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**SENATE BILL 5249**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators J. Wilson and Chapman

AN ACT Relating to siting kit homes; amending RCW 35A.63.100 and 35.63.170; adding a new section to chapter 35.63 RCW; and adding a new section to chapter 36.70 RCW.

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

**Sec.**  RCW 35A.63.100 and 2018 c 302 s 4 are each amended to read as follows:

After approval of the comprehensive plan in accordance with provisions of this chapter, the legislative body, in developing the municipality and in regulating the use of land, may implement or give effect to the comprehensive plan or parts thereof by ordinance or other action to such extent as the legislative body deems necessary or appropriate. Such ordinances or other action may provide for:

(1) Adoption of an official map and regulations relating thereto designating locations and requirements for one or more of the following: Streets, parks, public buildings, and other public facilities, and protecting such sites against encroachment by buildings and other physical structures.

(2)(a)(i) Dividing the municipality, or portions thereof, into appropriate zones within which specific standards, requirements, and conditions may be provided for regulating: The use of public and private land, buildings, and structures; the location, height, bulk, number of stories, and size of buildings and structures; size of yards, courts, and open spaces; density of population; ratio of land area to the area of buildings and structures; setbacks; area required for off-street parking; protection of access to direct sunlight for solar energy systems; and such other standards, requirements, regulations, and procedures as are appropriately related thereto.

(ii) Eliminating the minimum gross floor area requirements for single-family detached dwellings or reducing the requirements below the minimum performance standards and objectives contained in the state building code.

(iii) Permitting the use of structures which have been constructed in a factory and designed to sufficient life, health, and safety standards to be utilized as temporary housing. For the purposes of this subsection, "temporary" means the duration of any manufacturer's warranty for such prebuilt housing. These structures may be assembled on-site with or without a permanent foundation.

(b) The ordinance encompassing the matters of this subsection (2) is hereinafter called the "zoning ordinance." No zoning ordinance, or amendment thereto, shall be enacted by the legislative body without at least one public hearing, notice of which shall be given as set forth in RCW 35A.63.070. Such hearing may be held before the planning agency or the board of adjustment or such other body as the legislative body shall designate.

(3) Adoption of design standards, requirements, regulations, and procedures for the subdivision of land into two or more parcels, including, but not limited to, the approval of plats, dedications, acquisitions, improvements, and reservation of sites for public use.

(4) Scheduling public improvements on the basis of recommended priorities over a period of years, subject to periodic review.

(5) Such other matters as may be otherwise authorized by law or as the legislative body deems necessary or appropriate to effectuate the goals and objectives of the comprehensive plan or parts thereof and the purposes of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 35.63 RCW to read as follows:

Cities may site kit homes in any zones or areas that allow single-family or other residential uses as well as in any other limited development space for the intention of providing emergency housing. Kit homes may be permitted for a limited time based on the manufacturer warranty and placed with or without a foundation.

**Sec.**  RCW 35.63.170 and 1989 c 335 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 35.22.660, 35.63.180, 35A.63.210, 36.32.520, and 36.70.675:

(1) "Family day care home" means a person regularly providing care during part of the twenty-four-hour day to six or fewer children in the family abode of the person or persons under whose direct care the children are placed.

(2) "Mini-day care center" means a person or agency providing care during part of the twenty-four-hour day to twelve or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed, or for the care of seven through twelve children in the family abode of such person or persons.

(3) "Day care center" means a person or agency that provides care for thirteen or more children during part of the twenty-four-hour day.

(4) "Child care facility" means a family day care home, mini-day care center, and day care center.

(5) "Kit homes" means structures designed and constructed in a factory to sufficient life, health, and safety standards to be utilized as housing for the length of the manufacturer's warranty, and to be assembled on-site with or without a permanent foundation.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70 RCW to read as follows:

(1) Counties may permit kit homes in zones or areas designated residential. In areas not zoned for permanent housing, but in which temporary housing is needed, counties may permit either the construction or placement, or both, of kit homes.

(2) For the purpose of this section, "kit homes" means structures designed and constructed in a factory to sufficient life, health, and safety standards to be utilized as housing for the length of the manufacturer warranty, and to be assembled on-site with or without a permanent foundation.

**--- END ---**