

Appendix K

Adequate Provisions Checklists

Whatcom County *2025-2026 Comprehensive Plan Periodic Update*



COUNCIL COMMITTEE OF THE WHOLE
MAY 26, 2026



GMA Housing Element Requirements

RCW [36.70A.070](#) (2) – Housing Element

- The GMA requires adoption of a Housing Element, under the Comprehensive Plan periodic update, that **makes adequate provisions for existing and projected needs of all economic segments of the community** per [RCW 36.70A.070](#)(2)(d).
- The WA State Department of Commerce created an “Adequate Provisions Checklist” to aid jurisdictions in complying with GMA & identify barriers & actions for achieving housing availability.

Appendix K Explanation

RCW [36.70A.070 \(2\)\(d\)](#) – Adequate Provisions

- The completed checklist is proposed to be adopted under the periodic update as **Appendix K**, as suggested by the WA State Department of Commerce, to demonstrate compliance.
- The State checklist was adapted by PDS to be accessible, and evaluates **barriers and actions needed to achieve housing availability regarding:**
 - Moderate Density Housing, Low-Rise or Mid-Rise Housing
 - a.k.a “Middle Housing”
 - Permanent Supportive Housing (PSH) & Emergency Housing
 - Accessory Dwelling Units

Checklist Format

RCW [36.70A.070 \(2\)\(d\)](#) – Adequate Provisions

1. Moderate Density, Low-Rise, and Mid-Rise Housing Barrier Checklist

A. Development Regulations

- Individual development categories that may pose a barrier to housing

B. Process Obstacles

- Evaluation of permitting process categories that may pose a barrier to housing

C. Limited Land Availability & Environmental Constraints

- Potential environmental conditions that may pose a barrier to housing

Checklist Format cont.

RCW [36.70A.070\(2\)\(d\)](#) – Adequate Provisions

2. Supplementary Barrier Review Checklists for Permanent Supportive Housing (PSH) & Emergency Housing

- Evaluates compliance with RCW [36.01.290](#)
 - Emergency Housing already addressed under [ORD2021-055](#)
- PSH is treated the same as other multi-family housing.

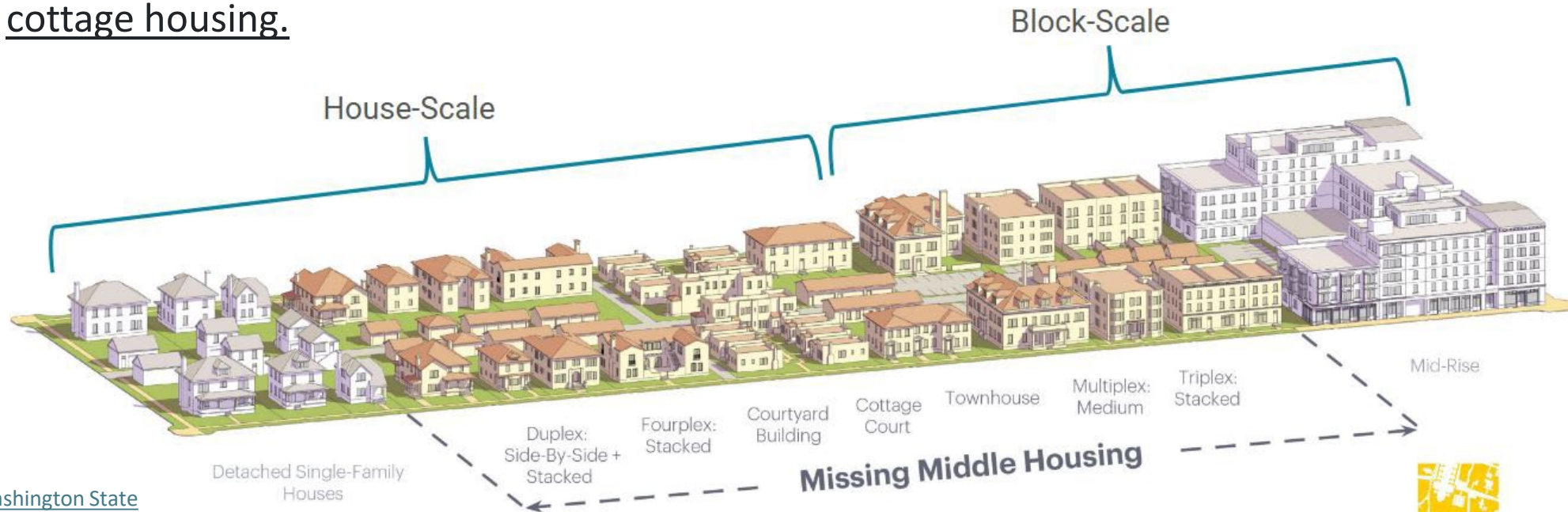
3. Accessory Dwelling Unit Barrier Review Checklist

- Evaluates compliance with RCW [36.70A.680](#)
 - Already addressed by County under [ORD 2025-060](#)

Middle Housing

RCW [36.70A.030\(28\)](#) - Definition

"**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.



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Middle Housing in LAMIRDs

[RCW 36.70A.536\(1\)](#) – Development Standards

Middle Housing Allowed in residential zones in LAMIRDs, subject to:

- Applies to RR & STC Zoning Districts.
- No standards more restrictive than for detached single-family residences
- No more than 4 dwelling units per lot.
 - Limiting to Fourplexes for Counties.
- Public water & sewer
 - New per [HB 2269](#)

**Example of “Small”
Middle Housing**
Equal to or similar to
the size of a typical
house

[Photo Credit: Washington State
Department of Commerce, Small Middle
Housing.](#)



Duplex Stacked
2 units



Duplex Side-by-Side
2 units



Cottage Housing
3-10 units



Triplex/Fourplex
3-4 units

Middle Housing in UGAs

[RCW 36.70A.536\(2\)](#) - Development Standards

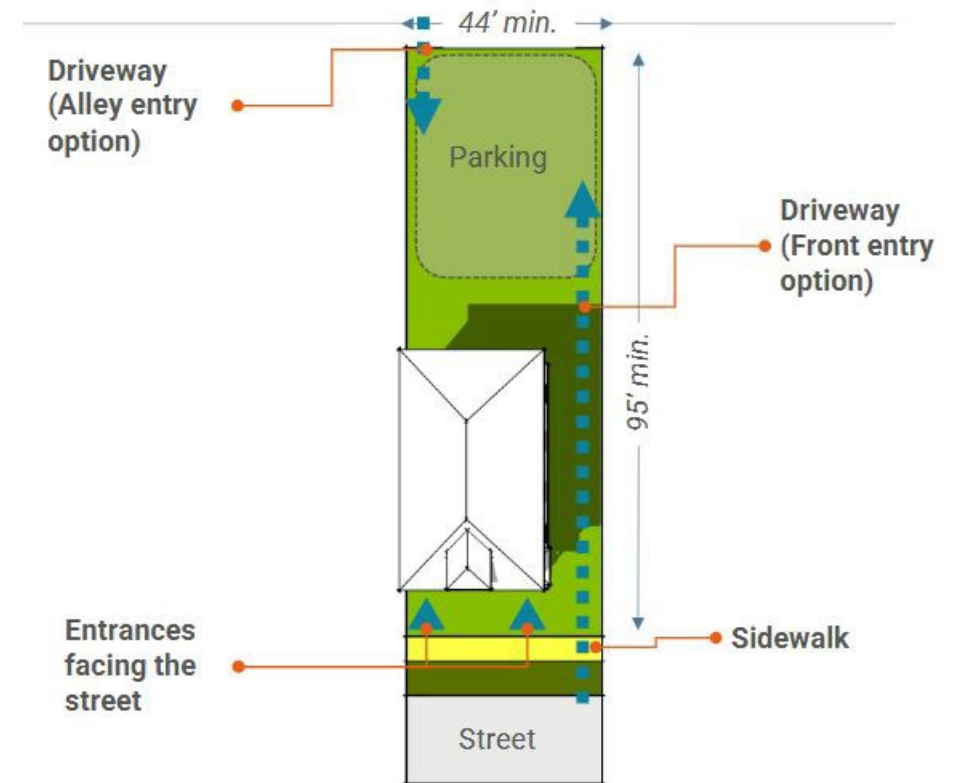
Middle Housing Allowed in residential zones in UGAs (UR, URM, UR-MX, & RC Zoning Districts)

subject to:

- No more than 4 dwelling units per lot.
 - Limiting to Fourplexes for Counties.
- No standards more restrictive than for detached single-family residences
- Public water & sewer

Photo Credit: [Washington State Department of Commerce, Small Middle Housing.](#)

Example of Stacked Duplex Site Layout



Identified Development Barriers to Housing

RCW [36.70A.070\(2\)\(d\)](#) – Adequate Provisions

- As amended by the PC at their 5/14/26 meeting, and recommended for approval by the PC & PDS, identified **development barriers** include:
 1. Unclear Development Regulations
 2. Prohibiting Some Moderate Density Housing Types a.k.a Middle Housing
 3. Large Setback Requirements
 4. High Off-Street Parking Requirements
 5. Other development standards.

Identified Process Barriers to Housing

RCW [36.70A.070 \(2\)\(d\)](#) – Adequate Provisions

- As amended by the PC at their 5/14/26 meeting, and recommended for approval by the PC & PDS, identified **process barriers** include:
 1. Requirement of special “Conditional Use Permit” applications for some forms of Moderate Density Housing Types a.k.a Middle Housing
 2. Lack of Clear and Accessible Information about Processes and Fees
 3. Permit Fees, Impact Fees & Utility Fees
 4. Processing Times & Staffing Challenges

Identified Environmental Constraints to Housing

RCW [36.70A.070 \(2\)\(d\)](#) – Adequate Provisions

- As amended by the PC at their 5/14/26 meeting, and recommended for approval by the PC & PDS, identified **environmental barriers** include:
 1. Lack of Large Parcels for Infill Development
 2. Environmental Development Regulations
 3. Infrastructure Investments in Underserved Areas

Next Steps – Code Amendments

RCW [36.70A.130](#)(1)(a) – Revision of Development Regulations (Title 20-Zoning)

- From the identified barriers, PDS will be presenting several proposed Code Amendments to address barriers to housing & comply with GMA Housing Element & Adequate Provision requirements under RCW [36.70A.070](#).
- Final set of proposed code amendments is being reviewed [by the Planning Commission on 5/28/26](#).
- Planned to be presented as a complete package at the 6/9/26 COTW meeting.