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SECOND SUBSTITUTE HOUSE BILL 1987

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State of Washington

65th Legislature

2018 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 01/31/18.

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; and adding a  
4 new section to chapter 36.70A RCW.

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

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

8 (1) A city planning under this chapter must allow an increased  
9 density bonus consistent with local needs for any affordable housing  
10 development of any single-family or multifamily residence located on  
11 real property owned or controlled by a religious organization  
12 provided that:

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

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

19 (c) The affordable housing development does not discriminate  
20 against any person who qualifies as a member of a low-income  
21 household based on race, creed, color, national origin, sex, veteran

1 or military status, sexual orientation, or mental or physical  
2 disability; or otherwise act in violation of the federal fair housing  
3 amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

4 (2) The religious organization developing the affordable housing  
5 development must pay all fees, mitigation costs, and other charges  
6 required through the development of the affordable housing  
7 development.

8 (3) The religious organization developing the affordable housing  
9 development should work with the local transit agency to ensure  
10 appropriate transit services are provided to the affordable housing  
11 development.

12 (4) For purposes of this section:

13 (a) "Affordable housing development" means a proposed or existing  
14 structure in which one hundred percent of all single-family or  
15 multifamily residential dwelling units within the development are set  
16 aside for or are occupied by low-income households at a sales price  
17 or rent amount that may not exceed thirty percent of the income limit  
18 for the low-income housing unit;

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

24 (c) "Religious organization" has the same meaning as in RCW  
25 35A.21.360.

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

28 (1) A city planning under this chapter must allow an increased  
29 density bonus consistent with local needs for any affordable housing  
30 development of any single-family or multifamily residence located on  
31 real property owned or controlled by a religious organization  
32 provided that:

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

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

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

7 (2) The religious organization developing the affordable housing  
8 development must pay all fees, mitigation costs, and other charges  
9 required through the development of the affordable housing  
10 development.

11 (3) The religious organization developing the affordable housing  
12 development should work with the local transit agency to ensure  
13 appropriate transit services are provided to the affordable housing  
14 development.

15 (4) For purposes of this section:

16 (a) "Affordable housing development" means a proposed or existing  
17 structure in which one hundred percent of all single-family or  
18 multifamily residential dwelling units within the development are set  
19 aside for or are occupied by low-income households at a sales price  
20 or rent amount that may not exceed thirty percent of the income limit  
21 for the low-income housing unit;

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

27 (c) "Religious organization" has the same meaning as in RCW  
28 35A.21.360.

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

31 (1) A city fully planning under this chapter and a county fully  
32 planning under this chapter with a population greater than one  
33 hundred twenty-five thousand, must allow an increased density bonus  
34 consistent with local needs for any affordable housing development of  
35 any single-family or multifamily residence located on real property  
36 owned or controlled by a religious organization provided that:

37 (a) The affordable housing development is set aside for or  
38 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 institution within a city or county fully planning under RCW  
13 36.70A.040 must be located within an urban growth area as defined in  
14 RCW 36.70A.110 or a limited area of more intensive rural development  
15 as defined in RCW 36.70A.070(5)(d).

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

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

24 (5) For purposes of this section:

25 (a) "Affordable housing development" means a proposed or existing  
26 structure in which one hundred percent of all single-family or  
27 multifamily residential dwelling units within the development are set  
28 aside for or are occupied by low-income households at a sales price  
29 or rent amount that may not exceed thirty percent of the income limit  
30 for the low-income housing unit;

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

36 (c) "Religious organization" has the same meaning as in RCW  
37 35A.21.360.

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