

HOUSE BILL REPORT

HB 2474

As Reported by House Committee On:

Housing

Title: An act relating to compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing.

Brief Description: Concerning compliance with siting requirements for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing.

Sponsors: Representatives Peterson, Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp and Bateman.

Brief History:

Committee Activity:

Housing: 1/29/24, 1/30/24 [DP].

Brief Summary of Bill

- Directs cities to submit any zoning ordinances and development regulations addressing occupancy, spacing, or intensity of use requirements for transitional housing, permanent supportive housing, indoor emergency shelters, or indoor emergency housing to the Department of Commerce (Commerce) for review and approval prior to denying or rescinding a permit application.
- Prohibits a city from establishing or enforcing a zoning ordinance for transitional housing, permanent supportive housing, indoor emergency shelters, or indoor emergency housing until the ordinance is amended if Commerce finds that an ordinance, denial, or rescission violates requirements to allow such housing and shelters.
- Authorizes Commerce to develop all zoning regulations for any zone within the city that allows residential housing units or hotels until a city ordinance found in violation is amended.

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.

HOUSE COMMITTEE ON HOUSING

Majority Report: Do pass. Signed by 8 members: Representatives Peterson, Chair; Alvarado, Vice Chair; Leavitt, Vice Chair; Bateman, Chopp, Entenman, Reed and Taylor.

Minority Report: Do not pass. Signed by 1 member: Representative Hutchins.

Minority Report: Without recommendation. Signed by 4 members: Representatives Klicker, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Barkis and Low.

Staff: Serena Dolly (786-7150).

Background:

Cities may not prohibit transitional housing or permanent supportive housing in any zones where residential dwelling units or hotels are allowed. Cities may not prohibit indoor emergency housing or shelters in any zones where hotels are allowed, except for cities that have adopted an ordinance authorizing indoor emergency housing and shelters in a majority of zones within a 1-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 for public health and safety purposes, but any requirements may not prevent the siting of such housing or shelters necessary to accommodate each city's need as identified in the housing element of its comprehensive plan.

Summary of Bill:

Before denying or rescinding a permit application for transitional housing, permanent supportive housing, or indoor emergency shelters or housing, a city must submit any zoning ordinance and related development regulations addressing the reasonable occupancy, spacing, or intensity of use requirements to the Department of Commerce (Commerce) for review and approval.

If Commerce finds that the city ordinance, denial, or rescission prohibits the siting of transitional housing or permanent supportive housing, the city may not establish or enforce zoning ordinances for any zone in which residential dwelling units or hotels are allowed until the city ordinance is amended, and Commerce is authorized to develop all zoning regulations within those zones.

If Commerce finds that the city ordinance, denial, or rescission prohibits the siting of indoor

emergency housing or indoor emergency shelters, the city may not establish or enforce zoning ordinances for any zone in which hotels are allowed until the city ordinance is amended, and Commerce is authorized to develop all zoning regulations within those zones.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The state is seeing patterns of cities who are enacting onerous regulations or denying some types of housing and shelter. Cities should embrace these types of housing in their communities. While many are, some still are not. The state is making tremendous investments in housing, and market rate housing is not going to work for everyone. While homelessness increases, the number of beds are staying the same. People tend to stay in the communities where they were last housed, and these are not outsiders moving into communities. The most vulnerable need support and housing. People need to be brought inside to save their lives. Financing is not the most significant hurdle, but instead it is roadblocks by community members and businesses. Groups are intimidating city councils. Organizations trying to site and build these housing and shelters have faced retaliation and intimidation. In other cases, cities have defunded organizations and projects. Fully funded housing and shelters are being stopped over fear and discrimination. These practices are squandering state funds and impeding progress on addressing homelessness. This is a good accountability measure.

(Opposed) While there may have been problems in a couple of cities, it is not a pattern. This is a one-size-fits-all mandate that ignores community needs and the actions cities are already taking. It would create a bureaucratic bottle neck, dilute public involvement, and limit local discretion. State law already places requirements on cities, and the Growth Management Hearings Board offers quick decisions in the case of disputes. The bill needs clarification related to what documents cities need to send to Commerce and how a city may come back into compliance. In addition, it should allow cities to ask Commerce to proactively review and approve ordinances without the threat of a penalty. An alternative to the bill would be to clarify existing definitions and requirements.

Persons Testifying: (In support) Representative Strom Peterson, prime sponsor; Dan Wise, Catholic Community Services; Michael White, King County; Michele Thomas, Washington Low Income Housing Alliance; Jon Culver; Benjamin Maritz; Melanie Smith, Seattle and King County Coalition on Homelessness; Elizabeth Murphy, Plymouth Housing; Bryce Yadon, Futurewise; and David Dorrian.

(Opposed) Salim Nice; and Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.