
SENATE BILL 5358

State of Washington

66th Legislature

2019 Regular Session

By Senators Saldaña, Fortunato, Wellman, Zeiger, Kuderer, Cleveland, Keiser, Nguyen, Conway, Hobbs, Van De Wege, Das, Dhingra, Warnick, and Hunt

Read first time 01/18/19. Referred to Committee on Local Government.

1 AN ACT Relating to affordable housing development on religious
2 organization property; adding a new section to chapter 35.63 RCW;
3 adding a new section to chapter 35A.63 RCW; and adding a new section
4 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) This section applies to any religious organization that has
13 already developed an affordable housing development for the purposes
14 of preserving or modifying the affordable housing development.

15 (5) 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. 2.** A new section is added to chapter 35A.63
30 RCW to read as follows:

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

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

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

1 exclusively for affordable housing purposes for at least forty 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) The religious organization developing the affordable housing
10 development must pay all fees, mitigation costs, and other charges
11 required through the development of the affordable housing
12 development.

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

17 (4) This section applies to any religious organization that has
18 already developed an affordable housing development for the purposes
19 of preserving or modifying the affordable housing development.

20 (5) For purposes of this section:

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

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

32 (c) "Religious organization" has the same meaning as in RCW
33 35A.21.360.

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

36 (1) A city fully planning under this chapter and a county fully
37 planning under this chapter with a population of more than one
38 hundred twenty-five thousand must allow an increased density bonus
39 consistent with local needs for any affordable housing development of

1 any single-family or multifamily residence located on real property
2 owned or controlled by a religious organization provided that:

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

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

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

15 (2) An affordable housing development created by a religious
16 institution within a city or county fully planning under RCW
17 36.70A.040 must be located within an urban growth area as defined in
18 RCW 36.70A.110 or a limited area of more intensive rural development
19 as defined in RCW 36.70A.070 (5) (d).

20 (3) The religious organization developing the affordable housing
21 development must pay all fees, mitigation costs, and other charges
22 required through the development of the affordable housing
23 development.

24 (4) The religious organization developing the affordable housing
25 development should work with the local transit agency to ensure
26 appropriate transit services are provided to the affordable housing
27 development.

28 (5) This section applies to any religious organization that has
29 already developed an affordable housing development for the purposes
30 of preserving or modifying the affordable housing development.

31 (6) For purposes of this section:

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

38 (b) "Low-income household" means a single person, family, or
39 unrelated persons living together whose adjusted income is less than
40 eighty percent of the median family income, adjusted for household

1 size, for the county where the affordable housing development is
2 located; and
3 (c) "Religious organization" has the same meaning as in RCW
4 35A.21.360.

--- **END** ---