
SENATE BILL 5555

State of Washington

69th Legislature

2025 Regular Session

By Senators Salomon, Alvarado, Frame, and Nobles

Read first time 01/28/25. Referred to Committee on Housing.

1 AN ACT Relating to zoning regulations in commercial, retail, and
2 mixed-use areas in cities and code cities; amending RCW 35.21.990 and
3 35A.21.440; and adding a new section to chapter 36.70A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A
6 RCW to read as follows:

7 (1) A city or code city planning under RCW 36.70A.040 must allow
8 for the following:

9 (a)(i) The addition of housing units in ground floor commercial
10 or retail in a station area that is not designated as a major
11 pedestrian corridor by the city or code city;

12 (ii) For the purposes of this section, a city or code city may
13 not designate more than 10 percent of its area zoned as mixed-use or
14 commercial as a major pedestrian corridor; and

15 (b) An expedited ability for a development to deviate from any
16 street level use standards based on a showing that the requirement
17 would result in the creation of fewer housing units in the
18 development.

19 (2) For the purposes of this section, "station area" means all
20 lots that are:

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

1 (b) Fully or partially within:

2 (i) One-half mile walking distance of an entrance to a train
3 station with a stop on a light rail system, a commuter rail stop, or
4 a stop on rail or fixed guideway systems; or

5 (ii) One-quarter mile walking distance of a stop on a fixed route
6 bus system that is designated as a bus rapid transit stop in the
7 transit development plan as required in RCW 35.58.2795, for which an
8 environmental determination has been issued as required under chapter
9 43.21C RCW, and that features fixed transit assets that indicate
10 permanent, high capacity service including, but not limited to,
11 elevated platforms or enhanced stations, off-board fare collection,
12 dedicated lanes, busways, or transit signal priority.

13 **Sec. 2.** RCW 35.21.990 and 2023 c 285 s 2 are each amended to
14 read as follows:

15 (1)(a) Cities must adopt or amend by ordinance, and incorporate
16 into their development regulations, zoning regulations, and other
17 official controls the requirements of subsection (2) of this section
18 for buildings that are zoned for commercial or mixed use no later
19 than six months after its next periodic comprehensive plan update
20 required under RCW 36.70A.130.

21 (b) The requirements of subsection (2) of this section apply and
22 take effect in any city that has not adopted or amended ordinances,
23 regulations, or other official controls as required under this
24 section by the timeline in (a) of this subsection and supersede,
25 preempt, and invalidate any conflicting local development
26 regulations.

27 (2) Through ordinances, development regulations, zoning
28 regulations, or other official controls as required under subsection
29 (1) of this section, cities may not:

30 (a) Impose a restriction on housing unit density that prevents
31 the addition of housing units at a density up to 50 percent more than
32 what is allowed in the underlying zone if constructed entirely within
33 an existing building envelope in a building located within a zone
34 that permits multifamily housing, provided that generally applicable
35 health and safety standards, including but not limited to building
36 code standards and fire and life safety standards, can be met within
37 the building;

38 (b) Impose parking requirements on the addition of dwelling units
39 or living units added within an existing building, however, cities

1 may require the retention of existing parking that is required to
2 satisfy existing residential parking requirements under local laws
3 and for nonresidential uses that remain after the new units are
4 added;

5 (c) With the exception of emergency housing and transitional
6 housing uses, impose permitting requirements on the use of an
7 existing building for residential purposes beyond those requirements
8 generally applicable to all residential development within the
9 building's zone;

10 (d) Impose design standard requirements, including setbacks, lot
11 coverage, and floor area ratio requirements, on the use of an
12 existing building for residential purposes beyond those requirements
13 generally applicable to all residential development within the
14 building's zone;

15 (e) Impose exterior design or architectural requirements on the
16 residential use of an existing building beyond those necessary for
17 health and safety of the use of the interior of the building or to
18 preserve character-defining streetscapes, unless the building is a
19 designated landmark or is within a historic district established
20 through a local preservation ordinance;

21 (f) Prohibit the addition of housing units in any specific part
22 of a building except ground floor commercial or retail that is along
23 a major pedestrian corridor as defined by each city, except as
24 provided in section 1 of this act, unless the addition of the units
25 would violate applicable building codes or health and safety
26 standards;

27 (g) Require unchanged portions of an existing building used for
28 residential purposes to meet the current energy code solely because
29 of the addition of new dwelling units within the building, however,
30 if any portion of an existing building is converted to new dwelling
31 units, each of those new units must meet the requirements of the
32 current energy code;

33 (h) Deny a building permit application for the addition of
34 housing units within an existing building due to nonconformity
35 regarding parking, height, setbacks, elevator size for gurney
36 transport, or modulation, unless the city official with decision-
37 making authority makes written findings that the nonconformity is
38 causing a significant detriment to the surrounding area; or

1 (i) Require a transportation concurrency study under RCW
2 36.70A.070 or an environmental study under chapter 43.21C RCW based
3 on the addition of residential units within an existing building.

4 (3) (a) Cities must adopt zoning regulations that allow for
5 greater building height and increased density in all commercial and
6 mixed-use zones for developments built with all mass timber products.

7 (b) For the purposes of this subsection, "mass timber products"
8 has the same meaning as in RCW 19.27.570.

9 (4) Nothing in this section requires a city to approve a building
10 permit application for the addition of housing units constructed
11 entirely within an existing building envelope in a building located
12 within a zone that permits multifamily housing in cases in which the
13 building cannot satisfy life safety standards.

14 ~~((4))~~ (5) For the purpose of this section, "existing building"
15 means a building that received a certificate of occupancy at least
16 three years prior to the permit application to add housing units.

17 **Sec. 3.** RCW 35A.21.440 and 2023 c 285 s 1 are each amended to
18 read as follows:

19 (1) (a) Code cities must adopt or amend by ordinance, and
20 incorporate into their development regulations, zoning regulations,
21 and other official controls the requirements of subsection (2) of
22 this section for buildings that are zoned for commercial or mixed use
23 no later than six months after its next periodic comprehensive plan
24 update required under RCW 36.70A.130.

25 (b) The requirements of subsection (2) of this section apply and
26 take effect in any code city that has not adopted or amended
27 ordinances, regulations, or other official controls as required under
28 this section by the timeline in (a) of this subsection and supersede,
29 preempt, and invalidate any conflicting local development
30 regulations.

31 (2) Through ordinances, development regulations, zoning
32 regulations, or other official controls as required under subsection
33 (1) of this section, code cities may not:

34 (a) Impose a restriction on housing unit density that prevents
35 the addition of housing units at a density up to 50 percent more than
36 what is allowed in the underlying zone if constructed entirely within
37 an existing building envelope in a building located within a zone
38 that permits multifamily housing, provided that generally applicable
39 health and safety standards, including but not limited to building

1 code standards and fire and life safety standards, can be met within
2 the building;

3 (b) Impose parking requirements on the addition of dwelling units
4 or living units added within an existing building, however, code
5 cities may require the retention of existing parking that is required
6 to satisfy existing residential parking requirements under local laws
7 and for nonresidential uses that remain after the new units are
8 added;

9 (c) With the exception of emergency housing and transitional
10 housing uses, impose permitting requirements on the use of an
11 existing building for residential purposes beyond those requirements
12 generally applicable to all residential development within the
13 building's zone;

14 (d) Impose design standard requirements, including setbacks, lot
15 coverage, and floor area ratio requirements, on the use of an
16 existing building for residential purposes beyond those requirements
17 generally applicable to all residential development within the
18 building's zone;

19 (e) Impose exterior design or architectural requirements on the
20 residential use of an existing building beyond those necessary for
21 health and safety of the use of the interior of the building or to
22 preserve character-defining streetscapes, unless the building is a
23 designated landmark or is within a historic district established
24 through a local preservation ordinance;

25 (f) Prohibit the addition of housing units in any specific part
26 of a building except ground floor commercial or retail that is along
27 a major pedestrian corridor as defined by the code city, except as
28 provided in section 1 of this act, unless the addition of the units
29 would violate applicable building codes or health and safety
30 standards;

31 (g) Require unchanged portions of an existing building used for
32 residential purposes to meet the current energy code solely because
33 of the addition of new dwelling units within the building, however,
34 if any portion of an existing building is converted to new dwelling
35 units, each of those new units must meet the requirements of the
36 current energy code;

37 (h) Deny a building permit application for the addition of
38 housing units within an existing building due to nonconformity
39 regarding parking, height, setbacks, elevator size for gurney
40 transport, or modulation, unless the code city official with

1 decision-making authority makes written findings that the
2 nonconformity is causing a significant detriment to the surrounding
3 area; or

4 (i) Require a transportation concurrency study under RCW
5 36.70A.070 or an environmental study under chapter 43.21C RCW based
6 on the addition of residential units within an existing building.

7 (3)(a) Code cities must adopt zoning regulations that allow for
8 greater building height and increased density in all commercial and
9 mixed-use zones for developments built with all mass timber products.

10 (b) For the purposes of this subsection, "mass timber products"
11 has the same meaning as in RCW 19.27.570.

12 (4) Nothing in this section requires a code city to approve a
13 building permit application for the addition of housing units
14 constructed entirely within an existing building envelope in a
15 building located within a zone that permits multifamily housing in
16 cases in which the building cannot satisfy life safety standards.

17 ~~((4))~~ (5) For the purpose of this section, "existing building"
18 means a building that received a certificate of occupancy at least
19 three years prior to the permit application to add housing units.

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