.gov/Water-Shorelines/Water-supply/Streamflow-restoration. Accessed 29 May 2019.

"SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANTS." *HUD.gov / U.S. Department of Housing and Urban Development (HUD)*, U.S. Department of Housing and

Urban Development ,
www.hud.gov/program_offices/economic_development/sustainable_communities_regional_planning_grants. Accessed 6 June 2019.

Thurston Regional Planning Council. “*Creating Places, Preserving Spaces*”. Sustainable Thurston , 2013, *Creating Places, Preserving Spaces*,
www.trpc.org/DocumentCenter/View/680/Sustainable-Development-Plan-PDF?bidId=. Accessed 6 June 2019.

Thurston Regional Planning Council. “*Sustainable Thurston Actions*”. 2019, *Sustainable Thurston Actions*, trpcmaps.org/wp-content/uploads/2014/01/RPSD_Actions.html. Accessed 6 June 2019.

Walters, Daniel. “The Dream Team.” *Inlander*, Inlander, 23 Apr. 2019,
www.inlander.com/spokane/the-dream-team/Content?oid=5893830. Accessed 6 June 2019.

Washington Water Trust. “*Off-Channel Reservoir Proposal*” Washington Water Trust,
www.washingtonwatertrust.org/off-channel-reservoir-proposal. Accessed 4 June 2019.

**Washington State's Centennial Accord and the Role of Tribal Governments in Regional
Comprehensive Planning Under the Growth Management Act and Associated Planning
Laws**

By

Elliott Winter

Accepted in Partial Completion
of the Requirements for the Degree
Master of Arts

ADVISORY COMMITTEE

Dr. Nicholas Zaferatos

Jean Melious, JD

Dr. David Rossiter

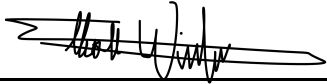
GRADUATE SCHOOL

Kathleen L. Kitto, Acting Dean

Master's Field Project

In presenting this field project in partial fulfillment of the requirements for a master's degree at Western Washington University, I grant to Western Washington University the nonexclusive royalty-free right to archive, reproduce, distribute, and display this western-oriented document of my field project only, in any and all forms, including electronic format, via any digital library mechanisms maintained by WWU. I represent and warrant this is my original work, and does not infringe or violate any rights of others. I warrant that I have obtained written permissions from the owner of any third party copyrighted material included in these files. I acknowledge that I retain ownership rights to the copyright of this work, including but not limited to the right to use all or part of this work in future works, such as articles or books. Library users are granted permission for individual, research and non-commercial reproduction of this work for educational purposes only. Any further digital posting of this document requires specific permission from the author. Any copying or publication of this thesis for commercial purposes, or for financial gain, is not allowed without my written permission

X



Elliott Winter
MA

5/22/2019

**Washington State's Centennial Accord and the Role of Tribal Governments in Regional
Comprehensive Planning Under the Growth Management Act and Associated Planning
Laws**

A Project
Presented to
The Faculty of
Western Washington University

In Partial Fulfillment
Of the Requirements for the Degree
Master of Arts

by
Elliott Winter
May 2019

Abstract

Tribal governments in Washington State are important regional governments that exist in and border many counties. Tribal interests often extend beyond the boundaries of the reservation and into the county space where they may be affected by county and local government planning. Properly integrating tribal interest into regional comprehensive planning is necessary to reduce conflict and provide Indian tribes a seat at the government table.

The purpose of this project is to determine the extent to which planning laws, regulations, and policies within Washington State advance coordination with Indian tribes based on the government-to-government principles of the Centennial Accord, particularly those relating to the implementation of the state's Growth Management Act (GMA). This project assesses the state's legislative framework directing local governments in comprehensive planning with tribal governments and the adequacy of the state's encouragement regarding tribal participation in the Growth Management Act comprehensive planning. This project is primarily concerned with determining if Washington State's public policies adequately incorporate the interests of Indian tribes and allow for appropriate inclusion of tribal governments into regional planning, as outlined in the Growth Management Act's eleventh goal.

This project utilizes template analysis for the identification of thematic codes in determining relevant laws and regulations. Initial templates were defined on review of relevant literature and prior knowledge of tribal interests. Initial templates were revised to further assess the data for relevant themes using codes for mandatory language and modes of participation. Secondary codes were cross referenced with relevant literature and scholarly articles on cooperative planning with Indian tribes and planning principles.

The findings indicate a lack of GMA policies providing guidance to local governments regarding coordination with tribal governments. The small number of GMA policies also lack clear and precise language regarding the capacity with which local governments should cooperate with tribes. Ultimately, the GMA policies fail to adequately institute the guiding principles of the Centennial Accord. For the state to fulfill the GMA's interjurisdictional coordination goal and more fully incorporate tribal government interest into regional planning structures, the GMA must be amended with clear and precise language regarding tribal inclusion in comprehensive planning and in what capacity. This project identifies possible amendments based on communicative and cooperative mechanisms within the Centennial Accord.

Acknowledgements

To my father, who reached out and picked me up when I was at my lowest. You and Denise welcomed me with open arms, and without you I may have never had this opportunity. Thank you. To my mother, who always encouraged me to follow my heart and hold my head high, even when I felt lost and a failure. Without you I could not have stuck through the hardest parts of my life. To my brother Nicholaas, when I was broke and couldn't afford rent or food, you kept a roof over my head and food on my plate. You never once made me feel the lesser. Thank you, brother. After this, I will buy you that trip to Japan.

I would also like to thank Joenne McGerr, Director of Tribal Relations at the Department of Natural Resources. Your willingness to help, your enthusiasm, and your openness were a great help to this project. Thank you.

Lastly, thank you so much to my advisor Dr. Nicholas Zaferatos and committee Jean Melious, and Dr. David Rossiter. I had no experience in policy, law, or tribal governments but here we are. I know it has been a long trip with a steep learning curve but thank you for your support. I wish you great fortune with the graduate students to come.

I want to acknowledge the first peoples of this land we call Washington, and the hardships they have endured in the name of development. You have stayed strong, even when all hope seemed lost. You preserved your culture, even when they tried to terminate it. And you fought for your treaty rights, even when they put you in handcuffs. Washington is growing so fast, and the development to accommodate it cannot keep up. Without the efforts of so many Indian tribe to protect our environment and natural resources we may have lost what makes this place so special. Thank you and keep fighting, as will I.

Table of Contents

Abstract	iv
Introduction.....	1
Project Problem	1
Context/Discussion.....	2
History of the Growth Management Act.....	2
Centennial Accord	4
GMA Issues	10
Research Question	14
Literature Review	14
Introduction	14
Jurisdictional Coordination	19
Consistency, Coordination and Cooperative Planning	21
Working with Tribal Governments and Acknowledging Tribal Interests	23
Methodology	30
Introduction	30
Comprehensive planning elements and tribal interests.....	32
Coding and Indexing	32
<i>Laws and Regulations</i>	<i>32</i>
<i>Policies.....</i>	<i>34</i>
<i>Accord Principles</i>	<i>35</i>
Interpretation and Evaluation	36
Results.....	36
Guiding Principles	37
RCW	38
Identification and Classification.....	38
Language Inference	41
WAC	44
Identification and Classification.....	44
Policies	50
Discussion Section.....	55

Policies	55
Laws and Regulations.....	59
RCW.....	59
WAC.....	63
MOUs and Intergovernmental Agreements.....	68
Assessment of the Implementation of Accord Principles.....	70
Solutions	74
Conclusion	77
References.....	80
Endnotes	85

TABLES AND FIGURES

TABLE 1: RCW LAWS ORGANIZED BY PLANNING CATEGORY.....	40
TABLE 2: RCW LAWS ORGANIZED BY LANGUAGE.....	43
TABLE 3: WAC REGULATIONS ORGANIZED BY PLANNING CATEGORY.....	47
TABLE 4: WAC REGULATIONS ORGANIZED BY LANGUAGE.....	48
TABLE 5: MEMORANDUMS OF UNDERSTANDING AND INTERGOVERNMENTAL AGREEMENTS.	70

Introduction

Project Problem

The establishment of the Centennial Accord and Millennial Agreement in 1989 and 1999 called for the implementation of a government-to-government relationship between the executive branch of Washington State and the twenty-six federally recognized Washington Indian tribes who signed the agreements. The Centennial and Millennial Accords aimed to foster greater inclusion of tribal interests in the implementation of state policies by providing executive agencies with a framework for the implementation of procedures to assure the fulfillment of the guiding principles and agreements within the accords. By the late 1980s, population growth and a lack of consistency in regional planning were causing issues with land use and natural resources in Washington State. To better accommodate growth and manage development through coordinated regional planning, the state legislature enacted the first series of statutes known as the Growth Management Act (GMA) in 1990. While the executive branch saw benefits to improving coordination with and incorporating the interests of Indian tribes, the legislation comprising the GMA remains largely silent regarding the inclusion of tribes into coordinated planning between regional jurisdictions. Although recognized as best practices for improving communication and coordination with Indian tribes, the executive policies of the Accords are not adequately incorporated into the GMA's legislation guiding local governments in regional comprehensive planning. This research examines the extent to which the Accords' executive policies are reflected in the legislation guiding regional comprehensive planning pursuant to Washington State's Growth Management Act. This project will refer to the Centennial Accord and Millennium Agreement as "the Accords" and will refer to the Growth Management Act by the abbreviation "GMA".

Context/Discussion

History of the Growth Management Act

The state of Washington in the latter half of the twentieth century was facing uncertainties with the rate of population growth the state was experiencing. Urban sprawl, traffic congestion, and environmental stresses were some factors being exacerbated by the large increases in population and the levels of urbanization happening to accommodate the growing population. In response to the growing pressures, the Legislature enacted Washington State's Growth Management Act (GMA)¹ on April 1, 1990. How the GMA attempts to address the issues associated with rapid population growth is characterized by thirteen goals counties and cities are encouraged to achieve while planning. The thirteen goals include²:

1. Encourage development in urban areas
2. Reduce urban sprawl
3. Encourage efficient multimodal transportation
4. Maintain adequate housing
5. Encourage economic development
6. Protect the property rights of landowners
7. Process permits in a timely manner
8. Promote natural resource industries and conservation
9. Retain open space and encourage the development of recreational opportunities
10. Protect the environment
11. Encourage citizen participation and coordination. Encouraging the involvement of citizens in the planning process and ensuring coordination between communities and jurisdictions to reconcile conflicts.
12. Ensure adequate infrastructure to meet the needs of Urban Growth Areas
13. Preserve historic land.

Settle and Gavigan (2016) summarize the goals of the GMA into four key objectives: (1) avoiding sprawl by concentrating new development in urban growth areas; (2) ensuring adequate public facilities that are planned and built current with new development; (3) protecting critical areas and conserving agricultural, forest, and mineral lands; (4) and regionally coordinate local

¹ SHB 2929 (Washington Laws, 1990 181 Ex. Sess., Ch 17) later codified under RCW 36.70A.

² RCW 36.70A.020 (2-14) Planning Goals

plans and regulations for efficient allocation of essential facilities³. For this project, the GMA's eleventh goal will be a point of focus with an emphasis on coordination between local jurisdictions⁴. Coordination is a reoccurring theme throughout the GMA and this project places particular emphasis on interjurisdictional coordination.

The GMA requires counties with high growth rates and populations over twenty-thousand to opt into the GMA planning regiment (Parker, 2015). An important part of the planning regiment required counties and cities to develop comprehensive plans addressing nine elements⁵. The comprehensive plan is the centerpiece of planning for local governments and states policies, standards, and goals which are meant to guide local governments in everyday decision making (CSUN California State University Northridge, 2001). The nine elements are:

- Land use
- Housing
- Capital facilities
- Utilities
- Rural development
- Transportation
- Economic development
- Parks and recreation
- Ports (where applicable)

Coordination referenced in the comprehensive planning section of the GMA focuses on local governments and the surrounding jurisdictions. Comprehensive plans of local governments are required to be coordinated and consistent with those of other local governments sharing borders⁶.

³ Settle & Gavigan, *supra* note 5, at 904-05

⁴ RCW 36.70A.020 (11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

⁵ Rural counties with populations less than 20,000 are allowed to opt out of full GMA planning but are still subject to critical areas and natural resource lands planning requirements. This option is addressed in RCW 36.70A.40.

⁶ RCW 36.70A.100 Comprehensive Plans-Must be coordinated: The comprehensive plan of each county or city that is adopted pursuant to RCW [36.70A.040](#) shall be coordinated with, and consistent with, the comprehensive plans adopted pursuant to RCW [36.70A.040](#) of other counties or cities with which the county or city has, in part, common borders or related regional issues

The requirement to coordinate with adjacent jurisdictions directly relates to the goal of the GMA acknowledging coordination as a means of reducing and resolving conflicts. The value of interjurisdictional coordinated planning is demonstrated by its inclusion in both the principle goals and mandatory comprehensive plan sections of the GMA.

The first installation of the GMA (SHB 2929) lacked enforcement mechanisms to ensure that planning goals and requirements were met by counties and cities, as well as a lack of protection for critical environmental areas (Parker, 2015). Frustrated with the lack of enforcement and protection for critical environmental areas, citizens and environmental groups were able to pressure the Washington State's government into holding a popular vote for Initiative 547. The Initiative would have required all counties to participate in growth management planning and for the state to approve county and city plans ("Washington Land Use Planning, Initiative 547 (1990),"). Although Initiative 547 was defeated, Washington State and the development community promised to enact legislation in 1991 to implement environmental protection requirements and an enforcement mechanism for the GMA (Parker, 2015). As promised, SHB 1025 (also known as "GMA II") was enacted in 1991 and established oversight and mechanisms for enforcement of the GMA (Parker, 2015).

Centennial Accord

The accord institutionalized the government-to-government relationship between the executive branch and the twenty-six federally recognized Indian tribes. The Centennial Accord was ratified on August 4th, 1989 between the executive branch of Washington State and twenty-six federally recognized Indian tribes within Washington. The ultimate purpose of the Accord is

to improve the services delivered to people by the parties involved⁷. The accord does outline several other important purposes and objectives of the agreements⁸:

- Supporting the sovereign status of the parties involved
- Enhancing and improving communication between the parties involved
- Facilitating the resolution of issues through enhanced communication

The parties involved with the Centennial Accord recognized mutual interests between them and that the historical conflicts that plagued these parties were detrimental to achieving each respective government's long-term planning goals. The respective governments recognized long-term planning goals as a broad responsibility to effectively deliver services to Washington citizens and manage resources. To avoid or minimize conflicts between the executive and tribal governments, each party was encouraged to establish goals for improved services and identify obstacles standing in the way of achieving those goals⁹. Annual meetings and the formation of joint strategies for achieving mutual goals instituted formal coordination procedures between executive agencies and tribal governments. The executive branch and the twenty-six signatory Indian Tribes saw coordinating protocols and policies for government-to-government relationships as a way of avoiding or minimizing conflict.

Boldt Decision was a significant driver of Washington State considering tribal interests and the Indian tribes themselves becoming important players in natural resource planning.

⁷ Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington, 1989 (IV Implementation Process and Responsibilities)

⁸ Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington, 1989 (III. Purposes and Objectives)

⁹ Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington, 1989 (IV. Implementation Process and Responsibility)

Following a series of federal court cases¹⁰ in which Washington Indian tribes challenged the salmon management practices of the state, a final decision on the subject fell to Senior Judge of the U.S. District Court for Western Washington George H. Boldt (G. Clark, 1985). The Indian tribes had signed treaties to ensure their fishing and hunting rights in exchange for the land that would later become Washington State. Judge Boldt determined Washington Indian tribes' treaty rights were violated due to management practices of the state and they were legally entitled to half the harvestable number of every run in their usual and accustomed fishing grounds (1985).

The suppression of tribal treaty rights by the state had caused physical and legal conflicts between the State's Indian tribes, non-tribal fishers, and regulatory authorities. Following the Boldt Decision, Indian tribes, the state, and industry representatives needed to cooperatively manage salmon stocks with yearly quotas. Following the initial Boldt decision in 1974, Indian tribes continued litigation with Washington State when disputes arose between them regarding salmon habitat protection. These disputes culminated in *phase II* of the Boldt Decision. Unlike the initial decision, *phase II* did not establish a conclusive ruling. The ruling found that hatchery fish were included in the harvestable fish for tribes but reversed a previous decision supporting tribal entitlement to protection of salmon habitats (Mulier, 2006). The reversal on habitat protection did not end the issue but stated that habitat rights of Indian tribes required fact-based development. T However, important court decisions in the 2000s would stress the habitat issue. The Culvert Case is one example of the case-by-case determination of tribal habitat rights. The Supreme Court ruled that culverts were proven to negatively impact salmon and salmon-bearing streams, requiring Washington State to remove all culverts for the protection of tribal rights to

¹⁰ *Maison v. Confederated Tribes of the Umatilla Indian Reservation* (1963), *Puyallup Tribe v. Dept. of Game of Washington* (1963), *Puyallup Tribe v. Washington Department of Game (Puyallup II)* (1973)

salmon. The habitat issue would resurface in important court decisions in the 2000s, leading sweeping changes regarding how the state would need to consider tribal interests regarding salmon.

Following the Boldt Decision phase I and II, tribal interests became a central issue in the management of natural resources and planning. The courts enforced treaty rights and Indian tribes had their interests affirmed off reservations and within the county space¹¹. The restoration of tribal treaty rights and the conflictive relationships between tribes and state governments contributed to the formation of cooperative planning policies in the GMA and Accords.

The Millennial Agreement was essentially a reaffirmation of the commitments to government-to-government relationships outlined in the Centennial Accord a decade prior, with some additional methods for improving the Centennial Accord structure. During the 1999 Washington Tribal and State Leader's Summit, cooperation and coordination between Indian tribes and state governments were identified as important areas for improving the Centennial Accord agreements. Improving cooperation through enduring communication channels, developing consultation protocols and action plans, enhancing coordination through the newly established Washington State Office of Indian Affairs, and striving to coordinate in the protection of natural resources were some of the key focus for improving relations between the respective governments involved¹². The executive summary of the Millennium Agreement sets up the government-to-government implementation guidelines in five sections: providing

¹¹ County space is defined as any area outside the boundaries of Indian reservations and not under tribal jurisdiction

¹² The New Millennium Agreement, Institutionalizing the Government-to-Government Relationship in Preparation for the New Millennium, 1999

background, defining the consultation process, defining the dispute resolution process, defining roles and responsibilities, and the implementation of the state Centennial Accord Plan.

The Millennium Agreement defined the key principles of government-to-government policy and expanded upon the structures set as the foundation of the Centennial Accord. These government-to-government principles include¹³:

- Encourage cooperation between tribes, the state, and local governments to resolve problems of mutual concern
- Working directly with each other (executive branch and Indian tribal governments) in a government-to-government fashion, rather than as subdivisions of each other's governments
- Take steps to remove legal and procedural roadblocks to working directly and effectively between governments
- Strive to assure that each government's interests are considered when one government's actions may affect the other
- Working with federal agencies that have related responsibilities
- Incorporation of the above principles into planning and management activities, including development and implementation, legislative initiatives and into the policy and regulation development process.

Principles of primary concern for this study are the first and last of these guiding principles of government-to-government policy. In particular, the first guiding principle is relevant to this study because it directly identifies cooperation between local governments and Indian tribes, a

¹³ The New Millennium Agreement, Executive Summary-Government-to-Government Implementation Guidelines (2. Key Principles of Government-to-Government Policy), 1999

primary interest of this study and one of the principal criteria for assessing its findings. The final guiding principle is relevant because it seeks the incorporation of the other principles into state regulations and policies, another principle criterion for assessing the findings of this study. The other government-to-government principles in the list identify useful principles for government-to-government relations but are not significant to this study, primarily referencing the relationship between the executive branch and Indian tribes.

The Millennium Agreement acknowledges the relevance of incorporating tribal interests into the planning process, along with interjurisdictional and intergovernmental coordination. However, the Millennium Agreement does not clarify which planning process tribal interests should be incorporated into. Executive agencies are tasked to coordinate with Indian tribes by the Governor's Office, but these agencies are also tasked with adopting regulations for directing county and city planning under the GMA. Since the GMA's statutes are the primary authority for comprehensive planning, the incorporation of the guiding principles encouraging coordination between Indian tribes and local governments should be included in the GMA legislation giving authority for the adoption of regulations and policies by the executive agencies also participating in the accords. Incorporating the guiding principles of the Centennial and Millennium Accords into legislative initiatives could also include GMA statutes or amendments since tribal interests highlighted by the aforementioned court cases involve required GMA planning elements.

Centennial Accord explicitly states that coordination between tribal and state governments is a method for reducing and mitigating conflicts. The Millennium Agreement emphasizes coordination by recognizing the importance for local governments, the state and tribal governments to cooperate. Providing the structures to facilitate cooperation is a key principle of the Centennial and Millennium Accords' government-to-government policy. The

incorporation of this principle of cooperation among jurisdictions into planning activities, including public policy development, acknowledges the value in providing structural guidance to local governments and the state regarding cooperating with Indian tribes.

GMA Issues

The GMA also acknowledges the importance of interjurisdictional coordination throughout its various sections referencing coordination among counties and local governments sharing borders. The GMA falls short of providing guidance for local governments in how or if they should coordinate with Indian tribes, and in directing local governments to coordinate their comprehensive planning with Indian reservations sharing mutual interests and planning areas. The GMA provides the opportunity for participation by Indian tribes in the countywide planning policy process¹⁴ but does not require counties to seek consultation with tribes, nor does it expand on Indian tribes' inclusion in the planning process. Without well-defined structures to include tribal interest in countywide GMA planning, important regional governments within the county space become overlooked. Disregarding tribal governments leaves the GMA's goal for interjurisdictional coordination unfulfilled and a fragmentary application of interjurisdictional and coordinated planning in Washington State.

Within the limits of this project, coordination is understood as a means of achieving consistency, with consistency in policies, regulations, and laws to ultimately reduce conflict being the end goal. Coordination between jurisdictions is necessary to avoid or reduce conflicts between public policies and regional plans. Coordination between regions is necessary to assure efficiency in providing services to citizens across jurisdictions and reducing conflicts or issues

¹⁴ RCW 36.70A.210 (4) Countywide Planning Policies: Federal agencies and Indian tribes may participate in and cooperate with the countywide planning policy adoption process. Adopted countywide planning policies shall be adhered to by state agencies.

that may arise from jurisdictional disputes. Regarding Washington State Indian tribes, the occurrence of inconsistencies in policies, values, and priorities among tribes and other governments led to repeated conflicts and litigation.

The Culvert Case is a prevailing example of how inconsistencies and a lack of coordination with Indian tribes can become far-reaching issues with large financial implications for Washington State. Initially filed in 2001, twenty-one Washington tribes sued the state to replace culverts blocking salmon spawning routes (MRSC - The Culverts Case, 2018). This case attempted to follow the undecided habitat issue from Phase II of the Boldt Decision and tribes sought a decision that would establish Washington State's duty to protect salmon habitats. In 2013, the district court issued an injunction ordering Washington to remove culverts blocking fish passage and the Supreme Court affirmed the ruling in June of 2018 after (2018). A main point of contention from the state was the financial burden the ruling would impose, potentially costing hundreds of millions of dollars.

The Hirst Decision is a pertinent example of the negative impacts on the state that, in some capacity, results from a lack of coordination with Indian tribes. The 2016 court decision ruled that Whatcom County's comprehensive plan did not satisfy the requirement of the GMA to ensure an adequate water supply before granting building permits because it relied on the Department of Ecology's water level measurements (*Whatcom County v. W. Wash. Growth Management. Hearings Board*, 2016). A large number of permit-exempt wells granted by the county, which allow the extraction of up to five-thousand gallons a day without the request for a permit, were negatively affecting salmon habitats by lowering the water level in rivers. The ruling was opposed by developers and landowners who could no longer rely on permit-exempt wells for water withdrawals. The Squaxin Island Tribe viewed a lack of regulations regarding

permit-exempt wells as the perpetuation of a regulatory free-for-all for developers and landowners (*Amicus Curiae Brief of the Squaxin Island Tribe*, 2015). In both cases, the inability or reluctance by the state and county governments to more fully incorporate the interests of Indian tribes during the establishment of the GMA and subsequent years resulted in unfavorable court decisions that imposed large financial burdens.

In the case of *Swinomish Indian Tribal Community v. The Department of Ecology* (2013), Washington's DOE amended a rule for instream flow requirements that applied the statutory exception to reserve water from the Skagit River basin for extraction in uninterrupted and year-round use. The Swinomish Indian Tribe challenged the amended rule in Washington's Supreme Court, contending that the rule was invalid because it exceeded the statutory authority granted to the DOE¹⁵ (2013). The Supreme Court agreed with the Swinomish Tribe that the DOE erroneously interpreted the statutory exception and did not have the authority to reallocate water for new uses, citing a lack of valid evidence for impairing the minimum flow water right (2013).

Litigation such as the Hirst Decision and Culvert Case are costly to Washington State, and cases like *Swinomish Indian Tribal Community v. DOE* can strain relationships between counties and Indian tribes. *Swinomish Indian Tribal Community v. Western Washington Growth Management Hearings Board*¹⁶ has challenged the statutory interpretation of county responsibilities regarding the GMA and salmon habitats. In a previous case brought by the Swinomish Indian Tribe, Skagit County's critical areas ordinance was initially found to lack

¹⁵ The Swinomish Indian Tribe cited an incorrect interpretation of RCW 90.54.020(3)(a): Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic and other environmental values...

¹⁶ *Swinomish Indian Community v. Western Washington Growth Management Hearings Board* (No. 76339-9) primarily involved disputes over the critical areas protection of the Skagit River and water quality standards decisions by the Growth Management Hearings Board. The Supreme Court of Washington State upheld the Hearings Board's decisions and stated that Skagit County had no obligation to enhance the water quality from current standards, citing the meaning of the word "protection" does not include enhancement.

necessary elements to protect anadromous fish through the establishment of instream flows and water pollution standards (*Swinomish Indian Tribal Community v. W. Wash. Growth Management Hearings Board*, 2007). Following the decision, Skagit County adopted the “no harm” ordinance, stating that the County would not need to improve water quality but protect anadromous fish habitats by maintaining then current water quality (2007). The Swinomish Indian Tribe challenged the language of the no harm ordinance in *Swinomish Indian Tribal Community v. Western Washington Growth Management Hearings Board*, stating the word “protection” in the GMA was synonymous with “enhance” and required improvement of water quality (2007). However, the court ruled Skagit County’s no harm ordinance appropriate and the language of the GMA dictated Skagit County had no obligation to improve water quality but is required to maintain levels from initial quality standards measurements (2007).

The decision casts doubt on the obligations of counties regarding the management of resources associated with tribal treaty rights but existing in the county space. The lack of a definitive ruling in phase II of the Boldt Decision and the variable decisions from more recent court cases cause confusion regarding tribal property rights and the obligations of local and state governments managing that property on non-tribal land. However, the gravity of *Swinomish Indian Tribe v. DOE* and the Culvert Case, in combination with the application of treaty rights after the Boldt Decision, remove nearly all doubt regarding the necessity to consider tribal of off-reservation interests affected by GMA comprehensive planning. Furthermore, the question is not whether tribal interests should be included in comprehensive planning, but what are the established structures to facilitate and guide the inclusion of those interests in comprehensive planning?

Research Question

To what extent do the laws, regulations, and policies of Washington guiding statewide GMA planning advance the goal of interjurisdictional coordination in regional planning with respect to Indian tribal governments, consistent with the commitments made in the Centennial Accord?

Literature Review

Introduction

The purpose of this project is to determine the extent to which planning laws, regulations, and policies within Washington State advance coordination with Indian tribes based on the government-to-government principles of the Centennial Accord, particularly those relating to the implementation of the GMA. This project assesses the state's overarching framework guiding comprehensive planning with respect to tribal governments and the adequacy of Washington State for encouraging tribal participation in GMA comprehensive planning at the local level.

This research is primarily concerned with principles in comprehensive planning that promote the necessity of regional coordination among multiple units of government. The literature review also considers important principles in planning concerning the attainment of more equitable and inclusionary processes through increased democratization demonstrated in social and environmental justice practices. Specifically, the literature review considers social and environmental justice practices concerning the inclusion of underrepresented and marginalized communities with respect to the exclusion of tribal community interests in comprehensive planning. This review will end with an exploration of tribal interests and working with tribal communities and governments.

Comprehensive Planning Principles

According to the American Planning Association (APA), the goal of planning is to maximize the well-being for all residents regarding health, safety, and the economic development of communities (“What is Planning?” 2019). Planning focuses on many different dimensions of a working community, taking a broad viewpoint for how to coordinate the layout of roads, buildings, parks while protecting natural resources (“What is Planning?” 2019). Planning should consider how communities will grow and how the current planning may affect aspects of the communities in the future (“What is Planning?” 2019). Planners may apply the values through planning practices. By incorporating the natural environment into a project and planning so impacts on natural resources are as limited as possible, a planner can apply their environmental and social values within the community.

Planning values are not an official list requiring all planners to adhere to, but a collection of ideals represented in the literature and contributing to planning thought. The APAs American Institute of Certified Planners (AICP) developed a code of ethics, listing responsibilities for member planners to consider. The responsibilities include being conscious of the rights of others, dealing fairly with all participants in the planning process, give opportunity for people to have a meaningful impact on plans and programs that may affect them, and seeking social justice through expanding choice and opportunity for all persons (“AICP Code of Ethics and Professional Conduct,” 2019).

Authors, including Campbell (1996) and Anne Wessells (2014) describe concepts including the responsibilities of planners, contradictions in sustainable planning and the four ethical pillars of planning. The contradictions in sustainable planning described by Campbell refer to the difficult task planners face when balancing of goals and priorities associated with

supporting green cities, promoting economic growth, and advocate social justice (1996).

Wessells establishes the four pillars of planning as economic, environmental, social, and cultural (2014). Wessells places the four pillars as elements within urban development and part of economic growth, emphasizing the importance of addressing sociopolitical, cultural and environmental aspects of economic growth to reduce the negative impacts of unchecked market economies (2014).

Authors such as Umemoto (2001) touch on the limitations of traditional planning and public participation in the face of planning ethics regarding inclusion. M. Webster (2016), Innes and Booher (Innes & Booher, 2010), and Forester (Forester, 1993) provide important values for comprehensive planning through critical planning theory (CPT) and communicative planning theory. Communicative planning focuses on the act of communication and dialogue (Innes, 1995) and CPT applies critical social theory, emphasizing justice and preserving rights by moving away from planning practices that do not fulfill certain planning values.

M. Webster addresses the limitations of traditional planning structures, power dynamics, and disinterest in participation. Innes and Booher (2010) elaborate on collaborative methods of planning, as reflected in the GMA's interjurisdictional coordination goal and the Centennial Accord. This goal institutes one of comprehensive planning's values of inclusion by seeking to consider the interests of other communities through interjurisdictional planning. The interjurisdictional planning approach of the GMA extends to tribal governments, but counties are given a great deal of discretion regarding coordinating with Indian tribes. Counties are not obligated to reach out to tribes except in a small number of circumstances. When counties are given the option to reach out to tribes, tribal voices can often be excluded in planning and considered as an afterthought by being relegated to public participation methods considered

inappropriate for a sovereign government (Webster, 2016). Examples of counties exercising their discretion regarding coordination with Indian tribes can be seen in the litigation over planning issues between counties and tribes. A prominent example is *Swinomish Indian Tribe v. W. Wash. Growth Management Hearings Board* (2007), where the Swinomish Tribe challenged Western Washington Hearings Board's approval of the no harm ordinance for Skagit County's water quality standards. It was ruled that Skagit County was in compliance with the GMA, but it had disregarded the interests of the Swinomish Tribe in attempting to protect their property rights to salmon. For the planning value of interjurisdictional coordination to be adequately applied, interjurisdictional coordination in planning must have some mechanisms to ensure tribal governments are included in the proper capacity when decisions may affect their interests.

The barriers to participation by marginalized and historically disenfranchised groups are explored within a tribal context by M. Webster, where historical issues which have bred mistrust between Indian tribes and state and local governments (2016). Due to this mistrust and a historically conflictive relationship between the powers of the government, tribal governments in Washington State have not always utilized participation measures. M. Webster highlights the underlying factors regarding tribal participation in planning, stating that governments may find ways to increase indigenous participation but indigenous governments often perceive the attempts as insincere (2016). These efforts may also be marked by a lack of interest from tribal governments, with Indian tribes perceiving that state actors may discount tribal government authority and expertise in the decision-making process (2016). The limited participation from Indian tribes may also be viewed as being entangled with epistemological differences and distrust toward governments that have been historically oppressive (Umemoto 2001; Lane 2001). Within a state-based planning process, those communities which have had conflicts with or been

oppressed by governments may view efforts of engagement with skepticism, leading to disinterest or a lack of initiative to participate.

Providing appropriate modes of communication and participation, such as those outlined by the Accords, would serve as substantial steps towards achieving the GMA's interjurisdictional coordination goal and reduce the issues that may deter tribal governments from participating. Limited participation through public comment and public participation methods diminish the sovereignty of tribal governments and the terms of communication are set by governments who may not adequately consider tribal interests (Umemoto, 2001).

M. Webster bases her study in the principles of cooperative planning theory, combined with elements of communicative planning theory (2016). The principles of cooperative planning theory and communicative planning theory emphasize a need to acknowledge power wielding from state governments in planning to achieve a fair and just process. This theory calls for planning practitioners and scholars to critically examine the social and historical roots of planning as a means of improving the planning process (2016). The communicative aspect of cooperative and communicative planning theory is particularly important for considering power structures and the inclusion of communities and stakeholders into the planning process. Cooperative and communicative planning theory call for stakeholders to be well informed and engaged with other stakeholders in a face-to-face dialogue, allowing the free expression of views regardless of the power they may wield in the community (Innes & Booher, 2010). Cooperative planning theory also applies critical social theory in the planning process, which focuses on the power wielded by decisions makers. For planning to adequately incorporate tribal interests and recognize the sovereign status of tribal governments, decision-makers must realize the power they wield in the planning process, often to the detriment of Indian tribes (Forester 1993).

Counties wielding power in the planning process is not an issue in itself, but when tribes are not given an appropriate mechanism for cooperation, it poses significant barriers to the incorporation of tribal interests and tribal sovereignty. The Accords recognize the sovereignty of both tribal and state governments, providing communicative and cooperative structures that do not diminish the power wielding of state governments but provides Indian tribes an appropriate platform for interacting as a fellow government.

Jurisdictional Coordination

The GMA's interjurisdictional coordination goal also emphasizes the requirement for coordination in planning between communities and jurisdictions as methods to increase inclusion and reduce conflict in regional policies. The value of interjurisdictional coordination is demonstrated in many levels of Washington's government as a primary principle in collaborative comprehensive planning. Local governments have utilized MOUs and agreements with Indian tribes, the executive branch adopted specific consultation and communication with the Accords, and legislation such as RCW 43.376.050¹⁷ are examples of jurisdictions seeking to improve relationships with Indian tribes and incorporate their interests into planning. Coordination in GMA planning occurs between counties and other local jurisdiction, providing a representation of different governments to address regional interests on a government-to-government basis. However, the GMA does not specify tribal government inclusion in regional planning. Innes and Boher (2010) suggest that collaborative processes, such as interjurisdictional planning, not only have the potential to build foundations for a more adaptive governance system but also generate changes in planning practices and the promotion of new norms. By not including or limiting pathways for participation between local and tribal governments on a government-to-government

¹⁷ Yearly meetings between Washington State's federally recognized Indian tribes and the legislature.

basis, the benefits of a truly inclusive and interjurisdictional planning system are not fully realized.

Four pillars for planning (economic justice, environmental justice, social justice, and tribal justice) are described by Wessell as supporting a Seattle based planning project in the most sustainable manner (2014). For this project, the four pillars of Wessell can be adopted to represent: economic justice as determining who benefits economically with a planning project, environmental justice as meaningful involvement of all peoples in the environmental public policy, social justice determines whose benefits from a project, and tribal justice determines if indigenous governments are appropriately engaged within the planning process (Wessell, 2014; US EPA, 2014). Planning in a sustainable and inclusive manner means analyzing policies from a variety of perspectives through the inclusion of diverse communities to gain understanding about who will be impacted in planning.

The tribal justice pillar of from Wessell's planning principles refers to the inclusion of tribal voices in a planning project to assure they have been adequately heard and their cultural heritage honored in the project (2014). This concept can be incorporated into the context of this project's goals by applying the same principle to tribal governments regarding planning policies. Providing policies that specify appropriate communication modes and cooperative pathways for the inclusion of tribal governments in comprehensive planning ensures the voices of tribal governments are adequately heard. Incorporating tribal interests through interjurisdictional cooperation with local governments would better allow tribal governments to protect their cultural and natural heritage, fulfilling the GMA's coordination goal, and ensuring sustainable planning.

Consistency, Coordination and Cooperative Planning

Consistency and coordination among jurisdictions can be seen as a core value in the GMA's comprehensive planning goals and the principles of the Accords. The GMA seeks to establish coordination between jurisdictions as an attempt to make different plans more consistent and avoid conflicts. As established by the Centennial Accord, coordination may be understood as a useful tool for mitigating conflicts. For Washington State, a lack of "consistency" in policies and priorities has led to conflict and litigation with Indian governments. Kaiser et al (1995) raise the idea that plans should be reflective of a balanced consideration of values from competing, sometimes complementary, interests. Achieving some balance may require coordination, which in turn will likely require negotiation and compromise (Kaiser, Godschalk, & Jr, 2015).

Efraim Ben-Zadok establishes consistency as the "structural framework" for the implementation of the GMA and a policy that mandates coordination, compliance, and continuity among plans from state, local and regional governments (2005). The references of coordination within the GMA focus on the jurisdictions which share a common border, establishing a base for consideration of other communities and the trans-jurisdictional management required in regional planning (Ben-Zadok, 2005). Consistency within the GMA tends to focus on the consistency between parts of comprehensive plans. Within this project, consistency is used more broadly and refers to the coordination of plans in a regional context. This pertains to all jurisdictions within a region, including tribal governments. Coordination is established in this project as a means of achieving consistency in the policies among all jurisdictions within the planning region and ideally reducing or mitigating conflict.

For governments sharing common borders, interests and intertwined economies, coordination and consistency between adjacent or regional governments can provide many benefits. The National Congress of American Indians and the National Conference of State Legislatures discussed the interconnectedness of tribal, state and local governments, stating that neighboring governments share many aspects of their social and economic systems and are connected through political and legal relationships (Johnson, Kaufmann, Dossett, Hicks, & Davis, 2009). For this reason, many local governments, cities, and towns have signed Memorandums of Understanding (MOU's) with Indian tribes. MOU's facilitating coordination and consistency between tribal and local governments remove much of the uncertainty associated with the ill-defined and often conflicting relationships between the two. The development of consistency and cooperation is more difficult between tribes and local governments. As stated by M. Webster, "finding ways to sustainably plan for future development within the shared space can be a difficult task, especially in instances where tribes and local governments have different visions for how to shape the space they share." (2016).

Through the assessment of intergovernmental agreements, land use litigation, interviews, and comprehensive plans, M. Webster reveals key factors for cooperative and uncooperative relationships with regards to coordinated planning. Key factors for a successful cooperative relationship between local, state and tribal governments included strengthening positive interpersonal relationships, having a regional approach to planning, and working on community projects (M. Webster, 2016). Successful comprehensive planning was particularly reliant on positive interpersonal relationships between Indian tribes and local governments, as well as having a regional approach with joint planning. Key factors leading to uncooperative relationships included retaining negative interpersonal relationships, employing a parochial

approach to planning, and exerting control over another government (M. Webster, 2016).

Uncooperative relationships can also be a product of conflicting visions or policies between two jurisdictions. Because Indian tribes are sovereign governments and determine their own planning laws, conflicts with adjacent cities and counties can occur. Parochialism in this study referred to concentrating on the impact of an issue on a community or group with little to no concern for its impact on surrounding communities (M. Webster, 2016). The GMA, the Accords, and comprehensive planning principles incorporate the key factors for cooperative planning relationships highlighted by M. Webster. However, these key factors are applied unevenly across Washington's governments.

Working with Tribal Governments and Acknowledging Tribal Interests

Indian tribes derive their authority from three different sources, treaty rights, the inherent right of self-government, and the delegation of federal authority. The treaty rights of Washington State Indian tribes are unique because tribes signed the series of treaties giving up their traditional territories in exchange for smaller reservations but ensuring tribal hunting and fishing rights would continue, unincroached into the future. Washington's tribal treaty rights are federally recognized property rights which include rights to salmon, protection of their habitats, hunting, and water rights. The property rights of Washington State's Indian tribes are complex and extend beyond reservations, to areas where they can be impacted by GMA policies and the actions of the state, counties, and other local governments. Tribal authority does not extend into the county space, despite their interests being affected. Previously mentioned court cases (*Swinomish v. DOE*, *Culvert*, and *Boldt I and II*) have affirmed tribal interests off the reservations for the purposes of protecting their property rights to salmon.

Each Indian tribe is unique and may have a preferred system of government or operation. The inherent right of self-government ensures that Indian tribes are free to enact governing powers within the boundaries of the reservation. The delegation of federal authority allows Indian tribes to implement their own environmental laws from federal standards, regarding Indian tribes in the same capacity as states. Tribes may implement more stringent environmental standards, such as water quality under the Clean Water Act (1972) or requiring higher emission standards under the Clean Air Act (1970). The authority allowing Indian tribes to establish their own environmental laws does not extend beyond the boundaries of the reservation. The EPA's Indian policy, published in 1984, recognizes tribal governments as the primary authority for implementing EPA environmental programs on tribal lands (Zaferatos, 2015). The policy has faced opposition from Washington's government when the state applied its environmental jurisdiction onto tribal lands, eventually being overturned in the Ninth Circuit of Appeals (2015).

Intergovernmental planning between state, local and tribal governments is often a difficult task. The literature provided in this review highlights the issues that governments face when planning and implementing policies, laws, and regulations. Authors like Zaferatos (2015), M. Webster (2016), Morton, Gunton & Day (2012), and Barry (Barry, 2002) highlight the conflicts between local and tribal governments and attributes them, in some part, to local governments lacking knowledge, wielding power in planning, and historical and social factors. Regarding Washington state and Indian tribes, the planning power wielded by local governments is their authority as the primary jurisdictions for planning under the GMA. Tribal treaty rights are one of three sources of tribal powers and authority, the other two being inherent sovereignty and federally delegated powers. Local governments lacking knowledge of these two sources of tribal

jurisdiction may also pose as obstacles to cooperation in comprehensive planning, reducing consistency and not fulfilling the goals of the GMA.

Local governments have traditionally served as adversaries in opposing tribal jurisdiction and other tribal interests in federal courts. Though tribal sovereignty has never terminated in Washington State, the political authority of tribal governments has a history of being challenged or infringed upon by local governments (Zaferatos, 2015). Historical conflicts can cause tribal governments to view local governments as an adversarial force infringing on tribal jurisdiction by preempting tribal authority (Pommersheim, 1991a). As stated earlier, distrust from historically conflictive relationships between Indian tribes and local governments can prevent either party from engaging with the other, especially on the part of tribes who have experienced a great deal of hardship from this conflictive relationship. Infringements on tribal authority by local governments can be viewed as a form of colonialism. Washington State's land use and environmental litigation involving Indian tribes and the assertion of one government's authority over another entail attempts to displace tribal authority and replace it with a local government's authority (M. Webster, 2016). This relationship is exceptionally described by Barry in her 2012 study:

““bargaining” is intentional; for although the (tribal) Council often engaged in creative problem-solving and made considerable efforts to learn about competing perspectives and interests, their participation was always set against the backdrop of historically rooted colonial power relations and the resultant need to find creative ways to strengthen and maintain their overall negotiating position in the final G2G negotiations.”

The backdrop of colonial power structures and traditional planning structures which facilitate attempts to strengthen negotiating power are contributing factors which often plague negotiations between Indian tribes and local governments (Barry, 2012). Finding ways to cooperatively plan

within the shared space of counties and with the backdrop of colonial power relations can be difficult, especially when local governments plan without hearing the voices of tribal governments and perpetuate colonialism (M. Webster, 2016). By identifying and understanding where, if any, guidance is provided and where guidance is lacking from the state to local governments regarding coordination with tribal governments in the planning process, targeted policy development can be used to fill in the gaps.

Tribal interests vary a great deal among the twenty-nine federally recognized and independent nations that constitute Indian tribes located in Washington State. Tribal interests can often be at odds with local and state government, private industry, and private landowner interests. These conflicts can cost the state millions of dollars and impact communities all over the state by forcing the state to perform expensive restoration projects, stalling development projects and significantly devaluing property due to inability to attain water rights.

Another example of conflict resulting from inconsistencies in local and tribal policy would be the “Culvert Case”¹⁸, which could potentially cost Washington State nearly 2 billion dollars. The decision in the Culvert Case essentially established that Washington State was required to remove and replace all road culverts which would negatively affect salmon spawning or migration by the year 2030 (*United States v. Washington*, 2017). Established as an infringement on treaty rights to salmon and salmon protection, an injunction was granted by the federal judge that required the state to replace culverts with more fish-friendly waterways, which was also upheld by the Ninth Circuit Court. In the supreme court the case resulted in a rare 4-4 split ruling, leaving the Ninth Circuit Courts ruling and the injunction standing.

¹⁸ *United States v. State of Washington*, F. 2d (2007), No. CV 9213RSM, 2007 WL 2437166, (W.D.Wash., August 22, 2007)

The decisions in the Culvert Case and Hirst Decision by the Washington State Supreme Court cost private landowners, rural communities and the state and local governments a great deal in uncertainty regarding the granting of rights for rural development projects and state costs for the restoration of salmon streams impacted by culverts. In response to the Hirst Decision, counties severely restricted approvals for subdivisions and building permits for houses that relied on permit-exempt wells (“Washington State Department of Ecology - Hirst decision,” 2017). The exempt wells allowed under the DOE’s rules were viewed as possibly impacting both senior tribal water rights protected under the Winters Doctrine,¹⁹ and the salmon habitat protection rights established under Boldt II, of which the Indian tribes have the most senior rights. The Squaxin Island Tribe was a major proponent of the Hirst Decision and Culvert Case²⁰, seeking the protection of tribal property rights to fisheries resources. If more planning coordination occurred with tribes, given their broad interests in both water allocation and treaty fishing rights, it is more likely that avoidance of litigation may have resulted through negotiated approaches to conflict resolution. These cases provide pertinent examples of the growing understanding among Washington State’s government regarding a need for greater incorporation of tribal interests into the planning process.

There are many overlaps with tribal and local government interests and goals which have been the focus of models for cooperation between states and tribes (Johnson, Kaufmann, Dossett, & Hicks, 2009) and cooperative planning (CP) (Morton, Gunton, & Day, 2012). Tribes and state governments mutually desire to achieve effective resource use, comprehensive services, environmental safety, the protection of natural environments, and healthy economies (Johnson, et

¹⁹ U.S. Supreme Court case regarding the water rights of Indian reservations. The case clarified how the United States government acknowledged Indian water rights for the continuing survival and self-sufficiency of Indian reservations (*Winters v. United States*, 1908).

²⁰ The Squaxin Island Tribe was the main proponent of the litigation, with support from the Swinomish Indian Tribe.

al, 2009). Effective relationships and cooperatively planning regarding areas of common interest can help reduce conflict between local governments and tribes, as well as reducing the consequences of tribal actions on surrounding areas and governments (Johnson, et al, 2009). Cooperative planning has been shown to improve stakeholder relationships, facilitate new communication skills and create a shared knowledge base (Morton, et al, 2012). Continuous and face-to-face communication is an important aspect of cooperative planning as demonstrated by successful cases of interlocal cooperation in the literature. The established annual meeting between the governor of Washington State and Indian tribes during the first Centennial Accord negotiations were acknowledged as insufficient communication to adequately address the issues (Johnson, et al, 2009). The yearly meetings were replaced with structured and regular communication provisions between Indian tribes and the executive branch, drastically improving relations and approval by Indian tribes.

Morton, et al acknowledges the importance of not only providing participation through a “first-tier” public participation format but providing a “second-tier” of face-to-face consultation with Indian tribes (2012). The second-tier consultation was a distinct and separate consultation process comprising of affected Indian tribes who could also participate in the first-tier public participation. The Accords and intergovernmental agreements have expanded on the second-tier participation structure outlined by Morton, et al, expanding beyond face-to-face consultation to create a formal government-to-government process for consultation with tribes. Providing a second, separate consultation for tribal governments is a principle practice of the Centennial Accord and many counties and cities who have signed intergovernmental agreements with Indian tribes.

Conclusion

The treaty rights of Washington's Indian tribes extend the interest of tribes beyond the boundaries of reservations and into county spaces where they may be impacted by GMA comprehensive planning. Limiting tribal governments to public participation methods and ignoring tribal governments within a regional planning context has led to litigation and conflict when tribes seek to protect treaty rights. Through decades of litigation and conflict, Washington State's government has developed successful methods for incorporating tribal interest and establishing appropriate communication practices with Indian tribes demonstrated in the Accords. Broader implementation of the successful Accord policies into legislation to guide local governments in cooperating with Indian tribes would address many of the issues associated with traditional planning practices that weaken tribal sovereignty and reduced participation by tribal governments. Providing appropriate platforms for the sovereign tribal governments to participate in local planning would reduce conflict and improve the historically adversarial relationships which have resulted from local governments asserting their authority over Indian tribes. Adoption legislation based on the principles and practices of the Accords would better achieve the interjurisdictional element of the GMA's interjurisdictional coordination goal which does not regard tribal governments as valid jurisdictions. Applying planning values means that planning should reflect a balanced consideration of values from competing and complementary interests, likely requiring coordination, negotiation, and compromise (Keiser et al, 1995).

Successful methods of incorporating tribal interest and providing appropriate participation for tribal governments is well understood by Washington State's governments, demonstrated by the Accords, and has been adopted by many counties and cities through intergovernmental agreements. The literature supports the principles and practices established in

the Accords as solutions to less participatory planning methods and more suitable methods for cooperating with Indian tribes.

Methodology

Introduction

The methods for this project were derived from the qualitative textual data analysis techniques known as template analysis, a form of content analysis. Template analysis is not a single, clearly defined methodology but is instead a set of techniques for thematically organizing and analyzing textual data (King, 2004). One key element of template analysis that distinguishes it from other forms of content analysis, such as grounded theory or discourse analysis, is the flexibility of the technique which allows researchers to tailor template analysis to the requirements of this specific project (King, 2004). Another key element of template analysis is the formation of an initial template of codes or themes before analyzing the textual data. The initial template can be derived from an initial understanding of the research subject, interview topics, or the initial research question. The initial template codes are used to analyze the textual data and the initial template is revised using relevant text or reoccurring themes which are coded and added to the initial template by either inserting or replacing inadequate codes (King, 2004). King (2004) states that codes can be used to create a hierarchical organization where groups of similar codes are grouped together to form higher-order codes. However, specific codes can be organized in a hierarchical structure by placing more value on specific codes. Codes may also be organized in parallel coding segments of text, where a segment may be classified into two or more different codes at the same level or different hierarchical levels (King, 2004).

Other methods of textual and thematic analysis were considered for this project, including framework analysis, discourse analysis, and grounded theory. These methods were not utilized because of several main differences which designated template analysis as the most appropriate technique. Two main differences between template analysis and grounded theory are that grounded theory consists of data gathering and analysis procedures which must be followed, and the users of grounded theory claim to be uncovering the sub-textual or ‘real’ meaning of the textual language (Strauss and Corbin, 1990; King 2004). Template analysis does not analyze the textual data as intricately or with the same intentions as grounded theory, but template analysis allows greater freedom regarding the use of methods for data collection and analysis. Template analysis primarily differs from framework analysis regarding the formation of codes. Instead of starting with an initial template of codes for the analysis of textual data, framework analysis requires the researcher to first familiarize themselves with the data and then identify themes to be coded (Srivastava & Thomson, 2009). Framework analysis requires the data to determine where the research will be directed and how it will be analyzed, but template analysis’ formulation of an initial template of codes with which to analyze data was more appropriate for this project because of the criteria for the initial identification and analysis of public policies were well established. Initial inquiries into methods for this project placed discourse analysis as the primary candidate. However, discourse analysis requires much more finely grained textual analysis and primarily explores the diversity of meaning and ambiguities of words regarding how language is used to construct reality (King, 2004). This project does not attempt to uncover the meaning of keywords used within the public policy but use the language of public policies as selection criteria and as a comparative evaluation against the Accords.

Comprehensive planning elements and tribal interests

The initial procedures for this project identified the required comprehensive planning elements of the GMA through preliminary research into the legislation and scholarly articles reviewing the required elements of Washington State's GMA. The required elements of the GMA were then cross-referenced with subjects known to be of interest to Indian tribal governments. The interests of tribal governments were based on reviews of court cases, assessing the subjects of the litigation, and reviews of literature detailing tribal treaty rights and interests in Washington State. Tribal interest used as cross-references for this project were required to involve resources and services off the reservations and within the county space. Off-reservation areas where county jurisdiction is in effect, tribal authority is based on the protection of treaty rights facilitated through private property rights, but tribes generally have no jurisdictional authority. However, tribes do have significant interests in county planning and policies that may affect their treaty-based property rights. Treaty resource interests include water rights, habitat protection, cultural interest, fishing, and hunting. Corollary interests affecting tribal development are also a primary interest, such as barriers to economic development, transportation, healthcare, and utilities. Required comprehensive planning elements that may particularly affect tribal interests include the land use element²¹ or critical areas requirement²² within the GMA.

Coding and Indexing

Laws and Regulations

The initial template of codes for this project's textual analysis methods was created using the well-established criteria for which public policies were relevant to this project; laws,

²¹ RCW 36.70A.070 (1)

²² RCW 36.70A.030 (5)

regulations, and policies mentioning Indian tribes and pertaining to the required comprehensive planning elements of the GMA. Codes were established using keywords, such as “Indian”, “tribes”, “tribal” and “reservation”. Themes of the public policies derived from for the comprehensive planning elements involved land use, natural resources, housing, capital facilities, utilities, rural development, transportation, economic development, parks and recreation, and ports. Archival research was performed with the search function on the Washington State Legislature website and using the initial codes as search criteria. Search results were assessed and selected based on their subject matter, assessing regulations on WAC sections under-relevant agencies, assessing legislation using RCW section numbers under GMA planning elements, and reading and keyword search function.

Once laws and regulations were selected using the initial code template, sections identifying Indian tribes were read and the laws and regulations were organized according to which of the GMA planning themes they contained. Laws and regulations were thematically organized using the parallel coding strategy of template analysis, where specific laws and regulations could be organized under more than one theme or code.

After the identification and indexing of the laws and regulations, the initial template of codes and themes was reassessed to create the final template. Salient themes and codes emerged from the textual analysis of the laws and regulations and relevant themes were added to the template while the initial codes were replaced to adjust the scope of the laws and regulations to a more appropriately represent the content of the laws and regulations. The additional themes included modes of participation between local governments and tribal governments regarding the comprehensive planning, including public participation and comment, consultation with tribal governments, invitations to participate in planning, giving notice to tribal governments,

collaboration and cooperative participation, and a category for other modes not defined by the previous five themes. The codes which replaced the initial template codes were mandatory and non-mandatory language. Mandatory language codes included the use of key terms such as “must”, “shall”, “require(d)”, and “will”. Non-mandatory codes included key terms such as “may”, “encourage(d)”, “should”, “purpose”, “authorized”, and “consider”.

The revised codes and themes were organized into a hierarchical structure. Mandatory codes were assigned a higher participatory value than non-mandatory codes. Themes associated with the modes of participation were organized into a hierarchical structure based on their level of participation with tribal governments and the appropriateness of the mode of interaction regarding the sovereign status of tribal governments. The hierarchical organization of the modes of participation was based on the literature regarding successful and appropriate cooperation methods with tribal governments, and the principles of the Accords which were developed in collaboration between the executive branch of Washington state and Washington State’s tribal governments. Because of the complex and broad language of some laws and regulations, parallel coding was utilized, where laws and regulations could be organized under mandatory and non-mandatory codes, as well as multiple themes for the mode of participation. Due to issues which may arise by using quantitative analysis and parallel coding, this project did not assign additional value to laws or regulations which were organized into multiple codes and themes.

Policies

The initial template for the identification of policies consisted of codes which identified policies intended to guide local governments in cooperating with tribal governments in the GMA planning process. The codes also distinguished policies meant to guide local governments from policies for the agencies themselves in working with Indian tribes, such as the policies in the

Accords. The codes for policies included the mention of Indian tribes and tribal governments, as well as counties and other local governments in a comprehensive planning capacity regarding the established GMA planning elements.

The appropriate agencies with jurisdiction to establish policies under the various GMA planning elements were identified and contacted through phone calls to agency planning departments. Agency planning representatives were asked to identify any policies they knew of associated with the established codes and to elaborate on the content of those specific policies or provide sources for the policies. Agency websites served as tools to locate specific policies containing the codes upon the recommendation of agency planning representatives. Sources from the Governor's Office of Indian Affairs (GOIA) were contacted similarly through phone conversations and review of policies located on the GOIA's website.

The organization of policies did not include the hierarchical or parallel coding methods but were analyzed regarding which comprehensive planning elements and the planning topics the policies addressed. Regarding policies, the goal of this project was to see if any policies were present to guide local governments in planning and what planning topics were mentioned.

Accord Principles

The initial template for the identification of the Accords' principles utilized codes established using this project's principal research question and the goals. Codes for the identification of relevant guiding principles of the Accords included principles mentioning best practices for communication and cooperation with tribal governments and promoting the Accords' principles with counties or other local governments.

Review of the Accords using the initial template codes required modification of the codes to include additional codes for the identification of relevant Accord principles. Additional codes included conflict mitigation, specific planning topics identified, reoccurring terms or themes, and principles from the Millennium Agreement which expanded upon Centennial Accord principles.

Interpretation and Evaluation

The identified public policies were evaluated against the guiding principles of the Accords and the GMA's coordination goal. The GMA's goal is recognized as a salient component for the evaluation of public policies associated with the comprehensive planning elements and assessing the adequacy of laws and regulations in accomplishing this primary goal of the GMA. The Accords' principles and the GMA's coordination goal served as the standard for which to evaluate the public policies in accomplishing successful methods for cooperation with and incorporating the interests of tribal governments.

From the evaluation of identified public policies against the Accords' principles and the GMA's coordination goal, recommendations were made for accomplishing the interjurisdictional goals of the GMA and improving cooperation with and better incorporating the interests of Indian tribes into comprehensive planning.

Results

After conducting extensive regulatory and policy searches on Washington State Legislature's archival website, contacting the tribal liaisons of state agencies, and information requests to the Governor's Office of Indian Affairs, the project has defined forty WAC regulations and thirty-four RCW laws being listed and assessed. Policies were identified through phone conversations and email correspondence with state agency planning staff and tribal

liaisons. What resulted from these conversations and correspondences was the identification of several voluntary programs for tribal and county interaction and a consistent theme that agencies have no authority to direct counties on their relationship with tribes. After reading the Centennial and Millennium Accord, eight guiding principles were identified as references to assess the adequacy of state laws, regulations and policies providing guidance to counties for the incorporation of tribal interests into comprehensive planning.

In the following paragraphs of this results section I will first identify the 9 guiding principles selected from the Centennial Accords and Millennium Agreement, present the selected forty regulations and thirty-four laws that were selected for this project and significant information ascertained from the analysis of the seventy-three laws and regulations, and this section will end with the results of the correspondence with state agencies to acquire relevant policies provided to counties as guidance on interacting with tribes.

Guiding Principles

The eight guiding principles which were identified for this project from the Millennium Agreement and Centennial Accord highlight the main purpose, goals, and objectives of the two documents. These guiding principles were selected based on their representation of the established goals of the agreements, principles which occurred in both Accords or repeated throughout one and guiding principles which were updated or modified for the Millennium Agreement. The selected guiding principles for this project are as follows (*Centennial Accord*, 1989; *The Millennium Agreement*, 1999):

1. Encourage cooperation between tribes, the state, and local government to resolve problems of mutual concern.

2. Continuing cooperation in the future by developing enduring channels of communication and institutionalizing government-to-government processes that will promote timely and effective resolution of issues of mutual concern;
3. Striving to coordinate and cooperate as we seek to enhance economic and infrastructure opportunities, protect natural resources and provide the educational opportunities and social and community services that meet the needs of all our citizens.
4. Take appropriate steps to remove legal and procedural impediments to working directly and effectively with each other's governments and programs
5. Parties should ensure that consultation occurs through the interaction of officials with comparable governmental stature and authority
6. Tribal interests should be considered in the administration of (these) programs by the state
7. To formalize the requirement for the State of Washington to implement a government-to-government policy and to seek consultation and participation by representatives of tribal governments in policy development and program activities
8. Incorporate these Principles into planning and management activities, including budget, program development and implementation, legislative initiatives, and ongoing policy and regulation development processes

Principles 1,2, 6, 7, and 8 were identified in the Millennium Agreement, while principles 3,4, and 5 were identified in the Centennial Accord. The first three principles emphasize coordination and cooperation between tribes, the state and local governments as an essential method of conflict reductions concerning areas of mutual interest. The third principle highlights important elements for coordination and cooperation, including natural resources, infrastructure, social services, and education. The principles establish and reinforce a communication and consultation process that opens a dialogue with tribes and incorporates tribal interests into the state planning process. These principles contain recurring language, such as coordination, consultation, and cooperation, but they were identified as the touchstone for this project because they each expand upon previous principles and emphasize the intent of the Agreement's goals.

RCW

Identification and Classification

After extensive archival research and investigation of the Revised Code of Washington State laws, thirty-four laws were identified and selected. The selected laws relate to a diverse range of topics, from GMA planning, coastal management, and natural resources to state board

health members and community economic revitalization. The criteria for the selection of laws of relevance to this project were the specific mention of county coordination or cooperation with tribal governments within the county space and off Indian reservations. The criteria for selection also included any mention of coordinated planning involving resources which tribal governments would have direct involvement in. An example of such a law which did not directly mention tribes but still involved them would be the mention of coordinated planning of salmon recovery within a county or between counties, which tribes must be included in as stated in RCW 77.85. The following paragraphs will delve into the results of the extensive research into the Revised Code of Washington State and qualitatively examine the pertinent information of these laws.

After selecting the thirty-four relevant laws from Washington State's legislative website, these laws were then organized into groups defined by the GMA planning elements as detailed in the methods section of this project. All but three of the thirty-four laws were assigned to an individual category based on the particular language and focus. One of the exceptions to this was RCW 43.376.050ⁱ, which mandates a yearly meeting between statewide elected officials and tribal government leaders for the purpose of addressing issues of mutual concern. The featured topics of the yearly meeting between statewide elected officials and tribal representatives are not mentioned within the law. As it is understood, these meetings may include any and all planning related topics which tribal governments and state officials find significant.

For this reason, RCW 43.376.050 was labeled as including all GMA planning elements. Other laws, which involved multiple topical categories, were RCW 79A.25.330ⁱⁱ, RCW 36.70A.210ⁱⁱⁱ, RCW 36.70A.36.70.035^{iv}, and 79A.25.310^v, which regulate the removal and management of invasive species in parks and on public lands. These laws involve natural

resources and parks and recreation. Table one displays the thirty-four selected laws and their distribution by corresponding GMA planning element.

Table 1: Relevant RCW laws organized by the main planning subjects addressed within the language. Highlighted laws are GMA laws.

LAWS	Land use	Natural Resources	Housing	Capital Facilities	Utilities	Rural Development	Transportation	Economic Development	Parks and Rec	Ports
RCW 17.10.201		X								
RCW 27.44.050	X									
RCW 27.53.60	X									
RCW 36.70A.210	X		X	X	X	X	X	X		
RCW 36.70A.035	X	X	X	X	X	X	X	X	X	X
RCW 36.70A.745	X									
RCW 36.70A.715		X								
RCW 36.125.050		X								
RCW 36.125.020		X								
RCW 39.33.010	X									
RCW 43.06.338		X								
RCW 43.20.030					X					
RCW 43.160.030								X		
RCW 43.376.050	X	X	X	X	X	X	X	X	X	X
RCW 52.30.080						X				
RCW 64.04.130	X									
RCW 76.04.760		X								
RCW 77.85.050		X								
RCW 77.95.160		X								
RCW 77.100.110		X								
RCW 77.85.200		X								
RCW 79A.25.330		X							X	
RCW 79A.25.310		X							X	
RCW 79.155.110		X								
RCW 89.08.500		X								
RCW 89.08.510		X								
RCW 90.46.005		X								
RCW 90.54.010		X								
RCW 90.71.250		X								
RCW 90.94.030		X								
RCW 90.94.020		X								
RCW 90.92.040		X								
RCW 90.92.050		X								
RCW 90.80.070		X								
	8	25	3	3	4	4	3	4	4	2
Total: 34										

After organizing the thirty-four laws into the appropriate topical categories, it is apparent that *Natural Resources* contain a majority of laws with a total of twenty-five. *Land use* was the second most populous category with eight total laws. *Parks and Recreation*, *Economic Development*, *Rural Development*, and *Utilities* consisted of four laws respectively. *Housing*, *Capital Facilities*, and *Transportation* all contained three laws. *Ports* contained two laws. The laws within the category of *Natural Resources* chiefly concerned water and salmon management, with fourteen of the twenty-five total laws mentioning or exclusively consisting of water or salmon management. Coastal or ocean management made up three of the natural resource laws.

The remaining Natural Resource laws consisted of invasive species management (three), forest lands (two) and RCW 43.376.050. In addition to RCW 43.376.050, the remaining laws included state board of health members selection under the *Utilities* category, fire district services for tribal reservation lands under the Rural Development category, selection of community economic revitalization board members under the Economic Development category, and two invasive species removal laws under Parks and Recreation category.

There were a total of four GMA laws identified for this project, highlighted in *table 1*. The Land Use category consisted of three Growth Management Act planning laws, one for statewide advisory committee membership²³, one regarding the possibility of tribes to participate in countywide planning, and one regarding public participation notice provisions that included Indian tribes. One GMA law was under the *Natural Resources* category, concerning the county watershed groups and consultation with Indian tribes. Due to the broad language contained in RCW 36.70A.035, public participation was assumed to involve all comprehensive planning elements. The language of RCW 36.70A.210 specified which countywide planning policies shall be addressed, including housing, capital facilities, rural development, utilities, transportation, and economic development.

Language Inference

The language of the thirty-four RCW laws was assessed through reading the contents of the laws and highlighting relevant words or phrases which portrayed the compulsory or non-compulsory nature of the law. Compulsory or mandatory language included words such as: “must”, “shall”, “require(d)” and “will”. Non-mandatory language included words such as:

²³ The statewide advisory committee, in conjunction with the governor’s office, invites two representatives from tribal governments to participate.

“may”, “encourage(d)”, “should”, “purpose”, “authorized” and “consider”. Some laws contain both mandatory and non-mandatory language:

“Through a comprehensive planning process that includes the state, Indian tribes, local governments, and interested parties, it is possible to make better use of available water supplies and achieve better management of water resources...Comprehensive water resource planning *must* provide interested parties adequate opportunity to participate. Water resource issues are best addressed through cooperation and coordination among state, Indian tribes, local governments and interested parties”²⁴

Phrases such as these create difficulty when assigning laws to specific topical categories of Mandatory or Non-Mandatory language. Laws that contained unclear or both mandatory and non-mandatory language were assessed based on the context of the language within the law and any additional or corresponding legislation that may have provided clarification. In addition to designating the compulsory nature of each law, the mode of interaction or communication was assessed based on the language within each law. These modes of interaction included: *Public Participation, Consultation, Invitation, Given Notice, Collaboration/Cooperative Participation* and *Other*. Some laws are extensive and mention several methods of communication or interactions between tribes and counties. Laws mentioning two or more modes of interaction were assigned to the appropriate topical categories regarding the modes of interactions mentioned²⁵.

²⁴ RCW 90.54.010

²⁵ RCW 36.70A.035: Public participation-Notice provisions

Table 2: Relevant RCW laws organized by language type and mode of communication/interaction contained within said laws. The first two columns indicate if language within the laws is mandatory or non-mandatory. Highlighted laws are under the GMA (36.70A).

Laws	mandatory language?		Mode of communication/interaction			Consultation	Collaboration/cooperative participation	Other
	yes	no	Public participation	Invitation	given notice			
RCW 17.10.201		X					X	
RCW 27.44.050	X							X
RCW 27.53.60	X							X
RCW 36.70A.210		X					X	
RCW 36.70A.035	X		X		X			
RCW 36.70A.745	X						X	
RCW 36.70A.715	X						X	
RCW 36.125.050	X					X		
RCW 36.125.020	X			X				
RCW 39.33.010		X						X
RCW 43.06.338	X						X	
RCW 43.20.030	X						X	
RCW 43.160.030	X						X	
RCW 43.376.050	X					X		
RCW 52.30.080		X					X	
RCW 64.04.130		X						X
RCW 76.04.760	X							X
RCW 77.85.050	X						X	
RCW 77.95.160	X						X	
RCW 77.100.110	X						X	
RCW 77.85.200	X						X	
RCW 79A.25.330		X					X	
RCW 79A.25.310		X					X	
RCW 79.155.110	X						X	
RCW 89.08.500		X					X	
RCW 89.08.510		X					X	
RCW 90.46.005	X						X	
RCW 90.54.010	X						X	
RCW 90.71.250	X						X	
RCW 90.94.030	X			X				
RCW 90.94.020	X			X				
RCW 90.92.040	X			X				
RCW 90.92.050	X						X	
RCW 90.80.070	X				X			
Total: 34	25	9	1	4	2	2	21	5

Of the thirty-four laws selected for this project, twenty-five of the laws contained mandatory language and nine contained non-mandatory language. The modes of participation and communication within the thirty-four selected laws demonstrate a diverse selection, with all modes containing one or more laws. However, the laws demonstrate a majority concerning communication and participation through collaborative/cooperative participation methods. *Collaborative/Cooperative Participation* was the most populous category of the thirty-four laws, containing twenty-one laws. Of the twenty-one laws within Collaboration/Cooperative Participation, nine laws contained non-mandatory language and twelve contained mandatory language.

All other topical categories contained fourteen laws. The distribution of laws within the remaining topical categories included one law for Public Participation, two laws for *Consultation*, four laws for *Invitation*, two laws for *Given Notice* and five laws for *Other*. All laws within the *Public Participation*, *Consultation*, *Invitation* and *Given Notice* categories contained mandatory language. Three of the five laws within the category of *Other* contained mandatory language while two laws contained non-mandatory.

The modes of communication constituting the category of *Other* included Indians or Indian tribes pursuing recovery of damages to archeological objects/graves through county courts, contacting Indian tribes upon the discovery of graves or archeological objects, the acquisition of lands for conservation purposes by Indian tribes within a county, and permitting municipalities to sell or lease land to Indian tribes.

The GMA laws contained mandatory language for three laws and non-mandatory language for one law. Three of the GMA laws also contained cooperative participation modes, with the language of one law involving public participation and giving notice to Indian tribes.

WAC

Identification and Classification

The identification of the Washington Administrative Code (WAC) regulations was performed in a similar manner as the identification of RCWs, consisting of a series of online archival searches done through the Washington State Legislature website. As well, relevant regulations were located through recommendations made by the Governor's Office of Indian Affairs and agency tribal liaisons. Selection criteria for WAC regulations were also the same as those for the selection of RCW's, the specific mention of county coordination or cooperation with tribal governments within the county space and off Indian reservations. The criteria for

selection also included any mention of coordinated planning involving resources in which tribal governments have direct interest but may not be mentioned directly within the regulation. An example of such a regulation would be WAC 173-150-090²⁶ which mentions junior and senior water right holders reaching voluntary agreements. Possessing a senior water right, Indian tribes have a clear and direct interest in water allocation policy, particularly with an inchoate threat from a rapidly growing population and the dwindling availability of water in Western Washington.

Forty-one relevant WAC regulations were identified after extensive archival searches and state agency communication. Five state agencies were responsible for the forty WAC regulations selected for this project. State agencies with relevant regulations included the Department of Ecology (DOE), Department of Commerce (DOC), Department of Health (DOH), Department of Transportation (DOT) and the Health Care Authority (HCA). The agency responsible for most of the relevant regulations selected for this project was the DOE. Of the forty-one total regulations, twenty-seven were from the DOE, six were from the DOT, five were from DOC and the Forest Practices Board, DOH, and HCA had one regulation each.

As with the RCW's, the relevant WAC regulations selected for this project were read and assigned to one or more of the ten available categories. The most populous category was *Natural Resources*, which contained twenty-seven of the forty regulations. The regulations addressing natural resources came from two agencies, the DOE and DOC. The second most populous category was Transportation, with seven of the forty relevant WAC's. All but one of the

²⁶ (1) Notwithstanding the provisions of WAC [173-150-080](#), should the senior and junior water right holders reach a voluntary agreement which satisfies the concerns stated in the notification of impairment, the department, if it determines that the public interest is fully protected thereby, shall not regulate the withdrawals by the junior water right holder under this regulation.

regulations within the Transportation category are associated with DOT²⁷. The third most populous category was Land Use, with five regulations from DOE and DOC. The *Utilities* category contained one regulation from DOH. *Housing, Capital Facilities, Rural Development, Economic Development, Parks and Recreation*, and *Ports* contained no regulations.

The regulations contained within the *Natural Resources* category pertain to a wide variety of subjects, from water resource inventory to toxics control and dangerous waste management. Eight regulations within *Natural Resources* involved water²⁸, consisting of instream flows, shoreline management, and groundwater. Four regulations within *Natural Resources* involved wetland banks²⁹ and six regulations involved model toxics control and dangerous waste management³⁰. A total of eight regulations from *Natural Resources* involved special protection designations for environmental areas, environmentally sensitive areas and critical areas designations³¹. One regulation within *Natural Resources* pertained to the master program provision³².

²⁷ WAC 182-546-5200 Department of Health-Nonemergency transportation broker and provider requirements

²⁸ WAC 173-100-050, WAC 173-100-090, WAC 173-157-200, WAC 173-204-415, WAC 173-501-030, WAC 173-532-055, WAC 173-500-080, WAC 173-150-090

²⁹ WAC 173-700-100, WAC 173-700-102, WAC 173-700-220, WAC 173-700-222

³⁰ WAC 173-303-902, WAC 173-340-600, WAC 173-340-360, WAC 173-340-720, WAC 173-183-230, WAC 173-360A-0130

³¹ WAC 173-26-251, WAC 173-200-090, WAC 173-270-040, WAC 173-360-530, WAC 365-190-040, WAC 365-190-060, WAC 365-190-080, WAC 365-190-130

³² WAC 173-26-221

Table 3: Relevant WAC regulations organized by main planning subjects addressed within the language. Highlighted WAC's include GMA regulations (WAC365-196), critical areas (365-190), and Shoreline Master Programs (173-26).

REGULATIONS	Land use	Natural Resources	Housing	Capital Facilities	Utilities	Rural Development	Transportation	Economic Development	Parks and Rec	Ports
WAC 197-11-408	X									
WAC 173-26-201	X									
WAC 173-26-110	X									
WAC 173-270-030	X									
WAC 173-26-221		X								
WAC 173-26-251		X								
WAC 173-100-050		X								
WAC 173-100-090		X								
WAC 173-150-090		X								
WAC 173-157-200		X								
WAC 173-183-230		X								
WAC 173-200-090		X								
WAC 173-204-415		X								
WAC 173-270-040		X								
WAC 173-303-902		X								
WAC 173-340-600		X								
WAC 173-340-360		X								
WAC 173-340-720		X								
WAC 173-360A-0130		X								
WAC 173-360-530		X								
WAC 173-500-080		X								
WAC 173-501-030		X								
WAC 173-532-055		X								
WAC 173-700-100		X								
WAC 173-700-102		X								
WAC 173-700-220		X								
WAC 173-700-222		X								
WAC 182-546-5200							X			
WAC 222-20-120		X								
WAC 246-290-100					X					
WAC 365-190-040		X								
WAC 365-190-060		X								
WAC 365-196-450	X									
WAC 365-190-080		X								
WAC 365-190-130		X								
WAC 468-12-510							X			
WAC 468-63-050							X			
WAC 468-63-040							X			
WAC 468-63-060							X			
WAC 468-86-050							X			
WAC 468-86-090							X			
	5	28	0	0	1	0	7	0	0	0
TOTAL: 41										

The subjects of regulations within the *Land Use* category consist of SEPA public and tribal comment rules³³, master program regulations³⁴, best management practices for WSDOT stormwater runoff³⁵ and one regulation regarding historic preservation³⁶. For regulations under the *Transportation* category, subjects included regional transportation plans and Regional Transportation Planning Organizations (RTPO's)³⁷, community trip reduction programs³⁸, one regulation regarding public notice procedures and determinations of non-significance within

³³ WAC 197-11-408

³⁴ WAC 173-26-201, WAC 173-26-110

³⁵ WAC 173-270-030

³⁶ WAC 365-196-450

³⁷ WAC 468-86-050, WAC 468-86-090

³⁸ WAC 468-63-060, WAC 468-63-050, WAC 468-63-040

environmental impact assessments³⁹, and one regulation regarding non-emergency transportation⁴⁰. Under the *Utilities* category, one regulation pertained to water system plans⁴¹.

The highlighted regulations are GMA and GMA related regulations. WAC's 173-26, sections 110, 201, 221, and 251 involved shoreline master plan programs and master plan development. The language within the WAC's indicates that shoreline master plan programs are considered a section of the GMA's comprehensive planning, and it is appropriate to identify them as GMA regulations. WAC 365-196-450 is under the Department of Commerce and involved the identification of cultural properties of Indian tribes within counties. WAC 365-190-080 is also under the Department of Commerce and administers rules for critical areas. In total, there are six regulations attributed to the GMA.

An examination of the language of the forty regulations identified for this project delivered similar results as those with the RCW's, with most regulations containing mandatory language. Of the forty regulations, twenty-nine contained mandatory language while twelve regulations contained non-mandatory language. One regulation, WAC 173-26-201, was extensive and comprehensive in addressing the preparation of Shoreline Master Programs. WAC 173-26-201 contained both mandatory and non-mandatory language, as well as references to *Public Participation, Consultation, Giving Notice* and *Collaborative Participation* regarding Indian tribal governments. As well, WAC 173-26-221 mentions multiple modes of interaction between counties, local governments, and Indian tribal governments. The modes of interaction within WAC 173-26-221 are consultation and giving notice.

Table 4: Relevant WAC regulations organized by language type and mode of communication contained within said regulation. The first two columns indicate if language within a Regulation referencing tribal participation is mandatory or non-mandatory. Highlighted

³⁹ WAC 468-12-510

⁴⁰ WAC 246-290-100

⁴¹ WAC 182-546-5200

regulations directly are attributed to the GMA.

Regulations	mandatory language?		Mode of communication/interaction					Other
	yes	no	Public participation	Invitation	given notice	Consultation	Collaboration/cooperative participation	
WAC 197-11-408	X						X	
WAC 173-26-201	X	X	X		X	X	X	
WAC 173-26-110	X		X					
WAC 173-270-030		X					X	
WAC 173-26-221	X				X	X	X	
WAC 173-26-251	X					X		
WAC 173-100-050	X		X					
WAC 173-100-090	X						X	
WAC 173-150-090		X					X	
WAC 173-157-200	X					X		
WAC 173-183-230		X					X	
WAC 173-200-090	X		X				X	
WAC 173-204-415	X					X		
WAC 173-270-040	X						X	
WAC 173-303-902	X						X	
WAC 173-340-600		X	X					
WAC 173-340-360	X		X					
WAC 173-340-720	X				X			
WAC 173-360A-0130	X		X					
WAC 173-360-530	X		X					
WAC 173-500-080		X					X	
WAC 173-501-030	X					X		
WAC 173-532-055	X		X					
WAC 173-700-100		X					X	
WAC 173-700-102	X							X
WAC 173-700-220	X			X				
WAC 173-700-222	X					X		
WAC 182-546-5200	X							X
WAC 222-20-120	X				X		X	
WAC 246-290-100	X				X			
WAC 365-190-040	X		X					
WAC 365-190-060		X					X	
WAC 365-196-450		X					X	
WAC 365-190-080		X					X	
WAC 365-190-130		X						X
WAC 468-12-510	X				X			
WAC 468-63-050	X			X				
WAC 468-63-040	X			X				
WAC 468-63-060	X			X				
WAC 468-86-050		X					X	
WAC 468-86-090		X					X	
Total: 41	29	12	10	4	6	7	18	3

Because two regulations inhabit multiple interaction categories, the total count for the distribution of regulations by interaction categories is more than the established forty total regulations. *Public participation* contained ten regulations with eight representing mandatory provisions, one non-mandatory and one regulation containing both mandatory and non-mandatory language. *Consultation* contained seven regulations total with six containing mandatory language and one containing both mandatory and non-mandatory language. *Invitation* contained four regulations with all containing mandatory language. The category of *Given Notice* contained six total regulations with five containing mandatory language and one containing both mandatory and non-mandatory language. *Collaboration/Cooperative Participation* was the most populous single category with eighteen regulations, eleven of which contained mandatory

language and one containing both mandatory and non-mandatory language. The category, *Other*, contained three regulations with mandatory language.

The *Other* category contains three regulations, WAC 365-190-130, WAC 182-546-5200 and WAC 173-700-102. WAC 365-190-130^{vi} pertains to fish and wildlife habitat conservation areas, where counties must consider areas where tribes plant game fish and do not specify which modes of communication the term “consider” encompasses. WAC 182-546-5200^{vii} addresses non-emergency transportation contracts which must be negotiated in good faith with Indian tribal governments. WAC 173-700-102^{viii} address tribal wetland banks, stating that tribal banks partially or totally located outside Indian country are subject to state and county regulations.

Half of the GMA regulations contained mandatory language with one containing both mandatory and non-mandatory language. Non-mandatory language for five of the six GMA regulations was attributed to the collaborative/cooperative participation modes. WAC 173-26-201 contained both mandatory language and multiple modes of participation. Assessing the language of the regulation to attribute mandatory or non-mandatory language to the modes of participation showed that mandatory language was used for both public participation and giving notice to an Indian tribe, with the non-mandatory language being attributed to consultation and collaboration.

Policies

For the purposes of this project, policies were identified from the relevant executive and non-executive agencies by contacting the appropriate tribal liaisons or planning department. Tribal liaisons and planners were asked to provide any existing policies that may provide counties with guidance on GMA planning and tribal cooperation. Policies were identified

verbally over phone conversations and online from agency websites upon recommendations from tribal liaisons or planners. Conversations with state agency staff yielded common themes in the views held by agencies regarding counties and tribal interactions. Reoccurring themes were the independence of local governments in GMA planning, a lack of state agency authority to direct counties regarding the incorporation of tribal interests in planning, and that the sovereign status of Indian tribes limited the state's ability in guiding local government-tribal cooperation. Most conversation reverted to areas where agencies felt they had authority regarding coordination with Indian tribes, citing the Centennial Accord and the responsibilities of executive agencies in fostering intergovernmental cooperation with tribes. Agencies contacted for this project included the Department of Ecology, Department of Commerce, Department of Agriculture, Department of Health, Department of Social and Health Services, Department of Transportation, Department of Fish and Wildlife, Utilities and Transportation Commission, Department of Archeology and Historic Preservation, Puget Sound Partnership and the Recreation and Conservation Office.

The Department of Ecology (DOE)⁴² was the first agency contacted for this project due to the abundance of regulations present. The DOE provides no general guidance to counties through written policies. However, it was mentioned that an understanding exists, communicated verbally among DOE planners, to encourage local governments to coordinate with Indian tribes when developing shoreline plans. The encouragement is verbally promulgated through planners.

The Department of Natural Resources' (DNR)⁴³ guidance to counties regarding planning with tribal governments is primarily contained within the agency's SEPA regulations. SEPA applications to DNR will not be approved without comment and review from Indian tribes,

⁴² Contact: Tom Laurie, Senior Advisor for Tribal and Environmental Affairs

⁴³ Joenne McGerr, Director of Tribal Relations

particularly if a proposed project may affect tribal land or resources. Tribes may join Forest Practice Review Boards when there is an area of common interests but is not mandatory for counties to include, nor extend invitations to Indian tribes. However, tribes are notified by DNR when they have interests in areas being discussed by planners within DNR. Ultimately, DNR does not provide official policies for guidance to counties because they do not believe they have the authority to tell counties what to do.

The Department of Commerce⁴⁴ provides a booklet to counties and local governments to provide guidance and assist them with tribal interactions. The booklet on tribal interactions is available to counties and local governments, free of charge and available online at the Department of Commerce's website⁴⁵. The Department of Commerce also provides counties and local municipalities with short courses on local planning. The short courses are three-hour workshops providing insight on issues involving GMA planning, Indian tribes, and local governments. The local planning short course is open to the public, free of charge.

The Department of Agriculture (WSDA)⁴⁶ indicated that there are no specific policies established by WSDA to provide counties or local governments guidance on tribal interactions. Most information and guidance to local governments from WSDA is provided through SEPA regulations. Critical areas planning was used as an example by the two policy advisors, stating that no critical areas designations and planning are complete until tribes have commented. A voluntary stewardship program from WSDA exists which requires the twenty-seven participating counties to engage with Indian tribes when planning. The voluntary stewardship program

⁴⁴ Cheryl Smith, Senior Policy Advisor

⁴⁵ <https://www.commerce.wa.gov/serving-communities/growth-management/short-course/>

⁴⁶ Evan Sheffels, Senior Policy Analyst; Kelly McClain, Policy Advisor to the Director

involves environmental conservation management and agricultural practices. Another program mentioned during the conversation was the Dairy Nutrient Management Plan (RCW 90.64). According to WSDA, part of the law facilitates coordination between county ecology offices and tribal governments over nutrient pollution from dairy farms. It was also mentioned that the law facilitates coordination on pollution reports, where counties send water quality reports to tribal governments. However, attempts to verify these statements through review of RCW 90.64 yielded no mention of Indian tribes or language from within the law's subsections requiring or encouraging counties to coordinate with tribes in the management of water quality and dairy farm pollution. This report does not infer that WSDNR is incorrect in their statement regarding RCW 90.64 and tribal and county coordination but may indicate a lack of clear language indicating a coordinated effort between counties and tribes in the management of dairy pollution.

The Department of Health⁴⁷ does not currently contain any official policies regarding guidance to counties on tribal interactions. The Department of Health believes there is a lack of authority to give guidance to local health jurisdictions or counties. The Department of Social and Health Services representatives, Tim Collins (Senior Director of the Office of Indian Policy) and Leah Muasau (Tribal Contracts Coordinator), also indicated that there were no specific policies to provide counties or local governments with guidance on tribal interactions. The Puget Sound Partnership indicated that no policies or regulations exist regarding guidance to counties regarding tribal interactions. Other agencies which did not have policies included the Recreation and Conservation Office and the Puget Sound Partnership. Currently, there are no official Department of Fish and Wildlife (WDFW) policies to guide counties on interactions with Indian

⁴⁷ Tribal Relations Director Tamara Fulwyler was the point of contact

tribes but Senior Tribal Policy Advisor James Woods described WDFW as developing agency policies on communication with tribes.

The Department of Archaeology and Historic Preservation (DAHP)⁴⁸ cited the agency's provision of tribal consultation information through their website for counties or individuals to access⁴⁹. The website provides information on tribal consultation through a guidebook (though the page could not be found), information on section 106⁵⁰ of the National Historic Preservation Act, and the National Association of Tribal Historic Preservation Officers (NATHPO) best practices pdf. These documents provide information on forming agreements with tribes, with several tribes listing their own preferred consultation methods on the DAHP website.

The Department of Transportation (WSDOT)⁵¹ referred to WSDOT's website on tribal information⁵² and the information provided by the department to counties and local governments. The policies for WSDOT regarding county and tribal interactions related to Regional Transportation Planning Organizations (RTPO) and Metropolitan Planning Organizations (MPO). WSDOT encourages local governments and organizations, counties and Indian tribes to coordinate through local funding opportunities. As well, WSDOT recommends that tribes, RTPOs and MPOs, and county lead agencies to work cooperatively because funds for the State Transportation Improvement Project (STIP) are primarily distributed through RTPOs. The WSDOT website provides information on Tribal Transportation Planning Organizations

⁴⁸ Director, Allyson Brooks

⁴⁹ <https://dahp.wa.gov/archaeology/tribal-consultation-information>

⁵⁰ Section 106 requires Federal agencies to take into account the effects of their undertakings on historic properties and to provide the Advisory Council on Historic Preservation (ACHP) with a reasonable opportunity to comment. In addition, Federal agencies are required to consult on the Section 106 process with State Historic Preservation Offices (SHPO), Tribal Historic Preservation Offices (THPO), Indian Tribes (to include Alaska Natives) [Tribes], and Native Hawaiian Organizations (NHO). (National Park Service American Indian Liason Office, 2012)

⁵¹ Government Relations Tribal Liaison, Megan Cotton

⁵² <http://wsdot.wa.gov/tribal/default.htm>

(TTPO)⁵³, which encourage the formation of cooperative relationships with regional and local governments and non-governmental entities to better obtain funding for transportation projects.

Discussion Section

This project's identification of state laws, regulations and agency policies is a comprehensive list demonstrating the extent of statutory and regulatory language relating to tribal involvement in comprehensive planning within the county space. This list is an accumulation of relevant laws and regulations which directly reference Indian tribes in a participatory capacity regarding comprehensive planning. This list does not attempt to compile every law or regulations which may potentially affect Indian tribes. The interpretation of mandatory and non-mandatory language within the context of this project is grounded in publications on statutory interpretations in Washington State and *Webster's Third New International Dictionary of the English Language* outlined in this project's method section. This discussion section will assess the findings of this project by first discussing the relevant elements of the data, key findings, and discuss the context. This section will then assess the adequacy of Washington State's GMA planning guidance provided to local governments in relation to the eight guiding principles chosen for this project, and provide possible solutions identified through the literature.

Policies

The discussion of policies with agency representatives highlighted a lack of authority on the part of agencies to form policies that could help guide local governments when planning with Indian tribes. Agency representatives consistently communicated the lack of authority to tell

⁵³ <http://wsdot.wa.gov/planning/Tribal/default.htm>

counties when, where, and how to plan with Indian tribes. Conversations followed a similar pattern of stating a lack of authority and leading the discussion to existing NEPA and SEPA regulations and the need for tribal comment before the assessments can be approved. The number of regulations for any one agency was not related to the number of policies held by the agency. The WSDOE is associated with many more regulations than other agencies in this project but has no official policies to help guide local governments when planning with Indian tribes.

Both the Department of Commerce and Department of Transportation have official policies to help guide counties in planning with Indian tribes. The Department of Commerce's short course includes planning with Indian tribes but must be requested by local governments and Indian tribes. The Regional Transportation Planning Organizations (RTPOs), consisting of regional and local governments, and Tribal Transportation Planning Organizations (TTPOs) are encouraged to work together by the WSDOT when requesting funding and planning regional transportation projects. The WSDOT requires partnerships between tribal planning organizations and non-tribal planning organizations in some cases due to funding limitations and the ability to allocate those funds ("Tribal Liaison | WSDOT," 2019). WSDOT also encourages local funding sources for tribal projects through coordinating and working with counties, local municipalities, and local organizations (2019). Additionally, WSDOT makes recommendations for TTPOs, RTPO's and county lead agencies to work cooperatively since state transportation improvement project (STIP) lead agencies are RTPO's.

While the Department of Commerce's short course on planning deals directly with comprehensive planning under the GMA, the RTPO and TTPO policies from the WSDOT deal with transportation planning outside of the GMA. The policies provided by the Department of Commerce and WSDOT are not mandatory and simply encourage cooperation, provide services

to local governments willing to learn about cooperative planning with Indian tribes, and provide solutions to issues recognized by the agencies. Despite being obligatory, the RTPO policies from the WSDOT demonstrate innovative methods for including tribal governments in regional planning without any formal legislative mechanisms for accomplishing coordination with Indian tribes.

State agencies have the jurisdiction to form regulations given authority from laws passed by the legislature and signed by the Governor. All agency policy and guidelines that are of general applicability are subject to a review by the Joint Administrative Rules Review Committee (34 RCW § 05.630), but the agencies are able to adopt rules, procedure, and policies that fall within the given authorities of each agency. Following the procedures for the public participation and implementation of rules outlined in chapter 34.05 RCW, agencies have the authority to create rules and policies within their jurisdiction (34 RCW§ 05.020). The authority granted to agencies for the enforcement of laws and the creation of policies and procedures does not give agencies the authority to mandate county engagement with Indian tribes, but agencies can provide counties with guidance regarding planning best practices for cooperating with tribal governments.

These best practices are the principles making up the Accords and are discussed in the planning literature, such as open and free communication, well defined government-to-government communication structures, conflict resolution procedures, and recognizing the sovereignty of both tribal and non-tribal governments. The lack of guiding policies exhibited by the agencies included in this project may result from feelings that such policies would be stepping beyond agency authority and telling counties how to plan, resulting in conflicts or litigation.

The practices and principles within the Accords are known to be effective because they are the product of direct discussions with Washington's Indian tribes and the culmination of knowledge from decades of litigation and conflict. The principles of the Accords that agencies follow could be provided to counties and local governments in the presence of limited legislative structure regarding cooperative planning with Indian tribes. Much like the Department of Commerce and WSDOT's innovative programs that provide guidance to local governments willing to learn, other agencies could have policies in place to address the pertinent issues at the behest of local governments. An example could be the issue of water quality, pesticides from agricultural runoff, and protecting salmon. The WSDOE could provide training to agricultural producers and local governments regarding best practices for working with tribes to address issues of water quality, improve interjurisdictional cooperation, and reduce conflict. The best practices from the Accords and within the literature could serve as the template to developing policies to help local governments plan with Indian tribes at their discretion. Many of the principles and best practices have already been formalized besides the Accords and between the state government, tribal governments, and local governments. Every year tribal representatives and state fishing representatives cooperate in negotiating salmon harvests. As well, many local governments have agreements, MOUs and IGAs, with neighboring Indian tribes to formalize communication, cooperation, and improve relations.

The Accords have already been proven to work and are incorporate best practices agreed upon by tribes for improving relations and appropriately communicating. Agencies could also follow the example of WSDOT and make provisions for receiving funding, particularly on regional projects with an interjurisdictional focus. The lack of authority described by agencies presents difficulty in the formation of policies regarding local planning with Indian tribes.

However, agencies may avoid overstepping their authority and risking conflict with local governments by assessing the issues and providing solutions at the request of local governments and making the information available.

Laws and Regulations

RCW

There are thousands of laws within the RCW and a query for the word “tribe” or “Indian” on the Washington State Legislature website produces over 450 results, with various combinations of words relating to Indian tribes providing results of several hundred. There are hundreds of state laws relating to Indian tribes and the thirty-four laws identified for this project represent the extent of legislation addressing various comprehensive planning elements and cooperative planning with county and local jurisdictions. Of the thirty-four planning laws regarding Indian tribes and counties, four derive from GMA laws⁵⁴.

The distribution of the thirty-four laws identified from the Revised Code of Washington (RCW) is primarily within two categories, land use, and natural resources. Fourteen of the laws constituting the natural resource category addressed water resources and salmon. The fourteen laws address issues such as minimum instream flow levels, salmon habitat restoration, salmon recovery plans, ecosystem management boards, and watershed management plans. Watershed management and salmon restoration are two issues that characterize many of the conflicts between state, counties, local governments, and tribes. Since Washington State Indian tribes successfully asserted their treaty rights in federal courts in the nineteen seventies with the Boldt

⁵⁴ RCW 36.70A.210: County wide planning policies
RCW 36.70A.035: Public participation-Notice provisions
RCW 36.70A.745: Statewide advisory committee-Membership
RCW 36.70A.715: Funding by commission-County’s duties-Watershed group establishment

Decision⁵⁵, a great deal of litigation over salmon and salmon habitats occurred between Indian tribes, state, counties and local governments. After the second phase of the Bold Decision,⁵⁶ strategies were developed by organizations, such as the Northwest Water Resource Committee, to start negotiations aimed at resolving issues pertaining to natural resources and natural resource policy (Zaferatos, 2015). These events facilitated the formation of the Northwest Renewable Resource Center (NRRC) in 1987, aiming to address deadlocks over natural resource policies through cooperative mediation (2015). In recent years, court decisions such as the Hirst Decision⁵⁷, *Swinomish Indian Tribe v. DOE*, and the Culvert Case⁵⁸ regarded tribal treaty rights off the reservation as important considerations and put pressure on the state and counties to further protect salmon and their habitats.

With tribal treaty rights recognized as important considerations for planning off Indian reservations and within county spaces through important natural resource cases and state government actions to incorporate treaty rights, the abundance of land use and natural resource laws is given context. The success of a communicative approach to negotiating issues and the cross-cultural membership of the NRRC helped facilitate broader public policy responses for tribal participation (Zaferatos, 2015). Interjurisdictional cooperation successes at the local level, such as the Tribes and Counties: intergovernmental Cooperation Project⁵⁹, further demonstrates

⁵⁵ *United States v. Washington*, 384 F. Supp. 312 (W.D. Wash. 1974), aff'd, 520 F.2d 676 (9th Cir. 1975); U.S. District Court for Washington and Ninth Circuit Court of Appeals Decision by Judge George Hugo Boldt upholding tribal treaty fishing rights and detailing a 50/50 split of harvestable salmon between Washington State Tribes and non-tribal fisherman.

⁵⁶ Phase II of the Bold Decision, Decided by District Judge William H. Orrick, Jr., agreed with tribes that treaty fishing rights would be meaningless if salmon habitats were degraded. In 1987 the courts ruled that salmon habitats must not be degraded to the point that to an extent which would deprive the tribes of moderate living needs.

⁵⁶ RCW 36.70A.210, RCW 36.70A.035, RCW 36.70A.745, RCW 36.70A.715

⁵⁷ *Whatcom County v. Hirst, Futerwise, et al.*, 186 Wn.2d 648 (2016)

⁵⁸ *Washington v. United States* 138 S. Ct. 1832 (2018)

⁵⁹ 1990-1996- assisted tribal, county, and regional governments in forming cooperative processes for the resolution of issues involving environmental issues and many others (Zaferatos, 2015)

the importance for legislative structures for cooperative participation between counties, local governments, and Indian tribes.

The disparity between the number of laws which address Indian tribes and the number of those laws addressing planning issues is an important point of this project. A small fraction of planning laws in Washington state address the interests of Indian tribes and incorporating those interests through cooperative planning methods, with only four laws being attributed to the GMA. The narrow focus and a limited number of planning laws determine where regulations will be focused and restrict where agencies can guide counties on incorporating tribal interests. This is represented, in part, by the lack of agency policies regarding cooperative planning between local and tribal governments. At present, only three agencies have such policies and in a limited capacity.

Analysis of RCWs Language

Twenty-one laws were attributed to *collaboration/cooperative participation*, more than all other communication modes combined, but nearly half of all laws exhibited non-mandatory language. Of the eleven total laws with non-mandatory language, nine were associated with the *collaboration/cooperative participation* modes. As discussed in the literature review section of this project, consultation and cooperative planning are the more appropriate forms of inclusion within the planning process, most equitably providing representation of citizen or participant interests. The attempts to incorporate effective and inclusionary participation into growth management planning elements, represented by a high proportion of laws pertaining to collaborative and cooperative participation, is depreciated by a lack of mandatory language which leaves decisions at the discretion of counties and local governments.

Some of the laws exhibiting mandatory language exhibited broad terminology or vague statements regarding tribal participation in off-reservation planning efforts. One example of such a law is RCW 90.54.010⁶⁰, stating that adequate opportunity for participation from Indian tribes must be made for comprehensive water resource planning. The use of the word “adequate” and the ambiguousness of its use within the context of the law could be a source of confusion or dispute among local governments and tribes. The wording of the law provides opportunities for broad interpretation by counties and local governments in determining what actions are considered adequate for providing opportunities for Indian tribes to participate in comprehensive water planning.

The vague wording in the law raises several questions; what equates to “adequate opportunity” to satisfy RCW 90.54.010? How has the state defined “adequate opportunity”? Have they defined adequate opportunity? It appears that the adequacy of opportunity for participation by Indian tribes is determined by the counties and local governments planning water resources. Without direct consultation with each sovereign tribe for proper means of communication, counties and local governments would likely have differing interpretations of RCW 90.54.010.

The GMA laws showed a similar proportion of mandatory and non-mandatory language as the associated planning laws, with most laws containing mandatory language. The GMA laws also primarily addressed collaborative modes of participation with Indian tribes. GMA law RCW

⁶⁰ RCW 90.54.010-(d) Comprehensive water resource planning must provide interested parties adequate opportunity to participate. Water resource issues are best addressed through cooperation and coordination among the state, Indian tribes, local governments, and interested parties

36. 70A.035⁶¹ exhibited mandatory language for both public participation and giving notice to Indian tribes. This law exhibited language outlining the process for giving notice to various organizations, people, and groups for public participation in the context of GMA planning (RCW chapter 36.70A). No other laws constituted multiple columns for the mode of communication. The law places Indian tribes alongside private landowners and individual citizens regarding methods for participation and being notified. For sovereign nations, this does not provide appropriate methods of communication and consultation which are outlined in the Accords. The GMA laws demonstrate a commitment to more collaborative modes of participation between tribal governments but are only four laws.

The lack of GMA representation in this project's identified laws demonstrates an extreme lack of directive legislation under the GMA for counties and other local governments when working with tribal governments. Counties and other local governments are only required to work with tribes in a collaborative manner under two circumstances, those instances being the participation on the statewide advisory committee with only two tribal representatives and conferring with tribes on the formation of a watershed group.

WAC

As with the RCW, search results on the Washington State Legislature website for the term "tribe" and limited to the WAC produce four-hundred and thirty results. A search using the term "Indian" produces more than nine-hundred and fifty results. Of the more than nine hundred and fifty regulations pertaining to Indian tribes, the total number of regulations addressing

⁶¹ RCW 36. 70A.035: **Public Participation-Notice Provisions** (1) The public participation requirements of this chapter shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes...

This law highlights the public participation and notice provisions for growth management planning under chapter 36. 70A: Growth Management-Planning by Selected Counties.

interjurisdictional planning is represented by the forty regulations included in this project. Nearly all the regulations were contained in three categories associated with growth management planning elements, including land use, Natural Resources, and Transportation.

Of the small fraction of planning regulations concerning tribal and local governments working together, only six were attributed to the GMA. It is important to note that no regulations under the Department of Commerce's GMA section for interjurisdictional coordination⁶² mentioned tribal governments. As mentioned earlier in this project's introduction, the GMA's interjurisdictional coordination goal is one of thirteen primary goals to be achieved through comprehensive planning. Although there is no language excluding tribal governments from participating in the regional coordination of comprehensive plans, there is no clear and precise language to provide adequate communication methods or dictate the capacity with which counties should involve tribal governments. Leaving the participation of Indian tribes to the digression of counties can prevent participation from Indian tribes because of the conflictive history, tribes viewing county attempts at cooperation as disingenuous (Pommersheim, 1991), and the lack of a structured and effective communication process as outlined by the Accords.

As with the Natural Resource category in the RCW evaluation, fourteen regulations from the WAC pertain to water-related resources and anadromous fish habitats. One of these regulations is particularly relevant to the aforementioned Hirst Decision and *Swinomish Indian Tribe v. DOE* confrontations, WAC 173-501-030⁶³ (establishment of instream flows). The establishment of instream flows, particularly in Western Washington, is a source of considerable

⁶² WAC 365-196 sections 500 through 580 are under the GMA section entitled "Consistency and Coordination".

⁶³ The regulation addresses the establishment of instream flows for streams. The regulation requires consultation with affected state and federal agencies and Indian tribes when studies must determine stream reach and project-specific flow requirements. (Wash. Admin. Code § 173-501-030(5))

confrontation between state governments and Indian tribes. With the supportive legislation, senior tribal water rights and Washington's history of water-related planning, it is understandable that water-related regulations would be a prominent feature in comprehensive planning regulations.

The greatest number of WACs were attributed to the Department of Ecology, with twenty-seven regulations under WAC sections 197⁶⁴ and 173⁶⁵. The five regulations attributed to the Department of Commerce all pertain to natural resource and land use. The limited number of Commerce regulations was a surprise considering the department is one of the main administrators of comprehensive planning under the GMA and was anticipated to provide a significant number of the regulations identified for this project. The agencies exhibiting regulations and the subject of those regulations can be directly tied to the distribution of laws in the RCW, which provide the authority for the regulations. However, the regulations in the WAC address a wider scope of issues than the laws under the RCW by addressing services involved in tribal and local government coordination, such as Regional Transportation Planning Organizations (RTPO's), community trip reduction programs, and water system plans.

The limited number of regulations and comprehensive planning elements addressed in the regulations does not represent the full interests of tribes. One such interest is the maintenance, operation, and expansion of utilities on and off the reservation. Indian reservations are often a patchwork of non-Indian fee simple land where counties have established their jurisdiction by extending utilities on the reservation to the non-Indian residents. Reservation utilities, such as water, may be connected to county or municipal lines or mains that require coordination and

⁶⁴ Department of Ecology (Council on Environmental Policy)- SEPA rules

⁶⁵ Department of Ecology

cooperation. However, no such regulations are present. This may be due to a reliance on MOU's and intergovernmental agreements existing between local and tribal governments regarding utilities⁶⁶.

Assessing Language of WACs

The language of the WAC regulations exhibits a similar distribution to the RCW laws regarding mandatory and non-mandatory language. Twenty-nine of the regulations exhibit mandatory language and twelve regulations exhibit non-mandatory language. Eleven of the regulations exhibiting non-mandatory language were attributed to the *collaboration/cooperative participation* mode, over eighty-four percent. A total of eighteen regulations were attributed to the *collaboration/cooperative participation* mode, more than any other category. As mentioned in the previous section regarding RCWs, the high number of regulations facilitating more cooperative an appropriate modes of interaction are diminished by significant numbers of regulations with non-mandatory language. *Public Participation, Consultation, Invitation*, and the *Given Notice* columns almost entirely exhibit mandatory language, with the exception of WAC 173-340-600⁶⁷ and WAC 173-26-201⁶⁸. The disparity in mandatory language among the various modes of interaction demonstrate a willingness to promote and guide local governments in less inclusionary modes but do not demonstrate a willingness to commit to successful modes of inclusion highlighted in the Accords.

⁶⁶ Cowlitz Tribe and Clark County (24 May 2016: PUD service for Casino)
Confederated Tribes of Chehaliz and Thurston County (3 March 2016: utility service on the Reservation)
Tulalip Tribe, Stillaguamish Tribe, and Sauk Suiattle Tribe (tribal element in Skagit County comprehensive plan)

⁶⁷ Chapter 173-340- Model Toxics Control Act, Section 600- public notice participation.

⁶⁸ Chapter 173-26-State Master Program Approval/Amendment Procedures, Section 201- process to prepare or amend shoreline master programs.

Some of the regulations contain broad language and facilitate several forms of participation. One such regulation, WAC 173-26-201⁶⁹, contained both mandatory and non-mandatory language, as well as *public participation*, *consultation*, *given notice* and *collaborative participation* modes. The regulation is broad and robust in the content covered and the language used regarding local governments and tribes in the establishment of shoreline master programs. The regulation encourages participation and information sharing between local governments and Indian tribes in some instances but mandating the notification of Indian tribes in other instances. WAC 173-26-221 is another regulation which contains multiple forms of participation from Indian tribes, including *consultation*, *given notice*, and *collaborative participation* regarding archeology and saltwater habitat protection.

Other regulations contain vague language regarding the participation of tribal governments, making interpretation more difficult. GMA regulation WAC 365-190-060⁷⁰ never mentions Indian tribes but states that: “Cities are encouraged to coordinate their forest resource lands designations with their county and any adjacent jurisdictions”. This language indicates that any adjacent jurisdictions with cities can be coordinated with and are encouraged to do so, implying that tribal governments are included in such designations since the regulation did not use the term “local jurisdictions”, as other regulations have⁷¹, as a means of excluding tribal governments. Another such regulation is WAC 468-12-510, which does not mention Indian tribes directly but states that counties and cities may consider existing water rights when

⁶⁹ WAC 173-26-201-Process to prepare and amend shoreline master programs

⁷⁰ WAC 365-190-Minimum Guidelines to Classify Agricultural, Forest, Mineral Lands and Critical Areas, Section 060-Forest resource lands

⁷¹ The use of the word “local” throughout the WAC regulations is used to specify which governments are referred to and which are excluded. One example is from WAC 365-130-020-Definitions, (1) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation created by such an entity.

designating areas as fish and wildlife habitat conservation areas. Although the regulation does not mention Indian tribes specifically, the mention of existing water rights undoubtedly will involve Indian tribes in Washington State in some capacity.

The GMA regulations also show a lack of commitment to more collaborative modes of participation with Indian tribes. A pertinent example of this lack of commitment is WAC 173-26-201, where public participation and giving notice are attributed to mandatory language but collaboration and consultation elements of the regulation are associated with non-mandatory language. Within the language of the regulations, any attempts to facilitate more collaborative participation between local governments and Indian tribes is hindered by a severe lack of commitment to mandatory language that would abate the discretion of local governments when reaching out to tribes and provide more incentive for tribes to participate. Agencies lack the legislative authority to establish regulations directing local governments with more appropriate and cooperative modes of planning with tribal governments. The practices and principles understood to be most successful for interacting with tribal governments, such as those exhibited by the Accords, are not supported by the regulations.

MOUs and Intergovernmental Agreements

The use of vague and non-mandatory language in many of the more participatory laws and a commitment to less appropriate measures for Indian tribes to have their voices heard makes the legislation hollow and ineffective. With court case decisions (*Swinomish Tribe v. DOE*, *Boldt*, *Culvert Case*, etc.), previous successes through cooperative mediation, and the potential for tens of millions of dollars in state funds to be diverted to salmon restoration, it seems that the legislature would be more inclined to address the inadequate planning structures in place for incorporating tribal interests and guiding local governments in cooperatively

planning with tribes. Due to laws utilizing vague language, less participatory methods, and providing limited guidance, counties and local municipalities have taken additional steps to adopt cooperative planning methods like those in the Accords.

Successful collaborations on comprehensive planning and interjurisdictional planning have occurred within Western Washington. The presence of MOUs and IGAs between counties, cities, and tribes demonstrate a process utilized by these groups in the absence of laws or regulations providing guidance. With uncertainty in litigation and gaps in the policies and regulations, intergovernmental agreements and MOU's have become a necessity for cooperation between the neighboring governments of tribes, counties, and cities (Johnson, et al, 2009; Getches, 1993). MOUs and IGAs utilize many of the best practices and principles of the Accords and Cooperative Planning Theory, such as the second-tier consultation process and government-to-government relationships. Through intergovernmental agreements, tribes and local governments have managed to work around the limited system of laws and regulations to improve cooperation.

Table 5: Examples of MOUs and IGAs between Washington State Indian Tribes, counties, and cities.

MOUs and IGAs: Natural Resources	Date and subject
Lummi Nation, Whatcom Co., Bellingham & Bellingham PUD	29 October 1998: Watershed Management ESHB 2514
Lummi Nation, Nooksack Tribe, Bellingham, Whatcom Co	14 January 2000: Watershed planning
Port Gamble S'Klallam Tribe & Kitsap Public Health District	21 February 2017: Environmental Health Services
Snoqualmie Tribe, Tulalip Tribes, Cities of Carnation, Duvall North Bend, Snoqualmie & Town of Skykomish	1 July 2015: WRIA 7 Planning
Lummi Nation & Whatcom County	1 May 2017: Wetland Mitigation High Creek
Nooksack Tribe & Whatcom County	23 February 2016: Habitat Restoration and Monitoring
Stillaguamish Tribe & City of Stanwood	1 May 2013: Coordinated Watershed Management
Skokomish Tribe & Mason County PUD No. 1	31 August 2006: Hood Canal Water Quality Protection
Lummi Nation, Nooksack Indian Tribe, Whatcom County City of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack & Sumas & Whatcom County PUD No. 1	14 December 2016: Function of WRIA 1 Management
Nooksack Tribe & Whatcom County	12 August 2015: LIO Ecosystem Recovery Plan

MOUs can serve as useful tools for local governments to form relationships with Indian tribes and adopt similar principles and practices to those in the Accords. However, creating MOUs is difficult with the contentious relationships many local governments and tribes have, and there are no legislative structures guiding local governments in forming MOUs. What the presence of MOUs demonstrate is a desire to improve planning relations between local governments and Indian tribes but lacking the necessary legislative structures to formalize the process and provide agencies the authority to guide local governments in adopting successful principles like those in the Accords.

Assessment of the Implementation of Accord Principles

The eight guiding principles established as the basis for assessing the adequacy of Washington State's public policy under this project were chosen from the Centennial Accord and

Millennium Agreement. The guiding principles address the recurring themes in both documents, as well as established priorities and goals found pertinent by those who participated in the two agreements. Each of the eight principles highlights the most salient elements of the Centennial Accord and Millennium Agreement, as written by the participating tribal governments and executive offices. Some of the eight guiding principles provide additional coverage on a subject mentioned in one or both documents or were overlapping slightly with other guiding principles but were found to be relevant by providing additional context for the purposes of this project. Other guiding principles from the Centennial Accord and Millennium Agreement were excluded from this project's list because they did not provide additional information, establish additional context, or did not pertain to relevant subjects regarding the parameters of this project.

The guiding principles, communication methods, conflict resolution processes, and consultation practices established in the Accords were developed by Washington's Indian tribes and the executive branch because they are recognized as methods for successful intergovernmental communication and cooperation that will ensure a durable, effective working relationship to the benefit of all citizens of Washington State ("Millennium Agreement" 1999). If these principles are such effective and durable facilitators of prosperity and intergovernmental cooperation, it is relevant to compare the methods established in the Accords against those modes facilitated by the laws, regulations, and policies. The relevance of this comparison is reinforced by the preamble of the Centennial Accord which states that "the parties share a desire for a complete Accord between the State of Washington and federally recognized tribes...and will work with all elements of the state and tribal governments to achieve such an accord." ("Centennial Accord" 1989). The following section will assess the adequacy of the institutionalization of the Accords' guiding principles highlighted by the preamble.

Effective modes of communication and cooperation with tribal governments have been established through the Accords and within the academic literature regarding planning with Indian tribes. Regarding successful agreements and cooperation with Indian tribes, Getches highlights free and open communication between parties as the determining factor (1993). Morton touches on tribal sovereignty and the importance of having a separate, face-to-face participation format with tribal governments (Morton, 2012). Structures supporting face-to-face meetings are an important principle in the Accords for supporting the sovereignty of both participating governments. MOUs between tribal and local governments have adopted the face-to-face interactions and open communication pathways as effective methods for cooperation. Many of the regulations and laws rely on public participation that puts Indian tribes on equal ground with citizens, diminishing the sovereignty of tribal governments. The modes of communication and interaction within the Accords were established, in part, to avoid diminishing tribal sovereignty and provide appropriate pathways.

Within the Centennial Accord, successfully forming relationships between governments and addressing issues of mutual concern are dependent on clear and direct communication between appropriate representatives responsible for addressing the issue (1989). The Millennial Agreement acknowledges that communication and cooperation are not guaranteed but forming enduring relationships requires each government to work directly with each other in a government-to-government fashion (1999). The basis of the government-to-government cooperation is a well-defined communication process which includes consultation between the governments, two-way communication and face-to-face meetings, communication between officials of comparable stature and authority, and formalized pathways for conflict resolution (1999).

The regulations, laws, and policies identified for this project address selective areas of mutual concern between Indian tribes and local governments. The laws with the RCW narrowly address issues of natural resources and land use by primarily dealing with water and salmon, areas where tribes have significant power and influence off the reservation. Several of the laws attempt to address additional areas of common interest, such as rural development and utilities, but the limited number of laws present cannot adequately address those other areas of common interest. Exhibiting similar limitations to the RCW's, natural resources represented the majority of WACs with land use and transportation representing a fraction of the regulations.

Taking account of the guiding principle's language to encourage cooperation between tribal and local governments, the language of both the laws and regulations do encourage adequate forms of cooperation through collaborative participation. Many of these regulations and laws are not mandatory but do encourage collaborative participation at significantly higher proportions than less appropriate modes of communication and interaction. However, the implementation of successful communication methods within the regulations and laws is significantly less committed and standardized than the executive agencies implementing the principles of the Accords. If adopting effective methods of interacting with Indian tribes are open to the discretion of local governments, the effectiveness of the interactive methods are diminished. The Accords mandated agencies to utilize the appropriate methods for interacting with Indian tribes because they were established as the most appropriate and effective for reducing conflict.

No standard consultation process is in place for counties, save for a handful of regulations and laws regulating water and salmon. Public participation, invitation and giving notice to Indian tribes are near sited and largely ineffective methods for the representation of

tribal interests within the county space. Less inclusive methods of cooperation that are more concretely established by the language of the laws and regulations often limit dialogue between local governments and Indian tribes to momentary windows near the end of the development of a plan or project process and from the same platform utilized by citizens. Examples of narrow windows of less participatory modes of cooperation can be seen within the public comment sections of SEPA and NEPA. Public participation allows members of the public to have a platform for expressing their views regarding a proposed project or plan but is not an appropriate method of communication for sovereign nations such as the federally recognized Indian tribes in the State of Washington. However, most agencies have policies in place that do not allow the assessments.

Solutions

An important first step for the inclusion of tribal interests into regional planning is to have clear and precise language defining the role of tribal governments and their relationships to other regional governments regarding the GMA's interjurisdictional coordination goal. Tribal governments are able to participate in county-wide planning and there is no language excluding tribal governments from participating in interjurisdictional coordination of comprehensive plans, however, there is no mention of tribal governments or their role within the regulations directing local governments in regional planning⁷². Without clear and precise language that includes tribal governments in the regional comprehensive planning legislation, and utilizes the best practices and principles of the Accords, tribes have few incentives to participate with counties which have a great deal of discretion in how, or if they want to work with tribal governments.

⁷² WAC 365-196 sections 500 through 580 deal with consistency and coordination in GMA planning. Sections 500-580 directly enforce the GMA's eleventh goal. These sections are enforced by the Department of Commerce.

A possible solution to the issue of agency authority would be to institute legislation for broad implementation of the effective collaboration and communication methods established in the Centennial Accord and which are being selectively applied through intergovernmental agreements, Washington's RCW, and the WAC. Legislation providing structured means of government-to-government consultation with Indian tribes regarding planning issues that may affect tribal interests would direct counties through best practices for communicating with Indian tribes. A structured government-to-government consultation mechanism would also provide tribal governments with greater agency in discussions with local governments, as opposed to inadequate public participation methods for sovereign governments. As sovereign governments, tribes have no obligation to take part in discussions with counties or cities. However, legislation administering a minimum set of requirements and expectations for local governments to fulfill the government-to-government consultation with Indian tribes and based on the terms in the Accords may significantly improve relations and beneficial cooperation. A minimum set of requirements and expectations would standardize the consultation process with Indian tribes and reduce inconsistencies present among counties. The Accords ask that agencies and tribal governments make every effort to respond to and participate in the consultation process, allowing both governments to request consultation and ensure that request is adequately responded to (*The Millennium Agreement*, 1999). Consultation under the Accords may be initiated by either government and requires consultation for any issues that may impact or involve tribal governments (1999).

Enacting legislation that would give agencies the authority to form regulations and policies to guide local governments in conflict resolution with tribes may also serve as a beneficial solution derived from the Accords. Conflict resolution guidelines for agencies and

Indian tribes is an important aspect of the Accords and may benefit local governments and Indian tribes when applied to their relationships. Adequately conducting both consultation and conflict resolution in the Accords clearly identifies channels for accomplishing them. Identifying participant in the processes, providing clear descriptions of the nature of the issues, recognizing cultural differences among tribal governments, and utilizing task forces and/or groups to develop recommendations are mechanisms which have proven to be successful (*The Millennium Agreement*, 1999).

The legislature and the executive branch of Washington understand the methods for effective cooperation with Indian tribes but there is a significant disconnect regarding the application of those methods. The future of tribal relations lies with the state, who have selectively instituted effective measures, and with local governments. To establish guidelines for effective interaction modes at the local level, Pommersheim emphasizes the need for specific and precise legislation at the state level to ensure cross-communication (1991). Yearly reports on the status of relationships with tribal governments are already instituted at the executive level and could be incorporated into the laws as an effective method for measuring improvements if open to legislative, executive, and public review (Pommersheim, 1991).

Another legislative solution could provide targeted guidance on the execution and negotiation of IGAs and MOUs. The principles and effective methods exemplified by the centennial accord and within the literature have been adopted by many local governments in Washington State through the formation of intergovernmental agreements, but there is no standardized process for the development of such agreements with tribal governments. Providing guidance through legislation and regulations would help local governments to improve relations

with Indian tribes and could provide a temporary bridge between the future implementation of more comprehensive legislative solutions.

Through decades of litigation and negotiations, the state has already formulated an effective approach to working and planning with tribal governments exemplified by the Centennial Accord and Millennium Agreement. Structured communication, encouraging open and face-to-face communication, providing structures for government-to-government cooperation, established conflict resolution procedures, and less reliance on public participation is understood by the state to be the most effective measures for cooperatively working with tribal governments. However, these measures have not been widely utilized to guide local governments in comprehensive planning.

Conclusion

As entities deserving of more appropriate modes of cooperation and in recognition of their unique status as sovereign governments with established interests and rights to resources which may be impacted by comprehensive planning by local governments, tribal governments should be included in GMA planning using the well-established methods known to the state which have been demonstrated to reduce conflict and improve tribal relations. Appropriate and successful methods for cooperating with tribes and incorporating their interests have been implemented by the state in the executive branch's development of the Accords and by local governments in MOUs and intergovernmental agreements. Because the state has developed successful methods for tribal inclusion through decades of litigation and negotiations, they should provide local governments with the necessary guidance to plan with tribal governments and improve relationships that are still conflictive and lead to costly litigation.

Appropriate and successful methods for interacting with tribal governments, such as collaboration and consultation, are present in both GMA and non-GMA planning laws and regulations but lack the mandatory language which less appropriate and participatory modes of interaction are given. Legislative and regulatory steps have been taken to facilitate effective relationship building between local and tribal governments in regional planning. However, less appropriate modes of interaction contain the majority of mandatory language and do not support effective conflict resolution, nor do they regard tribal governments as viable jurisdictions to cooperate in coordinated regional planning. Many of the opportunities for more inclusive participation may not be sufficient directives to require local governments to accomplish a regional planning process inclusive of direct tribal participation.

New legislation and amendments to the GMA are required to address the inconsistencies present regarding the implementation of tribal interests and successful coordination practices with Indian tribes, such as those implemented by the executive branch through the Centennial Accord and Millennium Agreement. Interjurisdictional coordination and consistent regional planning are primary goals of the GMA, but it remains largely silent regarding tribal interests and coordinating with tribal governments in GMA planning. Agencies do not have the authority to implement regulations or policies to tell counties and other local governments how to plan with tribes, despite agencies having worked with tribes to develop and successfully implement the Accords. New legislation and amendments to the GMA would provide executive agencies with the authority to form regulations which would help guide local governments regarding planning with Indian tribes. To address the inadequacies regarding agency policies, agencies could establish planning best practices which counties and other local governments could utilize when choosing to coordinate with tribal governments in planning.

Even with amendments to the GMA and mandatory language, Indian tribes are sovereign governments with no obligation to participate in GMA and regional coordinated planning. Though beyond the scope of this research, two relevant questions regarding tribal participation in GMA planning are: why should tribes participate in GMA planning when they have no obligation to, and what is in it for tribes to participate in regional planning? Policies like the Centennial Accord and the presence of intergovernmental agreements with local governments demonstrate an interest to participate in planning with local governments on the part of tribal governments, a desire to improve relationships, and better incorporate tribal interests on the part of the state and local governments.

References

- AICP Code of Ethics and Professional Conduct. (2019). Retrieved April 24, 2019, from American Planning Association website: <https://www.planning.org/ethics/ethicscode/>
- Amicus Curiae Brief of the Squaxin Island Tribe.* , No. 91475–3 (May 26, 2015).
- Barry, J. (2002). Indigenous State Planning as Inter-Institutional Capacity Development: The Evolution of “Government-to-Government” Relations in Coastal British Columbia, Canada. *Planning Theory & Practice*, 13(2), 213–231.
- Campbell, S. (1996). Green Cities, Growing Cities, Just Cities?: Urban Planning and the Contradictions of Sustainable Development. *Journal of the American Planning Association*, 62(3), 296–312.
- Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington.* (1989, August 4). Retrieved from <https://goia.wa.gov/relations/centennial-accord>
- CSUN California State University Northridge. (n.d.). *Executive Summary of the GMA*. Retrieved from <https://www.csun.edu/~th73110/Wash%20GMA.doc>
- Efraim Ben-Zadok. (2005). Consistency, Concurrency and Compact Development: Three Faces of Growth Management Implementation in Florida. *Urban Studies.*, 42(12), 2167–2190. <https://doi.org/10.1080/00420980500332015>
- Forester, J. (1993). *Critical Theory, Public Policy, and Planning Practice*. Albany, New York: SUNY Press.
- G. Clark, W. (1985). Fishing in a Sea of Court Orders: Puget Sound Salmon Management 10 Years after the Boldt Decision. *North American Journal of Fisheries Management*, 5, 417–434. [https://doi.org/10.1577/1548-8659\(1985\)5<417:FIASOC>2.0.CO;2](https://doi.org/10.1577/1548-8659(1985)5<417:FIASOC>2.0.CO;2)

- Getches, D. H. (1993). Negotiated Sovereignty: Intergovernmental Agreements with American Indian Tribes as Models for Expanding Self-Government. *Review of Constitutional Studies*, 1, 120–170.
- Innes, J. E. (1995). Planning Theory's Emerging Paradigm: Communicative Action and Interactive Practice. *Journal of Planning Education and Research*, 14(3), 183–189.
<https://doi.org/10.1177/0739456X9501400307>
- Innes, J. E., & Booher, D. E. (2010). *Planning with Complexity : An Introduction to Collaborative Rationality for Public Policy* (1st ed.).
<https://doi.org/10.4324/9780203864302>
- Institutionalizing the Government-to-Government Relationship in Preparation for the New Millennium*. (1999, November 3). Retrieved from
<https://goia.wa.gov/relations/millennium-agreement/agreement>
- Institutionalizing the Government-to-Government Relationship in Preparation for the New Millennium | GOIA*. (1999, November 3). Retrieved from
<https://goia.wa.gov/relations/millennium-agreement/agreement>
- Johnson, S., Kaufmann, J., Dossett, J., & Hicks, S. (2009). *Models of Cooperation Between States and Tribes* (second). Retrieved from <http://www.ncsl.org/research/state-tribal-institute/models-of-cooperation-between-states-and-tribes.aspx>
- Johnson, S., Kaufmann, J., Dossett, J., Hicks, S., & Davis, S. (2009). *Government to Government: Models of Cooperation Between States and Tribes* (2nd ed.). Retrieved from <http://www.ncsl.org/research/state-tribal-institute/models-of-cooperation-between-states-and-tribes.aspx>

- Kaiser, E. J., Godschalk, D. J., & Jr, F. S. C. (2015). *Urban Land Use Planning* (4th ed.). Illinois: University of Illinois Press.
- King, N. (2004). Using Templates in Thematic Analysis of Text. In *Essential Guide to Qualitative Methods in Organizational Research* (pp. 256–270). SAGE.
- Morton, C., Gunton, T. I., & Day, J. (2012). Engaging aboriginal populations in collaborative planning: an evaluation of a two-tiered collaborative planning model for land and resource management - Western Washington University. *Journal of Environmental Planning and Management*, 55(4), 507–523.
<https://doi.org/10.1080/09640568.2011.613592>
- MRSC - The Culverts Case: An Overview and Potential Implications for Local Governments. (2018, June 20). Retrieved April 9, 2019, from <http://mrsc.org/Culverts-Case-Implications-Local-Governments.aspx>
- Mulier, V. (2006). Recognizing the Full Scope of the Right to Take Fish under the Stevens Treaties: The History of Fishing Rights Litigation in the Pacific Northwest. *American Indian Law Review*, 31. <https://doi.org/10.2307/20070773>
- Parker, P. M. (2015). *The Evolution of Growth Management in Washington: 25 Years and Counting*. Retrieved from https://www.washington-apa.org/assets/docs/2015/Events/GMA_Gala_Event/parker_presentation_gma_25_years_and_counting.pdf
- Pommersheim, F. (1991a). Tribal-State Relations: Hope for the Future. *South Dakota Law Review*, 36, 239–276.
- Pommersheim, F. (1991b). Tribal-State Relations: Hope for the Future. *South Dakota Law Review*, 36, 239–276.

- Srivastava, A., & Thomson, S. B. (2009). *Framework Analysis: A Qualitative Methodology for Applied Policy Research*. 4(2), 8.
- Swinomish Indian Tribal Community v. The Department of Ecology*, 178 Wn.2d 571 (2013).
- Swinomish Indian Tribal Community v. Western Washington Growth Management Hearings Board*, 161 Wn.2d 415 (2007).
- Umemoto, K. (2001). Walking in Another's Shoes: Epistemological Challenges in Participatory Planning. *Journal of Planning Education and Research*, 21(1), 17–31.
<https://doi.org/10.1177/0739456X0102100102>
- United States v. Washington*, No. 13–35474 (9th Cir. March 2, 2017).
- US EPA, O. (2014, November 3). Environmental Justice [Collections and Lists]. Retrieved April 24, 2019, from US EPA website: <https://www.epa.gov/environmentaljustice>
- Washington Land Use Planning, Initiative 547 (1990). (n.d.). Retrieved April 5, 2019, from Ballotpedia website:
[https://ballotpedia.org/Washington_Land_Use_Planning_Initiative_547_\(1990\)](https://ballotpedia.org/Washington_Land_Use_Planning_Initiative_547_(1990))
- Washington State Department of Ecology - Hirst decision. (n.d.). Retrieved May 17, 2018, from <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-rights/Case-law/Hirst-decision>
- Webster, R. M. (2016). This land can sustain us: cooperative land use planning on the Oneida Reservation. *Planning Theory & Practice*, 17(1), 9–34.
<https://doi.org/10.1080/14649357.2015.1135250>
- Wessells, A. T. (2014). Urban Blue Space and “The Project of the Century”: Doing Justice on the Seattle Waterfront and for Local Residents. *Buildings*, 4(4), 764–784.
<https://doi.org/10.3390/buildings4040764>

What is Planning? (2019). Retrieved April 24, 2019, from American Planning Association
website: <https://www.planning.org/aboutplanning/>

Whatcom County v. W. Wash. Growth Mgmt. Hr'gs Bd, 186 Wn.2d 648 (Supreme Court of the
State of Washington 2016).

Winters v. United States, 207 U.S. 564 (1908).

Zaferatos, N. C. (2015). *Planning the American Indian reservation: From theory to
empowerment*. Syracuse University Press.

Endnotes

ⁱ RCW 43.376.050-Meetings with statewide elected officials and tribal leaders—List of contact information.

- (1) At least once a year, the governor and other statewide elected officials must meet with leaders of Indian tribes to address issues of mutual concern.
- (2) The governor must maintain for public reference an updated list of the names and contact information for the individuals designated as tribal liaisons and the names and contact information for tribal leadership as submitted by an Indian tribe.

ⁱⁱ RCW 79A.25.330-Washington invasive species council—Goals.

- (1) Minimize the effects of harmful invasive species on Washington's citizens and ensure the economic and environmental well-being of the state;
- (2) Serve as a forum for identifying and understanding invasive species issues from all perspectives;
- (3) Serve as a forum to facilitate the communication, cooperation, and coordination of local, tribal, state, federal, private, and nongovernmental entities for the prevention, control, and management of nonnative invasive species;
- (4) Serve as an avenue for public outreach and for raising public awareness of invasive species issues;
- (5) Develop and implement a statewide invasive species strategic plan as described in this chapter;
- (6) Review the current funding mechanisms and levels for state agencies to manage noxious weeds on the lands under their authority;
- (7) Make recommendations for legislation necessary to carry out the purposes of this chapter;
- (8) Establish criteria for the prioritization of invasive species response actions and projects; and
- (9) Utilizing the process described in subsection (8) of this section, select at least one project per year from the strategic plan for coordinated action by the Washington invasive species councilmember entities.

ⁱⁱⁱ RCW 36.70A.210-Countywide planning policies

- (4) Federal agencies and Indian tribes may participate in and cooperate with the countywide planning policy adoption process. Adopted countywide planning policies shall be adhered to by state agencies.

^{iv} RCW 36.70A.035-Public Participation-Notice provisions

- (1) The public participation requirements of this chapter shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, group A public water systems required to develop water system plans consistent with state board of health rules adopted under RCW 43.20.050, and organizations of proposed amendments to comprehensive plans and development regulation.

^v RCW 79A.25.310-Washington invasive species council—Created.

- (1) There is created the Washington invasive species council to exist until June 30, 2022. Staff support to the council shall be provided by the recreation and conservation office and from

-
- the agencies represented on the council. For administrative purposes, the council shall be located within the office.
- (2) The purpose of the council is to provide policy level direction, planning, and coordination for combating harmful invasive species throughout the state and preventing the introduction of others that may be potentially harmful.
 - (3) The council is a joint effort between local, tribal, state, and federal governments, as well as the private sector and nongovernmental interests. The purpose of the council is to foster cooperation, communication, and coordinated approaches that support local, state, and regional initiatives for the prevention and control of invasive species.
 - (4) For the purposes of this chapter, "invasive species" include nonnative organisms that cause economic or environmental harm and are capable of spreading to new areas of the state. "Invasive species" does not include domestic livestock, intentionally planted agronomic crops, or non-harmful exotic organisms.

^{vi} WAC 365-190-130 Fish and wildlife habitat conservation areas.

Fish and wildlife habitat conservation areas contribute to the state's biodiversity and occur on both publicly and privately owned lands. Designating these areas is an important part of land use planning for appropriate development densities, urban growth area boundaries, open space corridors, and incentive-based land conservation and stewardship programs.

(2) Fish and wildlife habitat conservation areas that must be considered for classification and designation include:

- (g) Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; and

^{vii} WAC 182-546-5200 Nonemergency transportation broker and provider requirements.

(2) Brokers:

- (f) Must negotiate in good faith a contract with a federally recognized tribe that has all or part of its contract health service delivery area, as established by 42 C.F.R. Sec. 136.22, within the broker's service region, to provide transportation services when requested by that tribe. The contract must comply with federal and state requirements for contracts with tribes. When the agency approves the request of a tribe or a tribal agency to administer or provide transportation services under WAC [182-546-5100](#) through [182-546-6200](#), tribal members may obtain their transportation services from the tribe or tribal agency with coordination from and payment through the transportation broker.

^{viii} WAC 173-700-102 Applicability to tribal banks.

- (2) Proposed tribal banks which are located outside of Indian Country and partially or wholly on lands under state jurisdiction are not covered under this section and are subject to the requirements of this chapter.

Local Areas of More Intensive Rural Development Research Report

A Report Analyzing Snohomish, Stevens, and Spokane County LAMIRDS

By Jami J. Hayes

Eastern Washington University Department of Urban and Regional Planning

June 2018



Table of Contents

Purpose of LAMIRDs Research.....	1
Document Contents.....	1
Introduction.....	1
The Logical Outer Boundary	3
Types of LAMIRDs	Error! Bookmark not defined.
Snohomish County	6
Figure 1 Snohomish County.....	8
Figure 2 Snohomish County LAMIRD, Clearview.....	9
Figure 3 Snohomish county “CRC”	10
Figure 5 Clearview Building Permits Issued in 2017.....	11
Figure 6 Clearview Current Building Permits.....	12
Stevens County	15
Stevens County Water and Sewer Services	15
Figure 8 Steven County and LAMIRDs.....	17
Figure 9 Size Variability of Steven county LAMIRDs.....	18
Figure 10 Loon Lake LAMIRD	19
Spokane County	20
Purpose and Intent of RACs and LDACs.....	20

Figure 11 Spokane County LAMIRDs.....	21
Figure 12 Spokane County LAMIDs Close up View	22
Permitted Land Uses in RACs	23
Table 1. Lot standards in Spokane County RACs	24
Sewer and Water Services:	24
Figure 13 Spokane County Water Districts	27
Conclusion	28

Purpose of LAMIRDS Research

The purpose of this research report is to analyze how three Washington State counties (Spokane, Stevens, and Snohomish) have applied the Growth Management Act (GMA) provisions for Local Areas of More Intensive Rural Development (LAMIRD) in their counties. The information collected illustrates the various uses of the LAMIRD tool, how they function, and see if there are opportunities to meet their individual county plan objectives and the GMA goals.¹ The information obtained for each county is unique as all three counties are significantly different from each other. The data for all counties is available to the public through the county websites or from the planning departments of the individual counties.

Document Contents

This remainder of this document will explore LAMIRDS and related topics to rural development, specifically:

- 1- The number of LAMIRDS designated within the study area.
- 2- The name and location of each LAMIRD
- 3- Acreage of land associated with the LAMIRDS
- 4- Water system and sewer management types.
- 5- How the counties zone their LAMIRDS

Introduction

Washington State adopted the Growth Management Act (GMA) effective July 1, 1990. The Act was a way to help cities and counties manage population growth through the adoption and implementation of comprehensive plans.² Incorporating comprehensive plans into local government also facilitates other forms of important regulations, not only in response to population growth, but also regarding other aspects of rapidly growing counties. With individual

county comprehensive plans there is much emphasis on urbanization and how cities grow and develop within the urban growth areas. Our rural neighbors, often, are managing their day to day lives fairly independently. However, all counties are required to include a rural element in their comprehensive plan.as stated in RCW 36.70A.070(5).

Rural elements include lands that are not designated for urban growth, agriculture, forest, or mineral resources. This allows rural communities to incorporate land uses that are compatible with the already existing rural character. Counties must define the rural character that is unique to them to guide developmental regulations. The GMA identifies rural character as patterns of land use and development that allow open space, have a natural landscape, and vegetation that predominates over the built environment. It is supposed to facilitate a traditional rural lifestyle, a rural economy, and opportunities to both live and work within the same area. The habitat that are traditionally found in rural areas and communities are to remain compatible with the use of land originally used by the native wildlife, fish and plant habitat. Inappropriate conversion of undeveloped land into sprawling low-density development, is to be discouraged as sited in RCW 36.70A.020(2). Any new development within the rural area should not require the extension of any capital facilities and must protect the already existing natural resources.

LAMIRDS are designated under the authority of RCW 36.70A.070(5)(d). The purpose of designating LAMIRDS is to recognize opportunities that rural development might offer, but to minimize and contain these areas to prevent sprawl. This allows for small businesses and commercial uses that thrive and serve the rural community. It is intended to promote small-scale economic development and employment consistent with the rural character of the community and allows for various types of redevelopment to take place within rural areas.

Development within LAMIRDs is to be small-scale commercial for the purpose of serving the rural location, and to promote small-scale economic development and employment. Redevelopment of existing industrial areas within rural areas is permitted. Counties may allow for more intensive uses in a LAMIRD than would otherwise be allowed if they are considered to be public facilities or other services that are appropriate or necessary to serve the community. Development of this kind would be considered infill, new development, or redevelopment of an existing area. This could potentially include: commercial, industrial, residential, mixed-use areas, shoreline development, rural activity centers, or crossroads developments. The building size, scale, use, and intensity of all developments must stay consistent with the character of the existing LAMIRD. This also applies to the development of vacant land.

The Logical Outer Boundary

The GMA requires that a county establish a logical outer boundary for each LAMIRD to minimize and contain rural development to an existing area. Uses, densities, or intensities not normally allowed in a rural area may be allowed inside the logical outer boundary if they are consistent with the existing character of the community. Public facilities and services not typically provided in rural areas may be provided for if they are appropriate and necessary.

The logical outer boundary is based on the built environment as it existed on the date the county became subject to the planning requirements of the GMA. Vacant land can be included within the logical outer boundary provided that it does not end up creating a significant amount of new development within the community. This can include above or below-ground improvements. Vested lots and structures built after the county became subject to the GMA's requirements are not typically considered when identifying the built environment, although they

may be included within the logical outer boundary as infill. The logical outer boundary is not required to strictly follow parcel boundaries. If a large parcel contains an existing structure, a county may include part of the parcel in the LAMIRD boundary without including the entire parcel. This is to avoid a significant increase in the amount of development allowed within the LAMIRD.

The purpose of the logical outer boundary is to minimize and contain the LAMIRD. The configuration is favored that best minimizes and contains the LAMIRD to the area of existing development as of the date the county became subject to the planning requirements of the GMA. When evaluating various configurations for the logical outer boundary, counties should determine how much new growth will occur when building out and determine if this level of new growth is consistent with rural character. The expected new growth must be accommodated for with the appropriate level of public facilities and public services.

Counties should use specific criteria when evaluating various configurations of the outer boundary. One consideration should be the need to preserve the character of the existing neighborhoods and community. Attention should be paid to physical boundaries such as bodies of water, streets and highways, and land forms to prevent abnormal or irregular boundaries and the ability to provide the necessary public facilities and services in a way that does not cause low density sprawl. Once a logical outer boundary has been decided upon, counties can make changes to the boundary in subsequent amendments, but the same criteria used when originally designating the boundary is still relevant to the new boundary.

Types of LAMIRDs

There are three types of LAMIRDs described by the Washington Administrative Code (WAC) WAC 365-195-425(6). There are very important and relevant differences between the

three but there are many similarities that they share. All three types of LAMIRD are to maintain rural character, prevent low density sprawl, and must establish a logical outer boundary.

Development is allowed as long as an extension of the adjacent city's municipalities are not needed.

Any new developments need to promote economic development that is unique to that specific community.

The specifics of the three types of LAMIRDs are:

Type 1 LAMIRDs – Is considered an isolated area of existing more intense development. Rural development of a type 1 LAMIRD consists of infill, development, or redevelopment of an existing area. Development in a type 1 LAMIRD can include commercial, industrial, residential, or mixed-use areas. LAMIRDs are characterized as shoreline developments, villages, hamlets, rural activity centers, or crossroads developments. Development must stay consistent with the character of the community as far as building size, scale, use, and intensity is concerned. New uses of property are allowed, including development of vacant land

Type 2 LAMIRDs – These are intended to be for small-scale recreational uses to promote small amounts of tourism or recreational uses within the area. Small-scale recreational use and tourism uses rely on the rural location and setting, such as mountains to ski in, rivers to raft, or hunting. They don't need to be designed to serve the existing or projected rural population but are intended to be used as an economic driver for that community. This kind of economic activity can be viable through redevelopment of an existing site, intensification of an existing site, or new development on a previously undeveloped site, but not new residential development. Counties may allow public services and facilities that are limited to those necessary to serve the recreation or tourist uses, but do not permit low-density sprawl.

Counties are not required to designate Type 2 LAMIRDs on the future land use map and are typically allowed as a conditional use. Terms of conditional use that apply: they must be isolated, both from urban areas and from each other, and avoid creating a pattern of strip development. They must be small in scale and stay consistent with the rural character. They must rely on the rural location or natural setting. New residential development is not allowed if services and facilities need to be added to beyond what is already available in the rural area. This is intended to prevent building out past the logical outer boundary and low-density development. Development is further required to be compatible with the surrounding resource-based industries.

Type 3 LAMIRDs – Are considered small-scale businesses and cottage industries. They do not have to be principally designed to serve the existing and projected rural population. Type 3 LAMIRDs are allowable to provide job opportunities for rural residents, primarily through the intensification of development on existing lots or on undeveloped sites. Type 3 LAMIRDs must stay consistent with the rural character that is defined by the county in the rural element. The small-scale businesses can be from infill development and does not permit low-density sprawl and must be limited to serve the isolated nonresidential population. They are not required to be designated on the future land use map and can also fall under the conditional use category. The type 3 LAMIRD must be isolated, small in scale, stay consistent with rural character, cannot require public services and facilities beyond what is available in the rural area, and must be compatible with surrounding resource-based industries.

Snohomish County

Snohomish County is located on the west side of Washington State just north of King County. It is part of the greater Seattle Metropolitan area. Snohomish County has a total land

area of 2,087 square miles. According to the 2018 population estimate by the Washington Office of Financial Management (OFM), Snohomish County has a population of 805,120. There are twenty cities in Snohomish County, which collectively have 57% of the total population. Everett, with a population of 111,200, is the largest city in Snohomish County. As of 2015 Snohomish County was the 7th densest county in the state with 363 people per square mile. Within Snohomish County there is only one LAMIRD that is comprised of two pieces known as Clearview. The LAMIRD is uniquely zoned as a “CRC” or “Clearview Rural Commercial”. Figure 1 shows Snohomish County and the bright pink spot in the lower left side of the map is where the Clearview LAMIRD is located.

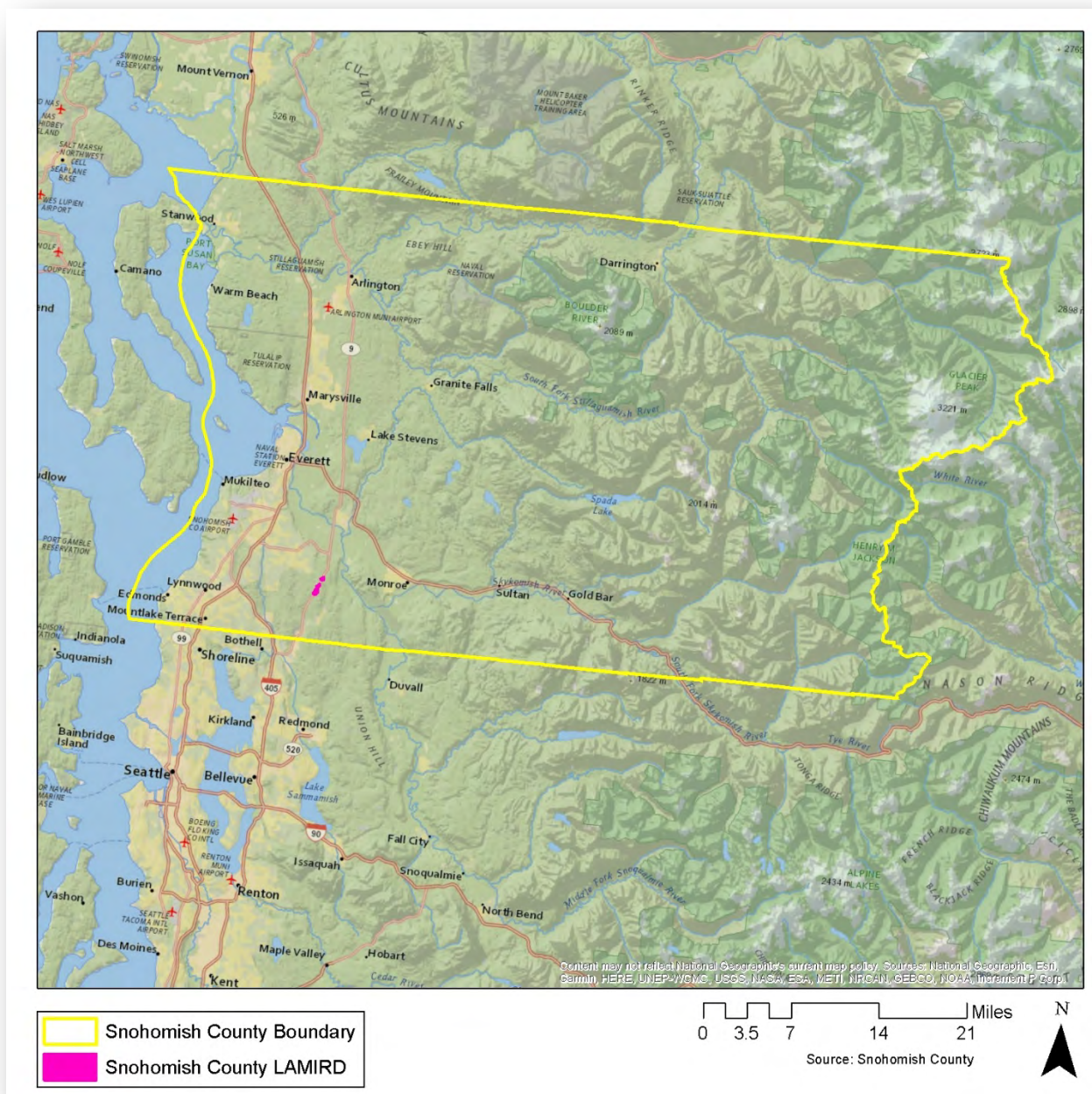


Figure 1 Snohomish County
Source: Snohomish County Planning and Development Department

Clearview had a population of 3,324 according to the 2010 census. It consists of 116 acres. State Route 9 runs through Clearview and is intersected by 180th St SE. The nearest incorporated cities are Woodinville, nine miles to the south, and the Town of Snohomish eight

miles to the north. The community is primarily retail and small businesses with 1,266 single-family homes dispersed through it. Figure 2 shows the Clearview LAMIRD is made of two adjacent portions of land.

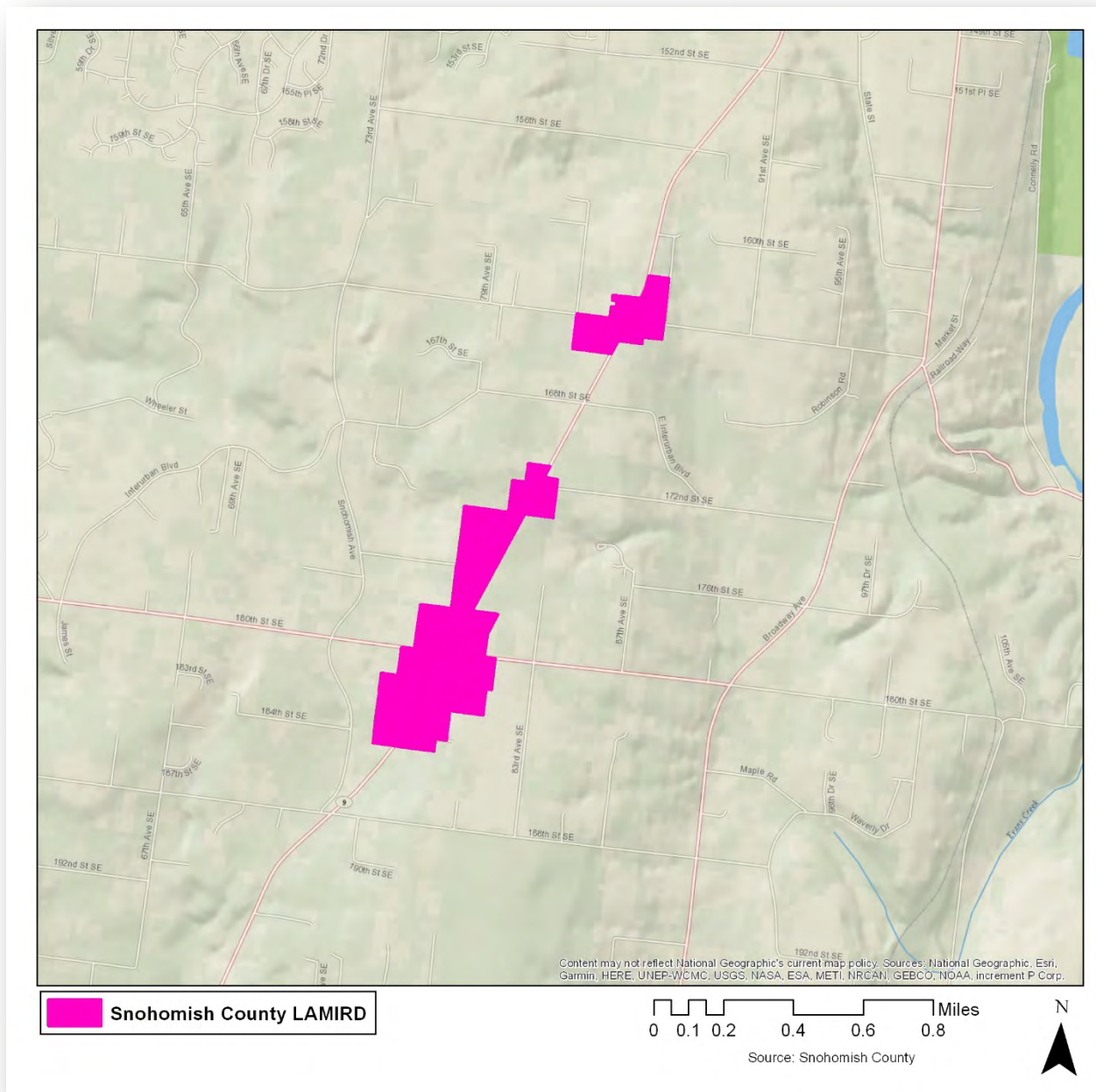


Figure 2 Snohomish County LAMIRD, Clearview
Source: Snohomish County Planning and Development Department

Figure 3 illustrates the unique zoning that Snohomish County uses for its LAMIRD “CRC” or Clearview Rural Commercial zone.

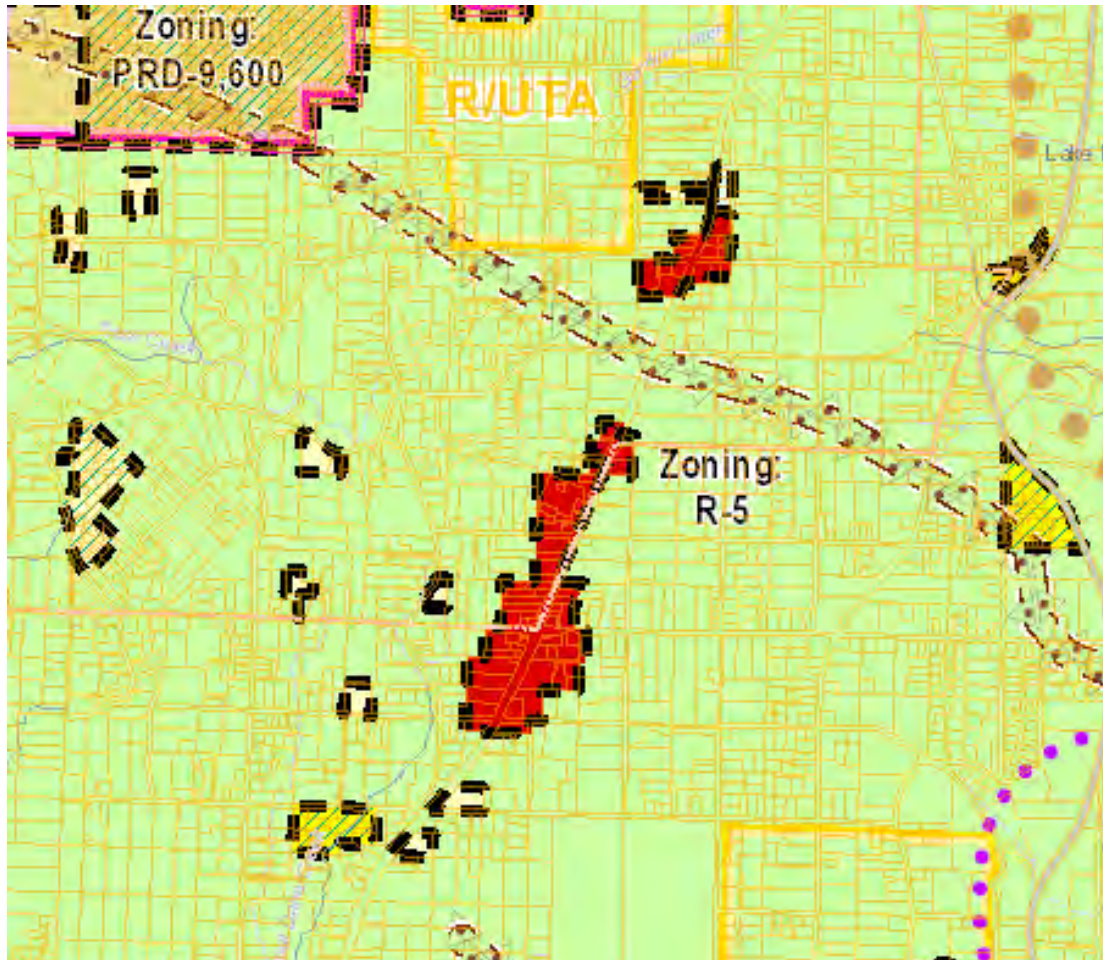


Figure 3 Snohomish county “CRC”
Source: Snohomish County Planning and Development Department

The Snohomish County website was interactive and user friendly. The building projects that have been permitted in the last year are easy to see on their interactive map but is hard to calculate. Obtaining individual parcel identification numbers is required to identify all permitted development within the LAMIRD. Additionally, there is not anywhere in the interactive maps to add the LAMIRD boundary layer. The general LAMIRD area has been highlighted in red to narrow down the area that building permits have been issued within the last year, as shown in figure 5.

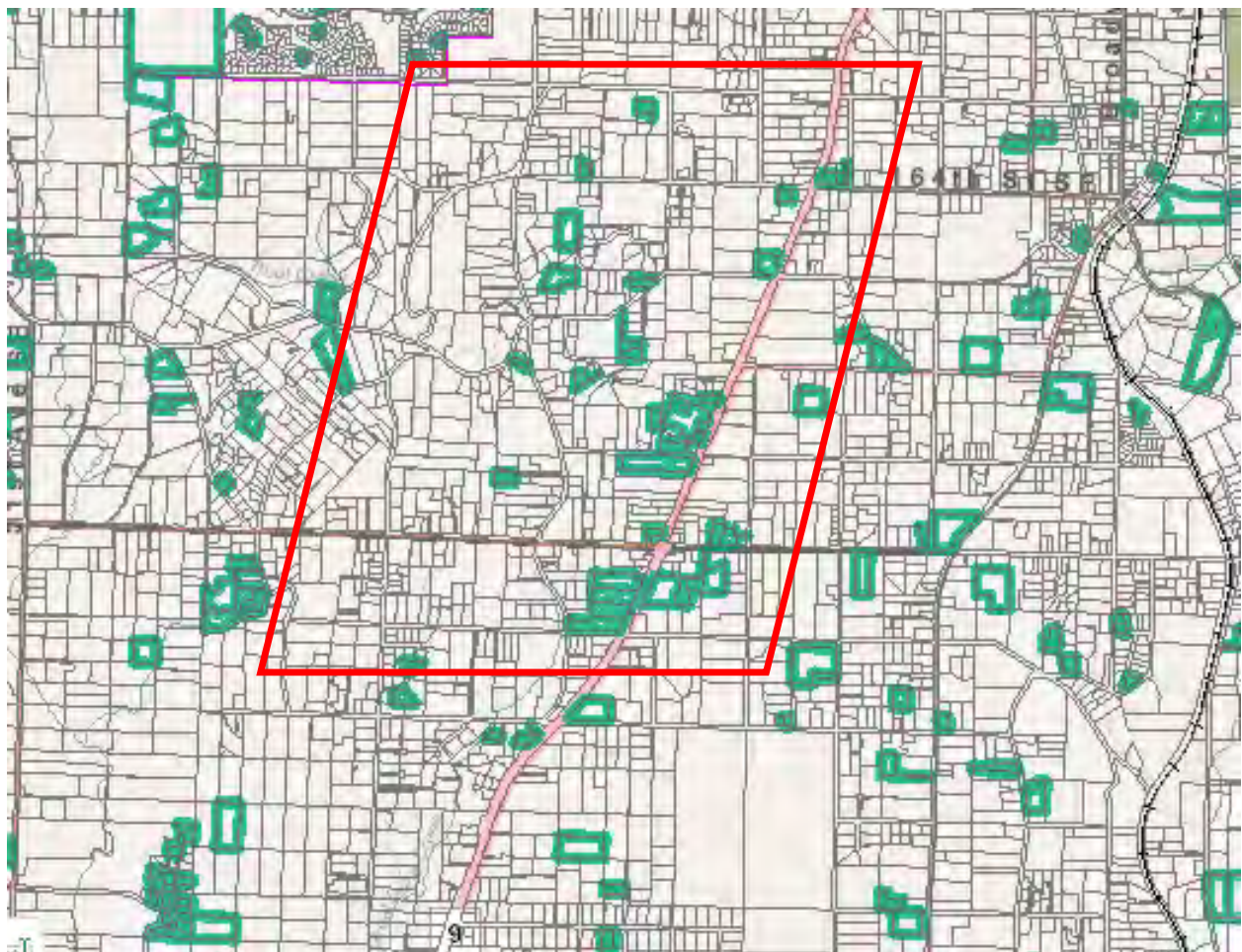


Figure 5 Clearview Building Permits Issued in 2017
Source: Snohomish County Planning Development

The next map shows the active building projects that have been issued permits. Light yellow is designated for projects that are under review, orange is for projects that are in review and under construction, and brown is for projects undergoing construction as shown in figure 6. There is no way to tell exactly what kind of building permits are being issued unless the parcel number of the building permit is known. Once again, it is nice to be able to visualize where projects are being permitted but there is not a LAMIRD boundary layer to overlay on this map to define what specific projects are being done within Clearview. The general area of the Clearview LAMIRD is encased in a bright red outline.

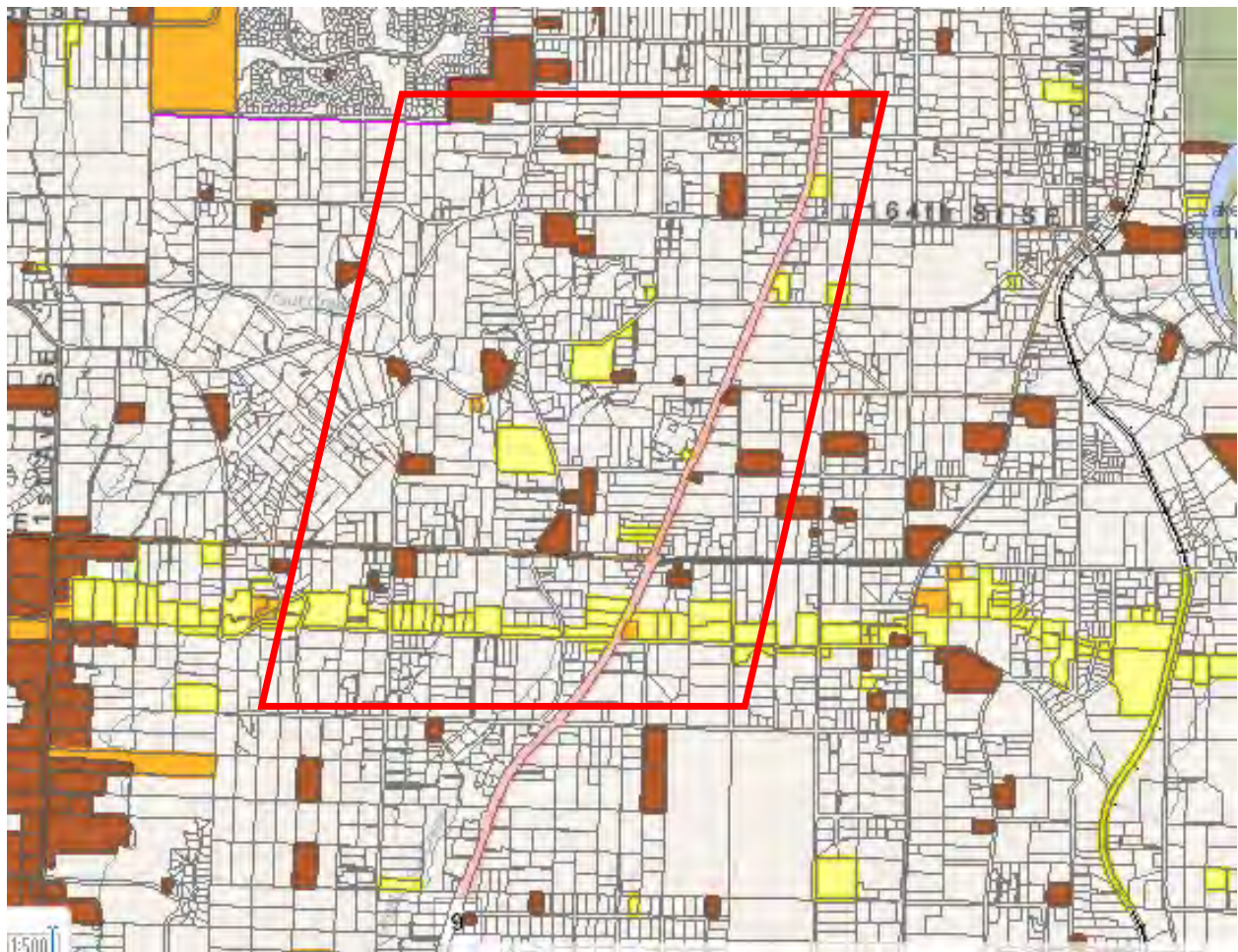


Figure 6 Clearview Current Building Permits
Source: Snohomish County Planning and Development

The few businesses that I was able to contact have all said that they are on a septic waste disposal system. The water sources seem to a mix of drilled well water and some is municipally supplied. The main water purveyor for this section of the county is the Cross Valley Water District. Figure 7 shows the Cross Valley Water District service area outlined in green. Once again, the general area of the Clearview LAMIRD is encased in a bright red outline.

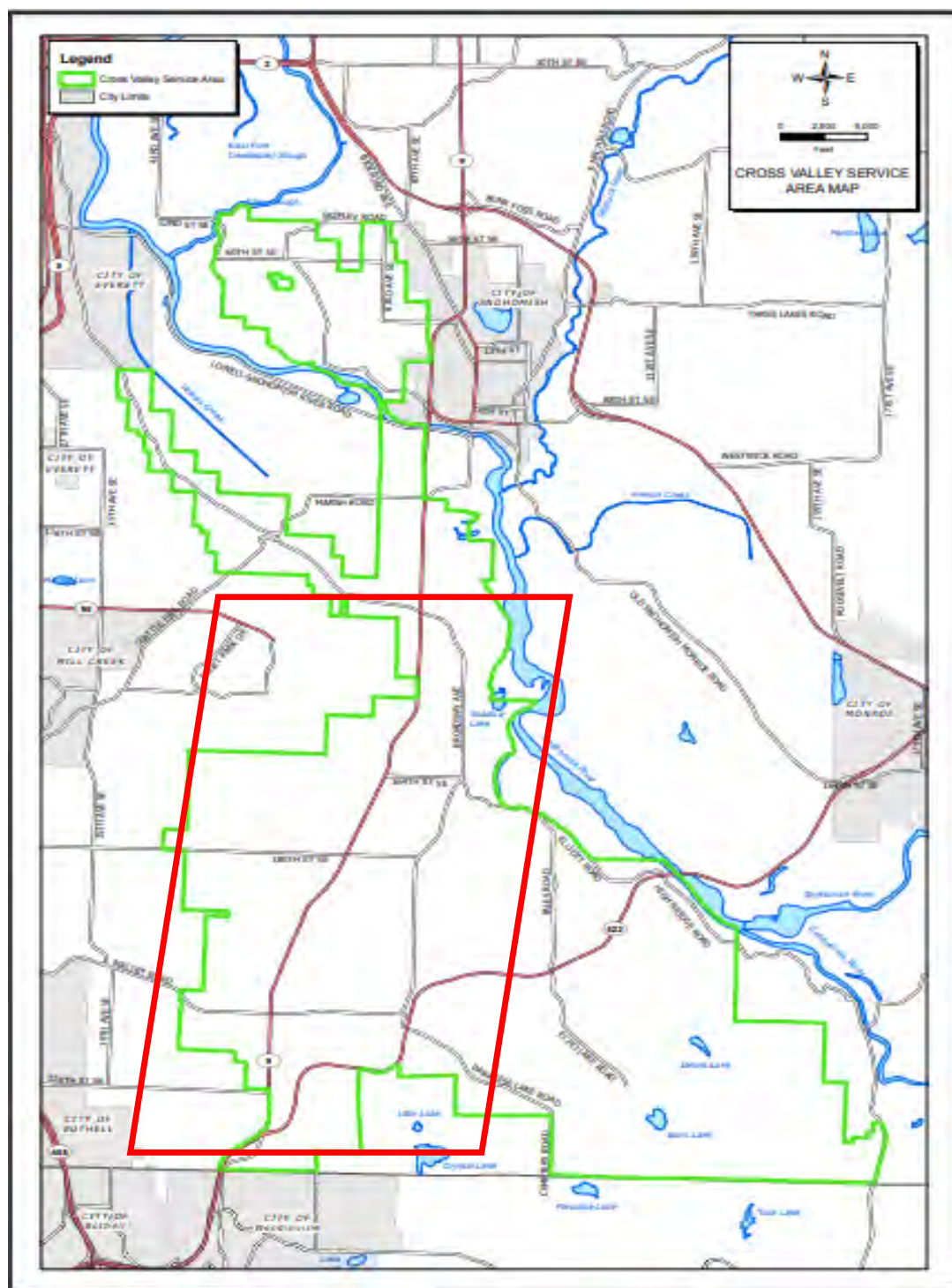


Figure 7 Cross Valley Water District Service Area Map
Source: Cross Valley Water District

Stevens County

Stevens County is in Eastern Washington State situated generally between Spokane County and Canada. The county is 2,541 square miles in size. According to the 2018 OFM population estimate, Stevens County has a population of 45,030. The County is primarily rural, with 78% of the county population located in the unincorporated areas, with the balance in six cities, the largest of which is Colville (4,745). Stevens County has defined 45 different LAMIRDs within the unincorporated portion of the county making up a total of 4,392 acres of LAMIRDs. Seven of the 45 LAMIRDs are the same LAMIRD but broken down into various pieces such as east and west. There are 16 Resort LAMIRDs, 8 that are primarily single family residential and zoned as R-1 LAMIRDs, 13 Crossroads, 5 Business, and 2 Industrial LAMIRDs. Only the Type 1 LAMIRDs are mandated to be displayed on their land use maps and type 2 and type 3 LAMIRDS are at the discretion of Stevens County to identify on maps.

Stevens County has not developed any type of interactive maps that might be used to assist anyone seeking information about their county. Stevens County has three LAMIRD maps available to the public, but does not discuss them at length in any of their documents that can be found in their Planning Division, Building Division, or Code Enforcement websites.

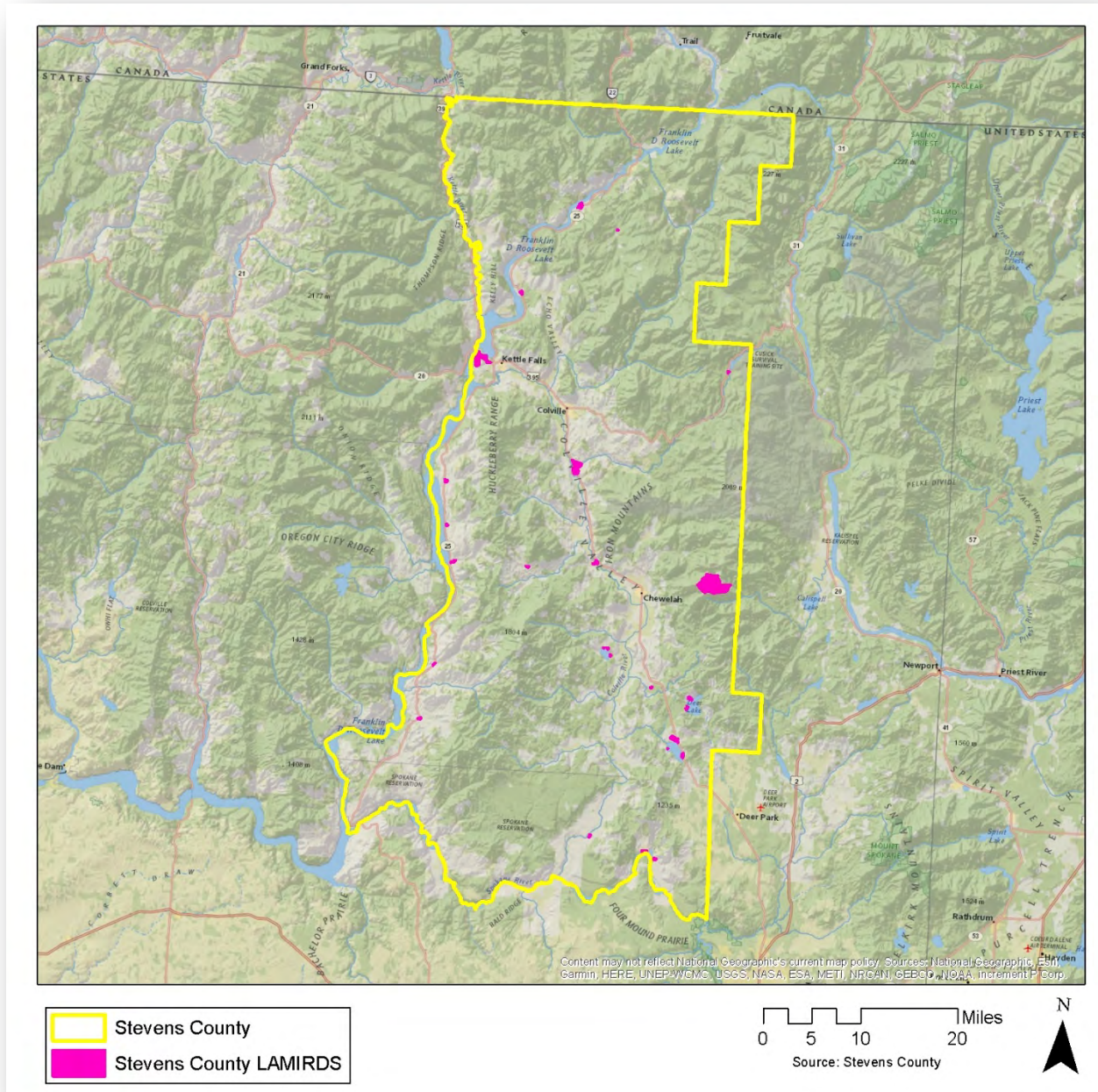
Stevens County Water and Sewer Services

The water sources and waste disposal information all came from the Stevens County Public Utility District (PUD). The LAMIRDs within Stevens County are mostly rural and therefore all their water is from wells and all their waste is treated through septic. The Stevens County PUD sources all of its water from 52 independent wells. Any water supplied outside of the municipally sourced wells should be considered to be derived from a well drilled by a private

land owner. Some of the more pressing water related issues that Stevens County faces is high levels of lead, arsenic, and uranium.

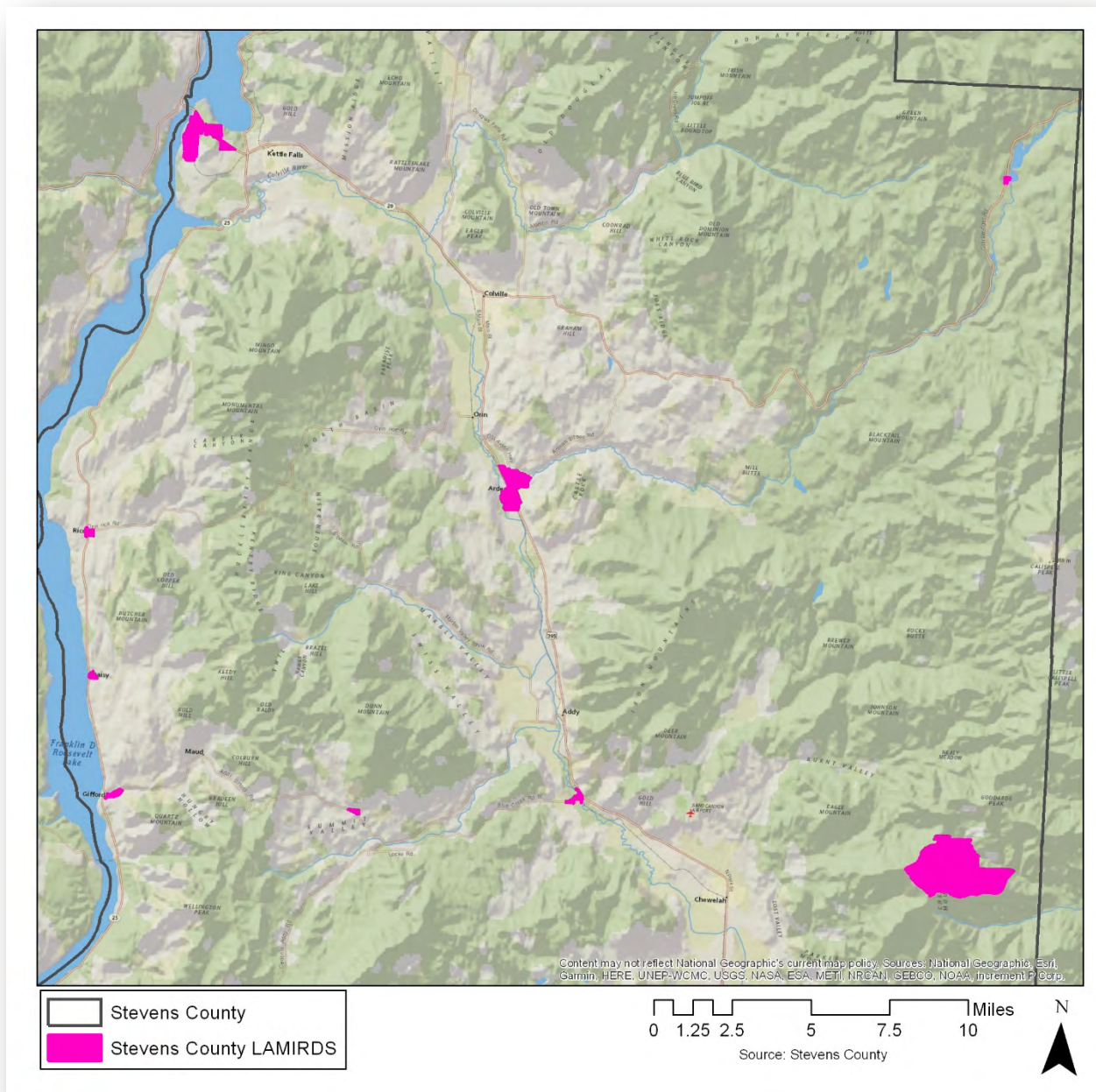
The sewer systems for LAMIRDs Deer Lake, Echo, and Blue Creek are on individual septic system. Their waste is combined and gets drained by gravity or is pumped into 0.5 acre drain fields. Waitts Lake, Valley, and Addy share a treatment facility where the sewage is pumped into lagoons and the waste by product is used as spray irrigation for some crops. Loon Lake has its own sewer district and the effluent eventually gets pumped to a septic disposal facility.

Figure 8 Steven County and LAMIRDS



Source: Stevens County Planning Department

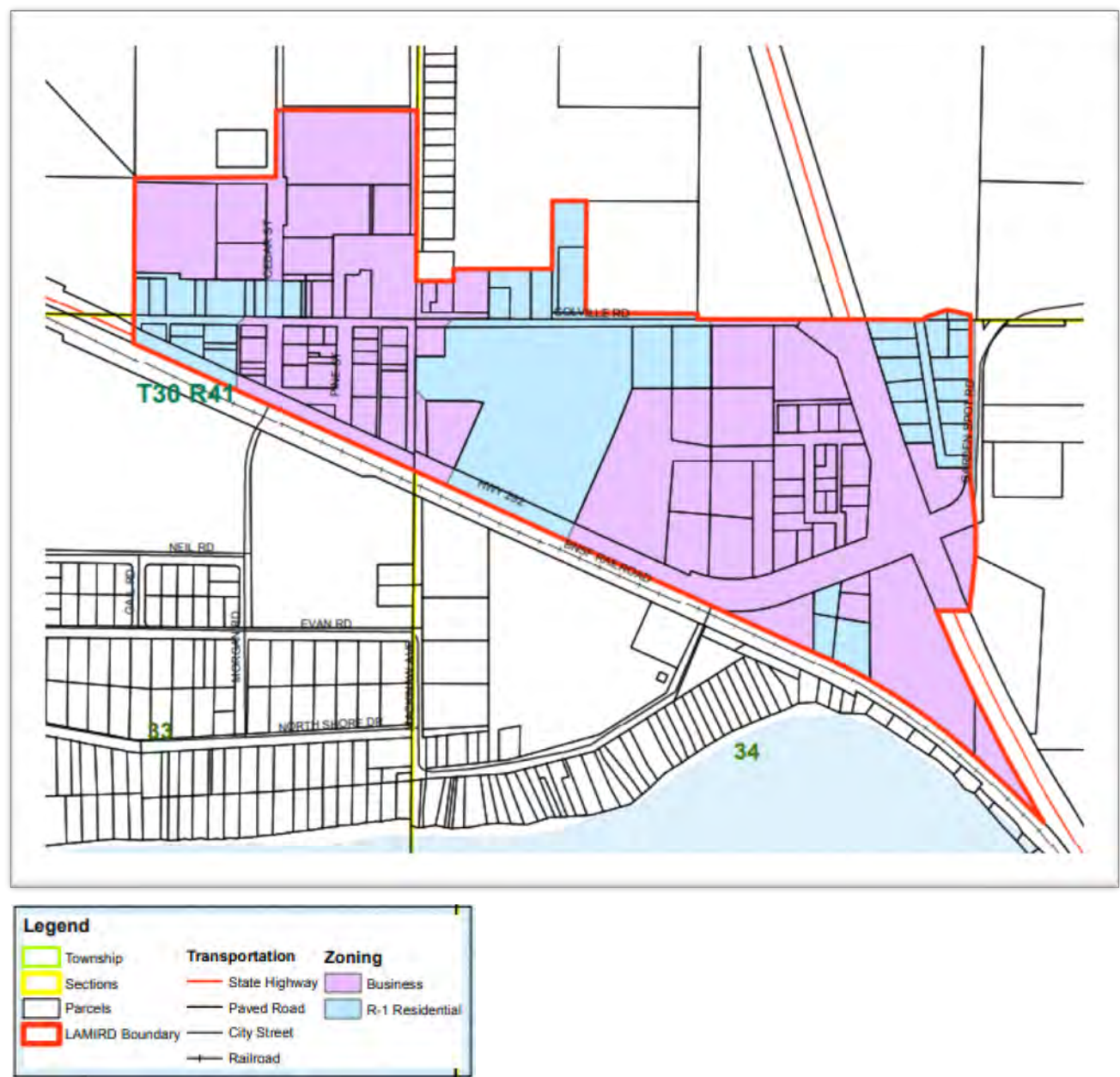
Figure 9 Size Variability of Steven county LAMIRDs



Source: Stevens County Planning Department

Figure 10 shows the Loon Lake LAMIRD, one of the three maps that Stevens County Planning Division has available regarding their LAMIRDs.

Figure 10 Loon Lake LAMIRD



Source: Stevens County Planning Department

Spokane County

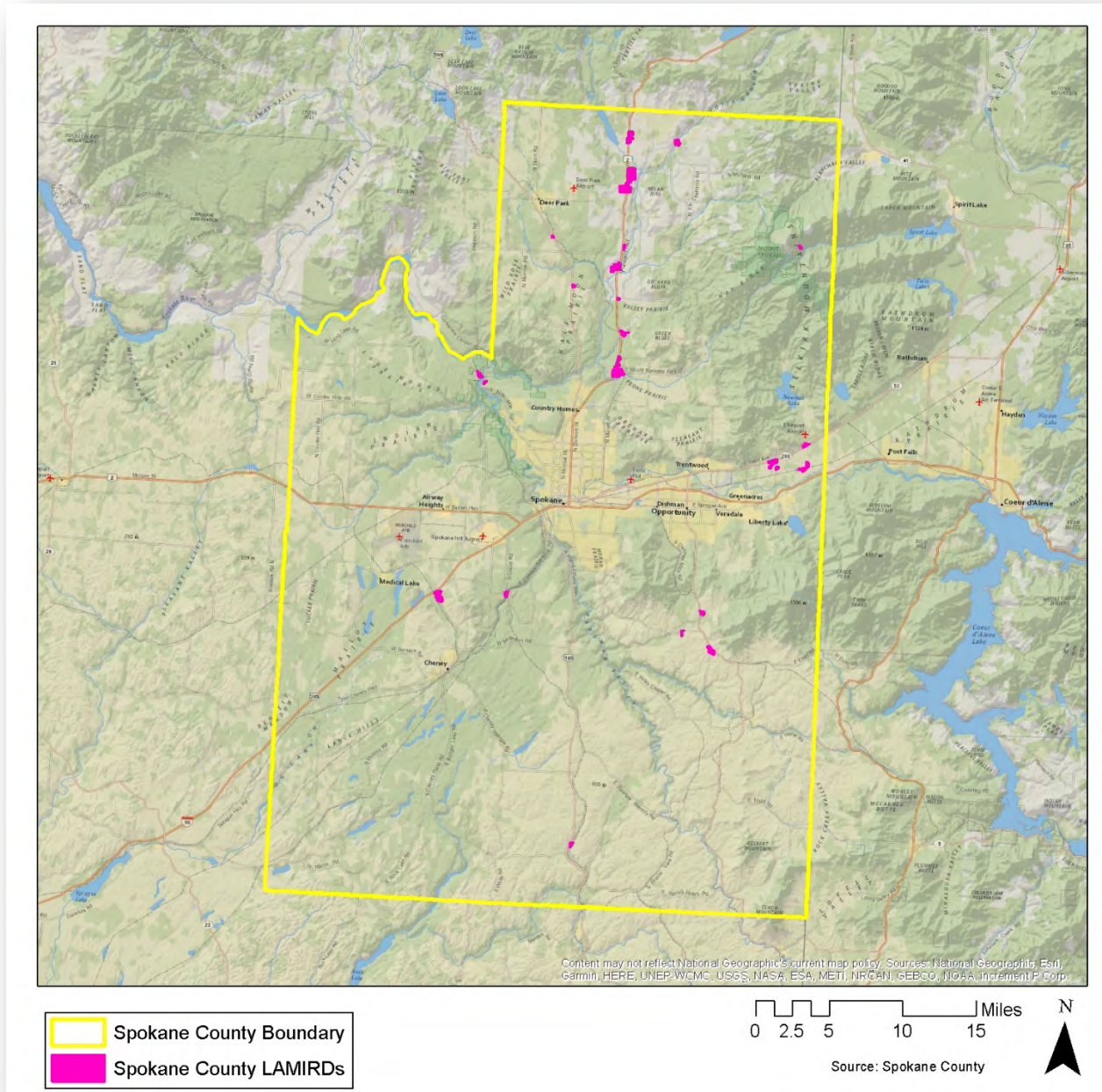
Spokane County is located in Eastern Washington State and [borders](#) Idaho. According to [the 2018 OFM population estimate, Spokane County had a population of 507,950. 71% of the County population is located in thirteen incorporated cities, the largest of which is the City of Spokane. With a population of 220,000, the City of Spokane is the second largest city in Washington State.](#) The remaining 29% of the County's population is located in the unincorporated area.

There is a total of 34 LAMIRDs in Spokane County, of which 20 are zoned as Rural Activity Centers (RACs). The County has designated 14 Limited Development Area (LDA) Commercial-Industrial zones. RACs are defined by Spokane County as rural residential centers that are compactly developed with a defined boundary. They are often formed at crossroads, develop around a community center point, and their commercial uses serve the surrounding residents. The LDACs differ from the RACs in that they are usually infill developments that contribute to the economic diversity by providing services and employment to the area.

Purpose and Intent of RACs and LDACs

These areas are intended to have land uses such as residential, agricultural and open space uses outside of the UGA. Public services and utilities are limited in these areas. Housing is typically located on large parcels except for cluster development. The intent of developing this way is to preserve open space. These types of small towns and unincorporated communities provide services for the surrounding rural areas and for people traveling through. Figure 11 shows the RACs and LDACs of Spokane County.

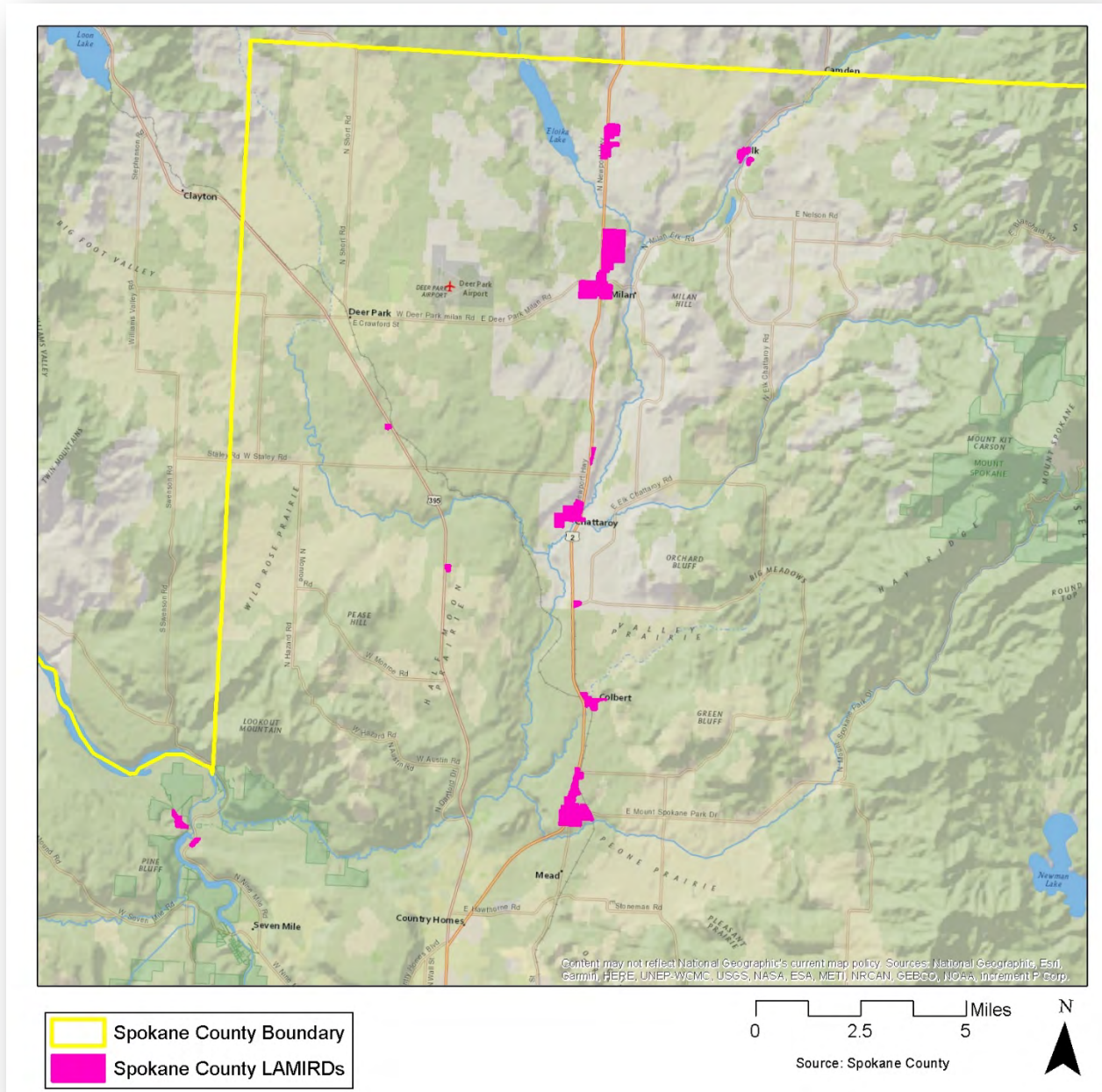
Figure 11 Spokane County LAMIRDs



Source: Spokane County Planning Department

Figure 12 shows that many of the RACs and LDACs have been developed along crossroads. From the map it is clear to see that a majority of these rural places are located on highways.

Figure 12 Spokane County LAMIDs Close up View



Source: Spokane County Planning Department

Permitted Land Uses in RACs

The business permits that are issued and the kinds of permits issued in Spokane County RACs are extremely hard to narrow down unless there is a known parcel number for every project. What is specifically known about the permits issued is that within the RACs and LDACs there are specific land uses and businesses that Spokane County allows. Below is a list of land uses by type that have known kinds of permits issued. Depending on the type of activity in the RACs and LDACs, specific land use actions are either fully permitted, permitted as a limited use, and some uses are only permitted conditionally.

Agricultural-

Permitted Uses: feed mills, commercial greenhouses, detached or private storage structures, and wineries.

Limited Use: Beekeeping.

Residential Uses-

Permitted Businesses: Childcare.

Limited Permitted: Farm machinery sales and repair, private kennels, neighborhood business.

Conditional Uses: Animal health services, master planned resort, mining, rock crushing, storage, and top soil removal.

Utilities/Facilities-

Permitted Uses: Public utility local distribution facility and stormwater treatment facilities.

Limited: Critical materials tank storage, hazardous waste treatment and storage facilities, public utility transmission facility, private towers, wireless communication antenna array.

Conditional uses: solid waste hauler, solid waste recycling/transfer site (EPF, UR, RC Zones), and wireless communication support towers.

Institutional Uses-

Permitted: Churches, community halls, clubs, or lodges, community recreational facilities, fire station, parks, public (including caretaker residence), Nursery through junior high school.

Limited: Government offices/maintenance facilities, law enforcement facility, youth camp, and expansion of existing facilities.

Conditional use: high school/college/university and youth camps.

Neighborhoods-

Neighborhood business in RACs are limited to retail and service businesses that serve the immediate rural residents, supporting natural resource, and/or tourism. Typical businesses in a RACs include, but are not necessarily limited to: retail stores, restaurants, repair shops, personal services and professional offices. According to the Spokane County Zoning Code the neighborhood business structure cannot be more than 20,000 square feet in floor area. The maximum residential density in RACs are 3.5 units per acre and the maximum residential density for rural cluster development is “not applicable”.

Table 1. Lot standards in Spokane County RACs

Lot Standards	RACs
Maximum Building Coverage	50% of lot
Minimum Lot Area per Dwelling Unit	10,000 sq. ft
Minimum Frontage per Dwelling Unit	80 feet
Minimum Lot width	No Requirement
Maximum Residential Height	35 feet
Maximum Non-residential Height	35 feet
Minimum Front setback	No Requirement
Minimum Side/Rear Setback	5 feet plus 1 additional foot for each additional foot of structure height over 25 feet

Sewer and Water Services:

A large portion of Spokane County is directly over a large aquifer that supplies water to the entire region. Due to the importance of this natural resource and the large amount of people that the aquifer serves, it is imperative that the quality of the aquifer and accompanying watersheds be upheld to the highest standards. The GMA requires Spokane County to designate areas and adopt development regulations for the purpose of protecting the watersheds within the

unincorporated areas of Spokane County. These development and waste water regulations apply to individuals, firms, or corporations that wish to establish new, expanded, enlarged or different land uses within the RACs.

Since public sewer service is prohibited outside of the Spokane County Urban Growth Area, nonresidential uses in moderate and high susceptibility areas that produce more than 90 gallons of wastewater per acre, per day, are required to have a disposal system that protects the aquifer equal to or greater than one of the following:

- 1- Treatment utilizing sealed lagoons.
- 2- Treatment utilizing holding tanks with transport and disposal at a site licensed for disposal of waste by products.
- 3- Treatment must be in compliance with a valid surface water discharge permit obtained from the Washington State Department of Ecology; or
- 4- Treatment in a mechanical wastewater treatment plant that produces less than 3,500 gallons per day of effluent and meets the Washington State Drinking Water Standards prior to disposal into the ground using an infiltration system or subsurface disposal system; or
- 5- Treatment in a mechanical wastewater treatment plant that produces more than 3,500 gallons per day of effluent in compliance with a valid state waste discharge permit obtained from the Washington State Department of Ecology and meeting the Ground Water Standards objectives of Spokane County and the State of Washington.

Public Sewer Service shall not be provided outside the Urban Growth Area with the exception of the following situations:

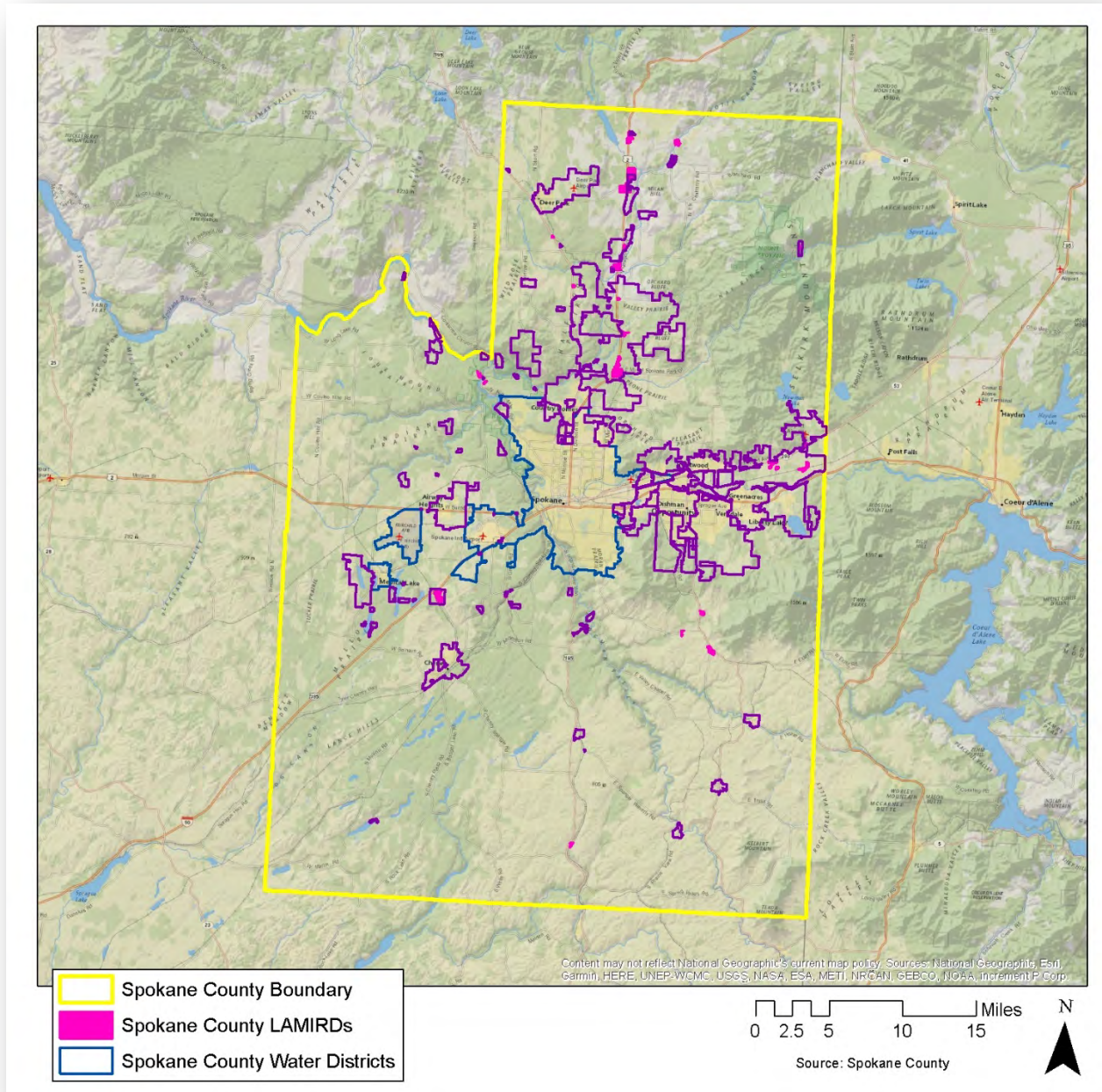
- 1- In response to an immediate threat to public health or safety.
- 2- If necessary to protection the aquifers.
- 3- If a vested development that is required to be served with sanitary sewer as a condition of development approval.
- 4- If mandated by state law.

In Spokane County rural areas utilities are not provided as they would be in incorporated areas. It is typical for the RACS and LDACs to get water from wells. Most private wells are exempt from obtaining a water right and are often called “permit exempt wells”. Water use from a permit exempt well is limited to:

- 1- 5,000 gallons per day for domestic use.
- 2- Unlimited quantity for irrigation of ½ acre of lawn and garden
- 3- 5,000 gallons per day for industrial/commercial use.
- 4- Unlimited quantity for stock watering.

However, there are municipalities that do provide the rural areas of Spokane County with water. Figure 13 shows the Spokane County water purveyors. The area shown in blue is the public water purveyors and the areas in purple are the private or satellite water purveyors.

Figure 13 Spokane County Water Districts



Source: Spokane County Planning Department

Conclusion

It is interesting to note that despite the goals and visions laid out by the Washington State GMA and the state legislature, there are vast differences between the three counties in how they approach LAMIRDs. The variability between the three counties can most likely be attributed to the extreme differences in population and how they have chosen to address LAMIRDs. I hope that anyone reading this document will take into consideration the extreme differences in location, density, types of LAMIRDs, and purposes that the LAMIRDs serve in these three very different counties.

Resources

- 1-<https://fortress.wa.gov/esd/employmentdata/reports-publications/regional-reports/county-profiles/snohomish-county-profile>
- 2-<https://washington.hometownlocator.com/wa/snohomish/clearview.cfm>
- 3-<https://www.spokanecounty.org/DocumentCenter/View/1216>
- 4-<http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/Comprehensive-Planning-Growth-Management.aspx>
- 5-<http://app.leg.wa.gov/rcw/default.aspx?cite=36.70A>
- 6-<https://www.spokanecounty.org/DocumentCenter/View/1234/Spokane-County-Critical-Areas-Ordinance-PDF>
- 7-<https://www.spokanecounty.org/DocumentCenter/View/3802/CWSP-Current-PDF>

¹ The fourteen GMA planning goals are set forth at RCW 36.70A.020:

“ (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in

areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.”

² The first section of the GMA sets for its Legislative Intent: “The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning. Further, the legislature finds that it is in the public interest that economic development programs be shared with communities experiencing insufficient economic growth.”

Local Areas of More Intensive Rural Development (LAMIRDs): A Report Analyzing Whatcom, Skagit, Island, and San Juan County LAMIRDs

Authors:

Ryan Beberdick, Nathan Cottnair, Peter Cung, Jake Diedrick,
Alex Ericson, Nick Giroux, Blake Joplin, Brian Kirk,
Ana Rae Miller, Chris Pieroni, Andrew Randall, Abby Smith,
Dawson Van Cise, Caroline Vogl, Clay Williams

Faculty Mentor:

Dr. Tamara Laninga, AICP

Western Washington University, Urban Planning and Sustainable Development Program



August 2018

Table of Contents

1. Introduction

- Background
- GMA LAMIRD Type Criteria

2. Whatcom County

- LAMIRD Boundaries
- Zoning Designations
- Development Standards
- Unique Policies
- Context
- History of Development
- Economics

3. Skagit County

- LAMIRD Boundaries
- Zoning Designations
- Development Standards
- Unique Policies
- Context
- History of Development
- Economics

4. San Juan County

- LAMIRD Boundaries
- Zoning Designations
- Development Standards
- Unique Policies
- Context
- History of Development
- Economics

5. Island County

- LAMIRD Boundaries
- Zoning Designations
- Development Standards
- Unique Policies
- Context
- History of Development
- Economics

6. GIS Data

- Whatcom County
- Skagit County

- San Juan County
- Island County
- Cross-County Comparison
- Maps

7. Conclusions

- Challenges
- Successes
- Future Opportunities

8. References

Tables

Table 2.1: LAMIRD Zoning Designations of Whatcom County by Type

Table 2.2. Number of Permits Issued in Type I LAMIRDs Since Designation in Whatcom County.

Table 2.3. Number of Permits Issued in Type III LAMIRDs Since Designation in Whatcom County.

Table 3.1. LAMIRD Zoning Designations of Skagit County by Type.

Table 3.2. Skagit County LAMIRD development standards.

Table 3.3. Large LAMIRDs in Skagit County

Table 4.1 LAMIRD Zoning Designations of San Juan County by Type.

Table 4.2 Activity Center/LAMIRDs in San Juan County

Table 4.3 San Juan County LAMIRD development standards

Table 5.1: LAMIRD Zoning Designations of Island County by Type

Table 5.2. Number of Island County Development Permits for Single Family Residential

Table 6.1. LAMIRD statistics for Whatcom, Skagit, San Juan, and Island counties for 2017

Figures

Figure 2.1. Reconfiguration of The Hinotes Corner LAMIRD, Whatcom County

Figure 2.2. Aerial photos of Birch Bay-Lynden & Valley View Type I LAMIRD from 1998 (left) and from 2017 (right), Whatcom County

Figure 2.3. Single family residences around Deming, from 1998 on the left along Mitchell Rd. were demolished to increase the size of the agricultural field, seen in the photo on the right (2017), Whatcom County

Figure 6.1. LAMIRD and UGA Boundaries in Whatcom, Skagit, San Juan, and Island Counties.

1. Introduction

1.1 Background

In 1990, Washington state adopted the Growth Management Act (GMA). In 1997, Washington adopted language to clarify the Legislature's original intent regarding the type and extent of development allowed in the rural area. The amendments adopted to the Revised Code of Washington (RCW) created the specifics of what constitutes a Limited Area of More Intensive Rural Development (LAMIRD), and what a LAMIRD can be used for. In 2015, Washington State legislators asked the William D. Ruckelshaus Center to design a process for a comprehensive and collaborative look at the GMA. This report is the end result of a two-team research project. The project goal was to conduct an objective review of LAMIRDs in Whatcom, Skagit, Island and San Juan Counties. Both teams used a variety of County documents, State documents, GIS maps and interview questions to obtain information for the report. The majority of the report is fact based, with some short analysis in the end. The history of development section of the project relied heavily on the quality and detail of data each county made available to us.

1.2 GMA LAMIRD Type Criteria

LAMIRD boundaries are created to preserve the character of existing neighborhoods and communities. Boundaries can be created by utilizing physical boundaries such as bodies of water, roads, and natural land barriers. Boundaries are often marked by the built environment; this is particularly true for Type I LAMIRDs, which involve the largest extent of infill and development. Boundaries allow counties the ability to provide public facilities and public services in a manner that does not permit low-density sprawl.

Washington's GMA establishes three unique types of LAMIRDs. These classifications are described below in further detail. All three LAMIRD types are bound by the extent of the built environment on July 1, 1990. In essence, designated rural communities [LAMIRDs] are unable to expand beyond the extent of its existing, built infrastructure in 1990. This date was the inception of the GMA.

Three Types of LAMIRDs as described by Washington Administrative Code (WAC) (WAC 365-196-425 6(c):

Type 1: Isolated areas of existing more intense development.

- A logical outer boundary must be established for Type 1 LAMIRDs. This contains the development to the LAMIRD and ensures rural character is not negatively affected.
- Consisting of infill, development or redevelopment of commercial, industrial, residential or mixed use areas
- May range from shoreline development to villages, hamlets, rural activity centers, or crossroad developments

● *Type 2: Small-scale recreational use.*

- Small-scale tourist or recreational development relying on a rural setting are permitted
- Do not need to be designed to serve existing or projected populations
- New residential developments not allowed

● *Type 3: Small-scale businesses and cottage industries.*

- Isolated small businesses may be built (i.e., farm supply store, gas station) (Washington State Legislature, 2017, Rural Element - Growth Management Act).
- Provides job opportunities for rural residents
- Includes Master Planned Resorts

The following four sections of the report outline various aspects and features of LAMIRDs in Whatcom, Skagit, Island and San Juan counties. Specifically we address the following aspects of LAMIRDs for each county:

- LAMIRD Boundaries
- Zoning Designations
- Development Standards
- Unique Policies
- Context
- History of Development
- Economics

2. Whatcom County

2.1 LAMIRD Boundaries

According to GMA, the boundaries of LAMIRDs are intended to limit sprawl. Without strong boundaries, development would likely sprawl out into surrounding agricultural areas. Based on an interview with Whatcom County Planning and Development Services, the “logical outer boundary” chosen for LAMIRDs in 1990 is a strong success. It puts an active limit on the extent of the built environment as it was in 1990.

2.2 Whatcom Zoning Designations

Whatcom County utilizes 3 unique LAMIRD designations, pulled directly from the Whatcom County Code (WCC) and the Revised Code of Washington (RCW).

- Type I Rural Community: Boundaries delineated by the built environment’s extent in 1990. This allows for infill possibilities, however, the amount of infill cannot exceed the amount of development that existed in 1990.
- Type II Rural Tourism: The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting but that do not include new residential development...” (RCW 36.70A.070(5)).
- Type III Rural Business: Generally applies to parcels that have been developed with nonresidential uses. This category recognizes existing businesses in either commercial or industrial zoned areas isolated from other LAMIRDS and Urban Growth Areas. The minimum spacing from a LAMIRD or Urban Growth Area is one-half mile.

Table 2.1 shows the zoning designations for each LAMIRD type in Whatcom County.

Table 2.1: LAMIRD Zoning Designations of Whatcom County by Type

LAMIRD Type	Whatcom County
Type I - Rural Communities	Rural (R), Rural Residential (RR), Rural Forestry (RF), Commercial Forestry (CF), Agricultural (AG), Small Town Commercial (STC), Rural General Commercial (RGC), Neighborhood Commercial (NC), General Manufacturing (GM), Rural Industrial Manufacturing (RIM), Gateway Industrial (GI)
Type II - Rural Tourism	Rural (R), Rural Residential (RR), Tourist Commercial (TC), Resort Commercial (RC)
Type III - Rural Business	Rural (R), Rural Forestry (RF), Commercial Forestry (CF), Agricultural (AG), Rural General Commercial (RGC), Neighborhood Commercial (NC), Rural Industrial Manufacturing (RIM), Recreational Open Space (ROS), Tourist Commercial (TC)

(Whatcom County, 2013).

2.3 Whatcom Development Standards

Table 2.2 outlines Whatcom County's development standards found in the different LAMIRD land use zones.

Table 2.2 Whatcom County LAMIRD development standards

Zone	Name	Code Cite	Front/ Road Setback (ft)*	Side/Rear setback (ft)	Max. Building Height (ft)	Max. Lot Coverage (%)	Min. Open Space Req. (%)	LAMIRD Type
RGC	Rural General Commercial	20.80.200 and 20.59.450, 500, 550	20-30	0/10	35	In Type I (rural community)-not to exceed that of a use of the same type as of 1990; if Type III (rural business), not to exceed 50	10	I, III

Table 2.2 Whatcom County LAMIRD development standards (continued)

Zone	Name	Code Cite	Front/ Road Setback (ft)*	Side/Rear setback (ft)	Max. Building Height (ft)	Max. Lot Coverage (%)	Min. Open Space Req. (%)	LAMIRD Type
TC	Tourist Commercial	20.80.200 and 20.63.400, 450, 500	20-30	0/10	40	In Type I - not to exceed that of a use of the same type as of 1990; if Type III, not to exceed 40	10-35	II
STC	Small Town Commercial	20.80.200 and 20.61.450, 500, 550	20-30	0/10	45 (with exceptio ns up to 70)	In Type I - not to exceed that of a use of the same type as of 1990; if Type III, not to exceed 70	10	I
RC	Resort Commercial	20.80.200 and 20.64.400, 450, 500	20-30	5/5	35 (conditio nal use permit up to 75)	35	10-40 (see options)	II
NC	Neighbor. Commercial	20.80.200 and 20.60.400, 450, 500	20-30	0/10	25	In Type I - not to exceed that of a use of the same type as of 1990; if Type III, not to exceed 30	15	I, III
GM	General Manufact.	20.80.200 and	20-30 ft	10/10	No max height (but setbacks increase by 1 ft for every ft in height above 35)	In Type I - not to exceed that of a use of the same type as of 1990; if Type III, not to exceed 50	--	I

Table 2.2 Whatcom County LAMIRD development standards (continued)

Zone	Name	Code Cite	Front/ Road Setback (ft)*	Side/Rear setback (ft)	Max. Building Height (ft)	Max. Lot Coverage (%)	Min. Open Space Req. (%)	LAMIRD Type
GI	Gateway Industrial	20.80.200 and 20.65.400, 450, 500	20-30 ft	10/10	35-45	--	20	I
RIM	Rural Industrial – Manufact.	20.80.200 and 20.69.400, 450, 500	20-30 ft	10/10	No max height (but setbacks increase by 1 ff for every ft in height above 35 ft)	In Type I - not to exceed that of a use of the same type as of 1990; if Type III, not to exceed 50	10	I, III
AG	Agriculture	20.80.200 and 20.40.450	50	20/20	--	25	--	I, III
CF	Commercial Forestry	20.80.200 and 20.43.450	20-45 ft	100/100	--	20	--	I, III
RF	Rural Forestry	20.80.200 and 20.42.400, 450	20-45 ft	20/20	35 ft (residential)	20	--	I, III
RR	Rural Residential	20.80.200 and 20.32.400, 450	20-45 ft	5/5	35	5,000 sq ft or 20%	--	I, II
R	Rural	20.80.200 and	20-45 ft	5/5	35	5,000 sq ft or 20%	--	I, II, III
ROS	Recreation Open Space	20.80.200 and 20.44.400, 450, 500	50-100	50/50	25	10	75	III

*Whatcom County designates setbacks based on road classification. In this table, we give the range of setbacks. To see the setback based on a specific road type, please see WCC 20.80.210.

Differences in zoning requirements occur based on the type of LAMIRD, including whether it is designated a rural community (Type I) or a rural business (Type III) LAMIRD. For example, “in

a rural community designation, maximum allowable floor area for a nonresidential building shall not exceed the floor area of the largest building of a use of the same type that existed in that same rural community designation on July 1, 1990” (Type I) (WCC 20.80.100). While, “in a rural business designation, the maximum allowable floor area for a new nonresidential building use is 7,000 square feet” (WCC 20.80.100) (Type III).

There are also differences regarding lot coverage depending on the type of use in either a rural community or rural business designation. “For nonresidential uses in a lot in a rural community designation, the combined floor area of all buildings shall not exceed that of a use of the same type that existed on a lot in that same rural community designation on July 1, 1990” (WCC 20.80.100). While, “for non-residential uses in a rural business designation, building or structural coverage of a lot shall not exceed 50 percent of the total area” (WCC 20.80.100).

A unique development standard in Whatcom County is a requirement for a 10-foot setback from the international border between Canada and the United States, which must be maintained to provide an open space vista. According to the WCC, the “10-foot setback area may be used for landscaping, agriculture, and natural vegetation. Structures may only be built within the 10-foot setback area after approval from the International Boundary Commission” (WCC 20.80.210).

2.4 Whatcom Unique Policies

Point Roberts: Transitional Zone:

“The purpose of the Transitional Zone District is to maintain the low density residential character of the areas designated as transitional on the official Whatcom County zoning map and...to create and protect a permanent network of interconnected open space and to provide the opportunity for development of building sites which maximize the efficient use of both infrastructure and land by allowing an option for clustering residential lots” (WCC 20.37.010).

Eliza Island (EI)

“The Eliza Island District has been formed as a separate district due to its unique character. The purpose of this district is to allow for a harmonious mixture of residential, seasonal residential, recreational, and accessory uses. When making a determination about uses, consideration will be given to the rural land use policies as outlined in the Comprehensive Plan, as well as cumulative impacts of uses in this rural area” (WCC Ord. 2015-013 § 2 Exh. B, 2015; Ord. 2011-013 § 2 Exh. B, 2011; Ord. 94-032, 1994).

Sudden Valley

Sudden Valley is categorized as a Rural Community (Type I LAMIRD), which was established in the early 1970s as a recreation/resort area that has been developed into a semi-urban residential area. It has unique challenges/limitations due to its location in the Lake Whatcom Watershed, where limiting development has been identified as a goal. Because of its location in

the watershed, it is not a candidate for incorporation or UGA status. However, Whatcom County recognizes the Sudden Valley Community Association as an active participant in county and Lake Whatcom planning (WCCP, 2018, 2-86).

Rural Neighborhood

Whatcom County has another designation, which is not a LAMIRD, called Rural Neighborhoods. These are residential areas that have been developed under a zoning that allows densities greater than one dwelling per five acres where public water service is available. According to the Whatcom County Comprehensive Plan, these areas “have their own unique rural character (as compared with the higher densities contained within LAMIRDs) and they serve to provide a needed variety of rural densities” (WCCP, 2018, 2-81).

2.5 Whatcom Context

In the following text, we provide more detail about the types of land use zoning found around the LAMIRD types.

Type I LAMIRDs:

Land surrounding Type I LAMIRDs is usually zoned as rural (1 Unit/ 2, 5 or 10 Acres, labeled R-2A, R-5A or R-10A respectively); there is a variety of other zoning mixed in including Commercial and Rural Forestry, Agricultural, Gateway Industrial, and federal/unzoned land.

The land in Type I Rural Communities, which often includes different forms of commercial zoning aside from rural residential, such as Small Town, Rural General, Neighborhood, and Resort. Residential Rural zoning also allows for denser populations of up to 3 units per acre. Some rural communities have General and Rural Industrial Manufacturing zones as well.

Zoning outside the Rural Communities (labeled Affected Areas) is more like the surrounding areas, made up of low-density Rural (1 Unit/ 2, 5 or 10 acres), Rural Forestry, and Agricultural. Some Affected Areas had Rural Residential zoning, but it was always low-density (1 Unit/ 5 acres or more).

Based on zoning patterns, it seems Rural Community LAMIRDs serve a fairly large area extending beyond their Affected Areas. They are the only commercially zoned areas, so they most likely act as a service center to surrounding areas beyond LAMIRD boundaries.

Type II LAMIRDs:

Zoning inside Type II LAMIRDs includes Tourist Commercial. The Affected Areas and surrounding zoning contain low-density Rural and Rural Residential zones (1 Unit/ 2, 5 or 10 acres, but rarely 2 acres). Because Rural Tourism LAMIRDs have limited use types, they almost

strictly function as commercial service centers for Affected and surrounding areas; this is unlike Type I and III LAMIRDs that can have a greater variety of zoned uses.

Type III LAMIRDs:

Type III LAMIRDs contain forms of commercial (Rural General, Tourist, Neighborhood) and Rural Industrial Manufacturing zones. Affected Areas and surrounding zoning is made up of Rural (1 Unit/ 5 or 10 acres), Rural and Commercial Forestry, Rural Open Space, and Agricultural. Again, without any Rural Residential zoning in Rural Business areas or commercial zoning in Affected or surrounding areas, Type III LAMIRDs also seem to serve as service centers for areas beyond their boundaries.

2.6 Whatcom History of Development

Growth Management Hearings Board

In 2005, a Growth Management Hearings Board decision, upheld by an Appeals Court in 2007, found that some aspects of Whatcom County's Comprehensive Plan and zoning regulations were out of compliance with the GMA. Many of the non-compliances in Whatcom County's Comprehensive plan and zoning regulations had to do with rural area designations. Whatcom county planners came up with a series of changes to the comprehensive plan, so that future development in rural areas better align with the GMA and the interests of the public.

In 2011, Whatcom County adopted ordinance 2011-013, which reworked the boundaries and zoning of the County's LAMIRDs. This ordinance limited residential sprawl in the county's rural areas. Most LAMIRDs were reduced in size; areas that fell outside of the new boundaries were rezoned to lower densities and in some cases were given the Rural Neighborhood designation (which is one step below the LAMIRD designation). In some cases, entire LAMIRDs were downgraded to Rural Neighborhood status. Though most residential and commercial lots that remained within the LAMIRD boundaries retained their original zoning. This had a significant impact on development within Whatcom County's LAMIRDs. Figure 2.1 illustrates how the Hinotes Corner LAMIRD was reconfigured under ordinance 2011-013.

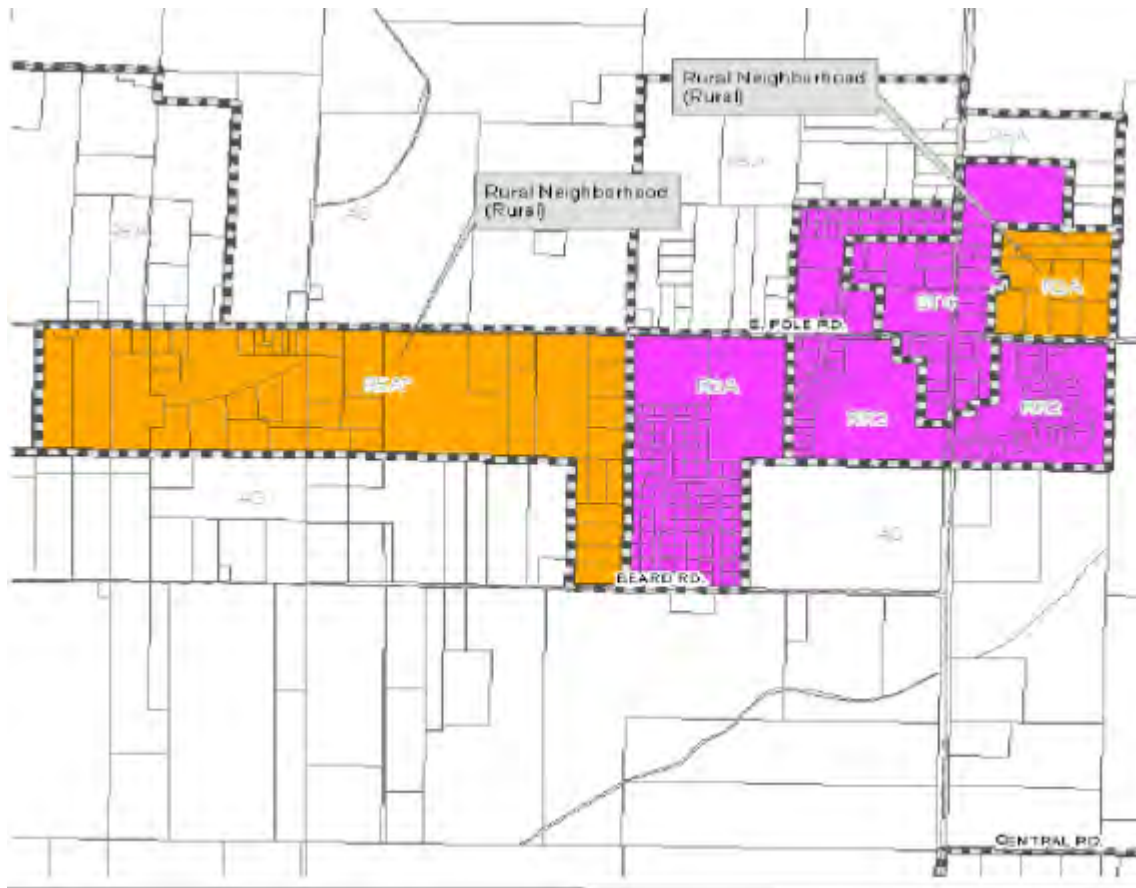


Figure 2.1. Reconfiguration of The Hinotes Corner LAMIRD, Whatcom County.

Dotted lines represent the prior boundary; the pink area represents the Type I Rural Community; the orange represents the areas that were rezoned and re designated as Rural Neighborhoods

We determined the history of development within Whatcom County's LAMIRDS by analyzing permit data covering every known permit issued within each LAMIRD since designation. This piece of the project relied heavily on the quality and detail of data each county made available to us. Whatcom County staff provided us with a relatively complete list of permits, though we were made aware that the data set in no way covered every permit issued within the county's LAMIRDS due to changes over time. There was a significant data loss in the 1990's that was never recovered, and parcel numbers have changed over time, making duplicates a factor. But the data provided proved to be more than sufficient for the purpose of this project.

There were two main parts in addressing history of development in Whatcom County. Part I focused on identifying new projects that have been built in each LAMIRD since designation; and Part II focused on identifying any new land uses that were not present when the LAMIRD was

first designated. These two parts together will provide us with an idea of how Whatcom County's LAMIRDS have been, and will continue to be, developed over time.

Part I

All of the new construction projects that have been permitted in each Type I LAMIRD within Whatcom County are represented in Table 2.2. This table compiles permits for single-family residences (SFR), multifamily residences, mobile homes, commercial buildings, industrial facilities, and public/institutional buildings. These categories represent the all of the major construction projects found in each LAMIRD. The same information for Type III LAMIRDs is represented in Table 2.3. Permits issued for renovations, maintenance, and tenant improvements were ignored. Please note that permits are not separated by pre and post 2011 LAMIRD boundaries.

- All Type I LAMIRDs that we received data for, except for one, have had at least two new projects built in them since designation. The one exception is the Van Wyck LAMIRD, where only renovation and maintenance permits have been issued.
- Most Type I LAMIRDs have had new SFR development, with Sudden Valley having the largest increase, at 1123 new permitted single-family residences. Five LAMIRDs have had over 100 new SFR's permitted since designation.
- New multifamily residences (duplex or larger) have been relatively uncommon in Whatcom County's LAMIRDs, with only 11 in total. Hinotes Corner has had seven of these new permitted multifamily residences. Point Roberts has two, and Emerald Lake and Glacier each have one.
- Surprisingly, 13 out of 22 Type I LAMIRDs have had at least one new commercial use added since designation. Point Roberts, Hinotes Corner, and Glacier have had the most new commercial activity, with 14, 5, and 4 new commercial uses respectively. New commercial activity ranges from small businesses run from residences to retail and hotels.
- New industrial facilities represent the smallest increase in development in Type I LAMIRDs. Glacier, Laurel, and Point Roberts each have one new permitted industrial facility; all are light use industrial.

There has been much less new development in Type III LAMIRDs; only 21 new permitted projects. New commercial has been the largest growth experienced in these areas, with five new projects at Birch Bay Lynden & I-5, and seven new projects at Smith & Guide Meridian. These

two LAMIRDs also have the only new permitted industrial facilities. The majority of the permits issued for commercial buildings, in Type I and III LAMIRDs, are for tenant improvements and/or renovations and not new new projects.

The County's largest LAMIRDs like Sudden Valley and Cain Lake have experienced the largest increase in new development since designation. While the County's smallest LAMIRDs like Welcome and Van Wyck have experienced no growth. The majority of Type I LAMIRDs in Whatcom County are significantly larger than Type III LAMIRDs, and therefore have experienced more development.

Table 2.3. Number of Permits Issued in Type I LAMIRDs Since Designation in Whatcom County.

LAMIRD - TYPE I	NEW PERMITS ISSUED					
	SFR	Multi-Family	Mobile Home	Commercial	Industrial	Public /Institutional
Acme	4	-	4	1	-	-
Axton & Guide Meridian	1	-	-	-	-	-
Cain Lake	404	-	32	-	-	-
Custer	4	-	9	-	-	-
Deming	1	-	1	1	-	-
Diablo (No Data)	-	-	-	-	-	-
Emerald Lake	44	1	8	-	-	-
Glacier	266	1	20	4	1	-
Hinotes Corner	29	7	4	5	-	-
Kendall	-	-	-	1	-	1
Lake Samish	55	-	9	-	-	-
Laurel	-	-	-	2	1	-
Lummi Peninsula	56	-	16	-	-	-
Maple Falls	2	-	1	2	-	1
Newhalem (No Data)	-	-	-	-	-	-

LAMIRD - TYPE I	NEW PERMITS ISSUED					
	SFR	Multi-Family	Mobile Home	Commercial	Industrial	Public /Institutional
Nugents Corner	-	-	-	3	-	-
Point Roberts	404	2	39	14	1	1
Pole & Guide Meridian	25	-	3	1	-	-
Sandy Point/Sandy Point Heights	154	-	57	1	-	-
Sudden Valley	1123	-	-	1	-	2
Van Wyck	-	-	-	-	-	-
Wiser Lake	30	-	6	3	-	-

Table 2.4. Number of Permits Issued in Type III LAMIRDs Since Designation.

LAMIRD - TYPE III	NEW PERMITS ISSUED					
	SFR	Multi-family	Mobile Home	Commercial	Industrial	Public institutional
Birch Bay Lynden & I-5	-	-	1	5	2	-
Blue Canyon (No Data)	-	-	-	-	-	-
Guide Meridian Border Crossing	-	-	-	-	-	-
North Lake Samish & I-5	-	-	-	1	-	-
Slater & Elder	-	-	-	1	-	-
Smith & Guide Meridian	-	-	1	7	3	-
Van Zandt (No Data)	-	-	-	-	-	-
Welcome	-	-	-	-	-	-

Part II

Most LAMIRDs in Whatcom County have not had major land use changes or new abnormal uses since designation. There are though, a few LAMIRDs that have had some notable interesting new development over the past two and a half decades.

One of Whatcom County's most interesting areas is the Type I Birch Bay-Lynden & Valley View LAMIRD. This area was originally part of the Type III Birch Bay-Lynden & Valley View LAMIRD, but was split off after the Growth Management Hearings Board decision and re-designated as a Type I LAMIRD. This LAMIRD is made up of only three parcels and was originally included due to its commercial uses as of July 1 1990. These commercial uses have since disappeared, and the land now sits mostly empty and overgrown with what looks to be a mobile home on one of the parcels. All of these parcels are still zoned commercial yet the only use appearing on one parcel is residential. These parcels have had no apparent commercial use since at least 1998, Figure 2.1 shows aerial images from 1998 and 2017.



Figure 2.2. Aerial photos of Birch Bay-Lynden & Valley View Type I LAMIRD from 1998 (left) and from 2017 (right), Whatcom County

Notable land use changes in each LAMIRD are as follows:

Deming

- Demolition of multiple single-family residences to increase the size of neighboring agricultural fields (Fig. 3).
- Renovation of the old Deming Tavern into offices by the Nooksack Tribe.



Figure 2.3. Single family residences around Deming, from 1998 on the left along Mitchell Rd. were demolished to increase the size of the agricultural field, seen in the photo on the right (2017), Whatcom County.

Glacier

- Conversion of single-family residence into commercial light fabrication facility

Maple Falls

- Change from Single family residence to commercial- restaurant

Wiser Lake

- Conversion of non-commercial garage to commercial offices

Point Roberts

- Remodel of old cannery into restaurant and shops (16,292 sq ft.)
- Replace existing duplex with SFR

Smith & Guide Meridian

- Apartments converted into commercial storage and unused space

2.7 Whatcom Economics

Economic Profile

- Agriculture is a steady influence in the northern parts of the county. Today, Whatcom County produces more raspberries than any county in the United States.
- Like the national economy, Whatcom County's largest job-providing sector is private services, with a 62.8 percent share of jobs. Following national trends and due to the recent recession, goods-producing jobs fell to a greater extent than private services. The county has some heavy industry at Cherry Point in the northwest corner of the county with crude oil refineries and an aluminum smelter. There is some niche manufacturing and a large variety of other small businesses that create a well-rounded economy.
- Whatcom County is home to Western Washington University as well as a community and technical college. The university and colleges are in their own right major employers and Bellingham consistently draws a large student population which contributes to the local service economy.
- The proximity to the Canadian border is a strong influence on the economy. When the Canadian dollar is strong, it creates demand for retail bargains and real estate in Whatcom County. (Employment Security Department, 2015, Whatcom County)

Growth Planning

Whatcom County plans for growth in the county, and specifically for LAMIRDs, in the county's comprehensive plan. The following are policies from the Whatcom County Comprehensive Plan:

- Comparing the non-urban population growth trends with the adopted non-urban population growth projection as part of the population growth monitoring report required in Policy 2S-5. If the trend over five years is seen to indicate that non-urban growth is significantly higher than adopted projections, the County shall take action to address the discrepancy. Actions may include changing the allocation of the projected population growth during the comprehensive plan update required per RCW 36.70A.130(1), or changing development regulations to limit growth outside the urban growth areas. In addition, as the County and cities review the capacity for growth in the urban growth

areas, the county should coordinate with the cities to ensure that policies are in place that are consistent with encouraging growth in the urban areas and reducing demand for development in rural areas. (Whatcom County comprehensive plan policy 2DD-1).

- Promote economic prosperity for rural areas and allow rural property owners reasonable use of their land by continuing to allow legal nonconforming uses. (Whatcom County comprehensive plan policy 2DD-9).

The Whatcom County Comprehensive plan also reflects the policies of the GMA. Specifically, “to achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses that are not characterized by urban growth and that are consistent with rural character” RCW 36.70A.070(5)(b).

3. Skagit County

3.1 Skagit LAMIRD Boundaries

In Skagit County, Type I LAMIRD boundaries are based on the existing developed areas of 1990. Those existing residential, industrial and commercial areas allow for infill development and are contained within the ‘logical outer boundaries’ described in the GMA. The Rural Intermediate and Rural Village designations reflect areas that were already developed in 1990 and the existing built environment was “carefully considered” when designating these areas as LAMIRDs (Skagit County, 2015).

3.2 Skagit Zoning Designations

Skagit County has four main LAMIRD Zoning Designations, which are then further broken down into additional land use types (Skagit County, 2010):

- **Rural (R):**
Industrial (RI), Commercial (RC), Marine Industrial (RMI), Freeway Service (RFS)
- **Rural Village (RV):**
Residential (RVR), Commercial (RVC), Rural Intermediate (RI), Rural Center (RC)
- **Small Scale (SS):**
Business (SSB), Recreation & Tourism (SSRT)
- **Natural Resource Industrial (NRI)**

Table 3.1 shows designated zones in the three LAMIRD types

Table 3.1. LAMIRD Zoning Designations of Skagit County by Type.

LAMIRD Type	Skagit County	Total
Type I	Rural Village Residential (RVR) (13) Rural Village Commercial (RVC) (25) Rural Intermediate (RI) (34) Rural Center (RC) (15) Rural Freeway Service (RFS) (7)	94
Type 2	Small Scale Recreation and Tourism (SRT) (2)	2
Type 3	Small Scale Business (SSB) (9) Rural Business (RB) (80) Natural Resource Industrial (NRI) (21) Rural Marine Industrial (RMI) (6)	116
Total # of Designated Zones in LAMIRDs		212

(Skagit County GIS Department, 2017).

3.3 Skagit Development Standards

Table 3.2 outlines Skagit County's development standards found in the different LAMIRD land use zones.

Table 3.2. Skagit County LAMIRD development standards*

Zone	Name	Code Cite	Front/Road Setback	Side/Rear setback	Max. Building Height	Max. Lot Coverage (%)	LAMIRD Type
RVC	Rural Village Commercial	14.16.100	5-15	8/20	40	50	I
RC	Rural Center	14.16.110	35-55	20/20	40	50	II
RFS	Rural Freeway Service	14.16.120	35-55	35-55/35-55	40	25	I
SRT	Small Scale Rec & Tourism	14.16.130	35-55	35/35	50	Formula in SCC or no more than 130,680 ft	II
SSB	Small Scale Business	14.16.140	35-55	0-35/0-35	50	25%	III
RB	Rural Business	14.16.150	35-55	35/35	40	50%	III
NRI	Natural Resource Industry	14.16.160	50	50/50	50	25%	III
RMI	Rural Marine Industrial	14.16.170	50	50/50	50	See SCC for tables	III
RI	Rural Intermediate	14.16.300	35 (25 on access road)	8/25	40	35%	I
RVR	Rural Village Residential	14.16.310	35 (25 on access road)	8-20/25	40	50%	I

*SCC does not specify min. open space requirement

3.4 Skagit County Unique Policies

Skagit County has one unique LAMIRD policy. In 2002, Skagit designated Similk Beach as a LAMIRD due to failing septic tanks in the area and was originally designated a LAMIRD to provide government water services to the area (Skagit County Comprehensive Plan, 2016, 64). The Similk Beach LAMIRD is permitted the same uses as Rural Intermediate (RI). On May 16, 2017, the Skagit County Planning Commission adopted an amendment to the Zoning Code to reflect that the sewage system was not completed as planned (Skagit County Code 14.16.920).

3.5 Skagit Context

In Skagit County, LAMIRDs are situated near the edge of developed areas. Many are located in unincorporated areas near towns. This is illustrated by the presence of many Type I LAMIRDs, since these are most likely to occur in pre-populated areas. The large number of Type III Rural Business (RB) LAMIRDs may also reflect the peripheral development pattern of Skagit LAMIRDs (see Table 3.1). Land surrounding UGAs and LAMIRDs is designated as Rural Reserve, which covers the rural area that, as of 1990, had not been developed at higher densities (SCC, 2016).

3.6 Skagit History of Development

Utilizing Washington State Department of Commerce GIS data and Skagit County ArcGIS Map, development in Skagit County was able to be analyzed. The GIS data showed 126 LAMIRDs in Skagit County (DOC, GIS Data, 2017). The Department of Commerce GIS data show that development of LAMIRDs in Skagit County has increased between 2000 and 2017.

Housing units in Skagit County LAMIRDs have increased by 26.57% between 2000 and 2017, with the majority of development taking place in the early 2000's. In 2000, there were 5,190 housing units located on the LAMIRDs in Skagit County. Eight years later, that number had added 1,008 housing units, to total 6,198. Development slowed with the onset of the recession in 2008, as the number of housing units developed on Skagit LAMIRDs increased by only 371 housing units over the next nine years to 6,569 total. Today, Skagit County's active permits map shows LAMIRDs seeing increased building permits for residential uses (Department of Commerce GIS Data, 2017).

Smaller LAMIRDs are typically commercial or industrial. Since 2000, six small previously designated Type I LAMIRDs have been converted to Type III (1 RFS, 2 NRI, and 3 RB). Of note are the larger Type I LAMIRDs (RVR, RVC, RI, & RC) scattered throughout Skagit County. They are often located near water, and with the one exception of the Skagit River LAMIRD west of Mount Vernon, all have increased. The Skagit River LAMIRD currently has a

number of active Flood Area Development permits in the area, indicating the reason for the reduction in development in the area.

Table 3.3. Large LAMIRDs in Skagit County

LAMIRD Location	Housing Units Year 2000	Housing Units Year 2017	Percentage Change between 2000-2010	Residential Permits	Commercial Permits
Conway Hill	155	195	23.86%	6	0
Similk Bay	600	719	16%	23	0
Clear Lake	327	367	8.87%	25	0
Anacortes	88	160	67.05%	13	0
Bayview State Park	228	272	11.4%	19	0
Burlington	330	376	13.94%	6	0
Concrete	131	154	16.03%	4	0
Cape Horn	236	294	25.42%	3	0
Guemes Island, SE	180	224	21.11%	9	1
Guemes Island, NW	88	121	34.09%	6	0
Samish Island	352	464	26.7%	17	0
Friday Creek	131	169	22.9%	13	1
Lake Cavanaugh	429	564	21.91%	28	0
Big Lake	441	803	69.39%	40	0
Lake Eerie	468	567	20.94%	16	0
Lake McMurray	119	122	0.84%	6	0
Skagit River	278	268	-3.24%	1	1

3.7 Skagit Economics

Economic Profile

Two important economic goals of Skagit County are to preserve natural resource lands and bring specialized jobs to the areas. In 2012, natural resource industries like agriculture, forestry, fishing, and hunting contributed to 4.5 percent of the county real gross domestic product (GDP).

Skagit's growing manufacturing industry accounted for 33.4 percent of total GDP. LAMIRDs further the development of natural resource and industrial economies by allowing for development that has the potential to bring specialized employment opportunities while preserving the rural and agricultural lands in the county (Employment Security Department, 2015, Skagit County).

Growth Planning

In Skagit County, LAMIRDs serve as areas to accommodate new growth in the form of infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use, as well as the new development of small scale recreational or tourist uses or new development of isolated collage industries and isolated small-scale businesses that do not principally serve the rural population, but provide job opportunities for rural residents (SCC, 2016, Goal 3B).

According to the 2016 Comprehensive Plan, Policy 3B-1.5, LAMIRD designation "does not grant any increased land uses, intensities, or densities not already allowed for" in the plan (SCC, 2016, 79).

Skagit County does not anticipate future growth, within a 20-year planning period, requiring the designation of new non-municipal UGAs or fully contained communities. Planning efforts for Skagit County reflect a commitment to preserving and protecting the unique quality of life and rural character of the county, while promoting a robust economy that compliments the its rich agricultural and resource heritage (SCC, 2016).

4. San Juan County

4.1 San Juan LAMIRD Boundaries

The ‘logical outer boundaries’ for LAMIRDs within San Juan County are marked by the extent of the built environment as of 1990. They consist of commercial, industrial, or residential areas where the kinds, intensities, or densities of use, or the capital facilities and services exceed the levels normally associated with rural development (San Juan County (SJC), 2010). LAMIRDs in the San Juan County “allow for the continuance of the existing areas and uses, and for infill in the areas to the level of existing patterns; however, the areas must be minimized and contained, with logical outer boundaries defined predominantly by the built environment, and may not extend beyond the existing area or use” (SJC, 2010, 13).

4.2 San Juan Zoning Designations

San Juan County divides its LAMIRDs into activity centers which have a mix of land uses with housing, businesses, and services appropriate to its character, size, and location (SJC, 2010).

- **Village Activity Centers (V):** have only rural governmental services and are not incorporated. They have a limited variety of residential densities and are pedestrian-oriented with a compact village core. Village Activity Centers contain the following zoning designations:
 - Commercial (VC), Industrial (VI), Residential (VR)
- **Hamlet Activity Centers (H):** are residential areas with some non-rural densities, and small commercial centers, which provide goods and services to surrounding rural and resource land uses. Hamlet Activity Centers contain the following zoning designations:
 - Commercial (HC), Industrial (HI), Residential (HR)
- **Island Centers (IC):** are characterized by general commercial and industrial uses and may include some rural commercial and rural industrial uses. They differ from other Activity Centers because they are tend to be free of high density residential development.
- **Residential Activity Centers (R):** are residential areas with development patterns exceeding one unit/five acres, and served by non-rural levels of capital facilities or services.
- **Master Planned Resorts (MPR):** are self-contained and fully integrated planned unit developments located in areas of significant natural amenities and focusing on short-term visitor accommodations. Some residential and commercial activities may exist within the boundaries, but they are integrated into and support the resort. MPRs may be designated within other activity centers.

Table 4.1 LAMIRD Zoning Designations of San Juan County by Type.

	San Juan County	Total
Type 1	Hamlet Residential (HR) (130) Village Residential (VR) (129) Village Commercial (VC) (107)	366
Type 2	Island Centers (IC) (25)	25
Type 3	Master Planned Resorts (MPRs) (75) Hamlet Commercial (HC) (16) Hamlet Industrial (HI) (3)	94
Total # of Designated Zones in LAMIRDs		485

(San Juan County, 2016).

Table 4.2 shows the name and designation for each Activity Center/LAMIRD in San Juan County, and whether it has site-specific plans and standards.

Table 4.2 Activity Center/LAMIRDs in San Juan County (source: SJC, 2010)

Name	Designation	Site-specific Plans and Standards
Orcas Village	Village Activity Center	Yes
Olga	Hamlet Activity Center	Yes
Deer Harbor	Hamlet Activity Center	Yes
Doe Bay	Hamlet Activity Center	No
Westsound	Hamlet Activity Center	No
W. Beach Rd/Crow Valley Rd - Orcas	Island Center	No
Center Rd./School Rd. - Lopez	Island Center	No
Country Corner - Orcas	Island Center	Yes
North Roche Harbor Area	Residential Activity Center	No
North Rosario Area	Residential Activity Center	No
Roche Harbor	Master Planned Resort	Yes
Rosario Resort	Master Planned Resort	Yes
West Beach Resort	Master Planned Resort	No

4.3 San Juan Development Standards

Development standards for land use designations in San Juan County LAMIRDs are shown in Table 4.3.

Table 4.3 San Juan County LAMIRD development standards

Zone	Name	Code Cite	Front/Road Setback	Side/Rear setback	Max. Building Height	Max. Lot Coverage (%)	Min. Open Space Req. (%)	LAMIRD Type
VC	Village Commercial	18.60.050	10	0	30	65	10	III
VI	Village Industrial	18.60.050	10	0	30	60	5	III
VR	Village Residential	18.60.050	10	10	30	50	30	I
HC	Hamlet Commercial	18.60.050	10	0	30	65	10	III
HI	Hamlet Industrial	18.60.050	10	0	30	60	5	III
HR	Hamlet Residential	18.60.050	10	10	30	50	30	I
RAC	Residential Activity Center	18.30.222	N/A	N/A	30	Min. parcel size 0.5 acres	30	I
IC	Island Center	18.60.050	10	0	30		10	II
MPR	Master Planned Resort	18.60.050	All standards for MPRs established in specific master plans					III

4.4 San Juan Unique Policies

San Juan has a unique “split zone” policy, which applies to 39 different LAMIRDs in the county. Split zones combine two or three different zones within one parcel. The most common split zone is Village Commercial/Village Residential, followed by “FO”/Hamlet Residential and “VCL”/Village Residential. Interesting to note is that many split zones refer to zones that do not exist in the County Code, such as FO, VCL, ER1P, ER2P, and SLI (San Juan GIS Department, 2016).

4.5 San Juan Context

In San Juan county, LAMIRDs are located in areas with higher population levels, particularly residential areas. As a result, most LAMIRDs in San Juan County are Type I, and are categorized as either Hamlet Residential or Village Residential. LAMIRDs in San Juan County are important to contain residential sprawl, particularly in rural areas. Additionally, San Juan County's economy is largely tourism-based, which is reflected by its high number of Master Planned Resorts (MPR) and Island Centers (IC) (Table 4.1).

4.6 San Juan History of Development

Data not available. Due to limited staff resources, San Juan County was unable to provide information on permits. Further, the GIS data provided by the Department of Commerce did not include San Juan County.

4.7 San Juan Economics

Economic Profile

San Juan County's economy is characterized by a large tourism industry and a "small but cherished" farming economy. Twenty-five percent of jobs are in leisure and hospitality, illustrating the county's emphasis on tourism. One way the county draws tourists is by encouraging small-scale farmers' markets and farming operations, though these industries only make up a small fraction of the total economy. San Juan County is also home to 74 Master Planned Resorts and 36 Island Centers, which lend further support to tourism (Employment Security Department, 2015, San Juan County; Table 4).

Growth Planning

San Juan County is faced with a number of critical land use issues, most critical of which is protecting the "primarily rural character and natural environmental of the islands while allowing for growth and development that maintains these characteristics and a healthy, diverse economy and populace" (SJC, 2010, 2.1-1). Urban governmental services are not required outside of urban growth areas and LAMIRDs, to protect critical areas and rural resources. Furthermore, comprehensive plan policies place limits on capital facility development in rural areas (SJC, 2010).

5. Island County*

*Refers to LAMIRDs as RAIDs: Rural Area of more Intense Development

5.1 Island County RAID Boundaries

Consistent with the GMA [RCW 36.70A.070(5)(d)], the RAID designation permits the infill, development or redevelopment of existing rural areas outside of urban growth areas (UGAs) at a density greater than typical rural development. Island County has three types of RAIDs: 1) residential; 2) non-residential; and 3) mixed use (Island County, 2016, 33). These three types of RAIDs are not technically land use designations, but rather were used to form logical outer boundaries to preexisting rural development as of July 1, 1990. “The County has established the logical outer boundary of each designated RAID per state law, and delineates the permanent extent of the RAIDs using logical physical boundaries, such as environmental features or transportation infrastructure” (Island County, 2016, 33).

An interview a Long-Range Planner for Island County revealed RAID boundaries are a challenge within the county. The boundaries chosen are not as logical as they could be. In some areas, parcels are half in the RAID and half outside. Others have parcels outside of the RAID that should be included.

5.2 Island County Zoning Designations

Type 1 RAIDs: Most common in Island County and designated as Residential. They tend to line the coast and interior water bodies. They are also frequently located next to each other. Some Type 1 RAIDs have Mixed-Use (Type 3) RAIDs located within them, which supports the context that Type 1 RAIDs rely on Type 2 and 3 RAIDs for goods and services that are commercial or industrial in nature.

Type 2 RAIDs: The Island County Municipal Code lists five Non-Residential RAIDs. They are split into the categories Light Manufacturing and Airport. Airport RAIDs are located by Highway 20 and 525. Light Manufacturing RAIDs were also located by Highway 20 and arterials such as East Camano Drive. These are more isolated due to their air and noise pollution, but are still accessible service centers because they sit near major throughways.

Type 3 RAIDs: Can be a Rural Center, Rural Village, Rural Service, and Camano Gateway Village. Rural Centers are right along Highway 525 and Type 1 RAIDs tend to be clustered within a few miles of them. Rural Service centers and Villages similarly sit by Highways 20 and 525, but also branch out along smaller arterials and roads; because they are much smaller than Rural Centers, some of them are located within Residential RAIDs, which further supports the

context that they function as the sole goods and service center for the Type 1 RAIDs that annex or neighbor them.

Table 5.1 outlines the zoning designations found in the Island County LAMIRDs.

Table 5.1: LAMIRD Zoning Designations of Island County by Type

LAMIRD Type	Island County	Total
Type I - Residential	Rural Residential (RR) (43)	43
Type II - Non-residential	Light Manufacturing (LM) (2) Airport (3)	5
Type III - Mixed Use	Rural Center (RC) (3) Rural Village (RV) (6) Camano Gateway Village (CGV) (2) Rural Service (RS) (10)	21
Total # of Designated Zones in LAMIRDs		69

(Island County, 2016).

5.3 Island County Development Standards

Table 5.2 outlines Island County's development standards found in the different LAMIRD land use zones.

Table 5.2. Island County LAMIRD development standards

Zone	Name	Code Cite	Front/ Road Setback (ft)	Side/ Rear setback (ft)	Max. Building Height (ft)	Max. Lot Coverage (%)	LAMIRD Type
RR	Rural Residential	17.03. 070	20-30	5	35	5% for parcels >5 acres	I
RC	Rural Center	17.03. 120	--	10	40	80	III
RV	Rural Village	17.03. 130	50	10	30	70	III
GVC	Camano Gateway Village	17.03. 135	10-50	10	35	70	III
RS	Rural Service	17.03. 140	10	10	25	--	III
LM	Light Manufacturing	17.03. 145	50	10	30	--	II
AP	Airport	17.03. 150	--	10ft	Reserved	--	II

Additional development standard requirements are detailed below, and come from the Land Use Element chapter of the Island County Comprehensive Plan (ICCP).

- In the Urban Growth Areas (UGAs), several land designations are not allowed, including: rural agricultural, forest or mineral resource lands.
- Subdivision of rural residential parcels is allowed within RAIDs if the parcel size meets the minimum lot size per Island County Code, which ranges from 14,500 square feet to 2.5 acres (varies by RAID). Parcel size is also limited by applicable shoreline regulations, critical areas, County health requirements, public facility limitations, and other land use or zoning limitations (ICCP, 2016, 33).

Island County Zoning Code, Chapter 17.03:

- Minimum lot width for non-residential RAIDs is sixty (60) feet.
- Minimum lot size for non-residential RAIDs is five (5) acres. Base density is one (1) dwelling unit per five (5) gross acres for non-residential RAIDs.
- The growing, harvesting, sale and managing of agricultural products including horticulture and livestock provided raising of large livestock on lots less than two and one-half (2.5) acres in size requires approval of an animal management plan.

5.4 Island County Unique Policies

Sustainable planning in the Camano Gateway Area (ICC, 2016)

- LU 6.1.7.1. Establish sustainable building practices, use of low impact development, reduction in water consumption, sensitive design, minimizing bulk and mass, participation in local economic development strategies, and reduction in traffic. Incentives should be provided to developers so that the benefits outweigh the costs.
- LU 6.1.7.2. A proactive planning approach should be used for access management into State Highway 532. Possible consolidation of access points shall be explored consistent with Island County Code and Washington State Department of Transportation regulations.
- LU 6.1.7.3. Mixed Uses involving a combination of Residential and Non- Residential components are encouraged, especially with long-term village residence above business activities or that are detached but functionally and physically connected to each other.
- LU 6.1.7.4. Overnight lodging shall be designed to fit into and enhance the rural island landscape through effective design, orientation, siting, signage, lighting and landscaping. Overnight Lodging should be designed in a manner that does not utilize and distribute water resources beyond the capacity of the resources available in the RAID.

Clinton

Currently Clinton is a RAID, however, in the 2016 Comprehensive Plan Update, Island County stated that it “may change the designation of the area to a [non-municipal urban growth area] NMUGA” (34). Clinton developed as an unincorporated community with a full range of land uses, making it a “logical choice” for further growth and to accommodate some of the County’s projected population and employment” growth (34). The County plans for research the possibility for designating the area a NMUGA or developing a subarea plan for Clinton.

To accommodate future growth, Clinton needs to address its infrastructure limitations, namely related to sewer (aging septic systems), stormwater management, and slope stability.

Special Review Districts

Special Review District (SRD) classification applies to large properties (150 plus acres) owned by a single public agency or non-profit organization. These sites are unique or have use characteristics that make it hard to classify. SRD are often used to “establish special standards to protect lands and structures that have historical, archaeological or environmental significance while allowing a unique combination of uses that enhance, conserve or highlight these features of significance” (ICC, 2016, 34).

5.5 Island County Context

Island County consists of four planning areas: Camano Island, and North, Central and South Whidbey Island. Rural zoning is the largest zoning classification in Island County; approximately 33% of the rural zoned land is undeveloped (ICC, 2016, 7). Camano has no urban growth areas (UGA), and only has rural and RAID designations (ICC, 2016, 12). North Whidbey is the most developed area of the county, while Central and South Whidbey planning areas have more rural areas and are dotted by smaller UGAs and RAIDs.

Past development trends and land use regulations in Island County resulted in a dispersed pattern of land use development (ICC, 2016). However, the county is dedicated to protecting the rural character, which it states is one of its most “valued assets, providing the quality of life desired by many Island County residents” (ICC, 2016, 15). The land uses surrounding most RAIDs, whether commercial centers or rural residential areas are dominated by rural lands. The majority of RAIDs are residential (Type I), followed by mixed use (Type III) (see Table 5.1).

5.6 Island County History of Development

Island County only keeps track of permits issued in its residential RAIDs. The permits were also not organized by RAID, so we searched by water provider (each community seemed to have its own water district). The problem is that separating permits by water provider excludes new development that receives water from a well or another provider that did not match the name of the community. Therefore, the results of this section are in no way representative of the true history of development within each RAID, but can be used to make some general assumptions.

There were two main parts in addressing history of development. Part I focuses on identifying new projects that have been built in each LAMIRD since designation; and Part II focuses on identifying any new land uses that were not present when the LAMIRD was first designated.

Part I

The limited data that was made available to us shows that there has been growth in each of Island County’s residential RAIDs. The only permits in these RAIDs are for new single family residences and for the demolition of commercial buildings. The permits issued in each RAID show that the only new development is residential, and that there has been no new non-conforming uses. Table 5.2 includes the number of permits issued in each RAID by permit type

Table 5.2. Number of Island County Development Permits for Single Family Residential

LAMIRD-TYPE 1 – Residential RAID	NEW PERMITS ISSUED – Single Family
Cornet Bay	6
Sunrise Hill	19
Dugualla	29
Mariners Cove	21
Bonnie View	8
Penn Cove	108
Rolling Hills	31
Sea View	2
West Beach	-
Snakelum Point	-
Crockett Lake	2
Harrington Lagoon	3
Admiral's Cove	138
Race Lagoon	17
Shangri-la	10
Ledgwood	26
Teronda	23
Beachcomber	28
Honeymoon Lake	19
Holmes Harbor	13
Mutiny Sands	11
Menlo	-
Freeland	16 (2 commercial demolitions)
Useless Bay	-
Goss Lake	29

LAMIRD-TYPE 1 – Residential RAID	NEW PERMITS ISSUED – Single Family
Saratoga	43
Sunlight Beach	21
Sandy Point	-
Clinton	49
Deer Lake	8
West Deer Lake	7
Idlewood	11
Elger Bay	4
Parklane	3
Saratoga Shores	3
Country Club	-
Lost Lake	38
Camano	-
Madron	30
Livingston Bay Heights	12
Utsalady	28
Livingston Bay	12
Land's Hill	12

Part II

The permits issued in Island County's Residential RAIDs do not indicate any new non-conforming uses. The one interesting thing in Island County was the demolition of 2 commercial buildings in the Freeland RAID, these buildings were demolished to make room for new residential development.

Aerial photographs were analyzed to identify any new uses within Island County's non-residential RAIDs. This method was very time consuming and did not help identifying any changes in use within individual structures. Only one major land use change was identified in Island County's non-residential RAIDs, this change occurred in the Utsalady Store RAID. The

Utsalady Store RAID contained a small neighborhood corner store within the residential Utsalady RAID, but the store has since been demolished. Multiple new high-end townhomes are now located in this area.

Due to the fact that the permit data that we received for Island County's RAIDs was limited, more research is needed to determine the true history of development within the county's RAIDs. Finding out a way to gather permit information for the county's non-residential RAIDs would be really important in future research.

5.7 Island County Economics

Economic Profile

- The largest employer is the U.S. Naval Air Station in Oak Harbor (Naval Air Station Whidbey Island or NASWI). Oak Harbor is the largest city in the county with a population of 22,000 in 2015. (Employment Security Department, 2015, Island County).
- Total nonfarm employment averaged 15,520 in 2014. Nearly 29 percent of all jobs in Island County were government jobs—especially local government. Typically, the largest volume of local government jobs is related to K-12 education. Private education and health services made up nearly 15 percent of total nonfarm employment and leisure and hospitality made up slightly more than 14 percent. Goods producing industries, which are predominantly represented by construction and manufacturing, made up 9 percent of the non-military jobs in Island County. (Employment Security Department, 2015, Island County).

Growth Planning

According to the 2016 Comprehensive Plan, the county is committed to addressing its historic fragmented and dispersed land use development patterns by “directing future growth and development within existing developed urban areas” to conserve the county’s natural resources, critical areas, open space, and rural characteristics (ICC, 2016, 17). As noted on page 15, the county “faces a dual challenge of balancing the demands of population growth while protecting rural character” (15).

Goal 6 in the 2016 Comprehensive Plan addresses RAIDs, which focuses primarily on not expanding them beyond their logical outer boundaries. Subsequent sub goals include land use designations, which emphasize compact development in rural centers (RCs) to prevent highway sprawl (ICC, 2016, LU 6.1.1.2), supporting light manufacturing (LM) areas that do not entail frequent customer visits (ICC, 2016, LU 6.1.3.1), identifying infill, development, or

redevelopment of existing residential areas (ICC, 2016, LU 6.2), as well as a number of other issues related to water availability and compatibility with existing adjacent land uses.

As determined by a Buildable Lands Analysis based on the population projections, the county concluded that no UGA enlargements were required for the 2016 Comprehensive Plan update. They also found that the Freeland NMUGA and the Langley UGA were larger than necessary to accommodate projected growth, and were resized to allocate an “appropriate mix of zoning to accommodate growth over the next 20 year planning horizon” (ICC, 2016, 14). The 2016 Island County Comprehensive plan goes on to state that the reduced UGAs will result in “more concentrated development, allow for more efficient infrastructure service, and improve protection of rural lands” (14).

Clinton is mentioned as a “logical choice” for future growth to accommodate some of the county’s projected population and employment growth as a whole (ICC, 2016, 34). However, in order to accommodate future growth, improvements to water and sewer infrastructure will be required.

6. GIS Data Analysis

Spatial data was collected from Whatcom, Skagit, San Juan and Island counties to examine a number of quantitative aspects of LAMIRDs including the following: total number of LAMIRDs, combined acres, size range, average size, major type (I, II, III), total and average housing units, distance to incorporated city limits, distance to major roadways (e.g., I-5), water system types, and surrounding zoning context. In the following section, we outline the quantitative data about LAMIRDs, highlighting similarities and differences in the four counties in Table 6.1.

6.1 Whatcom County

GIS analysis of Whatcom County's LAMIRDs produced a series of large data tables. The results are summarized here:

- Whatcom County contains a total of 117 LAMIRDs.
- Whatcom's LAMIRDs make up a combined area of 8,766.3 acres.
- LAMIRDs range in size from less than half an acre up to 846.1 acres.
- LAMIRD size in Whatcom County averages 74.9 acres per LAMIRD.
- The majority of LAMIRDS are Type 1.
- LAMIRD clusters contain a total of 9,169 housing units in 2017 (WSDC, 2017).
- LAMIRD clusters contain an average of 248 housing units per LAMIRD in 2017 (WSDC, 2017).
- The number of housing units in LAMIRD clusters range from 0 to 2,639 housing units (WSDC, 2017).
- Most LAMIRDs are about 3 miles from incorporated city limits and urban growth areas by proximity, not road miles.
- The majority of LAMIRDs are within 10 miles of the I-5 corridor by proximity, not road miles.
- The majority of LAMIRDs are along state highways (Exceptions are Point Roberts, Lummi Peninsula, and Sandy Point).
- The majority of LAMIRDs use Group A water systems services.
- A number of these areas rely on well water (Refer to data for more water information).
- Zones which border LAMIRDs are diverse and include:
 - AG, CF, FEDERAL, GC, GM, HII, NC, R10A, R2A, R5A, RC, RF, RGC, RIM, ROS, RR1, RR10A, RR2, RR3, RR5, RR5A, STC, TC, and TZ.

6.2 Skagit County

GIS analysis of LAMIRDs in Skagit County resulted in large data tables. The results are summarized here:

- Skagit County contains a total of (TBD)
- Skagit's LAMIRDs make up a combined area of 11,362.6 acres.
- LAMIRDs range in size from (TBD).
- LAMIRD size in Skagit County averages (TBD).
- The majority of LAMIRDS are Type III
- LAMIRDs clusters a total of 6,569 housing units in 2017 (WSDC, 2017).
- LAMIRD clusters contain an average of 52 housing units per LAMIRD in 2017 (WSDC, 2017).
- The number of housing units in LAMIRD clusters range from 0 to 803 housing units (WSDC, 2017).
- Most LAMIRDs are about 3.5 miles from incorporated city limits and urban growth areas by proximity, not road miles.
- There is insufficient data on water systems to analyze water systems in the LAMIRDs of Skagit County.

6.3 San Juan County

GIS analysis of LAMIRDs in San Juan County resulted in large data tables. The results are summarized here:

- San Juan County contains a total of
- San Juan's LAMIRDs make up a combined area of 1,029.1 acres.
- LAMIRDs range in size from (TBD)
- LAMIRD size in San Juan County averages (TBD)
- The majority of LAMIRDS are Type I
- There is no housing unit data for LAMIRDs in San Juan County.
- There is no data of water systems to analyze water systems in the LAMIRDs of San Juan County.

6.4 Island County

Analysis of Island County's LAMIRDs produced a single large data table and shapefile. Please note that there are minor differences between state and county data, thus these data should be taken as rough data rather than absolute. These data are summarized as follows:

- Island County contains 72 LAMIRDs.
- Island County's LAMIRD have a combined area of roughly 11,217 acres.
- LAMIRDs average around 156 acres per LAMIRD.
- LAMIRDs range in size from less than half an acre to over 997 acres.
- LAMIRD clusters contain a total of 11,247 housing units as of 2017 (WSDC, 2017).
- LAMIRD clusters average roughly 163 houses.
- Housing units within LAMIRD clusters range from 0 to 1,793 as of 2017 (WSDC, 2017).
- Many LAMIRDs are located within close proximity, or even bordering incorporated cities and urban growth areas.
- Most LAMIRDs are located near state highways.
- High housing density LAMIRDs on Camano Island are located within 15 miles of I-5.
- Analysis obtained water source data, however further information is required.
- Surrounding land uses for LAMIRDs in Island County include
 - Rural
 - Special Review Districts
 - Urban Areas
 - "Water areas"

6.5 Cross-County Comparisons

Table 6.1. LAMIRD statistics for Whatcom, Skagit, San Juan, and Island counties for 2017

County	Number of LAMIRDs	Total LAMIRD Acreage	Mean LAMIRD Acreage	Greatest Acreage LAMIRD	Total Housing Units (17)	Mean Housing Units (17)
Whatcom	117	8,766.3	74.9	846.1	9,169	248
Skagit	TBD	11,362.6	TBD	TBD	6,569	52
San Juan	TBD	1,029.1	TBD	TBD	No Data	No Data
Island	72	11,217	156	997.3	11,247	163

Note that these data are not necessarily absolute and are only estimates in some cases. Data for this table was calculated using data from all four counties as well as data from Washington State Department of Commerce (WSDC, 2017).

6.6 GIS Maps

The map in Figure 6.1 provides an overview of where LAMIRDs are in Whatcom, Skagit, San Juan, and Island counties and their relation to UGAs.

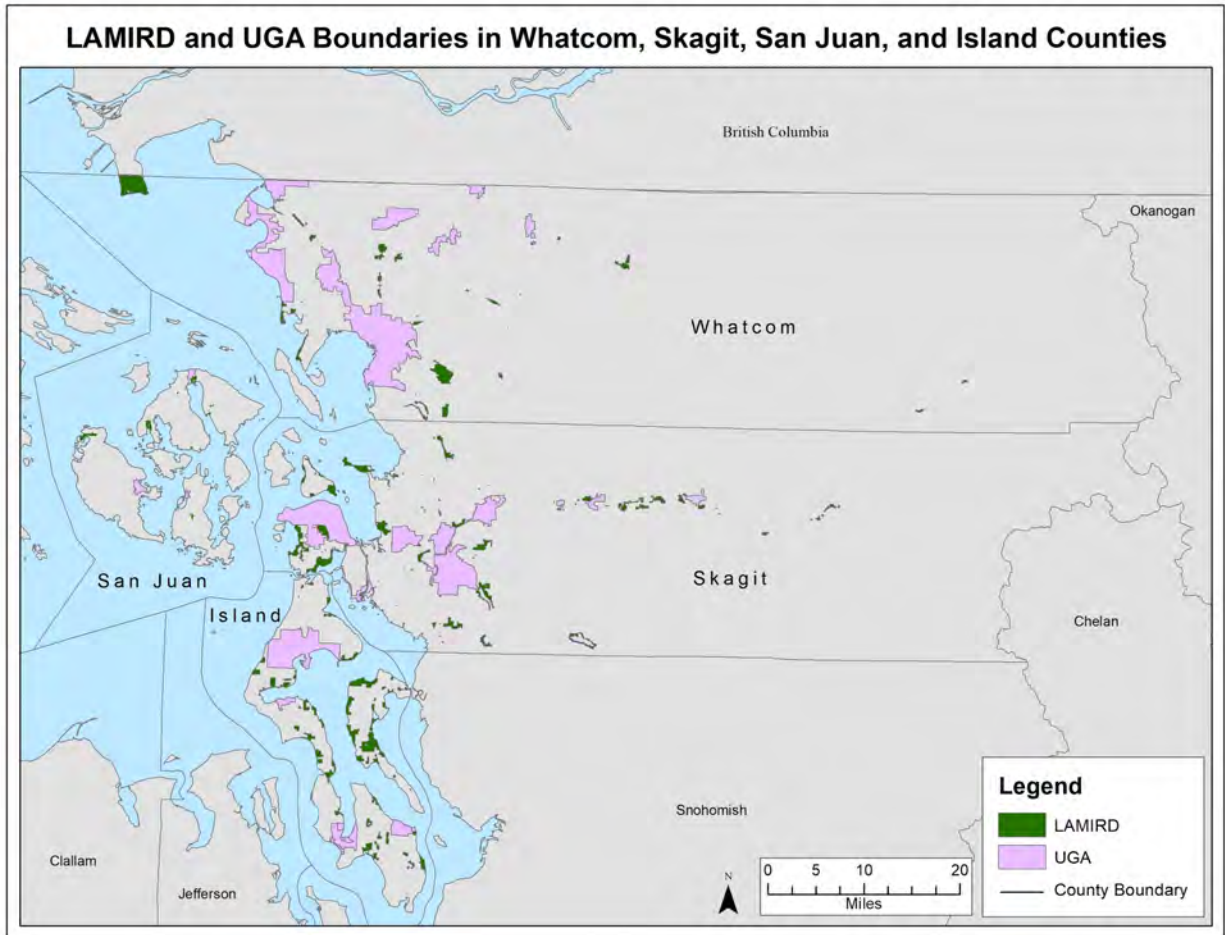


Figure 6.1. LAMIRD and UGA Boundaries in Whatcom, Skagit, San Juan, and Island Counties.

For further maps, please view:

https://drive.google.com/open?id=11SOL_HsQmvt6nxl_Y24iDxU9xQNWbvF3

7. Conclusions

7.1 Challenges

- Proximity to Critical Areas:
 - Many LAMIRDs are located near protected areas like critical areas and shorelines. Proximity to critical areas limits the extent and the kinds of development that can take place in LAMIRDs (Smith, 2018).
- Rural sprawl
 - Although LAMIRDs establish growth boundaries in order to limit sprawl, these are not always effective. All four counties list sprawl prevention in their Comprehensive Plan goals, indicating that it is an ongoing challenge to address.
- Limits to development
 - Businesses and subdivisions within LAMIRDs are often limited by lack of access to services such as sewer, water, and public roads. LAMIRD development is also limited by septic systems and wells, which can only support certain numbers of people and land uses. Finally, Skagit County mentioned “legal access to water” as another significant challenge for LAMIRDs (Smith, 2018).

7.2 Successes

Washington State’s GMA establishes 14 goals for counties to strive toward, leaving counties to decide how to prioritize their goals. LAMIRDs help counties succeed in many of their goals, including urban growth, reducing sprawl, economic development, natural resource industries, and open space and recreation (Washington State, 2017, Planning Goals - Growth Management Act). Specifically, according to the four counties’ comprehensive plans, LAMIRDs help them address a wide range of issues, which we summarize below.

Protecting Rural Character (found in all four counties)

- Constraining the built environment as it was in 1990 actively protects that character of a LAMIRD
- Creates specialized development of land on a county-by-county basis, allowing municipalities to generate optimal land use patterns for desired outcomes. Take for example to use of LAMIRDs in expanding tourism on Island County.
- Not allowing new uses in LAMIRDs also protects the industries that currently exist by limiting competition.

Whatcom County:

- In rural areas, including LAMIRDs, foster a range of economic opportunities from small-scale, rural-based employment and self-employment to rural-based agriculture, commercial, recreation, and tourist businesses
- Enhance the rural sense of community and quality of life (WCCP, 2018, 2-64-65).
- LAMIRDs protect undeveloped land in rural areas from sprawling, low density development. (WCCP, 2018, 2-74).

Skagit County:

- Provide diverse employment opportunities
- Protect natural resources, open space, and natural resource economies
- Promote a range of commercial retail and service businesses
- Increase tourism (Skagit County, 2010, Chapters 4 and 11).
- Recognize historic rural residential, commercial, and industrial development patterns.
- Allow certain new small-scale recreation and tourism uses and industries that provide jobs for rural residents (Skagit County, 2015).

San Juan County:

- Create jobs through the support of diversified, stable, community-friendly industries
- Promote tourism and leisure opportunities
- Strengthen traditional industries like construction, light manufacturing, marine resource industries, and agriculture (SJC, 2010, Section 10.1.A).

Island County:

- Ensure adequate water supply and prohibit creation of new lots in hazard areas (e.g., tsunami, flood)
- Encourage multi-modal transportation options
- Support development of businesses that do not draw a significant number of regular customers, but that do provide job opportunities for rural residents (ICCP, 2016, 60-61).

7.3 Future Opportunities

- GMA provides power to local governments for designing their LAMIRDS.
- Expand septic and sewage lines in order to allow greater infill within LAMIRD boundaries.
- Future LAMIRDs should be designated on a case specific basis. Considerations may include: access to water services, support of regional natural resource industries opportunities for isolated rural services like tourism and recreation; or pre-existence of a “logical outer boundary” consisting of the built environment (San Juan County, Ordinance 14-2010).

- Establishing a Planning body for LAMIRDs. Some residents of LAMIRDs feel the county does not understand them or listen to them. Many objectives within LAMIRDs are different than rural areas outside of LAMIRDs. Some LAMIRDs are developing subareas plans with their counties (Kitsap County, 2018).
- LAMIRDs in some counties would be applicable to add into Urban Growth Areas. In Island County, the proximity of some LAMIRDs to UGAs is very close and should be incorporated.

8. References

- Employment Security Department. (2015). San Juan County Profile. Retrieved from <https://fortress.wa.gov/esd/employmentdata/reports-publications/regional-reports/county-profiles/san-juan-county-profile>
- Employment Security Department. (2015). Skagit County Profile. Retrieved from <https://fortress.wa.gov/esd/employmentdata/reports-publications/regional-reports/county-profiles/skagit-county-profile>
- Island County. (2014). Title 17 - Zoning, Chapter 17.03 Island County Zoning Code. Island County Code (ICC). Retrieved from https://library.municode.com/wa/island_county/codes/code_of_ordinances?nodeId=TITX_VIIZO_CH17.03ISCOZOCO_17.03.155MIENSIARMOINRUDE
- Island County. (2016). Island County Comprehensive Plan. Retrieved from https://www.islandcountywa.gov/Planning/2016CompPlan/2016_01-LandUse.pdf
- Kitsap County. (2018). Subarea Plans. https://www.kitsapgov.com/dcd/Pages/Subarea_Plans.aspx
- Labor market county profiles. (n.d.). Retrieved March 20, 2018, from <https://esd.wa.gov/labormarketinfo/county-profiles>
- San Juan County. (2016). Comprehensive Plan Land Use GIS Data. Retrieved from <https://www.arcgis.com/home/item.html?id=9a206eae19294f83a6b0237d978f4fa5>
- San Juan County. (2018). Title 18: Unified Development Code (UDC). San Juan County Code. Retrieved from <https://www.codepublishing.com/WA/SanJuanCounty/>
- San Juan County. (2010). San Juan County Comprehensive Plan. Retrieved from <https://www.sanjuan.co.com/510/Comprehensive-Plan>.
- San Juan County. (2010). San Juan County Ordinance 14-2010. Retrieved from <https://www.sanjuan.co.com/DocumentCenter/Home/View/11008>.
- Skagit County. (2018). Title 14: Unified Development Code. Skagit County Code (SCC). Retrieved from <http://www.codepublishing.com/WA/SkagitCounty/>
- Skagit County. (2010). Skagit County Comprehensive Plan. Retrieved from <https://www.skagitcounty.net/PlanningAndPermit/Documents/GMAupdate090806/LAMIRD%20Chronology.pdf>.
- Skagit County. (2015). Rural Element Summary 2015. Retrieved from <https://www.skagitcounty.net/PlanningAndPermit/Documents/CompPlan2016/Rural%20Element%20Summary%202015%20-%20Draft.pdf>

- Skagit County. (2017). LAMIRDs Data. GIS Department [excel spreadsheet sent via email].
- Skagit County. (2017). LAMIRDs Shapefiles. GIS Department [email]
- Smith, Abigail. (2018) Interview with Skagit County Planner Stacie Pratschner. [email].
- Washington State Department of Commerce. (2018). LAMIRD GIS Data. [email].
- Washington State Legislature. (1997). Engrossed Senate Bill 6094 - Growth Management Modifications. Retrieved from <http://lawfilesextra.wa.gov/biennium/1997-98/Pdf/Bills/Session%20Laws/Senate/6094.SL.pdf>.
- Washington State Legislature. (2017). Planning Goals - Growth Management Act. Retrieved from <http://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>
- Washington State Legislature. (2017). Rural Element - Growth Management Act. Retrieved from <http://apps.leg.wa.gov/WAC/default.aspx?cite=365-196-425>
- Whatcom County. (2018). Title 20: Zoning. Whatcom County Code (WCC). Retrieved from <https://www.codepublishing.com/WA/WhatcomCounty/#!/WhatcomCounty20/WhatcomCounty20.html>
- Whatcom County. (2018). Chapter 2 - Land Use. Whatcom County Comprehensive Plan. Retrieved from <https://www.whatcomcounty.us/DocumentCenter/View/34301/Chapter-2-land-use>
- Whatcom County. Whatcom County Planning and Development Services. (2013). *LAMIRD Report: Proposed Limited Areas of More Intensive Rural Development and Zoning Map Amendments*. Retrieved from <http://www.whatcomcounty.us/DocumentCenter/View/4477>
- Williams, Clayton. (2018) Interview with Whatcom County Planning Staff. [email].
- Williams, Clayton. (2018) Interview with Island County Planner Becky Frey. [email].