

HOUSE BILL REPORT

SHB 2083

As Amended by the Senate

Title: An act relating to authorized uses for master planned resorts.

Brief Description: Authorizing uses for master planned resorts.

Sponsors: By House Committee on Government Reform & Land Use (originally sponsored by Representatives Reams, Scott, Buck, Sheldon, Delvin, D. Sommers and Kessler).

Brief History:

Committee Activity:

Government Reform & Land Use: 2/27/97, 3/3/97 [DPS].

Floor Activity:

Passed House: 3/11/97, 97-0.

Senate Amended.

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Bush; Fisher; Gardner; Mielke; Mulliken and Thompson.

Staff: Kimberly Klaiber (786-7156).

Background: Under the Growth Management Act (GMA), each county and each city in counties that meet the GMA's requirements adopts a comprehensive plan that includes a list of elements and subjects set forth in the act. Counties and cities must include the following elements and subjects in a comprehensive plan: land use, housing, capital facilities plan, utilities, transportation, provisions designating the five types of critical areas, provisions designating the three types of natural resource lands, the goals and policies of the county's or city's shoreline master program adopted under the Shoreline Management Act, urban-growth area designation, and rural-element designation. A comprehensive plan also may include other elements and matters.

Counties and cities must also adopt *development regulations* consistent with their comprehensive plan and must designate and protect critical areas, designate and conserve certain natural-resource lands, and designate urban-growth areas. Among other requirements, each urban-growth area must permit urban densities and must include greenbelt and open-space areas. An urban-growth area may include territory that is located outside of a city only if that territory is already characterized by or is adjacent to an area characterized by urban growth or is designated as a new, fully contained community.

Counties that plan under the GMA may also permit master planned resorts to be characterized as urban growth *outside* of urban-growth areas. A master planned resort means a self-contained, fully integrated, planned, unit development in a setting of significant natural amenities with the *primary focus* on destination resort facilities consisting of short-term visitor accommodations associated with a range of facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort.

A county may permit master planned resorts as urban growth outside of an urban-growth area if *all* of the following conditions are met:

- (1) The comprehensive plan specifically identifies policies to guide the development of master planned resorts;
- (2) The comprehensive plan and development regulations include restrictions that preclude new urban or suburban-land uses in the vicinity of the master planned resort, except in areas otherwise designated for urban growth;
- (3) The county includes a finding as a part of the approval process that the land is better suited, and has more long-term importance, for the master planned resort than for the commercial harvesting of timber or agricultural production, if located on land that otherwise would be designated as forest land or agricultural land;
- (4) The county ensures that the resort plan is consistent with the development regulations established for critical areas; and
- (5) On-site and off-site infrastructure impacts are fully considered and mitigated.

Summary of Bill: The definition of a master planned resort under the Growth Management Act (GMA) is broadened. The new definition requires a master planned resort to *include* destination resort facilities as a part of a proposed development but does not require these facilities to be the *primary focus*. The new definition also

permits, in addition to recreational uses already permitted under the act, conference facilities and commercial activities supporting the resort and recreational facilities within its boundaries if these other uses are integrated into and consistent with the on-site recreational nature of the resort. A county is authorized to allocate a portion of its 20-year population projection prepared by the Office of Financial Management to the master planned resort. The allocation must correspond to the projected number of permanent residents within the master planned resort.

Counties may include some *existing resorts* as master planned resorts under a GMA provision that allows counties to permit master planned resorts as urban growth *outside of* urban-growth areas if the resort meets certain criteria. A definition of an existing resort is provided. Criteria is provided that must be met in order for a county to include an existing resort as a master planned resort under the GMA.

In addition, a county is authorized to allocate a portion of its 20-year population projection prepared by the Office of Financial Management to the existing resort. The allocation must correspond to the projected number of permanent residents within the existing resort.

EFFECT OF SENATE AMENDMENT(S): Removes the amendatory language that was drafted to the master planned resorts– section. The striking amendment only includes the existing resorts– section. The existing resorts provision is identical to the existing resorts provision in the bill as passed the House. The bill as passed the Senate does not make any changes to the master planned resorts section, only the existing resorts section.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Properties in areas with urban services available should be eligible for the provision allowing urban growth outside urban-growth areas. Port Ludlow has all the facilities to support a resort, but a Growth Management Hearings Board declared that Port Ludlow is not an urban-growth area, so Port Ludlow is in an unfortunate in-between category and cannot benefit from the master planned resort provision. This bill acknowledges some of the concerns from last year’s bill, which the Governor vetoed.

Testimony Against: None

Testified: Representative Bill Reams, prime sponsor (pro); Jerry Harper, Pope Resources (pro); David Cunningham, Pope Resources (pro); and Steve Clagett, 1000 Friends of Washington (concerns).