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## Government Reform and Land Use Committee

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### BILL ANALYSIS HB 2542

**Title of the Bill:** Allowing rural counties to remove themselves and their cities from the GMA planning requirements.

**What this Bill Does:** Allows rural counties (those with a land base at least 75% in public ownership or resource lands, or with a population density of 60 or fewer persons per square mile) to opt out of the planning requirements of the GMA.

**Sponsors:** Representatives Mulliken, Thompson, Cairnes, Debolt, McMorris, Sherstad, Koster, Mielke, Sump, Bush, Johnson, D. Sommers and Schoesler

**Hearing Date:** 1/22/98

**Fiscal Note:** Requested, 1/14/98

**Analysis Prepared By:** Joan Elgee, 786-7135

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#### BACKGROUND:

The Growth Management Act (GMA) was enacted in 1990 and 1991. The 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 all the GMA requirements.

Requirements for counties and cities planning under all GMA requirements.

The primary requirements for counties and cities that plan under all of the GMA requirements include:

- Identification and protection of five separate critical areas;
- Identification and conservation of natural resource lands with long-term commercial significance for agriculture, forestry, or mineral resource extraction;
- Adoption of a county-wide planning policy;

- Designation of urban growth areas in which urban growth shall be encouraged and outside of which growth can occur only if it is non-urban—;
- Adoption of a comprehensive plan, which must include a process for identifying and siting essential public facilities;
- Adoption of development regulations implementing the comprehensive plan;

A county is required to plan under all GMA requirements if the county meets either of two sets of population and 10-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 to 17 percent and applied this change prospectively; and
- 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 legislative authority 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. Once a county plans under all GMA requirements, the county and cities located in the county remain subject to these requirements.

A one-time window allows the smaller counties to opt out of the planning requirements of the GMA. For counties with a population of less than 50,000 which were initially required to plan under all GMA 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 less than 50,000 which are later 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 remove itself and its cities from the requirements.

Requirements for other counties and cities. All counties and cities are required to designate and protect critical areas and designate (but not conserve) natural resource lands.

## **SUMMARY:**

A rural county may remove itself, and its cities, from all the requirements of the GMA by adopting a resolution and filing it with the Department of Community, Trade and Economic Development a) prior to December 31, 1998; or b) within six months of the date the county is notified that it meets the population and growth factors to be required to plan under all the requirements of the act. A rural county that adopted a resolution to plan under all the requirements of the GMA may also remove itself and its cities from the requirements.

A rural county is a county with a land base that is at least seventy-five percent in public ownership or designated resource lands, as determined by the county, or has a population density of sixty or fewer persons per square mile, as determined by OFM.

If a county removes itself from the GMA planning requirements, any claim pending before a growth management hearings board or a court relating to the planning requirements shall be dismissed.

