

HOUSE BILL REPORT

EHB 1305

As Passed Legislature

Title: An act relating to growth management.

Brief Description: Revising restrictions on growth outside of urban growth areas.

Sponsors: Representatives Johnson, Sheldon, Reams, Mastin, L. Thomas and Basich.

Brief History:

Committee Activity:

Government Operations: 1/18/95, 1/20/95, 2/3/95, 2/14/95, 2/21/95, 2/28/95
[DP].

Floor Activity:

Passed House: 3/15/95, 71-24.
Senate Amended.
House Concurred.
Passed Legislature.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass. Signed by 9 members: Representatives Reams, Chairman; Goldsmith, Vice Chairman; L. Thomas, Vice Chairman; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt and Van Luven.

Minority Report: Do not pass. Signed by 6 members: Representatives Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Chopp; R. Fisher; Sommers and Wolfe.

Staff: Steve Lundin (786-7127).

Background: The Growth Management Act (GMA) was enacted in 1990 and 1991, establishing a variety of requirements for counties and cities. A few requirements are established for all counties and cities, and additional requirements are established for counties and cities required to plan under all the requirements of the GMA.

Two sets of populations and growth factors are established to determine whether a county, and the cities within such a county, are required to plan under all of the requirements of the GMA.

Each county planning under all requirements of the GMA, in cooperation with the cities located within its boundaries, develops a countywide planning policy to guide the comprehensive plans that the county and those cities develop. Counties are recognized as being regional governments. Cities are recognized as the primary providers of urban government services within urban growth areas.

Among other requirements, a county planning under all of the requirements of the GMA must designate urban growth areas within the county inside of which urban growth shall occur and outside of which urban growth shall not occur. Every city must be included within an urban growth area. Other areas may be included in an urban growth area if they are already characterized by urban growth or are adjacent to such areas. The county uses a 20-year population forecast prepared by the Office of Financial Management as the basis for designating its urban growth areas.

A county planning under all of the requirements of the GMA must adopt a comprehensive plan with a rural element that includes lands not located within an urban growth area and which have not been designated for agriculture, forest, or mineral resources. The rural element must permit land uses compatible with the rural character of these lands and provide for a variety of densities.

Every county and city in the state is required to designate agricultural lands with long-term commercial significance for agriculture, forest lands with long-term commercial production of timber, and mineral resource lands with long-term significance for mineral extraction. Counties and cities planning under all of the requirements of the GMA are required to adopt development regulations assuring the protection of each of these types of designated lands.

Three separate growth management hearings boards are established to hear appeals that actions of counties and cities, located within different geographic areas within the state, are not in compliance with the GMA.

Summary of Bill:

1. Factors determining if a county is required to plan under GMA.

The growth factor is altered that determines whether a county with a population of 50,000 or more is required to plan under all of the requirements of the GMA. Such a county must have increased its population by 17% or more during the last 10 years, rather than 10% or more. This change is prospective only and does not apply to counties already planning under all of the requirements of the GMA.

2. Urban growth areas.

It is clarified that a county planning under all of the requirements of the GMA may designate urban growth areas that do not include a city. It is clarified that a new fully contained community is an urban growth area.

An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. Local circumstances may be considered when determining this market factor. Discretion exists for many choices to be made in comprehensive plans to accommodate growth.

Language is altered that describes general preferences for locating urban growth within urban growth areas. A third general preference is added including the remainder of the urban growth areas not described by the first two preferences. Urban growth may be located within a designated new fully contained community.

Language is altered that describes the provision of urban services by local governments. In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate for urban governmental services to be extended or expanded in rural areas except where necessary to protect basic public health and safety and the environment, the services are financially supportable at rural densities, and the services do not permit urban development.

3. Rural element.

It is clarified that the rural element in a comprehensive plan of a county that plans under all of the requirements of the GMA may allow clustering and other innovative techniques to accommodate appropriate rural uses not characterized by urban growth.

4. Mineral resource lands.

Counties and cities are required to designate sufficient mineral resource lands for minerals other than metals that at least meet the 20-year projected countywide need and to discourage the siting of incompatible land uses adjacent to mineral resource industries, deposits, and holdings.

5. Retroactive application.

The changes made in this act apply to comprehensive plans that are subject to appeals pending before a growth management hearings board on the effective date of this act. An additional ninety days is provided for a board to continue its review of such comprehensive plans. By mutual agreement of all parties to such an appeal, this additional ninety day period may be extended.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: It is hard to find large tracts of industrial land. Many areas already have reached their projected 20-year population. Let the populations be minimums, as everyone already thought. There are no parcels larger than 25 acres zoned for industrial uses in the Kent area. This provides a safety valve.

Testimony Against: Counties already allow industrial development in rural areas.

Testified: Chris Vance, King County Council; Mary Lynn Myer, Dept. of Community, Trade and Economic Development; Matt Ryan, Keith Dearborn, and Win Granlund, Kitsap County; Sylviann Frankus, League of Women Voters of Wash.; Paul Parker, Wash. State Assn. of Counties; Bob Mack, Bellevue; Davidya Kasperzyk, Wash. Council of American Architects; Chris Leman, Coalition of Wash. Communities; John Woodring, Wash. Assoc. of Realtors; Steve Clagget, 1000 Friends of Wash.; Naki Stevens, People for Puget Sound; Scott Merriman, Wash. Environmental Council; Robert Dryfus; Susie Rao, Building Industry Association of Washington; and Don Chance, Association of Washington Business.