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## Local Government Committee

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### HB 1265

**Brief Description:** Limiting residential densities of certain unincorporated portions of urban growth areas.

**Sponsors:** Representatives Kagi, Ryu, Rodne, Liias, Takko, Roberts, Smith and Upthegrove.

#### Brief Summary of Bill

- Specifies that, for qualifying unincorporated portions of urban growth areas (UGAs), the residential density of those UGA portions may not exceed that of the immediately adjacent areas of the abutting city or cities.
- Specifies that the residential density limits apply only to unincorporated portions of UGAs that border Puget Sound, are surrounded on the landward side entirely by one or more cities, are 50 or more acres in size, and meet other requirements.
- Exempts otherwise qualifying areas from the residential density limits if the county has entered into an interlocal agreement with the applicable city or cities that meets certain requirements.

**Hearing Date:** 2/11/11

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

#### **Background:**

##### Growth Management Act.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 29 counties and the cities within that are obligated to satisfy all planning requirements of the GMA.

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*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.*

The GMA directs jurisdictions that fully plan under the GMA to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are implemented through locally-adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

Among other requirements, counties that fully plan under the GMA must designate urban growth areas (UGAs), areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Fully planning counties and each city 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.

#### Interlocal Cooperation Act.

Under the Interlocal Cooperation Act (ICA), public agencies, including local governments, are authorized to contract with one another to provide services either through cooperative action or when one or more agencies pay another agency for a service. A "public agency" for purposes of interlocal agreements includes any agency, political subdivision, or unit of local government. The term specifically includes municipal corporations, special purpose districts, local service districts, state agencies, federal agencies, recognized Indian tribes, and other states' political subdivisions.

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

The maximum residential density of an unincorporated portion of an UGA may not exceed that of the immediately adjacent areas of the abutting city or cities. This density limit applies only to unincorporated portions of UGAs that:

- border the Puget Sound;
- are surrounded on the landward side entirely by one or more cities;
- are one or more miles from any other portion of an UGA that is in unincorporated territory; and
- are 50 or more acres in size.

The density limit does not apply to otherwise qualifying areas if the county has entered into an interlocal agreement with the city or cities surrounding the UGA that stipulates:

- urban governmental services will be provided by the surrounding city or cities; and
- limitations on and mitigation of transportation impacts on the roads and impacts on the park facilities of the surrounding city or cities.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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