

ESHB 2890 - S 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 36.70
4 RCW to read as follows:

5 (1) A county may enact, enforce, or maintain an ordinance,
6 development regulation, zoning regulation, or official control,
7 policy, or administrative practice that authorizes the use of a
8 residential dwelling, located in an area zoned for residential or
9 commercial use, as a boarding home.

10 (2) A county may require that a boarding home:

11 (a) Comply with all building, fire, safety, health code, and
12 business licensing requirements; and

13 (b) Conform to lot size, building size, setbacks, and lot
14 coverage standards applicable to the zoning district except if the
15 structure is a legal nonconforming structure.

16 (3) A county may also require that the boarding home provider
17 provide proof of written notification by the provider to the
18 immediately adjoining property owners, informing the property owners
19 of the intent to locate and maintain such a facility.

20 (4) Nothing in this section shall be construed to prohibit a
21 county from imposing zoning or other conditions on the establishment
22 and maintenance of a boarding home in an area zoned for residential
23 or commercial use, including, but not limited to, restrictions on the
24 number of residents.

25 (5)(a) As used in this section, "boarding home" means any home or
26 other institution, which provides housing, transportation, and basic
27 services in exchange for a fee or charge for up to sixteen unrelated
28 permanent boarders, and which assumes general responsibility for the
29 safety and well-being of the boarders in a residential structure
30 located in an urban or rural residential zone. In order to qualify as
31 a boarding home under this section, at least eighty percent of the

1 permanent boarders must be fifty-five years of age or older. A
2 boarding home may be located adjacent to other boarding homes.

3 (b) A boarding home shall be designed for supportive services in
4 order for boarders to live independently or semi-independently.
5 Boarders shall be provided with a combination of meals, social
6 activities, and transportation services depending on needs.

7 (c) If personal care, health care, or any combination of these
8 are needed, these services will be set up independently by the
9 boarder with an independent agency or caregiver not associated with
10 the boarding home operator.

11 (d) A boarding home is not an adult family home licensed under
12 chapter 70.128 RCW, an assisted living facility licensed under
13 chapter 18.20 RCW, an enhanced services facility licensed under
14 chapter 70.97 RCW, or any other residential services facility
15 licensed by the department of social and health services."

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16 On page 1, line 1 of the title, after "homes;" strike the
17 remainder of the title and insert "and adding a new section to
18 chapter 36.70 RCW."

EFFECT: Adds transportation as a service that is provided by a boarding home. Removes board and domiciliary care as services provided. Specifies that boarders shall be provided with a combination of meals, social activities, and transportation services depending on needs. Provides that if personal care, health care, or any combination of these are needed, these services will be set up independently by the boarder with an independent agency or caregiver not associated with the boarding home operator. Specifies that a boarding home is not an adult family home, an assisted living facility, an enhanced services facility, or any other residential services facility licensed by the Department of Social and Health Services. Amends references to "residents" to "boarders."

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