

SENATE BILL REPORT

ESHB 1761

AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS, APRIL 2, 1993

Brief Description: Clarifying and extending dates established under the growth management act.

SPONSORS: House Committee on Local Government (originally sponsored by Representatives H. Myers, Edmondson, Bray, Pruitt, Appelwick, R. Fisher, Wineberry, Peery, Wood, Eide, Cothorn, Ogden, Jones, Ludwig, Riley, Ballard, Springer, Linville, Rayburn, Kessler, Brown, Long, Chandler, Foreman, Mastin, Johanson, Sehlin, L. Johnson, Morris, Karahalios, Lemmon, Hansen, Cooke and Forner)

HOUSE COMMITTEE ON LOCAL GOVERNMENT

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke, Owen, and Winsley.

Staff: Eugene Green (786-7405)

Hearing Dates: March 31, 1993; April 2, 1993

BACKGROUND:

Under the 1990 Growth Management Act (GMA), counties -- and the cities within those counties -- that meet the following conditions must adopt: comprehensive land use plans under the GMA on or before July 1, 1993; urban growth areas on or before July 1, 1993; and capital plans and development regulations consistent with the comprehensive plan by July 1, 1994:

-- A county that has a population of 50,000 or more and has had a population increase of more than 10 percent in the previous ten years; or

-- Any other county, regardless of population size, in which the population has increased by more than 20 percent in the previous ten years.

Any county or city within that county that has been required to plan under the GMA since sometime after its passage or any county or city within that county that has opted under the provisions of the GMA must adopt a comprehensive plan within three years of coming under the provisions of the GMA.

A number of counties and cities are not going to meet these statutory deadlines.

SUMMARY:

The dates by which some of the actions under the Growth Management Act are required to have been taken for the initial group of counties, cities, and towns that plan under all the requirements of the Growth Management Act are clarified and in certain instances extended.

The deadline by which the counties, cities, and towns must adopt their comprehensive plans is extended by up to one year one month. The Department of Community Development adopts a schedule by June 1, 1993, establishing a date from January 1, 1994 through July 31, 1994, by which the counties that were initially required to plan under all the requirements of the Growth Management Act are required to have adopted their comprehensive plans. A city or town has the same deadline as the county in which it is located. Each other county, city, and town that plans under the Growth Management Act must adopt a comprehensive plan within four years one month of the date it becomes subject to these requirements.

Development regulations implementing the comprehensive plan must be adopted at the same time comprehensive plans are adopted, but a jurisdiction may obtain an additional six-month extension by sending a letter to the Department of Community Development indicating its need for the time extension. The extension for a county, city, or town that was initially required to plan under the Growth Management Act is the earlier of six months or December 31, 1994.

The deadline by which urban growth areas must be designated is separated from the requirement for adopting the full comprehensive plan and extended by three months. Counties that were initially required to plan under Growth Management Act must designate urban growth areas by October 1, 1993. Each other county must designate and implement urban growth areas within three years and three months of the date it became subject to all the requirements of the Growth Management Act. Once an urban growth area is designated, counties and cities may only issue permits that are consistent with the urban growth areas.

A county that begins planning under all the requirements of the Growth Management Act after June 1, 1991, must adopt a county-wide planning policy within 14 months of when the county came under the full Growth Management Act planning requirements.

The Governor may impose sanctions on counties and cities for failing to take required actions under the Growth Management Act by withholding certain moneys that the state distributes to counties, cities, and towns. Prior to imposing sanctions, the Governor must make a written finding that the county, city or town has not proceeded in good faith or has unreasonably delayed taking the required action.

The restriction on a county, city, or town not imposing impact fees after July 1, 1993, if the county, city, or town had not

adopted its comprehensive plan under the Growth Management Act is deleted and replaced with the restriction that a county, city, or town can not impose impact fees after the date it is required to have adopted its comprehensive plan.

SUMMARY OF PROPOSED SENATE AMENDMENT:

The deadline by which counties, cities, and towns must adopt their comprehensive plans is extended to a date certain of July 1, 1994.

Sanctions may be imposed by the Governor only on counties, cities, and towns planning under the Growth Management Act.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

Very few counties, cities and towns will be able to meet existing deadlines. This bill just brings the law in line with reality.

TESTIMONY AGAINST:

Work expands to fill the time. The longer you make the deadline, the long it will take the counties, cities and towns to do the comprehensive plans.

TESTIFIED: PRO: Mike McCormick, DCD; Duke Schaub, AGC; Christine Giron; Donna Stenger; Bob Mack; Cynthia Sullivan; Dave Williams, Jim Lynch, AWC; Lucy Steers, 1,000 Friends of WA; Marlyta Deck, WA Cattlemen's Assn.; Paul Parker, WA State Assn. of Counties; Bill Pine; Jeff Parsons, National Audubon Society; Dick Ducharme