
Local Government Committee

HB 1160

Brief Description: Concerning local government design review.

Sponsors: Representatives Walen, Ramel, Leavitt and Duerr.

Brief Summary of Bill

- Removes requirements related to design review by cities and counties planning under the Growth Management Act (GMA), including that only clear and objective development regulations apply in design review proceedings.
- Limits design review of a housing development permit application by cities and counties planning under the GMA to administrative design review, with certain exceptions, and prohibits these cities and counties from requiring more than a single architectural drawing as a prerequisite to permit review.

Hearing Date: 1/28/25

Staff: Kellen Wright (786-7134).

Background:

The Growth Management Act.

The Growth Management Act (GMA) requires that certain counties, and the cities within those counties, engage in planning for future population growth. Currently, 28 counties, and the cities within those counties, are required or choose to plan under the GMA, while 11 counties, and the cities within those counties, do not fully plan under the GMA. The centerpiece of the planning process is the comprehensive plan. Comprehensive plans must be updated every 10 years.

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.

Counties and cities planning under the GMA that meet certain population, growth, or density criteria must also submit an implementation progress report on the implementation of the comprehensive plan and compliance with certain legislative directives five years after their comprehensive plan has been updated.

Design Review.

Before developing land, a developer must obtain permits from the local government allowing the development. These permits can include land use permits, environmental permits, building permits, and others, and are known as project permits.

One aspect of the permit review process may include design review. During design review, projects are reviewed for compliance with design standards adopted by a local government. Generally, these standards are meant to ensure that new development fits in architecturally and aesthetically with existing development or with other new developments in the same area.

For counties and cities that plan under the GMA, design review outside of historic districts or designated landmarks must be guided by clear and objective development regulations. These regulations must include at least one ascertainable standard by which an applicant can determine whether a building design would be permissible, and the regulations cannot require a reduction of the density, height, bulk, or scale of the building below what is generally allowed in the development's zoning district.

The process for conducting design review can vary. In some counties and cities, the design review is conducted by design review boards, and can include public hearings. No more than one public design review hearing can be required in counties and cities that plan under the GMA. In other cities or counties, or for other projects, the design review may be conducted administratively. Under administrative design review, an application is reviewed by the planning director or a designee based on objective design and development standards, and does not include a predecision public hearing unless required by state or federal law.

For those counties and cities planning under the GMA, only administrative design review can be required on middle housing development projects.

Architectural drawings are often required to be submitted along with a development permit application. These drawings can include site plans, floor plans, and elevation drawings, among others. Multiple copies of the drawings may be required to be submitted with the application.

Summary of Bill:

The requirements that counties and cities planning under the GMA utilize clear and objective development regulations to guide design review decision and provide at least one ascertainable standard for determining if a building design is permissible are repealed. So, too, is the prohibition on design review regulations that result in reducing the density, height, bulk, or scale of a building below what is generally allowed in the zone.

When reviewing a housing development permit application, counties and cities planning under the GMA may not require more than administrative design review, unless additional review is required by state or federal law, or the development involves the alteration or removal of a structure that is a designated landmark or within a historic district. Counties and cities planning under the GMA must comply with this limitation within six months of their next comprehensive plan update or implementation progress report, whichever is sooner.

Counties and cities planning under the GMA may not require the submission of more than one architectural drawing as a prerequisite to the review of a housing development permit application.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.