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## Local Government Committee

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### HB 2468

**Brief Description:** Concerning the siting of child care facilities.

**Sponsors:** Representatives Jacobsen, Chambers, Alvarado, Griffey, Senn, Corry, Stokesbary, Couture and Bateman.

#### Brief Summary of Bill

- Allows counties, cities, and towns to permit childcare facilities in or near zones where there is an elementary school.
- Prohibits counties, cities, and towns from taking certain actions relating to childcare facilities sited in or near elementary schools.

**Hearing Date:** 1/30/24

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

#### **Background:**

##### Comprehensive Plans.

Cities and counties develop comprehensive plans to direct local planning efforts. A comprehensive plan articulates a series of goals, objectives, policies, actions, and standards that are intended to guide the day-to-day decisions of elected officials and local government staff. Most city and counties develop comprehensive plans voluntarily or mandatorily under the Growth Management Act (GMA). Jurisdictions that plan under the GMA are required to update comprehensive plans every 10 years.

The GMA requires that transportation improvements or strategies to accommodate development impacts be made concurrently with land development.

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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.*

### Development Regulations.

Development regulations include a variety of land use regulations, such as those pertaining to zoning, subdivisions, critical areas, landscaping, planned unit development, and State Environmental Policy Act (SEPA) procedures.

### Local Zoning.

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.

### **Summary of Bill:**

Counties, cities, and towns are authorized to permit or license childcare facilities near or in zones where there is an elementary school. Counties, cities, and towns may not take the following actions regarding childcare facilities in or near these zones:

- impose requirements that are not generally applicable to other childcare centers;
- designate the childcare center as a conditional use that requires a conditional use permit;
- deny a permit application due to nonconformities, unless the city or town official with decision-making authority makes written findings that the childcare center will cause a significant detriment to the surrounding area; or
- require a transportation concurrency study under the GMA or an environmental study under SEPA.

These requirements supersede, preempt, and invalidate any conflicting state or local government regulations. The requirements must be adopted and incorporated into the county, city, or town development regulations, zoning regulations, and other official controls as follows:

- For jurisdictions planning under the GMA, the requirements must be adopted no later than six months after the jurisdiction's next periodic update.
- For jurisdictions not planning under the GMA, the requirements must be adopted within one year of the act's enactment.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2024.

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