

SENATE BILL REPORT

SB 6184

As Reported By Senate Committee On:
Government Operations, February 6, 1998

Title: An act relating to master planned resorts.

Brief Description: Clarifying that master planned resorts may obtain facilities, utilities, and services from outside service providers.

Sponsors: Senators McCaslin, Haugen, Hochstatter and T. Sheldon.

Brief History:

Committee Activity: Government Operations: 1/30/98, 2/6/98 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6184 be substituted therefor, and the substitute bill do pass.

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

Staff: Diane Smith (786-7410)

Background: The Growth Management Act permits urban growth outside of urban growth areas when the urban growth outside of the urban growth area meets the definition of a master planned resort. A master planned resort must be self-contained, providing for its own capital facilities, utilities and services.

Summary of Substitute Bill: Capital facilities, utilities and services provided on the site of the master planned resort are limited to meeting the needs of the resort. Capital facilities, utilities and services are permitted to be provided by outside service providers including municipalities and special purpose districts only if the resort bears the costs of all service extensions and capacity increases directly attributable to the resort. The resort and service providers are allowed to enter into agreements to share capital facilities and utilities (not services), provided that the facilities and utilities serve only the resort, outside service or urban growth areas. All water rights issues are governed by water rights laws.

Substitute Bill Compared to Original Bill: The substitute bill clarifies ambiguities in the original bill concerning the intended service areas for the shared capital facilities and utilities. The original bill did not address the issue of water rights.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Each of these resorts can provide 3,000 to 4,000 jobs while remaining faithful to the self-contained– requirement. The GMA is silent on whether a master planned resort can have a relationship with a city, town, or utility district for provision of capital facilities and utilities. This bill speaks to that silence by permitting the relationship only when the resort and the urban growth are, not intervening areas, are served. The bill facilitates the economic realities of synergism and shared dollars resulting in economies of scale. Without statutory certainty, Washington will not attract these resorts because of the huge financial investment required by the private sector.

Testimony Against: Water rights need to be clarified. This bill is unnecessary; Douglas County has adopted comparable language without fanfare. Because the resort’s substantial needs are not reflected in the comprehensive plan or the capital facilities plan, this bill institutionalizes bad planning practices. The CTED task force process was flawed because it had no representative of the labor constituency. The bill contradicts the intent of master planned resorts which is to make them fully self contained. The intervening area is subject to the creep of growth.

Testified: Jeff Soth, Rebound (con); Karla Kay Fullerton, Washington Cattlemen’s Association (con); Mike McCormick, Washington State Chapter American Planning Association (pro); John Hempelmann, Cairncross & Hempelmann (pro); Mike Moyer, Trendwest Resorts (pro); Dave Williams, AWC (pro); Steve Wells, CTED (pro amend.); Mike Ryherd, 1000 Friends (amend.); Ray Owens (pro).