

# HOUSE BILL REPORT

## HB 2252

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**As Reported by House Committee On:**  
Local Government

**Title:** An act relating to allowing small business establishments in residential zones.

**Brief Description:** Allowing small business establishments in residential zones.

**Sponsors:** Representatives Klicker, Leavitt, Sandlin, Reed, Fosse, Graham and Taylor.

**Brief History:**

**Committee Activity:**

Local Government: 1/23/24, 1/26/24 [DPS].

**Brief Summary of Substitute Bill**

- Requires cities and towns to allow neighborhood cafes that meet certain requirements to be permitted in residential zones.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg, Griffey and Riccelli.

**Staff:** Elizabeth Allison (786-7129).

**Background:**

Local governments divide land within their jurisdictions into regulated zones that designate land into different uses and purposes. These include residential, commercial, and industrial zones. Each local government adopts a zoning map which provides visualization of various zones throughout the jurisdiction.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Residential zones include land that is permitted for residential use. Residential zones may allow single-family residences and multi-family residences.

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**Summary of Substitute Bill:**

A city or town must allow neighborhood cafes to be permitted in any zone allowing residential uses, provided the following conditions are met:

- The total gross floor area of the cafe must be at least 500 square feet.
- There are no drive-through facilities.
- If alcoholic beverages are offered, food must also be offered.

A neighborhood cafe is an establishment that serves a limited menu of food items and has at least 500 square feet of gross floor area.

Hours of operation may be determined by the city or town. Cities and towns may not require more than two off-street parking spots per cafe.

**Substitute Bill Compared to Original Bill:**

The substitute requires neighborhood cafes to have a minimum gross floor area of 500 square feet rather than a maximum gross floor area of 2,000 square feet. The requirement that outdoor seating be limited to 30 percent of the gross floor area or less is removed. The cafe must be located in an area where there is more than one means of egress for vehicle traffic. Cities and towns may not require more than two off-street parking spots. Cities and towns may set the hours of operation. Code cities are included.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2024.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Many folks would like a little coffee shop to walk to in their neighborhoods. Neighborhood cafes are good for small businesses and create community. People can walk from apartment complexes. Some communities have old or vacant buildings that can be converted to something for the community. This bill is not for every business. There are set hours of operation and maximum square footage requirements. This is a common sense

proposal to support economic development and reduce greenhouse gas emissions. Another consideration is to allow neighborhood grocery stores with similar size limits. No off-street parking should be required.

(Opposed) None.

(Other) The bill only applies to charter cities and should be expanded to include code cities as well. There should be language prohibiting the siting of cafes in cul-de-sacs. Almost all feedback has been positive and people want neighborhood cafes. There may be unintended consequences as the language, as written, could include everything in a residential zone, including cul-de-sacs. One option is to limit neighborhood cafes to areas with higher density. Two thousand square feet may not be a neighborhood-compatible size. The bill is silent on parking so it is assumed cities would be able to regulate parking as that should be a local decision.

**Persons Testifying:** (In support) Representative Mark Klicker, prime sponsor; and Scott Bonjukian.

(Other) Bryce Yadon, Futurewise; and Carl Schroeder, Association of Washington Cities.

**Persons Signed In To Testify But Not Testifying:** None.