
Local Government Committee

HB 2573

Brief Description: Concerning community access to food, medicine, and health services.

Sponsors: Representatives Pollet, Fosse, Lekanoff, Mena, Santos, Reeves, Parshley, Farivar, Gregerson, Berry, Cortes, Stearns, Nance and Goodman.

Brief Summary of Bill

- Requires supermarkets, full service grocery stores, and pharmacies (grocery stores) that meet certain requirements to provide notice prior to closure.
- Allows cities or counties to use planning and zoning tools to improve the likelihood that a property previously housing a grocery store will be returned to use as a grocery store.
- Adds a new goal to the Growth Management Act for health and food access.
- Adds a "healthy communities" mandatory element to the comprehensive plan of the Growth Management Act.
- Allows a city to impose an excise tax on the owner of a property zoned for and which previously housed a grocery store.
- Allows a city to impose a nuisance fee on vacant property zoned for and which previously housed a grocery store.

Hearing Date: 2/3/26

Staff: Elizabeth Rehn (786-7129).

Background:

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.

Growth Management Act.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. Jurisdictions planning under the GMA must adopt internally consistent comprehensive land use plans. Comprehensive plans must include several mandatory elements, including a housing element, a rural element, and a capital facilities plan element.

Every 10 years, a county or city that is planning under the GMA must review and revise its comprehensive plan and development regulations to ensure that the plan and regulations comply with the requirements of the GMA.

The GMA establishes a list of goals to guide the development and adoption of comprehensive plans. Examples include urban growth, reducing sprawl, and economic development.

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.

Excise Tax.

An excise tax is imposed on certain goods, services, and activities and may be imposed at the time of sale or use. Taxpayers include manufacturers, retailers, and consumers.

Nuisance.

Jurisdictions are authorized to regulate nuisances. A nuisance generally includes something that is injurious or offensive to health and senses or an obstruction to the free use of property.

Summary of Bill:

Notice of Closure.

A supermarket, full service grocery store, or pharmacy (grocery store) that was relied upon by a jurisdiction planning under the GMA to designate an area for affordable or senior housing, housing for disabled persons, health services, increased density and transit, or infrastructure investments must provide at least six months' notice of reduced service, closure, or proposed closure or sale.

A grocery store located in an overburdened community must provide at least one year's notice of closure, proposed closure or sale, or significant change in operation that may interrupt access to groceries or prescriptions or significantly affect the employment of residents of the overburdened community.

The notice must be provided to the city in which the grocery store is located, any other cities or

unincorporated areas of a county that comprises the affected overburdened community, and the Department of Commerce. Notice must also be included in land use permits and posed to the public.

A city entitled to notice and the Washington Attorney General's Office may file an action in superior court to enjoin a closure, sale, or significant change in operation which violates the notice requirement.

Zoning Tools.

Cities and counties are authorized to use zoning tools and comprehensive plan updates to improve the likelihood that properties used for and relied upon for grocery services will be returned to use for grocery services.

Cities and counties may designate commercial or mixed-use properties to be zoned to require one or more ongoing uses as a grocery store or to include another use that promotes public health in an overburdened community.

Growth Management Act.

In its next comprehensive plan update, a city or county may include designation of properties as areas of mixed commercial and residential use within one-half mile of major transit, or that otherwise are identified in the comprehensive plan as supporting multifamily housing, for uses to include a grocery store. A city may take other authorized actions including increasing the floor area ratio or density limits if development will include an enforceable covenant and permit requirement for a grocery store or other use that promotes public health for at least 25 years.

A health and food access goal is added to the GMA goals. The goal aims to improve the health outcomes of people living in overburdened communities and federally recognized Indian country through access to health food, medicine, and health services.

A new mandatory healthy communities element is added to the GMA. The element must include policies to improve health outcomes for residents of overburdened communities and members of federally recognized Indian tribes living in designated reservations or Indian country. Specified policies must be included.

Excise Tax.

Cities and counties are authorized to impose an excise tax on the owner of a property zoned for and which previously housed a grocery store whose presence was a significant factor in the city or county authorizing increased housing density, affordable housing, housing for seniors or persons with disabilities, or investment in transit, transportation, or infrastructure plans under the GMA. In adopting an excise tax, a city or county must include in its ordinance other purposes that a property may serve to reduce or eliminate the excise tax, and the extent and time period for which the city or county will reduce the tax. The excise tax may be up to \$500,000 per acre, or portion of an acre, for each year in which the property does not house a grocery store. The excise tax may not be imposed on a property owner who has applied for a permit to redevelop

the property to include a grocery store.

Revenue from the excise tax may be used for:

- funding public safety-related programs;
- increasing access to health foods, medicine and health products, or open space and recreation;
- supporting community planning and engagement in the community where the property is located;
- meeting community needs for community centers, resource centers, food banks, and other services in the community in which the property is located; and
- establishing and supporting employee or local government-operated stores providing access to healthy foods, and pharmaceutical, health, or household products in an underserved or overburdened community.

Nuisance.

A city may require a plan to prevent vacant property zoned for and that previously housed a grocery store from becoming a public nuisance and may also impose a nuisance fee in an amount up to \$250,000 per acre, or portion of acre. The fee may be used for designated purposes. A city may waive or proportionately reduce the nuisance fee if the property owner allows the property to be utilized for temporary business, local government, transitional housing for persons experiencing homelessness, temporary residences with basic sanitation and health services, community gardens, educational activities, or community celebration purposes. Cities must provide notice to the property owner prior to imposing the nuisance fee.

Appropriation: None.

Fiscal Note: Requested on January 30, 2026.

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