

HOUSE BILL REPORT

HB 1026

As Reported by House Committee On:
Housing

Title: An act relating to local government design review.

Brief Description: Concerning local government design review.

Sponsors: Representatives Walen, Duerr, Bateman, Reed, Fitzgibbon, Ramel, Peterson, Macri, Tharinger, Wylie and Santos.

Brief History:

Committee Activity:

Housing: 1/10/23, 1/19/23 [DPS].

Brief Summary of Substitute Bill

- Requires any design review of housing development permit applications to be conducted administratively by local government employees, unless the structure or district is listed on a local, state, or federal historic register.

HOUSE COMMITTEE ON HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis, Bateman, Chopp, Entenman, Hutchins, Low, Reed and Taylor.

Staff: Serena Dolly (786-7150).

Background:

Growth Management Act.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes said to be "fully planning" under the GMA.

The GMA directs fully planning jurisdictions to adopt internally consistent, comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA. In developing their comprehensive plans, counties and cities must consider various goals set forth in statute.

Cities and counties that do not fully plan under the GMA may, under the state's optional planning statutes, adopt comprehensive plans, zoning ordinances, and other official controls regulating land uses within their boundaries.

Design Review.

Design review is 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. Design review focuses on the appearance of new construction, site planning, and items such as landscaping, signage, and other aesthetic issues.

A design element is an optional element of a comprehensive plan, and many jurisdictions have included design elements in their comprehensive plans.

Some jurisdictions have created design review boards to evaluate projects. The boards may include volunteers with backgrounds in architecture, urban design, and planning. Other jurisdictions rely on staff to conduct an administrative review of designs or employ a hybrid process, in which some project designs are approved administratively, and others are approved by a design review board.

Summary of Substitute Bill:

A GMA planning jurisdiction may only require an administrative design review to determine compliance of a housing development permit application with design standards, unless the structure or district is listed on a local, state, or federal historic register. An administrative design review must be solely conducted by local government employees without either a public meeting or review by an external board.

Substitute Bill Compared to Original Bill:

The original bill requires all design review of a housing development to be conducted administratively by local government employees. The substitute bill provides an exemption for structures or districts listed on a local, state, or national historic register.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: 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 removes a barrier to the development of housing. A jurisdiction can establish clear, objective design standards that staff can review for compliance. Unelected volunteer boards create unnecessary barriers and delays to the development of housing. A developer never knows how much time a design review process may take, and a long review increases the cost of a project. One city's design review board requires architects to develop three different designs for each project. The issue is not about health and safety but instead color swatches.

(Opposed) None.

Persons Testifying: Representative Amy Walen, prime sponsor; Josie Cummings, Building Industry Association of Washington; Todd Beyreuther, Mercer Mass Timber LLC; Mike Ennis, Association of Washington Business; Dan Bertolet, Sightline Institute; Bill Clarke, Washington Realtors; and Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.