

SENATE BILL REPORT

SSB 6367

As Passed Senate, February 11, 2004

Title: An act relating to protecting the integrity of national historical reserves in the urban growth area planning process.

Brief Description: Protecting the integrity of national historical reserves in the urban growth area planning process.

Sponsors: Senate Committee on Land Use & Planning (originally sponsored by Senators Haugen, Spanel and Winsley).

Brief History:

Committee Activity: Land Use & Planning: 1/29/04, 2/2/04 [DPS].

Passed Senate: 2/11/04, 49-0.

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: That Substitute Senate Bill No. 6367 be substituted therefor, and the substitute bill do pass.

Signed by Senators Mulliken, Chair; Kline, Morton, Murray and T. Sheldon.

Staff: Andrea McNamara (786-7483)

Background: The Growth Management Act (GMA) requires cities and counties to include areas and densities within their urban growth areas (UGAs) that are sufficient to accommodate the population growth projected by the Office of Financial Management for the succeeding 20-year period.

The GMA provides cities and counties discretion in the comprehensive planning process to make many choices about accommodating projected growth, but it directs in-fill by requiring that urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities; second in areas already characterized by urban growth that will be served by a combination of existing and new public facilities and services; and third in the remaining areas of the UGAs.

Ebey's Landing National Historic Reserve (Reserve) on central Whidbey Island was established by Congress in 1978 as the first unit of its kind within the National Park System. It was created "to preserve and protect a rural community which provides an unbroken historic record from... 19th century exploration and settlement in the Puget Sound to the present time." The Reserve is comprised of over 90 percent private property in Island County and encompasses the town of Coupeville, and two state parks.

Administration and management of the Reserve is the responsibility of a local Trust Board that includes local residents and representatives from State Parks and the National Park Service. The Trust Board utilizes preservation principles to fulfill its mission to protect, in

perpetuity, the historic, natural, cultural, scenic, recreational and community resources. According to the Trust Board, the preservation principles are not intended to inhibit or stop growth, but serve as guides for understanding how much change and what kinds of change can occur before the cultural context and historic integrity of the landscape is lost.

Summary of Bill: The requirement that cities and counties must include areas and densities sufficient to permit the urban growth projected for the succeeding 20-year period does not apply to those urban growth areas contained totally within a national historical reserve.

When an urban growth area is contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as it determines necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The city of Coupeville and parts of Island County are in a very unique situation because they are fully contained within a National Historical Reserve. This bill would give them needed flexibility to harmonize their GMA urban growth area planning requirements with their preservation responsibilities under the historic reserve.

Testimony Against: None.

Testified: Ian McGowan, city of Coupeville.