

Local Government Committee

BILL ANALYSIS HB 1685

TITLE OF THE BILL: Relating to public facilities grants and loans preferences

WHAT THIS BILL DOES: *Replaces existing preference for state public facility grants and loans based on county-wide planning policies with a preference among competing requests by Growth Management Act jurisdictions based on adoption of comprehensive plans and development regulations.*

SPONSORS: Representatives McMorris, Romero, Mulliken, Murray, Doumit, DeBolt, Sump, Linville, Crouse, Haigh, Boldt, Delvin, Mielke, Kessler, Clements, Schindler, Cox, Ericksen, Schoesler, Fortunato, B. Chandler, G. Chandler, Wolfe, Cooper, Radcliff, Lisk, Hankins, Skinner, Morris, Hatfield, Koster, Mastin and Parlette

HEARING DATE: Tuesday, February 23, 1999

FISCAL NOTE: Not requested.

ANALYSIS PREPARED BY: Caroleen Dineen (786-7156)

BACKGROUND:

The Growth Management Act (GMA) was enacted in 1990 and 1991. The GMA establishes certain requirements for all counties in the state and imposes additional requirements for counties, and the cities in those counties, that are required or choose to plan under RCW 36.70A.040 (GMA jurisdictions). The basic GMA planning requirements for GMA jurisdictions are:

- adoption of a **county-wide planning policy**, a framework from which comprehensive plans are developed which must address, among other items, the siting of public capital facilities of a county-wide or statewide nature;

- designation of **urban growth areas**;
- adoption of a **comprehensive plan**; and
- adoption of **development regulations** implementing the comprehensive plan.

Generally, a GMA jurisdiction is required to adopt a comprehensive plan and implementing development regulations consistent with GMA requirements within four years of the date the GMA jurisdiction became required or chose to plan under the GMA.

The Legislature has provided GMA jurisdictions with additional sources of revenue to finance capital facilities. For example, GMA jurisdictions may impose a 0.25 percent excise tax on the sale or transfer of real estate to finance capital facilities and projects. GMA jurisdictions also may impose impact fees on development activities to finance specified improvements.

A state agency considering awarding grants or loans to a county or city for financing public facilities must consider whether the county or city is a party to a county-wide planning policy under the GMA relating to the type of public facilities for which the grant or loan is sought. The agency must give additional preference to the county or city if such a county-wide planning policy exists. When a state agency considers grants or loans to a special district for public facilities, it must also consider whether the county or city in whose planning jurisdiction the special district is located is a party to a county-wide planning policy under the GMA relating to the public facilities for which the grant or loan is sought.

The statutory preference for state public facilities grants and loans applies to grants from the Interagency Committee for Outdoor Recreation, the Centennial Clean Water Fund and the Public Works Trust Fund.

SUMMARY:

The preference for state public facilities grant and loans based on participation in a county-wide planning policy is changed.

A state agency considering a request from a county or city planning under RCW 36.70A.040 (GMA jurisdiction) must consider whether the GMA jurisdiction has adopted a comprehensive plan and implementing development regulations as required by the GMA.

State agencies considering competing requests from GMA jurisdictions must accord additional preference to the GMA jurisdiction(s) that have adopted a comprehensive plan and development regulations as required by RCW 36.70A.040. For purposes of this section, a GMA jurisdiction is deemed to have satisfied the requirements of RCW 36.70A.040 if the GMA jurisdiction:

- adopted its comprehensive plan and development regulations within the statutory time periods;
- did not meet the statutory time periods but adopts the comprehensive plan and development regulations before submitting the grant or loan request; or
- demonstrates substantial progress toward adopting the comprehensive plan and development regulations within the specified time periods.

The preference provisions do not apply to requests from counties or cities not planning under RCW 36.70A.040 (non-GMA jurisdictions). Requests for public facilities grants and loans from special districts are treated in the same manner as requests from the jurisdictions in which they are located.

Changes in the preference provisions do not apply to any existing rights, actions, obligations or proceedings.