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HOUSE BILL 1998

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State of Washington

68th Legislature

2024 Regular Session

**By** Representatives Gregerson, Barkis, Leavitt, Rule, Ryu, Reed, Morgan, Fitzgibbon, Berry, Duerr, Bronoske, Ramos, Ramel, Bateman, Peterson, Chambers, Taylor, Simmons, Ormsby, Graham, Callan, Macri, Donaghy, Doglio, Mena, Nance, Riccelli, Cortes, Santos, Pollet, and Davis

Prefiled 12/20/23. Read first time 01/08/24. Referred to Committee on Housing.

1 AN ACT Relating to legalizing inexpensive housing choices through  
2 co-living housing; adding a new section to chapter 36.70A RCW; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature makes the following  
6 findings:

7 (a) Washington state is experiencing a housing affordability  
8 crisis;

9 (b) Co-living housing is a type of housing that can provide  
10 rental homes affordable to people with moderate to low incomes  
11 without requiring any public funding, and rents in newly constructed,  
12 market-rate co-living housing in the Puget Sound region can be  
13 affordable to people with incomes as low as 50 percent of area median  
14 income;

15 (c) Co-living housing is a residential development with sleeping  
16 units that are independently rented and provide living and sleeping  
17 space, in which residents share kitchen facilities with residents of  
18 other units in the building;

19 (d) Co-living housing historically provided a healthy inventory  
20 of rental homes on the lowest rung of the private housing market,  
21 comprising up to 10 percent of housing in some cities;

1 (e) Starting in the mid-20th century, local governments began  
2 adopting restrictive zoning and other rules that increasingly  
3 prohibited co-living housing, or made it impractical to build or  
4 operate, and its numbers plummeted;

5 (f) Today, many cities and counties outright prohibit co-living  
6 housing on most of their residential land, or they enforce any number  
7 of restrictions that make it effectively impossible to build new co-  
8 living housing or to convert existing buildings into co-living  
9 housing;

10 (g) Co-living housing provides options for people who:

11 (i) Wish to lower their housing expenses by paying less for a  
12 smaller home;

13 (ii) Prefer a living arrangement with shared community spaces  
14 that facilitate social connections;

15 (iii) Wish to trade off location for space and, by living in a  
16 small home, also get to live in a high opportunity neighborhood they  
17 could not otherwise afford; or

18 (iv) Want a low-cost, more private alternative to having a  
19 roommate in a traditional rental;

20 (h) Many communities throughout Washington face a severe shortage  
21 of workforce housing, and co-living housing provides housing  
22 affordable to that income range and below, without public funding;

23 (i) Co-living housing reduces pressure on the limited amount of  
24 publicly funded affordable housing by providing housing that is  
25 affordable to lower income residents who might otherwise wait years  
26 for subsidized housing;

27 (j) Co-living housing works best for single-person households,  
28 but the housing for singles that it provides reduces demand for  
29 family-sized rentals from singles who would otherwise group together  
30 to rent large homes;

31 (k) Co-living housing provides a good option for seniors,  
32 especially those who want to downsize, or those who desire a living  
33 arrangement that is more social than a standard apartment. When  
34 located in walkable neighborhoods, co-living housing gives mobility  
35 options to seniors who can no longer drive;

36 (l) Co-living housing is well-suited for the conversion of office  
37 buildings to housing, because it typically requires less plumbing and  
38 fixtures for kitchens and bathrooms;

1 (m) Co-living housing is well-suited for very low-income people,  
2 supportive and recovery housing, and "housing first" homes for the  
3 formerly homeless;

4 (n) State building codes have established minimum sizes and other  
5 standards to ensure that co-living housing meets modern health and  
6 safety standards;

7 (o) Creating co-living housing near transit hubs, employment  
8 centers, and public amenities can help the state achieve its  
9 greenhouse gas reduction goals by increasing walkability, shortening  
10 household commutes, curtailing sprawl, and reducing the pressure to  
11 develop natural and working lands; and

12 (p) Co-living housing, because the units are small, is inherently  
13 more energy efficient than standard apartments, both saving residents  
14 money and reducing the state's energy demand.

15 (2) Therefore, the legislature intends to allow the creation of  
16 co-living housing as a means to address the need for additional  
17 affordable housing options for a diversity of Washington residents.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A  
19 RCW to read as follows:

20 (1) Cities and counties planning under this chapter must allow  
21 co-living housing as a permitted use in any zone within an urban  
22 growth area that allows multifamily residential uses, including mixed  
23 use development.

24 (2) A city or county subject to the provisions of this section  
25 may not require co-living housing to:

26 (a) Contain room dimensional standards larger than that required  
27 by the state building code, including dwelling unit size, sleeping  
28 unit size, room area, and habitable space;

29 (b) Provide a mix of unit sizes or number of bedrooms; or

30 (c) Include other uses.

31 (3) A city or county subject to the provisions of this section  
32 also may not require co-living housing to:

33 (a) Provide off-street parking within one-half mile walking  
34 distance of a major transit stop; or

35 (b) Provide more than 0.25 off-street parking spaces per sleeping  
36 unit.

37 (4) A city or county may not require through development  
38 regulations any standards for co-living housing that are more

1 restrictive than those that are required for other types of  
2 residential uses in the same zone.

3 (5) A city or county may only require a review, notice, or public  
4 meeting for co-living housing that is required for other types of  
5 residential uses in the same location, unless otherwise required by  
6 state law including, but not limited to, shoreline regulations under  
7 chapter 90.58 RCW.

8 (6) A city or county may not exclude co-living housing from  
9 participating in affordable housing incentive programs under RCW  
10 36.70A.540.

11 (7) A city or county may not treat a sleeping unit in co-living  
12 housing as more than one-quarter of a dwelling unit for purposes of  
13 calculating dwelling unit density or fees for permitting and utility  
14 connections.

15 (8)(a) A city or county subject to the requirements of this  
16 section must adopt or amend by ordinance and incorporate into their  
17 development regulations, zoning regulations, and other official  
18 controls the requirements of this section to take effect six months  
19 after the jurisdiction's next periodic comprehensive plan update  
20 required under RCW 36.70A.130.

21 (b) In any city or county that has not adopted or amended  
22 ordinances, regulations, or other official controls as required under  
23 this section, the requirements of this section supersede, preempt,  
24 and invalidate any conflicting local development regulations.

25 (9) For the purposes of this section, the following definitions  
26 apply:

27 (a) "Co-living housing" means a residential development with  
28 sleeping units that are independently rented and lockable and provide  
29 living and sleeping space, and residents share kitchen facilities  
30 with other sleeping units in the building. Local governments may use  
31 other names to refer to co-living housing including, but not limited  
32 to, congregate living facilities, single room occupancy, rooming  
33 house, boarding house, lodging house, and residential suites.

34 (b) "Major transit stop" means:

35 (i) A stop on a high capacity transportation system funded or  
36 expanded under the provisions of chapter 81.104 RCW;

37 (ii) Commuter rail stops;

38 (iii) Stops on rail or fixed guideway systems, including  
39 transitways;

1           (iv) Stops on bus rapid transit routes or routes that run on high  
2 occupancy vehicle lanes; or  
3           (v) Stops for a bus or other transit mode providing actual fixed  
4 route service at intervals of at least 15 minutes for at least five  
5 hours during the peak hours of operation on weekdays.

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