

~~Government Reform and Land~~ Use Committee

BILL ANALYSIS HB 2803

Title of the Bill: Extending timelines for growth management act compliance.

What this Bill Does: Extends deadlines for counties and cities planning under the GMA to adopt comprehensive plans and development regulations.

Sponsors: Representatives Chandler, Romero, Linville, Reams, Clements, Skinner, Mastin, Parlette, Delvin, Smith and Grant.

Hearing Date: 2/2/98

Fiscal Note: Not Requested.

Analysis Prepared By: Joan Elgee, 786-7135

BACKGROUND:

The Growth Management Act (GMA) was enacted in 1990 and 1991. The GMA establishes requirements for all counties in the state, and imposes additional requirements for the faster growing counties. A city follows the lead of the county in which it is located. Counties and cities that are subject to all the requirements of the GMA are typically referred to as counties and cities that plan under the GMA.

A county must plan under the GMA if it meets either of two sets of population and 10-year growth criteria, as determined by the Office of Financial Management (OFM):

- The county has a population of 50,000 or more and the county's population increased by at least 17 percent in the past 10 years; or
- The county has a population of less than 50,000 and the county's population increased by at least 20 percent in the past 10 years.

A county may also adopt a resolution bringing the county (and its cities) under the planning requirements. Of the 29 counties that plan under the GMA, 15 were initially required to plan, and 5 were later required to plan. Eleven counties opted to plan, and two of these

(Benton and Douglas) later met the criteria to be required to plan.

The primary planning requirements are the adoption of a county-wide planning policy, designation of urban growth areas, and adoption of a comprehensive plan and development regulations that are consistent with and implement the comprehensive plan.

For counties with a population of 50,000 or more that were initially required to plan under the GMA, comprehensive plans and developed regulations were to have been adopted by July 1, 1994. The smaller counties initially planning had until January 1, 1995 to adopt plans and regulations, except that the Governor could reduce this time by no more than 180 days for a county or city not making reasonable progress. Counties that opted into the planning requirements or were later found to meet the population and growth criteria had four years from the date of opting in to adopt plans and regulations. Extensions up to 180 days were permitted under certain circumstances.

Other than for new cities, the deadline for adopting comprehensive plans and development regulations has passed for all counties and cities currently planning under the GMA. Approximately 40 percent of the jurisdictions have failed in some way to adopt either their plan or regulations.

The Governor may impose sanctions if a county or city fails to adopt its plan or regulations when required. The Governor must find that the county or city is not proceeding in good faith or has unreasonably delayed taking the required action.

A county or city not in compliance with the GMA may be subject to other consequences. Except for very small cities (under 5000 population), a county or city planning under the GMA may not expend receipts from the local option one-quarter of one percent real estate excise tax unless it has adopted a capital facilities element as part of its comprehensive plan. A county or city that has not adopted its comprehensive plans or development regulations in conformance with the GMA is also ineligible for loans from the Public Works Trust Fund, or loans or grants from the Centennial Clean Water Account, except where necessary to address a public health need or substantial environmental degradation.

SUMMARY:

The deadlines for adopting comprehensive plans and development regulations under the GMA are extended. A county or city required to plan under the GMA that is making reasonable progress towards adopting its plan and regulations has until July 1, 2000 to adopt a plan and regulations. A county that opted to plan under the GMA (and a city within) that is making reasonable progress towards adopting its plan and regulations has until July 1, 2000 or four years from the date of opting in, whichever is later, to adopt a plan and regulations.

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