

HOUSE BILL REPORT

ESB 5155

As Reported By House Committee On:
Local Government

Title: An act relating to community councils in unincorporated areas.

Brief Description: Changing requirements for the establishment of community councils.

Sponsors: Senators Skratek, Haugen, Drew and Roach.

Brief History:

Reported by House Committee on:
Local Government, April 2, 1993, DP.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 9 members: Representatives H. Myers, Chair; Bray, Vice Chair; Dunshee; R. Fisher; Rayburn; Romero; Springer; Van Luven; and Zellinsky.

Minority Report: Do not pass. Signed by 3 members: Representatives Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; and Horn.

Staff: Steve Lundin (786-7127).

Background: Legislation was enacted in 1991 allowing community councils to be created in the unincorporated area of any county composed entirely of islands with a population of 30,000 or more. The community in which a community council is created must have a population of at least 1,000, unless the community is an entire island, in which case the community must have a population of at least 300.

A community council is granted limited land use powers within its boundaries and acts as a forum for the discussion of local issues.

If a community council is created, the county legislative authority adopts an ordinance establishing policies and conditions and designating portions of the county comprehensive plan and zoning ordinances that serve as an overall guide and framework for the development of community comprehensive plans and community zoning ordinances.

The community council adopts a proposed community comprehensive plan and proposed community zoning ordinance. The county legislative authority determines if the proposed community comprehensive plan and proposed community zoning ordinance are consistent with the ordinance it adopted to guide and provide a framework for community comprehensive plans and community zoning ordinances.

If the county legislative authority determines the proposed plans and proposed zoning ordinance are consistent with this ordinance, the county legislative authority approves the community comprehensive plan and community zoning ordinance. If the county legislative authority finds the proposed plan and zoning ordinance not to be consistent with the county ordinance, the county legislative authority must specify the inconsistencies.

The county enforces an approved community comprehensive plan and approved community zoning ordinance as if it had adopted the plan and ordinance. A community council may not take quasi-judicial actions and may not issue permits.

Provisions are made for a community council to alter its comprehensive plan and zoning ordinance using the same approval process as was followed for the original plan and ordinance. Provisions are made for the county legislative authority to amend its ordinance guiding community comprehensive plans and community zoning ordinances, and for a community council to amend its plan and zoning ordinance accordingly.

Summary of Bill: The counties in which such a community council could be created are expanded to include a county with a population of one million or more.

Fiscal Note: Not requested.

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

Testimony For: This would give people in the unincorporated areas a better chance to have their voices heard.

Testimony Against: It is just another layer of government that will make development more complex and possibly result in increased delays in obtaining building permits. Who pays for the staff costs for community councils?

Witnesses: (Pro): Alice McCarty, representing King County Councilmember Greg Nickels; John Whitlock, Vashon Governance Committee; David Lawson, Boulevard Park/White Center Governance Committee; Pat Lawler, Vashon Governance

Committee; Tom Drummond, Meadow View Park Association; Mary Ann Tagney Jones and Everett Wilcock, Coalition of Washington Communities; Tom Burdick, Washington Public Services; and Wendy Hall, citizen. (Con): Glen Hudson, Washington Association of Realtors; and Dick Ducharme, Building Industry Association of Washington.