

# **SB 5466/HB 1517** **STANDARDS FOR TRANSIT-ORIENTED DEVELOPMENT**

## **THE OBJECTIVE**

Provide zoning standards for housing and commercial uses in urban areas near major state transit investments, and support local governments with flexible implementation and funding.



## **THE OPPORTUNITY**

Last year Washington passed a once-in-a-lifetime transportation funding package that included \$3 billion for transit. The state now has a responsibility to maximize the benefits of that investment.

Meanwhile, the statewide housing shortage is a critical problem that crosses city and county lines, demanding a state-level response.

Finally, while existing housing targets already demand increased growth, pushback can be fierce when individuals oppose change in their neighborhoods. State legislation can provide backup through clear baseline standards for appropriate density near transit investments, while allowing local flexibility and providing support in implementation.

## **THE LEGISLATION: SB 5466 & HB 1517**

**A. Priority Areas: The Station Area and Station Hub.** This legislation applies in two types of districts, *Station Hubs* and *Station Areas*. Generally, a Station Hub is the neighborhood within a 1/4-mile radius of a large transit station, while a Station Area is the neighborhood within a 3/4-mile radius of a busy transit stop *or* a large station. (All Station Hubs are in a Station Area, but not all Station Areas host a Station Hub). These districts are not necessarily perfect circles: they exclude any land that falls outside an urban growth area or lacks direct pedestrian access to transit.

**B. Baseline Density Standards.** This legislation centers around a baseline standard for the densities local governments must allow in Station Areas and Hubs, measuring density using Floor Area Ratio (“FAR”), a building design metric that is commonly used in local codes, planning and architecture. See next page for more background on FAR.

The legislation specifies that cities subject to the Growth Management Act’s planning requirements must allow densities averaging to FAR 4.0 across a Station Area, and to FAR 6.0 across a Station Hub. While cities may accept a blanket, uniform Area- or Hub-wide density, they retain local control through their ability to implement densities *on average*, selecting some transit-adjacent areas for greater density and others for less density, according to local needs and priorities.

These baseline FAR levels are modified for several land uses that are especially critical. A 50% density bonus is granted to housing that is affordable below 60% of area median income (AMI), and to long-term care facilities. Similarly, areas reserved for childcare, small businesses and family-sized units are not counted toward density ceilings.

This legislation *does not* mandate construction of any given density in any given location. It sets minimum densities that cities must allow the private sector and nonprofits to construct in Station Areas and Hubs -- so long as construction is compliant with local critical areas ordinances, local shoreline programs, local minimum lot size and configuration rules, and state historic preservation law.

**B. Other Transit-Area Standards.** The legislation includes two other key rules to compliment these density baselines. Specifically, no Station Area may include areas of exclusionary single-family-only zoning, and no Station Area may be subject to any local requirement that new homes provide off-street vehicle parking (except for persons with disabilities).

**C. Anti-Displacement Protection.** To help ensure that transit-oriented development doesn't exacerbate displacement pressures, the legislation requires any cities who have not yet met the anti-displacement planning requirements of 2022's HB 1220 to complete specified components of that planning within nine months of this legislation's effective date.

**D. Permit Streamlining for Selected Projects.** In light of the state's urgent housing emergency and the dramatic pace of its new transit investments, the legislation creates a carefully targeted categorical exemption to state-mandated SEPA permit review. This exemption applies only to multifamily, mixed-use or commercial projects in a Station Area, and only to projects of density and intensity that have already been locally approved in a comprehensive plan. The exemption also does not apply in instances particularly exempted by Department of Ecology rules.

**E. Additional Support for Cities and Affordable Housing Projects.** This legislation provides a baseline of appropriate density and prohibits enforcement of local code that falls below the baseline; it does not require enactment of any new local code. But the legislation also provides assistance and support to cities that desire to tailor transit-oriented densities to local conditions. It authorizes various state programs and funds of technical assistance, as well as planning and environmental review grants, compliance review and mediation services to assist cities in understanding, adapting to and implementing the transit-oriented density rules that best meet their local needs.

Similarly, the legislation creates a program of state financing assistance for affordable housing within 1/4-mile of rapid transit. Eligible projects will provide at least 100 units of housing and ensure that at least 20% of units remain affordable at or below 80% AMI for at least 99 years.

Floor Area Ratio ("FAR") is a density metric that is calculated by dividing the total floor area permitted for a building by the area of the land parcel(s) on which it is built. It is commonly used in local codes, urban planning and architecture.

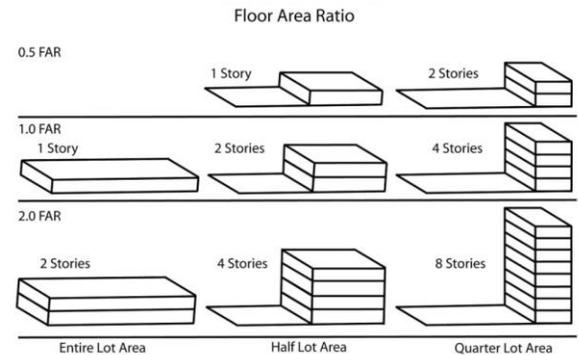


Figure 1. Illustration of floor-area ratio. Source: City of St. Paul.