

Memo

To: King County Affordable Housing Committee Members
From: McCaela Daffern, Regional Affordable Housing Implementation Manager and Melissa Aguilar, Regional Affordable Housing Specialist
cc: Housing Interjurisdictional Team
Date: July 22, 2022
Re: GMPC Motion 21-1 Accountability Framework

Purpose of July AHC Meeting

At the July 27 Affordable Housing Committee (AHC or Committee) meeting, staff will brief the AHC on a revised project schedule to respond to Growth Management Planning Council (GMPC) Motion 21-1 and progress to develop an accountability framework for equitably meeting King County affordable housing needs. Committee members will have an opportunity to ask questions and share considerations for developing accountability framework components including:

- comprehensive plan review standards,
- the draft proposal for a comprehensive plan certification pilot program, and
- the draft plan for responding to 2021 Growth Management Planning Council (GMPC) amendments.

In addition to general considerations for the plan certification pilot program, members will be asked the following questions about the pilot proposal:

- Do the program details described in the handout align with your vision for the pilot?
- Do you recommend any changes before staff circulates it?

Background

GMPC Motion 21-1 requires the AHC to recommend to the GMPC an accountability and implementation framework for equitably meeting affordable housing needs across King County by the end of 2022.¹ As part of this work, the AHC must consider the range of Development Patterns Chapter and Housing Chapter amendments proposed by GMPC members in June 2021 regarding understanding and accommodating housing need, holding jurisdictions accountable, and allocating resources. The AHC must also recommend to the GMPC any Countywide Planning Policies (CPP) amendments necessary to implement their recommendations.

Recommended Accountability Framework Subject to Final AHC Action

On May 18, the AHC approved for inclusion in its recommendation to the GMPC a three-part accountability framework for equitably meeting King County affordable housing needs:

¹ GMPC Motion 21-1 is referenced in Section 3 on pages 2-3 of King County Council Ordinance 19384 [\[link\]](#).

1. **Review Plans:** AHC would offer early guidance and assistance to jurisdictions on comprehensive plan alignment with the CPP Housing Chapter. Before adoption of a periodic update to a comprehensive plan, the AHC would review plans for alignment with the CPP Housing Chapter and provide comments.
2. **Monitor and Report:** AHC would annually measure jurisdictional progress to plan for and accommodate affordable housing targets in dashboard using standardized benchmarks, housing data trends, and comparative standards.
3. **Require Adjustments:** GMPC would review monitoring and reporting data five years after plan adoption, identify jurisdictions with significant shortfalls in planning for and accommodating affordable housing targets, and require those jurisdictions to take reasonable measures to adjust plans or land use maps to address significant shortfalls.

Reference the “Accountability Framework Next Steps and Updated Schedule” section below and Appendix 1 for more information on the accountability framework.

The AHC also recommended a housing-focused **comprehensive plan certification pilot program**. Under this pilot, the GMPC would issue housing-focused comprehensive plan certification decisions for a small subset of jurisdictions that choose to participate in the pilot. This activity would occur after plan review and plan adoption. More information on the pilot can be found on pages 4-5 and in Appendix 2.

Accountability Framework Next Steps and Updated Schedule

To make the AHC’s accountability framework actionable, the Committee’s recommendation to the GMPC must include:

- **Jurisdictional affordable housing targets** that clarify the amount of countywide housing need a jurisdiction will be held accountable to planning for and accommodating
- **CPP amendments** necessary to implement the three-step framework
- **Recommended plan review standards** that the AHC would use when commenting on comprehensive plan alignment with the CPP housing chapter
- **Comprehensive plan certification pilot proposal**
- **Description of how/if the framework and amendments address GMPC member amendments** proposed in 2021

The Washington State Department of Commerce (Commerce) was delayed by more than a month in delivering information King County AHC staff needed to develop preliminary jurisdictional affordable housing target options. As such, consideration and selection of a preferred target option is postponed to the AHC’s September 29 meeting. The AHC will need to adjust its fall meeting schedule to stay on track for responding to all components of GMPC Motion 21-1 by year end and the GMPC will not be able to see complete drafts of all project components before being considered and recommended for approval by the AHC.

Table 1 on page 3 provides an overview of each product, the status of development, and when the AHC will review and consider each component. This is followed by a narrative update for certain project components.

Table 1. Overview of Accountability Framework Components and Updated Project Schedule

Project/Future Committee Action Needed	Status of Staff Actions	Committee Action Needed at July 27 Meeting	AHC Review (X) Decision (✓)		
			Sept	Oct	Dec
Establish Jurisdictional Affordable Housing Needs					
<ul style="list-style-type: none"> Select jurisdictional affordable housing need <i>by income level</i> option; AHC <i>special housing</i> action TBD Recommend a CPP amendment that establishes jurisdictional affordable housing needs 	<ul style="list-style-type: none"> Reference the July 22, 2022 Affordable Housing Needs Staff Report for details 	<ul style="list-style-type: none"> See other staff report 	X		✓
Review Comprehensive Plans					
<ul style="list-style-type: none"> Recommend comprehensive plan review standards/ checklist Recommend a CPP amendment that establishes plan review as required activity 	<ul style="list-style-type: none"> Standards under development Start drafting CPP amendments in Aug 	<ul style="list-style-type: none"> AHC briefed on status; members may ask questions 		X	✓
Pilot Comprehensive Plan Certification					
<ul style="list-style-type: none"> Recruit pilot participants to demonstrate sufficient interest in pilot Recommend a comprehensive plan certification pilot 	<ul style="list-style-type: none"> Pilot recruitment handout drafted; recruitment will start in Aug 	<ul style="list-style-type: none"> AHC asked to affirm the pilot features/ design described in the handout. See Appendix 2 			✓
Monitor and Report:					
<ul style="list-style-type: none"> Recommend a CPP amendment that revises what data and benchmarks must be reported annually and directs the County to compare jurisdictional progress 	<ul style="list-style-type: none"> Waiting for plan review standards to firm up; standards will inform data collection needs Start drafting CPP amendments in Aug 	<ul style="list-style-type: none"> None 		X	✓
Require Adjustments					
<ul style="list-style-type: none"> Recommend a CPP amendment that defines a collaborative process to establish a mid-cycle review process and authority to require adjustments if necessary. Process would begin no sooner than 2024 	<ul style="list-style-type: none"> Start drafting CPP amendments in Aug 	<ul style="list-style-type: none"> None 		X	✓
Consider 2021 GMPC Member Amendments					
<ul style="list-style-type: none"> Inform the GMPC how/if each 2021 GMPC member amendment is addressed in the AHC recommendation Some will require a recommended CPP amendment if recommended by the AHC for action 	<ul style="list-style-type: none"> Will develop staff recommendation for AHC consideration in Aug/Sept Start drafting CPP amendments in Aug if necessary 	<ul style="list-style-type: none"> AHC briefed on proposed consideration approach; members may ask questions 	X	✓	
Recommend CPP Amendments Necessary to Implement Recommendation					
<ul style="list-style-type: none"> Recommend to the GMPC the CPP amendments described above and amendments to establish jurisdictional affordable housing needs 	<ul style="list-style-type: none"> Start drafting CPP amendments in Aug 	<ul style="list-style-type: none"> None 		X	✓

Detailed Project Updates for Certain Components

Review Plans

AHC Action at July 27 Meeting: AHC King County staff will brief the Committee on the progress to develop draft comprehensive plan review standards and members may ask clarifying questions.

Future Committee Action Needed: The AHC must transmit to the GMPC recommended comprehensive plan review standards/checklist and CPP amendment to establish plan review as required activity.

Status of Staff Actions: In June, King County AHC staff began scoping and soliciting feedback on draft standards with the Housing Interjurisdictional Team (HIJT) CPP Work Group members. Work Group members provided constructive feedback and surfaced tensions that staff must now address, including but not limited to:

- How much time should a small, medium, and large jurisdiction be reasonably expected to invest in the plan review exercise?
- Should there be a separate standard for each CPP Housing Chapter policy?
- Is guidance in meeting the standard helpful if it speaks to strategies that may work or be welcome in certain jurisdictions but not in others?
- Where a CPP Housing Chapter policy states the need to implement, not just adopt a policy, what type of documentation is sufficient (e.g., a copy of a jurisdiction's amended development code and land use map, a table describing the implementation strategy the jurisdiction plans to use and timeline for implementation)?
- What type of guidance will Commerce provide on what it means to plan for and accommodate a jurisdiction's affordable housing target, including providing sufficient capacity of land?
- What's the chief intent of plan review and how can the standards best support that intent?

Staff will refine the draft standards in consultation with the HIJT CPP Work Group and the Interjurisdictional Team (IJT) throughout August and September, with the intent of bringing a complete draft to the AHC for initial consideration in October and approval in December. Certain components may be blank in the October draft if Commerce has yet to release guidance on how to demonstrate the provision of sufficient capacity of land. Plan review will be effective once the CPP amendments are ratified by cities in 2023 or 2024, but most jurisdictions will likely begin to use them once approved/recommended by the GMPC in 2023.

Pilot Certification

AHC Action at July 27 Meeting: AHC King County staff will brief the Committee on the pilot program details and recruitment process. Members will be asked:

- Do the program details described in the handout align with your vision for the pilot?
- Do you recommend any changes before staff circulates it?

Future Committee Action Needed: The AHC must transmit to the GMPC a recommended plan certification pilot program. Staff anticipate this taking the form of an exhibit that details key program design features, like how it would work, when it would occur, roles of various staff, the GMPC, and IJT, and the jurisdictions that have volunteered to join the pilot cohort.

Status of Staff Actions: In consultation with the HIJT and IJT, staff prepared a draft recruitment handout for use by planners, city managers, mayors, and councils to inform discussions this fall and summer. The details outlined in the handout will serve as the basis for the exhibit that will be included in the AHC recommendation. Please see Appendix 2 for this draft handout.

Once approved by the AHC on July 27, King County AHC staff will circulate the recruitment handout to King County, Seattle, and Sound Cities Association staff for distribution to interested parties in August. Jurisdictions are encouraged to express their interest by email to AHC Chair, Claudia Balducci, and lead staff to the Committee, McCaela Daffern, by October 31, 2022. Jurisdictions that volunteer to join the pilot cohort will be announced at the final AHC meeting of the year.

2021 GMPC Member Amendments

AHC Action at July 27 Meeting: AHC King County staff will brief the AHC on a proposed process for AHC consideration of 2021 GMPC member amendments.

Future Committee Action Needed: The AHC must transmit to the GMPC documentation of how they considered the range of Development Patterns chapter and Housing Chapter amendments proposed by Growth Management Planning Council members in June 2021.²

Status of Staff Actions: While the 2021 amendments to the CPP Housing Chapter included new provisions to ensure a more equitable and accountable framework for addressing countywide affordable housing need, at their June 2021 meeting, several GMPC members raised concerns that these provisions were insufficient. These members proposed additional amendments to establish clearer jurisdictional goals, transparent reporting, more oversight and accountability, or new incentives. However, given the complexity of the amendments and short timeframe to adopt, the GMPC chose not to consider these amendments and instead passed Motion 21-1, which tasked the Affordable Housing Committee with recommending potential updates to the CPPs and the comprehensive planning process that would ensure jurisdictional accountability and implementation towards countywide affordable housing goals in the CPP Housing Chapter.

Over the summer, King County AHC staff will work with the HIJT CPP Work Group to review GMPC member amendments and provide a recommendation on how to address each amendment. AHC members will receive documentation of these recommendations in the September meeting packet and a briefing on the HIJT recommended response at the September 29 meeting. In some instances, the HIJT may choose to bring forward select GMPC member amendments for discussion at either the September 29 or October AHC meeting. Then, for the December AHC meeting, the HIJT and the AHC Chair will include GMPC member amendments and recommendations for addressing each one in a consent agenda. AHC members will have an opportunity to pull any of the GMPC member amendments for discussion before voting on the consent agenda.

² For GMPC Major Amendments, see Appendix B in April 1, 2022 GMPC Motion 21-1 Draft Accountability Framework AHC staff report [\[link\]](#).

Appendix 1. AHC Recommended Housing Chapter Accountability Framework

Framework Component	Component Implementation Roles
<p>1. Review Plans</p> <p>Before adoption of a periodic update to a comprehensive plan, the AHC reviews draft plans for alignment with the CPP Housing Chapter and comments.</p> <p>Occurs once every ten years, starting in late 2023</p> <p>Relates to GMPC 2021 CPP Major Amendments 17, 18, 20</p>	<ul style="list-style-type: none"> a. County AHC staff work with PSRC and Commerce to identify opportunities to align guidance, review standards, and processes. b. AHC recommends in 2022 and GMPC establishes in 2023 plan review standards. Once the GMPC establishes the standards, the AHC issues early jurisdictional guidance, and invites staff to seek assistance from AHC County staff well in advance of adoption. c. Jurisdictions submit draft plans to the County AHC staff for review at least 60 days prior to planned adoption. Deadline for plan adoption is December 31, 2024. d. County AHC staff review draft housing-related provisions of a comprehensive plan and prepare comment letters for AHC issuance. Comments focus on areas of strength and additional work needed to align with CPP Housing Chapter before the plan is finalized and adopted. e. AHC issues comment letter on draft comprehensive plan before planned adoption. f. Jurisdictions with adopted comprehensive plans that remain inconsistent with the CPPs Housing Chapter assume the risk of a potential legal challenge.
<p>2. Monitor & Report</p> <p>After comprehensive plans are adopted, AHC measures jurisdictional progress to plan for and accommodate affordable housing targets in dashboard using standardized benchmarks and housing data trends.</p> <p>Occurs annually, starting in 2024</p> <p>Relates to GMPC 2021 CPP Major Amendments 13, 14, 15, 19</p>	<ul style="list-style-type: none"> a. AHC recommends and GMPC approves a CPP amendment to revise the housing data trends and performance benchmarks that will be tracked annually across all jurisdictions or subregions and directs the County to compare jurisdictional progress. b. County AHC staff work with PSRC to align jurisdictional housing data collection efforts. c. County AHC staff or consultant monitors jurisdictional progress to reach countywide or subregional benchmarks every year in the dashboard, in consultation with IJT/HIJT. d. The annual dashboard update includes annual jurisdictional comparisons against the countywide or subregional benchmarks set and progress relative to other jurisdictions. Jurisdictional comparison format will be approved by the AHC no earlier than 2023. e. In response to monitoring, AHC periodically issues reports or recommendations on how to reach targets more effectively.
<p>3. Require Adjustments</p>	<ul style="list-style-type: none"> a. AHC recommends and GMPC approves a CPP amendment that defines a collaborative process that will occur no sooner than 2024 to establish GMPC authority to assess progress and issue determinations of adequacy five years

<i>Framework Component</i>	<i>Component Implementation Roles</i>
<p>Five years after plan adoption, the GMPC reviews the information collected through monitoring and identifies jurisdictions with significant shortfalls in planning for and accommodating affordable housing targets. The GMPC requires those jurisdictions to take reasonable measures to adjust plans or land use maps to address significant shortfalls</p> <p>Occurs every ten years, starting in 2029</p> <p>Relates to GMPC 2021 CPP Major Amendments 13, 15, 17</p>	<p>after a comprehensive plan is adopted and require reasonable measures be taken to address inadequacies if significant shortfalls in planning for and accommodating affordable housing targets are identified.</p> <ul style="list-style-type: none"> b. AHC develops and GMPC approves adequacy standards for jurisdictional efforts to plan for and accommodate affordable housing targets and reasonable measures process no earlier than 2024. c. County AHC staff work with Commerce to identify opportunities to align implementation progress report standards and processes.³ d. County AHC/GMPC staff, in consultation with the IJT/HIJT, work with jurisdictional staff to compile a midcycle comprehensive plan assessment of progress toward housing benchmarks, using data collected through annual reporting and possibly implementation progress information reported to Commerce five years after a comprehensive plan is adopted. e. AHC issues a recommended determination of whether a jurisdiction’s efforts to plan for and accommodate their targets was adequate. f. GMPC issues determinations of adequacy. g. Jurisdictions that do not demonstrate adequate progress must work with AHC and GMPC to explain their shortfall and propose to the GMPC reasonable measures it will take to address inadequacies. GMPC can either concur with those reasonable measures or require different reasonable measures. h. Jurisdictions that do not take reasonable measures to address inadequacies assume the risk of a potential legal challenge.

³ House Bill 1241 requires certain jurisdictions to submit an implementation progress report to Commerce five years after comprehensive plan adoption. If any action needed to implement changes in the most recent comprehensive plan update has not occurred, the jurisdiction must adopt a work plan to implement any necessary regulations, zoning, and land use changes, or take other legislative or administrative action and complete all implementation work within two years. There may be opportunities to coordinate with Commerce to align a countywide process with the new statewide process through early design and development of a local process and standards. See E2SHB 1241, Subsection 9 (a), 67th Legislature, 2022 Regular Session (Wash. 2022) [\[link\]](#).

DRAFT Seeking Volunteers to Join Comprehensive Plan Certification Pilot Program

Background for AHC members

On May 18, the AHC approved for inclusion in its recommendation to the GMPC at the end of 2022 a three-part accountability framework for equitably meeting King County affordable housing need: comprehensive plan review; monitoring and reporting; and requiring adjustments. The Committee also recommended piloting comprehensive plan certification to gauge its utility and feasibility. To ensure sufficient pilot participation, staff recommend the AHC confirm a cohort of pilot cities before the AHC's final vote in 2022 to recommend an accountability framework. King County AHC staff will circulate this recruitment handout to King County, Seattle, and Sound Cities Association cities in August for use by planners, city managers, mayors, and councils to inform discussions about joining the pilot. The program details contained herein will inform an exhibit in the final AHC recommendation documenting the recommended pilot program details.

Pilot overview

Between 2023 and 2026, the Affordable Housing Committee (AHC) and Growth Management Planning Council (GMPC) will conduct a pilot to understand how King County GMPC housing-focused comprehensive plan certification might work in practice, to examine feasibility, and gauge whether plan certification produced more impactful results than would otherwise have occurred. The plan certification pilot will be an additional optional step in a new comprehensive plan review process recommended by the AHC to ensure consistency between comprehensive plans and the King County Countywide Planning Policies (CPP) Housing Chapter. This additional step of certification is intended to increase the likelihood that participating jurisdictions will address plan review comments and create consistency between comprehensive plans and the CPP Housing Chapter. It also provides an opportunity to learn from and refine methods before more jurisdictions participate and informs whether the pilot can or should be scaled up.

Want to join the pilot?

The AHC seeks approximately five jurisdictions to join the plan certification pilot. Jurisdictions with varying levels of staff capacity throughout the county are encouraged to join to help inform a program that can be scaled up or down depending on jurisdictional capacity and tailored to the range of housing needs in King County.

Benefits of participation include:

- Participating jurisdictions have the option to join a learning cohort to help inform the pilot and provide interjurisdictional connections and mutual support.
- Jurisdictions may be eligible for extra technical assistance from King County AHC staff. Availability of technical assistance will depend on budget, staff capacity, staff expertise, and whether the technical assistance requested will meet shared interjurisdictional needs.
- The AHC will publicly acknowledge the cohort of participating jurisdictions for opting in.

Jurisdictions are encouraged to express their interest by email to AHC Chair, Claudia Balducci (Claudia.Balducci@kingcounty.gov), and King County staff to the Committee, McCaela Daffern

(mdaffern@kingcounty.gov), by October 31, 2022. Jurisdictions that volunteer to join the pilot cohort will be announced at the final AHC meeting of the year.

The comprehensive plan certification pilot process

The pilot will run for three years and includes three phases.

Phase 1: Plan Review

Plan certification would begin with a review of a jurisdiction's comprehensive plan. If approved by the GMPC, all jurisdictions in King County will undergo a housing-focused comprehensive plan review for the first time in 2024, prior to planned adoption of their comprehensive plan periodic update. Plan review allows early coordination between the AHC and jurisdictions to ensure the housing-related elements of comprehensive plans are consistent with the King County CPP Housing Chapter policies. The process concludes with plan review for most King County jurisdictions. Through plan review, the AHC:

- Establishes standards for aligning a periodic update to a comprehensive plan and related codes and regulations with the CPP Housing Chapter.
- Reviews housing-related provisions in draft periodic comprehensive plan updates for alignment with these standards.
- Issues a comment letter on consistencies and inconsistencies with the threshold standards, noting areas of strength and additional work needed to align with CPP Housing Chapter standards before the plan is adopted. Jurisdictions are encouraged to address AHC comments before comprehensive plan adoption.

Phase 2: Plan Certification Pilot

Jurisdictions that join the plan certification pilot will go through an additional step of plan certification in the months following adoption of their comprehensive plan periodic update. Through the plan certification pilot, the:

- AHC reviews a staff report summarizing how a pilot jurisdiction's comprehensive plan is consistent with the CPP Housing Chapter and issues a plan certification recommendation to the GMPC.
- GMPC reviews the AHC's recommendation and issues a plan certification decision, a conditional certification, or decision not to certify.
- Jurisdictions with conditionally certified plans enter into an agreement with the GMPC to address remaining work items to fully conform with certification criteria.

Phase 3: Pilot Evaluation

Upon conclusion of the pilot in 2026, the AHC and pilot jurisdictions will evaluate the program to:

- assess strengths and weaknesses of the approach;
- identify barriers to success and potential program improvements;
- gauge interest and feasibility of expanding the pilot in the near term or the next periodic update planning cycle in 2034; and
- inform an AHC recommendation to the GMPC on next steps, such as a CPP amendment needed to support the AHC's recommendation.