
SENATE BILL 6026

State of Washington

57th Legislature

2001 Regular Session

By Senators Patterson, Roach, Winsley and Costa

Read first time 02/14/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to affordable housing opportunities; amending RCW
2 36.70A.215; creating a new section; and providing an effective date.

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

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

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

15 (a) Determine whether a county and its cities are achieving urban
16 densities within urban growth areas by comparing growth and development
17 assumptions, targets, and objectives contained in the countywide
18 planning policies and the county and city comprehensive plans with

1 actual growth and development that has occurred in the county and its
2 cities; and

3 (b) Identify and adopt reasonable measures, other than adjusting
4 urban growth areas, that will be taken to comply with the requirements
5 of this chapter, which are sufficient to accommodate residential and
6 nonresidential growth.

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 and reporting of
10 data to the county on urban and rural land uses, development, critical
11 areas, and capital facilities to the extent necessary to determine the
12 quantity and type of land suitable for development, both for
13 residential and employment-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 countywide 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 countywide 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 countywide policies and county
25 and city comprehensive plans and development regulations as needed to
26 remedy an inconsistency identified through the evaluation required by
27 this 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) Require a joint report from each county and its cities
32 regarding regional growth patterns, trends, comparing employment,
33 housing growth, and market conditions; and compiling data on new
34 development. The report shall:

35 (i) Evaluate whether or not the zoning and development regulations
36 allow development at the densities sufficient to accommodate the
37 adopted population and employment projections;

1 (ii) Highlight the reasons for the difference between the planned
2 outcomes and actual performance, such as market and other factors
3 affecting the achievement of planned outcomes; and

4 (iii) Indicate reasonable and appropriate actions adopted to
5 encourage growth to occur sufficient to accommodate residential and
6 nonresidential needs;

7 (b) Determine whether there is sufficient land suitable ((land))
8 for development to accommodate the countywide population projection
9 established for the county pursuant to RCW 43.62.035 and the subsequent
10 population allocations within the county and between the county and its
11 cities and the requirements of RCW 36.70A.110;

12 ((b)) (c) Determine the net number and types of new residential
13 dwelling units; the actual density of housing that has been constructed
14 ((and)); the square footage of new nonresidential development
15 permitted; the actual amount of land developed for commercial and
16 industrial uses; the estimated net number of new jobs created
17 countywide; and the amount of known environmentally sensitive land and
18 lands that cannot be built upon within the urban growth area since the
19 adoption of a comprehensive plan under this chapter or since the last
20 periodic evaluation as required by subsection (1) of this section; and

21 ((e)) (d) Based on the actual density of development as
22 determined under ((b)) (c) of this subsection, review commercial,
23 industrial, and housing needs by type and density range to determine
24 the amount of land needed for commercial, industrial, and housing for
25 the remaining portion of the twenty-year planning period used in the
26 most recently adopted comprehensive plan.

27 (4) If the evaluation required by subsection (3) of this section
28 demonstrates an inconsistency between what has occurred since the
29 adoption of the countywide planning policies and the county and city
30 comprehensive plans and development regulations and what was envisioned
31 in those policies and plans and the planning goals and the requirements
32 of this chapter, as the inconsistency relates to the evaluation factors
33 specified in subsection (3) of this section(~~, the county and its~~
34 cities)); or demonstrates that the county or any city is not achieving
35 the land use designations and densities planned for the jurisdiction in
36 its comprehensive plan based on the evaluation factors specified in
37 subsection (3) of this section, the county or city shall identify and
38 adopt reasonable measures in order to accommodate the demand for

1 residential units and nonresidential growth during the subsequent five-
2 year period.

3 (a) If actions to achieve consistency are necessary, the county or
4 city shall revise its comprehensive land use plan and development or
5 other regulations, or take other actions necessary to increase
6 consistency, and ensure sufficient land suitable for development with
7 applicable development regulations to accommodate projected residential
8 units necessary for population growth, and achieved densities projected
9 for the jurisdiction in the countywide planning policy and its
10 comprehensive plan. The county or city shall adopt and implement
11 appropriate measures within one year of conducting the evaluation under
12 this section that are reasonably likely to increase consistency during
13 the subsequent five-year period. If necessary, a county, in
14 consultation with its cities as required by RCW 36.70A.210, shall adopt
15 amendments to countywide planning policies to increase consistency.
16 The county and its cities shall annually monitor the measures adopted
17 under this subsection to determine their effect and may revise or
18 rescind them as appropriate.

19 (b) A county or city adopting actions shall, at a minimum,
20 demonstrate that it has considered whether the urban land designated
21 for residential and nonresidential uses is zoned at density ranges with
22 applicable development regulations that are reasonably likely to be
23 achieved by the market.

24 (c) Actions to increase consistency in planned and achieved growth
25 may include, but are not limited to, the following:

26 (i) Incentives to encourage new development consistent with the
27 local plan;

28 (ii) Funding of infrastructure and amenities to attract
29 development;

30 (iii) Changes in land use regulations and zoning designations for
31 land within the boundaries of the jurisdiction in a manner that
32 encourages development to occur at densities sufficient to accommodate
33 projected residential and nonresidential growth;

34 (iv) Outreach programs to encourage developers to build the type of
35 development sought in the jurisdiction's plan or development
36 regulations; and

37 (v) Improved procedures to reduce the time it takes the
38 jurisdiction to issue permits.

1 (5) Countywide planning policies may include additional incentive
2 provisions and enforcement measures to accommodate growth and achieve
3 goals.

4 (6)(a) Not later than July 1, 1998, the department shall prepare a
5 list of methods used by counties and cities in carrying out the types
6 of activities required by this section. The department shall provide
7 this information and appropriate technical assistance to counties and
8 cities required to or choosing to comply with the provisions of this
9 section.

10 (b) By December 31, (~~(2007)~~) 2003 and 2008, the department shall
11 submit to the appropriate committees of the legislature a report
12 analyzing the effectiveness of the activities described and measures
13 taken by the counties and cities in this section in achieving the goals
14 envisioned by the countywide planning policies and the comprehensive
15 plans and development regulations of the counties and cities.

16 (~~((+6+))~~) (7) From funds appropriated by the legislature for this
17 purpose, the department shall provide grants to counties, cities, and
18 regional planning organizations required under subsection (~~((+7+))~~) (8)
19 of this section to conduct the review and perform the evaluation
20 required by this section.

21 (~~((+7+))~~) (8) The provisions of this section shall apply to counties,
22 and the cities within those counties, that were greater than one
23 hundred fifty thousand in population in 1995 as determined by office of
24 financial management population estimates and that are located west of
25 the crest of the Cascade mountain range. Any other county planning
26 under RCW 36.70A.040 may carry out the review, evaluation, and
27 amendment programs and procedures as provided in this section.

28 (9) Unless the context clearly requires otherwise, the definitions
29 in this subsection apply throughout this section.

30 (a) "Land suitable for development" means all vacant, partially
31 used, and underutilized parcels that are: (i) Designated for
32 commercial, industrial, or residential use; (ii) not intended for
33 public use; and (iii) not constrained by critical areas in a way that
34 limits development potential and makes new construction on a parcel
35 unfeasible.

36 (b) "Performance measures" required under RCW 36.70A.210(3) means
37 an indicator providing consistent and reliable information over time to
38 help gauge how a jurisdiction is achieving specified performance
39 results. "Indicator" means a quantifiable measurement or index.

1 NEW SECTION. **Sec. 2.** Section 1 of this act takes effect September
2 1, 2002.

3 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this
4 act, referencing this act by bill or chapter number, is not provided by
5 June 30, 2002, in the omnibus appropriations act, this act is null and
6 void.

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