



January 26, 2023

The Honorable Davina Duerr, Chair
Local Government Committee
Washington State House of Representatives
Olympia, WA

The Honorable Liz Lovelett, Chair
Local Government, Land Use & Tribal Affairs
Committee
Washington State Senate
Olympia, WA

Dear Chairs Duerr and Lovelett,

I am writing on behalf of the American Planning Association, Washington Chapter ([APA-WA](#)) to express our **support for SB 5235**. The 1,500 members of our chapter are planning professionals who advise elected and appointed officials on land use, housing, and transportation planning, and enforce development regulations, administer the permit process, and inform and engage with the communities we work with.

Our members have identified several recommended modifications to the bill:

- Sec. 5(2), page 13, line 7: We recommend limiting the prohibitions on ADU regulations in this subsection to urban growth areas. These prohibitions are meant to increase the number of ADUs that can be built; a policy more appropriate for an urban, not rural, setting.
- Sec. 5(2)(c), page 13, line 22: Remove the utility qualification for ADU condominiums, because local utility systems, standards, and procedures vary considerably.
- Sec. 5(2)(d)(ii), page 13, line 32: Remove or revise the owner-occupancy exception related to impact fees and rent-restricted ADUs because it is overly prescriptive.
- Sec. 5(2)(e), page 13, line 37: Consider prohibiting parking requirements for ADUs regardless of location, and retain the relief provision.
- Sec. 5(2)(f), page 14, line 4: Review this subsection to ensure that reasonable standards for characteristics unique to ADUs, such as a lower height in the rear setback where a primary structure isn't allowed, can be maintained.
- Sec. 5(3), page 14, line 17: Review or remove subsections (a) and (b), which risk impairing the applicability of important regulations that aren't mentioned.
- Sec. 7(2), page 15, line 3: Consider moving or cross-referencing the prohibitions on restrictive covenants and deed restrictions for ADU development to Title 64 RCW (similar to the provisions of HB 1110). We are curious how enforcement would work.

We are eager to work with you and other interested parties to refine this important legislation. Thank you for your leadership in maintaining and improving the Growth Management Act to address our state's ongoing housing crisis. Thank you for your consideration,

Yorik Stevens-Wajda, AICP
President, Washington Chapter of the American Planning Association