
SENATE BILL 5729

State of Washington

69th Legislature

2025 Regular Session

By Senators Gildon, Dozier, and Fortunato

Read first time 02/11/25. Referred to Committee on Housing.

1 AN ACT Relating to encouraging construction of affordable housing
2 by streamlining the permitting process; amending RCW 36.70B.030,
3 36.70B.050, and 36.70B.140; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a
6 housing crisis in Washington state. There is a need to expedite the
7 permit approval process. Permitting buildings is one area that has
8 been identified as a hindrance to increasing the number of housing
9 units. The legislature finds that streamlining processing of building
10 permits is a powerful way to combat the lack of housing in this
11 state.

12 **Sec. 2.** RCW 36.70B.030 and 1995 c 347 s 404 are each amended to
13 read as follows:

14 (1) Fundamental land use planning choices made in adopted
15 comprehensive plans and development regulations shall serve as the
16 foundation for project review. The review of a proposed project's
17 consistency with applicable development regulations, or in the
18 absence of applicable regulations the adopted comprehensive plan,
19 under RCW 36.70B.040 shall incorporate the determinations under this
20 section.

1 (2) During project review, a local government or any subsequent
2 reviewing body shall determine whether the items listed in this
3 subsection are defined in the development regulations applicable to
4 the proposed project or, in the absence of applicable regulations the
5 adopted comprehensive plan. At a minimum, such applicable regulations
6 or plans shall be determinative of the:

7 (a) Type of land use permitted at the site, including uses that
8 may be allowed under certain circumstances, such as planned unit
9 developments and conditional and special uses, if the criteria for
10 their approval have been satisfied;

11 (b) Density of residential development in urban growth areas; and

12 (c) Availability and adequacy of public facilities identified in
13 the comprehensive plan, if the plan or development regulations
14 provide for funding of these facilities as required by chapter 36.70A
15 RCW.

16 (3) During project review, the local government or any subsequent
17 reviewing body shall not reexamine alternatives to or hear appeals on
18 the items identified in subsection (2) of this section, except for
19 issues of code interpretation. As part of its project review process,
20 a local government shall provide a procedure for obtaining a code
21 interpretation as provided in RCW 36.70B.110.

22 (4) Pursuant to RCW 43.21C.240, a local government may determine
23 that the requirements for environmental analysis and mitigation
24 measures in development regulations and other applicable laws provide
25 adequate mitigation for some or all of the project's specific adverse
26 environmental impacts to which the requirements apply.

27 (5) Nothing in this section limits the authority of a permitting
28 agency to approve, condition, or deny a project as provided in its
29 development regulations adopted under chapter 36.70A RCW and in its
30 policies adopted under RCW 43.21C.060. Project review shall be used
31 to identify specific project design and conditions relating to the
32 character of development, such as the details of site plans, curb
33 cuts, drainage swales, transportation demand management, the payment
34 of impact fees, or other measures to mitigate a proposal's probable
35 adverse environmental impacts, if applicable.

36 (6) Any building permit applications submitted with plans,
37 computations, or specifications prepared, stamped, and signed by a
38 professional engineer or architect meeting the requirements under
39 subsection (7) of this section, licensed under the laws of the state
40 of Washington, in the specific discipline as appropriate, is deemed

1 complete by the city or county building department with authority
2 under RCW 19.27.050. The department may review the application for
3 general compliance with the zoning or other land use control
4 ordinances in effect and may not impose substantial modifications or
5 conditions on submittals prepared, stamped, and signed by a licensed
6 architect, landscape architect, soils engineer, civil engineer,
7 structural engineer, or combination thereof.

8 (7) The professional engineer or architect must maintain
9 professional liability errors and omissions insurance in an amount of
10 not less than \$1,000,000 executed by an insurer authorized to do
11 business in Washington state.

12 (8) Subsections (1) through (4) of this section apply only to
13 local governments planning under RCW 36.70A.040.

14 **Sec. 3.** RCW 36.70B.050 and 1995 c 347 s 406 are each amended to
15 read as follows:

16 (1) Not later than March 31, 1996, each local government shall
17 provide by ordinance or resolution for review of project permit
18 applications to achieve the following objectives:

19 ~~((1))~~ (a) Combine the environmental review process, both
20 procedural and substantive, with the procedure for review of project
21 permits; and

22 ~~((2))~~ (b) Except for the appeal of a determination of
23 significance as provided in RCW 43.21C.075, provide for no more than
24 one open record hearing and one closed record appeal.

25 (2) A project permit application that is consistent with adopted
26 development regulations and within the capacity of system-wide
27 infrastructure improvement is deemed approved following three reviews
28 or requests for additional information by the local government unless
29 clear violation of substantive and procedural requirements is
30 demonstrated by the reviewing local government.

31 **Sec. 4.** RCW 36.70B.140 and 2023 c 338 s 1 are each amended to
32 read as follows:

33 (1) A local government by ordinance or resolution may exclude the
34 following project permits from the provisions of RCW 36.70B.060
35 through 36.70B.090 and 36.70B.110 through 36.70B.130: Landmark
36 designations, street vacations, or other approvals relating to the
37 use of public areas or facilities, or other project permits, whether
38 administrative or quasi-judicial, that the local government by

1 ordinance or resolution has determined present special circumstances
2 that warrant a review process or time periods for approval which are
3 different from that provided in RCW 36.70B.060 through 36.70B.090 and
4 36.70B.110 through 36.70B.130.

5 (2) A local government by ordinance or resolution also may
6 exclude the following project permits from the provisions of RCW
7 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary
8 adjustments and building and other construction permits, or similar
9 administrative approvals, categorically exempt from environmental
10 review under chapter 43.21C RCW, or for which environmental review
11 has been completed in connection with other project permits.

12 (3) A local government must exclude project permits for interior
13 alterations from site plan review, provided that the interior
14 alterations do not result in the following:

15 (a) Additional sleeping quarters or bedrooms;

16 (b) Nonconformity with federal emergency management agency
17 substantial improvement thresholds; or

18 (c) Increase the total square footage or valuation of the
19 structure thereby requiring upgraded fire access or fire suppression
20 systems.

21 (4) A local government, by ordinance or resolution, must exclude
22 the following project permits from the provisions of chapter 36.70B
23 RCW:

24 (a) The expansion or remodeling of existing buildings,
25 structures, or development provided:

26 (i) The alterations do not modify the existing site layout; or

27 (ii) The expansion or remodeling of existing buildings,
28 structures, or development is located in a critical area or in cases
29 where two or more duplexes will be built on the same lot;

30 (b) The project involves no exterior work adding to the building
31 footprint;

32 (c) The door or window adjustments or replacements are allowed
33 with no site plan needed; and

34 (d) Total additions and alterations and detached accessory
35 structures are less than 2,000 square feet in area without new
36 vehicular access.

37 (5) Nothing in this section exempts interior alterations from
38 otherwise applicable building, plumbing, mechanical, or electrical
39 codes.

1 (~~(5)~~) (6) For purposes of this section, "interior alterations"
2 include construction activities that do not modify the existing site
3 layout or its current use and involve no exterior work adding to the
4 building footprint.

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