

SHB 2014 - H AMD 122

By Representative Chase

WITHDRAWN 01/18/2008

1 On page 8, after line 19, insert the following:

2 "Sec. 3. RCW 64.34.050 and 1989 c 43 s 1-106 are each amended to
3 read as follows:

4 (1) Except as provided in RCW 64.34.440 and subsection (2) of this
5 section, a zoning, subdivision, building code, or other real property
6 law, ordinance, or regulation may not prohibit the condominium form of
7 ownership or impose any requirement upon a condominium which it would
8 not impose upon a physically identical development under a different
9 form of ownership. Otherwise, no provision of this chapter invalidates
10 or modifies any provision of any zoning, subdivision, building code, or
11 other real property use law, ordinance, or regulation.

12 (2)(a) The legislative authorities of counties subject to RCW
13 36.70A.215 and the cities within those counties may adopt laws or
14 ordinances, subject to the limitations of this subsection, that
15 restrict the number of conversion condominiums that are approved
16 annually or within any other time period chosen by the legislative
17 authority if that jurisdiction has documented that:

18 (i) The rental vacancy rate within the jurisdiction is below five
19 percent; and

20 (ii) There has been a net loss in rental housing stock during the
21 previous twelve-month period.

22 (b) In placing limits on condominium conversions, counties and
23 cities are subject to the following restrictions:

24 (i) Counties and cities may only restrict condominium conversions
25 that affect rental unit developments where at least fifty percent of
26 the rental units at any time over the previous two-year period were
27 offered at rent levels at or below sixty percent of the fair market
28 rent for the county, as determined by the United States department of
29 housing and urban development.

1 (ii) Counties and cities placing restrictions on the number of
2 conversion condominiums must allow the number of condominium
3 conversions every year to be at least equal to the average annual
4 number of condominium conversions over the jurisdiction's previous ten-
5 year period.

6 (iii) For county or city restrictions on condominium conversions
7 without an expiration date or for those intended to last more than
8 twelve months, within one month of the annual anniversary date of the
9 implementation of such a restriction, a county or city must hold a
10 public hearing and document that the conditions required in this
11 subsection related to vacancy rates and the net loss of rental housing
12 stock continue to exist. If these conditions no longer exist, any
13 restrictions on the number of condominium conversions must be removed.

14 (3) This section shall not prohibit a county legislative authority
15 from requiring the review and approval of declarations and amendments
16 thereto and termination agreements executed pursuant to RCW
17 64.34.268(2) by the county assessor solely for the purpose of
18 allocating the assessed value and property taxes. The review by the
19 assessor shall be done in a reasonable and timely manner."

20 Renumber the remaining sections consecutively, correct any internal
21 references accordingly, and correct the title.

EFFECT: Legislative authorities of "buildable lands" counties,
and the cities within those counties, may restrict the number of
condominium conversions if the vacancy rate for their jurisdiction
falls below 5 percent. However, restrictions may only be placed on
properties consisting of at least 50 percent rental units priced at or
below 60 percent of the fair market rent, and a county or city must
allow for at least the number of condominium conversions to be equal to
the average number of conversions for the jurisdiction's previous ten-
year period. If a restrictive period is intended to last more than one
year, a jurisdiction must demonstrate that the vacancy rate and rental
housing stock conditions triggering the restriction continue to exist.

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