

Issues & Impacts

Second Quarter Edition
April–June 2025

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A quarterly publication produced by Seattle King County REALTORS® to inform members about currently issues and successes within the Government Affairs Department.



REALTOR® Advocacy for Housing Supply

In 2023, the Legislature passed numerous new laws imposing new housing-related mandates on cities. In the four-county Central Puget Sound Region (King, Pierce, Snohomish, and Kitsap counties) cities were required to modify their comprehensive plans, and to modify their development regulations which implement the comprehensive plans. Unlike legislative action in other years, the 2023 changes to state law focused on increasing housing supply, with a special emphasis upon:

- Changes to Comprehensive Plans (required to be adopted by December 31, 2024) to accommodate Middle Housing, ADUs, and Unit Lot Subdivisions; and
- Changes to Development Codes & Regulations (required to be adopted by June 30, 2025) for implementing revised Comprehensive Plans, and to address new substantive requirements in state law regarding items such as:
 - Increasing zoning to allow the construction of additional housing units,
 - Ensuring development standards/regulations for new Middle Housing construction are not more onerous than existing requirements for single-family homes,
 - Time limits for cities to complete the review, permitting, and approval of development applications

- Allowing additional housing units in existing commercial buildings
- Prohibitions on specific kinds of city standards and regulations regarding new ADU and Middle Housing developments
- Mandatory exemptions from SEPA, and
- Clear and Objective Design Review Standards

Many cities adopted the required changes by the deadlines. However, some cities in King County (and elsewhere in the Central Puget Sound Region) failed to do so, and are continuing the work necessary to satisfy the new state requirements approved in 2023.

Then, during the 2025 legislative session in Olympia, additional housing-supply mandates were also enacted into law. Most of those additional mandates (approved earlier this year by the Legislature) must be implemented over the next 12 to 18 months, although cities are not prohibited from doing so more quickly.

In the meantime, advocacy efforts at Seattle King County REALTORS® during the second quarter of 2025 have been focused on city action to comply with the current deadlines.

Planning Commission Assist in Black Diamond

Seattle King County REALTORS® has been supportive of, and working with, the city of Black Diamond even before the Legislature passed the plethora of new local government housing mandates in 2023.

The City's progress over the last several years has been impeded significantly by multiple unsuccessful NIMBY appeals. Even so, Mayor Carol Ben-

son, Andrew Williamson, and members of the City Council have persevered in their efforts to comply with state law. The impact of the delays from multiple un-meritorious appeals has been compounded by significant turnover on the City Planning Commission. Although well-intentioned, a significant number of the newly-appointed Commissioners:

- Do not appear to have a working knowledge, or understanding, of the city's efforts since 2021, the requirements of GMA, or the housing-related legislation that was passed in 2023.
- Expressed a desire to essentially throw-out significant portions of work that had been completed. Instead, they appeared to prefer to start-over, or re-do, the work that has been underway for years, and which was required to be completed by the end of 2024, and June 30, 2025.
- Were openly encouraged by NIMBYs not to worry about failing to meet the deadlines in state law.
- Were frustrating city staff who had done some really good work over several years to help the City satisfy the new state mandates.



First, at the Planning Commission's public hearing (on proposals to satisfy the state-mandated updates that were overdue), SKCR's testimony emphasized the long-standing deadline in GMA for cities to complete the major periodic update of the comprehensive plan, the Legislature's new 2023 mandates, the clarity of the state deadlines, the city's continuing failure to comply with state law, and the clear requirement that the city do so by June 30, 2025.

Based on the city's continuing failure to comply with state law, we then worked behind the scenes to help identify options available to the Mayor, including pulling the matter (comprehensive plan and development regulation updates) out of the Planning Commission, and forwarding all the Planning Commission's work product to the City Council for expeditious final action. That's what Mayor Benson chose to do.

The Planning Commission only serves in an advisory capacity, without authority to make a final decision. Its failure to complete its work in a timely manner need not constrain the City Council's responsibility to comply with state law.

Seattle Addresses Tree Canopy Concerns

SKCR continues to work throughout the region to encourage cities to adopt flexible and bold comprehensive plan policies and related development regulations to encourage ADUs and middle housing in their cities.

We are encouraging policy makers to view increased housing supply through zoned density as the first and best strategy to make housing affordable, underscoring that until we better balance supply and demand, affordability will remain unachievable.

In Seattle, SKCR is working with council to address concerns from many neighborhoods about the loss of tree canopy associated with infill housing development and redevelopment. We believe the city can have robust tree canopy and an adequate supply of housing. To accomplish this, we are encouraging the council to pursue two key strategies: 1) establish flexibility in front and rear setbacks to accommodate tree retention and allowed FAR for the residence; 2) redesign, improve, and expand the city's use of public property including streets, parks, and utility properties for trees.

Burien Comp Plan Changes Pushed Through

Seattle King County REALTORS® worked with Burien's Planning Commission and staff, and later with the City Council, on amendments to Burien's Critical Areas Ordinance, including changes to meet state mandates by:

- Encouraging housing developments in residential areas across the city.
- Expanding the number, and type, of housing units permitted.
- Enhancing neighborhood vitality by allowing neighborhood commercial uses.
- Implementing the updated Comprehensive Plan's land-use goals, housing goals, and land-use designations.

SKCR also applauded the city's development of an "interactive" draft housing code and zoning

map that were created to foster public support for building more housing in the city. In Q2 of this year, SKCR encouraged the city to quickly implement the new 2025 Lot Splitting and Unit Lot Subdivision changes in state law that were recently approved by the Legislature.

In late June, residents in some of the city's more affluent neighborhoods were publicly encouraged to descend on city hall and oppose Burien's thoughtful efforts that had been underway since 2023 to comply with the new state mandates regarding housing. But instead of succumbing to the last-minute NIMBY pressure, the City Council held firm and approved the changes that had been supported by SKCR, and blessed by Growth Management Services of the Washington Department of Commerce.



Support for New Ordinances in Federal Way



Seattle King County REALTORS® advocacy in Federal Way during Q2 of 2025 focused on support for two proposed ordinances for Middle Housing (MH) and Unit Lot Subdivision (ULS). In addition SKCR connected city councilmembers with home builders and representatives of the Master Build-

ers Association to identify specific opportunities and processes to ensure that implementation of the MH and ULS ordinances will produce significant new housing inventory quickly.

SKCR provided detailed written comments in support of both proposed ordinances (MH and ULS), resulting in city councilmembers reaching out to request follow-up assistance, which we are continuing to provide. The City Council approved both ordinances supported by SKCR on June 3.

Middle Housing

Federal Way's Middle Housing Ordinance amends Titles 18 & 19 of the city code by making the following changes to accommodate Middle Housing:

- Adds new Use Zone Charts and Development Standards for Middle Housing
- Allows higher density for attached and stacked multifamily housing
- Removes per-dwelling minimum lot size requirements for multifamily housing
- Updates retention exemptions for trees and vegetation
- Exempts Middle Housing from community design guidelines
- Revises cottage housing development standards

Unit Lot Subdivisions

Federal Way's Unit Lot Subdivision Ordinance amends Title 18 of the city code by incorporating ULS provisions required by Senate Bill 5258, including:

- Adding and amending definitions to establish Unit Lot Subdivisions as a type of subdivision.
- Updating density provisions to accommodate Unit Lot Subdivisions; and
- Adding a new chapter to Title 18 that includes review criteria and procedures for Unit Lot Subdivisions.

REALTORS® encouraged the City to act quickly to adopt and implement the Lot Splitting and Unit Lot Subdivision provisions signed into law by the governor following adjournment of the legislature on April 27th.

When Councilmember Jack Dovey received the REALTORS® formal comment letter on the MH and ULS proposed ordinances, he called SKCR staff to make sure he understood our comments, and to ask for additional assistance regarding strategies and tactics that might assist the city in ensuring more of the newly constructed housing units in the city are ownership housing, rather than just rentals. His initial focus was on a potential requirement for a minimum percentage of new units to be ownership housing (because Federal Way has



Councilmember
Jack Dovey



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long had a disproportionately large percentage of rental housing stock). Based on our concerns that any percentage requirement might ultimately become a “lid” rather than a “floor,” we were able to suggest the three additional alternatives:

1. Fully and quickly implement the provisions just signed into state law by the governor,
2. Reach out to builders to identify what substantive standards and process changes would help and inspire them to build more ownership housing in Federal Way, and
3. Without making other residential construction harder than it already is, make Lot Splitting and Unit Lot Subdivision projects less costly, faster and easier to bring to market, and easier to finance than any other type of new residential construction anywhere in South King County. We advised that, in the process, it would be important to be clear with the builders that the city wants to implement fundamental changes that will be sufficient to cause builders to compete to acquire properties where they can build ownership housing in Federal Way.

At the Seattle King County REALTORS® Housing Issues Briefing on June 25, we were able to connect Representative Dovey with builders and Master Builders Association staff, resulting in scheduled meetings with both parties and Keith Niven, Federal Way's Director of Community Development.

Kent's 2-Phase Housing Re-Code



The city of Kent has undertaken its own distinctive and timely two-phase “HOUSING RE-CODE” approach in order to complete the major periodic update to its comprehensive plan, incorporate the 2023 housing-related mandates into its planning, and update its development code and regulations in time to meet the Legislature’s June 30 deadline.

Phase 1 involves amendments to update Kent’s housing code, permitting processes, and development standards to meet new state laws, and implement the goals and policies of the 2044 Comprehensive Plan. Phase 2 will involve additional fine-tuning and revisions based on successes and challenges encountered as Phase 1 is implemented by the city.

The city released a first draft of the proposed code changes in early May. After receiving feed-

back from technical reviewers and the public, the city created a second draft of the proposed code changes. As required under the state’s Growth Management Act (GMA), the 2nd draft was then provided to the Washington Department of Commerce for 60 days (to allow for review and comment by Growth Management Services), followed by a public hearing held by the City’s Land Use and Planning Board (which is the name of the city’s Planning Commission).

SKCR’s lobbyist was one of only two members of the public testifying at the public hearing on the Phase 1 ordinance that is intended to address all the requirements and mandates in the following bills passed by the legislature:

- HB 1110 and HB 2321: Middle Housing
- HB 1337: Accessory Dwelling Units (ADUs)
- HB 1293: Design Review
- HB 1220: STEP Housing
- SB 5258: Unit Lot Division
- SB 6015: Parking Flexibility
- HB 1042: Additional Units in Existing Buildings

The City’s Housing Re-Code Project will include additional code amendments through Phase 2, which will begin during Summer 2025.

Bellevue Wilburton Upzone Completed

After years of work, the Bellevue City Council officially adopted land use code changes and rezoned the Wilburton transit-oriented development area to implement the Wilburton Vision, which seeks to transform Wilburton as a vibrant, mixed-use neighborhood with strong transit connections.

The rezone establishes four new mixed-use land use districts to guide future growth. Accompany-

ing code changes introduce design standards and requirements to support housing and job growth, affordable housing development, walkability and open space.

SKCR collaborated in this effort with the Bellevue Chamber of Commerce and the Housing Development Consortium through the Eastside Housing Roundtable coalition.

Sign Code Updates

Bothell

Seattle King County REALTORS® has successfully collaborated with the Bothell City Council to modernize the city's sign regulations, ensuring alignment with recent U.S. Supreme Court rulings. This important update removes content-based distinctions in signage laws, strengthening compliance.

Previously, the city's code limited on-premises temporary signs—such as for-sale yard arm signs—to just 2 square feet, far smaller than the industry standard of 5 square feet. Through SKCR's efforts, the city has increased the size allowance, bringing it in line with common practice. Additionally, Bothell will continue to permit four open house A-board signs, preserving an essential tool for real estate professionals.

"The Bothell City Council and City staff are outstanding partners to SKCR. They understand the needs of the real estate industry and recognize the critical role that adequate housing supply plays in affordability. They've been early and enthusiastic adopters of middle housing, and they were terrific collaborators on the sign code update," said Randy Bannecker, SKCR Housing Specialist.

Lake Forest Park

In the City of Lake Forest Park, SKCR secured an increase in the proposed size of on-premises yard arm sign and off-premises open house A-board sign to conform with industry standards.

Maple Valley

The city of Maple Valley has adopted permanent sign code regulations supported by Seattle King County REALTORS®.

After months of evaluating temporary sign code regulations that had been approved on an interim basis, the Maple Valley City Council voted unani-

mously to give permanent final approval to regulations that will protect the ability of sellers, buyers, and REALTORS® to utilize open house signs, and on-site for sale real estate yard signs, in connection with residential real estate transactions.

Maple Valley Deputy Mayor Dana Parnello, and City Councilmember Syd Dawson—both of whom are REALTORS® and agents in the John L. Scott Covington office—served a critically important role in helping city officials to understand the importance of real estate signs for efficient transactions that produce real estate excise tax (REET) revenues for the city, facilitate Fair Housing, and assist buyers, sellers, and REALTORS®.

The City Council's final approval (making the interim residential real estate sign code regulations permanent) authorizes:

- 5 off-site OPEN HOUSE signs per open house event, and
- 1 on-site FOR SALE sign per street frontage (or public entrance if there is no street frontage) on the property listed for sale.
- Additionally, temporary on-site real estate signs of up to six-square-feet are allowed on properties with commercial zoning.

Pending Updates

Sign code updates remain in play in the cities of Bellevue and Duvall. SKCR is working to maintain the members' ability to post on-premise for sale signs and off-premise open house A-Boards, placed in the right-of-way during open house hours.

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Seattle King County REALTORS® (SKCR) is working to ensure that public policies support homeownership and your business's bottom line.

Please contact Taylor Shanaman, Director of Governmental and Public Affairs, at tshanaman@nwrealtor.com with any local legislative issues that may need our attention.

The next issue will be released in October 2025.