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**SUBSTITUTE HOUSE BILL 1987**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** House Community Development, Housing & Tribal Affairs (originally sponsored by Representatives McBride, Macri, Robinson, Stanford, Slatter, Senn, Santos, Chapman, Ortiz-Self, and Jinkins)

AN ACT Relating to allowing affordable housing development on religious organization property; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 36.70A RCW.

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

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

(1) A city planning under this chapter may not restrict the density more than what is permitted in subsection (2) of this section for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least forty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) An affordable housing development created by a religious organization may be constructed to two times the density as other structures based on its location found on the zoning map the city has created under RCW 35.63.100 or 35.63.110.

(3) The religious organization constructing the affordable housing development must pay all fees, mitigation costs, and other charges required through the construction of the affordable housing development.

(4) The religious organization constructing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(5) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that is considered affordable by a federal, state, or local government housing program;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35A.21.360.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.63 RCW to read as follows:

(1) A city planning under this chapter may not restrict the density more than what is permitted in subsection (2) of this section for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least forty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) An affordable housing development created by a religious organization may be constructed to two times the density as other structures based on its location found on the zoning map the city has created under RCW 35A.63.061 or 35A.63.100.

(3) The religious organization constructing the affordable housing development must pay all fees, mitigation costs, and other charges required through the construction of the affordable housing development.

(4) The religious organization constructing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(5) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that is considered affordable by a federal, state, or local government housing program;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35A.21.360.

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

(1) A county planning under this chapter may not restrict the density more than what is permitted in subsection (2) of this section for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least forty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) An affordable housing development created by a religious organization may be constructed to two times the density as other structures based on the zone it is in as created under RCW 36.70.750 and 36.70.760.

(3) The religious organization constructing the affordable housing development must pay all fees, mitigation costs, and other charges required through the construction of the affordable housing development.

(4) The religious organization constructing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(5) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that is considered affordable by a federal, state, or local government housing program;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35A.21.360.

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

(1) A local government fully planning under this chapter may not restrict the density more than what is permitted in subsection (2) of this section for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least forty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) An affordable housing development created by a religious institution within a city or county fully planning under RCW 36.70A.040 must be located within an urban growth area as defined in RCW 36.70A.110 or a limited area of more intensive rural development as defined in RCW 36.70A.070(5)(d).

(3) An affordable housing development created by a religious organization within an urban growth area as defined in RCW 36.70A.070 may be constructed to two times the density as other structures based on its location found on the current zoning map or the future land use map the local government has created under RCW 36.70A.070.

(4) An affordable housing development created by a religious organization within a limited area of more intensive rural development as defined in RCW 36.70A.070(5)(d) may be constructed to two times the density as other structures based on its location found on the current zoning map or the future land use map the local government has created under RCW 36.70A.070.

(5) The religious organization constructing the affordable housing development must pay all fees, mitigation costs, and other charges required through the construction of the affordable housing development.

(6) The religious organization constructing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

(7) For purposes of this section:

(a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that is considered affordable by a federal, state, or local government housing program;

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and

(c) "Religious organization" has the same meaning as in RCW 35A.21.360.

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