PRELIMINARY STAFF REPORT

Thurston County’s Comprehensive Plan Chapter 4 Housing update

Date: January 6, 2010

Public Hearing Date: February 10, 2010

Prepared by: Olivia Terwilleger

Proponent/Applicant: Thurston County

Action Requested: Review proposed amendments to the Comprehensive Plan and development regulations shown in Attachments A and B to the document.

Proposal Description: Update Chapter 4 of the Comprehensive Plan to ensure consistency with the Housing Plan, and address homeless encampments.

PURPOSE:
The intent of the preliminary staff report is to:

- Provide the Planning Commission (PC) with sufficient background information to objectively hear public testimony in the context of proposed amendments,
- Stimulate request by the PC for additional information from the staff as necessary,
- Facilitate focused deliberations by the PC, and
- Allow the PC to make informed recommendations to the Board of County (BoCC) Commissioners in either a final staff report or report from the PC directly to the BoCC.

BACKGROUND:
The Thurston County Comprehensive Plan and the Consolidated Plan for Housing in Thurston County (CPHTC) address housing needs in the county and the cities. The Comprehensive Plan outlines the county’s objectives; the CPHTC is more detailed and lists specific goals and deadlines that must be followed in order to receive grant and other funding through the United States Department of Housing and Urban Development (HUD).

The CPHTC is a sub plan of the Comprehensive Plan and as required by RCW 30.70A, must be consistent with the Comprehensive Plan. Outlined below are the inconsistencies between the
two plans and suggested updates to the Comprehensive Plan that if adopted would make the two plans consistent.
Additionally, RCW 43.185C.160 requires jurisdictions include provisions for regulating homeless encampments. While the CPHTC addresses homeless encampments as required by RCW 43.185C.160, the Comprehensive Plan does not. Staff has reviewed homeless encampment ordinances throughout western Washington jurisdictions. Through that review, staff has drafted a homeless encampment ordinance (Attachment A) based on precedents set throughout western Washington.

COMPARISON OF COMPREHENSIVE PLANS AND CONSOLIDATED PLAN FOR HOUSING:

Special Needs Definitions:
Special needs are defined differently in the Comprehensive Plan and the CPHTC. In the Comprehensive Plan, (Page 4-15, 4-15) special needs include:
• Low income
• Development disabilities
• Homeless
• Frail and elderly
• Single parents
• HIV/AIDS
• Battered women

In the CPHTC, (Pages 49-55) special needs include:
• Mobility impairments or disabilities
  o Mental
  o Physical
  o Developmental
• Alcohol/drug addiction
• Low income
• Extra elderly
• Young adults
• Linguistically isolated
• HIV/AIDS
• Veterans
• Domestic violence victims??

The proposed text change would update the Comprehensive Plan to include the populations that are not listed as special needs. These would include: Adding mental and physical disabilities, veterans, linguistically isolated, young adults, and renaming “battered women” to “domestic violence victims.”

Income levels:
Income levels have different standards between the two documents. The CPHTC includes a low-to-moderate category, while the Comprehensive Plan does not. “Moderate” appears in both plans; however, the Comprehensive Plan has an 81%-95% range, while the Consolidated Plan’s range is “not over 80%”. Staff recommends updating the Comprehensive Plan to match the
CPHTC which uses the most recent definitions from HUD. The proposed text change would add the words “to moderate” in the low definition, and add the words “does not exceed” to the moderate definition, and remove the maximum limit of 95%.

Fair Share Housing:
The Comprehensive Plan cites the importance of locating affordable housing in close proximity to transportation and services, as well as the need for fair share of housing. Staff proposes adding the word “affordable” to the fair share housing sections. This addition will make the terms of the CPHTC and the Comprehensive Plan the equivalent.

Homeless Encampments
In an effort to establish health and safety standards for homeless encampments associated with religious ministries, staff recommends adopting the attached text (Attachment A) to the development code. Such encampments established by a church can be regulated but not prohibited.

While not allowing or offering permitting requirements is in violation of The Religious Land Use and Institutionalized Persons Act (RLUIPA), providing permitting requirements for a homeless encampment will satisfy the Act.

OPTIONS:
Option 1: Approve text change to ensure consistency between the Thurston County Comprehensive Plan and the Consolidated Plan. And approve the proposed additions to the development code to include homeless encampment standards.

Option 2: No change

STAFF RECOMMENDATION:
Option 1: Approve text change

ATTACHMENTS:

Attachment A Draft text change to the Comprehensive Plan
Attachment B Draft text to Thurston County Code

Superscript Key:
1 Required by regulation
2 Required by law
3 Consistent with RCW or other
4 Approved definition
5 Moved from another section
6 Consistent with GMA
7 Consistent with CAO
8 Inaccurate data or wording