

SENATE BILL REPORT

EHB 2687

As of February 28, 2020

Title: An act relating to planning for affordable housing under the growth management act.

Brief Description: Planning for affordable housing under the growth management act.

Sponsors: Representatives Barkis, Griffey, Corry, Blake, DeBolt, Irwin, Springer, Stokesbary, Mead and Van Werven.

Brief History: Passed House: 2/17/20, 95-3.

Committee Activity: Local Government: 2/27/20.

Brief Summary of Bill

- Requires fully planning counties and cities under the Growth Management Act (GMA) to plan for single-family residences, such as single-family detached dwellings, duplexes, triplexes, and townhomes in the mandatory housing element of comprehensive plans.
- Requires a countywide planning policy to provide for how the county and its cities will meet the existing and projected housing needs of all economic segments of the community if the county or city does not plan for each housing type in the mandatory housing element of comprehensive plans under the GMA.
- Requires countywide planning policies to be updated no later than 14 months before any update of a comprehensive plan under the GMA.

SENATE COMMITTEE ON HOUSING STABILITY & AFFORDABILITY

Staff: Brandon Popovac (786-7465)

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Greg Vogel (786-7413)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington.

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.

Originally enacted in 1990 and 1991, the GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

The GMA also directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA. In developing their comprehensive plans, counties and cities must consider various goals set forth in statute.

Comprehensive Plan—Mandatory Housing Element. The comprehensive plan of a fully planning county or city must consist of a map or maps and descriptive text covering objectives, principles, and standards used to develop the plan. The plan must be an internally consistent document and all elements must be consistent with the future land-use map. Each comprehensive plan must include a plan, scheme, or design for certain enumerated elements, including a housing element. The housing element must ensure the vitality and character of established residential neighborhoods and:

- include an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;
- include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
- identify sufficient land for housing, including government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- make adequate provisions for existing and projected needs of all economic segments of the community.

Countywide Planning Policies. The legislative authority of a county that plans under the GMA must adopt a countywide planning policy in cooperation with the cities located in whole or in part within the county. A countywide planning policy is a written policy statement used to establish a countywide framework from which comprehensive plans are developed, and must address certain minimum planning requirements, including policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for the distribution of affordable housing.

Summary of Bill: Comprehensive Plan—Mandatory Housing Element. The housing element of a county or city's comprehensive plan is expanded to include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of, and to identify sufficient land for, single-family residences such as single-family detached dwellings, duplexes, triplexes, and townhomes. The housing element is also expanded to include consideration of housing locations in relation to employment locations when making adequate provisions for existing and projected needs of all economic segments of the community.

The housing element should link jurisdictional goals with overall county goals to ensure that the housing element goals are met. If a county or city does not plan for each housing type,

including single-family residences such as single-family detached dwellings, duplexes, triplexes, and townhomes, the applicable countywide planning policy required under the GMA must provide for how the county, as a whole, and its cities will meet the existing and projected housing needs of all economic segments of the community during the planning period.

Countywide Planning Policies. Countywide planning policies must be updated no later than 14 months before any update of a comprehensive plan under the GMA.

The minimum planning requirement for affordable housing that must be addressed in a countywide planning policy is expanded to include policies that address how the county and its cities will:

- jointly meet the requirements to provide for all housing types identified in the mandatory housing element of the comprehensive plan, including single-family residences, such as single-family detached dwellings, duplexes, triplexes, and townhomes; and
- ensure that housing element requirements are met when comprehensive plans are updated.

A countywide planning policy must also include policies to address how the county and its cities will jointly meet the requirements of the mandatory land-use element of the comprehensive plan.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Local Government): PRO: We have a need for housing supply. There is a crisis in our state with increasing rents and housing prices. Stakeholders have gotten together to discuss agreeable policies and this is one area of commonality. This bill gets at the planning piece—what type of housing we need, where we need it, and how much we need. We need to take bold steps to look at how these processes work to get more supply on the market for the residents of Washington State.

This bill simply puts some housing metrics back into the GMA, which is important if we are going to plan for affordability. This bill is a good way of providing accountability and those metrics to plan for all types of growth.

The bill does not change what types of housing cities and counties can build in their communities. It really works on the definition of single family home and slightly broadens the definition. It adds a further definition to what it could mean at the local level, providing flexibility for local jurisdictions in that it allows jurisdictions them to show how they will meet their goals.

OTHER: The challenge has been that we could plan for housing, but then if the market is not there, then it is hard to hold local governments accountable in ensuring these requirements are met. Requiring housing for all economic segments, particularly for low-income households, requires public subsidies, and it will be challenging to hold local governments to these requirements.

If you look at the planning hierarchy, you have countywide planning policies, comprehensive plans, development regulations, and then potentially, SEPA mitigation. Countywide planning policies are very broad and not always updated. This bill changes that, and requires engagement with cities 14 months prior to the comprehensive plan update, which is expensive, so we would consider this an unfunded mandate and oppose that portion of the bill.

Persons Testifying (Local Government): PRO: Representative Andrew Barkis, Prime Sponsor; Alex Hur, Master Builders Association of King and Snohomish Counties; Bryce Yadon, Futurewise; Jan Himebaugh, Building Industry Association of Washington.

OTHER: Paul Jewell, Washington State Association of Counties; Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying (Local Government): No one.