

SHB 2279 - S AMD 339

By Senator Weinstein

ADOPTED 03/13/2008

1 Strike everything after the enacting clause and insert the
2 following:

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

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

13 (1) "Affordable housing development" means a housing development in
14 which at least twenty-five percent of the dwelling units within the
15 development are set aside for or are occupied by low-income households
16 at a sales price or rent amount that is considered affordable by a
17 federal, state, or local government housing program.

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

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

26 (4) "Low-income household" means a single person, family, or
27 unrelated persons living together whose adjusted income is less than
28 eighty percent of the median family income, adjusted for household

1 size, for the county where the affordable housing development is
2 located.

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

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

19 (3) A city, county, or other local governmental entity or agency
20 may impose and enforce requirements on affordable housing developments
21 as conditions of loans, grants, financial support, tax benefits,
22 subsidy funds, or sale or lease of public property, or as conditions to
23 eligibility for any affordable housing incentive program under RCW
24 36.70A.540 or any other program involving bonus density, transfer of
25 development rights, waiver of development regulations or fees, or other
26 development incentives.

27 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act constitute a
28 new chapter in Title 43 RCW."

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1 On page 1, line 2 of the title, after "developments;" strike the
2 remainder of the title and insert "adding a new chapter to Title 43
3 RCW; and creating a new section."

EFFECT: Clarifies that preferential treatment may be provided to affordable housing developments intended for including, but not limited to, occupancy by persons with disabilities and senior citizens, among others.

Local governments/agencies may impose more requirements on affordable housing developments different than requirements imposed upon market-rate housing, if such requirements are otherwise required for the purpose of financing or other incentives.

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