

SSB 6302 - H COMM AMD

By Committee on Local Government

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21
4 RCW to read as follows:

5 (1) Cities that have an ordinance that limits the number of
6 unrelated persons that may occupy a home must provide a process for a
7 property owner to apply to exceed the limit for the number of
8 unrelated persons occupying a household or dwelling unit. The process
9 for determining whether to grant an exception may include a review
10 of:

11 (a) The household or dwelling unit's compliance with applicable
12 building codes;

13 (b) The public health impacts of the application;

14 (c) Any public safety concerns raised by the application;

15 (d) The provision of cooking and sanitation relative to occupancy
16 in the proposal; and

17 (e) The infrastructure capacity of the property seeking the
18 exception.

19 (2) The city may condition its approval of the application on the
20 household or dwelling unit's compliance with conditions established
21 by the city.

22 (3) If an application is approved by the city, the city may
23 revoke the exception to exceed the unrelated occupant limit if the
24 household or dwelling is not in compliance with one or more
25 provisions of the local fire code, building code, municipal code, or
26 other code provisions.

27 (4) This section does not apply to occupant limits on group
28 living arrangements regulated under state law or on short-term
29 rentals as defined in RCW 64.37.010.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21
2 RCW to read as follows:

3 (1) Code cities that have an ordinance that limits the number of
4 unrelated persons that may occupy a home must provide a process for a
5 property owner to apply to exceed the limit for the number of
6 unrelated persons occupying a household or dwelling unit. The process
7 for determining whether to grant an exception may include a review
8 of:

9 (a) The household or dwelling unit's compliance with applicable
10 building codes;

11 (b) The public health impacts of the application;

12 (c) Any public safety concerns raised by the application;

13 (d) The provision of cooking and sanitation relative to occupancy
14 in the proposal; and

15 (e) The infrastructure capacity of the property seeking the
16 exception.

17 (2) The code city may condition its approval of the application
18 on the household or dwelling unit's compliance with conditions
19 established by the code city.

20 (3) If an application is approved by the code city, the code city
21 may revoke the exception to exceed the unrelated occupant limit if
22 the household or dwelling is not in compliance with one or more
23 provisions of the local fire code, building code, municipal code, or
24 other code provisions.

25 (4) This section does not apply to occupant limits on group
26 living arrangements regulated under state law or on short-term
27 rentals as defined in RCW 64.37.010.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01
29 RCW to read as follows:

30 (1) Counties that have an ordinance that limits the number of
31 unrelated persons that may occupy a home must provide a process for a
32 property owner to apply to exceed the limit for the number of
33 unrelated persons occupying a household or dwelling unit. The process
34 for determining whether to grant an exception may include a review
35 of:

36 (a) The household or dwelling unit's compliance with applicable
37 building codes;

38 (b) The public health impacts of the application;

39 (c) Any public safety concerns raised by the application;

1 (d) The provision of cooking and sanitation relative to occupancy
2 in the proposal; and

3 (e) The infrastructure capacity of the property seeking the
4 exception.

5 (2) The county may condition its approval of the application on
6 the household or dwelling unit's compliance with conditions
7 established by the county.

8 (3) If an application is approved by the county, the county may
9 revoke the exception to exceed the unrelated occupant limit if the
10 household or dwelling is not in compliance with one or more
11 provisions of the county code or other code provisions.

12 (4) This section does not apply to occupant limits on group
13 living arrangements regulated under state law or on short-term
14 rentals as defined in RCW 64.37.010."

15 Correct the title.

EFFECT: Replaces the prohibition on local government regulation of unrelated persons' occupancy of a household or dwelling unit with a requirement that, if the local government does have such regulations, it must provide a process for seeking an exception to the regulations. Allows a local government to review various aspects of the proposed household or dwelling units, including its compliance with applicable building codes and the infrastructure capacity of the property, when making a decision on an application for an exception, and to condition approval on the household or dwelling unit's compliance with certain conditions established by the local government. Allows a local government to later revoke approval if the household or dwelling unit is not in compliance with building, fire, or other code requirements.

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