CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1293

Chapter 333, Laws of 2023

68th Legislature
2023 Regular Session

GROWTH MANAGEMENT ACT—DESIGN REVIEW

EFFECTIVE DATE: July 23, 2023

Passed by the House April 14, 2023
  Yeas 95 Nays 1

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 11, 2023
  Yeas 49 Nays 0

DENNY HECK

President of the Senate

Approved May 8, 2023 1:12 PM

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1293** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 10, 2023

JAY INSLEE

Governor of the State of Washington

**Secretary of State
State of Washington**

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington   68th Legislature   2023 Regular Session

By House Housing (originally sponsored by Representatives Klicker, Leavitt, Barkis, Jacobsen, Waters, Chapman, Reed, and Graham)

READ FIRST TIME 02/09/23.

1   AN ACT Relating to streamlining development regulations; amending
2   RCW 36.70B.160; and adding a new section to chapter 36.70A RCW.

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

4   NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
5   RCW to read as follows:
6   (1) For purposes of this section, "design review" means a
7   formally adopted local government process by which projects are
8   reviewed for compliance with design standards for the type of use
9   adopted through local ordinance.
10   (2) Except as provided in subsection (3) of this section,
11 counties and cities planning under RCW 36.70A.040 may apply in any
12 design review process only clear and objective development
13 regulations governing the exterior design of new development. For
14 purposes of this section, a clear and objective development
15 regulation:
16   (a) Must include one or more ascertainable guideline, standard,
17 or criterion by which an applicant can determine whether a given
18 building design is permissible under that development regulation; and
19   (b) May not result in a reduction in density, height, bulk, or
20 scale below the generally applicable development regulations for a
21 development proposal in the applicable zone.

1   (3) The provisions of subsection (2) of this section do not apply
2   to development regulations that apply only to designated landmarks or
3   historic districts established under a local preservation ordinance.
4   (4) Any design review process must be conducted concurrently, or
5   otherwise logically integrated, with the consolidated review and
6   decision process for project permits set forth in RCW 36.70B.120(3),
7   and no design review process may include more than one public
8   meeting.
9   (5) A county or city must comply with the requirements of this
10 section beginning six months after its next periodic comprehensive
11 plan update required under RCW 36.70A.130.

12   **Sec. 2.** RCW 36.70B.160 and 1995 c 347 s 420 are each amended to
13 read as follows:
14   (1) Each local government is encouraged to adopt further project
15 review provisions to provide prompt, coordinated, and objective
16 review and ensure accountability to applicants and the public,
17 including expedited review for project permit applications for
18 projects that are consistent with adopted development regulations or
19 that include dwelling units that are affordable to low-income or
20 moderate-income households and within the capacity of systemwide
21 infrastructure improvements.
22   (2) Nothing in this chapter is intended or shall be construed to
23 prevent a local government from requiring a preapplication conference
24 or a public meeting by rule, ordinance, or resolution, where
25 otherwise required by applicable state law.
26   (3) Each local government shall adopt procedures to monitor and
27 enforce permit decisions and conditions.
28   (4) Nothing in this chapter modifies any independent statutory
29 authority for a government agency to appeal a project permit issued
30 by a local government.
31   (5) For the purposes of this section:
32   (a) A dwelling unit is affordable if it requires payment of
33 monthly housing costs, including utilities other than telephone, of
34 no more than 30 percent of the family's income.
35   (b) "Dwelling unit" means a residential living unit that provides
36 complete independent living facilities for one or more persons and
37 that includes permanent provisions for living, sleeping, eating,
38 cooking, and sanitation, and that is sold or rented separately from
39 other dwelling units.

1 (c) "Low-income household" means a single person, family, or
2 unrelated persons living together whose adjusted income is less than
3 80 percent of the median family income, adjusted for household size,
4 for the county where the household is located, as reported by the
5 United States department of housing and urban development, or less
6 than 80 percent of the city's median income if the project is located
7 in the city, the city has median income of more than 20 percent above
8 the county median income, and the city has adopted an alternative
9 local median income.
10 (d) "Moderate-income household" means a single person, family, or
11 unrelated persons living together whose adjusted income is at or
12 below 120 percent of the median household income, adjusted for
13 household size, for the county where the household is located, as
14 reported by the United States department of housing and urban
15 development, or less than 120 percent of the city's median income if
16 the project is located in the city, the city has median income of
17 more than 20 percent above the county median income, and the city has
18 adopted an alternative local median income.

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Filed in Office of Secretary of State May 10, 2023.

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