



## San Juan County Community Development & Planning

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DATE: December 9, 2008

### Staff Report

TO: SAN JUAN COUNTY PLANNING COMMISSION

FROM: COLIN MAYCOCK, SENIOR PLANNER

SUBJECT: SAN JUAN COUNTY HOUSING NEEDS ASSESSMENT AND  
DRAFT COMPREHENSIVE PLAN ELEMENT 5, HOUSING

MEETING DATE: December 17, 2008

ISSUE:

To review and comment upon the December 2008 Housing Needs Assessment and the Draft Comprehensive Plan, Section B, Element 5.

STAFF RECOMMENDATION:

Staff recommends continuing this hearing to a date and time certain, to allow time for review and amendment of existing documents following the public meetings in early January.

BACKGROUND:

RCW 36.70A.070 (2) details the mandatory requirements of the Comprehensive Plan Housing Element. This regulation states that in order to be compliant the Housing Element:

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government assisted housing, housing for low-income families, manufactured housing, multifamily housing and

group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

WAC 365-195-310 (1) details the required features of the Comprehensive Plan Housing Element:

- a. An inventory and analysis of existing and projected housing needs.
- b. A statement of the goals, policies, and objectives for the preservation, improvement and development of housing.
- c. Identification of sufficient land for housing, including but not limited to, government-assisted housing, housing for low income families, manufactured housing, multifamily housing and group homes and foster care facilities.
- d. Adequate provisions for existing and projected housing needs of all economic segments of the community.

Both RCW and WAC clearly state the features that the housing element requires to be considered compliant with the Growth Management Act. The question then becomes whether or not draft comprehensive plan element and associated housing needs assessment actually meet those requirements. Following that, there is a further consideration of what may be added to either to increase the Housing Assessment's veracity and the policy aspects of the Housing Element itself.

#### ANALYSIS:

The draft housing element contains a summary of existing and potential housing needs on page 1 in table 5-B which shows the current number of households within the county that fall within the different income groups and the number of households that are projected to fall within those segments and also the number of units necessary to meet the projected growth. This table and attendant text meet the requirements of 36.70A.070 (2) (a) and WAC 365.195.310 (1) a.

Pages 7 through 9 of the Comprehensive Plan Housing Element contain both the goal statements and the policies for meeting the stated goals for housing in general and affordable housing in particular. These meet the requirements of 36.70A.070 (2) (b) and WAC 365.195.310 (1) b.

The section titled Available Land for Housing along with complementary sections, Available Land in Rural Areas and Available in Urban Growth Areas on pages 4-5 shows that there is sufficient land to

meet the requirements of 36.70A.070 (2) (c) and WAC 365.195.310 (1) c.

The final requirement of the WAC and the RCW 36.70A.070 2 is a little harder to point to. The difficulty primarily arises from the language of this requirement and pivots upon the meaning of the phrase 'adequate provision.'

The dictionary<sup>1</sup> definition of 'adequate' is:

- 1. enough:** sufficient in quality or quantity to meet a need or qualify for something.
- 2. just barely enough:** just barely sufficient in quality or quantity to meet a need or qualify for something.

And the dictionary definition of 'provision' is:

- 1. supplying of something:** the act of providing or supplying something;
- 2. action taken to prepare for something:** a preparatory step taken to meet a possible or expected need;
- 3. something provided:** something provided or supplied;
- 4. LAW legal clause stating condition:** a clause in a law or contract stating that a condition must be met;

The definitions above reveal the subtle shades in the words meanings. The difficulty can be further refined by examining the differences between meaning 1 and 2 of the word 'provision' listed above. Meaning number 1 points to an act of supply, in effect, the word means the act of presenting actor 2 with item A, presumably by actor 1. This meaning then pivots on the one way transference of discrete units between actors.

If the RCW and WAC clauses are interpreted in this fashion then the term 'adequate provision' would be read as meaning; "The act of supplying housing in sufficient quantities to meet the projected needs of all sectors of the population." On the face of it, compliance with this interpretation of the code would mean that, through one means or another, the county would be responsible for handing approximately 2500 housing units to different households over the planning horizon.

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<sup>1</sup> Taken from Encarta Online Dictionary at <http://encarta.msn.com/encnet/features/dictionary/dictionaryhome.aspx>, December 9, 2008.

The more common interpretation of 'provision' in the GMA context is closer to number 2., 'action taken to prepare for something.' More explicitly it refers to the presence of regulations that allow for a wide variety of housing types and neighborhoods along with an allowance for specific types of housing such as foster care facilities, low income housing, group homes etc. Currently there are regulations in place that provide additional densities for low income housing and there are no provisions preventing the use of manufactured housing in the county, nor are group homes and other types of housing prohibited although some developments are constrained to certain, identified areas.

In this sense then, it is clear that, when taken as a whole, the draft housing element will meet the requirements of 36.70A.070 (2) (d) and WAC 365.195.310 (1) d.

Although, as it stands, the draft housing element will meet the necessary requirements of the GMA, additional goals, policies or information could be inserted into either the comprehensive plan itself or the housing needs assessment in order to allow for a wider array of responses to the housing needs of the community over the planning horizon.

#### FINDINGS:

Staff does not recommend the Planning Commission undertake to make any findings during the initial review of the material, but rather direct staff to provide additional information, if desired, or develop additional goals and policies to be included.

#### ALTERNATIVES:

- A. The Planning Commission may wish to await the results of the public hearings scheduled in early January before further considerations regarding the adequacy of the plan element and housing needs assessment.

#### MOTION:

**I move to continue this public hearing on January 16, 2009 at 8:45 am in the Islander's Bank Annex, 225 Blair St, Friday Harbor.**