

2SHB 1401 - H AMD **241**

By Representative Schindler

FAILED 3/10/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter
4 36.70A RCW to read as follows:

5 (1)(a) A county planning under RCW 36.70A.040 may establish, in
6 consultation with cities, a process for authorizing the siting of
7 new mobile home parks and manufactured housing communities outside
8 of urban growth areas designated under RCW 36.70A.110.

9 (b) For purposes of this section, "mobile home park" or
10 "manufactured housing community" has the same meaning as defined in
11 RCW 59.20.030.

12 (2) A county considering an application to site a new mobile
13 home park or manufactured housing community outside of an urban
14 growth area may approve the siting if the following criteria are
15 met:

16 (a) The proposed site is adjacent to or in close proximity to
17 an urban growth area;

18 (b) Affordable housing will be provided within the mobile home
19 park or manufactured housing community for a range of income
20 levels;

21 (c) Appropriate infrastructure and services for the site are
22 available or have been provided for;

23 (d) Environmental protection issues for the site, including air
24 and water quality issues, have been provided for;

25 (e) Development regulations have been established to ensure
26 that urban growth will not occur in adjacent nonurban areas;

27 (f) Provisions to mitigate adverse impacts on designated
28 agricultural lands, forest lands, and mineral resource lands have
29 been made; and

1 (g) The siting of the mobile home park or manufactured housing
2 community does not conflict with development regulations adopted by
3 the county to protect critical areas.

4 (3) Final approval of an application to site a mobile home park
5 or manufactured housing community as provided in this section does
6 not constitute an adopted amendment to the comprehensive plan
7 adopted under RCW 36.70A.070.

8 **Sec. 2.** RCW 82.02.090 and 1990 1st ex.s. c 17 s 48 are each
9 amended to read as follows:

10 Unless the context clearly requires otherwise, the following
11 definitions shall apply in RCW 82.02.050 through 82.02.090:

12 (1) "Development activity" means any construction or expansion
13 of a building, structure, or use, any change in use of a building
14 or structure, or any changes in the use of land, that creates
15 additional demand and need for public facilities. "Development
16 activity" does not include the authorized siting of a mobile home
17 park or manufactured housing community under section 1 of this act.

18 (2) "Development approval" means any written authorization from
19 a county, city, or town which authorizes the commencement of
20 development activity.

21 (3) "Impact fee" means a payment of money imposed upon
22 development as a condition of development approval to pay for
23 public facilities needed to serve new growth and development, and
24 that is reasonably related to the new development that creates
25 additional demand and need for public facilities, that is a
26 proportionate share of the cost of the public facilities, and that
27 is used for facilities that reasonably benefit the new development.
28 "Impact fee" does not include a reasonable permit or application
29 fee.

30 (4) "Owner" means the owner of record of real property,
31 although when real property is being purchased under a real estate
32 contract, the purchaser shall be considered the owner of the real
33 property if the contract is recorded.

34 (5) "Proportionate share" means that portion of the cost of
35 public facility improvements that are reasonably related to the
36 service demands and needs of new development.

37 (6) "Project improvements" mean site improvements and
38 facilities that are planned and designed to provide service for a

1 particular development project and that are necessary for the use
2 and convenience of the occupants or users of the project, and are
3 not system improvements. No improvement or facility included in a
4 capital facilities plan approved by the governing body of the
5 county, city, or town shall be considered a project improvement.

6 (7) "Public facilities" means the following capital facilities
7 owned or operated by government entities: (a) Public streets and
8 roads; (b) publicly owned parks, open space, and recreation
9 facilities; (c) school facilities; and (d) fire protection
10 facilities in jurisdictions that are not part of a fire district.

11 (8) "Service area" means a geographic area defined by a county,
12 city, town, or intergovernmental agreement in which a defined set
13 of public facilities provide service to development within the
14 area. Service areas shall be designated on the basis of sound
15 planning or engineering principles.

16 (9) "System improvements" mean public facilities that are
17 included in the capital facilities plan and are designed to provide
18 service to service areas within the community at large, in contrast
19 to project improvements.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21C
21 RCW to read as follows:

22 The authorized siting of a mobile home park or manufactured
23 housing community under section 1 of this act is exempted from
24 compliance with this chapter."

Correct the title.

EFFECT: Strikes the underlying sections of the bill which
create the affordable housing land acquisition revolving loan
fund program for the purchase of land for affordable housing
development.

Allows counties planning under the Growth Management Act to
site new manufactured/mobile home communities outside of urban
growth boundaries if they meet a number of specific criteria
including close proximity to an urban growth boundary,
availability of infrastructure and services, and the provision
of affordable housing within the community.

Exempts such manufactured/mobile home communities from impact
fees and the requirements of the State Environmental Protection
Act.