

# SENATE BILL REPORT

## SB 5321

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As of February 2, 1999

**Title:** An act relating to public facility siting and planning.

**Brief Description:** Addressing public facility siting.

**Sponsors:** Senators Patterson and Rasmussen.

**Brief History:**

**Committee Activity:** State & Local Government: 2/3/99.

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### SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

**Staff:** Sharon Swanson (786-7445)

**Background:** The Growth Management Act (GMA) was enacted in 1990 and 1991. The GMA establishes requirements for all counties in the state, and imposes additional requirements for the fastest growing counties or those counties that opted in. A city follows the lead of the county in which it is located.

The county legislative authority of each county planning under GMA requirements must adopt a countywide planning policy that is a "framework" for the comprehensive plans adopted under GMA. Each comprehensive plan must include a process to identify lands useful for various public purposes and to both identify and site "essential public facilities." The Office of Financial Management (OFM) maintains a list of the essential state-owned and operated public facilities that are required or are likely to be built within six years.

**Summary of Bill:** The processes for identifying and siting regional or statewide essential public facilities must be coordinated through the countywide planning policy adopted under the GMA. OFM must first consult with the governing bodies of the cities or counties under consideration for siting of facilities before adding any additional facilities to the list of the essential state-owned and operated public facilities. No county or city shall be required to amend its comprehensive plan due to the listing of a facility by OFM, prior to the next scheduled plan revision. The countywide planning policy for identifying and siting regional or statewide essential public facilities must be developed collaboratively by the county, the cities, the state agencies with regulatory jurisdiction, and special purpose districts that are located within the county and provide one or more types of such facilities. The countywide planning policy must provide criteria by which the decisional entity considers, among other factors, whether the facility: (a) unreasonably interferes with the objectives of the adopted comprehensive plan of a jurisdiction adversely impacted by the facility; (b) is consistent with the adopted comprehensive plan of a jurisdiction adversely impacted by the facility; and (c) provides mitigation measures that compensate for the impact or provides procedures by which impacted jurisdictions may ensure implementation of mitigation conditions or compensation.

At a minimum, the countywide planning policy must address:

- criteria and procedures to determine which facilities will be subject to the policy;
- creation of a regional entity to apply the policy and make regional decisions regarding the siting of a facility;
- procedures to ensure active public participation;
- definition of circumstances in which alternative dispute resolution mechanisms may be used;
- procedures to determine when a decisional impasse has occurred; and
- funding of mitigating measures on a regional basis, including the contribution of funding from multiple jurisdictions that will be benefitted by the facility.

In the siting of essential public facilities, the governing body of a city or county may identify mitigation measures in the environmental impact statement and impose those as conditions upon the siting decision.

A general deadline for the policy adoption of July 1, 2001 is set, unless the county has a planned revision of its existing policies at an earlier date, in which case the earlier date applies to the new elements in the countywide policy.

**Appropriation:** None.

**Fiscal Note:** Requested on January 29, 1999.

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