CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2279

Chapter 118, Laws of 2008

60th Legislature
2008 Regular Session

AFFORDABLE HOUSING DEVELOPMENTS

EFFECTIVE DATE: 06/12/08

Passed by the House March 13, 2008
Yeas 96  Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 13, 2008
Yeas 49   Nays 0

BRAD OWEN
President of the Senate

Approved March 21, 2008, 2:07 p.m.

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2279 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER
Chief Clerk

FILED
March 24, 2008

CHRISTINE GREGOIRE
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to prohibiting discrimination against affordable housing developments; adding a new chapter to Title 43 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. It is the public policy of the state to assist in making affordable housing available throughout the state. The legislature recognizes that despite ongoing efforts there is still a lack of affordable housing in many areas. The legislature also recognizes that some local governments have imposed development requirements on affordable housing developments that are not generally imposed on other housing developments. The intent of this legislature is to prohibit discrimination against affordable housing developments.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing development" means a housing development in which at least twenty-five percent of the 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.

(2) "Dwelling unit" means that part of a housing development that is used as a home, residence, or place to sleep by one person or two or more persons maintaining a common household.

(3) "Housing development" means a proposed or existing structure that is used as a home, residence, or place to sleep by one or more persons including, but not limited to, single-family residences, manufactured homes, multifamily housing, group homes, and foster care facilities.

(4) "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.

NEW SECTION. Sec. 3. (1) A city, county, or other local governmental entity or agency may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally.

(2) This section does not prohibit any city, county, or other local governmental entity or agency from extending preferential treatment to affordable housing developments intended for including, but not limited to, occupancy by homeless persons, farmworkers, persons with disabilities, senior citizens, or low-income households. Preferential treatment may include, but is not limited to: A reduction or waiver of fees or changes in applicable requirements including, without limitation, architectural requirements, site development requirements, property line requirements, building setback requirements, or vehicle parking requirements; or other treatment that reduces or is likely to reduce the development or operating costs of an affordable housing development.

(3) A city, county, or other local governmental entity or agency may impose and enforce requirements on affordable housing developments as conditions of loans, grants, financial support, tax benefits, subsidy funds, or sale or lease of public property, or as conditions to eligibility for any affordable housing incentive program under RCW 65x2279.SL p. 2
36.70A.540 or any other program involving bonus density, transfer of
development rights, waiver of development regulations or fees, or other
development incentives.

NEW SECTION. Sec. 4. Sections 2 and 3 of this act constitute a
new chapter in Title 43 RCW.
Passed by the House March 13, 2008.
Passed by the Senate March 13, 2008.
Approved by the Governor March 21, 2008.
Filed in Office of Secretary of State March 24, 2008.