

SENATE BILL REPORT

SB 5506

As Reported By Senate Committee On:
Government Operations, March 4, 1997

Title: An act relating to increasing flexibility for counties and cities in implementing growth management.

Brief Description: Increasing flexibility for counties and cities in implementing growth management.

Sponsors: Senators McCaslin, Hargrove, Anderson, Hochstatter, Schow and Oke.

Brief History:

Committee Activity: Government Operations: 2/4/97, 3/4/97 [DP, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators McCaslin, Chair; Hale, Vice Chair; Anderson and Horn.

Minority Report: Do not pass.

Signed by Senators Haugen and Patterson.

Staff: Kathleen Healy (786-7403)

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 those counties and cities that are required to plan under all GMA requirements.

A county is required to plan under all the requirements of the GMA if either: (a) the county has a population of 50,000 or more and the population of the county has increased by 10 percent or more over the last 10 years; or (b) the county has a population of less than 50,000 and the population of the county has increased by 20 percent or more over the last 10 years. In addition, the governing body of a county may adopt a resolution requiring the county to plan under all of the GMA requirements. A city plans under all of the GMA requirements if the county in which it is located is subject to those requirements.

Once a county is required to plan under all of the requirements of the GMA, the county, and cities in the county, remain subject to the requirement of planning under all of the GMA requirements.

Each county planning under all GMA requirements, in cooperation with the cities located within its boundaries, develops a countrywide 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 GMA requirements 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 (OFM) as the basis for designating its urban growth areas.

A county planning under all GMA requirements 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 must provide for a variety of densities.

Legislation was enacted in 1994 authorizing local governments to adopt service agreements for the provision of regional services and other services.

Summary of Bill: The population criteria for those counties required to plan under the GMA is raised from 50,000 to 75,000. If a county with a population of 75,000 or less previously adopted a resolution stating its intent to plan under GMA, that county may adopt a resolution stating its intent to opt out of planning under the GMA. The opt out resolution must be filed with the Department of Community, Trade, and Economic Development (CTED) by December 31, 1997.

A county and its cities may develop alternative methods of achieving the GMA planning goals. Specific GMA requirements dealing with critical areas, natural resource lands, wetlands or for the siting of essential public facilities may not be modified. Before adopting any alternative measures, the county provides for public review and comment. The ordinance or resolution adopting the alternative methods is submitted to CTED in the same manner that comprehensive plans and development regulations under the GMA are submitted.

In designating an urban growth area based on the population projections provided by OFM, the county must include areas and densities which are, at minimum, sufficient to permit projected urban growth in the county for the next 20 year period.

Counties and special districts may provide various services, such as public safety, fire protection, water, wastewater, and other utility service, and transit and transportation services. Those services provided outside of the urban growth area are usually at a lower service level.

Technical corrections are made.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Flexibility is needed, as something's not working. An appointed board should not determine the zoning in a county. This will help work out some issues. The counties need the flexibility, and the GMA goals can still be worked.

Testimony Against: This gives local jurisdictions alternative authority. A goal statement in a statute is not binding. The at least– language obviates the OFM floor and ceiling–20-year growth projections, which is protection against urban sprawl.

Testified: Doug Sutherland, Pierce County; P.T. Gillman; W.L. McDowell, Island County Commissioner (pro); Karin Verrill, League of Women Voters of Washington; Aaron Ostrom, Alt-Trans; George Tyler, Tom Bjorgen, Washington Environmental Council (con).