

VIA USPS AND EMAIL TO AHOWARD@cityofpt.us

March 18, 2026

Mayor Amy Howard
250 Madison Street, Suite 2
Port Townsend, WA 98368

Subject: AHPT Appeal

Dear Mayor Howard:

I write as President of Affordable Hometown Port Townsend to offer a solution to the current appeal.

On Friday, February 20, 2026, Affordable Hometown Port Townsend and four local residents filed a petition for review with the State's Growth Management Hearings Board seeking to invalidate Port Townsend's Comprehensive Plan and Zoning Changes, adopted in Ordinance 3361 on December 15, 2025, for failing to comply with the goals and requirements of the Growth Management Act (GMA) and remand the matter back to the City for action compliant with the GMA.

We filed this petition because the public showed overwhelming support for affordable housing measures and gentrification protections in the Port Townsend Comprehensive Plan, but the City Council chose to pass a Plan lacking meaningful measures and protections.

The plan fails to demonstrate how its simple supply-side approach will work (or has worked elsewhere) to bring affordable housing to those most in need - the lower and middle incomes. As such, the City plan fails to meet GMA requirements. While the plan (and the 2023 City White Paper) discusses different techniques, neither one shows how these tools, including the sweeping upzone the City adopted, will accomplish the goal of meeting the targets for affordable housing units for different income groups. That is a requirement under GMA.

Nor, as required by the GMA, did the City properly assess the racially disparate impact of past and future City housing policies, which could be exacerbated by the City's purely free-market approach.

Despite the City's claim of adequate public participation and outreach, we believe that most residents were not informed of, nor are they aware of, nor understand, the scope and potential impacts of the City's upzone and new development regulations. The City's adopted Public Participation plan promised delivery of the draft Comprehensive Plan to the Planning Commission in February or March 2025, the final product to a joint Planning Commission/City Council meeting in March or April 2025, and final adoption by the City Council in May or June 2025. Instead, the Planning Commission received the draft on October 23, 2025, and the City Council took up the matter on November 17, 2025. This resulted in a top-down, pre-determined outcome, much to the detriment of the final Plan and associated regulations. We therefore strongly advocate the City undertake a meaningful public process and outreach campaign to inform residents of the changes and give them a chance to weigh in and make changes based on that feedback.

Specifically, the appeal challenges, as a violation of the "early continuous and meaningful public participation" requirements of GMA, the Council's last-minute rush to allow sixplexes on 5,000 SF lots, twelveplexes on 10,000 SF lots, and unlimited units in a single structure on 40,000 SF blocks in the R-II residential zone occurred without concurrent planning and public participation.

The upzone allowing sixplexes on 5000 SF (and larger structures above that square footage) was raised late in the process after the Planning Commission had recommended a maximum of four units per 5000 SF lot and a total of thirty-two units on a 40,000 SF block. It first surfaced as an option from City Staff in the Agenda Bill for the November 17, 2025, public hearing.¹ Nevertheless, the draft Ordinance before the City Council and the public on November 17 and November 24 showed a density of 4 units per standard lot, or 32 units per block, which had been the Planning Commission's recommendation. After the public record was closed at 4 pm on November 24, 2025, the Council voted to change the density by fifty percent from 4 to 6 units per lot (or 48 per block), and adopted the final Ordinance with that density level on December 15, 2025. This last-minute sizable upzone gave the public no time to present concerns or for the Council to consider and plan for all that is required by the GMA. Moreover, that reality clearly belies any assertion that there was a full 18 months of public process before the Ordinance was adopted.

This is not a technical violation. The GMA's requirement for concurrent planning ensures that the collateral effects of these massive zoning decisions, including their impact on such things as utility rates, property taxes, storm water recovery, road maintenance costs, transit access, and the like, are considered. By failing to plan for these definite realities, the City has failed in its GMA responsibilities to:

¹ It was in the Staff report on page 45 and verbally presented by Staff at the November 17 hearing.

- Demonstrate financial feasibility and funding sources for infrastructure needed to serve forecasted growth.
- Demonstrate that the level of service standard amendment for road maintenance was made concurrently with strategies to accommodate the impact of development.
- Demonstrate that public facilities and services will be adequate to support development at the time development is available for occupancy and use without decreasing levels of service below the minimum standards.
- Demonstrate that the permanent elimination of parking requirements is proper despite the significant increase in density due to sixplexes.
- Demonstrate that gentrification will not lead to overinflated property values that price existing homeowners and renters out of their current homes.

In the spirit of collaboration, AHPT is willing to come to a quick resolution with the City that will eliminate the need for further litigation. This resolution frees up staff time to address affordability and other issues.² AHPT is willing to seek a stay in the Appeal for the following actions:

1. An immediate six-month moratorium on December 15, 2025, upzone changes to city code except those that were required to avoid the imposition of the state standard, and the initiation of a continued public participation process, including robust dialogue and deliberation with interested individuals, to cure the defects in the City’s Ordinance 3361. In any event, all of Table 17.16.030 adopted in 3361 will be stayed. This is consistent with the 1990 City Council decision to impose a moratorium to allow the City to develop new shoreline regulations to protect maritime and historic properties. Ordinance 2192.
2. The City be willing to propose and support the following:
 - a. The City will prepare an up-to-date Environmental Impact Statement (EIS) so that all future land use decisions can be based on 2026 realities and not the state of affairs of what existed in 1996, when the City last prepared an EIS.

² We understand the City asserts the appeal limits staff capacity to work on plan amendments, including those tied to affordable housing. See AB26-025 (https://cityofpt.granicus.com/MetaViewer.php?view_id=4&clip_id=3774&meta_id=253340, last accessed March 13, 2026).

b. The City will prepare a revised land capacity analysis that identifies where and how it intends to achieve the following affordable housing goals for the next twenty years:

- i. 931 units for 0-30% AMI
- ii. 286 units for 30-50% AMI
- iii. 186 units for 50-80% AMI
- iv. 75 units for 80-100% AMI
- v. 94 units for 100-120% AMI
- vi. 70 units for 120% plus AMI

As part of this process, the City will assess the racially disparate impact of past and future City housing policies and make adjustments to its land study to address this assessment.

c. Once the EIS is completed, that study will inform the City and the Public where a sixplex can be sited in the R-II. That will include whether there is sufficient infrastructure in those locations for a sixplex, that the level of service is appropriately set so that developers cover the cost of their development, and that there be sufficient public facilities and services to support this development without decreasing levels of service below the minimum standards, or causing an increase in costs to current residents beyond what is reasonable. A sixplex will be the maximum multi-family unit in the R-II, unless a variance is obtained. If the City prefers not to involve the public in deciding the location of sixplexes in the R-II, the City could agree to undergo another SEPA review of its decision, subject to all SEPA requirements.

d. The City will propose the following to be part of the municipal law changes for consideration by the Public:

- i. If a sixplex (or larger structure) is sited and developed, one of the units must be reserved for a purchaser who is at 0-80% AMI. If a multi-family structure larger than six units is sited and developed (covering a second lot in the R-II), a second unit is reserved for a purchaser at 80-120% AMI. Alternatively, developers can pay 10% of the total gross sale price of all units per unit not reserved into an affordable housing fund, fifty percent of which will be used solely for the development of affordable housing. The rest of the affordable housing fund will fund (a) a rehab program for existing affordable housing of people 0-80% AMI and (b) a tenant buyout/first time home buyer program for people 0-80% AMI. This is an affordable housing model based on Durango, CO.

- ii. To be permitted, a sixplex in the R-II would be required to be on 10,000 SF if it cannot meet the daylight plane requirement. The daylight plane requirement will be restored for this purpose.
- iii. Anti-harassment protections for tenants as well as eviction protections agreed to by the parties.
- e. The parties will agree to a public participation plan which will at least include the City setting the revised final comprehensive plan for one or more hearings as necessary for the public to comment in a venue large enough to allow everyone to attend in person.

In conclusion, AHPT supports greater density, if combined with guarantees that some new units will in fact be affordable for middle and lower incomes, where the need for affordable housing is greatest, and with other provisions outlined above that meet GMA requirements.

If the City can accept this offer, our attorney, Bryan Telegin, will be directed to ask the Growth Management Hearings Board for an immediate stay. We do not intend this to be a confidential offer and it may be shared widely.

Sincerely,



John Watts, President
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