

SHB 1377 - S COMM AMD

By Committee on Housing Stability & Affordability

ADOPTED 04/12/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63
4 RCW to read as follows:

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

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

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

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

22 (2) A city may develop policies to implement this section if it
23 receives a request from a religious organization for an increased
24 density bonus for an affordable housing development.

25 (3) The religious organization developing the affordable housing
26 development must pay all fees, mitigation costs, and other charges
27 required through the development of the affordable housing
28 development.

29 (4) If applicable, the religious organization developing the
30 affordable housing development should work with the local transit

1 agency to ensure appropriate transit services are provided to the
2 affordable housing development.

3 (5) This section applies to any religious organization
4 rehabilitating an existing affordable housing development.

5 (6) For purposes of this section:

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

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

17 (c) "Religious organization" has the same meaning as in RCW
18 35.21.915.

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

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

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

28 (b) The affordable housing development is part of a lease or
29 other binding obligation that requires the development to be used
30 exclusively for affordable housing purposes for at least fifty years,
31 even if the religious organization no longer owns the property; and

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

1 (2) A city may develop policies to implement this section if it
2 receives a request from a religious organization for an increased
3 density bonus for an affordable housing development.

4 (3) 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 (4) If applicable, the religious organization developing the
9 affordable housing development should work with the local transit
10 agency to ensure appropriate transit services are provided to the
11 affordable housing development.

12 (5) This section applies to any religious organization
13 rehabilitating an existing affordable housing development.

14 (6) For purposes of this section:

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

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

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

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

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

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

37 (b) The affordable housing development is part of a lease or
38 other binding obligation that requires the development to be used

1 exclusively for affordable housing purposes for at least fifty years,
2 even if the religious organization no longer owns the property; and

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

9 (2) A city or county may develop policies to implement this
10 section if it receives a request from a religious organization for an
11 increased density bonus for an affordable housing development.

12 (3) An affordable housing development created by a religious
13 institution within a city or county fully planning under RCW
14 36.70A.040 must be located within an urban growth area as defined in
15 RCW 36.70A.110.

16 (4) 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 (5) If applicable, the religious organization developing the
21 affordable housing development should work with the local transit
22 agency to ensure appropriate transit services are provided to the
23 affordable housing development.

24 (6) This section applies to any religious organization
25 rehabilitating an existing affordable housing development.

26 (7) For purposes of this section:

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

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

38 (c) "Religious organization" has the same meaning as in RCW
39 36.01.290.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 44.28
2 RCW to read as follows:

3 The joint committee must review the efficacy of the increased
4 density bonus incentive for affordable housing development located on
5 property owned by a religious organization pursuant to this act and
6 report its findings to the appropriate committees of the legislature
7 by December 1, 2030. The review must include a recommendation on
8 whether this incentive should be continued without change or should
9 be amended or repealed."

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10 On page 1, line 2 of the title, after "property;" strike the
11 remainder of the title and insert "adding a new section to chapter
12 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new
13 section to chapter 36.70A RCW; and adding a new section to chapter
14 44.28 RCW."

EFFECT: (1) Requires the affordable housing development to be part of a lease or other binding obligation requiring the development to be for affordable housing for at least 50 years as opposed to 40 years.

(2) Encourages the religious organization developing the affordable housing to work with the local transit agency to ensure appropriate services, if applicable.

(3) Clarifies that the increased density bonus allowance applies to any religious organization rehabilitating an existing affordable housing development.

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