

HOUSE BILL REPORT

HB 1987

As Reported by House Committee On:
Community Development, Housing & Tribal Affairs

Title: An act relating to allowing affordable housing development on religious organization property.

Brief Description: Concerning allowing affordable housing development on religious organization property.

Sponsors: Representatives McBride, Macri, Robinson, Stanford, Slatter, Senn, Santos, Chapman, Ortiz-Self and Jenkins.

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 2/14/17, 2/16/17 [DPS].

Brief Summary of Substitute Bill

- Prevents governing bodies of cities and counties from restricting the density of affordable housing development on property owned by a religious organization under certain conditions.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Ryu, Chair; Macri, Vice Chair; Reeves and Sawyer.

Minority Report: Do not pass. Signed by 3 members: Representatives McCabe, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Jenkin.

Staff: Kirsten Lee (786-7133).

Background:

Local Development Regulations.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Cities and counties engaging in comprehensive planning may enact ordinances and codes to regulate the use of land and zoning of certain developments and activities. Such regulations generally include the location, construction and size of buildings for residence, industry, trade, and other purposes; the height, construction, and design of buildings and structures; the size of yards, open spaces, lots, and tracts; the density of population; the set-back of buildings; the subdivision and development of land; and adoption of standard building codes and fire regulations.

Summary of Substitute Bill:

Governing bodies of cities or counties may not restrict the density of affordable housing development of single-family or multifamily residences, located on real property owned or controlled by a religious organization, beyond what is permitted when the affordable housing development:

- is set aside, or occupied exclusively, for low-income households. "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than 80 percent of the median family income, adjusted for household size for the county where the affordable housing development is located;
- is part of a lease or other binding obligation that requires development to be used exclusively for affordable housing purposes for at least 40 years, even if the religious organization no longer owns the property; and
- does not discriminate against any person who qualifies as a member of a low-income household.

The governing bodies of cities and counties may regulate the density of the affordable housing development to limit an affordable housing development from exceeding two times the maximum density requirement of other structures based on its location.

A religious organization constructing an affordable housing development is responsible for all costs associated with the construction of the affordable housing development. A religious organization is encouraged to work with local transit agencies to ensure appropriate transit services are provided to the affordable housing development.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) creates new sections that specify that governing bodies of cities and counties are only restricted from regulating the density, beyond what is permitted, for any affordable housing development on property owned or controlled by a religious organization; (2) changes the allowable density for affordable housing developments by a religious organization in urban growth areas to up to two times, rather than five times, the density of other structures based on its location; (3) requires religious organizations constructing an affordable housing unit to pay all costs associated with the construction; and (4) encourages a religious organization constructing an affordable housing development to work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The need for affordable housing is dire, and eliminating density regulations on religious organizations' development of affordable housing will help create additional affordable housing. The religious organizations will not be exempt from any other local government regulations related to the development of affordable housing.

(Opposed) There are continued concerns about exempting religious organization's from the community review when building affordable housing on their property, because other property owners would have to go through the process if they were to convert their land to multi-family housing.

(Other) Preempting counties from regulating the development of affordable housing by religious organizations is not supported, because certain county lands are very different from lands in cities and have different zoning requirements. For instance, in many areas there are no transportation corridors.

Persons Testifying: (In support) Representative McBride, prime sponsor.

(Opposed) Carl Schroeder, Association of Washington Cities.

(Other) Laura Berg, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying: None.