

Local Government Committee

BILL ANALYSIS HB 2175

TITLE OF THE BILL: Ordering a study of the costs to local governments related to growth management

WHAT THIS BILL DOES: *Requires the Department of Community, Trade and Economic Development to conduct a study of the costs to local governments associated with implementing Growth Management Act requirements.*

SPONSORS: Representatives Mulliken, Scott, Cairnes, Doumit, Sump, Koster, Edwards, Schoesler, Mielke, Fortunato, Ericksen, Dunn, Schindler, and Kessler

HEARING DATE: Monday, February 22, 1999

FISCAL NOTE: Not requested

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BACKGROUND:

The Growth Management Act (GMA) was enacted in 1990 and 1991 as Chapter 36.70A RCW. A county is required to plan under RCW 36.70A.040 if the county:

- has a population of 50,000 or more and had its population increase by at least 17 percent in the past 10 years; or
- has a population of fewer than 50,000 and had its population increase by at least 20 percent in the past 10 years (unless the county adopted or adopts a resolution removing itself from this requirement within the specified time period).

The population and 10-year growth criteria are determined by the Office of Financial Management

(OFM). A county not meeting these criteria may choose to plan under RCW 36.70A.040.

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 the cities in those counties, that are required or choose to plan under RCW 36.70A.040 (GMA jurisdictions). The primary GMA planning requirements for GMA jurisdictions include:

- identification and protection of critical areas;
- identification and conservation of agricultural, forest, and mineral resource lands;
- adoption of a county-wide planning policy;
- designation of urban growth areas;
- adoption of a comprehensive plan with specified required and optional elements; and
- adoption of development regulations implementing the comprehensive plan.

Generally, a GMA jurisdiction is required to adopt a comprehensive plan and implementing development regulations consistent with GMA requirements within four years of the date the GMA jurisdiction became required or chose to plan under RCW 36.70A.040. 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 revise their plans and regulations if necessary.

GMA comprehensive plans and development regulations are presumed valid upon adoption. These plans and regulations, however, may be appealed to one of three regional Growth Management Hearings Boards (Boards). The Boards have authority to determine compliance with GMA requirements. The Boards' decisions may be appealed to superior courts.

The GMA also requires six western Washington counties (Snohomish, King, Pierce, Kitsap, Thurston, and Clark) and their cities to establish a monitoring and evaluation program to determine whether their county-wide planning policies are meeting planned residential densities and uses. This evaluation must be conducted every five years. If the evaluation shows that the densities are not being met, the county and its cities must take measures to increase consistency between what was envisioned and what has occurred.

SUMMARY:

Legislative intent recognizes that local governments have experienced planning, implementation, litigation and other costs as a result of implementing Growth Management Act (GMA) requirements.

The Department of Community, Trade and Economic Development (CTED) is required to conduct a study of the costs associated with implementing GMA requirements. The purposes of the study are to:

- identify, in consultation with a variety of local governments, the categories and types of costs local governments have experienced in implementing the GMA;
- distinguish the costs applicable to all local governments from those applicable to counties and cities planning under RCW 36.70A.040 (GMA jurisdictions);
- obtain data from all local governments on the categories and types of costs;
- review and evaluate the impact of these costs on all local governments; and
- develop, in consultation with a variety of local governments, legislative recommendations to address the impact of these costs on local governments.

CTED must begin the study by September 1, 1999, and complete the study by June 30, 2001. CTED is required to submit progress reports on the study to the appropriate standing committees of the Legislature by January 31 of 2000 and 2001 and a final report no later than September 30, 2001.

These provisions expire October 1, 2001.