

WSR 23-13-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF COMMERCE
[Filed June 20, 2023, 9:18 a.m.]

Subject of Possible Rule Making: Recommendations and requirements for housing, urban growth areas, and the rural element in chapter 365-196 WAC, Procedural criteria for adopting comprehensive plans and development regulations. The department of commerce (commerce) may create a new chapter to address recent housing legislation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 36.70A.190; and E2SHB 1110, section 14.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Updates are necessary to address new legislation on housing, urban growth areas, and rural planning. This includes changes in how local governments plan for affordable housing, increases in residential density, accessory dwelling units, tiny houses, design review, local project review, urban growth area swaps, and infill development in limited areas of more intensive rural development.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of ecology, housing and urban development, department of health, department of social and health services, department of veterans affairs, department of archaeology and historic preservation, Washington state department of transportation, office of financial management, and department of labor and industries. Due to the nature of the legislative changes, commerce does not anticipate significant coordination issues; however, commerce will use the interagency working group to coordinate with state agencies and contact individual agencies directly when appropriate.

Process for Developing New Rule: Commerce will utilize guidance developed to address new housing legislation and will solicit feedback from local governments throughout the rule-making process. The public is encouraged to provide comments and recommendations on draft rules posted on the commerce website at <https://www.commerce.wa.gov/about-us/rulemaking/> and distributed to our mailing list. Commerce may facilitate focus groups for additional discussion on particular topics with state agencies, local governments, and other stakeholders. Commerce will release a preliminary draft of proposed changes and will encourage feedback from tribes, local governments, and other stakeholders. Commerce will consider this feedback before releasing the draft with the proposed rule-making notice (CR-102). The public will have additional opportunities to comment on draft rules through written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Anne Fritzel, 1011 Plum Street S.E., Olympia, WA 98504, phone 360-259-5216, email anne.fritzel@commerce.wa.gov, website <https://www.commerce.wa.gov/about-us/rulemaking/>; or Mary Reinbold, 1011 Plum Street S.E., Olympia, WA 98504, phone 509-638-5449, email mary.reinbold@commerce.wa.gov, website <https://www.commerce.wa.gov/about-us/rulemaking/>.

June 20, 2023
Amanda Hathaway
Rules Coordinator