

***Local Government & Housing
Committee***

SSB 5107

Brief Description: Authorizing rural counties to use alternative methods to achieve planning goals.

Sponsors: By Senate Committee on State & Local Government (originally sponsored by Senators T. Sheldon, Honeyford, Hargrove and Rasmussen).

Brief Summary of Substitute Bill

- *Allows rural counties to adopt alternative methods of achieving Growth Management Act planning goals and requirements with specified exceptions.*
- *Specifies the process and requirements for rural counties, with their cities, to adopt and implement an alternative methods agreement.*
- *Requires rural counties adopting alternative methods agreements to submit performance-based monitoring reports every five years to the Department of Community, Trade and Economic Development.*

Hearing Date: 3/26/01

Staff: Caroleen Dineen (786-7156).

Background:

The Growth Management Act (GMA) requires a county and its cities to plan if the county meets certain population and growth criteria. Counties not meeting these criteria may choose to plan under the GMA. Currently, 29 of 39 counties plan under the GMA.

The GMA requires all counties and cities in the state to designate and protect critical areas and to designate natural resource lands. The GMA imposes additional requirements on counties and cities planning under the GMA (GMA jurisdictions), including identification and protection of critical areas; identification and conservation of agricultural, forest, and

mineral resource lands; and adoption of county-wide planning policies to coordinate comprehensive planning among counties and their cities.

GMA jurisdictions must designate urban growth areas (UGAs), within which urban growth is encouraged and outside of which urban growth is prohibited. "Urban growth" is defined in the GMA to mean growth making intensive use of land to an extent creating incompatibility with natural resource uses. GMA jurisdictions also must adopt a comprehensive plan including the following elements: (1) land use; (2) housing; (3) capital facilities; (4) utilities; (5) rural; and (6) transportation. By September 1, 2002, and every five years thereafter, GMA jurisdictions must review their comprehensive plans and development regulations for consistency with GMA requirements and must revise their plans and regulations if necessary.

GMA plans and regulations are presumed valid upon adoption but may be appealed to one of three regional growth management hearings boards. The growth management hearings boards may determine whether plans or regulations comply with GMA requirements, with the requirements of the Shoreline Management Act as related to shoreline master programs or with the State Environmental Policy Act as related to plan and regulation adoption.

Summary of Bill:

A rural county, after reaching agreement with its cities, may develop a proposal for alternative methods of achieving the planning goals established in the Growth Management Act (GMA). The term "rural counties" is defined for these purposes to include a county with a population density fewer than 100 persons per square mile as determined by the Office of Financial Management.

Alternative methods may not take the place of any GMA requirement unless a written alternative methods agreement has first been executed. An "alternative methods agreement" is a written agreement executed by the county and at least 60 percent of the county's cities representing at least 75 percent of the county's incorporated population. The alternative methods agreement must be consistent with GMA planning goals and must ensure provision of adequate public facilities and services concurrent with development. The alternative methods agreement also must provide:

a long-term vision for the countywide region; alternative methods for achieving GMA planning goals; a plan for amending countywide planning policies if necessary; consistency and coordination among local governments, including special purpose districts; a strategy for addressing other issues as appropriate to meet local, regional, and statewide needs; and performance-based monitoring providing for periodic reviews and adjustments as needed to achieve GMA planning goals.

The alternative methods agreement may substitute for all or part of the GMA comprehensive plan. The alternative methods agreement must be implemented through adoption of development regulations consistent with the agreement. A rural county adopting an alternative methods agreement may not modify the GMA's substantive requirements related to the following or change the authority of the Growth Management Hearings Boards to hear petitions regarding the following: (1) designation and protection

of critical areas and designation and conservation of natural resource lands; and (2) establishment of a process for the siting of essential public facilities; or (3) adoption of the capital facilities plan element of the GMA comprehensive plan.

Before adopting an alternative methods agreement, a rural county must provide an opportunity for public participation according to GMA requirements. An ordinance or resolution proposing or adopting alternative methods must be submitted to the Department of Community, Trade and Economic Development as is required for plans and regulations adopted under the GMA. At least every five years, a rural county adopting an alternative methods agreement must submit a report to the Department of Community, Trade and Economic Development on the results of its performance-based monitoring.

Appropriation: *None.*

Fiscal Note: *Not Requested.*

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