
Local Government Committee

HB 2577

Brief Description: Exempting regional growth centers from concurrency requirements.

Sponsors: Representative Simpson.

Brief Summary of Bill
<ul style="list-style-type: none">• Authorizes local governments to approve development that causes the level of service on a locally-owned transportation facility to decline below adopted standards if the proposed development is within a designated regional growth center and other conditions are met.

Hearing Date: 1/25/08

Staff: Ethan Moreno (786-7386).

Background:

Growth Management Act/Concurrency

The Growth Management Act (GMA or Act) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, the GMA establishes numerous requirements for local governments obligated by mandate or choice to fully plan under the Act (planning jurisdictions) and a reduced number of directives for all other counties and cities. Twenty-nine of Washington's 39 counties, and the cities within those counties, are planning jurisdictions.

The GMA directs planning jurisdictions to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, including transportation, each of which is a subset of a comprehensive plan. Planning jurisdictions must also adopt development regulations that implement and conform with the comprehensive plan.

The transportation element of a comprehensive plan must include sub-elements that address transportation mandates for forecasting, finance, coordination, and facilities and services needs. A provision of the sub-element for facilities and services needs requires planning jurisdictions to adopt level of service (LOS) standards for all locally-owned arterials and transit routes.

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.

Planning jurisdictions must adopt and enforce ordinances prohibiting development approval if the proposed development will cause the LOS on a locally-owned transportation facility to decline below standards adopted in the transportation element. Exemptions to this prohibition may be made if improvements or strategies to accommodate development impacts are made concurrent with the development. These strategies may include:

- Increased public transportation service;
- Ride sharing programs;
- Demand management; and
- Other transportation systems management strategies.

"Concurrent with the development" means improvements or strategies that are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

Transportation elements may also include, in addition to improvements or strategies to accommodate the impacts of development authorized under the GMA, multimodal transportation improvements or strategies that are made concurrent with the development.

Planning Terminology - Regional Growth Centers, Transfers of Development Rights

The GMA does not define or prescribe requirements for regional growth centers. The Puget Sound Regional Council's report, *Central Puget Sound Regional Growth Centers - 2002*, described regional growth centers as relatively small areas of compact development where housing, employment, shopping, and other activities are in close proximity.

A transfer of development rights (TDR) occurs when a qualifying land owner severs potential development rights from a property and transfers them to a recipient for use on a different property. Transferred rights are generally sent from areas with lower population densities to areas with higher population densities. Considerations paid for the transferred rights constitute compensation to the land owner for development that may have otherwise occurred on the property. The GMA does not prescribe requirements for TDRs, but legislation enacted in 2007, in part, requires the Department of Community, Trade, and Economic Development to develop a regional TDR program that comports with the GMA.

Summary of Bill:

Counties and cities that fully plan under the GMA may approve development that causes the level of service on a locally-owned transportation facility to decline below adopted standards if:

- The proposed development is within a designated regional growth center;
- The legislative authority of the jurisdiction exempts the growth center from applicable concurrency requirements; and
- The proposed development utilizes TDRs originating from a rural area within the same or an adjoining county.

Appropriation: None.

Fiscal Note: Not requested.

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