

HOUSE BILL REPORT

HB 1715

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to reporting requirements in the growth management act.

Brief Description: Addressing reporting requirements in the growth management act.

Sponsors: Representative Miloscia.

Brief History:

Committee Activity:

Local Government & Housing: 2/11/09, 2/16/09 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Community, Trade and Economic Development (DCTED) to prepare reports to the Legislature every five years that evaluate county and city compliance with housing element requirements of the Growth Management Act (GMA).
- Requires the DCTED to prepare a report for submission to the Legislature every three years that analyzes compliance with the county-wide planning policy requirements of the GMA.
- Establishes new technical assistance and reporting requirements for the DCTED pertaining to the "buildable lands" review and evaluation program requirements of the GMA.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia, Springer, Upthegrove, White and Williams.

Minority Report: Do not pass. Signed by 4 members: Representatives Angel, Ranking Minority Member; Ericksen, Assistant Ranking Minority Member; Cox and Short.

Staff: Ethan Moreno (786-7386)

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.

Background:

Growth Management Act - Introduction.

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 Department of Community, Trade and Economic Development (DCTED) provides technical and financial assistance to jurisdictions that must implement requirements of the GMA.

Comprehensive Land Use Plans, Development Regulations, and Selected Provisions.

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 housing, each of which is a subset of a comprehensive plan. Comprehensive plans must be coordinated and consistent with those of other counties and cities with which the county or city has common borders or related regional issues. The implementation of comprehensive plans occurs through development regulations mandated by the GMA.

The housing element of a comprehensive plan must ensure the vitality and character of established residential neighborhoods. Housing elements must include an inventory and analysis of existing and projected needs that identifies the number of housing units needed to manage projected growth, and a statement of goals, policies, and provisions for the preservation, improvement, and development of housing. Housing elements must also include provisions for existing and projected housing needs for all economic segments of the community.

The GMA includes requirements relating to the use or development of land in urban and rural areas. Among other requirements, counties that fully plan under the GMA (planning counties) must designate urban growth areas (UGAs) or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Planning counties and each city within these counties must include within their UGAs, areas and densities that are sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period.

County-wide Planning Policies.

The legislative authority of each planning county must adopt a county-wide planning policy (CPP) in cooperation with the cities located wholly or partially within the county. A CPP is a written policy statement or statements used solely for establishing a county-wide framework from which county and city comprehensive plans are developed and adopted. County-wide planning policies must include specified planning provisions. Examples include:

- policies to implement requirements for UGAs;
- policies for county-wide transportation facilities and strategies; and
- policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution.

The Governor may impose sanctions upon a planning jurisdiction that fails to adopt CPPs in conformity with the GMA.

The "Buildable Lands" Program.

Six western Washington counties (*i.e.*, Clark, King, Kitsap, Pierce, Snohomish, and Thurston), 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 within UGAs and to identify measures that will be taken to comply with the GMA.

The buildable lands program must:

- encompass land uses and activities within and outside of UGAs, and provide for the annual collection of data 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 CPPs and comprehensive plans to remedy an identified inconsistency or to bring policies into compliance with the GMA.

The evaluation component must satisfy specific minimum requirements, including:

- determining whether there is sufficient land suitable to accommodate county-wide 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 requirements, the county and its cities must adopt and implement measures that are reasonably likely to increase consistency during the subsequent five-year period.

Expired reporting requirements for the DCTED are specified in the provisions governing the buildable lands program. On or before July 1, 1998, the DCTED was required to prepare a list of the methods used by counties and cities to implement buildable lands program requirements. The DCTED was required to provide this information and appropriate technical assistance to local governments complying with the requirements of the buildable lands program. Additionally, by December 31, 2007, the DCTED was required to submit to the appropriate committees of the Legislature a report analyzing the effectiveness of the buildable lands program requirements in achieving the goals envisioned by locally adopted CPPs, comprehensive plans, and development regulations.

Summary of Substitute Bill:

New reporting requirements pertaining to the GMA are established for the DCTED.

Housing Element.

The DCTED must consult with planning jurisdictions and develop criteria for evaluating county and city compliance with the housing element requirements of the GMA. On or before December 1, 2009, and every five years thereafter, the DCTED must submit to the appropriate committees of the House of Representatives (House) and the Senate a report evaluating county and city compliance with housing element requirements.

County-wide Planning Policies.

On or before December 1, 2009, and every three years thereafter, the DCTED must submit to the appropriate committees of the House and Senate a report analyzing compliance with the county-wide planning policy requirements of the GMA.

The "Buildable Lands" Program.

On or before each December 31, the DCTED must prepare a report listing the methods used by counties and cities to comply with the buildable lands program requirements. The DCTED must, by each March 1, provide this methodology information and appropriate technical information to local governments complying with the requirements of the buildable lands program.

On or before December 31, 2009, and every five years thereafter, the DCTED must submit to the appropriate committees of the House and Senate an assessment evaluation analyzing the effectiveness of the buildable lands program requirements in achieving the goals envisioned by locally adopted CPPs, comprehensive plans, and development regulations. This assessment must include recommendations for legislation necessary to increase the effectiveness of the buildable lands program.

Substitute Bill Compared to Original Bill:

The substitute bill requires the DCTED to submit a report to the appropriate committees of the House and Senate that evaluates county and city compliance with housing element requirements of the GMA every five years, rather than annually.

Appropriation: None.**Fiscal Note:** Available.

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

Staff Summary of Public Testimony:

(In support) The GMA involves a number of standards. The purpose of this bill is to require the DCTED to evaluate jurisdictions and see how well they are doing in meeting requirements of the GMA. The GMA technical assistance budget of the DCTED is proposed for elimination. This bill will provide direct input toward improving plans adopted under the GMA.

(Opposed) None.

Persons Testifying: Representative Miloscia, prime sponsor.

Persons Signed In To Testify But Not Testifying: Richard Frank.