



TO: Preston Frederickson, Development Services Director
Lisa Wasson Seilo, Planner

FROM: Clay White, Director of Planning

DATE: May 13, 2024

RE: May 20, 2024, Walla Walla City Council – Middle Housing Code update project briefing and discussion

On behalf of the Kimley-Horn team, I look forward to the opportunity to brief the Walla Walla City Council on May 20, regarding the Middle Housing Code update project. This provides an opportunity to provide the City Councilmembers an early briefing on the background for this project, the project requirements and schedule, and which portions of these new requirements the City already meets. This briefing also provides the opportunity for the Councilmembers to provide initial feedback that will help shape our work moving forward.

Background

The Washington Legislature passed Engrossed 2nd Substitute [House Bill 1110](#) (“E2SHB 1110”, commonly referred to as “HB 1110”) in 2023. HB 1110 requires 77 cities across the State of Washington to adopt development regulations allowing for middle housing on all lots zoned predominantly for residential use.

The City of Walla Walla is required to adopt new zoning and development regulations in compliance with these new requirements by June 30, 2026. If no action is taken, the legislation will become effective.

Overview of Bill requirements

House Bill 1110 has different requirements for cities that have a population under/over 25,000 and those with a population of 75,000. **Attachment A** to this memorandum provides a more detailed summary of the bill requirements. It is worthy to note that the City of Walla Walla already meets many of the bill requirements based on code changes the City took on in 2018.

Middle Housing defined

“Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

High level requirements for cities with population over 25,000 but less than 75,000

Requirements apply within Neighborhood Residential zone

At least six of nine middle housing building types must be allowed

Allow 2 units per lot and 4 units per lot when at least 1 affordable housing unit is provided

Allow new homes to be subdivided

Connection to House Bill 1337

In addition to House Bill 1110, the legislature passed [House Bill 1337](#) in 2023, which focuses on expanding housing options by easing barriers to the construction and use of accessory dwelling units (ADUs). The bill requires the allowance for two ADUs on each parcel where single family homes are permitted and limits the requirements a city can impose on the building of new ADUs. The City of Walla Walla already permits attached and detached ADUs within the Neighborhood Residential zone, so much of HB 1337 has already been satisfied. As part of this project, we will also work to make sure any remaining HB 1337 requirements are met.

Note that where the density requirements per HB 1110 have been met, the city is not required to allow the ADUs in addition to the density allowed under HB 1110. For example (for a city with a population between 25-75k) if a lot has two units on it, like a duplex, the city would not be required to allow two ADUs for each of the duplex units, as the density requirement would already be satisfied.

Community Engagement Overview

The consultant team has assembled a high-level draft project charter, draft project schedule, and outline for community engagement plan. The project team’s approach to community engagement will be to provide the space for residents and stakeholders to learn about the state requirements and the subsequent process to modify housing codes. We are working with the City team to develop website content and may also produce a short survey to engage the community along with providing briefings to both the Planning Commission and City Council before a hearing is set. **Attachment B** provides some early FAQs. We will work to modify these questions based on feedback we receive throughout the project and can post them online.

We will also focus on connecting this project to the 2026 Comprehensive Plan update, which will be kicking off later this year. Planning for new population and housing units out to 2046 is an important component of the Comprehensive Plan update effort. Where we can engage community members and link their interest to the larger update process, that will be important.

Project Schedule

We have developed a project schedule that will guide our efforts. Milestones for this project are aligned with the grant timelines Walla Walla has established with the Department of Commerce. We are also focused on completing this work so the City can focus on the larger Comprehensive Plan update.

| | 2024 | | | | | | | | | | 2025 | |
|--|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|
| | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb |
| Project Kickoff and Ongoing Coordination | | | | | | | | | | | | |
| Project Framework | | | | | | | | | | | | |
| Community Engagement/Public Meetings | | | ★ | | | ★ | | | | | | |
| Public Hearings | | | | | | | | | | | ★ | ★ |
| Review of Existing Documents/Gap Analysis | | | | | | | | | | | | |
| Draft Comp Plan Policy Recommendations | | | | | | | | | | | | |
| Draft Regulations | | | | | | | | | | | | |
| Final Regulations | | | | | | | | | | | ★ | ▲ |

★ = Proposed meeting/hearing with Planning Commission or City Council, ▲ = Final deliverables

As part of the briefing, we hope to receive early feedback on the information we present. In addition, comments on the following questions will be extremely helpful as we begin this project.

- The current code allows four housing units per lot and has been in place since 2018. Are there issues you have seen since that code was adopted that we should be aware of?
- What do you see as the most important issues we need to know about as this project moves forward?
- How often would you like to be provided project briefings (briefings and/or memos)?
- Any additional feedback on the information presented today?

Attachment A – expanded list of HB 1110 requirements and how the City of Walla Walla addressed them.

| Topic | House Bill 1110 requirement | Does Neighborhood Residential zone already meet these standards? |
|-------------------------|--|---|
| Middle Housing Types | Allow at least six of nine middle housing building types. | Yes. The City of Walla Walla already allows single-family residential, duplexes, triplexes, fourplexes, townhomes, cottage housing, tiny homes, stacked flats, and accessory dwelling units. |
| Increases Unit Density | Allow at least two units per lot. | Yes. The Neighborhood Residential Zone allows for up to four dwelling units per lot. |
| Increased Unit Density | Allow at least four units per lot within ¼ mile of a major transit stop or when at least one affordable housing unit is provided. | Yes. The Neighborhood Residential Zone allows for up to four dwelling units per lot. There are also no areas of the city with a major transit stop. |
| Subdivision of new lots | Allow subdivision of new lots so they may be owned fee simple rather than in a condominium form of ownership. | No. Subdivision regulations will need to be amended to allow to subdivision attached units. |
| Development standards | Requires development standards for new middle housing development to be no more restrictive than those for single-family detached development. | Yes. It does not appear that the City of Walla Walla currently requires stricter standards for single-family detached development. However, we will review this in greater detail as the project moves forward. |

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| Design review | If a design review board process is required, it must be an administrative process (requiring no discretionary decision for approval). | Yes. The City does not require design review for residential housing so this standard has been met. |
| Parking | <p>May not require more than one off street parking space for middle housing on lots less than 6,000 square feet before any zero lot line subdivisions or lot split.</p> <p>May not require more than two off street parking spaces for middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.</p> <p>May not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop</p> | No. Currently the City of Walla Walla requires between 1 and 2 off-street parking spaces . The number of spaces depends on the type of housing. Minimum parking standards may need to be adjusted but the city could incentivize providing more parking in certain areas and nothing prevents developers from providing more off-street parking |

Attachment B – Frequently Asked Questions you may receive. We will update this list based upon questions we receive from the community.

I hear the term Middle Housing utilized a lot. How is Middle Housing defined?

The Growth Management Act defines it as follows: “Middle housing” means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

When is the City of Walla Walla required to implement these new requirements?

The City must adopt new regulations by June 30, 2026. However, the current project schedule would have new code provisions adopted in early 2025 to align with the City's Comprehensive Plan update.

What happens if the City of Walla Walla does not adopt new regulations consistent with House Bill 1110? If the City does not adopt regulations consistent with House Bill 1110 requirements by June 30, 2026, the requirements automatically apply through implementation of a model ordinance provided by the State.

Will new development be permitted, even if it does not comply with adopted city adopted development standards, such as building setbacks or height limitations?

No. While the City may not impose greater regulations on new middle housing development than that which is applied to existing single-family homes, new development is not exempted from meeting city standards. New development will not be permitted that does not meet adopted codes and requirements.

I have heard that these new regulations will not apply in neighborhoods that had Codes, Covenants, and Restrictions (CCRs) in place prior to this legislation that restrict this type of housing. This is correct. Homeowners' association governing documents created before July 23, 2023, can restrict housing permitting under this project. However, note that cities do not have a role in regulating or enforcing private covenants. The City will work with applicants, however, to inform them on the importance of checking for any restrictions prior to submitting applications.

Does this mean that parking requirements will be reduced for new development?

It depends on the development being proposed. The City currently requires two off street parking spaces for single-family homes and duplexes, 1.5 parking spaces for multifamily dwellings, and 1 parking space for cottage housing. There are restrictions on how much on-site parking can be required, with a sliding scale for smaller-sized lots. As part of this project, we will review parking standards for compliance with HB 1110. We will also provide options to make sure parking is right sized to fit the Walla Walla community.