

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1824

Chapter 461, Laws of 1993

53rd Legislature
1993 Regular Session

AFFORDABLE HOUSING--INVENTORY OF SUITABLE PUBLIC PROPERTY

EFFECTIVE DATE: 7/25/93

Passed by the House March 17, 1993
Yeas 95 Nays 2

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 16, 1993
Yeas 30 Nays 15

JOEL PRITCHARD
President of the Senate

Approved May 17, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1824** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 17, 1993 - 1:57 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1824

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Wolfe, Wineberry, Forner, Peery, Reams, Valle, Pruitt, Flemming, Leonard, Talcott, Anderson, J. Kohl, Thibaudeau, Jones, King, Quall, H. Myers, Cooke and Finkbeiner

Read first time 02/10/93. Referred to Committee on Trade, Economic Development & Housing.

1 AN ACT Relating to publicly owned lands and buildings; amending RCW
2 43.63A.510, 36.34.135, and 47.12.063; adding a new section to chapter
3 28A.335 RCW; adding a new section to chapter 35.21 RCW; adding a new
4 section to chapter 36.34 RCW; adding a new section to chapter 43.19
5 RCW; adding a new section to chapter 43.20A RCW; adding a new section
6 to chapter 43.30 RCW; adding a new section to chapter 47.12 RCW; adding
7 a new section to chapter 72.09 RCW; and creating new sections.

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

9 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

10 (a) The lack of affordable housing for very low-income, low-income,
11 or moderate-income households and special needs populations is
12 intensified by the rising cost of land and construction; and

13 (b) There are publicly owned land and buildings which may be
14 suitable to be marketed, sold, leased, or exchanged for the development
15 of affordable housing.

16 (2) The legislature declares that the purpose of this act is to:

17 (a) Provide for an analysis of the inventory of state-owned lands
18 and buildings prepared by the departments of natural resources,
19 transportation, corrections, and general administration;

1 (b) Identify other publicly owned land and buildings that may be
2 suitable for the development of affordable housing for very-low income,
3 low-income, or moderate-income households and special needs
4 populations;

5 (c) Provide a central location of inventories of state and publicly
6 owned land and buildings that may be suitable to be marketed, sold,
7 leased, or exchanged for the development of affordable housing; and

8 (d) Encourage an effective use of publicly owned surplus and
9 underutilized land and buildings suitable for the development of
10 affordable housing for very low-income, low-income, or moderate-income
11 households and special needs populations.

12 **Sec. 2.** RCW 43.63A.510 and 1990 c 253 s 6 are each amended to read
13 as follows:

14 (1) The department shall work with the departments of natural
15 resources, transportation, social and health services, corrections, and
16 general administration to identify and catalog under-utilized, state-
17 owned land and property ((for possible lease)) suitable for the
18 development of affordable housing for very low-income, low-income or
19 moderate-income households. The departments of natural resources,
20 transportation, social and health services, corrections, and general
21 administration shall provide an inventory of real property that is
22 owned or administered by each agency and is available for lease or
23 sale. The inventories shall be provided to the department by November
24 1, ((1990)) 1993, with inventory revisions provided each November 1
25 thereafter. ((The department shall assist local governments, public
26 housing authorities, public nonprofit organizations, and private
27 nonprofit organizations in obtaining long term leases of suitable and
28 available sites. The leases shall be for the purpose of providing
29 sites to be used for affordable housing for farmworkers.))

30 (2) Upon written request, the department shall provide a copy of
31 the inventory of state-owned and publicly owned lands and buildings to
32 parties interested in developing the sites for affordable housing.

33 (3) As used in this section:

34 (a) "Affordable housing" means residential housing that is rented
35 or owned by a person who qualifies as a very low-income, low-income, or
36 moderate-income household or who is from a special needs population,
37 and whose monthly housing costs, including utilities other than

1 telephone, do not exceed thirty percent of the household's monthly
2 income.

3 (b) "Very low-income household" means a single person, family, or
4 unrelated persons living together whose income is at or below fifty
5 percent of the median income, adjusted for household size, for the
6 county where the affordable housing is located.

7 (c) "Low-income household" means a single person, family, or
8 unrelated persons living together whose income is more than fifty
9 percent but is at or below eighty percent of the median income where
10 the affordable housing is located.

11 (d) "Moderate-income household" means a single person, family, or
12 unrelated persons living together whose income is more than eighty
13 percent but is at or below one hundred fifteen percent of the median
14 income where the affordable housing is located.

15 NEW SECTION. Sec. 3. A new section is added to chapter 28A.335
16 RCW to read as follows:

17 (1) Every school district shall identify and catalog real property
18 of the district that is no longer required for school purposes and is
19 suitable for the development of affordable housing for very low-income,
20 low-income, and moderate-income households as defined in RCW
21 43.63A.510. The inventory shall include the location, approximate
22 size, and current zoning classification of the property. Every school
23 district shall provide a copy of the inventory to the department of
24 community development by November 1, 1993, with inventory revisions
25 each November 1 thereafter.

26 (2) By November 1 of each year, beginning in 1994, every school
27 district shall purge the inventory of real property of sites that are
28 no longer available for the development of affordable housing. The
29 inventory revision shall include an updated listing of real property
30 that has become available since the last update. As used in this
31 section, "real property" means buildings, land, or buildings and land.

32 NEW SECTION. Sec. 4. A new section is added to chapter 35.21 RCW
33 to read as follows:

34 (1) Every city and town, including every code city operating under
35 Title 35A RCW, shall identify and catalog real property owned by the
36 city or town that is no longer required for its purposes and is
37 suitable for the development of affordable housing for very low-income,

1 low-income, and moderate-income households as defined in RCW
2 43.63A.510. The inventory shall include the location, approximate
3 size, and current zoning classification of the property. Every city
4 and town shall provide a copy of the inventory to the department of
5 community development by November 1, 1993, with inventory revisions
6 each November 1 thereafter.

7 (2) By November 1 of each year, beginning in 1994, every city and
8 town, including every code city operating under Title 35A RCW, shall
9 purge the inventory of real property of sites that are no longer
10 available for the development of affordable housing. The inventory
11 revision shall also contain a list of real property that has become
12 available since the last update. As used in this section, "real
13 property" means buildings, land, or buildings and land.

14 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.34 RCW
15 to read as follows:

16 (1) Every county shall identify and catalog real property owned by
17 the county that is no longer required for its purposes and is suitable
18 for the development of affordable housing for very low-income, low-
19 income, and moderate-income households as defined in RCW 43.63A.510.
20 The inventory shall include the location, approximate size, and current
21 zoning classification of the property. Every county shall provide a
22 copy of the inventory to the department of community development by
23 November 1, 1993, with inventory revisions each November 1 thereafter.

24 (2) By November 1 of each year, beginning in 1994, every county
25 shall purge the inventory of real property of sites that are no longer
26 available for the development of affordable housing. The inventory
27 revision shall include an updated listing of real property that has
28 become available since the last update. As used in this section, "real
29 property" means buildings, land, or buildings and land.

30 **Sec. 6.** RCW 36.34.135 and 1990 c 253 s 7 are each amended to read
31 as follows:

32 If a county owns property that is located anywhere within the
33 county, including within the limits of a city or town, and that is
34 suitable for (~~seasonal or migrant farmworker~~) affordable housing, the
35 legislative authority of the county may, by negotiation, lease the
36 property for (~~seasonal or migrant farmworker~~) affordable housing for
37 a term not to exceed seventy-five years to any public housing authority

1 or nonprofit organization that has demonstrated its ability to
2 construct or operate housing for (~~seasonal or migrant farmworkers~~)
3 very low-income, low-income, or moderate-income households as defined
4 in RCW 43.63A.510 and special needs populations. Leases for housing
5 for (~~migrant and seasonal farmworkers~~) very low-income, low-income,
6 or moderate-income households and special needs populations shall not
7 be subject to any requirement of periodic rental adjustments, as
8 provided in RCW 36.34.180, but shall provide for such fixed annual
9 rents as appear reasonable considering the public, social, and health
10 benefits to be derived by providing an adequate supply of safe and
11 sanitary housing for (~~migrant and seasonal farmworkers~~) very low-
12 income, low-income, or moderate-income households and special needs
13 populations.

14 NEW SECTION. Sec. 7. A new section is added to chapter 43.19 RCW
15 to read as follows:

16 (1) The department of general administration shall identify and
17 catalog real property that is no longer required for department
18 purposes and is suitable for the development of affordable housing for
19 very low-income, low-income, and moderate-income households as defined
20 in RCW 43.63A.510. The inventory shall include the location,
21 approximate size, and current zoning classification of the property.
22 The department of general administration shall provide a copy of the
23 inventory to the department of community development by November 1,
24 1993, and every November 1 thereafter.

25 (2) By November 1 of each year, beginning in 1994, the department
26 of general administration shall purge the inventory of real property of
27 sites that are no longer available for the development of affordable
28 housing. The department shall include an updated listing of real
29 property that has become available since the last update. As used in
30 this section, "real property" means buildings, land, or buildings and
31 land.

32 NEW SECTION. Sec. 8. A new section is added to chapter 43.20A RCW
33 to read as follows:

34 (1) The department shall identify and catalog real property that is
35 no longer required for department purposes and is suitable for the
36 development of affordable housing for very low-income, and moderate-
37 income households as defined in RCW 43.63A.510. The inventory shall

1 include the location, approximate size, and current zoning
2 classification of the property. The department shall provide a copy of
3 the inventory to the department of community development by November 1,
4 1993, and every November 1 thereafter.

5 (2) By November 1 of each year, beginning in 1994, the department
6 shall purge the inventory of real property of sites that are no longer
7 available for the development of affordable housing. The department
8 shall include an updated listing of real property that has become
9 available since the last update. As used in this section, "real
10 property" means buildings, land, or buildings and land.

11 NEW SECTION. **Sec. 9.** A new section is added to chapter 43.30 RCW
12 to read as follows:

13 (1) The department shall identify and catalog real property that is
14 no longer required for department purposes and is suitable for the
15 development of affordable housing for very low-income, low-income, and
16 moderate-income households as defined in RCW 43.63A.510. The inventory
17 shall include the location, approximate size, and current zoning
18 classification of the property. The department shall provide a copy of
19 the inventory to the department of community development by November 1,
20 1993, and every November 1 thereafter.

21 (2) By November 1 of each year, beginning in 1994, the department
22 shall purge the inventory of real property of sites that are no longer
23 available for the development of affordable housing. The department
24 shall include an updated listing of real property that has become
25 available since the last update. As used in this section, "real
26 property" means buildings, land, or buildings and land.

27 NEW SECTION. **Sec. 10.** A new section is added to chapter 47.12 RCW
28 to read as follows:

29 (1) The department shall identify and catalog real property that is
30 no longer required for department purposes and is suitable for the
31 development of affordable housing for very low-income, low-income, and
32 moderate-income households as defined in RCW 43.63A.510. The inventory
33 shall include the location, approximate size, and current zoning
34 classification of the property. The department shall provide a copy of
35 the inventory to the department of community development by November 1,
36 1993, and every November 1 thereafter.

1 (2) By November 1 of each year, beginning in 1994, the department
2 shall purge the inventory of real property of sites that are no longer
3 available for the development of affordable housing. The department
4 shall include an updated listing of real property that has become
5 available since the last update. As used in this section, "real
6 property" means buildings, land, or buildings and land.

7 **Sec. 11.** RCW 47.12.063 and 1988 c 135 s 1 are each amended to read
8 as follows:

9 (1) It is the intent of the legislature to continue the
10 department's policy giving priority consideration to abutting property
11 owners in agricultural areas when disposing of property through its
12 surplus property program under this section.

13 (2) Whenever the department determines that any real property owned
14 by the state of Washington and under the jurisdiction of the department
15 is no longer required for transportation purposes and that it is in the
16 public interest to do so, the department may sell the property or
17 exchange it in full or part consideration for land or improvements or
18 for construction of improvements at fair market value to any of the
19 following governmental entities or persons:

20 (a) Any other state agency;

21 (b) The city or county in which the property is situated;

22 (c) Any other municipal corporation;

23 (d) The former owner of the property from whom the state acquired
24 title;

25 (e) In the case of residentially improved property, a tenant of the
26 department who has resided thereon for not less than six months and who
27 is not delinquent in paying rent to the state;

28 (f) Any abutting private owner but only after each other abutting
29 private owner (if any), as shown in the records of the county assessor,
30 is notified in writing of the proposed sale. If more than one abutting
31 private owner requests in writing the right to purchase the property
32 within fifteen days after receiving notice of the proposed sale, the
33 property shall be sold at public auction in the manner provided in RCW
34 47.12.283;

35 (g) To any person through the solicitation of written bids through
36 public advertising in the manner prescribed by RCW 47.28.050; ((or))

37 (h) To any other owner of real property required for transportation
38 purposes; or

1 (i) In the case of property suitable for residential use, any
2 nonprofit organization dedicated to providing affordable housing to
3 very low-income, low-income, and moderate-income households as defined
4 in RCW 43.63A.510 and is eligible to receive assistance through the
5 Washington housing trust fund created in chapter 43.185 RCW.

6 (3) Sales to purchasers may at the department's option be for cash,
7 by real estate contract, or exchange of land or improvements.
8 Transactions involving the construction of improvements must be
9 conducted pursuant to chapter 47.28 RCW or Title 39 RCW, as applicable,
10 and must comply with all other applicable laws and rules.

11 (4) Conveyances made pursuant to this section shall be by deed
12 executed by the secretary of transportation and shall be duly
13 acknowledged.

14 (5) All moneys received pursuant to the provisions of this section
15 less any real estate broker commissions paid pursuant to RCW 47.12.320
16 shall be deposited in the motor vehicle fund.

17 NEW SECTION. Sec. 12. A new section is added to chapter 72.09 RCW
18 to read as follows:

19 (1) The department shall identify and catalog real property that is
20 no longer required for department purposes and is suitable for the
21 development of affordable housing for very low-income, low-income, and
22 moderate-income households as defined RCW 43.63A.510. The inventory
23 shall include the location, approximate size, and current zoning
24 classification of the property. The department shall provide a copy of
25 the inventory to the department of community development by November 1,
26 1993, and every November 1 thereafter.

27 (2) By November 1 of each year, beginning in 1994, the department
28 shall purge the inventory of real property of sites that are no longer
29 available for the development of affordable housing. The department
30 shall include an updated listing of real property that has become
31 available since the least update. As used in this section, "real
32 property" means buildings, land, or buildings and land.

33 NEW SECTION. Sec. 13. If specific funding for the purposes of
34 section 9 of this act, referencing section 9 of this act by bill and
35 section number, is not provided by June 30, 1993, in the omnibus
36 appropriations act, section 9 of this act is null and void.

Passed the House March 17, 1993.
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