
HOUSE BILL 1096

State of Washington

69th Legislature

2025 Regular Session

By Representatives Barkis, Ryu, Connors, Leavitt, Klicker, and Reed

Prefiled 12/19/24.

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

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

5 NEW SECTION. **Sec. 1.** The legislature finds that allowing an
6 existing residential lot to be split to create a new residential lot
7 through a simple, administrative process can offer many advantages to
8 both the existing homeowner and to prospective homebuyers. The
9 legislature further finds that administrative lot splitting can
10 provide current owners the opportunity to maintain homeownership in
11 changing life circumstances while facilitating development of middle
12 housing to provide homebuyers, including first-time homebuyers, with
13 more affordable ownership opportunities. The legislature also finds
14 that lot splitting can be combined with the review of a residential
15 building permit application to create a single integrated process
16 benefiting both homeowners and cities. Therefore, it is the intent
17 of the legislature to ease restrictions on, and expand opportunities
18 for, lot splitting in certain cities planning under chapter 36.70A
19 RCW, the growth management act.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 58.17

2 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

24 (6) For the purposes of this section:

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

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

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

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