

SB 1561 A STAFF MEASURE SUMMARY
House Committee On Housing and Homelessness

Carrier: Rep. Wright

Action Date: 02/26/26

Action: Do Pass the A-Eng bill.

Vote: 11-0-2-0

Yeas: 11 - Andersen, Boice, Edwards, Fragala, Gamba, Helfrich, Levy E, Marsh, Ruiz, Wise, Wright

Exc: 2 - Breese-Iverson, Mannix

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/24, 2/26

WHAT THE MEASURE DOES:

The measure requires local governments to approve the restoration or replacement of a dwelling through a process other than a land use decision if the dwelling was damaged in a natural disaster. It outlines the circumstances under which a dwelling would be eligible for this process and limits the size and placement of the replacement dwelling.

Detailed Summary:

Requires local governments to approve an application for the restoration or replacement of a damaged dwelling under a process other than a land use decision, so long as the application was filed within three years of the destruction of the original dwelling, the former dwelling had specific components prior to destruction, and the former dwelling had the appropriate authorization under the current land use system or was assessed for tax purposes as a residential dwelling for at least 10 years prior to the rebuilding application.

Requires replacement dwellings to not exceed 125 percent of the floor area of the original dwelling; be adequately served by utilities and roads; be located, except under certain circumstances, at least partially within the footprint of the former dwelling; and comply with the building codes in effect on the date the original dwelling was damaged or destroyed.

Requires construction to begin on the replacement dwelling within four years of the application approval and the removal or demolition of the original dwelling, or its incorporation into the new structure, within three months of completing the new dwelling. Specifies to whom a local government may delegate application approval. Authorizes local governments to require an applicant to give notice to certain nonparties and provide these parties with an opportunity to submit written comments.

ISSUES DISCUSSED:

- Administrative process for rebuilding homes lost to natural disasters
- The policy in House Bill 2289 (2021) for rebuilding homes destroyed by the 2020 fires

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current law, certain dwelling replacements require prior approval of a land use permit, depending on the property's zoning and the status of the existing dwelling. This includes properties zoned as agriculture/forest, exclusive farm use, or timber, as well as situations in which the dwelling to be replaced is considered a nonconforming use. These land use decisions can require public notice, comment periods, and public hearings,

This summary has not been adopted or officially endorsed by action of the committee.

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and may be appealed. HB 2289 (2021) authorized a property owner to alter, restore, or replace certain nonresidential uses without further application to a local government for structures and uses destroyed by the 2020 wildfires and required a local government to approve an application to alter, restore, or replace certain dwellings.