
Housing Committee

HB 2464

Brief Description: Concerning the development of new manufactured/mobile homes and new manufactured/mobile home communities.

Sponsors: Representatives Connors, Peterson and Barkis.

Brief Summary of Bill

- Authorizes counties to allow new manufactured/mobile home communities in areas outside of urban growth areas (UGAs), when certain conditions are met.
- Amends comprehensive plans and designates new manufactured/mobile home communities as UGAs after applications for communities are approved.
- Permits urban growth in designated manufactured/mobile home communities included in UGAs.
- Requires cities, code cities, counties, and towns to approve the addition of manufactured/mobile homes or park models within manufactured/mobile home communities, unless the location would expressly violate health or safety standards.

Hearing Date: 1/29/24

Staff: Martha Wehling (786-7067).

Background:

The Growth Management Act and Comprehensive Plans.

The Growth Management Act (GMA) requires that certain counties, and the cities within those

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

counties, engage in planning for future population growth. The central part of the planning process is the comprehensive plan. The Legislature has established 15 goals that should act as the basis of all comprehensive plans. Examples of goals include encouraging development in urban areas, reducing sprawl, providing for affordable housing, and protecting property rights. The comprehensive plan must address these goals and set out the policies and standards that are meant to guide the city or county's actions and decisions in the future. A comprehensive plan must be reviewed and, if necessary, revised every 10 years.

Housing Element.

A comprehensive plan must include a housing element that ensures the vitality and character of established residential neighborhoods. The housing element must include certain information, such as identification of sufficient land for manufactured housing and adequate provisions for existing and projected needs of all economic segments of the community.

Urban Growth.

Each county that participates in planning under the GMA was required to designate an urban growth area (UGA). Urban growth makes intensive use of land for buildings, structures, and impermeable surfaces, and is unsuitable for agriculture, natural resource use and management, or for rural uses. Urban growth is encouraged within the UGA, and growth outside of the UGA can only occur if it is not urban. The UGAs must be designated in each county's comprehensive plan, and must be reviewed and revised every 10 years in the comprehensive plan process. In limited situations, certain amendments and revisions to a comprehensive plan may be revised, subject to limitations, no more frequently than once per year.

All cities must be included within a county's UGA. The county and each city must include sufficient area and density for the growth anticipated in the next 20 years. Cities and counties may consider local circumstances, and have discretion to make choices about how to accommodate growth. A UGA may only include areas outside a city if the area is characterized by urban growth or is a designated new fully contained community.

The location of urban growth within a UGA is prioritized. First, urban growth must be located in areas that have adequate existing public facility and service capacities. Second, urban growth must be located in areas that will be served by a combination of existing facilities, and public or privately sourced facilities that will provide additional adequate services. Third, urban growth will be in the remaining portions of the UGAs. Urban growth may also be located in designated new fully contained communities.

Fully Contained Communities.

A county may authorize a new fully contained community outside of a UGA when certain criteria are met. The criteria include but are not limited to:

- providing new infrastructure and establishing impact fees;
- implementing transit-oriented site planning and traffic demand management programs;
- providing buffers between the new communities and adjacent urban development;
- providing a mix of uses to offer jobs, housing, and services to the community residents;

- providing affordable housing within the community for a broad range of income levels;
- addressing and providing for environmental protection;
- establishing development regulations to ensure urban growth will not occur in adjacent nonurban areas;
- mitigating impacts on designated agriculture lands, forestlands, and mineral resource lands; and
- consistency with development regulations protecting critical areas.

A county must reserve a portion of the 20-year projected population growth and offset the UGA for allocation to the fully contained community. A county can only establish a new community reserve once every five years, as part of the UGA review. After a new community reserve is established, the UGA must accommodate the unreserved portion.

Approval of a fully contained community is considered an adopted amendment to the comprehensive plan, and designates the new community as a UGA. The effective date of establishment of a new fully contained community is the later of either 60 days after publication of the notice of amendment adoption, or, if a petition challenging the decision is filed, after the Growth Management Hearings Board (GMHB) issues its final order.

Manufactured/Mobile Homes and Communities.

A "manufactured/mobile home community" is real property rented for two or more mobile homes, manufactured homes, or park models to produce income. A "mobile home" is a factory-built dwelling built prior to 1976, to standards other than federal law, and acceptable under applicable state laws in effect at the time of construction or introduction of the home into the state. A "manufactured home" is a single-family dwelling built according to a federal building code. A manufactured home: (a) includes plumbing, heating, air conditioning, and electrical systems; (b) is built on a permanent chassis; and (c) can be transported in one or more sections or is 320 square feet or larger. A "manufactured/mobile home" is either a manufactured home or a mobile home. A "park model" is a recreational vehicle intended for permanent or semi-permanent installation and used as a primary residence.

Manufactured Home Siting.

A city, code city, county, or town may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against or restricting the location of manufactured/mobile homes, but may specify foundation, design standards, and requirements to comply with fire, safety, and energy codes.

Summary of Bill:

New Manufactured/Mobile Home Communities Outside of Urban Growth Areas.

Counties that plan under the GMA may authorize new manufactured/mobile home communities outside of UGAs. A new manufactured/mobile home community is subject to the same criteria as a new fully contained community, such as buffers with adjacent urban development and affordable housing for a broad range of income levels.

The restrictions on new fully contained communities do not apply to new manufactured/mobile home communities. A county is not required to reserve a portion of the 20-year projected population growth and offset the UGA for allocation to a manufactured/mobile home community, and is not limited to establishing a new manufactured/mobile home community once every five years.

Approval of a manufactured/mobile home community is considered an adopted amendment to the comprehensive plan, and designates the new manufactured/mobile home community as a UGA.

The effective date of establishment of a new manufactured/mobile home community is the later of either 60 days after publication of the notice of amendment adoption, or, if a petition challenging the decision is filed, after the GMHB issues its final order.

Urban Growth.

A designated new manufactured/mobile home community may be included in a UGA outside a city. Urban growth may be located in new manufactured/mobile home communities.

Manufactured Home Siting.

A city, code city, county, or town must approve the addition of manufactured/mobile homes or park models within manufactured/mobile home communities. The siting of a new or used home must be authorized unless its location would expressly violate health and safety standards.

Appropriation: None.

Fiscal Note: Requested on January 25, 2024.

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