

ESSB 5466 - H AMD 641

By Representative Reed

NOT CONSIDERED 01/02/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the state has
4 made groundbreaking investments in state-of-the-art mass transit and
5 intermodal infrastructure. The legislature finds that to maximize the
6 state's return on these investments, land use policies and practices
7 must keep pace with progress being implemented in transportation
8 infrastructure development. The legislature also intends new
9 development to reflect the state's commitment to vibrant, walkable,
10 accessible urban environments that improve health, expand multimodal
11 transportation options, and include varied community facilities,
12 parks, and green spaces that are open to people of all income levels.

13 The legislature recognizes that cities planning under chapter
14 36.70A RCW require direction and technical assistance to ensure the
15 benefits of state transportation investments are maximized and shared
16 equitably while avoiding unnecessary programmatic and cost burdens to
17 local governments in their comprehensive planning, code enactment,
18 and permit processing workloads. The legislature further recognizes
19 that regulatory flexibility and local control are also important
20 features of optimal planning outcomes.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01
22 RCW to read as follows:

23 (1) The department must create a new division within its agency
24 or expand an existing division within its agency and designate a
25 liaison to serve as a point of contact and resource for the
26 department, local governments, and project proponents regarding land
27 use decisions and processing development permit applications. The
28 liaison's priority must be to facilitate and expedite any department
29 decisions required for project approval.

30 (2) The department must adopt any rules necessary to implement
31 this section.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330
2 RCW to read as follows:

3 (1) The department, in consultation with the department of
4 transportation, must establish and administer a competitive grant
5 program to assist in the financing of housing projects within station
6 areas.

7 (2) Entities eligible to receive grant or loan awards are state
8 agencies, local governments, and nonprofit or for-profit housing
9 developers. Eligible uses of grant awards include project capital
10 costs and infrastructure costs associated with eligible housing
11 projects and addressing gaps in project financing.

12 (3) Eligible housing projects must meet the following
13 requirements:

14 (a) Be within a station area;

15 (b) With the exception of affordable homeownership projects,
16 comply with the applicable transit-oriented development density; and

17 (c) Include a covenant on the property requiring 100 percent of
18 units remain affordable for at least 50 years for households with
19 incomes at or below 60 percent of area median income for rental,
20 shelter, or permanent supportive housing projects or at or below 80
21 percent of area median income for homeownership projects.

22 (4) The department must prioritize eligible projects by occupancy
23 date, with a target occupancy date of December 31, 2025. The
24 department must ensure grants are awarded for a variety of housing
25 projects, including rental, shelter, permanent supportive, and owner-
26 occupied. The department must also prioritize projects that:

27 (a) Produce the greatest number of housing units;

28 (b) Do not include costs related to land acquisition;

29 (c) Include land acquired at a reduced price or without cost;

30 (d) Abide by antidisplacement measures, if appropriate;

31 (e) Are submitted by community-based housing developers; or

32 (f) Include units with additional bedrooms or intended for
33 occupancy by families with multiple dependents.

34 (5) The department may adopt any necessary rules to implement the
35 competitive grant program under this section, including any
36 additional project eligibility criteria and prioritization criteria.

37 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330
38 RCW to read as follows:

1 (1) The transit-oriented development housing partnership account
2 is created in the custody of the state treasurer.

3 (2) Revenues to the account must consist of appropriations by the
4 legislature and any gifts, grants, donations, or other private
5 contribution received by the director for the purposes set forth in
6 subsection (3) of this section.

7 (3) Expenditures from the account may be used only for
8 administration of the competitive grant program under section 3 of
9 this act, including any technical assistance provided by the
10 department to eligible entities.

11 (4) Only the director or the director's designee may authorize
12 expenditures from the account. The account is subject to allotment
13 procedures under chapter 43.88 RCW, but an appropriation is not
14 required for expenditures.

15 **Sec. 5.** RCW 36.70A.030 and 2021 c 254 s 6 are each amended to
16 read as follows:

17 Unless the context clearly requires otherwise, the definitions in
18 this section apply throughout this chapter.

19 (1) "Adopt a comprehensive land use plan" means to enact a new
20 comprehensive land use plan or to update an existing comprehensive
21 land use plan.

22 (2) "Affordable housing" means, unless the context clearly
23 indicates otherwise, residential housing whose monthly costs,
24 including utilities other than telephone, do not exceed thirty
25 percent of the monthly income of a household whose income is:

26 (a) For rental housing, (~~sixty~~) 60 percent of the median
27 household income adjusted for household size, for the county where
28 the household is located, as reported by the United States department
29 of housing and urban development; or

30 (b) For owner-occupied housing, (~~eighty~~) 80 percent of the
31 median household income adjusted for household size, for the county
32 where the household is located, as reported by the United States
33 department of housing and urban development.

34 (3) "Agricultural land" means land primarily devoted to the
35 commercial production of horticultural, viticultural, floricultural,
36 dairy, apiary, vegetable, or animal products or of berries, grain,
37 hay, straw, turf, seed, Christmas trees not subject to the excise tax
38 imposed by RCW 84.33.100 through 84.33.140, finfish in upland

1 hatcheries, or livestock, and that has long-term commercial
2 significance for agricultural production.

3 (4) "City" means any city or town, including a code city.

4 (5) "Comprehensive land use plan," "comprehensive plan," or
5 "plan" means a generalized coordinated land use policy statement of
6 the governing body of a county or city that is adopted pursuant to
7 this chapter.

8 (6) "Critical areas" include the following areas and ecosystems:

9 (a) Wetlands; (b) areas with a critical recharging effect on aquifers
10 used for potable water; (c) fish and wildlife habitat conservation
11 areas; (d) frequently flooded areas; and (e) geologically hazardous
12 areas. "Fish and wildlife habitat conservation areas" does not
13 include such artificial features or constructs as irrigation delivery
14 systems, irrigation infrastructure, irrigation canals, or drainage
15 ditches that lie within the boundaries of and are maintained by a
16 port district or an irrigation district or company.

17 (7) "Department" means the department of commerce.

18 (8) "Development regulations" or "regulation" means the controls
19 placed on development or land use activities by a county or city,
20 including, but not limited to, zoning ordinances, critical areas
21 ordinances, shoreline master programs, official controls, planned
22 unit development ordinances, subdivision ordinances, and binding site
23 plan ordinances together with any amendments thereto. A development
24 regulation does not include a decision to approve a project permit
25 application, as defined in RCW 36.70B.020, even though the decision
26 may be expressed in a resolution or ordinance of the legislative body
27 of the county or city.

28 (9) "Emergency housing" means temporary indoor accommodations for
29 individuals or families who are homeless or at imminent risk of
30 becoming homeless that is intended to address the basic health, food,
31 clothing, and personal hygiene needs of individuals or families.
32 Emergency housing may or may not require occupants to enter into a
33 lease or an occupancy agreement.

34 (10) "Emergency shelter" means a facility that provides a
35 temporary shelter for individuals or families who are currently
36 homeless. Emergency shelter may not require occupants to enter into a
37 lease or an occupancy agreement. Emergency shelter facilities may
38 include day and warming centers that do not provide overnight
39 accommodations.

1 (11) "Extremely low-income household" means a single person,
2 family, or unrelated persons living together whose adjusted income is
3 at or below (~~(thirty)~~) 30 percent of the median household income
4 adjusted for household size, for the county where the household is
5 located, as reported by the United States department of housing and
6 urban development.

7 (12) "Floor area ratio" means a measure of development intensity
8 equal to building square footage divided by the developable property
9 square footage. Developable property excludes lots with critical
10 areas or their buffers as designated in RCW 36.70A.060, as well as
11 public facilities.

12 (13) "Forestland" means land primarily devoted to growing trees
13 for long-term commercial timber production on land that can be
14 economically and practically managed for such production, including
15 Christmas trees subject to the excise tax imposed under RCW 84.33.100
16 through 84.33.140, and that has long-term commercial significance. In
17 determining whether forestland is primarily devoted to growing trees
18 for long-term commercial timber production on land that can be
19 economically and practically managed for such production, the
20 following factors shall be considered: (a) The proximity of the land
21 to urban, suburban, and rural settlements; (b) surrounding parcel
22 size and the compatibility and intensity of adjacent and nearby land
23 uses; (c) long-term local economic conditions that affect the ability
24 to manage for timber production; and (d) the availability of public
25 facilities and services conducive to conversion of forestland to
26 other uses.

27 (~~(13)~~) (14) "Freight rail dependent uses" means buildings and
28 other infrastructure that are used in the fabrication, processing,
29 storage, and transport of goods where the use is dependent on and
30 makes use of an adjacent short line railroad. Such facilities are
31 both urban and rural development for purposes of this chapter.
32 "Freight rail dependent uses" does not include buildings and other
33 infrastructure that are used in the fabrication, processing, storage,
34 and transport of coal, liquefied natural gas, or "crude oil" as
35 defined in RCW 90.56.010.

36 (~~(14)~~) (15) "Geologically hazardous areas" means areas that
37 because of their susceptibility to erosion, sliding, earthquake, or
38 other geological events, are not suited to the siting of commercial,
39 residential, or industrial development consistent with public health
40 or safety concerns.

1 (~~(15)~~) (16) "Long-term commercial significance" includes the
2 growing capacity, productivity, and soil composition of the land for
3 long-term commercial production, in consideration with the land's
4 proximity to population areas, and the possibility of more intense
5 uses of the land.

6 (~~(16)~~) (17) "Low-income household" means a single person,
7 family, or unrelated persons living together whose adjusted income is
8 at or below (~~(eighty)~~) 80 percent of the median household income
9 adjusted for household size, for the county where the household is
10 located, as reported by the United States department of housing and
11 urban development.

12 (~~(17)~~) (18) "Minerals" include gravel, sand, and valuable
13 metallic substances.

14 (~~(18)~~) (19) "Moderate-income household" means a single person,
15 family, or unrelated persons living together whose adjusted income is
16 at or below 120 percent of the median household income adjusted for
17 household size, for the county where the household is located, as
18 reported by the United States department of housing and urban
19 development.

20 (~~(19)~~) (20) "Permanent supportive housing" is subsidized,
21 leased housing with no limit on length of stay that prioritizes
22 people who need comprehensive support services to retain tenancy and
23 utilizes admissions practices designed to use lower barriers to entry
24 than would be typical for other subsidized or unsubsidized rental
25 housing, especially related to rental history, criminal history, and
26 personal behaviors. Permanent supportive housing is paired with on-
27 site or off-site voluntary services designed to support a person
28 living with a complex and disabling behavioral health or physical
29 health condition who was experiencing homelessness or was at imminent
30 risk of homelessness prior to moving into housing to retain their
31 housing and be a successful tenant in a housing arrangement, improve
32 the resident's health status, and connect the resident of the housing
33 with community-based health care, treatment, or employment services.
34 Permanent supportive housing is subject to all of the rights and
35 responsibilities defined in chapter 59.18 RCW.

36 (~~(20)~~) (21) "Public facilities" include streets, roads,
37 highways, sidewalks, street and road lighting systems, traffic
38 signals, domestic water systems, storm and sanitary sewer systems,
39 parks and recreational facilities, and schools.

1 (~~(21)~~) (22) "Public services" include fire protection and
2 suppression, law enforcement, public health, education, recreation,
3 environmental protection, and other governmental services.

4 (~~(22)~~) (23) "Recreational land" means land so designated under
5 RCW 36.70A.1701 and that, immediately prior to this designation, was
6 designated as agricultural land of long-term commercial significance
7 under RCW 36.70A.170. Recreational land must have playing fields and
8 supporting facilities existing before July 1, 2004, for sports played
9 on grass playing fields.

10 (~~(23)~~) (24) "Rural character" refers to the patterns of land
11 use and development established by a county in the rural element of
12 its comprehensive plan:

13 (a) In which open space, the natural landscape, and vegetation
14 predominate over the built environment;

15 (b) That foster traditional rural lifestyles, rural-based
16 economies, and opportunities to both live and work in rural areas;

17 (c) That provide visual landscapes that are traditionally found
18 in rural areas and communities;

19 (d) That are compatible with the use of the land by wildlife and
20 for fish and wildlife habitat;

21 (e) That reduce the inappropriate conversion of undeveloped land
22 into sprawling, low-density development;

23 (f) That generally do not require the extension of urban
24 governmental services; and

25 (g) That are consistent with the protection of natural surface
26 water flows and groundwater and surface water recharge and discharge
27 areas.

28 (~~(24)~~) (25) "Rural development" refers to development outside
29 the urban growth area and outside agricultural, forest, and mineral
30 resource lands designated pursuant to RCW 36.70A.170. Rural
31 development can consist of a variety of uses and residential
32 densities, including clustered residential development, at levels
33 that are consistent with the preservation of rural character and the
34 requirements of the rural element. Rural development does not refer
35 to agriculture or forestry activities that may be conducted in rural
36 areas.

37 (~~(25)~~) (26) "Rural governmental services" or "rural services"
38 include those public services and public facilities historically and
39 typically delivered at an intensity usually found in rural areas, and
40 may include domestic water systems, fire and police protection

1 services, transportation and public transit services, and other
2 public utilities associated with rural development and normally not
3 associated with urban areas. Rural services do not include storm or
4 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

5 ~~((26))~~ (27) "Short line railroad" means those railroad lines
6 designated class II or class III by the United States surface
7 transportation board.

8 ~~((27))~~ (28) (a) "Station area" means all lots that are:

9 (i) Fully within an urban growth area; and

10 (ii) Fully or partially within:

11 (A) One-half mile walking distance of a stop on a high capacity
12 transportation system funded or expanded under chapter 81.104 RCW, a
13 commuter rail stop, or a stop on rail or fixed guideway systems; and

14 (B) One-quarter mile walking distance of a stop on a bus rapid
15 transit route.

16 (b) A city planning under RCW 36.70A.040 may adopt a station area
17 variance to alter the station area designation, but only after
18 consultation with and approval by the department.

19 (29) "Urban governmental services" or "urban services" include
20 those public services and public facilities at an intensity
21 historically and typically provided in cities, specifically including
22 storm and sanitary sewer systems, domestic water systems, street
23 cleaning services, fire and police protection services, public
24 transit services, and other public utilities associated with urban
25 areas and normally not associated with rural areas.

26 ~~((28))~~ (30) "Urban growth" refers to growth that makes
27 intensive use of land for the location of buildings, structures, and
28 impermeable surfaces to such a degree as to be incompatible with the
29 primary use of land for the production of food, other agricultural
30 products, or fiber, or the extraction of mineral resources, rural
31 uses, rural development, and natural resource lands designated
32 pursuant to RCW 36.70A.170. A pattern of more intensive rural
33 development, as provided in RCW 36.70A.070(5)(d), is not urban
34 growth. When allowed to spread over wide areas, urban growth
35 typically requires urban governmental services. "Characterized by
36 urban growth" refers to land having urban growth located on it, or to
37 land located in relationship to an area with urban growth on it as to
38 be appropriate for urban growth.

39 ~~((29))~~ (31) "Urban growth areas" means those areas designated
40 by a county pursuant to RCW 36.70A.110.

1 (~~(30)~~) (32) "Very low-income household" means a single person,
2 family, or unrelated persons living together whose adjusted income is
3 at or below (~~(fifty)~~) 50 percent of the median household income
4 adjusted for household size, for the county where the household is
5 located, as reported by the United States department of housing and
6 urban development.

7 (~~(31)~~) (33) "Wetland" or "wetlands" means areas that are
8 inundated or saturated by surface water or groundwater at a frequency
9 and duration sufficient to support, and that under normal
10 circumstances do support, a prevalence of vegetation typically
11 adapted for life in saturated soil conditions. Wetlands generally
12 include swamps, marshes, bogs, and similar areas. Wetlands do not
13 include those artificial wetlands intentionally created from
14 nonwetland sites, including, but not limited to, irrigation and
15 drainage ditches, grass-lined swales, canals, detention facilities,
16 wastewater treatment facilities, farm ponds, and landscape amenities,
17 or those wetlands created after July 1, 1990, that were
18 unintentionally created as a result of the construction of a road,
19 street, or highway. Wetlands may include those artificial wetlands
20 intentionally created from nonwetland areas created to mitigate
21 conversion of wetlands.

22 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.70A
23 RCW to read as follows:

24 (1) Cities planning under RCW 36.70A.040 may not enact or enforce
25 any development regulation within a station area that would prohibit
26 the siting of multifamily residential housing on lots where any other
27 residential use is permissible.

28 (2)(a) Cities planning under RCW 36.70A.040 must allow new
29 residential and mixed-use development within any station area at the
30 transit-oriented development density of:

31 (i) At least 3.5 floor area ratio, on average, within one-half
32 mile walking distance of a stop on a high capacity transportation
33 system funded or expanded under chapter 81.104 RCW, a commuter rail
34 stop, or a stop on rail or fixed guideway systems; and

35 (ii) At least 2.5 floor area ratio, on average, within one-
36 quarter mile walking distance of a stop on a bus rapid transit route.

37 (b) Cities planning under RCW 36.70A.040 may not enact or enforce
38 any development regulation that imposes:

1 (i) A maximum floor area ratio of less than the transit-oriented
2 development density in this subsection for any residential or mixed-
3 use development within a station area; or

4 (ii) A maximum residential density, measured in residential units
5 per acre or other metric of land area within a station area.

6 (3) For the purposes of this section, a "transit stop" includes
7 any existing stop and any stop funded for development and projected
8 for construction within an applicable six-year transit plan under RCW
9 35.58.2795. A "transit stop" does not include a stop used exclusively
10 for bus service, including express bus service operated by a regional
11 transit agency as defined under chapter 81.104 RCW, unless the stop
12 also serves a bus rapid transit route.

13 (4) The department must develop guidance to convert different
14 types of planning measurements to the transit-oriented development
15 density requirements and applicable floor area ratios.

16 (5) If a city has enacted or expands a program under RCW
17 36.70A.540 that establishes a minimum amount of affordable housing
18 that must be provided by all residential development, in an area
19 where development regulations must comply with this section, that
20 program governs to the extent it varies from the requirements of this
21 subsection.

22 (6) Within any station area, any building in which all units are
23 affordable housing for at least 50 years or is dedicated to permanent
24 supportive housing, an additional 1.5 floor area ratio must be
25 permitted. If a city has enacted or expands a program under RCW
26 36.70A.540 in an area where development regulations must comply with
27 this section, that program, including the amount of affordable
28 housing required either on-site or through an in-lieu payment,
29 governs to the extent it varies from the requirements of this
30 subsection.

31 (7) Any floor area within a building located in a station area
32 that is reserved for residential units in multifamily housing that
33 includes at least three bedrooms must not be counted toward
34 applicable floor area ratio limits. A city may require the
35 residential units to comply with affordability requirements to be
36 eligible for an exclusion from the applicable floor area ratio
37 limits.

38 (8) Cities planning under RCW 36.70A.040 may by ordinance
39 designate parts of a station area in which to enact or enforce floor
40 area ratios for residential or mixed-use development that are more or

1 less than the applicable transit-oriented development density, if the
2 average maximum floor area ratio of all residential and mixed-use
3 areas within a station area is no less than the applicable transit-
4 oriented development density.

5 (9) (a) At least 10 percent of all residential units in buildings
6 constructed within a station area must be maintained as affordable
7 housing for at least 50 years.

8 (b) The requirements of this subsection do not apply to any lots
9 in a station area in which a density that meets or exceeds the
10 transit-oriented development density in subsection (2) of this
11 section was authorized prior to January 1, 2023.

12 (c) Affordability requirements with a lower income threshold or a
13 greater amount of required affordable housing applicable within a
14 station area that were enacted by a city prior to January 1, 2023,
15 supersede the requirements of this subsection (9).

16 (d) If a city has enacted or expands a program under RCW
17 36.70A.540 that establishes a minimum amount of affordable housing
18 that must be provided by all residential development, in an area
19 where development regulations must comply with this section, that
20 program, including the amount of affordable housing required either
21 on-site or through an in-lieu payment, governs to the extent it
22 varies from the requirements of this subsection.

23 (10) (a) No later than the deadline established in subsection (16)
24 of this section, cities planning under RCW 36.70A.040 must modify or
25 repeal any existing development regulations applicable in a station
26 area that, alone or in combination, are inconsistent with this
27 section.

28 (b) After the effective date of this section, cities planning
29 under RCW 36.70A.040 may not enact any development regulations
30 applicable in a station area that, alone or in combination with other
31 development regulations, are inconsistent with this section.

32 (c) This subsection (10) does not apply to development
33 regulations that are generally applicable health and safety
34 standards, including building code standards and fire and life safety
35 standards.

36 (11) Any city subject to the requirements of this section may
37 apply to the department for planning grants and consult with the
38 department for purposes of obtaining technical assistance and
39 compliance review with development regulation adoption, pursuant to
40 RCW 36.70A.500(7).

1 (12) Nothing in this section requires alteration, displacement,
2 or limitation of industrial or agricultural uses or industrial or
3 agricultural areas within the urban growth area.

4 (13) Nothing in this section requires a city to issue a building
5 permit if other federal, state, and local requirements for a building
6 permit are not met.

7 (14) If a city has enacted or expands a program under RCW
8 36.70A.540 that establishes a minimum amount of affordable housing
9 that must be provided by all residential development, in an area
10 where development regulations must comply with this section, that
11 program governs to the extent it varies from the requirements of this
12 subsection.

13 (15) Cities planning under RCW 36.70A.040 may exclude from the
14 requirements in this section any lot or portion of a lot that:

15 (a) Is designated as a shoreline environment governed by a
16 shoreline master program or as a critical area governed by a critical
17 area ordinance;

18 (b) Is nonconforming with development regulations governing lot
19 dimensions including, but not limited to, standards related to lot
20 width, area, geometry, or street access, unless an applicant
21 demonstrates that the nonconforming lot may be developed in
22 compliance with the development regulations governing lot dimensions
23 by obtaining any modification, deviation, variance, or similar code
24 departure approval allowed under the development regulations;

25 (c) Contains a designated landmark or is located within a
26 historic district established under a local preservation ordinance
27 adopted prior to the effective date of this section;

28 (d) Has been designated as containing urban separators by
29 countywide planning policies as of the effective date of this
30 section; or

31 (e) Is an industrial or agricultural designated lot that either
32 is limited to one dwelling unit per lot or only allows housing for
33 individuals and their families responsible for caretaking, farm work,
34 security, or maintenance.

35 (16) A city planning under RCW 36.70A.040 must comply with the
36 requirements of this section, and a federally recognized Indian tribe
37 may voluntarily choose to participate in the planning process in
38 accordance with RCW 36.70A.040(8) regarding such requirements, six
39 months after its next periodic comprehensive plan update required
40 under RCW 36.70A.130, and following the completion or funding of any

1 transit stop that would create a new station area within the
2 jurisdiction, at each implementation progress report required by RCW
3 36.70A.130(9).

4 (17)(a) No later than October 1, 2023, the department must adopt
5 a statewide displacement risk map that identifies station areas where
6 residents and businesses are at a greater risk of displacement. The
7 department may contract for the development of the displacement risk
8 map. In completing the risk map, the department must use the
9 definition of displacement developed by the work group in (b) of this
10 subsection to guide the work. The department may build on existing
11 models for displacement risk assessment that are currently in use for
12 the state.

13 (b)(i) No later than August 1, 2023, the governor shall convene a
14 work group to develop a list of antidisplacement guiding principles
15 and strategies. The work group must be comprised, at a minimum, of
16 the following members:

17 (A) Representatives of impacted cities, including at least one
18 representative of a city that does not have extensive staffing or
19 resources;

20 (B) A representative of impacted tenants;

21 (C) A representative of ethnic or cultural associations;

22 (D) A representative of an organization advocating for affordable
23 housing;

24 (E) A representative of an association representing tenants;

25 (F) A representative with experience developing affordable
26 housing;

27 (G) A representative from a development industry association; and

28 (H) Other representatives with experience developing or
29 implementing antidisplacement strategies.

30 (ii) The work group must:

31 (A) Develop definitions for displacement and gentrification;

32 (B) Develop a list of recommended antidisplacement strategies,
33 including strategies that mitigate the impacts of displacement and
34 protect against gentrification; and

35 (C) Identify the potential costs and funding sources to implement
36 the strategies.

37 (iii) By September 30, 2023, the work group must submit a report
38 of its findings and recommendations to the department.

1 (c) No later than October 15, 2023, the department shall develop,
2 and make available to cities, antidisplacement guiding principles and
3 a list of potential strategies.

4 (18)(a) A city may seek an extension from the transit-oriented
5 development density requirements of this section by applying to the
6 department for an extension in any areas that are at risk of
7 displacement on the antidisplacement map developed pursuant to
8 subsection (17) of this section, another map demonstrating the risk
9 of displacement, or areas of lower opportunity based on income,
10 access to resources, and other economic factors according to
11 quantitative and statistically valid data.

12 (b) The department must certify an extension from the
13 requirements of this section for areas at risk of displacement as
14 determined by the antidisplacement analysis that a jurisdiction is
15 required to complete under RCW 36.70A.070(2) or an antidisplacement
16 map as described in (a) of this subsection.

17 (c) The city and the department must agree on the city plan to
18 mitigate the impacts of displacement and an implementation plan that
19 includes specific antidisplacement policies. The plan must include
20 strategies from the list developed by the work group in subsection
21 (17) of this section unless the city can demonstrate that another
22 strategy would mitigate the impact of displacement.

23 (d) In addition to antidisplacement policies, the city may
24 implement alternative floor area ratio requirements in areas deemed
25 at greater risk of displacement under an antidisplacement analysis,
26 including reducing floor area ratios or applying varying floor area
27 ratios within the station area for as long as the area remains at
28 risk of displacement.

29 (19)(a)(i) The department may approve actions under this
30 subsection (19) for cities that have, by January 1, 2023, adopted a
31 plan and implementing development regulations for a specific station
32 area that are substantially similar to the requirements of this
33 section for that station area. In determining whether a city's
34 adopted plan and development regulations are substantially similar,
35 the department's evaluation may include, but not be limited to, if:

36 (A) The regulations will provide a development capacity and allow
37 the opportunity for creation of affordable housing that is at least
38 equivalent to the amount of development capacity and affordable
39 housing that would be allowed in that station area if the specific
40 provisions of this section were adopted;

1 (B) The jurisdiction offers a way to achieve buildings that
2 exceed 85 feet in height; and

3 (C) No lot within the station area is zoned exclusively for
4 detached single-family residences.

5 (ii) The department must establish by rule any standards or
6 procedures necessary to implement (a) of this subsection.

7 (b) Any local actions approved by the department pursuant to (a)
8 of this subsection are exempt from appeals under this chapter and
9 chapter 43.21C RCW.

10 (c) The department's final decision to approve or reject actions
11 by cities under this subsection (19) may be appealed to the growth
12 management hearings board by filing a petition as provided in RCW
13 36.70A.290.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 44.28
15 RCW to read as follows:

16 (1) The joint committee shall conduct an evaluation of the impact
17 of:

18 (a) Adding an in-lieu payment option for the affordable housing
19 requirements in this act and how such an option should be structured;

20 (b) Requiring a transit-oriented development density to apply to
21 the areas surrounding a fixed route transit stop providing frequent
22 transit service, in which at least one bus route servicing the stop
23 operates seven days per week with a minimum of four buses per hour
24 for a span of at least 10 hours per day during weekdays; and

25 (c) The 10 percent affordable housing requirement in section 6 of
26 this act and an analysis of the potential impacts of modifying the
27 affordable housing requirement.

28 (2) In evaluating the potential impacts under this section, the
29 joint committee must consider the following factors:

30 (a) The ability to increase housing supply;

31 (b) The anticipated change in the supply of affordable housing;

32 (c) The ability for cities to effectively implement transit-
33 oriented development density regulations; and

34 (d) Case studies illustrating how statewide regulations are
35 interacting with residential housing construction and development in
36 specific cities, including at least one city located east of the
37 crest of the Cascade mountains, at least one city located in a county
38 with a population greater than 900,000 but less than 1,000,000, and

1 at least one city located in a county with a population greater than
2 800,000 but less than 900,000.

3 (3) In conducting its evaluation, the joint committee must
4 consult with the following entities:

5 (a) Representatives of the department;

6 (b) Representatives of the Washington state housing finance
7 commission;

8 (c) Representatives of the University of Washington's Runstad
9 department of real estate;

10 (d) Representatives of regional transportation planning
11 organizations that include cities with station areas;

12 (e) Representatives of transit agencies serving areas that
13 include cities with station areas;

14 (f) Representatives of affordable housing advocacy organizations
15 working in cities with station areas;

16 (g) Representatives of the for-profit housing development
17 industry working in cities with station areas;

18 (h) Representatives of the nonprofit housing development industry
19 working in cities with station areas;

20 (i) Representatives of cities located east of the crest of the
21 Cascade mountains; and

22 (j) Representatives of cities located west of the crest of the
23 Cascade mountains.

24 **Sec. 8.** RCW 36.70A.500 and 2012 1st sp.s. c 1 s 310 are each
25 amended to read as follows:

26 (1) The department of commerce shall provide management services
27 for the growth management planning and environmental review fund
28 created by RCW 36.70A.490. The department shall establish procedures
29 for fund management. The department shall encourage participation in
30 the grant or loan program by other public agencies. The department
31 shall develop the grant or loan criteria, monitor the grant or loan
32 program, and select grant or loan recipients in consultation with
33 state agencies participating in the grant or loan program through the
34 provision of grant or loan funds or technical assistance.

35 (2) A grant or loan may be awarded to a county or city that is
36 required to or has chosen to plan under RCW 36.70A.040 and that is
37 qualified pursuant to this section. The grant or loan shall be
38 provided to assist a county or city in paying for the cost of
39 preparing an environmental analysis under chapter 43.21C RCW, that is

1 integrated with a comprehensive plan, subarea plan, plan element,
2 countywide planning policy, development regulation, monitoring
3 program, or other planning activity adopted under or implementing
4 this chapter that:

5 (a) Improves the process for project permit review while
6 maintaining environmental quality; or

7 (b) Encourages use of plans and information developed for
8 purposes of complying with this chapter to satisfy requirements of
9 other state programs.

10 (3) In order to qualify for a grant or loan, a county or city
11 shall:

12 (a) Demonstrate that it will prepare an environmental analysis
13 pursuant to chapter 43.21C RCW and subsection (2) of this section
14 that is integrated with a comprehensive plan, subarea plan, plan
15 element, countywide planning policy, development regulations,
16 monitoring program, or other planning activity adopted under or
17 implementing this chapter;

18 (b) Address environmental impacts and consequences, alternatives,
19 and mitigation measures in sufficient detail to allow the analysis to
20 be adopted in whole or in part by applicants for development permits
21 within the geographic area analyzed in the plan;

22 (c) Demonstrate that procedures for review of development permit
23 applications will be based on the integrated plans and environmental
24 analysis;

25 (d) Include mechanisms to monitor the consequences of growth as
26 it occurs in the plan area and to use the resulting data to update
27 the plan, policy, or implementing mechanisms and associated
28 environmental analysis;

29 (e) Demonstrate substantial progress towards compliance with the
30 requirements of this chapter. A county or city that is more than six
31 months out of compliance with a requirement of this chapter is deemed
32 not to be making substantial progress towards compliance; and

33 (f) Provide local funding, which may include financial
34 participation by the private sector.

35 (4) In awarding grants or loans, the department shall give
36 preference to proposals that include one or more of the following
37 elements:

38 (a) Financial participation by the private sector, or a public/
39 private partnering approach;

1 (b) Identification and monitoring of system capacities for
2 elements of the built environment, and to the extent appropriate, of
3 the natural environment;

4 (c) Coordination with state, federal, and tribal governments in
5 project review;

6 (d) Furtherance of important state objectives related to economic
7 development, protection of areas of statewide significance, and
8 siting of essential public facilities;

9 (e) Programs to improve the efficiency and effectiveness of the
10 permitting process by greater reliance on integrated plans and
11 prospective environmental analysis;

12 (f) Programs for effective citizen and neighborhood involvement
13 that contribute to greater likelihood that planning decisions can be
14 implemented with community support;

15 (g) Programs to identify environmental impacts and establish
16 mitigation measures that provide effective means to satisfy
17 concurrency requirements and establish project consistency with the
18 plans; or

19 (h) Environmental review that addresses the impacts of increased
20 density or intensity of comprehensive plans, subarea plans, or
21 receiving areas designated by a city or town under the regional
22 transfer of development rights program in chapter 43.362 RCW.

23 (5) If the local funding includes funding provided by other state
24 functional planning programs, including open space planning and
25 watershed or basin planning, the functional plan shall be integrated
26 into and be consistent with the comprehensive plan.

27 (6) State agencies shall work with grant or loan recipients to
28 facilitate state and local project review processes that will
29 implement the projects receiving grants or loans under this section.

30 (7)(a) Subject to the availability of amounts appropriated to the
31 growth management planning and environmental review fund established
32 in RCW 36.70A.490, the department may:

33 (i) Award grants to cities to facilitate transit-oriented
34 development consistent with subsection (8) of this section. Cities
35 may use such grants to pay for the costs associated with the
36 preparation of state environmental policy act environmental impact
37 statements, planned action ordinances, subarea plans, costs
38 associated with the utilization of other tools under this chapter or
39 the state environmental policy act, and the costs of local code
40 adoption and implementation of such efforts; and

1 (ii) Provide technical assistance and award planning grants to
2 cities to implement the requirements under section 6 of this act and
3 provide compliance review of any transit-oriented development
4 regulations adopted consistent with section 6 of this act.

5 (b) Grant awards under (a)(i) of this subsection may only fund
6 efforts that address environmental impacts and consequences,
7 alternatives, and mitigation measures in sufficient detail to allow
8 the analysis to be adopted in whole or in part by applicants for
9 development permits within the geographic area analyzed in the plan.

10 (8) In consultation with the department of transportation, the
11 department shall prioritize applications for grants under subsection
12 (7)(a)(i) of this section that maximize the following policy
13 objectives in the area covered by a proposal:

14 (a) The total number of housing units authorized for new
15 development in station areas;

16 (b) The proximity and quality of transit access in the area. For
17 purposes of this subsection, "transit access" includes walkable
18 access to light rail and other fixed guideway rail systems and bus
19 rapid transit;

20 (c) Plans that exceed applicable transit-oriented development
21 densities for station areas;

22 (d) Plans that authorize, but do not mandate, ground floor retail
23 with housing above;

24 (e) Plans in areas that eliminate on-site parking requirements;

25 (f) Existence or establishment of incentive zoning, inclusionary
26 housing, or other tools to promote low-income housing in the area;

27 (g) Plans that include dedicated policies to support public or
28 nonprofit funded low-income or workforce housing; and

29 (h) Plans designed to maximize and increase the variety of
30 allowable housing types and expected sale or rental rates.

31 **Sec. 9.** RCW 36.70A.620 and 2020 c 173 s 3 are each amended to
32 read as follows:

33 ~~((In counties and cities planning under RCW 36.70A.040, minimum~~
34 ~~residential parking requirements mandated by municipal zoning~~
35 ~~ordinances for housing units constructed after July 1, 2019, are~~
36 ~~subject to the following requirements:~~

37 ~~(1) For housing units that are affordable to very low-income or~~
38 ~~extremely low-income individuals and that are located within one-~~
39 ~~quarter mile of a transit stop that receives transit service at least~~

1 ~~two times per hour for twelve or more hours per day, minimum~~
2 ~~residential parking requirements may be no greater than one parking~~
3 ~~space per bedroom or .75 space per unit. A city may require a~~
4 ~~developer to record a covenant that prohibits the rental of a unit~~
5 ~~subject to this parking restriction for any purpose other than~~
6 ~~providing for housing for very low-income or extremely low-income~~
7 ~~individuals. The covenant must address price restrictions and~~
8 ~~household income limits and policies if the property is converted to~~
9 ~~a use other than for low-income housing. A city may establish a~~
10 ~~requirement for the provision of more than one parking space per~~
11 ~~bedroom or .75 space per unit if the jurisdiction has determined a~~
12 ~~particular housing unit to be in an area with a lack of access to~~
13 ~~street parking capacity, physical space impediments, or other reasons~~
14 ~~supported by evidence that would make on-street parking infeasible~~
15 ~~for the unit.~~

16 ~~(2) For housing units that are specifically for seniors or people~~
17 ~~with disabilities, that are located within one-quarter mile of a~~
18 ~~transit stop that receives transit service at least four times per~~
19 ~~hour for twelve or more hours per day, a city may not impose minimum~~
20 ~~residential parking requirements for the residents of such housing~~
21 ~~units, subject to the exceptions provided in this subsection. A city~~
22 ~~may establish parking requirements for staff and visitors of such~~
23 ~~housing units. A city may establish a requirement for the provision~~
24 ~~of one or more parking space per bedroom if the jurisdiction has~~
25 ~~determined a particular housing unit to be in an area with a lack of~~
26 ~~access to street parking capacity, physical space impediments, or~~
27 ~~other reasons supported by evidence that would make on-street parking~~
28 ~~infeasible for the unit. A city may require a developer to record a~~
29 ~~covenant that prohibits the rental of a unit subject to this parking~~
30 ~~restriction for any purpose other than providing for housing for~~
31 ~~seniors or people with disabilities.~~

32 ~~(3) For market rate multifamily housing units that are located~~
33 ~~within one-quarter mile of a transit stop that receives transit~~
34 ~~service from at least one route that provides service at least four~~
35 ~~times per hour for twelve or more hours per day, minimum residential~~
36 ~~parking requirements may be no greater than one parking space per~~
37 ~~bedroom or .75 space per unit. A city or county may establish a~~
38 ~~requirement for the provision of more than one parking space per~~
39 ~~bedroom or .75 space per unit if the jurisdiction has determined a~~
40 ~~particular housing unit to be in an area with a lack of access to~~

1 ~~street parking capacity, physical space impediments, or other reasons~~
2 ~~supported by evidence that would make on-street parking infeasible~~
3 ~~for the unit.))~~ (1) To encourage transit-oriented development and
4 transit use and resulting substantial environmental benefits, cities
5 planning under RCW 36.70A.040 may not require off-street vehicle
6 parking as a condition of permitting residential or mixed-use
7 development within a station area as defined in RCW 36.70A.030,
8 except for off-street vehicle parking that is permanently marked for
9 the exclusive use of individuals with disabilities.

10 (2) If a project permit application within a station area, as
11 defined in RCW 36.70B.020, does not provide parking in compliance
12 with this section, the proposed absence of parking may not be treated
13 as a basis for issuance of a determination of significance pursuant
14 to chapter 43.21C RCW.

15 (3) The parking provisions of this section do not apply:

16 (a) If a local government submits to the department an empirical
17 study prepared by a credentialed transportation or land use planning
18 expert that clearly demonstrates, and the department finds and
19 certifies, that the application of the parking limitations under
20 subsection (1) of this section will be significantly less safe for
21 vehicle drivers or passengers, pedestrians, or bicyclists than if the
22 jurisdiction's parking requirements were applied to the same
23 location. The department must develop guidance to assist cities and
24 counties on items to include in the study; or

25 (b) To portions of cities within a one-mile radius of a
26 commercial airport in Washington with at least 9,000,000 annual
27 enplanements.

28 (4) If a residential or mixed-use development provides parking
29 for residential uses in excess of what is required in subsection (1)
30 of this section, cities planning under RCW 36.70A.040 may enact or
31 enforce development regulations to:

32 (a) Require a share of any provided residential parking to be
33 distributed between units designated as affordable housing and units
34 offered at market rate; and

35 (b) Include all or a portion of the cost of unbundled parking
36 charges into the monthly cost for rental units designated as
37 affordable housing.

38 **Sec. 10.** RCW 43.21C.229 and 2020 c 87 s 1 are each amended to
39 read as follows:

1 (1) ~~((In order))~~ The purpose of this section is to provide cities
2 and counties with additional flexibility to accommodate infill
3 development, as well as to facilitate the timely and certain
4 deployment of sustainable transit-oriented development, and thereby
5 realize the goals and policies of comprehensive plans adopted
6 according to chapter 36.70A RCW~~((7-a))~~.

7 (2) A city or county planning under RCW 36.70A.040 ~~((is~~
8 ~~authorized by this section to))~~ may establish categorical exemptions
9 from the requirements of this chapter~~((An exemption adopted under~~
10 ~~this section applies even if it differs from the categorical~~
11 ~~exemptions adopted by rule of the department under RCW~~
12 ~~43.21C.110(1)(a). An exemption may be adopted by a city or county~~
13 ~~under this section))~~ if it meets the following criteria:

14 (a) It categorically exempts government action related to
15 development proposed to fill in an urban growth area, designated
16 according to RCW 36.70A.110, where current density and intensity of
17 use in the area is roughly equal to or lower than called for in the
18 goals and policies of the applicable comprehensive plan and the
19 development is either:

20 (i) Residential development;

21 (ii) Mixed-use development; or

22 (iii) Commercial development up to ~~((sixty-five thousand))~~ 65,000
23 square feet, excluding retail development;

24 (b) It does not exempt government action related to development
25 that is inconsistent with the applicable comprehensive plan or would
26 clearly exceed the density or intensity of use called for in the
27 goals and policies of the applicable comprehensive plan;

28 (c) The local government considers the specific probable adverse
29 environmental impacts of the proposed action and determines that
30 these specific impacts are adequately addressed by the development
31 regulations or other applicable requirements of the comprehensive
32 plan, subarea plan element of the comprehensive plan, planned action
33 ordinance, or other local, state, or federal rules or laws; and

34 (d) (i) The city or county's applicable comprehensive plan was
35 previously subjected to environmental analysis through an
36 environmental impact statement under the requirements of this chapter
37 prior to adoption; or

38 (ii) The city or county has prepared an environmental impact
39 statement that considers the proposed use or density and intensity of

1 use in the area proposed for an exemption under this (~~section~~)
2 subsection.

3 (~~(2) Any~~) (3) Any project action that meets the following
4 criteria is categorically exempt from the requirements of this
5 chapter:

6 (a) It is related to a proposed development that would fill in a
7 station area as defined in RCW 36.70A.030;

8 (b) It is related to a proposed:

9 (i) Multifamily residential development; or

10 (ii) Mixed-use development; and

11 (c) It is not inconsistent with the applicable comprehensive
12 plan, and does not clearly exceed the density or intensity of use
13 called for in the goals and policies of the applicable comprehensive
14 plan.

15 (4) Any categorical exemption under this section applies even if
16 it differs from the categorical exemptions adopted by rule of the
17 department of ecology under RCW 43.21C.110(1)(a). However, any
18 categorical exemption (~~adopted by a city or county~~) under this
19 section (~~shall be~~) is subject to the rules of the department
20 adopted according to RCW 43.21C.110(1)(a) that provide exceptions to
21 the use of categorical exemptions adopted by the department.

22 NEW SECTION. Sec. 11. A new section is added to chapter 64.38
23 RCW to read as follows:

24 Governing documents created after the effective date of this
25 section and applicable to associations located fully or partially
26 within a station area as defined in RCW 36.70A.030 may not prohibit
27 the construction or development of multifamily housing or transit-
28 oriented development density that must be permitted by cities under
29 section 6 of this act or require off-street parking inconsistent or
30 in conflict with RCW 36.70A.620.

31 NEW SECTION. Sec. 12. A new section is added to chapter 64.90
32 RCW to read as follows:

33 Declarations and governing documents created after the effective
34 date of this section and applicable to a common interest community
35 located fully or partially within a station area as defined in RCW
36 36.70A.030 may not prohibit the construction or development of
37 multifamily housing or transit-oriented development density that must

1 be permitted by cities under section 6 of this act or require off-
2 street parking inconsistent or in conflict with RCW 36.70A.620.

3 NEW SECTION. **Sec. 13.** A new section is added to chapter 64.34
4 RCW to read as follows:

5 A declaration created after the effective date of this section
6 and applicable to an association located fully or partially within a
7 station area as defined in RCW 36.70A.030 may not prohibit the
8 construction or development of multifamily housing or transit-
9 oriented development density that must be permitted by cities under
10 section 6 of this act or require off-street parking inconsistent or
11 in conflict with RCW 36.70A.620.

12 NEW SECTION. **Sec. 14.** A new section is added to chapter 64.32
13 RCW to read as follows:

14 A declaration created after the effective date of this section
15 and applicable to an association of apartment owners located fully or
16 partially within a station area as defined in RCW 36.70A.030 may not
17 prohibit the construction or development of multifamily housing or
18 transit-oriented development density that must be permitted by cities
19 under section 6 of this act or require off-street parking
20 inconsistent or in conflict with RCW 36.70A.620."

21 Correct the title.

EFFECT: (1) Requires the Washington State Department of Transportation (WSDOT) to designate a liaison to serve as a point of contact and resource for WSDOT, local governments, and project proponents regarding land use decisions and processing development permit applications. Establishes the liaison's priority as the facilitation and expedition of any WSDOT decisions required for project approval.

(2) Transfers responsibilities for providing technical assistance, awarding grants, and providing compliance review of transit-oriented development regulations from the WSDOT to the Department of Commerce (Commerce).

(3) Modifies the grant program for the financing of housing projects by: (a) Requiring it to fund projects within station areas instead of rapid transit corridors; (b) specifying that the grant awards for project capital and infrastructure costs are for those costs associated with eligible housing projects; (c) limiting grants to properties with a covenant requiring all of the units to remain affordable for at least 50 years for households with incomes at or below 60 percent of area median income for rental, shelter, or permanent supportive housing projects or at or below 80 percent of area median income for homeownership projects; (d) requiring Commerce to prioritize grant awards to projects that produce the greatest

number of housing units; (e) exempting affordable homeownership projects from the grant eligibility requirement that projects must comply with transit-oriented density requirements; and (f) requiring Commerce to ensure grants are awarded to a variety of types of housing projects.

(4) Modifies the definition of "station area" to mean all lots within an urban growth area (UGA) that are fully or partially within: (a) One-half mile walking distance of a stop on a high capacity transportation system funded or expanded under chapter 81.104 RCW, a commuter rail stop, or a stop on rail or fixed guideway systems; and (b) one-quarter mile walking distance of a stop on a bus rapid transit route.

(5) Removes the definitions of "station hub" and "frequent bus stop" and all requirements and provisions related to those terms.

(6) Defines a "transit stop" as any existing stop or any stop funded for development and projected for construction within an applicable six-year transit plan. Excludes from the definition of "transit stop" any stop used exclusively for bus service, including express bus service operated by a regional transit agency, unless the stop also serves a bus rapid transit route.

(7) Removes the definitions of "major transit station" and "major transit stop."

(8) Modifies the definition of "floor area ratio" (FAR) by specifying that developable property excludes lots with critical areas or their buffers and lots used for public facilities.

(9) Requires fully planning cities to allow development within any station area at the transit-oriented development density of: (a) At least 3.5 within one-half mile walking distance of a stop on a high-capacity transportation system funded or expanded, a commuter rail stop, or a stop on rail or fixed guideway systems; and (b) at least 2.5 within one-quarter mile walking distance of a stop on a bus rapid transit route.

(10) Provides that the FARs and transit-oriented development requirements apply only to residential and mixed-use development.

(11) Directs Commerce to develop guidance to convert different types of planning measurements to the transit-oriented development density requirements and applicable floor area ratios.

(12) Modifies provisions for an increased density bonus by: (a) Removing the 50 percent density bonus for affordable housing, permanent supportive housing, and long-term inpatient care; (b) allowing an additional 1.5 FAR in any building within a station area in which all units are designated as affordable housing for at least 50 years or are dedicated as permanent supportive housing; and (c) removing provisions allowing child care facilities and small businesses to be excluded from the FAR calculation.

(13) Allows a city to impose affordability requirements for the purposes of excluding units with at least three bedrooms from the FAR calculation.

(14) Removes provisions prohibiting any part of a station area from being subject to a maximum FAR less than 0.5.

(15) Requires at least 10 percent of all residential units in buildings constructed within a station area to be maintained as affordable housing for at least 50 years except:

(a) Any lots in which a density that meets or exceeds the applicable transit-oriented development density was authorized prior to January 1, 2023;

(b) Any lots subject to affordability requirements with a lower income threshold or a greater amount of required affordable housing if the requirements were enacted by a city prior to January 1, 2023; or

(c) If a city has enacted or expands an affordable housing incentive program, that program, including the amount of affordable housing required either on-site or through an in-lieu payment, governs to the extent it varies from the requirements.

(16) Specifies that a city may impose any generally applicable health and safety standards, including building code standards and fire and life safety standards, and is not required to issue a building permit if other federal, state, and local requirements for a building permit are not met.

(17) Allows cities to exclude from the FAR requirements any lot that is:

(a) Designated as a shoreline environment, critical area, or urban separator;

(b) Nonconforming with development regulations;

(c) Contains a designated landmark or is located within a historic district established under a local preservation ordinance adopted prior to the effective date of this act; or

(d) Is an industrial or agricultural designated lot that either is limited to one dwelling unit per lot or only allows housing for individuals and their families responsible for caretaking, farm work, security, or maintenance.

(18) Specifies that a city must comply with the new requirements six months after its next periodic comprehensive plan update and, following the completion or funding of any transit stop that would create a new station area within the jurisdiction, at each five-year implementation progress report.

(19) Requires the Governor to convene a work group to develop a list of guiding principles and strategies for antidisplacement. Directs Commerce to adopt a statewide displacement risk map that identifies areas where residents and businesses are at a greater risk of displacement, which may build on existing models and must use the definition of displacement developed by the work group.

(20) Allows cities to apply to Commerce for an extension for areas at greater risk of displacement and allows cities to implement alternative FARs for such areas until the city develops, and Commerce approves, a plan to mitigate the impacts of displacement.

(21) Allows Commerce to approve a plan and implementing regulations for a specific station area adopted by a city prior to January 1, 2023, as substantially similar.

(22) Requires the Joint Legislative Audit and Review Committee (JLARC) to conduct an evaluation of adding an in-lieu payment option for affordable housing requirements, requiring a transit-oriented development density to apply to the areas surrounding a fixed route transit stop providing frequent transit service, and the 10 percent affordable housing requirement and the potential impacts of modifying the requirement. Directs JLARC to consider specific factors and consult with stakeholders as part of its evaluation.

(23) Allows cities to impose off-street parking requirements for residential and mixed-use development within a station area if the city provides Commerce with an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and Commerce finds and certifies, that the limits on off-street parking in a defined area will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location. Directs Commerce to develop guidance to assist cities and counties on items to include in the study.

(24) Exempts from the provisions prohibiting off-street parking any portion of a city within a one-mile radius of a commercial airport with at least 9,000,000 annual enplanements.

(25) Allows cities to require any off-street parking provided to be distributed between residential units designated as affordable housing and market-rate units.

(26) Removes counties from the provisions prohibiting off-street parking requirements within a station area.

(27) Removes commercial development from the expanded infill exemption from the State Environmental Policy Act.

--- END ---