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## Local Government Committee

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### HB 1918

**Brief Description:** Providing for maintaining buildable acreage in urban growth areas.

**Sponsors:** Representatives Curtis, Ross, Eddy, Schindler, Takko, B. Sullivan, P. Sullivan and Ormsby.

#### Brief Summary of Bill

- Requires jurisdictions that fully plan under the Growth Management Act (GMA) to determine the acreage and qualitative reduction in land suitable for development if a reduction within an urban growth area (UGA) results from a new critical area designation or other regulatory action taken after January 1, 2006.
- Requires counties that fully plan under the GMA, subject to consultation requirements and a recurring schedule, to increase the total land area within their UGAs by the docketed acreage deficiency with land meeting specified characteristics.
- Requires counties with increased land suitable for development to review and, if necessary, amend their comprehensive plans and development regulations to comply with the recurring five-year schedule for UGA land area increases.
- Establishes definitions for "docketing" and "qualitative land characteristics."

**Hearing Date:** 2/13/07

**Staff:** Ethan Moreno (786-7386).

#### **Background:**

##### *Growth Management Act/Requirements Applicable to All Counties and Cities*

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

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cities. Twenty-nine of 39 counties, and the cities within those counties, are planning jurisdictions.

The GMA requires all jurisdictions to satisfy specific designation and protection mandates. All local governments must designate and protect critical areas. Critical areas are defined by statute to include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. All local governments also must designate, where appropriate, agricultural, forest, and mineral resource lands of long-term significance in areas not already characterized by urban growth.

#### Comprehensive Plans

Planning jurisdictions must adopt internally consistent comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, including land use and housing, each of which is a subset of a comprehensive plan. Planning jurisdictions must also adopt development regulations that implement and conform with the comprehensive plan.

#### Urban Growth Areas

The GMA includes numerous requirements relating to the use or development of land in urban and rural areas. Among other planning 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 jurisdictions must satisfy specific requirements pertaining to UGAs. Using population projections made by the Office of Financial Management, and subject to statutory provisions, planning counties and each city within these counties must include within UGAs, areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding 20-year period. A UGA determination may include a reasonable land market supply factor and must permit a range of urban densities and uses.

#### Capacity Requirements - Land Suitable for Development

Planning jurisdictions must ensure that, taken collectively, actions to adopt or amend comprehensive plans or development regulations provide sufficient capacity of land suitable for development within their jurisdictions. The requirement for sufficient capacity refers to accommodating a jurisdiction's allocated housing and employment growth as adopted in the applicable county-wide planning policy and consistent with a 20-year population forecast.

#### **Summary of Bill:**

If, after January 1, 2006, a jurisdiction fully planning under the GMA amends its comprehensive plan to designate new critical areas within a UGA, or amends its development regulations or other standards and thereby reduces the development potential of land within its UGA that is designated for development, the following must occur:

- The planning jurisdiction must determine the acreage and qualitative reduction in land that is suitable for development and docket that amount as a deficiency to the planning director of the applicable county; and

- By September 1, 2008, and at least every five years thereafter, each county with a reduced amount land that is suitable for development must, in consultation with cities within the county, increase the total land area within its UGAs by the total docketed acreage deficiency.

The land added to the UGA must have comparable qualitative land characteristics to the land with reduced development potential, and must be added through an amendment to the comprehensive plan of the applicable county.

Counties within which the increased land suitable for development is located must review their comprehensive plan elements and development regulations pertaining to critical areas and natural resource lands and adopt any amendments necessary to assure that these elements and regulations are consistent with the recurring five-year schedule for UGA land area increases. These reviews may be combined with other review provisions of the GMA.

Related definitions are established. "Docketing" means compiling and maintaining a detailed list, available to the public, of acreage and land use deficiencies in a manner that ensures the deficiencies will be presented for the required periodic county action. "Qualitative land characteristics" means the designated use of the land in deficiency, its suitability for development, the general location of that land within the county, its physical characteristics, and the availability of urban governmental services for the land.

**Appropriation:** None.

**Fiscal Note:** Requested on February 7, 2007.

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