

HOUSE BILL REPORT

HB 2890

As Reported by House Committee On:
Local Government

Title: An act relating to boarding homes.

Brief Description: Concerning boarding homes.

Sponsors: Representative MacEwen.

Brief History:

Committee Activity:

Local Government: 2/5/20, 2/7/20 [DPS].

Brief Summary of Substitute Bill

- Allows counties to authorize, under such conditions as the county may impose, boarding homes in areas zoned for residential or commercial use.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Pollet, Chair; Kraft, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Goehner and Senn.

Minority Report: Without recommendation. Signed by 1 member: Representative Appleton.

Minority Report: Do not pass. Signed by 1 member: Representative Duerr, Vice Chair.

Staff: Kellen Wright (786-7134).

Background:

Counties, cities, and towns (local governments) may use a variety of means to regulate what property can be used for in the jurisdiction. Through zoning and development regulations, local governments can permit or prohibit certain land uses within a given area. Other local government policies and procedures can effectively prohibit certain uses entirely.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill:

A boarding home is a residence or other institution located in a residential zone that provides board, domiciliary care, and basic services for up to 16 unrelated permanent residents, at least 80 percent of whom are 55 years of age or older, in exchange for a fee or charge, and which assumes general responsibility for the safety and wellbeing of the residents.

Counties may authorize boarding homes to be located in an area zoned for residential or commercial use. Counties may impose zoning and other conditions on the establishment and maintenance of a boarding home, including restrictions on the number of residents.

Substitute Bill Compared to Original Bill:

The substitute bill:

- removes provisions related to cities and towns;
- replaces the provision that prohibited counties from barring boarding homes in areas zoned for residential or commercial use with a provision that allows counties to authorize the use of a residential building as a boarding home in those areas;
- removes the provision requiring a minimum of seven residents to qualify as a boarding home;
- allows counties to impose zoning and other conditions on the establishment or operation of a boarding home, including restrictions on the number of residents; and
- adds the requirement that at least 80 percent of the permanent resident boarders be 55 years of age or older in order to qualify as a boarding home.

Appropriation: None.

Fiscal Note: Requested on February 4, 2020.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Rural areas do not have as many skilled nursing facilities, and this bill would allow the option of utilizing boarding homes near family. The current system separates people from their partners and can put them into debt. This bill will provide more affordable housing options. This is vital in areas that do not have the same sort of facilities as municipal areas. This is a creative approach to shared housing, and to blending shared housing into communities. This bill creates opportunities for shared living, thriving, and growing. This bill would provide assurance and predictability for those trying to create a community living environment outside of a retirement community.

(Opposed) This bill is too broad, as it would proscriptively require all cities to allow boarding home facilities in residential and commercial zones without the local jurisdiction being able to make a decision. A better approach would be to allow local jurisdictions to provide for boarding homes in their regulation, which would allow local governments to have control and to address any issues.

Persons Testifying: (In support) Representative MacEwen, prime sponsor; and Marie Sullivan and Kelly Watson, Estate Living Gig Harbor.

(Opposed) Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.