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**SUBSTITUTE HOUSE BILL 2092**

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**State of Washington                      60th Legislature                      2007 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Miloscia and Springer)

READ FIRST TIME 02/27/07.

1            AN ACT Relating to modifying the buildable lands requirements of  
2 the department of community, trade, and economic development; and  
3 amending RCW 36.70A.215.

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

5            **Sec. 1.** RCW 36.70A.215 and 1997 c 429 s 25 are each amended to  
6 read as follows:

7            (1) Subject to the limitations in subsection (7) of this section,  
8 a county shall adopt, in consultation with its cities, county-wide  
9 planning policies to establish a review and evaluation program. This  
10 program shall be in addition to the requirements of RCW 36.70A.110,  
11 36.70A.130, and 36.70A.210. In developing and implementing the review  
12 and evaluation program required by this section, the county and its  
13 cities shall consider information from other appropriate jurisdictions  
14 and sources. The purpose of the review and evaluation program shall be  
15 to:

16            (a) Determine whether a county and its cities are achieving urban  
17 densities within urban growth areas by comparing growth and development  
18 assumptions, targets, and objectives contained in the county-wide

1 planning policies and the county and city comprehensive plans with  
2 actual growth and development that has occurred in the county and its  
3 cities; and

4 (b) Identify reasonable measures, other than adjusting urban growth  
5 areas, that will be taken to comply with the requirements of this  
6 chapter.

7 (2) The review and evaluation program shall:

8 (a) Encompass land uses and activities both within and outside of  
9 urban growth areas and provide for annual collection of data on urban  
10 and rural land uses, development, critical areas, and capital  
11 facilities to the extent necessary to determine the quantity and type  
12 of land suitable for development, both for residential and employment-  
13 based activities;

14 (b) Provide for evaluation of the data collected under (a) of this  
15 subsection every five years as provided in subsection (3) of this  
16 section. The first evaluation shall be completed not later than  
17 September 1, 2002. The county and its cities may establish in the  
18 county-wide planning policies indicators, benchmarks, and other similar  
19 criteria to use in conducting the evaluation;

20 (c) Provide for methods to resolve disputes among jurisdictions  
21 relating to the county-wide planning policies required by this section  
22 and procedures to resolve inconsistencies in collection and analysis of  
23 data; and

24 (d) Provide for the amendment of the county-wide policies and  
25 county and city comprehensive plans as needed to remedy an  
26 inconsistency identified through the evaluation required by this  
27 section, or to bring these policies into compliance with the  
28 requirements of this chapter.

29 (3) At a minimum, the evaluation component of the program required  
30 by subsection (1) of this section shall:

31 (a) Determine whether there is sufficient suitable land to  
32 accommodate the county-wide population projection established for the  
33 county pursuant to RCW 43.62.035 and the subsequent population  
34 allocations within the county and between the county and its cities and  
35 the requirements of RCW 36.70A.110;

36 (b) Determine the actual density of housing that has been  
37 constructed and the actual amount of land developed for commercial and

1 industrial uses within the urban growth area since the adoption of a  
2 comprehensive plan under this chapter or since the last periodic  
3 evaluation as required by subsection (1) of this section; and

4 (c) Based on the actual density of development as determined under  
5 (b) of this subsection, review commercial, industrial, and housing  
6 needs by type and density range to determine the amount of land needed  
7 for commercial, industrial, and housing for the remaining portion of  
8 the twenty-year planning period used in the most recently adopted  
9 comprehensive plan.

10 (4) If the evaluation required by subsection (3) of this section  
11 demonstrates an inconsistency between what has occurred since the  
12 adoption of the county-wide planning policies and the county and city  
13 comprehensive plans and development regulations and what was envisioned  
14 in those policies and plans and the planning goals and the requirements  
15 of this chapter, as the inconsistency relates to the evaluation factors  
16 specified in subsection (3) of this section, the county and its cities  
17 shall adopt and implement measures that are reasonably likely to  
18 increase consistency during the subsequent five-year period. If  
19 necessary, a county, in consultation with its cities as required by RCW  
20 36.70A.210, shall adopt amendments to county-wide planning policies to  
21 increase consistency. The county and its cities shall annually monitor  
22 the measures adopted under this subsection to determine their effect  
23 and may revise or rescind them as appropriate.

24 (5)(a) (~~Not later than July 1, 1998,~~) The department, on or  
25 before each December 31st, shall prepare a list of methods used by  
26 counties and cities (~~in carrying out the types of activities required~~  
27 ~~by~~) to comply with the requirements of this section. The department,  
28 on or before each March 1st, shall provide this information and  
29 appropriate technical assistance to counties and cities required to or  
30 choosing to comply with the provisions of this section.

31 (b) (~~By December 31, 2007,~~) The department, on or before December  
32 31, 2008, and every five years thereafter, shall submit to the  
33 appropriate committees of the (~~legislature a report~~) house of  
34 representatives and the senate an assessment evaluation analyzing the  
35 effectiveness of the (~~activities described in~~) requirements of this  
36 section in achieving the goals envisioned by the county-wide planning  
37 policies and the comprehensive plans and development regulations of the  
38 counties and cities. The assessment evaluations required of the

1 department under this subsection (5)(b) must include recommendations  
2 for legislation the department deems necessary to increase the  
3 effectiveness of the requirements of this section in achieving the  
4 goals envisioned by county-wide planning policies and the comprehensive  
5 plans and development regulations of counties and cities.

6 (6) From funds appropriated by the legislature for this purpose,  
7 the department shall provide grants to counties, cities, and regional  
8 planning organizations required under subsection (7) of this section to  
9 conduct the review and perform the evaluation required by this section.

10 (7) The provisions of this section shall apply to counties, and the  
11 cities within those counties, that were greater than one hundred fifty  
12 thousand in population in 1995 as determined by office of financial  
13 management population estimates and that are located west of the crest  
14 of the Cascade mountain range. Any other county planning under RCW  
15 36.70A.040 may carry out the review, evaluation, and amendment programs  
16 and procedures as provided in this section.

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