
HOUSE BILL 2474

State of Washington

68th Legislature

2024 Regular Session

By Representatives Peterson, Alvarado, Gregerson, Berry, Leavitt, Fosse, Macri, Nance, Chopp, and Bateman

Read first time 01/24/24. Referred to Committee on Housing.

1 AN ACT Relating to compliance with siting requirements for
2 transitional housing, permanent supportive housing, indoor emergency
3 shelters, and indoor emergency housing; and amending RCW 35.21.683
4 and 35A.21.430.

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

6 **Sec. 1.** RCW 35.21.683 and 2021 c 254 s 4 are each amended to
7 read as follows:

8 (1) A city shall not prohibit transitional housing or permanent
9 supportive housing in any zones in which residential dwelling units
10 or hotels are allowed. Effective September 30, 2021, a city shall not
11 prohibit indoor emergency shelters and indoor emergency housing in
12 any zones in which hotels are allowed, except in such cities that
13 have adopted an ordinance authorizing indoor emergency shelters and
14 indoor emergency housing in a majority of zones within a one-mile
15 proximity to transit. Reasonable occupancy, spacing, and intensity of
16 use requirements may be imposed by ordinance on permanent supportive
17 housing, transitional housing, indoor emergency housing, and indoor
18 emergency shelters to protect public health and safety. Any such
19 requirements on occupancy, spacing, and intensity of use may not
20 prevent the siting of a sufficient number of permanent supportive
21 housing, transitional housing, indoor emergency housing, or indoor

1 emergency shelters necessary to accommodate each city's projected
2 need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).

3 (2)(a) Before denying or rescinding a project permit application
4 for transitional housing or permanent supportive housing, a city must
5 submit any zoning ordinance and related development regulations
6 addressing the reasonable occupancy, spacing, or intensity of use
7 requirements for such housing to the department of commerce for
8 review and approval. If the department of commerce finds that the
9 city ordinance, denial, or rescission violates this section, the city
10 may not establish or enforce zoning ordinances for any zone in which
11 residential dwelling units or hotels are allowed, and the department
12 of commerce shall be responsible for developing all zoning
13 regulations within any zone that allows residential dwelling units or
14 hotels within the city, until the city ordinance is amended to be in
15 compliance with this section.

16 (b) Before denying or rescinding a project permit application for
17 indoor emergency housing or indoor emergency shelters, a city must
18 submit any zoning ordinance and related development regulations
19 addressing the reasonable occupancy, spacing, or intensity of use
20 requirements for such housing to the department of commerce for
21 review and approval. If the department of commerce finds that the
22 city ordinance, denial, or rescission violates this section, the city
23 may not establish or enforce zoning ordinances for any zone in which
24 hotels are allowed, and the department of commerce shall be
25 responsible for developing all zoning regulations within any zone
26 that allows hotels within the city, until the city ordinance is
27 amended to be in compliance with this section.

28 **Sec. 2.** RCW 35A.21.430 and 2021 c 254 s 3 are each amended to
29 read as follows:

30 (1) A code city shall not prohibit transitional housing or
31 permanent supportive housing in any zones in which residential
32 dwelling units or hotels are allowed. Effective September 30, 2021, a
33 code city shall not prohibit indoor emergency shelters and indoor
34 emergency housing in any zones in which hotels are allowed, except in
35 such cities that have adopted an ordinance authorizing indoor
36 emergency shelters and indoor emergency housing in a majority of
37 zones within a one-mile proximity to transit. Reasonable occupancy,
38 spacing, and intensity of use requirements may be imposed by
39 ordinance on permanent supportive housing, transitional housing,

1 indoor emergency housing, and indoor emergency shelters to protect
2 public health and safety. Any such requirements on occupancy,
3 spacing, and intensity of use may not prevent the siting of a
4 sufficient number of permanent supportive housing, transitional
5 housing, indoor emergency housing, or indoor emergency shelters
6 necessary to accommodate each code city's projected need for such
7 housing and shelter under RCW 36.70A.070(2)(a)(ii).

8 (2)(a) Before denying or rescinding a project permit application
9 for transitional housing or permanent supportive housing, a code city
10 must submit any zoning ordinance and related development regulations
11 addressing the reasonable occupancy, spacing, or intensity of use
12 requirements for such housing to the department of commerce for
13 review and approval. If the department of commerce finds that the
14 code city ordinance, denial, or rescission violates this section, the
15 code city may not establish or enforce zoning ordinances for any zone
16 in which residential dwelling units or hotels are allowed, and the
17 department of commerce shall be responsible for developing all zoning
18 regulations within any zone that allows residential dwelling units or
19 hotels within the code city, until the code city ordinance is amended
20 to be in compliance with this section.

21 (b) Before denying or rescinding a project permit application for
22 indoor emergency housing or indoor emergency shelters, a code city
23 must submit any zoning ordinance and related development regulations
24 addressing the reasonable occupancy, spacing, or intensity of use
25 requirements for such housing to the department of commerce for
26 review and approval. If the department of commerce finds that the
27 code city ordinance, denial, or rescission violates this section, the
28 city may not establish or enforce zoning ordinances for any zone in
29 which hotels are allowed, and the department of commerce shall be
30 responsible for developing all zoning regulations within any zone
31 that allows hotels within the code city, until the code city
32 ordinance is amended to be in compliance with this section.

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