

HOUSE BILL REPORT

SHB 1608

As Passed House:

March 14, 2003

Title: An act relating to accommodating housing and employment growth for local jurisdictions planning under RCW 36.70A.040.

Brief Description: Concerning the accommodation of housing and employment growth under local comprehensive plans.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Uptegrove, Schindler, Berkey, Mielke, Tom, Ericksen, Romero, Jarrett, Edwards, Linville and Anderson).

Brief History:

Committee Activity:

Local Government: 2/17/03, 3/4/03 [DPS].

Floor Activity:

Passed House: 3/14/03, 94-0.

Brief Summary of Substitute Bill

- Requires that amendments or revisions to development regulations in jurisdictions planning under the Growth Management Act, taken collectively, be consistent with and implement a comprehensive plan.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Romero, Chair; Uptegrove, Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Berkey, Clibborn, Ericksen, Mielke and Moeller.

Staff: Ethan Moreno (786-7386).

Background:

Growth Management Act “ Comprehensive Plans

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to conform to the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Currently, 29 of 39 counties, and the cities within those 29 counties, are required to or have chosen to conform with the major requirements of the GMA (GMA jurisdictions).

GMA jurisdictions must adopt comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are required to include provisions for specific planning elements, including separate housing and economic development elements. The *housing element* of a comprehensive plan must include:

- an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- an 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; and
- adequate provisions for existing and projected needs for all economic segments of the community.

The *economic development* element of a comprehensive plan, which does not require jurisdictional action of compliance until state funding is provided, must include:

- a summary of the local economy, such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate;
- a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, work force, housing, and natural/cultural resources; and
- an identification of policies, programs, and projects to foster economic growth and development and to address future needs.

Comprehensive Plan Reviews

Comprehensive land use plans and development regulations are subject to continuing review and evaluation by the adopting county or city. Any amendments or revisions of development regulations must conform to the requirements of the GMA and must be consistent with and implement comprehensive plans. Schedule and criteria information for counties and cities reviewing and/or revising comprehensive plans and development regulations are specified in RCW 36.70A.130.

Urban Growth Areas - Accommodating Projected Growth

GMA jurisdictions also must designate urban growth areas (UGAs) within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature.

Using population projections by the Office of Financial Management (OFM), GMA jurisdictions must include within their UGAs densities and areas sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding 20-year period. A UGA determination may include a reasonable land market supply factor and must permit a range of urban densities and uses.

Each county designating UGAs must review its designated UGAs and permitted densities in incorporated and unincorporated areas at least once every 10 years. City reviews of permitted densities and other factors must occur in conjunction with county UGA reviews. As a result of county UGA reviews, the county comprehensive plan designating UGAs and the densities permitted in the UGA by the county and cities located within the UGAs must be revised to accommodate the urban growth projected for the succeeding 20-year period.

Summary of Substitute Bill:

Amendments or revisions to development regulations in jurisdictions planning under the GMA must, taken collectively, be consistent with and implement the comprehensive plan of the jurisdiction, including accommodation of projected housing and employment growth consistent with the most recent 20-year population forecast of the OFM.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is designed to ensure that infill development and growth will occur in urban growth areas. The proposed striking amendment [note: not adopted] requires amendments to comprehensive plans or development regulations to be considered using an 'on balance' jurisdiction-wide perspective. This bill provides another tool for meeting housing and employment goals in urban growth areas. The GMA requires planning for growth, but many communities lack the housing needed to accommodate growth. As a result, housing prices have increased beyond the reach of many families. When local governments review comprehensive plans and development regulations, land once designated for growth is often redesignated and removed from buildable inventories.

These redesignations can have the effect of invalidating original land use assumptions for accommodating growth. This legislation is needed to address increases in housing prices and requirements to accommodate growth.

(In support with concerns) Whatcom County down zoning efforts may have caused housing availability to decline below projections, yet the county has not made efforts locate additional potential housing areas. A clarification of the language included in the striking amendment might be appropriate.

Testimony Against: Cities and counties have successfully accommodated growth projections. The only way to reduce capacities is through zoning changes. Jurisdictions are not required to plan for employment, yet this bill includes references to such planning. This bill increases the potential for litigation and confusion. Jurisdictional reductions in capacity can be challenged under current law.

Testified: (In support) Representative Upthegrove, prime sponsor; and Mike Flynn and Bryan Wahl, Washington Association of Realtors.

(In support with concerns) Kris Tefft, Building Industry Association of Washington.

(Opposed) Dave Williams, Association of Washington Cities.