

Mosqueda moved Amendment 3.
The motion carried.

3

8/19/25

Mosqueda – Affordable
Housing Exemption

[E. Auzins]

Sponsor: Mosqueda

Proposed No.: 2025-0127

1 **AMENDMENT TO PROPOSED ORDINANCE 2025-0127, VERSION 2**

2 On page 1, after line 12, insert:

3 **"SECTION 1. Findings:**

4 A. RCW 82.02.060 and K.C.C. 21A.43.080, allow for exemptions from impact
5 fee for low-income housing projects. It is the intent of the council that the county
6 provide school-district approved exemptions from school impact fees authorized by this
7 ordinance and K.C.C. 21A.43.080 for all affordable housing projects in unincorporated
8 King County."

9

10 If Amendments 2B and/or, 3 passes, engross all amendments in order, and correct the
11 subsection references in the Findings section accordingly. Renumber the remaining
12 sections consecutively and correct any internal references accordingly.

13

14 On page 15, after line 265, insert:

15 **"SECTION 7.** Ordinance 11621, Section 117, as amended, and K.C.C.

16 21A.43.080 are hereby amended to read as follows:

17 "A. Low-income housing projects as defined in RCW 82.02.060, including
18 permanent supportive housing projects, shall be exempt from the payment of school

19 impact fees. The amount of the school impact fees not collected from low-income
20 household development shall be paid from public funds other than impact fee accounts.
21 The impact fees for these units shall be considered paid for by the district through its
22 other funding sources, without the district actually transferring funds from its other
23 funding sources into the impact fee account. ~~((The housing, homelessness, and~~
24 ~~community development division shall review proposed developments of low-income~~
25 ~~housing in accordance with criteria and procedures adopted by administrative rule, and~~
26 ~~shall advise the department of local services, permitting division, as to whether the~~
27 ~~project qualifies for the exemption.~~

28 ~~B. Applicants who dedicate residential units for occupancy by low income-~~
29 ~~households may apply to the housing, homelessness, and community development~~
30 ~~division for reductions in school impact fees in accordance with subsection A. of this~~
31 ~~section. The housing, homelessness, and community development division shall review~~
32 ~~proposed developments of low-income housing by such private applicants in accordance~~
33 ~~with criteria and procedures adopted by administrative rule, and shall advise the~~
34 ~~department of local services, permitting division, as to whether the project qualifies for~~
35 ~~the exemption. If the housing, homelessness, and community development division~~
36 ~~recommends the exemption, the department of local services, permitting division, shall~~
37 ~~reduce the calculated school impact fee for the development by an amount that is~~
38 ~~proportionate to the number of units in the development that satisfy the adopted criteria.~~

39 ~~C. Developments for low-income homeownership units (as defined pursuant to~~
40 ~~the King County Comprehensive Housing Affordability Strategy (CHAS)) who are~~
41 ~~developing homes at prices within the eligibility limits based on standard lending criteria~~

42 ~~and meet other means tests established by rule by the housing, homelessness, and~~
43 ~~community development division are exempted from payment of the impact fee, except~~
44 ~~that at such time as the property in question is transferred to another owner who does not~~
45 ~~qualify for the exemption, at which time the fee shall be due and payable.~~

46 ~~D. The housing, homelessness, and community development division is hereby~~
47 ~~instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules~~
48 ~~to implement this section. Such rules shall provide for the administration of this program~~
49 ~~and shall:~~

- 50 ~~1. Encourage the construction of housing for low income households;~~
51 ~~2. Encourage the construction of housing units for low income households that~~
52 ~~are in addition to units required by another housing program or development condition;~~
53 ~~3. Ensure that housing that qualifies as low cost meets appropriate standards~~
54 ~~regarding household income, rent levels or sale prices, location, number of units, and~~
55 ~~development size; and~~
56 ~~4. Ensure that applicants who obtain an exemption from or reduction of school~~
57 ~~impact fees will in fact build the proposed low cost housing and make it available to~~
58 ~~low income households.~~

- 59 ~~5. Ensure that individual low income purchasers meet appropriate eligibility~~
60 ~~standards based on income and other financial means tests.~~

61 ~~E.))~~ B. As a condition of receiving an exemption under ((subsection B. or C. of))
62 this section, the applicant shall execute and record a covenant against the property
63 guaranteeing that the proposed development will continue to be used for low-income
64 housing. In the event that the use of the development is no longer for low-income

65 housing, then the owner shall pay the impact fee amount from which the owner or any
66 prior owner was exempt. The covenant shall run with the land and apply to subsequent
67 owners.

68 ~~((F-))~~ C. All school impact fee exemptions, reductions, or waivers shall be
69 approved by the school district that would receive the school impact fee, except for fee
70 exemptions allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions
71 based on modifications to permits after issuance, or fee waivers for construction not
72 begun.

73 D. The school impact fees shall not be modified as a result of the exemption."

74

75 Renumber the remaining sections consecutively and correct any internal references
76 accordingly.

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78 **EFFECT prepared by E. Auzins: Adds a Finding related to exemptions from**
79 ***affordable housing projects and modifies the Code to reduce the County's discretion to***
80 ***approve exemptions.***