

# SENATE BILL REPORT

## ESSB 5184

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As Passed Senate, February 19, 2025

**Title:** An act relating to minimum parking requirements.

**Brief Description:** Concerning minimum parking requirements.

**Sponsors:** Senate Committee on Housing (originally sponsored by Senators Bateman, Trudeau, Frame, Krishnadasan, Lias, Nobles, Pedersen, Salomon, Shewmake and Stanford).

**Brief History:**

**Committee Activity:** Housing: 1/24/25, 2/05/25 [DPS, w/oRec].

**Floor Activity:** Passed Senate: 2/19/25, 40-8.

**Brief Summary of Engrossed First Substitute Bill**

- Prohibits cities and counties from requiring more than 0.5 parking space per residential dwelling unit.
- Prohibits cities and counties from requiring more than one parking space per 1000 square feet of commercial space.
- Prohibits cities and counties from requiring any minimum parking requirements for existing buildings undergoing change of use and various other categories of residential and commercial buildings.
- Provides various exceptions to parking limitations, including for cities or code cities with a population of 20,000 or less.

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### SENATE COMMITTEE ON HOUSING

**Majority Report:** That Substitute Senate Bill No. 5184 be substituted therefor, and the substitute bill do pass.

Signed by Senators Bateman, Chair; Alvarado, Vice Chair; Goehner, Ranking Member; Orwall, Salomon and Trudeau.

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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.*

**Minority Report:** That it be referred without recommendation.

Signed by Senator Gildon.

**Staff:** Benjamin Omdal (786-7442)

**Background:** Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes said to be fully planning under the GMA.

The GMA also directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA. A comprehensive plan must be reviewed and, if necessary, revised every ten years to ensure that it complies with the GMA.

Minimum Residential Parking Requirements. In counties and cities fully planning under the GMA, minimum residential parking requirements mandated by municipal zoning ordinances are subject to certain requirements. Requirements are dependent upon:

- whether the housing units are offered as affordable to very low-income people or extremely low-income people, are specifically for seniors or people with disabilities, or are market rate multifamily housing units; and
- the proximity of the housing units to a transit stop that receives a certain frequency of transit service.

Limits on Minimum Residential Parking Requirements. For affordable housing units that are affordable to very low-income or extremely low-income individuals and located within 0.25 miles of a transit stop receiving transit service at least two times per hour for twelve or more hours a day, minimum residential parking requirements may be no greater than one parking space per bedroom or 0.75 space per unit.

For housing units that are specifically for seniors or people with disabilities and located within 0.25 miles of a transit stop receiving transit service at least four times per hour for twelve or more hours a day, a city may not impose minimum residential parking requirements for the residents of such housing units. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing housing for seniors or people with disabilities.

For market rate multifamily housing units that are located within 0.25 miles of a transit stop that receives transit service from at least one route that provides service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or 0.75 space per unit.

A city may establish a requirement for the provision of additional parking space per bedroom or per unit if the jurisdiction has determined particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

A city that is required or chooses to plan under the GMA may not:

- require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop;
- require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots smaller than 6000 square feet; and
- require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6000 square feet.

State Building Code Council. The State Building Code (SBC) provides a set of statewide standards and requirements related to building construction. The SBC is comprised of various international model codes, including building, residential, fire, and plumbing codes (model codes) adopted by reference by the Legislature. The model codes are promulgated by the International Code Council.

The State Building Code Council (SBCC) is responsible for adopting, amending, and maintaining the SBC. The SBCC must regularly review updated versions of the model codes and adopt a process for reviewing proposed statewide and local amendments.

**Summary of Engrossed First Substitute Bill:** A city, code city, or county may not require more than 0.5 parking space per residential dwelling unit.

A city, code city, or county may not require more than one parking space per 1000 square feet of commercial space.

A city, code city, or county may not require any minimum parking requirements for:

- existing buildings undergoing change of use, including vacant buildings;
- residences under 1200 square feet;
- commercial spaces under 5000 square feet;
- affordable housing;
- senior housing;
- housing for people with disabilities;
- facilities that serve alcohol;
- child care facilities; and
- commercial spaces in mixed-use projects.

Exceptions. Parking restrictions do not apply to the following:

- accessible parking spaces in compliance with the Americans with Disabilities Act;
- portions of cities, code cities, and counties within a one-mile radius of a commercial airport in Washington with at least 9 million annual enplanements; or

- cities or code cities with a population of 20,000 or less.

The parking limitations do not apply if a city, code city, or county submits to the Department of Commerce (Commerce) an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and Commerce finds and certifies, that the application of the parking limitations will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the jurisdiction's current parking requirements.

Counties may require off-street parking if the county's roads are not developed to the standards for streets and roads adopted by the cities within that county.

Other Provisions. Current minimum residential parking requirements for cities planning under the GMA are repealed.

SBCC shall research, and if necessary, adopt by rule updated accessible parking space requirements in the SBC to align with current research on disability rates among drivers.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony On Proposed Substitute:** *The committee recommended a different version of the bill than what was heard.* PRO: This bill is designed to increase supply of housing by updating our outdated and archaic parking requirements. Parking requirements are actively contributing to our housing supply crisis. Parking spaces take up space that could be used for housing. Developers can build further parking spaces if they desire. The bill aligns the needs between housing and the market. The bill gives developers the ability to build to market needs. Adjusting parking mandates gives entrepreneurs a greater ability to create and develop without onerous government limitations. Reducing parking minimums is an important step in reducing building costs and increasing housing supply. Parking rules are all over the place across jurisdictions in Washington. The bill allows builders to provide as many parking spaces that they would like. The bill applies equally and fairly across the state, allowing builders to get relief from these regulations. Space that is currently being used for parking could be used to build more units, increase density, and maintain our urban tree canopy.

The vast majority of jurisdictions that have undergone parking reform are not transit-oriented. Many cities, organizations, and labor groups have signified their support for this bill. The policy and politics of this bill are widely supported. Parking reform alone can

increase housing production. We must be willing to make reforms so that current generations are able to take advantage of the same opportunities as prior generations when housing was more available. Far too often parking mandates serve as an impediment to housing construction. The bill would allow reforms to be applied equitably across the state, eliminating the historical injustices that permeate current restrictions. The bill helps maximize the number of units being built, while working in multiple areas within a city. The market cannot adjust to market signals when minimums are higher than market demands.

The bill removes unnecessary and arbitrary barriers to housing construction. Restrictions were made in an era with unlimited space for parking. Developers will likely choose to include parking, but requiring them to decrease the supply of subsidized, affordable housing. These mandates are costly, arbitrary, and inconsistent. Few jurisdictions can give justifications for their parking regulations. Cities can price parking, create permit restrictions, and use other tools for managing on-street parking. Conventional parking minimums contribute to higher rents and mortgage costs. No parking mandates will encourage people to walk, bike, or take transit. Parking mandates reduce the number of units that are being constructed, undermining recent legislative efforts. The first thing architects do for projects is determine the amount of parking needed. In too many jurisdictions, small numbers of people against reforms stifle progress, requiring state leadership. Parking minimums, even when waived for individual projects, can present impediments for numerous types of projects including affordable housing. Excessive parking mandates make affordable housing financially infeasible. These requirements force developers to utilize valuable land to parking mandates, eliminating the ability to provide more housing for those that need it.

This bill would allow developers to provide the right amount of parking for each individual project. Parking requirements reduce the unit size in affordable housing projects. Larger parking requirements lead to increased conflicts between vehicles and pedestrians. When you get parking correct, a lot of pieces of the transportation puzzle fall into place. There needs to be a shift in thinking around parking, as many people already walk to obtain services. Eliminating parking requirements in local jurisdictions have been supported by bipartisan and diverse coalitions. Neighborhood parking solutions can help alleviate citizen concerns. Parking requirements have led to reduced capacity in childcare centers and the abandonment of building projects. Minimal parking requirements allow for the flexibility to feasibly restore vacant buildings. Current vibrant, walkable communities would not be able to be built under current parking regulations. Parking mandates are at the heart of residential sprawl, increasing costs and reducing the effectiveness of services. Parking minimums have made some communities not viable for certain businesses. Parking requirements have led to idle usage of land. Language could be added to further define what constitutes a commercial space. Reducing parking requirement will increase the use of infill in residential neighborhoods. Parking is the single-most expensive requirement in developing housing.

CON: The bill does not contain an exemption for housing within a one-mile radius of commercial airports, where parking requirements are retained to support travelers and workers, thereby overlooking gig workers who depend on personal transportation to sustain their income while contributing to our region's economy. Parking requirements are best tailored by local governments who understand their community's unique needs. Parking requirements should take into account the availability of on-street parking. Lack of parking availability leads to greater congestion and unsafe conditions when cars block rights-of-way.

OTHER: There are concerns that an unintended result is greater use of shoulder parking, especially in areas where it is not allowed or safe to do so. The bill should be limited to areas that can safely accommodate shoulder parking. There is no magic ratio, but the approach should be finely tailored to cities' needs. The bill should be amended to address unique community needs in cities where many of the citizens rely on their vehicle for work. The bill may result in less ADA-compliant parking.

**Persons Testifying:** PRO: Senator Jessica Bateman, Prime Sponsor; Joe Kunzler; Catie Gould, Sightline Institute; L Harrison Jerome; Scott Bonjukian; Jesse Simpson, Housing Development Consortium; Ali Taysi; Bryce Yadon, Futurewise and Transportation Choices Coalition; Alex Hur, Master Builders Association of King and Snohomish Counties; Paul Rometsch; Ethan Robinson, Habitat for Humanity Seattle-King & Kittitas Counties; Sandy Wolf; Blake Lyon, City of Bellingham, WA; Michone Preston, Habitat for Humanity of Washington State; Michele Thomas, Washington Low Income Housing Alliance; Ron Davis, Sightline; Riley Benge, Washington REALTORS; Eric Hamilton; Ty Stober, Council Member, City of Vancouver; Cary Westerbeck, westerbeck | archite; Sonja Max; Daniel Herriges, Parking Reform Network; Carston Curd, Councilmember, City of Bothell; Kelli Refer, Move Redmond; Zack Zappone, City of Spokane; Wes Stewart, Sierra Club Washington; Susan Davenport, Thurston Housing Land Trust; Nicholas Carr, Office of the Governor; Jace Cotton; Amy Anderson, Washington Childcare Centers Association; Kevin Troutt; Sarah Dickmeyer, Plymouth Housing Group.

CON: Salim Nice, City Mercer Island; Mariya Frost, Kemper Development Company.

OTHER: Karl Almgren, City of Lynnwood; Amina Abdalla, City of SeaTac; Kelsey Hulse, Association of Washington Cities and the Washington State Association of Counties.

**Persons Signed In To Testify But Not Testifying:** No one.