

# HOUSE BILL REPORT

## HB 2945

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### As Reported by House Committee On: Local Government

**Title:** An act relating to establishing a legislative task force to review the growth management act.

**Brief Description:** Establishing a legislative task force to review the growth management act.

**Sponsors:** Representatives Appleton and Moscoso.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 2/3/16, 2/4/16 [DPS].

#### **Brief Summary of Substitute Bill**

- Creates the Legislative Task Force on the Growth Management Act (GMA Task Force) to review the Growth Management Act (GMA) and provide recommendations, if any, for modifications of the GMA that will help ensure that Washington's land use practices align with the needs of current and future residents of the state.
- Provides for the GMA Task Force's membership, expenses, and staff support, and requires a report to the Legislature by November 1, 2016.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Appleton, Chair; Gregerson, Vice Chair; Fitzgibbon, McBride and Peterson.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

**Staff:** Michaela Murdock (786-7289).

#### **Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### 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 Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities.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 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 locally adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

### Prior Reviews of Growth Management Policies.

Since the GMA was enacted, at least three commissions or task forces have been directed by the Governor or the Legislature to review the state's land use and growth management policies and laws, and make recommendations regarding the GMA:

- The Growth Strategies Commission (1989-90);
- The Governor's Task Force on Regulatory Reform (1993-94); and
- The Land Use Study Commission (1995-98).

The Growth Strategies Commission, created by executive order in August 1989, reviewed and made recommendations regarding land use and growth management issues. The commission included 13 citizens and four legislators, and was divided into subcommittees to study different topic areas and prepare issue papers on those topics. The subcommittees conducted meetings throughout the state to gather information and meet with stakeholders and community representatives. Recommendations were prepared in consultation with representatives of cities, counties, and state government. The commission submitted preliminary and final reports in July and September 1990.

The Governor's Task Force on Regulatory Reform, created by executive order in August 1993, was charged with simplifying the state's rules and regulations, including developing recommendations regarding growth management processes and environmental review requirements. The task force was comprised of 21 members, who were divided into three subcommittees to work on specific issues and develop recommendations. The task force solicited public comment, held hearings, and invited experts and stakeholders to present information. Preliminary and final reports with recommendations were submitted to the Legislature in December 1993 and December 1994.

The Land Use Study Commission was established by the Legislature in 1995. The commission was directed to consider the effectiveness of state and local government efforts to consolidate and integrate the GMA, the State Environmental Policy Act, the Shoreline Management Act, and other land use, planning, environmental, and permitting laws. The commission was comprised of 14 members. It held monthly meetings, solicited public comment, developed recommendations for the Legislature, submitted annual reports, and in December 1998, submitted a final report.

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### **Summary of Substitute Bill:**

A Legislative Task Force on the Growth Management Act (GMA Task Force) is established to review the GMA and provide recommendations, if any, for modification of the GMA that will help ensure that Washington's land use practices align with the needs of current and future residents of the state. In conducting its review, the GMA Task Force may consider issues including land management, school siting, short line railroads, economic development, fiscal impacts of the GMA on local government revenue and infrastructure expenses, and other issues identified by the GMA Task Force.

The GMA Task Force must have 20 members as follows:

- two members from each of the two largest caucuses of the Senate, appointed by the President of the Senate;
- two members from each of the two largest caucuses of the House of Representatives, appointed by the speaker of the House;
- 10 members appointed by the Governor who represent: the Department of Commerce, the Washington State Department of Transportation, environmental concerns; the building industry; property owners; buyers and sellers of real property; rural economic interests in eastern and western Washington; and urban economic interests in eastern and western Washington;
- two members who are elected members of the legislative bodies of cities or towns or mayors of cities or towns in eastern and western Washington, appointed by an association representing Washington cities;
- two members who are elected members of county legislative bodies or elected executives of counties in eastern and western Washington, appointed by an association representing Washington counties;
- one member who represents Washington State school directors, appointed by an association representing Washington State school directors; and
- one member who represents county and regional planning directors, appointed by an association of Washington state county and regional planning directors.

Provision is made for the payment of member expenses and staff support. The GMA Task Force is required to convene a minimum of three times, and to submit a report to the appropriate committees of the Legislature by November 1, 2016.

### **Substitute Bill Compared to Original Bill:**

The substitute bill adds four members to the Legislative Task Force on the Growth Management Act (GMA Task Force) established in the original bill:

- one member representing the Department of Commerce, appointed by the Governor;
- one member representing the Washington State Department of Transportation, appointed by the Governor;
- one member who represents Washington State school directors, appointed by an association representing Washington State school directors; and

- one member who represents county and regional planning directors, appointed by an association of Washington state county and regional planning directors.

Also, an additional issue is added for consideration by the GMA Task Force – the fiscal impacts of the GMA on local government revenue and infrastructure expenses.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) Many proposals for modifying the Growth Management Act (GMA) have been submitted to the Legislature. The GMA is a complex issue and four short weeks is not enough time to really review and study the act. However, the GMA is due for a review. After 25 years, the GMA needs to be tweaked, not done away with. We need to get stakeholders around a table and talk about what needs to be changed or stay the same.

An amendment to the bill would add three new members representing the Department of Commerce, the Washington State Department of Transportation (WSDOT), and school directors. It is recommended that a member of the American Planning Association, which represents both private and public planners, be added as a member of the GMA Task Force. There is additional support for adding a planner as a member. The WSDOT appreciates being added as a member. The focus of the GMA Task Force will have a direct effect on how and how well transportation can support economic growth and development under the GMA. Comprehensive plans affect how agencies plan for services and infrastructure. It is also appreciated that school directors are being added as a member.

An outside facilitator should help support the work of the GMA Task Force because having an external person to provide assistance and accountability for developing recommendations would be good. The bill should provide for someone in academia to provide outside assistance with research because this is going to be difficult for staff to do alone. Counties and cities would like the GMA Task Force to study the costs of the GMA to local jurisdictions and its fiscal impacts with respect to local revenue and infrastructure (*e.g.*, changes in property and sales tax, infrastructure costs, etc.). School siting is also a critical issue, and if a resolution for this issue is not passed during the session, school districts are happy to continue working on it during the interim.

(Opposed) None.

(Other) Review of the GMA is broadly supported because the act should be looked at and better understood. The review should be an objective look at what is working and what needs to be fixed. Part of the review should be a peer review of articles or reports that have

examined aspects of the GMA. The members of the GMA Task Force should be modified to include more experts like, for example, planners. The bill should ensure that the GMA Task Force looks at statutory provisions governing critical areas, water quality, etc. A few tweaks here and there are needed, but the bill should move forward.

The Department of Commerce appreciates being added as a member of the GMA Task Force and looks forward to providing technical assistance and expertise moving forward.

**Persons Testifying:** (In support) Michael Shaw, Washington Chapter, American Planning Association; Kerri Woehler, Department of Transportation; Laura Berg, Washington State Association of Counties; Jessica Vavrus, Washington State School Directors' Association; and Charlie Brown, Bethel School District.

(Other) Bryce Yadon, Futurewise; and Jeff Wilson, Department of Commerce.

**Persons Signed In To Testify But Not Testifying:** None.