

SENATE BILL REPORT

SB 6638

As Reported By Senate Committee On:
Government Operations, February 2, 1996

Title: An act relating to standards for development regulations.

Brief Description: Prescribing standards for development regulations.

Sponsors: Senators Haugen, Sheldon, Winsley, Hale, Wood and Long.

Brief History:

Committee Activity: Government Operations: 1/24/96, 2/2/96 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6638 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey and Winsley.

Staff: Diane Smith (786-7410)

Background: While the goal of protecting critical areas under the Growth Management Act (GMA) is clear, the means of doing so are often not clear. This ambiguity is inherent in the developing nature of the scientific understanding of these critical areas. There is a perception that the cost to landowners of the protection of critical areas is given too little consideration in the relevant development regulations.

Summary of Substitute Bill: As of July 1, 1996, the policies and development regulations for critical areas enacted by counties and cities planning under GMA must result in the protection of the functions and values of the critical areas. These regulations and policies must consider the spectrum of best available science and result in the minimum possible restriction on the use and enjoyment of private property.

Regulations protecting natural resource lands and critical areas under GMA does not apply to utility installation or maintenance along public or private rights of way.

Substitute Bill Compared to Original Bill: The substitute bill emphasizes the protection of the functions and values of critical areas. The substitute bill prohibits critical area and natural resource regulations from applying to utility installation or maintenance along public and private rights of way. The original bill did not specify when the standards for critical area designation were to change.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill clarifies that in these developing scientific fields, the term "best science" is really inaccurate.

Testimony Against: The assurance that best science would be a foundation of development regulations was one of the few concessions made last year to the environmentalists.

Testified: Numerous people.