

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 2266**

69th Legislature  
2026 Regular Session

Passed by the House March 9, 2026  
Yeas 56 Nays 39

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**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2026  
Yeas 29 Nays 20

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2266** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2266**

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AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

**State of Washington                      69th Legislature                      2026 Regular Session**

**By** House Housing (originally sponsored by Representatives Peterson, Macri, Ryu, Parshley, Ramel, Scott, Mena, Reed, Obras, Fitzgibbon, Street, Thomas, Taylor, Doglio, Gregerson, Ormsby, Goodman, Reeves, Farivar, Fosse, Bergquist, Salahuddin, Hill, Pollet, and Wylie)

READ FIRST TIME 02/04/26.

1            AN ACT Relating to encouraging permanent supportive housing,  
2 transitional housing, indoor emergency housing, and indoor emergency  
3 shelters; amending RCW 35.21.683, 35A.21.430, and 36.130.020;  
4 reenacting and amending RCW 36.70A.030; adding a new section to  
5 chapter 36.70A RCW; and creating new sections.

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

7            NEW SECTION.    **Sec. 1.**    The legislature finds that Washington  
8 state faces an acute shortage of housing affordable to households at  
9 all income levels, resulting in housing insecurity and a growing  
10 number of people experiencing homelessness. The legislature further  
11 finds that local regulatory barriers, inconsistent siting standards,  
12 and discretionary review processes have constrained the timely  
13 development of permanent supportive housing, transitional housing,  
14 indoor emergency housing, and indoor emergency shelters. It is the  
15 intent of the legislature to increase housing supply and advance fair  
16 housing by requiring these housing types to be permitted in urban  
17 areas on the same terms as other types of lodging and residential  
18 development, subject only to objective and nondiscriminatory  
19 development standards necessary to protect public health and safety.  
20 By streamlining permitting processes and ensuring consistent  
21 treatment across jurisdictions, the legislature intends to avoid

1 unnecessary cost increases associated with delays and to facilitate  
2 the prompt delivery of safe, dignified, and stable housing and to  
3 support statewide efforts to address homelessness and the housing  
4 crisis.

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

7 (1) (a) A county or city planning under RCW 36.70A.040 must allow:

8 (i) Transitional housing or permanent supportive housing in any  
9 zones within an urban growth area in which residential dwelling units  
10 or hotels are allowed; and

11 (ii) Indoor emergency shelters and indoor emergency housing in  
12 any zones within an urban growth area in which hotels are allowed.  
13 Nothing in this subsection allows a county or city to limit indoor  
14 emergency shelters and indoor emergency housing in a manner where the  
15 capacity of indoor emergency shelters and indoor emergency housing is  
16 insufficient to meet the projected needs identified under RCW  
17 36.70A.070(2)(a)(ii). A county or city must allow indoor emergency  
18 shelters and indoor emergency housing in additional types of zones  
19 when necessary to meet projected needs identified in RCW  
20 36.70A.070(2)(a)(ii).

21 (b) A county or city may not require transitional housing,  
22 permanent supportive housing, indoor emergency housing, and indoor  
23 emergency shelters to be located in a zone within an urban growth  
24 area zoned for industrial use.

25 (2) Except as provided in subsections (5) through (7) of this  
26 section, a county or city may not require through development  
27 regulations, ordinances, or legal agreements any standards,  
28 conditions, or requirements for transitional housing, permanent  
29 supportive housing, indoor emergency housing, and indoor emergency  
30 shelters that are more restrictive than those required for other  
31 types of lodging or residential development within the same zone, but  
32 may apply any objective development regulations, including form-based  
33 codes, that are required for lodging or residential development  
34 including, but not limited to, density limits, dimensional standards,  
35 height restrictions, floor area ratio, setback, lot coverage,  
36 stormwater, clearing, and tree canopy and retention requirements.

37 (3) Except as provided in subsections (5) through (7) of this  
38 section, a county or city shall only apply the same development  
39 permit and environmental review processes to transitional housing,

1 permanent supportive housing, indoor emergency shelters, and indoor  
2 emergency housing that apply to other types of lodging or residential  
3 development within the same zone, unless otherwise required by state  
4 law including, but not limited to, shoreline regulations under  
5 chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy  
6 codes under chapter 19.27A RCW, or electrical codes under chapter  
7 19.28 RCW.

8 (4) If applying design review for transitional housing, permanent  
9 supportive housing, indoor emergency shelters, and indoor emergency  
10 housing, only administrative design review may be required.

11 (5)(a) For an indoor emergency shelter or indoor emergency  
12 housing, a county or city may require the sponsor or managing agency  
13 to certify in writing that it has, between the date the permit  
14 application was approved and the date the certificate of occupancy  
15 was issued:

16 (i) Provided the name, if any, of the facility and the name and  
17 headquarters address of the managing entity;

18 (ii) Provided a description of any other programs operating in  
19 the building and copies of the applicable licenses and certifications  
20 held by the program;

21 (iii) Notified residents within 500 feet of the indoor emergency  
22 shelter or indoor emergency housing;

23 (iv) Conducted more than one community meeting;

24 (v) Designated at least one point of contact authorized to make  
25 decisions and take corrective action in the case of an emergency, and  
26 provided at least one telephone number to be used in emergencies; and

27 (vi) Provided documentation of the sponsor's or managing agency's  
28 operational policies or procedures for:

29 (A) Promoting and addressing health and safety inside the  
30 building and in areas immediately adjacent to the building;

31 (B) Admissions, including a description of the populations the  
32 project will serve and potential sources of referral;

33 (C) Program exit or transfer;

34 (D) Handling complaints and grievances from occupants;

35 (E) Health, fire, safety, and occupancy; and

36 (F) Staffing to provide services and resources to the population  
37 being served comparable to standard or customary practices for the  
38 particular type of housing being provided. The staffing policy or  
39 procedure may include, but is not limited to, the number of staff or  
40 volunteers present during daytime and nighttime operations, staff or

1 volunteer training, and other processes to provide services and  
2 resources to the populations being served.

3 (b) The written certification by the sponsor or managing entity  
4 constitutes full compliance with (a) of this subsection. A county or  
5 city may not require the sponsor or managing agency to provide  
6 additional certifications outside of what is allowed under (a) of  
7 this subsection (5) or to repeat or revise any of the items in (a)(i)  
8 through (vi) of this subsection (5). Nothing in this subsection (b)  
9 prohibits the sponsor or managing agency from voluntarily updating  
10 any of the information submitted under (a)(i) through (vi) of this  
11 subsection (5).

12 (6) Nothing in this section requires a city or county to approve  
13 a permit application for permanent supportive housing, transitional  
14 housing, indoor emergency housing, or indoor emergency shelters that  
15 are proposed in a critical area in which no lodging or residential  
16 development is permitted, an area of natural hazards that generally  
17 prohibit lodging or residential development, or on agricultural,  
18 forest, or mineral lands of long-term commercial significance.

19 (7)(a) Upon receipt of a permit application for an indoor  
20 emergency shelter or indoor emergency housing with a proposed  
21 location within 500 feet of walking distance from another indoor  
22 emergency shelter or other indoor emergency housing, or within 500  
23 feet of walking distance from the physical grounds of a public school  
24 as defined in RCW 28A.150.010 or a private school approved by the  
25 board of education under chapter 28A.195 RCW that existed before an  
26 indoor emergency shelter or indoor emergency housing is in operation  
27 or has submitted a permit application, the city in which the indoor  
28 emergency shelter or indoor emergency housing is proposed, or the  
29 county if the indoor emergency shelter or indoor emergency housing is  
30 not proposed in a city, may enter into good faith negotiations with  
31 the sponsor of the indoor emergency shelter or indoor emergency  
32 housing to establish additional and reasonable requirements  
33 pertaining to health and safety protocols.

34 (b) If the parties are unable to come to an agreement under (a)  
35 of this subsection (7) within 180 days of the permit being submitted,  
36 the county or city may deny the permit. If a permit is denied under  
37 this subsection, the county or city must assist the sponsor in  
38 identifying suitable properties to site the indoor emergency shelter  
39 or indoor emergency housing.

1 (c) This subsection (7) does not apply to an indoor emergency  
2 shelter or indoor emergency housing designated for individuals under  
3 the age of 18, families, or victims of domestic violence.

4 (d) Nothing in this subsection (7) allows a county or city to  
5 limit indoor emergency shelters or indoor emergency housing in a  
6 manner where the capacity of indoor emergency shelters and indoor  
7 emergency housing is insufficient to meet the projected needs  
8 identified under RCW 36.70A.070(2)(a)(ii).

9 **Sec. 3.** RCW 35.21.683 and 2021 c 254 s 4 are each amended to  
10 read as follows:

11 (1)(a) A city ((shall not prohibit transitional)) must allow:

12 (i) Transitional housing or permanent supportive housing in any  
13 zones in which residential dwelling units or hotels are allowed(~~(-~~  
14 Effective September 30, 2021, a city shall not prohibit indoor)); and

15 (ii) Indoor emergency shelters and indoor emergency housing in  
16 any zones in which hotels are allowed(~~(,~~ except in such cities that  
17 have adopted an ordinance authorizing indoor emergency shelters and  
18 indoor emergency housing in a majority of zones within a one-mile  
19 proximity to transit. Reasonable occupancy, spacing, and intensity of  
20 use requirements may be imposed by ordinance on permanent supportive  
21 housing, transitional housing, indoor emergency housing, and indoor  
22 emergency shelters to protect public health and safety. Any such  
23 requirements on occupancy, spacing, and intensity of use may not  
24 prevent the siting of a sufficient number of permanent supportive  
25 housing, transitional housing, indoor emergency housing, or indoor  
26 emergency shelters necessary to accommodate each city's projected  
27 need for such housing and shelter under RCW 36.70A.070(2)(a)(ii)).

28 Nothing in this subsection allows a county or city to limit indoor  
29 emergency shelters and indoor emergency housing in a manner where the  
30 capacity of indoor emergency shelters and indoor emergency housing is  
31 insufficient to meet the projected needs identified under RCW  
32 36.70A.070(2)(a)(ii). A county or city must allow indoor emergency  
33 shelters and indoor emergency housing in additional types of zones  
34 when necessary to meet projected needs identified in RCW  
35 36.70A.070(2)(a)(ii).

36 (b) A city may not require transitional housing, permanent  
37 supportive housing, indoor emergency housing, and indoor emergency  
38 shelters to be located in a zone within an area zoned for industrial  
39 use.

1 (2) Except as provided in subsections (5) through (7) of this  
2 section, a city may not require through development regulations,  
3 ordinances, or legal agreements any development or operating  
4 standards, conditions, or requirements for transitional housing,  
5 permanent supportive housing, indoor emergency housing, and indoor  
6 emergency shelters that are more restrictive than those required for  
7 other types of lodging or residential development within the same  
8 zone, but may apply any objective development regulations, including  
9 form-based codes, that are required for lodging or residential  
10 development including, but not limited to, density limits,  
11 dimensional standards, height restrictions, floor area ratio,  
12 setback, lot coverage, stormwater, clearing, and tree canopy and  
13 retention requirements.

14 (3) Except as provided in subsections (5) through (7) of this  
15 section, a county or city shall only apply the same development  
16 permit and environmental review processes to transitional housing,  
17 permanent supportive housing, indoor emergency shelters, and indoor  
18 emergency housing that apply to other types of lodging or residential  
19 development within the same zone, unless otherwise required by state  
20 law including, but not limited to, shoreline regulations under  
21 chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy  
22 codes under chapter 19.27A RCW, or electrical codes under chapter  
23 19.28 RCW.

24 (4) If applying design review for transitional housing, permanent  
25 supportive housing, indoor emergency shelters, and indoor emergency  
26 housing, only administrative design review may be required. For the  
27 purposes of this subsection, "administrative design review" means a  
28 development permit process whereby an application is reviewed,  
29 approved, or denied by the planning director or the planning  
30 director's designee based solely on objective design and development  
31 standards without a public predecision hearing, unless such review is  
32 otherwise required by state or federal law, or the structure is a  
33 designated landmark or within a historic district established under a  
34 local preservation ordinance. A city may approve requests for  
35 variances from locally established design review standards.

36 (5)(a) For an indoor emergency shelter or indoor emergency  
37 housing, a city may require the sponsor or managing agency to certify  
38 in writing that it has, between the date the permit application was  
39 approved and the date the certificate of occupancy was issued:

1 (i) Provided the name, if any, of the facility and the name and  
2 headquarters address of the managing entity;

3 (ii) Provided a description of any other programs operating in  
4 the building and copies of the applicable licenses and certifications  
5 held by the program;

6 (iii) Notified residents within 500 feet of the indoor emergency  
7 shelter or indoor emergency housing;

8 (iv) Conducted more than one community meeting;

9 (v) Designated at least one point of contact authorized to make  
10 decisions and take corrective action in the case of an emergency, and  
11 provided at least one telephone number to be used in emergencies; and

12 (vi) Provided documentation of the sponsor's or managing agency's  
13 operational policies or procedures for:

14 (A) Promoting and addressing health and safety inside the  
15 building and in areas immediately adjacent to the building;

16 (B) Admissions, including a description of the populations the  
17 project will serve and potential sources of referral;

18 (C) Program exit or transfer;

19 (D) Handling complaints and grievances from occupants;

20 (E) Health, fire, safety, and occupancy; and

21 (F) Staffing to provide services and resources to the population  
22 being served comparable to standard or customary practices for the  
23 particular type of housing being provided. The staffing policy or  
24 procedure may include, but is not limited to, the number of staff or  
25 volunteers present during daytime and nighttime operations, staff or  
26 volunteer training, and other processes to provide services and  
27 resources to the populations being served.

28 (b) The written certification by the sponsor or managing entity  
29 constitutes full compliance with (a) of this subsection (5). A city  
30 may not require the sponsor or managing agency to provide additional  
31 certifications outside of what is allowed under (a) of this  
32 subsection (5) or to repeat or revise any of the items in (a)(i)  
33 through (vi) of this subsection (5). Nothing in this subsection (b)  
34 prohibits the sponsor or managing agency from voluntarily updating  
35 any of the information submitted under (a)(i) through (vi) of this  
36 subsection (5).

37 (6) Nothing in this section requires a city to approve a permit  
38 application for permanent supportive housing, transitional housing,  
39 indoor emergency housing, or indoor emergency shelters that are  
40 proposed in a critical area in which no lodging or residential

1 development is permitted, an area of natural hazards that generally  
2 prohibit lodging or residential development, or on agricultural,  
3 forest, or mineral lands of long-term commercial significance.

4 (7)(a) Upon receipt of a permit application for an indoor  
5 emergency shelter or indoor emergency housing with a proposed  
6 location within 500 feet of walking distance from another indoor  
7 emergency shelter or other indoor emergency housing, or within 500  
8 feet of walking distance from the physical grounds of a public school  
9 as defined in RCW 28A.150.010 or a private school approved by the  
10 board of education under chapter 28A.195 RCW that existed before an  
11 indoor emergency shelter or indoor emergency housing is in operation  
12 or has submitted a permit application, a city may enter into good  
13 faith negotiations with the sponsor of the indoor emergency shelter  
14 or indoor emergency housing to establish additional and reasonable  
15 requirements pertaining to health and safety protocols.

16 (b) If the parties are unable to come to an agreement under (a)  
17 of this subsection (7) within 180 days of the permit being submitted,  
18 the city may deny the permit. If a permit is denied under this  
19 subsection, the city must assist the sponsor in identifying suitable  
20 properties to site the indoor emergency shelter or indoor emergency  
21 housing.

22 (c) This subsection (7) does not apply to an indoor emergency  
23 shelter or indoor emergency housing designated for individuals under  
24 the age of 18, families, or victims of domestic violence.

25 (d) Nothing in this subsection (7) allows a city to limit indoor  
26 emergency shelters or indoor emergency housing in a manner where the  
27 capacity of indoor emergency shelters and indoor emergency housing is  
28 insufficient to meet the projected needs identified under RCW  
29 36.70A.070(2)(a)(ii).

30 (8) For purposes of this section, "emergency housing," "emergency  
31 shelter," "permanent supportive housing," and "transitional housing"  
32 have the same meaning as in RCW 36.70A.030.

33 **Sec. 4.** RCW 35A.21.430 and 2021 c 254 s 3 are each amended to  
34 read as follows:

35 (1)(a) A code city ((shall not prohibit transitional)) must  
36 allow:

37 (i) Transitional housing or permanent supportive housing in any  
38 zones in which residential dwelling units or hotels are allowed((-

1 ~~Effective September 30, 2021, a code city shall not prohibit~~  
2 ~~indoor)); and~~

3 (ii) Indoor emergency shelters and indoor emergency housing in  
4 any zones in which hotels are allowed(~~, except in such cities that~~  
5 have adopted an ordinance authorizing indoor emergency shelters and  
6 indoor emergency housing in a majority of zones within a one-mile  
7 proximity to transit. Reasonable occupancy, spacing, and intensity of  
8 use requirements may be imposed by ordinance on permanent supportive  
9 housing, transitional housing, indoor emergency housing, and indoor  
10 emergency shelters to protect public health and safety. Any such  
11 requirements on occupancy, spacing, and intensity of use may not  
12 prevent the siting of a sufficient number of permanent supportive  
13 housing, transitional housing, indoor emergency housing, or indoor  
14 emergency shelters necessary to accommodate each code city's  
15 projected need for such housing and shelter under RCW  
16 36.70A.070(2)(a)(ii)). Nothing in this subsection allows a county or  
17 city to limit indoor emergency shelters and indoor emergency housing  
18 in a manner where the capacity of indoor emergency shelters and  
19 indoor emergency housing is insufficient to meet the projected needs  
20 identified under RCW 36.70A.070(2)(a)(ii). A county or city must  
21 allow indoor emergency shelters and indoor emergency housing in  
22 additional types of zones when necessary to meet projected needs  
23 identified in RCW 36.70A.070(2)(a)(ii).

24 (b) A code city may not require transitional housing, permanent  
25 supportive housing, indoor emergency housing, and indoor emergency  
26 shelters to be located in a zone within an area zoned for industrial  
27 use.

28 (2) Except as provided in subsections (5) through (7) of this  
29 section, a code city may not require through development regulations,  
30 ordinances, or legal agreements any development or operating  
31 standards, conditions, or requirements for transitional housing,  
32 permanent supportive housing, indoor emergency housing, and indoor  
33 emergency shelters that are more restrictive than those required for  
34 other types of lodging or residential development within the same  
35 zone, but may apply any objective development regulations, including  
36 form-based codes, that are required for lodging or residential  
37 development including, but not limited to, density limits,  
38 dimensional standards, height restrictions, floor area ratio,  
39 setback, lot coverage, stormwater, clearing, and tree canopy and  
40 retention requirements.

1 (3) Except as provided in subsections (5) through (7) of this  
2 section, a code city shall only apply the same development permit and  
3 environmental review processes to transitional housing, permanent  
4 supportive housing, indoor emergency shelters, and indoor emergency  
5 housing that apply to other types of lodging or residential  
6 development within the same zone, unless otherwise required by state  
7 law including, but not limited to, shoreline regulations under  
8 chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy  
9 codes under chapter 19.27A RCW, or electrical codes under chapter  
10 19.28 RCW.

11 (4) If applying design review for transitional housing, permanent  
12 supportive housing, indoor emergency shelters, and indoor emergency  
13 housing, only administrative design review may be required. For the  
14 purposes of this subsection, "administrative design review" means a  
15 development permit process whereby an application is reviewed,  
16 approved, or denied by the planning director or the planning  
17 director's designee based solely on objective design and development  
18 standards without a public predecision hearing, unless such review is  
19 otherwise required by state or federal law, or the structure is a  
20 designated landmark or within a historic district established under a  
21 local preservation ordinance. A city may approve requests for  
22 variances from locally established design review standards.

23 (5) (a) For an indoor emergency shelter or indoor emergency  
24 housing, a code city may require the sponsor or managing agency to  
25 certify in writing that it has, between the date the permit  
26 application was approved and the date the certificate of occupancy  
27 was issued:

28 (i) Provided the name, if any, of the facility and the name and  
29 headquarters address of the managing entity;

30 (ii) Provided a description of any other programs operating in  
31 the building and copies of the applicable licenses and certifications  
32 held by the program;

33 (iii) Notified residents within 500 feet of the indoor emergency  
34 shelter or indoor emergency housing;

35 (iv) Conducted more than one community meeting;

36 (v) Designated at least one point of contact authorized to make  
37 decisions and take corrective action in the case of an emergency, and  
38 provided at least one telephone number to be used in emergencies; and

39 (vi) Provided documentation of the sponsor's or managing agency's  
40 operational policies or procedures for:

1 (A) Promoting and addressing health and safety inside the  
2 building and in areas immediately adjacent to the building;

3 (B) Admissions, including a description of the populations the  
4 project will serve and potential sources of referral;

5 (C) Program exit or transfer;

6 (D) Handling complaints and grievances from occupants;

7 (E) Health, fire, safety, and occupancy; and

8 (F) Staffing to provide services and resources to the population  
9 being served comparable to standard or customary practices for the  
10 particular type of housing being provided. The staffing policy or  
11 procedure may include, but is not limited to, the number of staff or  
12 volunteers present during daytime and nighttime operations, staff or  
13 volunteer training, and other processes to provide services and  
14 resources to the populations being served.

15 (b) The written certification by the sponsor or managing entity  
16 constitutes full compliance with (a) of this subsection (5). A code  
17 city may not require the sponsor or managing agency to provide  
18 additional certifications outside of what is allowed under (a) of  
19 this subsection (5) or to repeat or revise any of the items in (a)(i)  
20 through (vi) of this subsection (5). Nothing in this subsection (b)  
21 prohibits the sponsor or managing agency from voluntarily updating  
22 any of the information submitted under (a)(i) through (vi) of this  
23 subsection (5).

24 (6) Nothing in this section requires a city to approve a permit  
25 application for permanent supportive housing, transitional housing,  
26 indoor emergency housing, or indoor emergency shelters that are  
27 proposed in a critical area in which no lodging or residential  
28 development is permitted, an area of natural hazards that generally  
29 prohibit lodging or residential development, or on agricultural,  
30 forest, or mineral lands of long-term commercial significance.

31 (7)(a) Upon receipt of a permit application for an indoor  
32 emergency shelter or indoor emergency housing with a proposed  
33 location within 500 feet of walking distance from another indoor  
34 emergency shelter or other indoor emergency housing, or within 500  
35 feet of walking distance from the physical grounds of a public school  
36 as defined in RCW 28A.150.010 or a private school approved by the  
37 board of education under chapter 28A.195 RCW that existed before an  
38 indoor emergency shelter or indoor emergency housing is in operation  
39 or has submitted a permit application, a code city may enter into  
40 good faith negotiations with the sponsor of the indoor emergency

1 shelter or indoor emergency housing to establish additional and  
2 reasonable requirements pertaining to health and safety protocols.

3 (b) If the parties are unable to come to an agreement under (a)  
4 of this subsection (7) within 180 days of the permit being submitted,  
5 the code city may deny the permit. If a permit is denied under this  
6 subsection, the city must assist the sponsor in identifying suitable  
7 properties to site the indoor emergency shelter or indoor emergency  
8 housing.

9 (c) This subsection (7) does not apply to an indoor emergency  
10 shelter or indoor emergency housing designated for individuals under  
11 the age of 18, families, or victims of domestic violence.

12 (d) Nothing in this subsection (7) allows a code city to limit  
13 indoor emergency shelters or indoor emergency housing in a manner  
14 where the capacity of indoor emergency shelters and indoor emergency  
15 housing is insufficient to meet the projected needs identified under  
16 RCW 36.70A.070(2)(a)(ii).

17 (8) For purposes of this section, "emergency housing," "emergency  
18 shelter," "permanent supportive housing," and "transitional housing"  
19 have the same meaning as in RCW 36.70A.030.

20 **Sec. 5.** RCW 36.130.020 and 2008 c 118 s 3 are each amended to  
21 read as follows:

22 (1) A city, county, or other local governmental entity or agency  
23 may not adopt, impose, or enforce requirements on an affordable  
24 housing development that are different than the requirements imposed  
25 on housing developments generally.

26 (2) This section does not prohibit any city, county, or other  
27 local governmental entity or agency from extending preferential  
28 treatment to affordable housing developments intended for including,  
29 but not limited to, occupancy by homeless persons, farmworkers,  
30 persons with disabilities, senior citizens, or low-income households.  
31 Preferential treatment may include, but is not limited to: A  
32 reduction or waiver of fees or changes in applicable requirements  
33 including, without limitation, architectural requirements, site  
34 development requirements, property line requirements, building  
35 setback requirements, or vehicle parking requirements; or other  
36 treatment that reduces or is likely to reduce the development or  
37 operating costs of an affordable housing development.

38 (3) A city, county, or other local governmental entity or agency  
39 may impose and enforce income qualification, coordinated entry,

1 reporting, and monitoring requirements on affordable housing  
2 developments as conditions of loans, grants, financial support, tax  
3 benefits, subsidy funds, or sale or lease of public property, or as  
4 conditions to eligibility for any affordable housing incentive  
5 program under RCW 36.70A.540 or any other program involving bonus  
6 density, transfer of development rights, waiver of development  
7 regulations or fees, or other development incentives.

8 (4) (a) A county or city may enter into a contract with a sponsor  
9 proposing transitional housing, permanent supportive housing, an  
10 indoor emergency shelter, or indoor emergency housing to establish  
11 additional and reasonable operational requirements pertaining to  
12 health and safety protocols.

13 (b) Legal consideration for a contract entered into under this  
14 subsection (4) on the part of the county or city must, at a minimum,  
15 include:

16 (i) A donation of real property or a long-term lease of land at  
17 least 50 years in length, to be used for the transitional housing,  
18 permanent supportive housing, indoor emergency shelter, or indoor  
19 emergency housing; or

20 (ii) A significant contribution from the general fund for capital  
21 or operating expenses to be mutually determined by both parties.

22 (c) A county or city that unilaterally withdraws from or modifies  
23 the consideration specified in (b) of this subsection (4) is in  
24 material breach of the contract and the operational requirements  
25 specified in the contract no longer apply to the transitional  
26 housing, permanent supportive housing, indoor emergency shelter, or  
27 indoor emergency housing.

28 (d) A county or city may not construe a sponsor's refusal to  
29 accept contract terms pertaining to the consideration specified in  
30 (b) of this subsection (4) as a failure to meet any of the  
31 requirements of other fund sources available for the capital or  
32 operational support, or of those otherwise allowed in RCW 35.21.683  
33 or 35A.21.430 or section 2 of this act.

34 (e) Nothing in this subsection (4) requires a county or city to  
35 enter into a contract under this subsection (4).

36 (f) For purposes of this subsection (4), "emergency housing,"  
37 "emergency shelter," "permanent supportive housing," and  
38 "transitional housing" have the same meanings as in RCW 36.70A.030.

1       **Sec. 6.** RCW 36.70A.030 and 2025 c 267 s 2 are each reenacted and  
2 amended to read as follows:

3       Unless the context clearly requires otherwise, the definitions in  
4 this section apply throughout this chapter.

5       (1) "Active transportation" means forms of pedestrian mobility  
6 including walking or running, the use of a mobility assistive device  
7 such as a wheelchair, bicycling and cycling irrespective of the  
8 number of wheels, and the use of small personal devices such as foot  
9 scooters or skateboards. Active transportation includes both  
10 traditional and electric assist bicycles and other devices. Planning  
11 for active transportation must consider and address accommodation  
12 pursuant to the Americans with disabilities act and the distinct  
13 needs of each form of active transportation.

14       (2) "Active transportation facilities" means facilities provided  
15 for the safety and mobility of active transportation users including,  
16 but not limited to, trails, as defined in RCW 47.30.005, sidewalks,  
17 bike lanes, shared-use paths, and other facilities in the public  
18 right-of-way.

19       (3) "Administrative design review" means a development permit  
20 process whereby an application is reviewed, approved, or denied by  
21 the planning director or the planning director's designee based  
22 solely on objective design and development standards without a public  
23 predecision hearing, unless such review is otherwise required by  
24 state or federal law, or the structure is a designated landmark or  
25 historic district established under a local preservation ordinance. A  
26 city may utilize public meetings, hearings, or voluntary review  
27 boards to consider, recommend, or approve requests for variances from  
28 locally established design review standards.

29       (4) "Adopt a comprehensive land use plan" means to enact a new  
30 comprehensive land use plan or to update an existing comprehensive  
31 land use plan.

32       (5) "Affordable housing" means, unless the context clearly  
33 indicates otherwise, residential housing whose monthly costs,  
34 including utilities other than telephone, do not exceed 30 percent of  
35 the monthly income of a household whose income is:

36       (a) For rental housing, 60 percent of the median household income  
37 adjusted for household size, for the county where the household is  
38 located, as reported by the United States department of housing and  
39 urban development; or

1 (b) For owner-occupied housing, 80 percent of the median  
2 household income adjusted for household size, for the county where  
3 the household is located, as reported by the United States department  
4 of housing and urban development.

5 (6) "Agricultural land" means land primarily devoted to the  
6 commercial production of horticultural, viticultural, floricultural,  
7 dairy, apiary, vegetable, or animal products or of berries, grain,  
8 hay, straw, turf, seed, Christmas trees not subject to the excise tax  
9 imposed by RCW 84.33.100 through 84.33.140, finfish in upland  
10 hatcheries, or livestock, and that has long-term commercial  
11 significance for agricultural production.

12 (7) "Bus station area" means all lots that are:

13 (a) Fully within an urban growth area; and

14 (b) Fully or partially within one-quarter mile walking distance  
15 of a stop on a fixed route bus system that is designated as a bus  
16 rapid transit stop in the transit development plan as required in RCW  
17 35.58.2795, for which an environmental determination has been issued  
18 as required under chapter 43.21C RCW, and that features fixed transit  
19 assets that indicate permanent, high capacity service including, but  
20 not limited to, elevated platforms or enhanced stations, off-board  
21 fare collection, dedicated lanes, busways, or transit signal  
22 priority.

23 (8) "City" means any city or town, including a code city.

24 (9) "Comprehensive land use plan," "comprehensive plan," or  
25 "plan" means a generalized coordinated land use policy statement of  
26 the governing body of a county or city that is adopted pursuant to  
27 this chapter.

28 (10) "Cottage housing" means residential units on a lot with a  
29 common open space that either: (a) Is owned in common; or (b) has  
30 units owned as condominium units with property owned in common and a  
31 minimum of 20 percent of the lot size as open space.

32 (11) "Courtyard apartments" means attached dwelling units  
33 arranged on two or three sides of a yard or court.

34 (12) "Critical areas" include the following areas and ecosystems:  
35 (a) Wetlands; (b) areas with a critical recharging effect on aquifers  
36 used for potable water; (c) fish and wildlife habitat conservation  
37 areas; (d) frequently flooded areas; and (e) geologically hazardous  
38 areas. "Fish and wildlife habitat conservation areas" does not  
39 include such artificial features or constructs as irrigation delivery  
40 systems, irrigation infrastructure, irrigation canals, or drainage

1 ditches that lie within the boundaries of and are maintained by a  
2 port district or an irrigation district or company.

3 (13) "Department" means the department of commerce.

4 (14) "Development regulations" or "regulation" means the controls  
5 placed on development or land use activities by a county or city,  
6 including, but not limited to, zoning ordinances, critical areas  
7 ordinances, shoreline master programs, official controls, planned  
8 unit development ordinances, subdivision ordinances, and binding site  
9 plan ordinances together with any amendments thereto. A development  
10 regulation does not include a decision to approve a project permit  
11 application, as defined in RCW 36.70B.020, even though the decision  
12 may be expressed in a resolution or ordinance of the legislative body  
13 of the county or city.

14 (15) "Emergency housing" means temporary indoor accommodations  
15 for individuals or families who are homeless or at imminent risk of  
16 becoming homeless that is intended to address the basic health, food,  
17 clothing, and personal hygiene needs of individuals or families.  
18 Emergency housing may or may not require occupants to enter into a  
19 lease or an occupancy agreement.

20 (16) "Emergency shelter" means a facility that provides a  
21 temporary shelter for individuals or families who are currently  
22 homeless. Emergency shelter may not require occupants to enter into a  
23 lease or an occupancy agreement. Emergency shelter facilities may  
24 include day and warming centers that do not provide overnight  
25 accommodations.

26 (17) "Environmental justice" means the fair treatment and  
27 meaningful involvement of all people regardless of race, color,  
28 national origin, or income with respect to development,  
29 implementation, and enforcement of environmental laws, regulations,  
30 and policies. Environmental justice includes addressing  
31 disproportionate environmental and health impacts in all laws, rules,  
32 and policies with environmental impacts by prioritizing vulnerable  
33 populations and overburdened communities and the equitable  
34 distribution of resources and benefits.

35 (18) "Extremely low-income household" means a single person,  
36 family, or unrelated persons living together whose adjusted income is  
37 at or below 30 percent of the median household income adjusted for  
38 household size, for the county where the household is located, as  
39 reported by the United States department of housing and urban  
40 development.

1 (19) "Floor area ratio" means a measure of development intensity  
2 equal to building square footage divided by the developable property  
3 square footage. Developable property excludes public facilities and  
4 portions of lots with critical areas and critical area buffers as  
5 designated in RCW 36.70A.060, except for critical aquifer recharge  
6 areas where a single-family detached house is an allowed use provided  
7 that any requirements to maintain aquifer recharge are met.

8 (20) "Forestland" means land primarily devoted to growing trees  
9 for long-term commercial timber production on land that can be  
10 economically and practically managed for such production, including  
11 Christmas trees subject to the excise tax imposed under RCW 84.33.100  
12 through 84.33.140, and that has long-term commercial significance. In  
13 determining whether forestland is primarily devoted to growing trees  
14 for long-term commercial timber production on land that can be  
15 economically and practically managed for such production, the  
16 following factors shall be considered: (a) The proximity of the land  
17 to urban, suburban, and rural settlements; (b) surrounding parcel  
18 size and the compatibility and intensity of adjacent and nearby land  
19 uses; (c) long-term local economic conditions that affect the ability  
20 to manage for timber production; and (d) the availability of public  
21 facilities and services conducive to conversion of forestland to  
22 other uses.

23 (21) "Freight rail dependent uses" means buildings and other  
24 infrastructure that are used in the fabrication, processing, storage,  
25 and transport of goods where the use is dependent on and makes use of  
26 an adjacent short line railroad. Such facilities are both urban and  
27 rural development for purposes of this chapter. "Freight rail  
28 dependent uses" does not include buildings and other infrastructure  
29 that are used in the fabrication, processing, storage, and transport  
30 of coal, liquefied natural gas, or "crude oil" as defined in RCW  
31 90.56.010.

32 (22) "Geologically hazardous areas" means areas that because of  
33 their susceptibility to erosion, sliding, earthquake, or other  
34 geological events, are not suited to the siting of commercial,  
35 residential, or industrial development consistent with public health  
36 or safety concerns.

37 (23) "Green infrastructure" means a wide array of natural assets  
38 and built structures within an urban growth area boundary, including  
39 parks and other areas with protected tree canopy, and management  
40 practices at multiple scales that manage wet weather and that

1 maintain and restore natural hydrology by storing, infiltrating,  
2 evapotranspiring, and harvesting and using stormwater.

3 (24) "Green space" means an area of land, vegetated by natural  
4 features such as grass, trees, or shrubs, within an urban context and  
5 less than one acre in size that creates public value through one or  
6 more of the following attributes:

7 (a) Is accessible to the public;

8 (b) Promotes physical and mental health of residents;

9 (c) Provides relief from the urban heat island effects;

10 (d) Promotes recreational and aesthetic values;

11 (e) Protects streams or water supply; or

12 (f) Preserves visual quality along highway, road, or street  
13 corridors.

14 (25) "Long-term commercial significance" includes the growing  
15 capacity, productivity, and soil composition of the land for long-  
16 term commercial production, in consideration with the land's  
17 proximity to population areas, and the possibility of more intense  
18 uses of the land.

19 (26) "Low-income household" means a single person, family, or  
20 unrelated persons living together whose adjusted income is at or  
21 below 80 percent of the median household income adjusted for  
22 household size, for the county where the household is located, as  
23 reported by the United States department of housing and urban  
24 development.

25 (27) "Major transit stop" means:

26 (a) A stop on a high capacity transportation system funded or  
27 expanded under the provisions of chapter 81.104 RCW, except for any  
28 stop that solely serves express bus service or serves express bus  
29 service and other bus services not otherwise meeting the definition  
30 of major transit stop;

31 (b) Commuter rail stops;

32 (c) Stops on rail or fixed guideway systems; or

33 (d) Stops on bus rapid transit routes, including those stops that  
34 are under construction.

35 (28) "Middle housing" means buildings that are compatible in  
36 scale, form, and character with single-family houses and contain two  
37 or more attached, stacked, or clustered homes including duplexes,  
38 triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked  
39 flats, courtyard apartments, and cottage housing.

1 (29) "Minerals" include gravel, sand, and valuable metallic  
2 substances.

3 (30) "Moderate-income household" means a single person, family,  
4 or unrelated persons living together whose adjusted income is at or  
5 below 120 percent of the median household income adjusted for  
6 household size, for the county where the household is located, as  
7 reported by the United States department of housing and urban  
8 development.

9 (31) "Overburdened community" means a geographic area where  
10 vulnerable populations face combined, multiple environmental harms  
11 and health impacts, and includes, but is not limited to, highly  
12 impacted communities as defined in RCW 19.405.020.

13 (32) "Per capita vehicle miles traveled" means the number of  
14 miles traveled using cars and light trucks in a calendar year divided  
15 by the number of residents in Washington. The calculation of this  
16 value excludes vehicle miles driven conveying freight.

17 (33) "Permanent supportive housing" is subsidized, leased housing  
18 with no limit on length of stay that prioritizes people who need  
19 comprehensive support services to retain tenancy and utilizes  
20 admissions practices designed to use lower barriers to entry than  
21 would be typical for other subsidized or unsubsidized rental housing,  
22 especially related to rental history, criminal history, and personal  
23 behaviors. Permanent supportive housing is paired with on-site or  
24 off-site voluntary services designed to support a person living with  
25 a complex and disabling behavioral health or physical health  
26 condition who was experiencing homelessness or was at imminent risk  
27 of homelessness prior to moving into housing to retain their housing  
28 and be a successful tenant in a housing arrangement, improve the  
29 resident's health status, and connect the resident of the housing  
30 with community-based health care, treatment, or employment services.  
31 Permanent supportive housing is subject to all of the rights and  
32 responsibilities defined in chapter 59.18 RCW.

33 (34) "Public facilities" include streets, roads, highways,  
34 sidewalks, street and road lighting systems, traffic signals,  
35 domestic water systems, storm and sanitary sewer systems, parks and  
36 recreational facilities, and schools.

37 (35) "Public services" include fire protection and suppression,  
38 law enforcement, public health, education, recreation, environmental  
39 protection, and other governmental services.

1 (36) "Rail station area" means all lots fully within an urban  
2 growth area that are:

3 (a) Fully or partially within one-half mile walking distance of  
4 an entrance to a train station with a stop on a light rail system, a  
5 commuter rail stop in a city with a population greater than 15,000,  
6 or a stop on a rail trolley operated west of the crest of the Cascade  
7 mountains; or

8 (b) Fully or partially within one-quarter mile walking distance  
9 of an entrance to a train station with a commuter rail stop in a city  
10 with a population no greater than 15,000.

11 (37) "Recreational land" means land so designated under RCW  
12 36.70A.1701 and that, immediately prior to this designation, was  
13 designated as agricultural land of long-term commercial significance  
14 under RCW 36.70A.170. Recreational land must have playing fields and  
15 supporting facilities existing before July 1, 2004, for sports played  
16 on grass playing fields.

17 (38) "Rural character" refers to the patterns of land use and  
18 development established by a county in the rural element of its  
19 comprehensive plan:

20 (a) In which open space, the natural landscape, and vegetation  
21 predominate over the built environment;

22 (b) That foster traditional rural lifestyles, rural-based  
23 economies, and opportunities to both live and work in rural areas;

24 (c) That provide visual landscapes that are traditionally found  
25 in rural areas and communities;

26 (d) That are compatible with the use of the land by wildlife and  
27 for fish and wildlife habitat;

28 (e) That reduce the inappropriate conversion of undeveloped land  
29 into sprawling, low-density development;

30 (f) That generally do not require the extension of urban  
31 governmental services; and

32 (g) That are consistent with the protection of natural surface  
33 water flows and groundwater and surface water recharge and discharge  
34 areas.

35 (39) "Rural development" refers to development outside the urban  
36 growth area and outside agricultural, forest, and mineral resource  
37 lands designated pursuant to RCW 36.70A.170. Rural development can  
38 consist of a variety of uses and residential densities, including  
39 clustered residential development, at levels that are consistent with  
40 the preservation of rural character and the requirements of the rural

1 element. Rural development does not refer to agriculture or forestry  
2 activities that may be conducted in rural areas.

3 (40) "Rural governmental services" or "rural services" include  
4 those public services and public facilities historically and  
5 typically delivered at an intensity usually found in rural areas, and  
6 may include domestic water systems and fire and police protection  
7 services associated with rural development and normally not  
8 associated with urban areas. Rural services do not include storm or  
9 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

10 (41) "Short line railroad" means those railroad lines designated  
11 class II or class III by the United States surface transportation  
12 board.

13 (42) "Single-family zones" means those zones where single-family  
14 detached housing is the predominant land use.

15 (43) "Stacked flat" means dwelling units in a residential  
16 building of no more than three stories on a residential zoned lot in  
17 which each floor may be separately rented or owned.

18 (44) "Station area" means a bus station area or a rail station  
19 area.

20 (45) "Townhouses" means buildings that contain three or more  
21 attached single-family dwelling units that extend from foundation to  
22 roof and that have a yard or public way on not less than two sides.

23 (46) "Transitional housing" has the same meaning as in RCW  
24 84.36.043.

25 (47) "Transportation system" means all infrastructure and  
26 services for all forms of transportation within a geographical area,  
27 irrespective of the responsible jurisdiction or transportation  
28 provider.

29 ~~((47))~~ (48) "Urban governmental services" or "urban services"  
30 include those public services and public facilities at an intensity  
31 historically and typically provided in cities, specifically including  
32 storm and sanitary sewer systems, domestic water systems, street  
33 cleaning services, fire and police protection services, public  
34 transit services, and other public utilities associated with urban  
35 areas and normally not associated with rural areas.

36 ~~((48))~~ (49) "Urban growth" refers to growth that makes  
37 intensive use of land for the location of buildings, structures, and  
38 impermeable surfaces to such a degree as to be incompatible with the  
39 primary use of land for the production of food, other agricultural  
40 products, or fiber, or the extraction of mineral resources, rural

1 uses, rural development, and natural resource lands designated  
2 pursuant to RCW 36.70A.170. A pattern of more intensive rural  
3 development, as provided in RCW 36.70A.070(5)(d), is not urban  
4 growth. When allowed to spread over wide areas, urban growth  
5 typically requires urban governmental services. "Characterized by  
6 urban growth" refers to land having urban growth located on it, or to  
7 land located in relationship to an area with urban growth on it as to  
8 be appropriate for urban growth.

9 ~~((49))~~ (50) "Urban growth areas" means those areas designated  
10 by a county pursuant to RCW 36.70A.110.

11 ~~((50))~~ (51) "Very low-income household" means a single person,  
12 family, or unrelated persons living together whose adjusted income is  
13 at or below 50 percent of the median household income adjusted for  
14 household size, for the county where the household is located, as  
15 reported by the United States department of housing and urban  
16 development.

17 ~~((51))~~ (52) (a) "Vulnerable populations" means population groups  
18 that are more likely to be at higher risk for poor health outcomes in  
19 response to environmental harms, due to: (i) Adverse socioeconomic  
20 factors, such as unemployment, high housing and transportation costs  
21 relative to income, limited access to nutritious food and adequate  
22 health care, linguistic isolation, and other factors that negatively  
23 affect health outcomes and increase vulnerability to the effects of  
24 environmental harms; and (ii) sensitivity factors, such as low birth  
25 weight and higher rates of hospitalization.

26 (b) "Vulnerable populations" includes, but is not limited to:

27 (i) Racial or ethnic minorities;

28 (ii) Low-income populations; and

29 (iii) Populations disproportionately impacted by environmental  
30 harms.

31 ~~((52))~~ (53) "Wetland" or "wetlands" means areas that are  
32 inundated or saturated by surface water or groundwater at a frequency  
33 and duration sufficient to support, and that under normal  
34 circumstances do support, a prevalence of vegetation typically  
35 adapted for life in saturated soil conditions. Wetlands generally  
36 include swamps, marshes, bogs, and similar areas. Wetlands do not  
37 include those artificial wetlands intentionally created from  
38 nonwetland sites, including, but not limited to, irrigation and  
39 drainage ditches, grass-lined swales, canals, detention facilities,  
40 wastewater treatment facilities, farm ponds, and landscape amenities,

1 or those wetlands created after July 1, 1990, that were  
2 unintentionally created as a result of the construction of a road,  
3 street, or highway. Wetlands may include those artificial wetlands  
4 intentionally created from nonwetland areas created to mitigate  
5 conversion of wetlands.

6 ~~((53))~~ (54) "Wildland urban interface" means the geographical  
7 area where structures and other human development meets or  
8 intermingles with wildland vegetative fuels.

9 NEW SECTION. **Sec. 7.** (1) A county or city subject to this act  
10 shall adopt or amend by ordinance, and incorporate into its  
11 development regulations, zoning regulations, and other official  
12 controls, the requirements of this act within two years of the  
13 effective date of this section or its next comprehensive plan update,  
14 whichever occurs first. The requirements of this act supersede,  
15 preempt, and invalidate any conflicting local regulations and apply  
16 regardless of whether a county or city has incorporated the  
17 requirements of this act into the county's or city's development  
18 regulations, zoning regulations, and other official controls.

19 (2) This act does not apply to transitional housing, permanent  
20 supportive housing, indoor emergency shelters, and indoor emergency  
21 housing in operation on the effective date of this section. A county  
22 or city may not deem transitional housing, permanent supportive  
23 housing, indoor emergency shelters, and indoor emergency housing in  
24 operation on the effective date of this section unlawful or  
25 noncompliant due to the provisions of the act or due to ordinances,  
26 regulations, or controls adopted or amended under subsection (1) of  
27 this section.

--- END ---