

## Bill Analysis

HB 1209

**Title:** Allowing counties to opt out of growth management planning.

**Brief Description:** Allows any county at any time to opt out of the requirements of adopting comprehensive land use plans and development regulations under the Growth Management Act.

**Sponsors:** Representatives Kester, Smith, Boldt, Mulliken, McMorris, Sherstad, Dunn, Thompson, Johnson, Mielke, Zellinsky, DeBolt, Pennington and Mastin

**Hearing Date:** January 27, 1997

### Background:

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The Growth Management Act (GMA) establishes requirements for all counties and cities in the state and imposes additional requirements for counties and cities that are required to plan under the GMA requirements. All counties and cities are required to designate and protect critical areas and designate natural resource lands. Counties and cities which are required to plan under the GMA requirements must, among other things, adopt a comprehensive plan consistent with a countywide planning policy and adopt development regulations consistent with its comprehensive plan.

A county is required to plan under the GMA requirements if the county meets either of two sets of population and ten-year growth criteria, as determined by the Office of Financial Management (OFM):

- The county has a population of 50,000 or more and the county's population increased by at least 17 percent in the past 10 years. Legislation enacted in 1995 increased the minimum 10-year rate of growth from 10 to 17 percent and applied this change prospectively.
- The county has a population of less than 50,000 and the county's population increased by at least 20 percent in the past 10 years.

In addition, a county not covered by these criteria may adopt a resolution bringing the county under the planning requirements. A city follows the lead of the county in which it is located.

A one-time window allows some counties to opt out of the GMA requirements. For counties with a population of less than 50,000 which were initially required to plan

underalGMA requirements, the county legislative authority had until December 31, 1990 to remove the county and cities in the county from the requirements. Counties with a population of 50,000 or less which are related found by OFM to meet the requisite 10-year growth factor have 60 days from the date OFM certifies that it meets the criteria to opt out. Skamania County exercised this option in 1995 and opted not to plan underalGMA requirements.

**Summary of Bill:**

Two methods are established for any county at any time to remove the county and the cities within the county from the requirements of adopting comprehensive land use plans and development regulations under the GMA.

- The county legislative authority may opt out by adopting a resolution.
- The county voters may opt out by passing a ballot proposition submitted by the county legislative authority to the voters.

The removal shall take effect when the resolution or notice of passage of a ballot resolution is filed with the Department of Community, Trade and Economic Development.

The provisions shall not be construed as affecting any existing rights acquired or liability or obligation incurred.

**Fiscal Note:** Not requested.

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