

SENATE BILL REPORT

SHB 2252

As of February 15, 2024

Title: An act relating to allowing small business establishments in residential zones.

Brief Description: Allowing small business establishments in residential zones.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Klicker, Leavitt, Sandlin, Reed, Fosse, Graham and Taylor).

Brief History: Passed House: 2/9/24, 97-0.

Committee Activity: Local Government, Land Use & Tribal Affairs: 2/15/24.

Brief Summary of Bill

- Requires cities, towns, and code cities to allow neighborhood cafes in any zone allowing residential uses if the café meets certain criteria.

SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

Staff: Maggie Douglas (786-7279)

Background: A city, town, or county may enact ordinances regulating the use of land and zoning certain development and activities within its jurisdiction. Such regulations generally include, among other things, the use of buildings, structures, and land for residence, commercial, industrial, or other purposes.

Summary of Bill: A city, town, or code city must allow neighborhood cafés to be permitted in any zone allowing residential uses, provided the following conditions are met:

- the total gross floor area of the café must be at least 500 square feet;
- there are no drive-through facilities;
- if alcoholic beverages are offered, food must also be offered; and
- the café is located in an area where there is more than one means of egress for vehicle

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traffic.

Cities, towns, and code cities may not require more than two off-street parking spots per café. Cities, towns, and code cities may limit the hours of operation for neighborhood cafés.

A neighborhood café is defined as an establishment that serves a limited menu of food items and has at least 500 square feet of gross floor area.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: These kinds of places has diminished over the last few decades. This bill brings back community, helps small businesses, and creates community. Local governments would have to allow this but there is some give and take within the bill to allow them to establish parameters like ingress and egress.

OTHER: This bill has a good intent but needs a few amendments to be workable for cities. This includes adding language that allows cities to establish a maximum gross floor area, and regulate noise, signage, and freight traffic. The bill should also include language to ensure that the minimum parking spaces included in the bill are in addition to what is required under the Americans with Disabilities Act. Small cities will have trouble providing enough staff to support establishing and facilitating a program like this, so the bill should be amended to apply to cities over 5000 in population. Cities would like flexibility to choose whether to implement the parking or drive through regulations, and have the flexibility to choose one or the other and not be required to implement both. Cities would also like to have the ability to regulate bike parking on the premises. Community members would like provisions that prohibit cities from limiting the hours of operation to something infeasible, such as a one hour window of operation. There should also be language that would allow small neighborhood grocers.

Persons Testifying: PRO: Representative Mark Klicker, Prime Sponsor; Kaiden Cook.

OTHER: Carl Schroeder, Association of Washington Cities; Briahna Murray, City of Bellevue.

Persons Signed In To Testify But Not Testifying: No one.