CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5184

Chapter 204, Laws of 2025

69th Legislature
2025 Regular Session

MINIMUM PARKING REQUIREMENTS

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 17, 2025
Yeas 36 Nays 13

JOHN LOVICK

President of the Senate

Passed by the House April 11, 2025
Yeas 64 Nays 31

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 7, 2025 1:22 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5184** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 12, 2025

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE SENATE BILL 5184

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Housing (originally sponsored by Senators Bateman, Trudeau, Frame, Krishnadasan, Liias, Nobles, Pedersen, Salomon, Shewmake, and Stanford)

READ FIRST TIME 02/07/25.

AN ACT Relating to minimum parking requirements; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 19.27 RCW; creating new sections; and repealing RCW 36.70A.620.

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

NEW SECTION. **Sec. 1.** The legislature finds that predetermined on-site parking requirements needlessly drive up the cost of development, particularly housing; discourage walking and multimodal transit usage; and encourage excessive reliance of automobiles with attendant impacts on human health and greenhouse gas emissions. The legislature further finds that the amount of parking that a project actually needs should be determined on a case-by-case basis by permit applicants sensitive to actual market conditions rather than a one-size-fits-all regulation.

NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW to read as follows:

(1) A city may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per single-family home.

(2) A city may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A city may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) To cities with a population of 30,000 or less, as determined by the population estimate of the office of financial management under RCW 43.62.030;

(b) If a city submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the city's current parking requirements; or

(c) To portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) Cities may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(8) Cities are not prohibited from requiring temporary or time-restricted parking. Cities are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(9) Cities that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The city's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The city's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The city's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(10) Cities may submit a request for a variance from the requirements of this section to the department of commerce if compliance with the requirements of this section would be hazardous to the life, health, and safety of residents as confirmed by a building official or fire marshal, or their designees. A request for a variance may include requests to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Cities with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Cities with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21 RCW to read as follows:

(1) A code city may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per single-family home.

(2) A code city may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A code city may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) To code cities with a population of 30,000 or less, as determined by the population estimate of the office of financial management under RCW 43.62.030;

(b) If a code city submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the code city's current parking requirements; or

(c) To portions of code cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) Code cities may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(8) Code cities are not prohibited from requiring temporary or time-restricted parking. Code cities are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(9) Code cities that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The code city's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The code city's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The code city's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(10) Code cities may submit a request for a variance from the requirements of this section to the department of commerce if compliance with the requirements of this section would be hazardous to the life, health, and safety of residents as confirmed by a building official or fire marshal, or their designees. A request for a variance may include requests to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Code cities with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Code cities with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW to read as follows:

(1) A county may not require more than 0.5 parking space per multifamily dwelling unit or more than one parking space per single-family home.

(2) A county may not require more than two parking spaces per 1,000 square feet of commercial space.

(3) A county may not require any minimum parking requirements for:

(a) Residences under 1,200 square feet;

(b) Commercial spaces under 3,000 square feet;

(c) Affordable housing;

(d) Senior housing;

(e) Child care centers as defined in RCW 43.216.010 that are licensed or certified by the department of children, youth, and families;

(f) Ground level nonresidential spaces in mixed-use buildings; and

(g) A building undergoing a change of use from a nonresidential to a residential use or a change of use for a commercial use.

(4) For purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Commercial use" means use for nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services.

(5) This section does not apply to requirements for parking spaces permanently marked for the exclusive use of individuals with disabilities in compliance with the Americans with disabilities act.

(6) The provisions of this section do not apply:

(a) If a county submits to the department of commerce an empirical study prepared by a credentialed transportation or land use planning expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of this section will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than the county's current parking requirements; or

(b) To portions of counties within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(7) A county 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.

(8) Counties may require parking in excess of the limitations in this section for religious organizations and parking requirements for carpools.

(9) Counties are not prohibited from requiring temporary or time-restricted parking. Counties are encouraged to consider the adequacy of drop-off space, waiting space, and accessibility in the design review process when considering the limitations on parking requirements.

(10) A county may submit a request for a variance from the requirements of this section to require additional parking spaces permanently marked for the exclusive use of individuals with disabilities beyond those required for compliance with the Americans with disabilities act based on the planned or likely population, location, or safety of a building, using objective standards.

(11) Counties that have adopted substantially similar policies to the requirements established in this section may apply to the department of commerce for a determination of compliance with the requirements of this section. In determining what is substantially similar, the department of commerce shall consider whether:

(a) The county's parking requirements as of July 2025 have the same or lower parking minimums than the requirements of this section;

(b) The county's parking requirements are equal to the average number of parking stalls required per residential unit and the average number of parking stalls required per 1,000 square feet of commercial space; and

(c) The county's parking requirements for affordable housing, senior housing, housing for people with disabilities, and child care facilities are equivalent to the requirements of this section.

(12) Counties with a population between 30,000 and 50,000 shall implement the requirements of this section within three years of the effective date of this act. Counties with a population of 50,000 or greater shall implement the requirements of this act within 18 months of the effective date of this act.

NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27 RCW to read as follows:

The state building code council shall research and, if necessary, adopt by rule updated accessible parking space requirements in the state building code promulgated under this chapter to align with current research on disability rates among drivers.

NEW SECTION. **Sec. 6.** RCW 36.70A.620 (Cities planning under RCW 36.70A.040—Minimum residential parking requirements) and 2020 c 173 s 3 & 2019 c 348 s 5 are each repealed.

NEW SECTION. **Sec. 7.** This act may be known and cited as the parking reform and modernization act.

Passed by the Senate April 17, 2025.
Passed by the House April 11, 2025.
Approved by the Governor May 7, 2025.
Filed in Office of Secretary of State May 12, 2025.

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