

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2343**

Chapter 173, Laws of 2020

66th Legislature  
2020 Regular Session

URBAN HOUSING SUPPLY--VARIOUS PROVISIONS

EFFECTIVE DATE: June 11, 2020

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

LAURIE JINKINS

**Speaker of the House of  
Representatives**

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

CYRUS HABIB

**President of the Senate**

Approved March 27, 2020 2:15 PM

JAY INSLEE

**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.

BERNARD DEAN

**Chief Clerk**

FILED

March 27, 2020

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2343**

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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.

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