
SUBSTITUTE HOUSE BILL 1987

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 Jenkins)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to allowing affordable housing development on
2 religious organization property; adding a new section to chapter
3 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new
4 section to chapter 36.70 RCW; and adding a new section to chapter
5 36.70A RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63
8 RCW to read as follows:

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

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

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

20 (c) The affordable housing development does not discriminate
21 against any person who qualifies as a member of a low-income

1 household based on race, creed, color, national origin, sex, veteran
2 or military status, sexual orientation, or mental or physical
3 disability; or otherwise act in violation of the federal fair housing
4 amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

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

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

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

17 (5) For purposes of this section:

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

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

29 (c) "Religious organization" has the same meaning as in RCW
30 35A.21.360.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63
32 RCW to read as follows:

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

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

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

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

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

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

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

23 (5) For purposes of this section:

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

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

35 (c) "Religious organization" has the same meaning as in RCW
36 35A.21.360.

37 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70
38 RCW to read as follows:

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

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

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

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

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

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

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

30 (5) For purposes of this section:

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

37 (b) "Low-income household" means a single person, family, or
38 unrelated persons living together whose adjusted income is less than
39 eighty percent of the median family income, adjusted for household

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

3 (c) "Religious organization" has the same meaning as in RCW
4 35A.21.360.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A
6 RCW to read as follows:

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

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

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

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

24 (2) An affordable housing development created by a religious
25 institution within a city or county fully planning under RCW
26 36.70A.040 must be located within an urban growth area as defined in
27 RCW 36.70A.110 or a limited area of more intensive rural development
28 as defined in RCW 36.70A.070(5)(d).

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

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

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

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

9 (7) For purposes of this section:

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

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

21 (c) "Religious organization" has the same meaning as in RCW
22 35A.21.360.

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