



American Planning Association
Washington Chapter

Creating Great Communities for All

January 22, 2024

The Honorable Strom Peterson, Chair, House Housing Committee
The Honorable Mark Klicker, Ranking Minority Member, House Housing Committee

Dear Chair Peterson, Ranking Member Klicker, and members of the Committee

The Washington Chapter of the American Planning Association supports adoption of HB 2321 which is before your Committee on January 22, 2024. This bill would amend various sections of the Growth Management Act regarding middle housing, specifically RCW 36.70A.635, 36.70A.620, 696, and reenact and amend RCW 36.70A.030.

The membership of the Washington Chapter includes 1800 public, private, and non-profit sector professional planners across the state. Our Chapter actively supported HB 1110 last session because we see middle housing as an important part of a coordinated and effective state and local response to our state's housing crisis.

Since adoption of HB 1110, our members have worked with and for Washington communities to interpret and implement these new GMA provisions. In so doing, we have encountered the ambiguities and questions that HB 2321 has been designed to address. We believe that the revisions in this bill would clarify and strengthen the state's middle housing requirements and generally support its adoption, although we suggest one clarifying edit.

We recommend that the "lot split" language at Section 2(8)(d) either be deleted or defined in RCW 36.70A. Without a definition, it is unclear if this applies to **any** division of land, or only those divided under certain conditions or processes. For example, it is unclear if this provision would apply to lands divided pursuant to RCW 58.17, or if it would apply retroactively or prospectively only. Lacking these clarifications, the language of Sec. 2(8)(d) would inject ambiguity that could undermine implementation of the middle housing law.

Except for the "lot split" provision, **APA Washington recommends that the Legislature pass HB 2321**. As practitioners and technical experts responsible for drafting and administering local ordinances, we welcome the opportunity to help identify further needed clarifications to the state's middle housing law and how it relates, for example, to the accessory dwelling unit requirements also passed last session.

Sincerely,

A handwritten signature in black ink that reads "Chad Eiken".

Chad Eiken, AICP

President, Washington Chapter of the American Planning Association

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cc Robin Proebsting, AICP, Chair, APA Washington Legislative Committee
