

SENATE BILL REPORT

HB 1456

As of March 20, 2009

Title: An act relating to preventing the conversion of natural resource lands.

Brief Description: Preventing the conversion of certain natural resource lands.

Sponsors: Representative Dunshee.

Brief History: Passed House: 3/04/09, 60-35.

Committee Activity: Government Operations & Elections: 3/19/09.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Edward Redmond (786-7471)

Background: The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. The GMA directs planning jurisdictions to adopt internally consistent comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must satisfy requirements for specified "elements," each of which is a subset of a comprehensive plan. Counties that fully plan under the GMA must, in addition to other requirements, designate urban growth areas (UGAs) within which urban growth must be encouraged.

Counties that fully plan under the GMA may establish a process, as part of its UGAs, for reviewing proposals to authorize new fully contained communities (FCCs) outside of the initially designated UGAs. An FCC may be approved if specific criteria are met, including (1) providing for new infrastructure and establishing impact fees; (2) developing regulations to ensure that urban growth does not occur in adjacent nonurban areas; and (3) adopting provisions to mitigate impacts on designated agricultural land, forest lands, and mineral resource lands.

A county that authorizes a new FCC must also comply with population allocation requirements specified in statute. Final approval of an application for a new FCC is considered an adopted amendment to the comprehensive plan designating the new FCC as a UGA.

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Summary of Bill: New criteria are established for the approval of FCCs. A new FCC may not contain areas designated as agricultural, forest, or mineral lands of long-term commercial significance. Provisions must be made to mitigate impacts on any affected designated agricultural lands, forest lands, and mineral resource lands located adjacent to or in the vicinity of the proposed FCC. The new criteria only applies to proposed FCCs that have not received final local government approval before the effective date of this section.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: In rural areas, we have designated our significant forests and farmlands. The problem is that FCCs can currently be placed on these designated areas and wipe them out. This bill does not say that you cannot have FCCs, it just requires that we keep FCCs out of our important forest and farmlands. The GMA was designed to take thought for the future and this bill does that. GMA recognizes that farmlands and forest resource lands represent long term commercial significance to our state. They are a limited economic resource that we must protect. Currently, these areas are being chipped away at by car dealerships, radio towers, and steady urban leak. FCC is a misnomer, there is no such thing as a FCC.

Persons Testifying: PRO: Representative Dunshee, prime sponsor; Ellen Hiatt Watson, 7-Lakes; Cindy Howard, Lake Roesiger.