



DIAL-IN CONTACT PHONE NUMBER: (US) +1(253) 215-8782/MEETING ID 839 3118 6232

The Granite Falls Planning Commission will hold a in-person and online meeting in the Civic Center at 7:00 PM on August 8, 2023. Information is listed above for joining the meeting by telephone. You can also join by computer at the Zoom meeting link: <https://us06web.zoom.us/j/83931186232>. Public comments may be sent by email to the city clerk in advance of the meeting by email, in person, by phone or computer connection and are encouraged.

**CITY OF GRANITE FALLS
PLANNING COMMISSION
AUGUST 8, 2023
7:00 PM
MEETING AGENDA**

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES:**
- 5. PUBLIC COMMENTS/RECOGNITION OF VISITORS-NON ACTION ITEMS**
(Speakers must sign up prior to the meeting. Individual comments will be limited to three minutes. Group comments shall be limited to five minutes.)
- 6. NEW BUSINESS:**
 - A. Presentation - Tribal Coordination and HB1717**
Jax Thaxton
 - B. Presentation - Climate Change and HB1181**
Asher Schoepflin
 - C. GFMC Code Amendment for Permanent Supportive Housing and Transitional Housing**
- 7. CURRENT BUSINESS:**
 - A. Comprehensive Plan: Community Survey Update and Setting Date for Council/Planning Commission Joint Workshop**
- 8. REPORTS:**
 - A. Staff Reports**
- 9. CORRESPONDENCE:**

10. ADJOURN:

Notice-All Proceedings of this meeting are sound recorded.

Presentation - Tribal Coordination and HB1717

Jax Thaxton

Memo

To: City of Granite Falls Planning Commission
From: Jax Thaxton
CC: Eric Jensen
Date: 07/19/2023
Re: **Tribal Affairs Summary**

Background of Statutory authority and Legislation requiring coordination with Tribes

1989 Centennial Accord- First acknowledgement on a state-level for establishing an institutionalized standard of sovereign government to sovereign government relations when interacting with tribes in the nation.

RCW 43.376.020 (2022)- Requires state agencies designate a tribal liaison who reports to head of state agency and submits an annual report to the governor regarding agency activity that involves tribes.

ESHB 1753 (2022)- Any state agency allocating funds or administering grants from the Climate Commitment Act must seek early consultation with any tribe whose lands or treaty-protected resources are involved.

Legislation Directly Involving Local Jurisdictions

SB 5141 (2021):

Section 15 states that tribes reserve the right to request formal consultation with jurisdictions on significant actions, programs, and distributions of state funds. Consultation is private and independent from any public participation/ equitable engagement efforts. Jurisdiction should establish a consultation framework for best practices and protocols for communication and collaboration.

SHB 1717 (2022):

Section 8 states that tribes reserve the right to request a Memorandum of Agreement for local government planning processes. Upon request tribes must also be notified of Comprehensive Plan amendments or newly proposed plans. Tribal resistance to the adoption of plans and amendments requires tribes to formally notify commerce, prompting commerce to notify the jurisdiction and requires a 60-day delay of the

adoption. Congress provides mediation for the compromissory period. *See also: RCW 36.70A.040*

RCW 36.70A.110 (2022):

Tribes that have reservation or ceded lands adjacent to, within, or even in the same county as a jurisdiction's urban growth area (UGA), jurisdictions must coordinate planning in urban growth areas to be consistent with Memorandums of Agreement signed pursuant to other legislation such as RCW 36.70A.040 or SHB 1717.

Executive Order 21-02 (2021):

Considers how planned developments may affect significant cultural or historical sites. Jurisdictions are required to notify Department of Archaeology and Historic Preservation (DAHP), the Governor's Office of Indian Affairs (GOIA), and concerned tribes to assess concerns and potential project impacts.

Washington Tribes and the GMA – Main Takeaways:

Exemplary principles of tribal-local collaborative regionalism:

- Identifying and overcoming historical communication barriers.
- Commitment from elected officials and planners
- Continuous consultation and dispute resolution efforts.
- Prioritization of intergovernmental dialogue / fostering collaborative language.
- Constant monitoring of potential unforeseen obstacles

These principles should guide planning processes in tandem with the acknowledgment of a tribe's sovereign status. Their legitimate political rights to resources and land can create conflicts of interest and exclusionary practices, which must be overcome with a deep understanding of cultural differences and the different types of political entities that can coexist.

On-reservation concerns heavily tie into the overlap of county authority when it comes to land-use and infrastructure. Underdeveloped and underinvested water/sewer infrastructure can compound on top of reservations being subject to the same civil regulations for wells and groundwater extraction, transportation planning is often neglected when it comes to reservation connectivity, forestry practices on trust lands often do not align with tribal cultural sentiments, and development codes are imposed upon reservations without prior consultation.

Off-reservation issues typically regard the lack of notice of developments that can potentially affect watersheds and game management units, with some tribes reporting that even when concerns are expressed, there is little effect on final decisions. Tribes expressed that a lack of regulatory obligation to consider their concerns often resulted in untimely and delayed collaboration efforts or being ignored altogether. Another common off-reservation concern is the lack of instream flow

protection. Agricultural practices have proven to have significant adverse impacts on water runoff quality, decreasing available salmon habitat. With 50% of fish spawn being allotted to tribes through treaty rights, diminished spawn is a clear example of economic benefit equating to environmental detriment. Permit exemptions from the Department of Ecology for single family homes also reduced water volume entering streams.

The overall message of tribes' main concerns highlights inconsistency in jurisdictional authority over land and resources and the regulations imposed to maintain and/or utilize them.

Tribal Resource Rights

A series of treaties beginning in 1855 establishes tribal rights to natural resources on "ceded lands" which is designate land where tribes are entitled to 50% of fish spawn and specific game species. Some tribes have entered into hunting co-management agreements with the WA Department of Fish and Wildlife to manage game populations in a particular game management unit (GMU).

Surveys of Tribal-County Planning Relationships

Litigation of disputes in WA between tribes and counties differs from other states in that it often favors the tribe, with tribes surveyed stating 80% of rulings were in their favor while the other 20% were negotiated, while other states tribes documented 33% of rulings in their favor with the rest being ongoing.

However, when asked If the county recognizes tribal self-governance authority, 62.5% of WA tribes reported a definite yes compared to 74.2% of tribes in other states, 25% report partial recognition, and 12.5% report none.

In comparison to other states, more WA tribes reported needing litigation for land use, natural resources, environmental, and treaty rights disputes. Only cultural disputes were on par with other state' reported disputes.

It is clear that across the state, tribal-county relations are inconsistent, and all stakeholders indicated a need for more legislative or agency guidance for fostering collaborative relationships.

The most recent survey on the relationship between tribes and Snohomish County indicates:

Stillaguamish – Good, with infrequent meetings

Sauk-Suiattle – Neutral/Limited, with infrequent meetings

Tulalip – Neutral/Limited, with frequent meetings.

The most widely effective resource to guide the formation of collaboration frameworks available today is the Millennium Agreement – building upon its preceding agreement, the Centennial Accord. The Millennium Agreement sets standards that aim to:

- Strengthen government to government relations.
- Statewide education reform to promote a better understanding of tribal history & culture, and modern tribal institutions and their roles.
- Institutionalize the relationship between state agencies and tribes.
- Seek understanding of tribe's organizational structure.

The 2012 State Tribal Relations Act required some of the responsibilities of the centennial accord and millennium agreement to be adopted into the Revised Code of WA. **See RCW 43.376**

The overarching issue that both Puget Sound Regional Council's (PSRC) 2050 Vision and the GMA highlight is that the Growth Management Act is inherently exclusionary by considering tribes equal to that of stakeholders instead of critical components in the same planning network as jurisdictions. While the effort to bridge this gap is clearly being made with recent requirements for liaisons, mediation from congress, memorandums of agreements, and many standards that encourage government to government interaction, the remaining missing piece is a standardization of coordination tactics and positions. There is no statewide legislation providing a handbook or step-by-step examples of creating these networks and relationships.

Presentation - Climate Change and HB1181

Asher Schoepflin

Memo

To: City of Granite Falls Planning Commission
From: Asher Schoepflin
CC: Eric Jensen
Date: August 2, 2023
Re: **HB 1181: Climate Change**

Greetings,

The purpose of this memo is to give some background information on the recent Washington State House Bill 1181 and what some of the requirements are for the City. I will go over the bill more in-depth in the presentation on Tuesday, but this memo will provide some basic information that will be helpful for the presentation.

Background Information

Washington State passed House Bill 1181 (HB1181) during the 2023 legislative session. HB1181 has the purpose of improving the states response to climate change by updating its planning framework. This means that the state has added new requirements to the Growth Management Act (GMA) related to climate change and resiliency. There will be multiple requirements and changes the City will need to make that will be covered in this presentation.

Due to the close timing of the bill being passed and the periodic comprehensive plan update, Granite Falls will not be required to comply with HB1181 for the 2024 periodic comprehensive plan update. The city will be required to comply with HB1181 for the 2029 midway implementation progress report.

Additional Information

The City of Granite Falls will now be required to plan for climate change mitigation and resiliency. A new element will need to be added to the comprehensive plan dedicated to creating a plan for combatting climate change. This element will be split into two sub-elements: greenhouse gas emission reduction and resilience.

The greenhouse gas emission reduction sub-element will cover Granite Falls' strategies for reducing greenhouse emissions and decreasing Vehicle Miles Travelled (VMT) in the city. The Washington State Department of Transportation and Department of Commerce will assist with this by providing data on VMT and by providing guidance for creating this plan.

The resilience sub-element will relate to how the city plans to adapt to the impacts of climate change. It will also address topics such as environmental justice and equity. The City will need to make plans for natural hazards resulting from climate change. Some of these include flooding, draughts, extreme weather events, and increasing temperatures.

Formal Definitions

Vehicle Miles Traveled: the total number of annual miles travelled by vehicles per capita by the total population of a city. This is an indicator of greenhouse gas emissions from cars in a city. The goal of cities is to reduce vehicle miles traveled to help reduce emissions and roadway congestion. The Department of Transportation collects data on vehicle miles traveled.

Climate Change Resilience: the capacity to prepare for, respond to, and recover from the impacts of hazardous climatic events. It is important that communities have good resilience to climate change and are able to support everyone in the community in the event of natural hazards.

Environmental Justice: the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, or income level. Oftentimes, marginalized communities are disproportionately impacted by things like climate change and pollution and experience the most severe impacts. It is important to involve marginalized groups in a meaningful way in the decision-making process on things like climate change.

**GFMC Code Amendment for Permanent
Supportive Housing and Transitional Housing**



Memo

To: City Planning Commission
From: Asher Schoepflin
CC: Eric Jensen, Community Development Director
Date: August 2, 2023
Re: **Proposed Municipal Code Amendments for Permanent Supportive Housing and Transitional Housing**

Attached to this memo are proposed changes to the Granite Falls Municipal Code (GFMC). These changes include changes to Chapter 19.02 *Basic Definitions*, to Chapter 19.03.170 *Residential land use table*, and a proposed new chapter, 19.03A *Permanent Supportive Housing and Transitional Housing*. The reason for the suggested changes is due to the requirements set forth by Washington State House Bill 1220.

House Bill 1220 requires cities to allow permanent supportive housing and transitional housing as a permitted use in all zones that allow for residential dwellings. It also requires that the city add permanent supportive housing and transitional housing as definitions to the municipal code. The new chapter is not required but is recommended. It will help to somewhat regulate where permanent supportive and transitional housing facilities go in the city.

The following definitions will be added to Chapter 19.02, BASIC DEFINITIONS, of Granite Falls Municipal Code:

19.02.160 P.

“Permanent Supportive Housing” means one or more dwelling unit of subsidized, lease-based housing that is owned, operated, or managed by a non-profit organization or governmental entity with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy. Permanent supportive housing utilizes practices designed to use lower barriers of entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behavior. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 Revised Code of Washington (RWC).

19.02.200 T.

“Transitional Housing” means one or more dwelling unit owned, operated, or managed by a non-profit organization or governmental entity with a length of stay of up to 2 years that provides support services to individuals or families that were formerly homeless or in danger of becoming homeless, with the intent to stabilize them and move them to permanent housing within the 2-year period.

A new chapter 19.03A, “Permanent Supportive Housing and Transitional Housing,” will be added to the Granite Falls Municipal Code:

19.03A.010 Purpose and Goal.

(A) The purpose of the following provisions related to permanent supportive housing and transitional housing (PSH/TH) is to set basic guidelines for future facilities in Granite Falls. The provisions will help to ensure stability and safety for the residents in the facilities and the Granite Falls community as a whole.

(B) The goal of permanent supportive housing is to support residents through different services designed to improve health and wellbeing and to provide them with a reliable and successful housing arrangement.

(C) The goal of transitional housing is to provide persons who have previously experienced homelessness or are in danger of experiencing homelessness with a stable housing arrangement and help them prepare for, and find, permanent housing.

19.03A.020 Applicability.

The provisions of this chapter apply to all permanent supportive housing and transitional housing facilities in Granite Falls.

19.03A.030 Land Use Requirements.

(A) Permanent supportive housing and transitional housing facilities are permitted in all zones that allow for residential dwelling units in Granite Falls. These facilities are subject to the provisions laid out in the Granite Falls Municipal Code, including the following land use related criteria:

- (1) No Supervised/Safer Consumption or Injection Use: Facilities may not, either directly or indirectly, provide the following:
 - (a) supervised/safer consumption site;
 - (b) supervised/safer injection facility; or
 - (c) supervised/safer injection service.
- (2) Structure: A permanent supportive housing or transitional housing facility must have compatible scale, form, and character with other residential structures within the neighborhood the facility is located in.
- (3) Density: The permanent supportive housing or transitional housing facility must have the following:
 - (a) Sufficient square footage;
 - (b) Appropriate household amenities to support the number of residents;
 - (c) No more than one family unit may reside in one bedroom;
 - (d) Family unit is considered (1) a single individual; (2) a married couple, state registered domestic partners as defined by RCW 26.04.260, or partners in another legal union as defined by RCW 26.04.260; or (3) a parent or parents with their dependent children.
- (4) Setbacks: A PSH facility will be required to comply with the following dimensional requirements:
 - (a) Front yard setback: 20 feet on all streets. Buildings on corner lots shall observe the minimum setback on both streets.
 - (b) Side yard setback: 10 feet on each side. No portion of a second- or third-story wall shall be closer than 15 feet to the side yard line.
 - (c) Rear yard setback: 20 feet.
 - (d) Maximum building height shall be no more than 33 feet.

19.03A.040 Application Permit for a Facility.

(A) The owner and operator of the permanent supportive housing or transitional housing facility must complete an application for a permit before beginning operations. The application must be approved by the city and must include at minimum the following information:

- (1) The name(s) and contact information of the owner and operator of the facility, including telephone number and email.
- (2) Contact information of chosen on-site staff members who can respond to an emergency call from the city 24/7.

- (3) A plan for communication with first responders in the city in event of an emergency.
- (4) A complete and detailed description of all the services provided by the facility, both on- and off-site. Participation in all on-site services must be limited to residents of the facility.
- (5) A staff plan that includes at minimum the following requirements:
 - (a) The required certification for all persons staffing and operating the facility;
 - (b) A plan for maintaining an appropriate staff to resident ratio during all hours of the day;
 - (c) Roles and responsibilities for all staff members, including owner and operator.
- (6) Identification of supporting agencies and a description of supportive partnerships that will be engaged in ensuring that the facility operator can maintain the described level of service needed to support the residents.
- (7) The designated city official must approve the application in order for the facility to obtain a permit.

(B) A PSH/TH facility shall be processed as a Type I permit.

19.03A.050 Minimum Performance Requirements.

(A) The owner and operator must meet a specified set of performance requirements to begin and continue operating. These performance requirements must be described in detail in either the application for a permit or be attached as an exhibit to the application and must be specific to the facility. The following performance requirements are the minimum required:

- (1) The owner and operator must coordinate with local service providers to help refer homeless community members seeking assistance to the appropriate service providers. On-site services, such as laundry, hygiene, meals, and social programs must be limited to residents of the facility and cannot be used by visitors to the facility as a walk-up service.
- (2) A transitional housing facility must have an appropriate number of trained and certified staff present at the facility at all times of the day and on all days. The facility owner or operator may request an exception if it is sufficiently demonstrated through the operating agreement that the facility can be properly managed, has the sufficient on-site security, and the capacity to function properly without staff present at all times of the day. The city reserves the right to revoke this exception if they see fit. This requirement does not apply to permanent supportive housing facilities.
- (3) The facility owner and operator must provide each resident with case management services, included but not limited to:
 - (a) Access or connection to behavioral health, substance abuse, and mental health treatment centers and services.

- (b) Access or connection to employment assistance, such as job training or education.
- (c) Access or connection to housing-related services to help residents gain, maintain, or increase housing stability, such as tenant education.

Permanent Supportive Housing and Transitional Housing will be added to Chapter 19.03.170, Residential land use table, as a permitted use as follows:

Use	(R-2.3) Riverfront Residential	(R-9600) Residential 9,600	(R-7200) Residential 7,200	(MR) Multiple Residential	(DT-2500) Downtown Residential	(CBD) Central Business District	(GC) General Commercial	(IR) Industrial /Retail	(LI) Light Industrial	(HI) Heavy Industrial	(OS) Open Space*	(PP) Public Park	(P/I) Public/ Institutional
Residential													
Accessory Dwelling Unit	P	P	P	X	P	X	X	X	X	X	X	X	X
Boarding House	X	P	P	P	P	X	X	X	X	X	X	X	X
Duplex	X	P**	P***	X	P	X	X	X	X	X	X	X	X
Dwelling, multiple family	X	X	X	P	C	X	X	X	X	X	X	X	X
Dwelling, single family	P	P	P	P****	P	X	X	X	X	X	X	X	X
Family Day Care	X	P	P	P	P	X	X	X	X	X	X	X	X
Home Occupation	P	P	P	P	P	C	X	X	X	X	X	X	X
Manufactured home	P	P	P	P****	P	X	X	X	X	X	X	X	X
Mixed Use	X	X	X	X	X	C	X	X	X	X	X	X	X
RVs	P	X	X	X	X	X	X	X	X	X	X	X	X
RV Park	P	X	X	X	X	X	X	X	X	X	X	X	X
Townhouse	X	X	X	P	C	X	X	X	X	X	X	X	X
Triplex	X	X	X	X	P	X	X	X	X	X	X	X	X
Permanent Supportive Housing	P	P	P	P	P	X	X	X	X	X	X	X	X
Transitional Housing	P	P	P	P	P	X	X	X	X	X	X	X	X

*Outside Critical areas and buffers pursuant to GPMC 19.07.020

**On lots of 14,400 square feet or longer

***On lots of 10,800 square feet or longer

****Located on its own individual lot of 6,000 square feet or more

Staff Reports



Memo

To: Planning Commission
From: Eric Jensen, Community Development Director
CC: City Manager Brent Kirk
Date: August 2, 2023
Re: **Community Development Report to Planning Commission**

Here is a summary of some recent activity in Community Development:

- Staff is currently updating the Natural Resources and Housing Element Chapters of the Comprehensive Plan.
- Staff is currently reviewing the Planned Residential Development and Unit Lot Subdivision standards for completeness and necessary updates. A minor cleanup code update should go to the Planning Commission for review next month.
- Proposed code language adding standards for allowance of Permanent Supportive Housing and Transitional Housing (PSH/TH) will be presented to the Commission at next week's meeting.
- Planning staff present participated in this week's *National Night Out* event to promote the opportunity for the public to participate in the Comp Plan update Community Survey effort. It was considered a success as a number of residents took the survey. Also, I will be present at Saturday's *Show and Shine* event to solicit more public participation on the survey effort.
- We are evaluating a program to establish Accessory Dwelling Unit (ADU) Pre-approved design plans to help bring cost-efficiencies and an expedited review to the ADU permit process.
- Minor code revisions to the Sign code will be going to the Planning Commission at the meeting in September.

CD Memo to Planning Commission – 8/2/2023

- At next week's Planning Commission meeting, we will be providing presentations on Tribal coordination in the comp plan update effort and on the new Climate Change legislation and its impact on the comp plan update process.
- We will be adding to the September 6th Council meeting a Council review and authorization action for the City to submit a grant application for the Washington Recreation and Conservation Office (RCO) Local Parks Maintenance Grant program. This is the grant to ask for funding to purchase a new backhoe to perform deferred maintenance on city park trails etc.
- Staff review of the consultant's draft Transportation Element analysis has been completed and is being transmitted back for final revisions.

City Clerk Staff Report July 19, 2023

Business Licenses (Inside City):

Stone, Amber S
115 Anderson Ave.
Granite Falls, WA 98252
Janitorial, house cleaning

Business Licenses (Outside City):

Western Mechanical Contractors, Inc.
8209 S 22nd St.
Kent, WA 98032
Plumbing & HVAC contractor

NW Power Athletic Booster Club
5604-114th St. SW
Mukilteo, WA 98275
Fireworks through TNT distributor

Smart Electric, LLC
11411-51st Ave. SE
Everett, WA 98208
Electrical contractor

D&G Backhoe, Inc.
7101 Machias Rd.
Snohomish, WA 98290
General construction contractor

Building Permits Issued:

Stephanie Pearson
902 W. Stanley St.
Residential Garage

Building Permit #2023-039

Josh & Sarah Rice
107 E. Pioneer St.
Residential Mini-Split Air Conditioner Heat Pump

Building Permit #2023-043

City Clerk Staff Report

August 2, 2023

Business Licenses (Outside City):

E.M.A Pet Care, E.M.A Farm Care, E.M.A Misc Services (Anderson, Elisha Mae Ilene)
8306 E. Lowell Larimer Rd.
Snohomish, WA 98296
Cleaning service, house sitting, pet sitting, house cleaning, farm care, pet care

Cedar Valley Fence LLC
9305-7th PL SE
Lake Stevens, WA 98258
Construction, fences

Mountainview Oasis LLC
32410 Mountain Loop Hwy.
Granite Falls, WA 98252
Wedding and event venue

Building Permits Issued:

Granite Falls Middle School
405 N. Alder Ave.
Commercial Dishwasher and Two Backflows

Building Permit #2023-045

Jonathan McRae
723 Darwin's Way
Residential Heat Pump

Building Permit #2023-046