

Issues & Impacts

Seattle King County REALTORS® is working to ensure that public policies support homeownership and your business's bottom line. Contact Governmental & Public Affairs Director David Crowell, dcrowell@nwrealtor.com, with any local legislative issues that may need our attention. **The next issue will be released in April 2017.**

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Seattle University District Upzones --- Potential for 5,000 market rate units.

The Seattle City Council is debating the Mayor's proposed upzone for the University District. The rezone will direct growth to the blocks near the Sound Transit (opening in 2021) and the UW campus. Heights for some residential projects may exceed 320' at the core and transition down to 30' in residential zones. Five thousand (5,000) new market rate units are anticipated in addition to approximately 600-900 subsidized units.

SKCR participated in the public hearing and is encouraging the council to adopt the upzone package as a critical measure to address the housing supply crisis and prudent complement to the region's tremendous investment in light rail. The University District has suffered for many years with struggling retail, crime and declining housing quality throughout much of the district.

Additional features of the unzone include new planned open spaces, preservation of historic buildings, and building design standards to promote

an attractive and welcoming streetscape.

The unzone proposal is controversial. Many residents of the University District and nearby neighborhoods oppose increase heights and densities over concern that there will be a loss of existing affordable units and related displacement. Some are calling for a significant increase in the percentage of subsidized units required if a project is to take advantage of increased height allowances. SKCR is cautioning that excessive subsidy requirements will chill or kill needed projects, or make the market-rate units unaffordable to middle-income earners now struggling to find housing within the city.

The upzone is a part of the HALA Grand Bargain which through upzones throughout Seattle will bring 50,000 homes, including preservation and production of 20,000 net new affordable homes, over the next 10 years. HALA implementation is important and going on now. Visit this site for more information: <https://hala.consider.it/>



Kent – More Housing to Market Sooner:

Design Guideline Changes Recommended to Streamline Design Review

The City of Kent’s Land Use Planning Board (Planning Commission) has recommended the City Council modify the city’s multifamily design guidelines in order to bring new housing to the market sooner by streamlining design review and ensuring that only one type of design review applies to any one project. The recommendation, which was unanimous, also included associated code amendments to Title 15 of the Kent City Code regarding multifamily developments.

The City’s current Multifamily Design Guidelines (MDG) are over 20 years old and are inconsistent

with a portion of the “Land Use Element” goal in the Comprehensive Plan that calls for the City to encourage multifamily development that is more flexible and innovative in terms of building design, street standards and site design.

The City Council’s Economic and Community Development Committee raised concerns regarding solar access for adjacent single family residences, which the city staff has tried to address by revising the proposal. In addition the proposal would change multifamily setback regulations from 20 to 10 feet.

Tukwila: Reduce Fees, and Provide Impact Fee Deferrals, for Affordable Housing

The City of Tukwila is evaluating a proposed ordinance that would encourage the development of more affordable housing by reducing permit and impact fees for both rental units and owner-occupied new construction. As envisioned by the City of Tukwila, certain development and land use permit fees for the entitlement, construction, and/or substantial improvement of dwelling units could be reduced by the city staff when requested by the property owner prior to applying for a permit.

During its Comprehensive Plan outreach the City heard repeatedly about the unmet need for affordable family-sized housing, and housing for those with very low incomes. City staff assessed the situation and concluded Tukwila could reduce certain permit fees to incentivize the development of these housing types.

family residential construction. Upon a developer’s request, payment of impact fees would be delayed until the time of: (1) Final inspection; (2) Issuance of the certificate of occupancy or equivalent certification; and/or (3) The closing of the first sale of the property.

Some communities have already adopted exemptions, waivers or reductions of charges normally assessed to residential development when those units are made affordable to low-income owners or renters. Examples include discounted building or planning fees, or reduced sewer and water connection fees. This is a way for cities to reduce costs and increase feasibility for affordable housing projects without spending existing general fund money, though it would reduce permit revenue.



In 2015, the state legislature enacted ESB 5923, which requires counties, cities, and towns to adopt a deferral system for the collection of impact fees for new single-

For purposes of these kinds of incentives, “affordability” is defined as monthly housing costs that do not exceed 30% of the household’s monthly income. It is usually expressed as a percentage (typically 30%, 50% or 80%) of the *King County 2016 median income* which is currently:

# OF PERSONS	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
AMOUNT	\$63,210	\$72,240	\$81,270	\$90,300	\$97,524	\$104,748

Options evaluated by the City of Tukwila included:

- Waive all development fees for all types of affordable housing projects.
- Add or exclude additional permit types from the reduction process.
- Allow a full waiver of development fees for projects at 30% or lower income levels.
- Allow different fee reductions for ownership verses rental housing projects.
- Do not reduce development fees for affordable housing.

Exemptions for traffic impact fees are not currently allowed by the City, but Tukwila does allow exemptions from Fire and Parks impact fees for low-income housing developments. However, the City does not take advantage of the provision in the RCWs that allows for reductions of up to 80% of impact fees without reimbursement from the City’s general fund.

The proposal under consideration by the City includes reducing development permit fees (and deferring impact fees) for the construction or substantial improvement of Affordable Housing dwelling units.

Development permits include: building, mechanical, electrical and plumbing permits. A “substantial improvement” is a repair, reconstruction or rehabilitation of a building or structure, the cost of which exceeds 50 percent of the building or structure’s assessed value. The property owner must request the reduction in writing prior to permit

submittal and when all of the following conditions are met:

Tukwila Proposed Fee Reductions		
Unit Size	Affordability Target ¹	Fee Reduction
2 or more bedrooms	80% ²	40% ²
2 or more bedrooms	60% ²	60% ²
Any Size	50% ²	80% ²

1. Units to be sold or rented to a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30% of the household’s monthly income.
2. Percentage of King County Median family income adjusted for family size as reported by the U.S. Department of Housing and Urban Development.

If the project contains a mix of both “dwelling units that qualify for a fee reduction” and units that “do not qualify” (due to unit size or expense), the fee reduction will be pro-rated to reflect the proportion of low-income units in the project.

If the project contains commercial tenant space that occupies more than 15% of the building (along with dwelling units that qualify for fee reduction in the table above) the fee reduction will be pro-rated to reflect the proportion of the total building square footage occupied by the low-income units. Commercial spaces that occupy less than 15% of the building are considered accessory and will not affect the fee reduction.

If the affordable housing is converted to market rate housing within 10 years of the issuance of the *Certificate of Occupancy*, the full applicable permit fees in effect at the time of conversion must be paid to the City.



Black Diamond’s Comprehensive Plan Update: 1½ Years Late, and Going Nowhere

Washington State law required the City of Black Diamond - and other King County cities - to complete a major update of the city Comprehensive Plan by June 2015.

Unlike other cities that have worked to complete the required task, even if tardy in doing so, three Black Diamond City Councilmembers have dug in their heels in an effort that appears supportive of thwarting the city’s ability to accommodate growth consistent with the city’s existing development agreements and the State’s Growth Management Act. That’s bad news for working families who need a place to live.

One critically important task that needs to be completed to update the Comprehensive Plan is the required “transportation element.” But City Councilmembers Brian Weber, Pat Pepper and Erika

Morgan have appeared intransigent since last April in their efforts to delay the City’s transportation advisers – DKS Associates – from completing the last 10% of the work on the “transportation element.”

If DKS becomes exasperated with either the antics of the 3-member Council majority, or the seemingly endless resulting delays, and elects not to work with the City, the results could be significant. Possibilities include blowing the city’s budget apart, significantly increased costs to have a different contractor do the work (if the city could find one willing to do so), and even longer delays. If the City is not in compliance with GMA, the Puget Sound Regional Council could also decide not to provide any federal transportation funding to help the city with its transportation needs, including the city’s portion of transportation projects associated with new housing development.

Southend Cities React to Symptoms of Not Enough Housing

There simply is not enough housing in our local communities for everyone who needs a place to live. That fact is causing home prices and rents to rise much faster than local incomes.

For individuals and families who need government housing subsidies - such as “Section 8 vouchers” - the skyrocketing rents create especially big problems:

- Section 8 vouchers are intended to pay to landlords the difference between 30% of the renter’s income, and the “reasonable/fair market rate” rents charged by the landlord, plus utilities. Even though FHA annually conducts a review of market rate rents and utility costs, many local Section 8 subsidies in King County are only adjusted every two years, even in our real estate market where rents are increasing dramatically. So, if rents

increase 20% during that two year period, the tenant is responsible for paying the difference...on top of the 30% of their income they are already paying towards the cost of the rent and utilities. Many Section 8 tenants can’t afford to do so.

- If tenants can’t afford the cost of the market rate increases in rents, they are evicted by the landlord. Locating another housing rental unit where they can use their tenant-based voucher, and where the amount of the voucher is sufficient, can be extremely difficult.
- With Section 8 voucher subsidies substantially disconnected from realities of market-rate increases in rents, some local landlords are choosing not to renew their participation in Section 8 project-based rental voucher programs (in which the landlord sets aside a

percentage of their rental units for Section 8 tenants), while others are choosing not to rent to Section 8 tenants in the first place (thereby avoiding the expense of evicting tenants who cannot afford market-rate increases in rents when the value of Section 8 subsidies are insufficient).

The reaction among a growing number of cities in South King County has been to respond to the situation by adopting or considering ordinances prohibiting landlords from discriminating based on “source of income.”

Bellevue, Kirkland, Redmond and Seattle have all adopted laws to assist families who pay for their

rent with subsidy assistance. More recently, after concerted lobbying, Renton also adopted an emergency ordinance to prevent discrimination on the basis of source of income. Kent has not only considered doing likewise, but also is evaluating other ideas to reduce the barriers low-income residents face when seeking to find adequate housing to rent in a climate of low vacancy rates and higher costs, including:

- Requiring 60 days notice for rental increases that total 10% or more in a calendar year, and
- Enacting a proactive rental inspection program (The cities of Tukwila, Pasco, Seattle, Lakewood and Bellingham have similar requirements in-place.)

Seattle Develops Reasonable Plan for Unsheltered Homelessness

During the past several months, the Seattle City Council has struggled with a range of solutions to address the problem of unsheltered homelessness that has become prevalent under and adjacent to I-5 as well as in parks and on street rights of way in many parts of the city.

A proposal that emerged from the American Civil Liberties Union and Columbia Legal Services and supported by the majority of the council would have allowed camping on public property throughout the city. Citizens, including Realtors, pushed back --- not against the individuals struggling to get their lives back together, but against the policy makers who would have established a legal right for people to camp on public property --- in parks and near schools.

This approach was seen as doing little to help those in need, while severely eroding public safety and quality of life within the city.

Thousands of emails and an on-line petition signed by 17,000 opposing public camping forced City Hall to reconsider.

The Mayor released a plan called *Pathways Home* that has been approved by the council. It focuses on four key areas:

- Safer alternative spaces to live, including four new authorized encampments; a call for private, nonprofit, and faith communities to submit proposals for immediate shelter space; and opening the Seattle Navigation Center, a low-barrier, one-stop service and shelter center, by January, 2017.
 - Expanded outreach services, including more than doubling the number of outreach workers dedicated to connecting with people living in encampments, a dedicated Seattle Police team to partner with outreach workers and address behavioral disorder issues, and training frontline City employees on service referrals for people experiencing homelessness.
 - More compassionate protocols for unauthorized encampments that include better procedures for storing and returning personal belongings,



notice to vacate unauthorized area, and transparency about when and why cleanups are carried out.

- Improved trash and needle pickup with Seattle Public Utilities to address areas most affected by trash buildup and make needle deposit boxes more accessible.

Good News: New Higher Loan Limits Will Help Buyers in 2017

The shortage of housing for everyone who needs a place to live has caused prices in King County to skyrocket. The failure of loan limits to keep pace with the market has made the problem worse for buyers. But now, there is a little bit of good news for REALTORS® and their clients: The Federal Housing Finance Agency (FHFA) which oversees Fannie Mae and Freddie Mac is increasing both “Conforming” and “Jumbo” loan limits beginning January 1st.

Here in King County (and also in Pierce and Snohomish County) the new maximum base conforming high balance loan limit of **\$592,250 (up from \$540,500)** will be higher than the new limit in other parts of the nation, but not as high as the \$636,150 loan limit in other high cost areas such as Alaska and Hawaii:

FIPS State Code	FIPS County Code	CBSA Number	County	State	1-Unit Loan Limit	2-Unit Loan Limit	3-Unit Loan Limit	4-Unit Loan Limit
53	033	42660	KING	WA	\$592,250	\$758,200	\$916,450	\$1,138,950
53	053	42660	PIERCE	WA	\$592,250	\$758,200	\$916,450	\$1,138,950
53	061	42660	SNOHOMISH	WA	\$592,250	\$758,200	\$916,450	\$1,138,950

The increase in conforming loan limits is a long time coming, according to William Brown, the president of the National Association of REALTORS®: *“Today’s conforming loan limit increase is a much-needed recognition of rising home prices in high-cost markets, and a help to first-time and lower-income borrowers looking to utilize an FHA mortgage. Credit remains tight, but this decision will help more qualified buyers address the hurdles and high costs standing between them and the dream of homeownership.”*

In fact, this is the first time since the housing crisis that the **Federal Housing Finance Agency (FHFA)** is increasing the maximum conforming loan limits for mortgages to be acquired by **Fannie Mae** and

Freddie Mac. For much of the nation, the Fannie Mae and Freddie Mac loan limit remained at \$417,000 for one-unit properties (or single-family homes) in 2016, just as it had for the previous 10 years.

The *conforming loan limits* for Fannie and Freddie are determined by the Housing and Economic Recovery Act of 2008, which established the baseline loan limit at \$417,000 and mandated that, after a period of price declines, the baseline loan limit cannot rise again until home prices return to pre-decline levels. The FHFA noted that until this year, the average U.S. home price remained below the level achieved in the third quarter of 2007, which it designates as the pre-decline price level,

and therefore the baseline loan limit had not been increased during the last decade.

As reflected in the chart below, the *conforming loan limits* for much of the country will increase from \$417,000 to \$424,100, rather than the higher \$592,250 figure that will apply here in King County. Loan limits will also be increasing in what the FHFA calls “high-cost areas,” where 115% of the local median home value exceeds the baseline loan limit.

CONFORMING Loans, Nationally

Number of Units	Maximum base conforming loan limits for properties NOT in Alaska, Hawaii, Guam & U.S. Virgin Islands		Maximum base conforming loan limits for properties in Alaska, Hawaii, Guam & U.S. Virgin Islands	
	2017	2016	2017	2016
1	\$424,100	\$417,000	\$636,150	\$625,500
2	\$543,000	\$533,850	\$814,500	\$800,775
3	\$656,350	\$645,300	\$984,525	\$967,950
4	\$815,650	\$801,950	\$1,223,475	\$1,202,925

According to the FHFA, there are special statutory provisions that establish different loan limit calculations for Alaska, Hawaii, Guam and the U.S. Virgin Islands. As reflected in the chart below, in these high cost areas, the *Jumbo baseline loan limit* will be \$636,150 for one-unit properties, but actual loan limits may be higher in some specific locations.

JUMBO Loans, Nationally

Number of Units	Maximum base conforming loan limits for properties NOT in Alaska, Hawaii, Guam & U.S. Virgin Islands		Maximum base conforming loan limits for properties in Alaska, Hawaii, Guam & U.S. Virgin Islands	
	2017	2016	2017	2016
1	\$636,150	\$625,500	\$954,225	\$938,250
2	\$814,500	\$800,775	\$1,221,750	\$1,201,150
3	\$984,525	\$967,950	\$1,476,775	\$1,451,925
4	\$1,223,475	\$1,202,925	\$1,835,200	\$1,804,375

Southend Police Departments: Staffing Up for Safer Communities, Booking Felons Locally

REALTORS® know that safe neighborhoods and good schools are among the most important community characteristics valued by home buyers. So, recent efforts – like those in Federal Way and Kent – to increase the number of police officers (in response to growth) are good news for both buyers and REALTORS®.



Mayor
Jim Ferrell

Federal Way Mayor Jim Ferrell and the City Council are moving forward with plans to add nine additional police officers in the 2017 budget. To fund the positions the City Council considered but rejected a utility tax on the Lakehaven Water and Sewer District, opting instead to use administrative taxes, Transportation Benefit District fees, increases in business registration fees and federal Community Oriented Policing “COPS” grant funding.

The Kent City Council’s draft budget includes plans to hire three new police officers in 2017, and another four officers in 2018. That’s an additional officer each year above the number requested in the Mayor’s proposed budget. For several years the City has budgeted \$650,000 for police overtime, but as the city has grown that figure has repeatedly proved insufficient. Councilman Jim Berrios, who chairs the Kent City Council’s Public Safety Committee said that the amount of overtime being worked reflects a need to increase the number of police officers.



Councilman
Jim Berrios

In the meantime, South King County Police Chiefs have successfully resisted an effort by King County to eliminate “booking” of felony suspects at the Maleng Regional Justice Center (RJC) in Kent. Even though the RJC is fully equipped to book



Chief Ken Thomas

arrested felony suspects, the County wanted to save money by requiring southend police officers to drive all felony suspects to the jail in Seattle to be booked. Kent Police Chief Ken

Thomas helped to lead the effort to defeat the proposal, arguing that taking police officers off the streets and away from their duties in order to transport arrested felony suspects to Seattle could compromise community safety.

Landscaping and tree regulations remain important to cities in the region

Cities are frequently updating their landscaping and tree retention requirements; most recently, Woodinville and Lake Forest Park. Cities are concerned that as our region becomes more densely developed, the pressure to reduce tree canopy will increase and a net reduction in tree canopy will harm community character.

SKCR is supportive of community character, but also asks policy makers to consider tree and landscaping policy in the context of other city goals that support the environment and quality of life such as compact urban development, and housing affordability.

We encourage cities to incorporate these elements into their code updates:

- Permits should not be required for removal of trees that pose a hazard to lives or property. Property owners should have the latitude to remove dangerous trees at any time, without excessive process.
- In establishing or increasing minimum tree density on residential lots, care should be taken to ensure that tree density requirements

do not preclude or make costly additions and/or remodeling to an existing single family home.

- Incentives are important
 - Many homeowners would prefer to preserve trees, but face an economic (and often educational barrier) to doing so. We encourage the city to explore softening the economic impact of tree preservation through education and incentives that would be effective.
 - Establish incentives within the development process to protect exiting trees, preserve open space for new tree planting.
 - Establish incentives outside the development process for private property owners to maintain existing trees and plant new trees whenever possible.
 - Provide technical assistance to property owners.
 - Provide trees/seedlings to property owners at no (or minimal) charge that could be planted on private property throughout the City.

Board of Health-Seattle & King County Increases On-site septic system transfer & inspection fee

The Board of Health – Seattle & King County recently voted to increase the Onsite Septic System (OSS) transfer and inspection fee from \$111 to \$184.80. Despite testimony by the Seattle King County REALTORS® opposing the 66.5%

increase in the fee, the proposal passed by a vote of 10 to 0. The fee is collected at the time of sale from the seller before the change of title. The Board of Health claimed that the fee increase was necessary to recover actual expenses of its

operations related to education and inspection of septic systems.

Although there is disappointment with the increase of the OSS transfer and inspection fee, it is the path forward to avoid having an annual fee of at least \$30 placed on all King County owners of septic systems and a vastly expanded compliance program. The annual fee proposal had been proposed by the Board of Health earlier this year, without the review of a work-group that was formed to make recommendations regarding septic system oversight. The proposal was quickly withdrawn by the Board in June after hundreds of

residents throughout King County showed up at various hearings opposing the imposition of the new annual tax.

At the time of passage, the Board of Health also offered new assurance that adequate, functioning equipment (microfiche printers for as-builts) will be in place to avoid microfiche printer failure that held up many residential home sale transactions this past summer. These paper records are required at the time of sale.

The effective date for this fee increase is on January 1, 2017.

Protecting Your Business

Elections in 2016 & a look ahead

Laws govern the way in which you conduct your business and affect your bottom line. Laws are made by elected officials. This year elections were conducted for one U.S. Senate seat, all congressional seats, statewide offices and the state legislature.

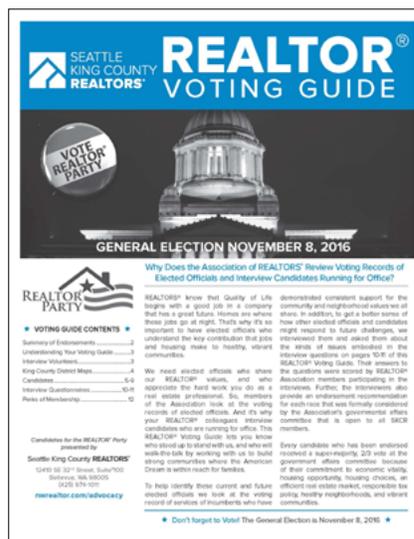
REALTORS® don't just sell homes. We sell neighborhoods and Quality of Life.

REALTORS® know that Quality of Life begins with a good job in a company that has a great future. Homes are where those jobs go at night. That's why it's so important to have elected officials who understand the key contribution that jobs and housing make to healthy, vibrant communities.

We need elected officials who share our REALTOR® values, and who appreciate the hard work you do

as a real estate professional. So, members of the Association reviewed voting records of elected officials. And it's why your REALTOR® colleagues interviewed candidates running for office.

This year Seattle King County REALTORS® took action to protect your business by supporting congressional and state legislative candidates who share our REALTOR® values. In this year's general election, twenty-five (25) of our twenty-nine (29) endorsed candidates (86%) were elected or re-elected into office. We provided a REALTOR® Voting Guide to all members of the Northwest MLS with preferred mailing addresses in King County.



SCHOOLS: Kent, Auburn and Highline school funding measures approved by voters

Voters in three south King County school districts approved new funding measures in the November election:

- The Highline School District received 67% approval for a bond to construct new schools, and replace and renovate deteriorating schools.
- In Auburn, 62% of the voters approved a \$456 million school construction and replacement bond. The city of Auburn has been active in facilitating new housing opportunities, and REALTORS®



supported the bond to ensure school capacity keeps pace with new home construction in the city.

- The Kent School District's \$252 million construction bond - which was endorsed by the REALTORS® - received 62% support from voters. One of the two biggest projects to be funded by the bond measure is a new Covington Elementary School. The existing elementary school will be relocated out of the heart of downtown Covington. The City has an option to purchase the site of the existing school, has secured a development partner, and is expected to move quickly with catalyst projects that are expected to lead the redevelopment of the downtown, including more than 2,000 new housing units.

Maple Valley City Council Will Send Park Bond to Voters in February

On November 14th the Maple Valley City Council unanimously approved an ordinance (#16-604) that will give voters the opportunity to consider a \$14.7 million 20-year bond measure to pay for park recreation facilities in the City. The bond election is scheduled for February 14, 2017.

For the average Maple Valley homeowner with a home assessed at \$319,000, the cost for 20 years would be approximately \$108.00 per year, or \$9.00 per month.

The City Council's decision was based on a recommendation from the City's Parks & Recreation Commission that the bond issue be submitted to voters in order to fund the following projects:

Summit Park Master Plan Development

The "Summit Park" project involves constructing, improving, developing, and equipping park and recreation facilities at Summit Park to implement

the City's *Summit Park Master Plan Development*. Specific improvements include, but are not limited to, the construction of lighted synthetic-surface athletic fields and restrooms, an off-leash dog park, a skate park, playgrounds/equipment, walking trails and parking facilities.



Lake Wilderness Ballfields

The Lake Wilderness project would also implement the City's Master Plan for park and recreation improvements by constructing, improving, developing, and equipping park and recreation facilities at the Lake Wilderness Elementary School Site. Projects include, but are not limited to, the construction of lighted synthetic-surface athletic fields and restrooms, and other park improvements.

REALTORS® wanting more information for their clients and customers can see: www.maplevalleywa.gov/what-s-happening/current-projects/park-bond-measure, or contact Greg Brown, Parks & Recreation Director, at greg.brown@maplevalleywa.gov, or (425) 432-9953.

LAKE WILDERNESS BALLFIELDS CONCEPTUAL PLAN
CITY OF MAPLE VALLEY, WA



REALTORS® Political Action Committee (RPAC)

Introducing a new secure, online REALTOR® PAC (RPAC) investment site making it easier than ever for busy REALTORS® to protect their business. We can't all go to Washington DC, the state Capital or even our City Halls while government leaders are making decisions that affect our industry; but while we are busy, REALTOR® PAC can fight for us and for our clients. Please make an investment of \$50, \$100 or \$500 to ensure that when government acts there is no harm to real estate, no new taxes and no added, unnecessary complications to the real estate transaction. Visit: <http://www.realtoractioncenter.com/rpac/?referrer=http://www.nwrealtor.com>

So far this year SKCR has raised over \$295,000 for the REALTOR® PAC.

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Issues & Impacts is a quarterly publication produced by SKCR to inform members about current issues and successes within your Governmental Affairs Department. Our next publication will be released in April 2017. The 2016 VP of Governmental & Public Affairs is Shane Davies myagent@windermere.com, VP-elect of Governmental & Public Affairs is Michael Orbino michaelorbino@johnlscott.com, staff director is David Crowell dcrowell@nwrealtor.com, and our local legislative housing advocates are Sam Pace sam@sampace.com and Randy Bannecker randy@bannecker.com. Please call David Crowell at (425) 974-1011 ext. 704 if there are any local legislative issues that need SKCR's attention.