

**SSB 6302** - H COMM AMD

By Committee on Local Government

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21  
4 RCW to read as follows:

5 (1) Cities that have an ordinance that limits the number of  
6 unrelated persons that may occupy a home must provide a process for a  
7 property owner to apply to exceed the limit for the number of  
8 unrelated persons occupying a household or dwelling unit. The process  
9 for determining whether to grant an exception may include a review  
10 of:

11 (a) The household or dwelling unit's compliance with applicable  
12 building codes;

13 (b) The public health impacts of the application;

14 (c) Any public safety concerns raised by the application;

15 (d) The provision of cooking and sanitation relative to occupancy  
16 in the proposal; and

17 (e) The infrastructure capacity of the property seeking the  
18 exception.

19 (2) The city may condition its approval of the application on the  
20 household or dwelling unit's compliance with conditions established  
21 by the city.

22 (3) If an application is approved by the city, the city may  
23 revoke the exception to exceed the unrelated occupant limit if the  
24 household or dwelling is not in compliance with one or more  
25 provisions of the local fire code, building code, municipal code, or  
26 other code provisions.

27 (4) This section does not apply to occupant limits on group  
28 living arrangements regulated under state law or on short-term  
29 rentals as defined in RCW 64.37.010.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 35A.21  
2    RCW to read as follows:

3        (1) Code cities that have an ordinance that limits the number of  
4    unrelated persons that may occupy a home must provide a process for a  
5    property owner to apply to exceed the limit for the number of  
6    unrelated persons occupying a household or dwelling unit. The process  
7    for determining whether to grant an exception may include a review  
8    of:

9        (a) The household or dwelling unit's compliance with applicable  
10   building codes;

11        (b) The public health impacts of the application;

12        (c) Any public safety concerns raised by the application;

13        (d) The provision of cooking and sanitation relative to occupancy  
14   in the proposal; and

15        (e) The infrastructure capacity of the property seeking the  
16   exception.

17        (2) The code city may condition its approval of the application  
18   on the household or dwelling unit's compliance with conditions  
19   established by the code city.

20        (3) If an application is approved by the code city, the code city  
21   may revoke the exception to exceed the unrelated occupant limit if  
22   the household or dwelling is not in compliance with one or more  
23   provisions of the local fire code, building code, municipal code, or  
24   other code provisions.

25        (4) This section does not apply to occupant limits on group  
26   living arrangements regulated under state law or on short-term  
27   rentals as defined in RCW 64.37.010.

28        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 36.01  
29   RCW to read as follows:

30        (1) Counties that have an ordinance that limits the number of  
31   unrelated persons that may occupy a home must provide a process for a  
32   property owner to apply to exceed the limit for the number of  
33   unrelated persons occupying a household or dwelling unit. The process  
34   for determining whether to grant an exception may include a review  
35   of:

36        (a) The household or dwelling unit's compliance with applicable  
37   building codes;

38        (b) The public health impacts of the application;

39        (c) Any public safety concerns raised by the application;

1 (d) The provision of cooking and sanitation relative to occupancy  
2 in the proposal; and

3 (e) The infrastructure capacity of the property seeking the  
4 exception.

5 (2) The county may condition its approval of the application on  
6 the household or dwelling unit's compliance with conditions  
7 established by the county.

8 (3) If an application is approved by the county, the county may  
9 revoke the exception to exceed the unrelated occupant limit if the  
10 household or dwelling is not in compliance with one or more  
11 provisions of the county code or other code provisions.

12 (4) This section does not apply to occupant limits on group  
13 living arrangements regulated under state law or on short-term  
14 rentals as defined in RCW 64.37.010."

15 Correct the title.

EFFECT: Replaces the prohibition on local government regulation of unrelated persons' occupancy of a household or dwelling unit with a requirement that, if the local government does have such regulations, it must provide a process for seeking an exception to the regulations. Allows a local government to review various aspects of the proposed household or dwelling units, including its compliance with applicable building codes and the infrastructure capacity of the property, when making a decision on an application for an exception, and to condition approval on the household or dwelling unit's compliance with certain conditions established by the local government. Allows a local government to later revoke approval if the household or dwelling unit is not in compliance with building, fire, or other code requirements.

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