

SENATE BILL REPORT

SB 5729

As Reported by Senate Committee On:
Housing, February 21, 2025

Title: An act relating to encouraging construction of affordable housing by streamlining the permitting process.

Brief Description: Encouraging construction of affordable housing by streamlining the permitting process.

Sponsors: Senators Gildon, Dozier and Fortunato.

Brief History:

Committee Activity: Housing: 2/19/25, 2/21/25 [DP].

Brief Summary of Bill

- Deems a building permit complete if prepared, stamped, and signed by a professional engineer or architect under specified conditions.
- Deems a project permit application approved following three reviews or requests for additional information by the local government unless clear violation of substantive and procedural requirements is demonstrated.
- Excludes project permits of certain types of construction from state project review laws.

SENATE COMMITTEE ON HOUSING

Majority Report: Do pass.

Signed by Senators Bateman, Chair; Alvarado, Vice Chair; Goehner, Ranking Member; Gildon, Orwall, Salomon and Trudeau.

Staff: Benjamin Omdal (786-7442)

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.

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

The GMA directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA.

Project Permit Process. Before developing land, a developer must obtain permits from the local government allowing the development. These permits can include land use permits, environmental permits, building permits, and others, and are known as project permits. When a county or city planning under the GMA is reviewing a project, its comprehensive plan and development regulations must serve as the basis for the project permit review.

Summary of Bill: Permit Completion and Approval. Any building permit application in a fully planning jurisdiction submitted with plans, computations, or specifications prepared, stamped, and signed by a professional engineer or architect is deemed complete by a city or county building department (department).

The professional engineer or architect must maintain professional liability errors and omissions insurance in an amount of not less than \$1 million and be licensed under the laws of the state of Washington.

The department may review the application for general compliance with the zoning or other land use control ordinances in effect and may not impose substantial modification or conditions on submittals prepared, stamped, and signed by a licensed architect, landscape architect, soils engineer, civil engineer, structural engineer, or combination thereof.

A project permit application that is consistent with adopted development regulations and within the capacity of system-wide infrastructure improvement is deemed approved following three reviews or requests for additional information by the local government unless clear violation of substantive and procedural requirements is demonstrated by the reviewing local government.

Excluded Project Permits. A local government, by ordinance or resolution, must exclude the following project permits from state law governing project permits in fully planning jurisdictions:

- the expansion or remodeling of existing buildings, structures, or development, provided the alterations do not modify the existing site layout, are not located in a critical area, or in cases where two or more duplexes will be built on the same lot;

- the project involves no exterior work adding to the building footprint;
- the door or window adjustments or replacements are allowed with no site plan needed; and
- total additions and alterations and detached accessory structures are less than 2000 square feet in area without new vehicular access.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The bill provides clarity for builders by allowing three reviews. Improving housing building permit timelines helps the entire ecosystem of building and development. The bill responsibly shifts some of the permit load onto professionals. Providing certainty for builders helps both builders and local government officials.

OTHER: A project approved under this bill may conflict with the Shoreline Management Act provisions and critical area laws.

Persons Testifying: PRO: Senator Chris Gildon, Prime Sponsor; Alex Hur, Master Builders Association of King and Snohomish Counties; Riley Benge, Washington REALTORS; Andrea Smiley, Building Industry Association of Washington.

OTHER: Samantha Weinstein, Department of Ecology.

Persons Signed In To Testify But Not Testifying: No one.