

# HOUSE BILL REPORT

## HB 2092

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### As Reported by House Committee On: Local Government

**Title:** An act relating to modifying the buildable lands requirements of the department of community, trade, and economic development.

**Brief Description:** Modifying the buildable lands requirements of the department of community, trade, and economic development.

**Sponsors:** Representatives Miloscia and Springer.

#### Brief History:

##### Committee Activity:

Local Government: 2/20/07, 2/23/07 [DPS].

#### Brief Summary of Substitute Bill

- Requires the Department of Community, Trade, and Economic Development (Department) to prepare an annual report listing the methods used by local governments for the review and evaluation of "buildable lands" programs as required under the Growth Management Act.
- Requires the Department to annually provide pertinent local governments with technical assistance and information regarding methodologies for implementing and evaluating comprehensive planning for increased population densities and urban growth.
- Requires the Department to report to the Legislature every five years regarding its assessment of the success of the buildable lands programs in achieving cities' and counties' goals for accommodating anticipated urban growth.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Simpson, Chair; Eddy, Vice Chair; Curtis, Ranking Minority Member; B. Sullivan and Takko.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass. Signed by 2 members: Representatives Schindler, Assistant Ranking Minority Member and Ross.

**Staff:** Thamas Osborn (786-7129).

**Background:**

**"Countywide Planning Policy" Required by the Growth Management Act**

The legislative authority of each county fully planning under the Growth Management Act (GMA county) must adopt a "countywide planning policy" (CPP) in cooperation with the cities located in whole or part within the county. A CPP is a written policy statement or statements that is used for establishing a countywide framework from which county and city comprehensive plans are developed and adopted. A CPP must address certain planning and analysis provisions, including policy considerations pertaining to:

- implementing urban growth area requirements;
- affordable housing needs;
- countywide economic development and employment;
- siting public capital facilities; and
- transportation needs.

**Population Projections and Planning for Urban Growth Areas**

Counties and cities are also required to satisfy specific planning requirements pertaining to urban growth areas (UGAs). Using population projections made by the Office of Financial Management (OFM), and subject to statutory requirements, GMA counties and each city within those counties must plan for population densities in UGAs so as to accommodate the urban growth that is projected to occur during the succeeding 20-year period.

**GMA "Buildable Lands" Program**

Six western Washington counties (*i.e.*, Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties), and the cities within those counties, are required to establish a review and evaluation process known as the "buildable lands" program. The purpose of the program is to determine whether a county and its cities are achieving appropriate urban densities and identify measures that will be taken to comply with the GMA requirements.

In order to meet the GMA requirements, the buildable lands program must:

- encompass land uses and activities within and outside of UGAs and provide for the annual collection of specified data to the extent necessary to determine the quantity and type of land suitable for development;
- provide for the evaluation of the collected data every five years; and
- provide for the amendment of county-wide planning policies (CPPs) and comprehensive plans, as needed to remedy an identified inconsistency, or to bring these polices into compliance with the GMA.

The evaluation component must satisfy specific minimum requirements, including:

- determining whether there is sufficient land suitable to accommodate countywide population projections and subsequent population allocations within the county and between the county and its cities; and

- determining the density of housing that has been constructed and the amount of land developed for commercial and industrial uses within a UGA, in accordance with specified requirements.

If the evaluation demonstrates an inconsistency between what has occurred since the adoption of the CPPs, comprehensive plans, and development regulations and what was envisioned in those policies, plans, and GMA provisions, the county and its cities must adopt and implement measures that are reasonably likely to increase consistency during the subsequent five-year period.

By December 31, 2007, the Department of Community, Trade, and Economic Development (Department) must submit to the appropriate committees of the Legislature a buildable lands report analyzing the effectiveness of certain activities in achieving the goals envisioned by CPPs, comprehensive plans, and development regulations of counties and cities. Not later than July 1, 1998, the Department must prepare a list of the methods used by counties and cities in implementing buildable lands requirements.

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### **Summary of Substitute Bill:**

The act makes various procedural and substantive changes to the reporting and technical assistance requirements that must be met by the Department of Community, Trade, and Economic Development (Department) in executing its responsibilities with respect to the buildable lands program. Under these revised requirements, the Department must:

- prepare an annual report listing the methods used by local governments for the review and evaluation of programs related to planning for urban development and increased population densities;
- provide the pertinent local governments with technical assistance and information on an annual basis regarding methodologies for implementing and evaluating comprehensive planning for increased population densities and urban growth; and
- report to the House and Senate at five year intervals, beginning on December 31, 2008, regarding its assessment of the success of the requisite review and evaluation process in achieving cities' and counties' goals for accommodating anticipated urban growth. This assessment must include recommendations for legislation necessary to increase the effectiveness of buildable lands programs.

### **Substitute Bill Compared to Original Bill:**

The substitute bill makes the following changes to the original bill: Changes the requirement that the Department of Community, Trade, and Economic Development make an annual progress report to the Legislature regarding the "buildable lands program" to a requirement that the report be made every five years, beginning on December 31, 2008.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) The bill is necessary to improve the performance of the buildable lands program required under the GMA. The GMA is the cornerstone of our effort to plan for growth and the success of such planning will have a profound effect on our quality of life. The information sharing required by the bill will contribute to the success of the program. The bill will help cities get the information they need about the relative merit of various approaches taken in implementing the buildable lands program. However, to require DCTED to make yearly reports to the Legislature is neither realistic nor useful. A five-year interval would be more appropriate.

(Opposed) None.

**Persons Testifying:** Dave Williams, Association of Washington Cities; Jeannette McKague, Washington Realtors; and Kaleen Cottingham, Futurewise.

**Persons Signed In To Testify But Not Testifying:** None.