
HOUSE BILL 2093

State of Washington 60th Legislature 2007 Regular Session

By Representatives Miloscia and O'Brien

Read first time 02/07/2007. Referred to Committee on Local Government.

1 AN ACT Relating to accommodating projected urban growth in large
2 counties by wage decile; and amending RCW 36.70A.110 and 43.62.035.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.70A.110 and 2004 c 206 s 1 are each amended to read
5 as follows:

6 (1) Each county that is required or chooses to plan under RCW
7 36.70A.040 shall designate an urban growth area or areas within which
8 urban growth shall be encouraged and outside of which growth can occur
9 only if it is not urban in nature. Each city that is located in such
10 a county shall be included within an urban growth area. An urban
11 growth area may include more than a single city. An urban growth area
12 may include territory that is located outside of a city only if such
13 territory already is characterized by urban growth whether or not the
14 urban growth area includes a city, or is adjacent to territory already
15 characterized by urban growth, or is a designated new fully contained
16 community as defined by RCW 36.70A.350.

17 (2)(a) Based upon the growth management population projection made
18 for the county by the office of financial management, the county and
19 each city within the county shall include areas and densities

1 sufficient to permit the urban growth that is projected to occur in the
2 county or city for the succeeding twenty-year period(~~(, except for~~
3 ~~those))~~).

4 (b)(i) The urban growth accommodations required by (a) of this
5 subsection must include zoning regulations that conform to the
6 estimated wages of the residents expected to comprise the growth.
7 Zoning regulations adopted under this subsection must:

8 (A) Be determined with formulae developed by the city or county
9 accommodating the projected growth;

10 (B) Be divided by wage decile; and

11 (C) Include an evaluation component that annually analyzes the
12 effectiveness of the regulations in increasing the availability of
13 affordable housing within the jurisdiction to each wage decile.

14 (ii) If the evaluation component required by this subsection does
15 not demonstrate an increase in the availability of affordable housing
16 within the jurisdiction to each wage decile, the county or city
17 conducting the evaluation must develop and implement recommendations
18 that are reasonably likely to increase the availability of such
19 housing.

20 (iii) The requirements of this subsection (2)(b) apply only to
21 counties with more than six hundred thousand residents as of April 1,
22 2005, and the cities within those counties.

23 (c) The requirements of (a) of this subsection do not apply to
24 urban growth areas contained totally within a national historical
25 reserve.

26 Each urban growth area shall permit urban densities and shall
27 include greenbelt and open space areas. In the case of urban growth
28 areas contained totally within a national historical reserve, the city
29 may restrict densities, intensities, and forms of urban growth as
30 determined to be necessary and appropriate to protect the physical,
31 cultural, or historic integrity of the reserve. An urban growth area
32 determination may include a reasonable land market supply factor and
33 shall permit a range of urban densities and uses. In determining this
34 market factor, cities and counties may consider local circumstances.
35 In accordance with the requirements of this chapter, cities and
36 counties have discretion in their comprehensive plans to make many
37 choices about accommodating growth.

1 Within one year of July 1, 1990, each county that as of June 1,
2 1991, was required or chose to plan under RCW 36.70A.040, shall begin
3 consulting with each city located within its boundaries and each city
4 shall propose the location of an urban growth area. Within sixty days
5 of the date the county legislative authority of a county adopts its
6 resolution of intention or of certification by the office of financial
7 management, all other counties that are required or choose to plan
8 under RCW 36.70A.040 shall begin this consultation with each city
9 located within its boundaries. The county shall attempt to reach
10 agreement with each city on the location of an urban growth area within
11 which the city is located. If such an agreement is not reached with
12 each city located within the urban growth area, the county shall
13 justify in writing why it so designated the area an urban growth area.
14 A city may object formally with the department over the designation of
15 the urban growth area within which it is located. Where appropriate,
16 the department shall attempt to resolve the conflicts, including the
17 use of mediation services.

18 (3) Urban growth should be located first in areas already
19 characterized by urban growth that have adequate existing public
20 facility and service capacities to serve such development, second in
21 areas already characterized by urban growth that will be served
22 adequately by a combination of both existing public facilities and
23 services and any additional needed public facilities and services that
24 are provided by either public or private sources, and third in the
25 remaining portions of the urban growth areas. Urban growth may also be
26 located in designated new fully contained communities as defined by RCW
27 36.70A.350.

28 (4) In general, cities are the units of local government most
29 appropriate to provide urban governmental services. In general, it is
30 not appropriate that urban governmental services be extended to or
31 expanded in rural areas except in those limited circumstances shown to
32 be necessary to protect basic public health and safety and the
33 environment and when such services are financially supportable at rural
34 densities and do not permit urban development.

35 (5) On or before October 1, 1993, each county that was initially
36 required to plan under RCW 36.70A.040(1) shall adopt development
37 regulations designating interim urban growth areas under this chapter.
38 Within three years and three months of the date the county legislative

1 authority of a county adopts its resolution of intention or of
2 certification by the office of financial management, all other counties
3 that are required or choose to plan under RCW 36.70A.040 shall adopt
4 development regulations designating interim urban growth areas under
5 this chapter. Adoption of the interim urban growth areas may only
6 occur after public notice; public hearing; and compliance with the
7 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.
8 Such action may be appealed to the appropriate growth management
9 hearings board under RCW 36.70A.280. Final urban growth areas shall be
10 adopted at the time of comprehensive plan adoption under this chapter.

11 (6) Each county shall include designations of urban growth areas in
12 its comprehensive plan.

13 (7) An urban growth area designated in accordance with this section
14 may include within its boundaries urban service areas or potential
15 annexation areas designated for specific cities or towns within the
16 county.

17 **Sec. 2.** RCW 43.62.035 and 1997 c 429 s 26 are each amended to read
18 as follows:

19 (1) The office of financial management shall determine the
20 population of each county of the state annually as of April 1st of each
21 year and on or before July 1st of each year shall file a certificate
22 with the secretary of state showing its determination of the population
23 for each county. The office of financial management also shall
24 determine the percentage increase in population for each county over
25 the preceding ten-year period, as of April 1st, and shall file a
26 certificate with the secretary of state by July 1st showing its
27 determination.

28 (2)(a) At least once every five years or upon the availability of
29 decennial census data, whichever is (~~later~~) earlier, the office of
30 financial management shall prepare twenty-year growth management
31 planning population projections required by RCW 36.70A.110 for each
32 county that adopts a comprehensive plan under RCW 36.70A.040 and shall
33 review these projections with such counties and the cities in those
34 counties before final adoption. For counties with more than six
35 hundred thousand residents as of April 1, 2005, these projections shall
36 include a forecast of the estimated wages, by decile, of the residents
37 expected to comprise the growth.

1 **(b)** The county and its cities may provide to the office such
2 information as they deem relevant to the office's projection, and the
3 office shall consider and comment on such information before adoption.
4 Each projection shall be expressed as a reasonable range developed
5 within the standard state high and low projection. The middle range
6 shall represent the office's estimate of the most likely population
7 projection for the county.

8 **(c)** If any city or county believes that a projection will not
9 accurately reflect actual population growth in a county, or the
10 estimated wages of the residents expected to comprise the growth, it
11 may petition the office to revise the projection accordingly. (~~The~~
12 ~~office shall complete the first set of ranges for every county by~~
13 ~~December 31, 1995.~~)

14 **(3)** A comprehensive plan adopted or amended before December 31,
15 1995, shall not be considered to be in noncompliance with the twenty-
16 year growth management planning population projection if the projection
17 used in the comprehensive plan is in compliance with the range later
18 adopted under this section.

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