

VETO MESSAGE ON HB 1085

March 28, 2018

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 1,
House Bill No. 1085 entitled:

"AN ACT Relating to regulation of the minimum
dimensions of habitable spaces in single-family
residential buildings."

House Bill 1085 authorizes the governing body of a city or county to adopt ordinances eliminating floor space requirements for single-family dwellings or reduce the requirements for floor space below the minimum gross floor area standards of the state building code. Currently, the state building code requires that habitable rooms have a minimum floor area of at least 70 square feet and must be at least seven feet wide. While I support the broader intent of this legislation, which allows for ecologically sustainable and affordable small home construction, I am concerned that Section 1 establishes legislative intent and precedent to create exemptions to the building code standards, without considering how these exemptions will be implemented consistently by local governments.

The Washington State Building Codes [Code] Council adopts statewide residential construction standards in consultation with technical experts, after rigorous review of international best practices. Smaller sleeping and living spaces should only be allowed after a rigorous review to ensure safety and health of occupants. I am asking the Council to develop, through a technical advisory group or other such means, appropriate guidance for consideration by local jurisdictions in implementation of this statute so that life, health and safety considerations are properly addressed when square footage of habitable space is reduced.

I encourage the local jurisdictions to request opinions from the State Building Codes [Code] Council with respect to reducing gross floor area requirements as they relate to other performance standards and objectives. This guidance will be beneficial to local officials in determining how best to adopt any proposed reduction to minimum gross floor area requirements while ensuring occupant health, safety and quality of life.

For these reasons I have vetoed Section 1 of House Bill No. 1085.

With the exception of Section 1, House Bill No. 1085 is approved.

Respectfully submitted,
Jay Inslee
Governor