SHB 2014 - H AMD 954
    By Representative Chase

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 ordinances,
14   subject to the limitations of this subsection, that restrict the number
15   of conversion condominiums that are approved annually or within any
16   other time period chosen by the legislative authority if that
17   jurisdiction has documented that:
18   (i) The rental vacancy rate within the jurisdiction is below five
19   percent; or
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
27   qualified as affordable housing as defined in RCW 43.185B.010 for low-
28   income households as defined in RCW 43.185A.010.
29   (ii) Counties and cities placing restrictions on the number of
30   conversion condominiums must allow the number of condominium

1 conversions every year to be at least three hundred units or be equal
2 to the average annual number of condominium conversions over the
3 jurisdiction's previous ten-year period, whichever is lesser.
4   (iii) For county or city restrictions on condominium conversions
5 without an expiration date or for those intended to last more than
6 twelve months, within one month of the annual anniversary date of the
7 implementation of such a restriction, a county or city must hold a
8 public hearing and document that the conditions required in this
9 subsection related to vacancy rates or the net loss of rental housing
10 stock continue to exist. If these conditions no longer exist, any
11 restrictions on the number of condominium conversions must be removed.
12   (3) This section shall not prohibit a county legislative authority
13 from requiring the review and approval of declarations and amendments
14 thereto and termination agreements executed pursuant to RCW
15 64.34.268(2) by the county assessor solely for the purpose of
16 allocating the assessed value and property taxes. The review by the
17 assessor shall be done in a reasonable and timely manner."

18   Renumber the remaining sections consecutively, correct any internal
19 references accordingly, and correct the title.

20   On page 9, line 9, strike "2007" and insert "2008"

EFFECT: Allows legislative authorities of "buildable lands"
counties, and the cities within those counties, to restrict the number
of condominium conversions if the vacancy rate for their jurisdiction
falls below five percent or if there has been a net loss in rental
housing stock during the previous twelve-month period. However,
restrictions may only be placed on properties that for the previous
2-year period consisted of at least 50 percent rental units affordable
to low-income households. Furthermore, a county or city placing
restrictions on the number of conversions must allow either for the
conversion of at least 300 units or for the number of condominium
conversions to equal the average annual number of conversions for the
jurisdiction's previous ten-year period, whichever is the lesser
number.
    Updates the date that the act takes effect.

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