

SENATE BILL REPORT

SB 5424

As of February 5, 2019

Title: An act relating to establishing minimum density standards around regional transit.

Brief Description: Establishing minimum density standards around regional transit.

Sponsors: Senators Palumbo, Liias, Nguyen and O'Ban.

Brief History:

Committee Activity: Housing Stability & Affordability: 2/04/19.

Brief Summary of Bill

- Requires cities and counties with residential areas located within one-half mile of light rail stations to establish minimum density standards.

SENATE COMMITTEE ON HOUSING STABILITY & AFFORDABILITY

Staff: Jeff Olsen (786-7428)

Background: The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington State. The GMA establishes land use designations and environmental protection requirements for all Washington State counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. Cities and counties engaging in comprehensive planning may enact ordinances and codes to regulate the use of land and zoning of certain developments and activities. Such regulations generally include the location, construction, and size of buildings for residence, industry, trade, and other purposes.

A Regional Transit Authority (RTA) is authorized to use its tax revenues to plan, construct, and operate high-capacity transportation, such as express bus service and light rail. There is currently one RTA, Sound Transit, which operates light rail in Puget Sound. Sound Transit lists 16 link light rail stations in the Seattle area and six stations in Tacoma.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts that may result from governmental decisions, such as permits issued or adopted land use plans.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill: In areas designated for residential use and located within one-half mile of a light rail station, cities and counties must establish a minimum gross urban density of no less than 150 dwelling units per acre on or before the date the light rail station opens for revenue service. Parcels of land with affordable housing units that are rented or occupied by low-income households are exempt from the minimum density requirements. Affordable housing is defined as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. Low-income household means a single person, family, or unrelated persons living together whose adjusted income is at or below 50 percent of the county median family income, adjusted for family size.

Any plans, development regulations, or amendments adopted by a city or county are not subject to review by the Growth Management Hearings Board until the next periodic update required under the GMA. Any state environmental policy act decision arising from implementing the density requirements is not subject to appeal under SEPA.

Appropriation: None.

Fiscal Note: Requested on January 31, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Proposed Substitute: PRO: There has been a significant public investment in light rail in the region and we need to ensure that there are minimum density requirements around those stations. In some areas the stations are next to a golf course, for example, and there needs to be proper zoning around light rail stations. The bill also protects existing affordable housing by exempting them from the density requirements.

CON: Local jurisdictions are interested in density around light rail stations but this is a complex issue with many challenges. Certain light rail stations are next to college campuses, or in existing neighborhoods, where density must be balanced with many other factors.

OTHER: How to increase density around transit is only one component of many that must be considered. The Puget Sound Regional Council uses a mapping tool with multiple indicators and considers education, economic health, housing, transportation, and the environment. There are no affordability requirements in this bill and that would be useful to include along with density requirements. Development around light rail stations is a complex issue and the state should develop strategies or tools to assist local governments and developers.

Persons Testifying: PRO: Senator Guy Palumbo, Prime Sponsor.

CON: Carl Schroeder, Association of Washington Cities.

OTHER: Bryce Yadon, Futurewise; Jan Himebaugh, Building Industry Association of Washington; Mark McCaskill, Managing Director, Growth Management Services, Department of Commerce; Jeanette McKague, Washington REALROEA.

Persons Signed In To Testify But Not Testifying: No one.