

SENATE BILL REPORT

SB 5249

As Reported by Senate Committee On:
Housing, February 21, 2025

Title: An act relating to siting kit homes.

Brief Description: Concerning siting kit homes.

Sponsors: Senators Wilson, J. and Chapman.

Brief History:

Committee Activity: Housing: 1/24/25, 2/21/25 [DPS-WM].

Brief Summary of First Substitute Bill

- Allows the use of kit homes as emergency housing provided that the city or county adopts by ordinance or other actions a process for inspecting the kit homes at least every five years to ensure it meets sufficient life, health, and safety standards to be utilized as housing.

SENATE COMMITTEE ON HOUSING

Majority Report: That Substitute Senate Bill No. 5249 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Bateman, Chair; Alvarado, Vice Chair; Goehner, Ranking Member; Gildon, Orwall, Salomon and Trudeau.

Staff: Melissa Van Gorkom (786-7491)

Background: The State Building Code Council. The State Building Code Council (SBCC) is responsible for adopting and updating the State Building Code (Code), which provides minimum construction, mechanical, fire, plumbing, and energy code requirements for buildings in Washington. The Code consists of certain model codes, such as the International Building Code, as adopted and amended by the SBCC for use in Washington.

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 (local governments) may amend the Code as it applies within the local government to impose requirements that exceed those provided for in the Code, but cannot lower the requirements, with limited exceptions.

Factory Built Housing. The Department of Labor & Industries (L&I) regulates factory built housing which include any structure designed primarily for human occupancy, other than a manufactured or mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site. L&I must adopt and enforce rules that protect the health, safety, and property of the people of this state by assuring that all factory built housing are structurally sound and that the plumbing, heating, electrical, and other components thereof are reasonably safe. Factory-built housing may not be installed in the state unless it is approved by and bears an insignia of approval from L&I.

Local Development Regulations. Local governments 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 (First Substitute): Local governments may permit the use of kit homes which have been constructed in a factory and designed to sufficient life, health, and safety standards to be utilized as emergency housing provided that the municipality adopts by ordinance or other actions a process for inspecting the kit home at least every five years to ensure they meet sufficient life, health, and safety standards.

Cities may site kit homes in any zones that allow single-family or other residential uses as well as in other limited development space for the purpose of emergency housing.

Counties may permit kit homes in zones or areas designated residential. In areas not zoned for permanent housing, but in which emergency housing is needed, counties may permit either the construction or placement, or both, of kit homes.

Kit homes may be permitted for a limited time provided that the city or county adopts by ordinance or other actions a process for inspecting the kit home at least every five years to ensure they meet sufficient life, health, and safety standards.

"Kit homes" means any structures intended for residential use that are comprised of prefabricated walls, floors and roofs which are assembled on-site and are 800 square feet or smaller in size.

EFFECT OF CHANGES MADE BY HOUSING COMMITTEE (First Substitute):

- Defines "kit homes" as any structure intended for residential use that are comprised of prefabricated walls, floors, and roofs which are assembled on-site and are 800 square feet or smaller in size.
- Allows the use of kit homes as emergency housing provided that the city or county adopts by ordinance or other actions a process for inspecting the kit homes at least every five years to ensure it meets sufficient life, health, and safety standards to be utilized as housing.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: We need all types of housing and this bill allows an option for temporary housing. We often invest in temporary housing that is not intended to last longer than that temporary time for housing. Investment of public housing that is temporary should not exceed the manufacturer's warranty. Warranties do matter. Need to have more housing now but we need to ensure that there is quality as well.

Persons Testifying: PRO: Senator Jeff Wilson, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.