

HOUSE BILL REPORT

HB 2884

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to limited expansions of urban growth areas into one hundred year floodplains in areas adjacent to a freeway interchange or interstate in counties wholly or partially bordering salt waters with more than one hundred thousand but fewer than one hundred fifty thousand residents.

Brief Description: Authorizing limited expansions of urban growth areas into one hundred year floodplains in areas adjacent to a freeway interchange or interstate in counties wholly or partially bordering salt waters with more than one hundred thousand but fewer than one hundred fifty thousand residents.

Sponsors: Representatives Quall and Morris.

Brief History:

Committee Activity:

Local Government & Housing: 1/25/10 [DPS].

Brief Summary of Substitute Bill

- Creates an exception to provisions prohibiting the expansion of urban growth areas into the 100-year floodplain of any qualifying western Washington river or river segment.
- Specifies that the exception may only be authorized by a county meeting specific geographic and population requirements, and that exception must be limited to areas of seven or fewer acres that are adjacent to an urban growth area and entirely surrounded by a freeway interchange right-of-way.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Fagan, Miloscia, Short, Springer, Upthegrove, White and Williams.

Staff: Ethan Moreno (786-7386).

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.

Background:

The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, the GMA establishes numerous planning requirements for counties and cities obligated by mandate or choice to fully plan under the GMA (planning jurisdictions) and a reduced number of directives for all other counties and cities.

The GMA includes numerous requirements relating to the use or development of land in urban and rural areas. Among other 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 counties and the cities within these counties must include within their UGAs areas and densities that are sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period.

In 2009 the Legislature adopted Engrossed House Bill 1967 (enacted as ch. 342, Laws of 2009). This legislation established limited prohibitions on the expansions of UGAs into the 100-year floodplain of any western Washington river or river segment meeting specified water flow criteria.

Summary of Substitute Bill:

Provisions prohibiting the expansions of UGAs into the 100-year floodplain of any qualifying western Washington river or river segment are modified. A county with more than 100,000 but fewer than 150,000 residents that is wholly or partially bordered by salt waters may authorize the expansion of a UGA into the 100-year floodplain of any western Washington river or river segment meeting specified water flow criteria if the expansion area is: (1) adjacent to a UGA; (2) entirely surrounded by a freeway interchange right-of-way; and (3) a single parcel or contiguous parcels with a total land area of seven acres or less.

Substitute Bill Compared to Original Bill:

The substitute bill specifies that authorized UGA expansions, in addition to meeting other criteria in the bill, must be a single parcel or contiguous parcels, may not exceed seven acres, and must be entirely surrounded by a freeway interchange right-of-way, rather than adjacent to a freeway interchange or interstate.

Appropriation: None.**Fiscal Note:** Not requested.**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is very narrowly written and would permit a property that is currently zoned for agricultural use, but is not used for agricultural purposes, to be joined with a parcel that is zoned for commercial use. The two properties, when joined, become viable for commercial uses. The affected property is adjacent to an interchange. This bill is supported by environmental interests. This bill addresses some concerns that cities have about future UGA expansions.

(In support with concerns) Environmental interests have been working with the prime sponsor to narrow the bill's language, as it is not quite as narrow as one might think. Environmental interests support this bill, provided it is amended.

(Opposed) None.

Persons Testifying: (In support) Representative Quall, prime sponsor; and Dave Williams, Association of Washington Cities.

(In support with concerns) April Putney, Futurewise.

Persons Signed In To Testify But Not Testifying: None.