**2890-S.E AMS LGOV S6873.2 - NOT FOR FLOOR USE**

**ESHB 2890** - S COMM AMD

By Committee on Local Government

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 36.70 RCW to read as follows:

(1) A county may enact, enforce, or maintain an ordinance, development regulation, zoning regulation, or official control, policy, or administrative practice that authorizes the use of a residential dwelling, located in an area zoned for residential or commercial use, as a boarding home.

(2) A county may require that a boarding home:

(a) Comply with all building, fire, safety, health code, and business licensing requirements; and

(b) Conform to lot size, building size, setbacks, and lot coverage standards applicable to the zoning district except if the structure is a legal nonconforming structure.

(3) A county may also require that the boarding home provider provide proof of written notification by the provider to the immediately adjoining property owners, informing the property owners of the intent to locate and maintain such a facility.

(4) Nothing in this section shall be construed to prohibit a county from imposing zoning or other conditions on the establishment and maintenance of a boarding home in an area zoned for residential or commercial use, including, but not limited to, restrictions on the number of residents.

(5)(a) As used in this section, "boarding home" means any home or other institution, which provides housing, transportation, and basic services in exchange for a fee or charge for up to sixteen unrelated permanent boarders, and which assumes general responsibility for the safety and well-being of the boarders in a residential structure located in an urban or rural residential zone. In order to qualify as a boarding home under this section, at least eighty percent of the permanent boarders must be fifty-five years of age or older. A boarding home may be located adjacent to other boarding homes.

(b) A boarding home shall be designed for supportive services in order for boarders to live independently or semi-independently. Boarders shall be provided with a combination of meals, social activities, and transportation services depending on needs.

(c) If personal care, health care, or any combination of these are needed, these services will be set up independently by the boarder with an independent agency or caregiver not associated with the boarding home operator.

(d) A boarding home is not an adult family home licensed under chapter 70.128 RCW, an assisted living facility licensed under chapter 18.20 RCW, an enhanced services facility licensed under chapter 70.97 RCW, or any other residential services facility licensed by the department of social and health services."

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On page 1, line 1 of the title, after "homes;" strike the remainder of the title and insert "and adding a new section to chapter 36.70 RCW."

EFFECT: Adds transportation as a service that is provided by a boarding home. Removes board and domiciliary care as services provided. Specifies that boarders shall be provided with a combination of meals, social activities, and transportation services depending on needs. Provides that if personal care, health care, or any combination of these are needed, these services will be set up independently by the boarder with an independent agency or caregiver not associated with the boarding home operator. Specifies that a boarding home is not an adult family home, an assisted living facility, an enhanced services facility, or any other residential services facility licensed by the Department of Social and Health Services. Amends references to "residents" to "boarders."