



Comparison of bills intended to address affordable housing

Implementation timelines

Cities asked that significant code changes go into effect with the next comprehensive plan update.

HB 1110 Middle housing	HB 1337 ADUs	HB 1293 Design review	HB 1042 Converting buildings	SB 5058 It's not a condo!	SB 5290 Local project review	SB 5412 SEPA exemption	SB 5258
Six months after its next periodic comprehensive plan update required under RCW 36.70A.130 based on 2020 population;	Six months after its next periodic comprehensive plan update required under RCW 36.70A.130;	Six months after its next periodic comprehensive plan update required under RCW 36.70A.130;	Six months after its next periodic comprehensive plan update required under RCW 36.70A.130	Effective date of July 22, 2023.	Various.	Various.	Six months after its next periodic comprehensive plan update required under RCW 36.70A.130

Transit stop definition

HB 1110 – Middle housing	HB 1337 – ADUs
(20) “Major transit stop” (a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems, including transitways; or (d) Stops on bus rapid transit routes.	Does not amend existing law: (8) “Major transit stop” (b) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW; (b) Commuter rail stops; (c) Stops on rail or fixed guideway systems, including transitways; or (d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or (e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

Distance from transit

Each of the proposals varies in the distance from a major transit stop that the statewide policy would apply.

HB 1110 – Middle housing	HB 1337 – ADUs
Cities at least 25,000 – ¼ mile walking distance of major transit	½ mile of a major transit stop (prohibition of parking requirement)

Administrative design review

HB 1110 – Middle housing	HB 1337 – ADUs	HB 1293 – Design review
<p>Applies throughout chapter: "Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.</p> <p>(6)(a) If applying design review for middle housing, only administrative design review shall be required;</p>	<p>A city or county may not impose ... requirements for design review for accessory dwelling units that are more restrictive than those for principal units.</p>	<p>(1) For purposes of this section, "design review" means a formally adopted local government process by which projects are reviewed for compliance with design standards for the type of use adopted through local ordinance. (2) Except as provided in subsection (3) of this section, counties and cities planning under RCW 36.70A.040 may apply in any design review process only clear and objective development regulations governing the exterior design of new development.</p> <p>For purposes of this section, a clear and objective development regulation: (a) Must include one or more ascertainable guideline, standard, or criterion by which an applicant can determine whether a given building design is permissible under that development regulation; and (b) May not result in a reduction in density, height, bulk, or scale below the generally applicable development regulations for a development proposal in the applicable zone. (3) The provisions of subsection (2) of this section do not apply to development regulations that apply only to designated landmarks or historic districts established under a local preservation ordinance. (4) Any design review process must be conducted concurrently, or otherwise logically integrated, with the consolidated review and decision process for project permits set forth in RCW 36.70B.120(3), and no design review process may include more than one public meeting within the meaning of RCW 36.70B.020</p>

Development regulations

HB 1110 – Middle housing	HB 1042 – Converting buildings	SB 5290 – Local project review	SB 5258
<p>Except as provided in (a) of this subsection, shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including but not limited to, set-back, lot coverage, stormwater, clearing, and tree canopy and retention requirements to ensure compliance with existing ordinances intended to protect critical areas and public health and safety;</p> <p>Shall apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW;</p>	<p>May not:</p> <p>(a) Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone 24 that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building</p> <p>(c) With the exception of emergency housing and transitional housing uses, impose permitting requirements on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone</p> <p>(d) Impose design standard requirements, including setbacks, lot coverage, and floor area ratio requirements, on the use of an existing building for residential purposes beyond those requirements generally applicable to all residential development within the building's zone;</p> <p>(e) Impose exterior design or architectural requirements on the residential use of an existing building beyond those necessary for health and safety of the use of the interior of the building, unless the building is a designated landmark or is within a historic district established through local preservation ordinance.</p>	<p>Section 7 for mandatory provisions on permit timelines and review process.</p> <p>Section 8 for voluntary provisions until 2026 and then “mandatory choice” if conditions apply.</p>	<p>Sec. 10 on impact fees. Effective date of six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130.</p> <p>Sec. 11 on short plat regulations. Effective date of July 22, 2023.</p>

Parking restrictions

HB 1110	HB 1337	HB 1042
<p>(6)(d) Shall not require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop;</p> <p>(e) Shall not require more than one off-street parking per unit as a condition of permitting development of middle housing on lots smaller than 6,000 square feet before any zero lot line subdivisions or lot split;</p> <p>(f) Shall not require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot split.</p> <p>(7) The provisions of subsection (6)(d) through (f) of this section do not apply:</p> <p>(a) If a local government submits to the department an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of subsection (6)(d) through (f) of this section for middle housing will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities on items to include in the study; or</p> <p>(b) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.</p>	<p>Same as HB 1110 except replaces "middle housing" with "ADU."</p>	<p>The city may not impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added.</p> <p>However, may not:</p> <p>(h) Deny a building permit application for the addition of housing units to an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area;</p>

SEPA exemptions

HB 1110	SB 5412
<p>Section 12 amends RCW 43.21C.450 (nonproject)</p> <p>(5) Amendments to development regulations to remove requirements for parking from development proposed to fill in an urban growth area designated according to RCW 36.70A.110.</p>	<p>Section 1 amends RCW 43.21C.229</p> <p>[Made changes to underlying law that applies to all categorical exemptions then added a new exemption, with criteria, in subsection (3) for all project actions that propose to develop one or more residential housing units within the incorporated areas in an urban growth area growth area.]</p>