

SENATE BILL REPORT

SB 5332

As Reported by Senate Committee On:
Housing, January 31, 2025

Title: An act relating to mobile dwellings.

Brief Description: Concerning mobile dwellings.

Sponsors: Senators Shewmake, Wilson, J., Bateman, Chapman, Nobles and Valdez.

Brief History:

Committee Activity: Housing: 1/29/25, 1/31/25 [DPS-WM, w/oRec].

Brief Summary of First Substitute Bill

- Requires any city or county planning under the Growth Management Act to allow at least one mobile dwelling unit on each lot zoned for residential use if certain conditions are met.

SENATE COMMITTEE ON HOUSING

Majority Report: That Substitute Senate Bill No. 5332 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Bateman, Chair; Alvarado, Vice Chair; Orwall, Salomon and Trudeau.

Minority Report: That it be referred without recommendation.

Signed by Senators Goehner, Ranking Member; Gildon.

Staff: Melissa Van Gorkom (786-7491)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all

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Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes said to be fully planning under the GMA.

Counties that fully plan under the GMA are required to designate urban growth areas (UGAs) within their boundaries sufficient to accommodate a planned 20-year population projection range provided by the Office of Financial Management. Each city located within a planning county must be included within a UGA. Urban growth must be encouraged within the UGAs, and only growth that is not urban in nature can occur outside of the UGAs.

Common Interest Communities. A common interest community (CIC) is a form of real estate in which each unit owner or homeowner has an exclusive interest in a unit or lot and a shared or undivided interest in common area property. In Washington, several statutes govern residential CICs, such as condominiums and homeowners' associations. These groups can regulate or limit the use of property by its members.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (First Substitute): A mobile dwelling unit (MDU) is a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, tiny houses with wheels, and motor homes.

Any city or county planning under the GMA must allow at least one MDU on each lot zoned for residential use if the lot is:

- located within a UGA and has at least one existing housing unit;
- a property where the city or county and the utilities have determined that the additional demand will be adequately served by sewer systems; and
- not located in designated critical areas and natural resource lands, or a shoreline of the state.

The MDU must:

- be connected to electrical services through a dedicated outlet;
- be maintained so that it can be moved at any time;
- meet the setback requirements of the underlying zone; and
- if the MDU has internal plumbing, be connected to potable water and sanitary sewer services, or if the MDU does not have internal plumbing, the occupant must have 24-hour, 7 days a week access to potable water, toilets, and showers in the existing housing unit on the lot.

Cities and counties must enforce standard inspection procedures for utility hookups to mobile dwelling units but may not require inspection of the MDU itself. Cities and counties

may inspect storage tanks, sewer, and sanitary connections to ensure they are not leaking or polluting.

A CIC may not create a restriction, covenant, condition, declaration, bylaw, rule, provision of governing document, or master deed provision that prohibits at least one MDU on each lot zoned for residential property within a city subject to the act.

EFFECT OF CHANGES MADE BY HOUSING COMMITTEE (First Substitute):

- Updates the conditions to require the lot is a property the city or county and utilities have determined that additional demand will be adequately served by sewer systems, rather than restricting a mobile dwelling unit on a property on which the city or county has determined that housing development cannot be adequately served by water, sewer, stormwater, or transportation systems.
- Requires a water connection made through a yard hydrant or anti-siphon hose bib be certified for potable use.
- Requires the mobile dwelling unit occupants have 24-hour, seven days a week access to potable water, toilets, and showers in an existing housing unit on the lot if the unit does not have internal plumbing.
- Allows cities and counties to inspect storage tank, sewer, and sanitary connections to ensure they are not leaking or polluting.
- Requires the mobile dwelling unit be maintained so that it can be moved at any time.
- Requires the mobile dwelling unit meet the setback requirements of the underlying zone.
- Adds tiny house with wheels to the list of units included under the mobile dwelling unit definition.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Current housing solutions are insufficient because they are not addressing supply for lower cost housing options that can be truly affordable at market rate without government subsidy. MDUs are far less expensive and more rapidly deployed than any type of housing. These homes are built to Labor and Industries standards and legal to use in a mobile home or RV park. This bill expands the areas in which this type of housing is allowed and requires the same infrastructure. This bill allows for people to lean on family members that might be able to offer parking at a rate

that is better than traditional RV communities, some of which have predatory fees. People are in moldy rentals with no other housing options and this is an affordable option for people to own a space that they can take care of instead of relying on a landlord. The more restrictions you put on could limit the amount of housing that gets created. People will have an easier time going to work, staying sober and healing from trauma if they have a safe space to live. Oregon has already implemented this type of housing and it has been successful in providing housing. This bill will provide a pathway to homeownership and stable housing for low income individuals, students, seniors and working families. This also allows intergenerational families to stick together and have support while having separate living spaces.

CON: Support innovative approaches to help with housing but do have significant public health concerns. Without inspections of the mobile dwellings we have no way of knowing if the onboard systems are in an adequate condition to be able to contain or transfer the waste. There is also no way to validate whether potable water, toilets and showers are being provided by the existing unit on the lot. Also concerned that the language "at least one" may have the unintended consequence of allowing short term rental situations or ad hoc mobile home parks in areas that are not well suited to accommodate these vehicles and uses.

OTHER: Support the intent but are concerned with the impact it could put on existing systems because mobile dwellings use pressure which poses a risk of back pressure and the requirements in the bill would not meet the Department of Health standards as part of the Cross Connection Program. Allowing trailers to connect directly to sewers via cleanouts could increase risk for the existing infrastructure and environment when or if there is a backup. Having the connection below ground and not just through the standard cleanout would be a safer approach.

Persons Testifying: PRO: Kol Peterson, Tiny Hookups LLC; Dan Bertolet, Sightline Institute; Zachariah Giffin, Operation Tiny Home - Non Profit; Allison Arroyo; Jean Gamman; Tim McCormick; Lisa Tenney, HomeMindBody.con; Michelle Boyle, Self; Mckellips Todd, Wa tiny house association; Alaska Wagoner; Lauren Grey.

CON: Kelsey Hulse, Washington State Association of Counties.

OTHER: Joren Clowers, Sno-King Water District Coalition.

Persons Signed In To Testify But Not Testifying: No one.