



**San Juan County
Community Development & Planning**

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

DATE: February 10, 2009

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: February 20, 2009

ISSUE:

To review and make recommendations on the Housing Needs Assessment and the Draft Comprehensive Plan, Section B, Element 5.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the document in light of January 19th, 2009 comments, make any further suggestions felt necessary and forward to the County Council for it's approval.

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.

The February 10, 2009 draft of the Housing Needs Assessment is slightly different from that previously submitted. The majority of the changes are largely to do with form rather than content. For the sake of brevity, the most important changes in needs assessment will be addressed in point form below.

- a. Total Number of units needed to house 2025 population increase: 2067.
- b. Units in Transition: This section was added to the calculation to incorporate the 9% of the housing units that were largely unoccupied for a variety of reasons, such as being between rental tenants, between owners and the change of a second home into a primary residence. As the units exist, they were deducted from the proposed minimum need.
- c. The number of units necessary is broken down by island based on current population proportions.
- d. The terminology should be more inclusive and consistent.

- e. The calculations should be clearer and easier to understand.
- f. The local economy is broken down more completely by sector and average wage.
- g. Aside from the shortage of housing for the projected population increase, the lack of working age adults in the county in the future is likely to have serious consequences for services, businesses and residents.

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 dictionary¹ 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 Taken from Encarta Online Dictionary at <http://encarta.msn.com/encnet/features/dictionary/dictionaryhome.aspx>, December 9, 2008.

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.

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.

The Western Washington Growth Board was following precisely this logic when it ruled in Case #05-2-0022c, June 20, 2006 that San Juan County had "addressed the need for affordable housing in its planning for the Eastsound UGA. The County's analysis of housing demand considered the needs of lower income residents and the County has provided density bonuses to encourage affordable housing with the UGA. These efforts show appropriate consideration of the GMA housing goal, RCW 36.70A.020(4)."²

² Compliance Order/Final Decision and Order, Case Nos. 05-2-0019c,02-2-0008,05-2-0022c, P. 29.

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.

Following the meeting in January, the Comprehensive Plan Housing Element has been updated to include the goals and policies suggested by both the public and planning commission.

FINDINGS:

1. That the Comprehensive Plan, Element V meets all the requirements of the Growth Management Act.

MOTION:

I move to recommend approval of the proposed San Juan County Comprehensive Plan Housing Element and Appendix 5, the Housing Needs Assessment to the San Juan County Council.