H-2160.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2020**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 67th Legislature 2022 Regular Session**

**By** Representatives Walen, Fitzgibbon, Leavitt, Ramel, Ryu, Macri, Bateman, Lekanoff, and Pollet

AN ACT Relating to the creation of affordable and sustainable housing in the state; adding new sections to chapter 36.70A RCW; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

(1) Any city or county planning under RCW 36.70A.040 must enact affordable housing programs providing for the development of low and moderate-income housing units, as follows:

(a) All residential zoning within:

(i) One-quarter mile of light rail or a major transit hub must require a minimum base height of nine stories;

(ii) One-half mile of light rail or a major transit hub must require a minimum base height of six stories; and

(iii) One mile of light rail or a major transit hub must require an average minimum base height of five stories.

(b) No density limits may be imposed within one mile of a light rail or major transit hub, but bulk and height regulations shall be permitted.

(c) All zoning within one-quarter mile of light rail or a major transit hub may allow for zero parking minimums and may not exceed parking maximums as calculated by the King county right size parking calculator.

(2) Buildings within a development project that commits to a minimum of 20 percent affordable units for low and moderate-income households shall be permitted one additional floor beyond the zoning code regulation for that area.

(3) For purposes of this act, "major transit hub" means:

(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems, including transitways;

(d) Stops on bus rapid transit routes or routes that run in high occupancy vehicle lanes; or

(e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays.

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

Any city or county planning under RCW 36.70A.040 must enact sustainable housing programs providing for the development for new, certified sustainable housing as follows:

(1) For areas within one mile of light rail or a major transit hub, cities shall complete a one-time, planned designation which may be updated every five years at the individual city's option to ensure that transportation planning aligns with increased density.

(2) Standards set by local design review boards must allow for buildings constructed with passive house, LEED, or living building challenge certifications.

(3) Cities must create a preferred permit path program. Development projects may apply to the program if 20 percent or more of the housing units produced will be affordable for low or very low-income households, as defined under this chapter, or if they are passive house or living building challenge certified. Development projects accepted to the preferred permit path program must receive an expedited permit processing timeline that may not exceed 120 days. The jurisdiction may establish their own accountability system for determining whether a project will offer affordable housing.

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

A performance fund shall be established for the jurisdictions that achieve affordability goals as set by the sustainable equitable affordable measured board established in section 5 of this act.

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

(1) All new development requirements added to city zoning codes and any change of interpretation of those codes and other requirements shall be analyzed by the jurisdiction for their impact on the cost of housing construction. Each analysis shall include options for cost reductions, cost mitigation, and the minimum increase of costs.

(2) Nothing in this section limits jurisdictions from implementing new rules that increase the cost of new sustainable, equitable, and affordable housing, but rather clarifies what those estimated costs and options to reduce the impact of those increased costs will be.

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

(1) The department shall establish a sustainable equitable affordable measured board and appoint 10 to 20 members with a wide range of relevant experience to provide oversight and guide local jurisdictions in achieving the goals for expeditious sustainable affordable housing.

(2) The sustainable equitable affordable measured board will be organized to work with jurisdictions and stakeholders to establish a statewide plan to achieve sustainable, equitable, and affordable housing for the state of Washington.

(a) The sustainable equitable affordable measured board shall oversee, guide, and measure outcomes of sustainable, equitable, and affordable housing at the state level.

(b) Counties shall work to coordinate with cities within their boundaries to achieve the goals of sustainable, equitable, and affordable housing.

(c) The Puget Sound regional council shall be designated to coordinate oversight for their four-county region.

(3) These entities will track outcomes including, but not limited to, the following:

(a) The number of affordable units built and at what affordability level;

(b) Policy changes made at regional and city levels;

(c) Net tax income achieved by city and state due to increased construction; and

(d) Creation of options for local jurisdictions to choose from that achieve local choice while meeting goals for sustainable, equitable, and affordable housing.

(4) Within two years from the effective date of this section, counties not within the Puget Sound regional council may voluntarily implement these goals. Counties within the Puget Sound regional council with light rail infrastructure shall act with the sustainable equitable affordable measured board to implement these goals. The requirements of sections 3 and 4 of this act shall be implemented within one year of the effective date of this section.

(5) Beginning December 2023, the sustainable equitable affordable measured board shall report annually on progress and recommendations for the next steps to the appropriate committees of the legislature and to the governor. The report shall include key aspects of finance options, replacement of existing affordable housing with new affordable housing, sustainable housing construction techniques, and any other recommendations the sustainable equitable affordable measured board deems of value.

(6) After two years from the effective date of this section, the sustainable equitable affordable measured board's responsibility shall be expanded to require a report to the appropriate committees of the legislature and the governor on solutions for sustainable, equitable, and affordable housing ownership opportunities, including missing middle and equitable ownership opportunities.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**