
HOUSE BILL 2020

State of Washington

67th Legislature

2022 Regular Session

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

Read first time 01/17/22. Referred to Committee on Local Government.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
6 RCW to read as follows:

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

10 (a) All residential zoning within:

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

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

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

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

20 (c) All zoning within one-quarter mile of light rail or a major
21 transit hub may allow for zero parking minimums and may not exceed

1 parking maximums as calculated by the King county right size parking
2 calculator.

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

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

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

10 (b) Commuter rail stops;

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

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

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

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A
19 RCW to read as follows:

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

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

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

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

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A
2 RCW to read as follows:

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

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A
7 RCW to read as follows:

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

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

19 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A
20 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

32 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
33 preservation of the public peace, health, or safety, or support of
34 the state government and its existing public institutions, and takes
35 effect immediately.

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