

2SHB 2113 - H AMD 958

By Representative Bateman

NOT CONSIDERED 03/07/2024

1 On page 1, line 9, after "(a)" strike all material through
2 "districts" on page 2, line 4 and insert "A county or city that is
3 required or chooses to plan under RCW 36.70A.040 must submit any
4 housing development regulations to the department for a determination
5 of compliance with the laws and regulations identified in subsection
6 (5) of this section. For the purposes of this section, "housing
7 development regulations" means any development regulations related to
8 the housing element requirements under RCW 36.70A.070(2) including,
9 but not limited to, development regulations related to affordable
10 housing, middle housing, co-living housing, and accessory dwelling
11 units, and any zoning maps and zoning districts. A county or city must
12 submit any housing development regulations adopted or amended after
13 the effective date of this section to the department:

14 (i) Within six months after each comprehensive plan update is due
15 under RCW 36.70A.130;

16 (ii) After any final action to amend, repeal, or replace the
17 housing development regulations; and

18 (iii) After each periodic update required by RCW 36.70A.130"

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20 On page 2, line 30, after "(d)" insert "The department may review
21 regulations previously adopted by the county or city if amendments may
22 be necessary to implement requirements with an effective date after
23 the regulation's adoption, or to implement a housing element during
24 the periodic review required by RCW 36.70A.130.

25 (e)"

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27 On page 3, line 38, after "element;" strike "or"

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2 On page 4, line 3, after "35A.21.430" insert "; or
3 (vii) The requirements related to affordable housing developments
4 in RCW 36.130.020"

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6 On page 5, line 4, after "minimum" strike "50-year" and insert
7 "25-year"

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9 On page 5, line 22, after "program;" insert "or"

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11 On page 5, line 26, after "uses" strike all material through
12 "development" on line 32

13
14 On page 6, line 23, after "minimum" strike "50-year" and insert
15 "25-year"

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17 On page 6, line 32, after "(1)" strike all material through
18 "section" on page 7, line 2 and insert "A county or city that is
19 required or chooses to plan under RCW 36.70A.040 may submit its
20 housing element to the department for approval. The housing element
21 becomes effective when approved by the department as provided in this
22 section. No further review or approval is required under this section
23 until either the next periodic update required by RCW 36.70A.130, or
24 any final action to amend, repeal, or replace the housing element"

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26 On page 8, line 17, after "RCW;" strike "or"

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28 On page 8, line 19, after "map" insert "; or
29 (vii) The requirements related to affordable housing developments
30 in RCW 36.130.020"

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32 On page 22, after line 34, insert the following:

33 "NEW SECTION. Sec. 10. If any provision of this act or its
34 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected."

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4 Correct the title.

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EFFECT: Makes the following changes:

- Modifies the list of development regulations related to housing element requirements in the Growth Management Act, by removing permanent supportive housing, emergency housing, and emergency shelters, and adding affordable housing and co-living housing.
- Allows the Department of Commerce (Commerce) to review existing housing development regulations to implement current laws and regulations during the 120-day notice of intent to apply review period.
- Specifies that a county or city required to or choosing to plan under the Growth Management Act must update its housing development regulations or housing element following comprehensive plan periodic updates or any action to amend, repeal, or replace the regulations or element.
- Allows Commerce to evaluate a county's or city's housing development regulations or housing element for compliance with affordable housing developments.
- Modifies the time period for enforceable restrictions providing affordable or moderate-income housing development units from a minimum period of 50-years to 25-years.
- Removes the limitation on a county's or city's ability to deny an affordable or moderate-income housing development when an impact fee exemption and ordinance were adopted prior to submission of a complete application for land use or building permits.
- Adds a severability clause.

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