

***Local Government & Housing  
Committee***

***HB 1962***

***Brief Description:*** *Creating incentives for the transfer of development rights.*

***Sponsors:*** *Representative Dunshee.*

***Brief Summary of Bill***

- *Specifies a city or county may develop incentive programs for transfer of development rights from agricultural or open space zones to higher densities in urban zones.*

***Hearing Date:*** *2/14/01*

***Staff:*** *Caroleen Dineen (786-7156).*

***Background:***

*Under the Growth Management Act (GMA), counties meeting specified growth criteria must adopt comprehensive plans that include a land use element, a rural element, a transportation element, and several other elements. A county that does not meet the criteria may choose to plan under the GMA. Counties and cities not planning under the major GMA requirements are required to identify and protect critical areas and to designate natural resource lands, including agricultural, forest and mineral resource lands.*

*Each county planning under the GMA must designate an urban growth area (UGA) sufficient to permit the urban growth expected to occur over the next 20 years. Counties must encourage urban growth within UGAs and may allow growth outside UGAs if it is not urban in nature. Limited intensive rural development, including development of existing industrial areas, is allowed outside UGAs in the rural element and does not constitute urban growth.*

*The GMA contains several exceptions to the general prohibition against urban growth outside UGAs. For example, fully contained communities meeting certain criteria are permitted. In addition, master planned resorts, which are self-contained and fully*

*integrated planned unit developments in a setting of significant natural amenities, may be authorized if specified conditions are met. Further, specific major industrial developments may be sited outside UGAs if specified criteria are met.*

*Development rights are the rights of a property owner to develop the property to the extent allowed under law. Programs exist for both purchase of development rights from property owners and transfer of development rights from one property to another. For example, in 1998 King County created a three-year transfer of development rights pilot program to transfer development rights from rural areas to selected areas within the UGA.*

***Summary of Bill:***

*A city or county may develop incentive programs to transfer development rights from agricultural or open space zones to higher densities in urban zones.*

***Appropriation: None.***

***Fiscal Note: Not Requested.***

***Effective Date: Ninety days after adjournment of session in which bill is passed.***