H-0266.1

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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

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

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

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

NEW SECTION. **Sec.**  A new section is added to chapter 58.17 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(6) For the purposes of this section:

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

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

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

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