
Local Government Committee

ESHB 1420

Brief Description: Establishing a legislative task force on school siting.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Wilcox, Springer, Magendanz, G. Hunt, Muri, Kirby, Takko, Kilduff and Hargrove).

Brief Summary of Bill

- Creates a legislative task force on school siting and provides for the task force's membership, chair selection, staff support, reimbursement of member travel expenses, and payment of task force expenses.
- Requires the task force to meet three times to review the issue of siting schools inside and outside of urban growth areas, and to provide a summary of the task force's discussions and any recommendations to the appropriate committees of the Legislature by December 1, 2015.

Hearing Date: 1/13/16

Staff: Michaela Murdock (786-7289).

Background:

Growth Management Act - Introduction.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 29 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

The GMA directs jurisdictions that fully plan under the GMA (planning jurisdictions) to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are implemented through

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locally-adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

Planning Goals and Requirements.

For the purpose of guiding the development of comprehensive plans and development regulations, counties and cities must consider various planning goals set forth in statute. Several planning goals relate to "public facilities" and "public services," which are defined as including schools and education respectively. For example:

- *Urban growth.* Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- *Public facilities and services.* Ensure that those public facilities and services necessary to support development are adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Each comprehensive plan must include a plan, scheme, or design for a land use element designating the proposed general distribution, location, and extent of the uses of land for, among other things, public facilities. In addition, comprehensive plans must include a capital facilities plan element consisting of: (1) an inventory of existing capital facilities owned by public entities; (2) a forecast of future facility needs; (3) the proposed locations and capacities of expanded or new capital facilities; (4) at least a six-year plan to finance such capital facilities; and (5) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that elements of the plan are coordinated and consistent.

Urban Growth Areas.

Counties that fully plan under the GMA must designate urban growth areas (UGAs), areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Planning jurisdictions must include within their UGAs, sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. In addition, cities must include sufficient areas to accommodate the broad range of needs and uses that will accompany the projected urban growth, including as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

The GMA provides that, in general, it is not appropriate for urban governmental services, such as public services and public facilities at an intensity historically and typically provided in cities, to be extended to or expanded outside of the UGA into rural areas. Extension or expansion may be permitted in limited circumstances where: (1) it is shown to be necessary to protect basic public health and safety, and the environment; and (2) when such services are financially supportable at rural densities and do not permit urban development.

2015 Legislative Task Force on School Siting.

In 2015 Second Engrossed Substitute House Bill 1115 (chapter 3, Laws of 2015) created the Legislative Task Force on School Siting (Task Force) to review the issue of siting schools inside and outside of urban growth areas and other specified criteria. The Task Force first convened on October 8, 2015, and met three times between October and December. A summary of the Task Force's discussions was submitted to the Legislature in December 2015.

Summary of Bill:

A legislative task force on school siting is created. The task force is comprised of 13 members:

- two members appointed by the Speaker of the House of Representatives from each of the two largest caucuses;
- two members appointed by the President of the Senate from each of the two largest caucuses; and
- nine members who represent: (1) environmental concerns related to school siting; (2) the building industry; (3) cities; (4) counties; (5) schools located in urban areas that are currently experiencing difficulty finding suitable new school sites; (6) schools located in rural areas that are currently experiencing difficulty finding suitable new school sites; and (7) county and regional planning directors.

Provisions governing task force membership selection or appointment, selection of a chair, support staff, reimbursement of member travel expenses, and payment of task force expenses are included.

The task force must meet three times during the 2015 interim to review the issue of siting schools inside and outside of urban growth areas. In reviewing this issue, the task force must balance the planning goals and requirements of the GMA with the needs of school districts facing capacity issues and the infrastructure needs of local governments. The task force must provide a summary of its discussions and any recommendations to the appropriate committees of the Legislature by December 1, 2015.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.