

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.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

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

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2279

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Committee on Housing (originally sponsored by
Representatives Darneille, Springer, Pettigrew, O'Brien, Hasegawa and
Santos)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to prohibiting discrimination against affordable
2 housing developments; adding a new chapter to Title 43 RCW; and
3 creating a new section.

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

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

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

15 (1) "Affordable housing development" means a housing development in
16 which at least twenty-five percent of the dwelling units within the
17 development are set aside for or are occupied by low-income households

1 at a sales price or rent amount that is considered affordable by a
2 federal, state, or local government housing program.

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

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

11 (4) "Low-income household" means a single person, family, or
12 unrelated persons living together whose adjusted income is less than
13 eighty percent of the median family income, adjusted for household
14 size, for the county where the affordable housing development is
15 located.

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

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

32 (3) A city, county, or other local governmental entity or agency
33 may impose and enforce requirements on affordable housing developments
34 as conditions of loans, grants, financial support, tax benefits,
35 subsidy funds, or sale or lease of public property, or as conditions to
36 eligibility for any affordable housing incentive program under RCW

1 36.70A.540 or any other program involving bonus density, transfer of
2 development rights, waiver of development regulations or fees, or other
3 development incentives.

4 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act constitute a
5 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.