

SENATE BILL REPORT

SB 5985

As of February 18, 2015

Title: An act relating to extending the date for allowing certain counties and cities to not plan under the growth management act.

Brief Description: Extending the date for allowing certain counties and cities to not plan under the growth management act.

Sponsors: Senator Dandel.

Brief History:

Committee Activity: Government Operations & Security: 2/19/15.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Staff: Karen Epps (786-7424)

Background: The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, GMA establishes numerous requirements for local governments obligated by mandate or choice to fully plan under GMA and a reduced number of directives for all other counties and cities. GMA directs planning jurisdictions to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, each of which is a subset of a comprehensive plan. The implementation of comprehensive plans occurs through locally adopted development regulations.

Additionally GMA requires all counties and cities to satisfy specific designation mandates for natural resource lands. All counties and cities must designate, where appropriate, agricultural lands that are not characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products. All counties and cities must also designate and protect environmentally sensitive critical areas. These protection requirements obligate local governments, using the best available science, to adopt development regulations, also known as critical areas ordinances, that comply with specified criteria.

A county obligated by mandate to fully plan under GMA is one that either has a population of 50,000 or more and has experienced a population increase of more than 17 percent in the

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.

previous ten years; or has experienced a population increase of more than 20 percent over the previous ten years, regardless of population.

A county obligated by choice to fully plan under GMA is one that, not meeting the population requirements described above, has adopted a resolution subjecting itself, and cities located in the county, to the full requirements of GMA (resolution of intention). With one exception, once a resolution of intention is adopted, the county and its cities remain subject to all GMA planning requirements. The following counties adopted resolutions of intention: Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Kittitas, Pacific, Pend Oreille, Stevens, and Walla Walla. Legislation adopted in 2014 provides that, until December 31, 2015, certain counties – Columbia, Ferry, Garfield, and Pend Oreille – that previously chose to fully plan under GMA may adopt a resolution for partial planning (resolution) removing the county and the cities within from requirements to fully plan under GMA.

Upon adoption of a resolution, the county and the cities within are no longer obligated to fully plan under GMA. The adoption of a resolution, however, does not nullify or otherwise modify requirements of GMA for counties and cities relating to the following:

- designating natural resource lands;
- designating and protecting critical areas;
- employing the best available science in designating and protecting critical areas; and
- the rural element of a comprehensive plan.

Each county that adopts a resolution and the cities within must, within one year of the adoption of the resolution, adopt development regulations to assure the conservation of designated natural resource lands. These regulations may not prohibit uses legally existing on any parcel prior to their adoption, and must assure that the use of lands adjacent to the designated natural resource lands do not interfere with the continued use, in the accustomed manner, and in accordance with best management practices, of the lands for the production of food, agricultural products, or timber, or for the extraction of minerals.

Summary of Bill: Until December 31, 2016, certain counties – Columbia, Ferry, Garfield, and Pend Oreille – that previously chose to fully plan under the GMA may adopt a resolution for partial planning removing the county and the cities within from requirements to fully plan under GMA.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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