

# HOUSE BILL REPORT

## HB 1085

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### As Passed Legislature

**Title:** An act relating to regulation of the minimum dimensions of habitable spaces in single-family residential buildings.

**Brief Description:** Regulating the minimum dimensions of habitable spaces in single-family residential areas.

**Sponsors:** Representatives Blake, Vick, Walsh, Chapman, Buys and McBride.

#### **Brief History:**

##### **Committee Activity:**

Community Development, Housing & Tribal Affairs: 1/26/17, 2/1/17 [DP].

##### **Floor Activity:**

Passed House: 1/24/18, 97-0.

Passed Senate: 2/27/18, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Permits cities and counties to eliminate any minimum floor space requirements for single family detached homes, or reduce any such standards below any minimum standards in the State Building Code.

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### HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

**Majority Report:** Do pass. Signed by 7 members: Representatives Ryu, Chair; Macri, Vice Chair; McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin, Reeves and Sawyer.

**Staff:** Sean Flynn (786-7124).

#### **Background:**

The State Building Code (SBC) provides a set of statewide standards and requirements related to building construction. The SBC is comprised of various international model codes,

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including building, residential, fire, and plumbing codes (model codes) adopted by reference by the Legislature. The model codes are promulgated by the International Code Council.

The State Building Code Council (SBCC) is responsible for adopting, amending, and maintaining the SBC. The SBCC must regularly review updated versions of the model codes and adopt a process for reviewing proposed statewide and local amendments. Cities and counties may amend the SBC as applied within their jurisdiction, except that amendments may not be below minimum performance standards, and no amendment affecting single or multifamily residential buildings may be effective until approved by the SBCC.

The International Residential Code (IRC) is one of the model codes adopted by the Legislature. The IRC creates minimum standards for one or two family dwellings. The current version of the IRC, last adopted in 2015, requires that habitable rooms (except kitchens) must have a floor area of at least 70 square feet and must be at least 7 feet wide.

#### Local Development Regulations.

Cities and counties engaging in comprehensive planning may enact ordinances regulating the use of land and zoning certain development and activities. Such regulations generally include: the location, construction and size of buildings for residence, industry, trade, and other purposes; the height, construction, and design of buildings and structures; the size of yards, open spaces, lots, and tracts; the density of population; the set-back of buildings; and the subdivision and development of land.

#### **Summary of Bill:**

The governing body of a city or county may eliminate any minimum floor space requirements for single-family detached dwellings, or reduce requirements below the minimum standards in the SBC.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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) This bill offers flexibility for local governments to permit and encourage small housing development. As property values continue to increase and outpace family incomes, especially for low-income families, affordable housing options become harder to find.

The small home market can help to increase affordable housing availability in many communities, especially in small towns and rural areas.

The authorization in this bill does not interfere with local zoning requirements or otherwise prevent local control over land use planning. It simply gives local governments the option to allow small home development where appropriate for their jurisdiction.

(Opposed) None.

**Persons Testifying:** Representative Blake, prime sponsor; and Deborah Peterson.

**Persons Signed In To Testify But Not Testifying:** None.