

Unlocking Infill: More Housing in More Places

EXPANDING HOUSING OPPORTUNITIES IN VARIOUS ZONES

Getting more affordable housing units on the ground in more zones:

SB 8, passed in 2021, allows development of affordable housing on lands not zoned for residential uses and increases the number of units allowed in zones with deed-restricted affordable housing.

More flexibility to build affordable housing on commercial land:

HB 3395, passed in 2023, allows affordable housing on commercial land, as long as its not in an industrial zones, and provides flexibility based on income levels and mixed-use options. For example, housing that is affordable to a household making 80% to 120% of the area median income can be built on commercial land if commercial use is built on the ground floor of the development.

Allowing affordable housing to be an outright use on certain properties:

HB 3151 bill, passed in 2023, updates the definition of affordable housing to include manufactured home parks and requires local governments to allow affordable housing on properties owned by housing authorities or non-profits.

The definition of affordable housing now includes manufactured home parks that serve households making 120% or less of the area median income. This has the potential for manufactured home parks to be eligible for different zones and higher density standards in line with affordable housing criteria. Zones include residential, commercial, mixed-use districts or public facilities. Land zoned light industrial that is public owned and next to lands zoned for residential use or schools also qualifies.

CONVERTING COMMERCIAL BUILDINGS INTO HOUSING UNITS

HB 2984, passed in 2023, means a city can allow a developer to convert a commercial building into residential housing without doing extra steps in the land use process, such as a zone change or conditional use permit. The bill does not allow this in land zoned for industrial uses or public facilities.

STREAMLINING THE DEVELOPMENT PROCESS

More flexibility during the application process for developers:

SB 1537, which will go into effect on Jan. 1, 2025, Offers more flexibility during the application process for developers, including adjustments to development standards and the ability to "opt-in" to new city standards adopted after an application is submitted. Some examples of what a developer could request include reducing bicycle parking or certain setbacks.

This bill also allows a developer to "opt in" to a city's standards and criteria that were adopted after an application was submitted. For example, say a developer submitted an application for a housing project at a time where 35-foot buildings were not permitted in a certain zone, but then a few months later a City passes new codes to allow for 35-foot buildings in that zone. This bill would allow the developer to opt-in to using the newer codes so the housing project could be built up to 35 feet tall and therefore include more housing units. Adjustments will sunset on Jan. 2, 2032.

