

HOUSE BILL REPORT

HB 1401

As Reported by House Committee On:

Housing

Title: An act relating to cities and counties creating a simple, standardized housing permit process for affordable housing units in areas designated for housing.

Brief Description: Allowing cities and counties to create a simple, standardized housing permit process for affordable housing units in areas designated for housing.

Sponsors: Representatives Jacobsen, Griffey, Bronoske, Goehner, Chapman, Volz, Couture, Abbarno, Chambers, Klicker, Tharinger, Barkis, Christian, Stokesbary, Eslick, Walen and Cheney.

Brief History:

Committee Activity:

Housing: 1/30/23, 2/2/23 [DP].

Brief Summary of Bill

- Specifies that all cities and counties may adopt regulations that create a simple, low-cost, expedited permit process for development of single-family, duplex, triplex, or accessory dwelling housing units with less than 1,801 square feet per unit in locations designated for residential housing.
- Requires cities and counties that adopt an expedited permit process to count the number of housing units built and report the amount to the Department of Commerce (Commerce).
- Requires Commerce to post a report on its website detailing the total number of housing units built as reported by cities and counties.

HOUSE COMMITTEE ON HOUSING

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass. Signed by 13 members: Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis, Bateman, Chopp, Entenman, Hutchins, Low, Reed and Taylor.

Staff: Serena Dolly (786-7150).

Background:

Before developing land, a developer must obtain permits from the local government that allow the development. These permits can include land use permits, environmental permits, building permits, and others, and are known as project permits. All counties and cities are required to combine the environmental review process with the project permit review process.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes a wide array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes referred to as fully planning under the GMA.

When a fully planning county or city is reviewing a project, its comprehensive plan and development regulations must serve as the basis for the project permit review. In determining if a proposed project is consistent with the comprehensive plan and development regulations, the county or city must consider the type of land use, the level of development or density proposed, and the availability of infrastructure needed to service the development.

Fully planning counties and cities must comply with additional project permit processing requirements, including establishing an integrated or consolidated permit process that:

- provides for a written determination of completion to an applicant within 28 days of receipt of the application;
- provides for notice of the application to the public, and to relevant departments and agencies, within 14 days of the determination of completeness;
- provides for an optional consolidated process for reviewing two or more project permit applications relating to a proposed project as part of a single process, with a designated permit coordinator for all of the project permits and allowing no more than one open record hearing and one closed record appeal on the project;
- allows any required open record hearing or public meeting on the project to be combined with any other public meeting or hearing that may be held on the project by another agency;
- provides for a single report containing all of the decisions made on all project permits included in the consolidated process, as well as any recommendations on project permits that do not require an open record predecision hearing and any mitigation

- required under the State Environmental Policy Act;
- requires no more than one consolidated open record hearing on appeal if the local government allows appeals; and
- requires a notice of decision on the project permit within 120 days, unless the county or city has adopted a longer time period after making written findings that a longer time period is required to process a specific application or project type.

Counties and cities that do not plan under the GMA may choose to incorporate some or all of the integrated or consolidated permit process into their permitting processes.

Summary of Bill:

All counties and cities may adopt development regulations that create a simple, low-cost, expedited permit process for development of single-family, duplex, triplex, or accessory dwelling housing units with less than 1,801 square feet per unit for property within cities or urban growth areas designated for residential housing.

The expedited permit process should:

- make it easy for an applicant to be able to submit and receive approval for all permits required to build housing units; and
- lower costs and simplify the building of housing units tailored to be priced for extremely low-income, low-income, or moderate-income households.

Counties and cities that adopt an expedited permitting process must count the number of housing units built under the expedited process and report the amount to the Department of Commerce (Commerce) by March 30 of the following year. The report must include all housing units completed for occupancy from January 1 to December 31.

By June 30 of the year the data is provided, Commerce must post a report on its website detailing the total number of housing units built as reported by counties and cities. The website must be updated at least annually with the most recent information.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) An expedited permitting process will save builders money and decrease housing costs. Fewer small starter homes are being built because regulatory requirements and permit delays are increasing housing costs. This bill will help first-time homebuyers purchase a home.

(Opposed) None.

(Other) Cities and counties already have authority to establish an expedited permitting process but do not have the funding to do so. State law requires permit fees to cover the cost of processing the permits, and local governments do not have other funds to devote to expedited permitting. The bill should provide funding or specific flexibilities to cities and counties.

Persons Testifying: (In support) Representative Cyndy Jacobsen, prime sponsor; and Bill Stauffacher, Building Industry Association of Washington.

(Other) Paul Jewell, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying: None.