



Technical Memo

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Date: 6/26/2024
Project: Tenino Periodic Comprehensive Plan Update
Subject: Anti-displacement Measures

Introduction:

The Thurston Regional Planning Council forecasts that Tenino will grow in population from approximately 1,800 people in 2024 to just under 3,000 people by 2045. Additionally, 2023's HB 1110 has mandated legalization of various forms of 'middle housing' – requiring the cities to explore changes to its zoning code and housing policies. Tenino, itself is exempt from many of the provisions of HB 1110, but not HB 1220 – legislation requiring cities to plan for housing affordable to households at all income levels. This is all to say that demographic trends and new state laws are anticipated to produce noticeable changes in Tenino over the coming years.

With concern towards how overall growth and introduction and possible growth in local housing construction may negatively impact original residents of communities, HB 1110 features several provisions requiring cities to anticipate and account for possible displacement and exclusionary side effects of growth.

The following report features points on regulatory anti-displacement requirements and research into successful measures on anti-displacement

1 Anti-displacement in HB 1110

Under HB 1110, comprehensive plans must:

- ◆ Identify existing local policies/regulations that result in displacement
 - ◆ Zoning that may have a discriminatory effect
 - ◆ Disinvestment
 - ◆ Infrastructure availability
- ◆ Identify neighborhoods at higher risk of displacement under market forces
- ◆ Introduce policies/regulations to undo historic and ongoing displacement
 - ◆ Consideration for historical and cultural communities
 - ◆ Investment in low to moderate income housing
 - ◆ Equitable development initiatives
 - ◆ Inclusionary zoning

- ◆ Tenant protections
- ◆ Consideration for displacement when planning and developing capital facilities

Request for policy timeline extension:

If a municipality can demonstrate the existence of higher rates of displacement within neighborhoods, it may request to the Dept. of Commerce for an extension of the implementation timeline of HB 1110 for areas identified as having a higher risk of displacement.

Should an extension be granted, the municipality must create a plan for anti-displacement by their next comprehensive plan implementation progress report. Commerce may grant one additional extension following this, should evidence of significant ongoing displacement remain.

2 Anti-displacement in HB 1220

Under HB 1220, cities must “make adequate provision for all housing needs” –

- ◆ Identification of barriers to housing availability such as gaps in funding, local regulations, etc.
- ◆ Account for racially disparate impacts related to local policy
- ◆ Identify areas at higher risk of displacement and establish anti-displacement policies

Housing needs and allocation guidance

Cities must adequately plan for the provision of housing affordable to households within each of the following income bands:

- 0-30% Area Median Income
- 31-50% Area Median Income
- 51-80% Area Median Income
- 81-120% Area Median Income
- Above 120% Area Median Income

The number of units of housing which would adequately provide housing for the needs of each income band is determined by the county. The Department of Commerce has provided recommendations for which housing types are most likely to provide affordability for each income band, and a municipality should take this into consideration when developing its comprehensive plan land use map. The following is a table of housing targets Tenino must plan for.

Total	Income Level (Percent of Area Median Income)									Emergency Housing
	0-30%		30-50%	50-80%	80-100%	100-120%	120%+	Seasonal/ Migrant		
	PSH	Non-PSH								
Housing Units										Beds
2045 Total Housing Unit Need (Sum of 2020 Supply + 2045 Need)										
City	1,299	32	97	211	416	197	113	233	0	9
UGA	14	1	2	2	3	2	1	3	0	0
2020 Supply										
City	780	0	34	211	416	82	12	26	0	0
UGA	5	0	0	1	3	1	0	0	0	0
2045 Unit Need										
City	519	32	62	0	0	115	102	208	0	9
UGA	9	1	2	1	1	1	1	3	0	0

3 Manufactured Home Protections in SB 5198

Manufactured home communities (MHCs) serve as a form of ‘naturally occurring’ affordable housing, and often accommodate the housing needs of individuals particularly sensitive to displacement; as such, the Washington legislature passed legislation in 2023 to preserve the interests of residents of MHC’s.

Requirements under SB 5198 include:

- ◆ Landlords must provide tenants with a written notice of opportunity to compete to purchase before selling an MHC
- ◆ Landlords must provide two years’ notice of closure of an MHC

4 Displacement Mitigation Recommendations from Commerce

As the department tasked with facilitating and enforcing the Growth Management Act, The Department of Commerce has made available guidance and resources for cities to account for displacement and adequately plan for it. The following are measures Commerce recommends as effective methods to prevent displacement and facilitate reasonable relocation if displacement cannot be avoided.

“MHP-Only” Zoning

As part of their typical zoning authority, local governments possess the power to designate zones within the city as being reserved for manufactured home communities. This is one of the most direct methods to ensure MHCs don’t get redeveloped, and residents are not displaced. This practice can include direct zoning or the establishment of overlay zones.

“Tenant Opportunity to Purchase” (TOPO) Ordinance

TOPO ordinances are a tool a local government can utilize to require MHC owners to inform tenants of their intention to sell their property and provide them reasonable specified time to organize an effort to purchase the property themselves. TOPO ordinances are effective at avoiding “off-market” sales of MHCs – a common avenue in which MHCs are sold and result in challenges at preservation.

Purchase of MHCs by Housing Authorities or other Organizations

Municipalities can work with the housing authority they partner with or collaborate with other similar organizations whose mission is to provide and preserve affordable housing. Understanding the financial constraints organizations in the space may face to purchase MHCs, The Washington State Finance Commission has made available financial resources and guidance to support the purchase of MHCs by their residents or by housing authorities.

Relocation Assistance

The Department of Commerce’s Manufactured Home Relocation Assistance Program provides cash assistance up to \$11,000 for single section homes and \$17,000 for multi section homes that can be used for relocation or demolition of manufactured homes.