



## Staff Report

TO: Clark County Planning Commission  
FROM: Oliver Orjiako, Director  
PREPARED BY: Laurie Lebowsky, Planner III  
DATE: July 25<sup>th</sup>, 2018  
SUBJECT: CPZ2018-00005 CLARK COUNTY UNIFIED DEVELOPMENT CODE (TITLE 40) AMENDMENTS – MANUFACTURED HOUSING

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### PROPOSED ACTION

Clark County Community Planning is requesting amendments to several sections of Title 40 to update the development code regarding manufactured housing. The Title 40 amendments provided for community comments are attached in Exhibit 1.

### BACKGROUND

On March 10, 2004, the Senate passed SB 6593 to prohibit discrimination against consumers' choices in housing; amending RCW 36.01.225 stating that a county may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes.

### SUMMARY OF PUBLIC INVOLVEMENT PROCESS

A draft of the proposed changes to several sections of the Title 40 Development Code were sent to the Department of Commerce on July 11, 2018 under RCW 36.70A.106.

An open house about the proposed code changes was held on June 28, 2018. We received two comment cards and one email regarding the open house. Outreach to date has also included a project webpage, a press release regarding the open house, a letter to owners of manufactured home parks, and social media Next Door posts.

A Notice of Determination of Non-Significance and SEPA Environmental Checklist were published in the Columbian newspaper on July 16, 2018. A legal notice was published for the Planning Commission hearing on August 1, 2018. The draft proposal was reviewed and received comments from the Development Engineering Advisory Board (DEAB) on July 12, 2018. The Development Engineering Advisory Board (DEAB) sent a memorandum stating their support for staff's recommended changes to the manufactured housing code.

### RATIONALE AND ANALYSIS

The Clark County Unified Development Code, Title 40 (CCC), consolidates all development-related regulations, land use zoning, critical areas and environmental protection.



CCC is required to be consistent with the 20-year Comprehensive Growth Management Plan. Amendments to CCC respond to a substantial change in policy, better implements applicable comprehensive plan policies, or reflect changes in federal/state law. The proposed amendments are described in Exhibit 1.

### **Growth Management Act (GMA)**

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA lists thirteen overall goals in RCW 36.70A.020 plus the shoreline goal added in RCW 36.70A.480(1). The goals are not listed in order of priority. The GMA goal that applies to the proposed action is Goal 4.

GMA Goal #4 speaks directly to housing issues. The goal “encourages the availability and affordable housing to all economic segments of the population of this state promote a variety of residential densities and housing types and encourage preservation of existing housing stock.” RCW 36.70A.070(2) and WAC 365-196-410 Housing Element require counties to develop a housing element that include provisions for the existing and projected needs of all economic segments of the community, including a variety of housing types, a variety of housing densities, affordable housing and preservation of neighborhood character. An inventory of housing is also required to gauge the sufficiency of land and availability of existing housing for all economic segments of the community.

Finding: The proposed Title 40 development code changes will update the definition of manufactured housing and all references regarding manufactured housing to comply with state and federal law. The proposed code changes better implements the GMA than the existing development code that does not reflect the changes in state law regarding manufactured housing.

### **NEXT STEPS**

The County Council will hold work sessions on August 8, September 5, and a hearing on September 18, 2018 to discuss these proposed changes to Title 40 regarding manufactured housing.

### **RECOMMENDATION AND CONCLUSIONS**

Based on the information presented in this report, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to Clark County Councilors.

