

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2343

66th Legislature
2020 Regular Session

Passed by the House March 7, 2020
Yeas 92 Nays 5

**Speaker of the House of
Representatives**

Passed by the Senate March 3, 2020
Yeas 36 Nays 11

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2343** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2343

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

By House Environment & Energy (originally sponsored by Representatives Fitzgibbon, Frame, Macri, Doglio, Tharinger, and Pollet)

READ FIRST TIME 01/30/20.

1 AN ACT Relating to urban housing supply; amending RCW 36.70A.600,
2 43.21C.495, 36.70A.620, and 36.70A.610; reenacting and amending RCW
3 36.70A.030; and creating a new section.

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

5 **Sec. 1.** RCW 36.70A.600 and 2019 c 348 s 1 are each amended to
6 read as follows:

7 (1) A city planning pursuant to RCW 36.70A.040 is encouraged to
8 take the following actions in order to increase its residential
9 building capacity:

10 (a) Authorize development in one or more areas of not fewer than
11 five hundred acres that include at least one train station served by
12 commuter rail or light rail with an average of at least fifty
13 residential units per acre that require no more than an average of
14 one on-site parking space per two bedrooms in the portions of
15 multifamily zones that are located within the areas;

16 (b) Authorize development in one or more areas of not fewer than
17 ~~((five))~~ two hundred acres in cities with a population greater than
18 forty thousand or not fewer than ~~((two))~~ one hundred ~~((fifty))~~ acres
19 in cities with a population less than forty thousand that include at
20 least one bus stop served by scheduled bus service of at least four
21 times per hour for twelve or more hours per day with an average of at

1 least twenty-five residential units per acre that require no more
2 than an average of one on-site parking space per two bedrooms in
3 portions of the multifamily zones that are located within the areas;

4 (c) Authorize at least one duplex, triplex, quadplex, sixplex,
5 stacked flat, townhouse, or courtyard apartment on each parcel in one
6 or more zoning districts that permit single-family residences unless
7 a city documents a specific infrastructure of physical constraint
8 that would make this requirement unfeasible for a particular parcel;

9 (d) Authorize a duplex, triplex, quadplex, sixplex, stacked flat,
10 townhouse, or courtyard apartment on one or more parcels for which
11 they are not currently authorized;

12 (e) Authorize cluster zoning or lot size averaging in all zoning
13 districts that permit single-family residences;

14 ~~((c) Authorize attached accessory dwelling units on all parcels
15 containing single-family homes where the lot is at least three
16 thousand two hundred square feet in size, and permit both attached
17 and detached accessory dwelling units on all parcels containing
18 single-family homes, provided lots are at least four thousand three
19 hundred fifty-six square feet in size. Qualifying city ordinances or
20 regulations may not provide for on-site parking requirements, owner
21 occupancy requirements, or square footage limitations below one
22 thousand square feet for the accessory dwelling unit, and must not
23 prohibit the separate rental or sale of accessory dwelling units and
24 the primary residence. Cities must set applicable impact fees at no
25 more than the projected impact of the accessory dwelling unit. To
26 allow local flexibility, other than these factors, accessory dwelling
27 units may be subject to such regulations, conditions, procedures, and
28 limitations as determined by the local legislative authority, and
29 must follow all applicable state and federal laws and local
30 ordinances;))~~

31 (f) Adopt a subarea plan pursuant to RCW 43.21C.420;

32 (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii),
33 except that an environmental impact statement pursuant to RCW
34 43.21C.030 is not required for such an action;

35 (h) Adopt increases in categorical exemptions pursuant to RCW
36 43.21C.229 for residential or mixed-use development;

37 (i) Adopt a form-based code in one or more zoning districts that
38 permit residential uses. "Form-based code" means a land development
39 regulation that uses physical form, rather than separation of use, as
40 the organizing principle for the code;

1 (j) Authorize a duplex on each corner lot within all zoning
2 districts that permit single-family residences;

3 (k) Allow for the division or redivision of land into the maximum
4 number of lots through the short subdivision process provided in
5 chapter 58.17 RCW; (~~and~~)

6 (l) Authorize a minimum net density of six dwelling units per
7 acre in all residential zones, where the residential development
8 capacity will increase within the city. For purposes of this
9 subsection, the calculation of net density does not include the
10 square footage of areas that are otherwise prohibited from
11 development, such as critical areas, the area of buffers around
12 critical areas, and the area of roads and similar features;

13 (m) Create one or more zoning districts of medium density in
14 which individual lots may be no larger than three thousand five
15 hundred square feet and single-family residences may be no larger
16 than one thousand two hundred square feet;

17 (n) Authorize accessory dwelling units in one or more zoning
18 districts in which they are currently prohibited;

19 (o) Remove minimum residential parking requirements related to
20 accessory dwelling units;

21 (p) Remove owner occupancy requirements related to accessory
22 dwelling units;

23 (q) Adopt new square footage requirements related to accessory
24 dwelling units that are less restrictive than existing square footage
25 requirements related to accessory dwelling units;

26 (r) Adopt maximum allowable exemption levels in WAC 197-11-800(1)
27 as it existed on the effective date of this section, or such
28 subsequent date as may be provided by the department of ecology by
29 rule, consistent with the purposes of this section;

30 (s) Adopt standards for administrative approval of final plats
31 pursuant to RCW 58.17.100;

32 (t) Adopt ordinances authorizing administrative review of
33 preliminary plats pursuant to RCW 58.17.095;

34 (u) Adopt other permit process improvements where it is
35 demonstrated that the code, development regulation, or ordinance
36 changes will result in a more efficient permit process for customers;

37 (v) Update use matrices and allowable use tables that eliminate
38 conditional use permits and administrative conditional use permits
39 for all housing types, including single-family homes, townhomes,

1 multifamily housing, low-income housing, and senior housing, but
2 excluding essential public facilities;

3 (w) Allow off-street parking to compensate for lack of on-street
4 parking when private roads are utilized or a parking demand study
5 shows that less parking is required for the project;

6 (x) Develop a local program that offers homeowners a combination
7 of financing, design, permitting, or construction support to build
8 accessory dwelling units. A city may condition this program on a
9 requirement to provide the unit for affordable home ownership or rent
10 the accessory dwelling unit for a defined period of time to either
11 tenants in a housing subsidy program as defined in RCW 43.31.605(14)
12 or to tenants whose income is less than eighty percent of the city or
13 county median family income. If the city includes an affordability
14 requirement under the program, it must provide additional incentives,
15 such as:

16 (i) Density bonuses;

17 (ii) Height and bulk bonuses;

18 (iii) Fee waivers or exemptions;

19 (iv) Parking reductions; or

20 (v) Expedited permitting; and

21 (y) Develop a local program that offers homeowners a combination
22 of financing, design, permitting, or construction support to convert
23 a single-family home into a duplex, triplex, or quadplex where those
24 housing types are authorized. A local government may condition this
25 program on a requirement to provide a certain number of units for
26 affordable home ownership or to rent a certain number of the newly
27 created units for a defined period of time to either tenants in a
28 housing subsidy program as defined in RCW 43.31.605(14) or to tenants
29 whose income is less than eighty percent of the city or county median
30 family income. If the city includes an affordability requirement, it
31 must provide additional incentives, such as:

32 (i) Density bonuses;

33 (ii) Height and bulk bonuses;

34 (iii) Fee waivers or exemptions;

35 (iv) Parking reductions; or

36 (v) Expedited permitting.

37 (2) A city planning pursuant to RCW 36.70A.040 may adopt a
38 housing action plan as described in this subsection. The goal of any
39 such housing plan must be to encourage construction of additional
40 affordable and market rate housing in a greater variety of housing

1 types and at prices that are accessible to a greater variety of
2 incomes, including strategies aimed at the for-profit single-family
3 home market. A housing action plan may utilize data compiled pursuant
4 to RCW 36.70A.610. The housing action plan should:

5 (a) Quantify existing and projected housing needs for all income
6 levels, including extremely low-income households, with documentation
7 of housing and household characteristics, and cost-burdened
8 households;

9 (b) Develop strategies to increase the supply of housing, and
10 variety of housing types, needed to serve the housing needs
11 identified in (a) of this subsection;

12 (c) Analyze population and employment trends, with documentation
13 of projections;

14 (d) Consider strategies to minimize displacement of low-income
15 residents resulting from redevelopment;

16 (e) Review and evaluate the current housing element adopted
17 pursuant to RCW 36.70A.070, including an evaluation of success in
18 attaining planned housing types and units, achievement of goals and
19 policies, and implementation of the schedule of programs and actions;

20 (f) Provide for participation and input from community members,
21 community groups, local builders, local realtors, nonprofit housing
22 advocates, and local religious groups; and

23 (g) Include a schedule of programs and actions to implement the
24 recommendations of the housing action plan.

25 (3) If adopted by April 1, (~~2021~~) 2023, ordinances, amendments
26 to development regulations, and other nonproject actions taken by a
27 city to implement the actions specified in subsection (1) of this
28 section, with the exception of the action specified in subsection
29 (1)(f) of this section, are not subject to administrative or judicial
30 appeal under chapter 43.21C RCW.

31 (4) Any action taken by a city prior to April 1, (~~2021~~) 2023,
32 to amend their comprehensive plan, or adopt or amend ordinances or
33 development regulations, solely to enact provisions under subsection
34 (1) of this section is not subject to legal challenge under this
35 chapter.

36 (5) In taking action under subsection (1) of this section, cities
37 are encouraged to utilize strategies that increase residential
38 building capacity in areas with frequent transit service and with the
39 transportation and utility infrastructure that supports the
40 additional residential building capacity.

1 (6) A city (~~with a population over twenty thousand~~) that is
2 planning to take at least two actions under subsection (1) of this
3 section, and that action will occur between July 28, 2019, and April
4 1, 2021, is eligible to apply to the department for planning grant
5 assistance of up to one hundred thousand dollars, subject to the
6 availability of funds appropriated for that purpose. The department
7 shall develop grant criteria to ensure that grant funds awarded are
8 proportionate to the level of effort proposed by a city, and the
9 potential increase in housing supply or regulatory streamlining that
10 could be achieved. Funding may be provided in advance of, and to
11 support, adoption of policies or ordinances consistent with this
12 section. A city can request, and the department may award, more than
13 one hundred thousand dollars for applications that demonstrate
14 extraordinary potential to increase housing supply or regulatory
15 streamlining.

16 (7) A city seeking to develop a housing action plan under
17 subsection (2) of this section is eligible to apply to the department
18 for up to one hundred thousand dollars.

19 (8) The department shall establish grant award amounts under
20 subsections (6) and (7) of this section based on the expected number
21 of cities that will seek grant assistance, to ensure that all cities
22 can receive some level of grant support. If funding capacity allows,
23 the department may consider accepting and funding applications from
24 cities with a population of less than twenty thousand if the actions
25 proposed in the application will create a significant amount of
26 housing capacity or regulatory streamlining and are consistent with
27 the actions in this section.

28 (9) In implementing chapter 348, Laws of 2019, cities are
29 encouraged to prioritize the creation of affordable, inclusive
30 neighborhoods and to consider the risk of residential displacement,
31 particularly in neighborhoods with communities at high risk of
32 displacement.

33 **Sec. 2.** RCW 43.21C.495 and 2019 c 348 s 4 are each amended to
34 read as follows:

35 If adopted by April 1, (~~2021~~) 2023, amendments to development
36 regulations and other nonproject actions taken by a city to implement
37 RCW 36.70A.600 (1) or (4), with the exception of the action specified
38 in RCW 36.70A.600(1)(f), are not subject to administrative or
39 judicial appeals under this chapter.

1 **Sec. 3.** RCW 36.70A.620 and 2019 c 348 s 5 are each amended to
2 read as follows:

3 In counties and cities planning under RCW 36.70A.040, minimum
4 residential parking requirements mandated by municipal zoning
5 ordinances for housing units constructed after July 1, 2019, are
6 subject to the following requirements:

7 (1) For housing units that are affordable to very low-income or
8 extremely low-income individuals and that are located within one-
9 quarter mile of a transit stop that receives transit service at least
10 (~~four~~) two times per hour for twelve or more hours per day, minimum
11 residential parking requirements may be no greater than one parking
12 space per bedroom or .75 space per unit. A city may require a
13 developer to record a covenant that prohibits the rental of a unit
14 subject to this parking restriction for any purpose other than
15 providing for housing for very low-income or extremely low-income
16 individuals. The covenant must address price restrictions and
17 household income limits and policies if the property is converted to
18 a use other than for low-income housing. A city may establish a
19 requirement for the provision of more than one parking space per
20 bedroom or .75 space per unit if the jurisdiction has determined a
21 particular housing unit to be in an area with a lack of access to
22 street parking capacity, physical space impediments, or other reasons
23 supported by evidence that would make on-street parking infeasible
24 for the unit.

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

1 (3) For market rate multifamily housing units that are located
2 within one-quarter mile of a transit stop that receives transit
3 service from at least one route that provides service at least four
4 times per hour for twelve or more hours per day, minimum residential
5 parking requirements may be no greater than one parking space per
6 bedroom or .75 space per unit. A city or county may establish a
7 requirement for the provision of more than one parking space per
8 bedroom or .75 space per unit if the jurisdiction has determined a
9 particular housing unit to be in an area with a lack of access to
10 street parking capacity, physical space impediments, or other reasons
11 supported by evidence that would make on-street parking infeasible
12 for the unit.

13 **Sec. 4.** RCW 36.70A.030 and 2019 c 348 s 2 are each reenacted and
14 amended to read as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout this chapter.

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

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

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

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

32 (3) "Agricultural land" means land primarily devoted to the
33 commercial production of horticultural, viticultural, floricultural,
34 dairy, apiary, vegetable, or animal products or of berries, grain,
35 hay, straw, turf, seed, Christmas trees not subject to the excise tax
36 imposed by RCW 84.33.100 through 84.33.140, finfish in upland
37 hatcheries, or livestock, and that has long-term commercial
38 significance for agricultural production.

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

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

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

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

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

25 (9) "Extremely low-income household" means a single person,
26 family, or unrelated persons living together whose adjusted income is
27 at or below thirty percent of the median household income adjusted
28 for household size, for the county where the household is located, as
29 reported by the United States department of housing and urban
30 development.

31 (10) "Forestland" means land primarily devoted to growing trees
32 for long-term commercial timber production on land that can be
33 economically and practically managed for such production, including
34 Christmas trees subject to the excise tax imposed under RCW 84.33.100
35 through 84.33.140, and that has long-term commercial significance. In
36 determining whether forestland is primarily devoted to growing trees
37 for long-term commercial timber production on land that can be
38 economically and practically managed for such production, the
39 following factors shall be considered: (a) The proximity of the land
40 to urban, suburban, and rural settlements; (b) surrounding parcel

1 size and the compatibility and intensity of adjacent and nearby land
2 uses; (c) long-term local economic conditions that affect the ability
3 to manage for timber production; and (d) the availability of public
4 facilities and services conducive to conversion of forestland to
5 other uses.

6 (11) "Freight rail dependent uses" means buildings and other
7 infrastructure that are used in the fabrication, processing, storage,
8 and transport of goods where the use is dependent on and makes use of
9 an adjacent short line railroad. Such facilities are both urban and
10 rural development for purposes of this chapter. "Freight rail
11 dependent uses" does not include buildings and other infrastructure
12 that are used in the fabrication, processing, storage, and transport
13 of coal, liquefied natural gas, or "crude oil" as defined in RCW
14 90.56.010.

15 (12) "Geologically hazardous areas" means areas that because of
16 their susceptibility to erosion, sliding, earthquake, or other
17 geological events, are not suited to the siting of commercial,
18 residential, or industrial development consistent with public health
19 or safety concerns.

20 (13) "Long-term commercial significance" includes the growing
21 capacity, productivity, and soil composition of the land for long-
22 term commercial production, in consideration with the land's
23 proximity to population areas, and the possibility of more intense
24 uses of the land.

25 (14) "Low-income household" means a single person, family, or
26 unrelated persons living together whose adjusted income is at or
27 below eighty percent of the median household income adjusted for
28 household size, for the county where the household is located, as
29 reported by the United States department of housing and urban
30 development.

31 (15) "Minerals" include gravel, sand, and valuable metallic
32 substances.

33 (16) "Permanent supportive housing" is subsidized, leased housing
34 with no limit on length of stay(~~(, paired with on-site or off-site~~
35 ~~voluntary services designed to support a person living with a~~
36 ~~disability to be a successful tenant in a housing arrangement,~~
37 ~~improve the resident's health status, and connect residents of the~~
38 ~~housing with community-based health care, treatment, and employment~~
39 ~~services)) that prioritizes people who need comprehensive support
40 services to retain tenancy and utilizes admissions practices designed~~

1 to use lower barriers to entry than would be typical for other
2 subsidized or unsubsidized rental housing, especially related to
3 rental history, criminal history, and personal behaviors. Permanent
4 supportive housing is paired with on-site or off-site voluntary
5 services designed to support a person living with a complex and
6 disabling behavioral health or physical health condition who was
7 experiencing homelessness or was at imminent risk of homelessness
8 prior to moving into housing to retain their housing and be a
9 successful tenant in a housing arrangement, improve the resident's
10 health status, and connect the resident of the housing with
11 community-based health care, treatment, or employment services.
12 Permanent supportive housing is subject to all of the rights and
13 responsibilities defined in chapter 59.18 RCW.

14 (17) "Public facilities" include streets, roads, highways,
15 sidewalks, street and road lighting systems, traffic signals,
16 domestic water systems, storm and sanitary sewer systems, parks and
17 recreational facilities, and schools.

18 (18) "Public services" include fire protection and suppression,
19 law enforcement, public health, education, recreation, environmental
20 protection, and other governmental services.

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

27 (20) "Rural character" refers to the patterns of land use and
28 development established by a county in the rural element of its
29 comprehensive plan:

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

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

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

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

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

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

3 (g) That are consistent with the protection of natural surface
4 water flows and groundwater and surface water recharge and discharge
5 areas.

6 (21) "Rural development" refers to development outside the urban
7 growth area and outside agricultural, forest, and mineral resource
8 lands designated pursuant to RCW 36.70A.170. Rural development can
9 consist of a variety of uses and residential densities, including
10 clustered residential development, at levels that are consistent with
11 the preservation of rural character and the requirements of the rural
12 element. Rural development does not refer to agriculture or forestry
13 activities that may be conducted in rural areas.

14 (22) "Rural governmental services" or "rural services" include
15 those public services and public facilities historically and
16 typically delivered at an intensity usually found in rural areas, and
17 may include domestic water systems, fire and police protection
18 services, transportation and public transit services, and other
19 public utilities associated with rural development and normally not
20 associated with urban areas. Rural services do not include storm or
21 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

22 (23) "Short line railroad" means those railroad lines designated
23 class II or class III by the United States surface transportation
24 board.

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

32 (25) "Urban growth" refers to growth that makes intensive use of
33 land for the location of buildings, structures, and impermeable
34 surfaces to such a degree as to be incompatible with the primary use
35 of land for the production of food, other agricultural products, or
36 fiber, or the extraction of mineral resources, rural uses, rural
37 development, and natural resource lands designated pursuant to RCW
38 36.70A.170. A pattern of more intensive rural development, as
39 provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed
40 to spread over wide areas, urban growth typically requires urban

1 governmental services. "Characterized by urban growth" refers to land
2 having urban growth located on it, or to land located in relationship
3 to an area with urban growth on it as to be appropriate for urban
4 growth.

5 (26) "Urban growth areas" means those areas designated by a
6 county pursuant to RCW 36.70A.110.

7 (27) "Very low-income household" means a single person, family,
8 or unrelated persons living together whose adjusted income is at or
9 below fifty percent of the median household income adjusted for
10 household size, for the county where the household is located, as
11 reported by the United States department of housing and urban
12 development.

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

28 NEW SECTION. **Sec. 5.** The department of ecology shall remove
29 parking as an element of the environment within WAC 197-11-444 and as
30 a component of the environmental checklist within WAC 197-11-960, as
31 those sections existed on the effective date of this section, the
32 next time that the department amends rules implementing chapter
33 43.21C RCW after the effective date of this section.

34 **Sec. 6.** RCW 36.70A.610 and 2019 c 348 s 3 are each amended to
35 read as follows:

36 (1) The Washington center for real estate research at the
37 University of Washington shall produce a ~~((report every two years))~~
38 series of reports as described in this section that compiles housing

1 supply and affordability metrics for each city planning under RCW
2 36.70A.040 with a population of ten thousand or more.

3 (a) The initial report, completed by October 15, 2020, must be a
4 compilation of objective criteria relating to (~~development~~
5 ~~regulations, zoning,~~) income, employment, housing and rental prices,
6 housing affordability (~~programs~~) by housing tenure, and other
7 metrics relevant to assessing housing supply and affordability for
8 all income segments, including the percentage of cost-burdened
9 households(~~r~~) of each (~~city subject to the report required by this~~
10 ~~section~~) jurisdiction. This report may also include city-specific
11 median income data for those cities implementing the multifamily tax
12 exemption program under chapter 84.14 RCW.

13 (b) The report completed by October 15, 2021, must include an
14 analysis of the private rental housing market for each area outlining
15 the number of units, vacancy rates, and rents by unit type, where
16 possible. This analysis should separate market rate multifamily
17 rental housing developments and other smaller scale market rate
18 rental housing. This analysis should also incorporate data from the
19 Washington state housing finance commission on subsidized rental
20 housing in the area consistent with the first report under this
21 subsection.

22 (c) The report completed by October 15, 2022, must also include
23 data relating to actions taken by cities under chapter 348, Laws of
24 2019 as well as detailed information on development regulations,
25 levies and fees, and zoning related to housing development.

26 (d) The report completed by October 15, 2024, and every two years
27 thereafter, must also include relevant data relating to buildable
28 lands reports prepared under RCW 36.70A.215, where applicable, and
29 updates to comprehensive plans under this chapter.

30 (2) The Washington center for real estate research shall
31 collaborate with the Washington housing finance commission and the
32 office of financial management to develop the metrics compiled in the
33 (~~report~~) series of reports under this section.

34 (3) The (~~report~~) series of reports under this section must be
35 submitted, consistent with RCW 43.01.036, to the standing committees
36 of the legislature with jurisdiction over housing issues and this
37 chapter.

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