

---

## Local Government Committee

---

### HB 2020

**Brief Description:** Concerning the creation of affordable and sustainable housing in the state.

**Sponsors:** Representatives Walen, Fitzgibbon, Leavitt, Ramel, Ryu, Macri, Bateman and Lekanoff.

#### Brief Summary of Bill

- Requires cities or counties planning under the Growth Management Act to enact affordable housing programs for the development of low and moderate-income housing units and sustainable housing programs.
- Establishes a performance fund for jurisdictions that achieve affordability goals.
- Requires the Department of Commerce to establish a Sustainable Equitable Affordable Measured Board.

**Hearing Date:** 1/18/22

**Staff:** Elizabeth Allison (786-7129).

#### **Background:**

##### Growth Management Act.

The Growth Management Act (GMA) is the state's comprehensive land use planning framework for counties and cities. The GMA establishes land use designation and environmental protection requirements and planning duties for counties and cities. Some counties and cities are obligated to plan under the GMA based population-based criteria, and others may choose to do so voluntarily. There are 28 counties fully planning under the GMA.

##### Minimum Base Height.

---

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

Base height of a building is the maximum permitted height of the front wall of a building before any required setback.

#### Density Limits.

Density limits are the maximum number of lots or primary residential units allowed.

#### Puget Sound Regional Council.

The Puget Sound Regional Council (PSRC) develops policies and coordinates decisions about regional growth, transportation, and economic development within four counties: King, Pierce, Snohomish, and Kitsap.

### **Summary of Bill:**

#### Affordable Housing Programs.

Cities and counties planning under the GMA must enact affordable housing programs providing for the development of low and moderate-income housing. All residential zoning must require a minimum base height as follows:

- within one-quarter mile of a light rail or major transit hub, a minimum base height of nine stories;
- within one-half mile of a light rail or major transit hub, a minimum base height of six stories; and
- within one mile of a light rail or major transit hub, a minimum base height of five stories.

Cities and counties may not impose any density limits within one mile of a light rail or major transit hub, but bulk and height regulations are allowed. Zero parking minimums and parking maximums are permitted within one-quarter mile of a light rail or major transit hub.

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

A major transit hub is a stop on a high capacity transportation system funded or expanded under high capacity transportation systems; commuter rail stops; stops on rail or fixed guideway systems, including transitways; stops on bus rapid transit routes or routes that run in high occupancy vehicle lanes; or stops for a bus or other transit mode providing actual fixed route service at specific intervals.

#### Sustainable Housing Programs.

Cities and counties planning under the GMA must enact sustainable housing programs providing for the development of new, certified sustainable housing as follows:

- For areas within one mile of light rail or a major transit hub, cities must complete a one-time designation that may be renewed every five years at the cities option to ensure that transportation planning aligns with increased density;
- Standards set by local design review boards must allow for buildings constructed with

passive house, Leadership in Energy and Environmental Design (LEED), or living building challenge certifications; and

- Cities must create a preferred permit path program which allows development projects producing 20 percent or more units affordable for low or very low-income households to receive an expedited permit processing timeline that may not exceed 120 days.

Jurisdictions must analyze all new development requirements added to zoning codes and any change in interpretation of such zoning codes for their impact on the cost of housing construction.

The Department of Commerce (Commerce) must establish a Sustainable Equitable Affordable Measured Board (SEAM Board) to provide oversight and guide jurisdictions in achieving goals for sustainable affordable housing. Commerce must appoint 10-20 members with appropriate expertise to be on the Board.

A performance fund must be established for the jurisdictions that achieve affordability goals set by the SEAM board. The Puget Sound Regional Council must coordinate oversight for their four-county region. The SEAM Board must work with jurisdictions and stakeholders to oversee, guide, and measure outcomes of sustainable, equitable, and affordable housing. The SEAM board must track various outcomes including:

- the number of affordable units built and at what affordability level;
- policy changes made at regional and city levels;
- net tax income achieved by city and state due to increased construction; and
- the creation of options for local jurisdictions to choose from that achieve local choice while meeting goals for sustainable, equitable, and affordable housing.

Counties not within the PSRC may voluntarily implement the goals within two years from the act's effective date. Counties within the PSRC with light rail infrastructure must act with the SEAM Board to implement the goals above. The affordability and sustainability requirements must be implemented within one year of the act's effective date. Beginning December 2023, the SEAM board must report annually to the appropriate committees of the Legislature and the Governor on progress and recommendations. Two years after the act's effective date, the SEAM Board's responsibility is 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.

**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2020.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.