



March 17, 2023

The Honorable Jessica Bateman  
Washington State House of Representatives  
Olympia, WA

The Honorable Marko Liias  
Washington State Senate  
Olympia, WA

Dear Senator Liias, Representative Bateman,

I am writing on behalf of the American Planning Association, Washington Chapter ([APA-WA](#)) to express **support for both ESHB 1110 and ESSB 5466 and to provide suggestions regarding areas of potential conflict between these two related bills.** Our 1500+ members are planning professionals who advise elected and appointed officials on land use, transportation, economic development, and environmental policy, enforce development regulations, administer the permit process, and provide public information to and engagement with our constituents regarding growth and change to cities, towns, counties, non-profit organizations and more.

APA-WA supports the direction of both of these bills and is submitting this letter with the goal of harmonizing their mutually compatible intent. As the lead authors of these bills, we are contacting you, as well as other prime sponsors, and the committees to which the bills are assigned. Both bills directly respond to multiple [APA-WA 2023 legislative priorities](#) including action on housing affordability, homelessness, and climate change. Our intent with the suggestions below is to encourage a balanced mix of housing choices; maximizing the value of existing and planned transit infrastructure; supporting housing variety in non-transit areas; and overall enhancing affordability in Washington.

1. Definitions between these bills overlap and may lead to confusion if both are passed as written. We recommend consolidating the definitions used in ESHB 1110 and ESSB 5466 Section 2 (20), and Section 2 (15), (19), (20) and (31), respectively, to the following:
  - o Major Transit Stations to apply only to rail stations of all types;
  - o Major Transit Stops apply to Bus Rapid Transit (BRT) and related transit service with significant capital investments;
  - o Frequent Bus Stops (FBS) to remain unchanged;
  - o Station Area is changed to one-half mile, down from three-quarter mile;
  - o Reducing Station Hub to FAR 4.0, and Station Area to FAR 2.5; while
  - o Allowing cities to implement more robust affordability-for-density-bonuses; and
  - o For these definitions to exist identically in both bills.
  - o We suggest combining these changes with adjusted area measurements in ESSB 5466's Station Hubs and Station Areas definitions in Section 5(31) and (32), beginning p. 9, line 15, and removing FBS from Station Areas. The goal summarized in the table below is to create a step-down approach to density, starting at the highest minimum around major rail infrastructure (FAR 4.0), then major bus infrastructure (FAR 2.5), then

frequent bus transit (middle density 6-units), beyond-which ESHB 1110's definitions apply. Where areas overlap, the highest density would apply. This approach is intended to put high-intensity land use around permanent infrastructure and recognize that bus routes using minimal infrastructure are subject to change and adjustment.

|           | Transit Oriented Density            |   | Middle Housing Density                   |                                     |
|-----------|-------------------------------------|---|--|-------------------------------------|
|           | Major Transit Station (Rail stops)  | Major Transit Stop (BRT/RCW 81.104 Bus stops) | Frequent Bus Stop (7d/wk, 10-hr workday) | City/City UGA (per 1110 definition) |
| FAR 4     | 1/4 mile (Hub)                      | N/A   | N/A                                      | N/A                                 |
| FAR 2.5   | 1/2 mile (Area)                     | 1/4 mile (Station Area)                       | N/A                                      | N/A                                 |
| 6 units   | Allowable per ESHB 1110 Definitions | 1/2 mile (1110)                               | 1/2 mile (1110)                          | 1/2 mile 100,000 sf retail space    |
| 2-4 units | ESHB 1110 definitions.              |   |  |                                     |

2. We recommend removing ESSB 5466 Section 5(20)(b), p. 7, line 18, regarding HOV lanes. Current language could be read to include any bus line that connects to outlying cities if it ever uses an HOV lane.
3. We suggest amending ESHB 1110 Section 3(1)(b)(ii), beginning p. 9, line 25, to include 6-unit allowable density for residential units within one-half mile walking distance of a building, shopping center, or business area containing at least 100,000 square feet of retail space. This addition expands ESHB 1110's focus from strictly transit-related density to (commercial) amenity-rich density.
4. We recommend that ESSB 5466 Section 6(2), beginning p. 11, line 1, allow for sale of units to 80% AMI households.
5. We propose including the objective design standards language of ESHB 1110 Section 3(5)(a) through (d), beginning p. 10, line 31, applied to structures built in ESSB 5466 Station Area and Station Hubs.
6. To bring ESHB 5466 into alignment with the policies other funding streams (such as Low-Income Housing Tax Credits), we advise reducing Section 3(3)(a)(iv), beginning p. 3, line 1, to a 50-year affordability covenant.

Thank you for your consideration, please let me know how we can help. Respectfully,



Yorik Stevens-Wajda, AICP  
 President, Washington Chapter of the American Planning Association