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**HOUSE BILL 1096**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Barkis, Ryu, Connors, Leavitt, and Klicker

Prefiled 12/19/24.

1 AN ACT Relating to increasing housing options through lot  
2 splitting; adding a new section to chapter 58.17 RCW; and creating a  
3 new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that allowing an  
6 existing residential lot to be split to create a new residential lot  
7 through a simple, administrative process can offer many advantages to  
8 both the existing homeowner and to prospective homebuyers. The  
9 legislature further finds that administrative lot splitting can  
10 provide current owners the opportunity to maintain homeownership in  
11 changing life circumstances while facilitating development of middle  
12 housing to provide homebuyers, including first-time homebuyers, with  
13 more affordable ownership opportunities. The legislature also finds  
14 that lot splitting can be combined with the review of a residential  
15 building permit application to create a single integrated process  
16 benefiting both homeowners and cities. Therefore, it is the intent  
17 of the legislature to ease restrictions on, and expand opportunities  
18 for, lot splitting in certain cities planning under chapter 36.70A  
19 RCW, the growth management act.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 58.17

2    RCW to read as follows:

3        (1)    Cities required to comply with the minimum density  
4    requirements under RCW 36.70A.635 shall include in their short plat  
5    regulations a process through which an applicant can seek  
6    simultaneous review and approval of an administrative lot split and  
7    residential building permit to create new middle housing, as defined  
8    in RCW 36.70A.030, or single-family housing. The application process  
9    may require only an administrative decision, through which the  
10   application is reviewed, approved, or denied by the planning director  
11   or the planning director's designee based on applicable development  
12   standards without a predecision public hearing. A new buildable  
13   residential lot and residential building permit must be  
14   administratively approved and is not subject to appeal if the  
15   following conditions are met:

16        (a)    No more than one new lot is created through an administrative  
17   lot split;

18        (b)    Both the parent lot and the new lot meet the applicable  
19   minimum lot size allowed under RCW 36.70A.635;

20        (c)    The parent lot was not created through the splitting of a  
21   single-family residential lot authorized by this section;

22        (d)    The parent lot is not located in a zone that primarily allows  
23   nonresidential uses, such as business, commercial, retail, or  
24   industrial;

25        (e)    The lot split would not require demolition or alteration of  
26   any existing housing that is rent restricted, is rent subsidized, or  
27   has been occupied by a tenant paying market-rate rent within the  
28   preceding 12 months;

29        (f)    The applicable sewer and water purveyors have issued  
30   certificates of availability to serve the newly created lot and  
31   dwelling unit; and

32        (g)    Access rights are granted or conveyed as necessary on or  
33   before recording of the lot split survey to provide access for the  
34   maximum number of dwelling units that would be developed on the newly  
35   created lot, provided such access rights may be reduced consistent  
36   with a city's adopted codes, regulations, or design standards as  
37   applicable through review of a subsequent application for a building  
38   permit, short subdivision, unit lot subdivision, subdivision  
39   application, or short subdivision if less than the maximum number of  
40   dwelling units are built on the newly created lot.

1 (2) A proposed lot split may be conditioned upon dedication of  
2 right-of-way on the parent lot to the extent such dedication is  
3 required under applicable codes, regulations, and design standards  
4 for the development, short plat, or subdivision of the parent lot  
5 absent an administrative lot split. Development of dwellings on the  
6 newly created lot may be conditioned upon construction of frontage  
7 improvements to a right-of-way adjacent to either the parent parcel  
8 or the newly created lot to the extent required under applicable  
9 codes, regulations, and design standards.

10 (3) Any construction on the resulting lot is subject to all  
11 existing state and local laws unless otherwise specified in this  
12 section. Nothing in this section modifies the requirements for  
13 approval of residential building permits in chapter 19.27 RCW.

14 (4) A city subject to the requirements of this section may not  
15 impose a limit on the total number of dwelling units allowed on the  
16 parent lot or new residential lot that is less than the number of  
17 dwelling units allowed by the underlying zoning of the parent lot  
18 prior to the administrative lot split.

19 (5) Notwithstanding the provisions of this section, a city must  
20 deny an application for an administrative lot split if the parent lot  
21 or the newly created lot would not have sufficient developable land  
22 for the proposed new dwelling because of the presence of critical  
23 areas or their buffers on the lot.

24 (6) For the purposes of this section:

25 (a) "Lot split" means the administrative process of dividing an  
26 existing lot into two lots for the purpose of sale, lease, or  
27 transfer of ownership pursuant to this section.

28 (b) "Lot split survey" means the final survey prepared for filing  
29 for record with the county auditor and containing all elements and  
30 requirements for a lot split under this section and any local  
31 regulations.

32 (c) "Parent lot" means a lot that is subjected to a lot split  
33 under this section.

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