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**HOUSE BILL 2474**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Peterson, Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp, and Bateman

AN ACT Relating to compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing; and amending RCW 35.21.683 and 35A.21.430.

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

**Sec.**  RCW 35.21.683 and 2021 c 254 s 4 are each amended to read as follows:

(1) A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).

(2)(a) Before denying or rescinding a project permit application for transitional housing or permanent supportive housing, a city must submit any zoning ordinance and related development regulations addressing the reasonable occupancy, spacing, or intensity of use requirements for such housing to the department of commerce for review and approval. If the department of commerce finds that the city ordinance, denial, or rescission violates this section, the city may not establish or enforce zoning ordinances for any zone in which residential dwelling units or hotels are allowed, and the department of commerce shall be responsible for developing all zoning regulations within any zone that allows residential dwelling units or hotels within the city, until the city ordinance is amended to be in compliance with this section.

(b) Before denying or rescinding a project permit application for indoor emergency housing or indoor emergency shelters, a city must submit any zoning ordinance and related development regulations addressing the reasonable occupancy, spacing, or intensity of use requirements for such housing to the department of commerce for review and approval. If the department of commerce finds that the city ordinance, denial, or rescission violates this section, the city may not establish or enforce zoning ordinances for any zone in which hotels are allowed, and the department of commerce shall be responsible for developing all zoning regulations within any zone that allows hotels within the city, until the city ordinance is amended to be in compliance with this section.

**Sec.**  RCW 35A.21.430 and 2021 c 254 s 3 are each amended to read as follows:

(1) A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each code city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).

(2)(a) Before denying or rescinding a project permit application for transitional housing or permanent supportive housing, a code city must submit any zoning ordinance and related development regulations addressing the reasonable occupancy, spacing, or intensity of use requirements for such housing to the department of commerce for review and approval. If the department of commerce finds that the code city ordinance, denial, or rescission violates this section, the code city may not establish or enforce zoning ordinances for any zone in which residential dwelling units or hotels are allowed, and the department of commerce shall be responsible for developing all zoning regulations within any zone that allows residential dwelling units or hotels within the code city, until the code city ordinance is amended to be in compliance with this section.

(b) Before denying or rescinding a project permit application for indoor emergency housing or indoor emergency shelters, a code city must submit any zoning ordinance and related development regulations addressing the reasonable occupancy, spacing, or intensity of use requirements for such housing to the department of commerce for review and approval. If the department of commerce finds that the code city ordinance, denial, or rescission violates this section, the city may not establish or enforce zoning ordinances for any zone in which hotels are allowed, and the department of commerce shall be responsible for developing all zoning regulations within any zone that allows hotels within the code city, until the code city ordinance is amended to be in compliance with this section.

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