



# REPORT ON WASHINGTON STATE HOUSING LEGISLATION

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# Two Major Statutes

- ▶ HB 1337:
  - ▶ Requires adoption or amendment of municipal zoning regulations to allow at least two Accessory Dwelling Units (“ADUs”) on all lots in an urban growth area with single family homes.
- ▶ HB 1110:
  - ▶ HB 1110 requires cities to allow the building of duplexes, fourplexes, and/or six-plexes depending on population and other considerations.

# When do they go into effect?

- ▶ Municipalities and cities must adopt HB 1337 and HB 1000 within six months after each respective municipality or city's next periodic comprehensive plan update.
- ▶ What does this mean for Edmonds?
  - ▶ Edmonds has already started the process of preparing the update to their comprehensive plan, titled *Everyone's Edmonds*, which the city must finalize by the end of 2024.
  - ▶ Within six months after the end of 2024, Edmonds must incorporate these laws.

# What is HB 1337?

- ▶ HB 1337 requires the adoption or amendment of municipal zoning regulations to allow for at least two ADUs on all lots located in all zoning districts within an urban growth area that allow for single-family homes.
- ▶ HB 1337 supersedes and preempts all municipal zoning regulations failing to abide by its terms.
- ▶ Although the law does not appear to expressly state this, HB 1337 does not appear to supersede or preempt CC&Rs for homeowners' associations that have prohibitive provisions.
- ▶ HB 1337 permits homeowners to construct ADUs from the ground up, or from existing structures such as detached garages, even if they violate current code requirements for setback or lot coverage.

# HB 1337 does stop cities and municipalities from:

- ▶ Requiring the homeowner to reside in or occupy any housing unit on the same lot;
- ▶ Assessing impact fees on the construction of ADUs greater than 50% of the impact fees imposed on the principal unit;
- ▶ Establishing height limits less than 24 feet, unless the height limitation upon the principal unit is less than 24 feet, in which case the height limitation upon the ADU will be limited to that of limitation upon the principal unit;
- ▶ Imposing set-back requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;
- ▶ Prohibiting the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit;
- ▶ Requiring public street improvements as a condition of permitting ADUs; and
- ▶ Requiring certain parking restrictions; amongst a few other limitations.

# HB 1337 does not stop cities and municipalities from:

- ▶ Restricting the use of ADUs to prevent short-term rentals;
- ▶ Applying environmental permitting requirements that would be otherwise applicable to the principal unit; and
- ▶ Prohibiting ADU construction not connected to or served by public sewers, amongst a few others.

# What is HB 1110?

- ▶ HB 1110 requires cities to allow the building of duplexes, fourplexes, and/or six-plexes depending on population and other considerations.
- ▶ Like HB 1337, HB 1110 supersedes and preempts all municipal zoning regulations failing to abide by its terms.
- ▶ Although the law does not appear to expressly state this, like with HB 1337, HB 1110 also does not appear to supersede or preempt CC&Rs for homeowners' associations that have prohibitive provisions.

# What are the parameters of HB 1110?

- ▶ Cities with populations of 75,000 or more must permit the construction of four units in all residential areas and must permit the construction of six units in lots located within a quarter mile of a transit stop or where two of the homes are considered affordable housing.
- ▶ Cities with populations greater than 25,000 and less than 75,000 must permit the construction of two units in all residential areas and must permit construction of four units in lots located within a quarter mile of a transit stop or where one of the homes is considered affordable housing.
- ▶ Cities with populations under 25,000 located within a “contiguous urban growth area with the largest city in a county with a population of more than 275,000” must permit the development of at least two units per lot on all lots zoned for “residential 3 use”, unless zoning that already permits higher densities applies.
- ▶ Cities also have an alternative road to compliance in which they can authorize the allowances outlined above on at least 75% of their residential lots, though the law does outline several restrictions on which parcels may be included or excluded from these areas.



# Questions?

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