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## Local Government Committee

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### HB 1848

**Brief Description:** Permitting school siting outside of urban growth areas.

**Sponsors:** Representatives Springer, Lytton, Moeller, Maxwell, Sullivan, Haigh, Goodman, Orwall, Pettigrew, Magendanz, Dahlquist, Hargrove, Fagan, Pike, Harris, Wilcox, Hayes, Smith and Buys.

#### Brief Summary of Bill

- Authorizes counties that fully plan under the Growth Management Act to permit schools outside of designated urban growth areas (UGAs) when specified criteria are met.
- Establishes planning actions that counties must satisfy in complying with the requirement to permit schools outside of UGAs.

**Hearing Date:** 2/19/13

**Staff:** Ethan Moreno (786-7386).

#### Background:

##### Growth Management Act - Introduction and Selected Planning Requirements.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 29 counties and the cities within that are obligated to satisfy all planning requirements of the GMA.

The GMA directs jurisdictions that fully plan under the GMA (planning jurisdictions) to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are implemented through locally-adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The GMA also requires planning jurisdictions to identify lands useful for public purposes. Examples of these lands include lands used for utility corridors, sewage treatment facilities, and schools.

#### Urban Growth Areas.

Counties that fully plan under the GMA must designate urban growth areas (UGAs), areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Fully planning counties and each city within these counties must include within their UGAs, areas and densities that are sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Urban growth area provisions in the GMA specify that, in general, it is not appropriate for urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. The term "urban governmental services," is defined in the GMA as including public services and public facilities at an intensity historically and typically provided in cities. "Public facilities," as defined in the GMA, includes, among other facilities, streets, domestic water systems, and schools.

#### **Summary of Bill:**

Counties that fully plan under the Growth Management Act must permit schools outside of urban growth areas (UGAs) when specified criteria are met. Examples of the criteria include the following:

- the school is needed to meet student capacity needs in an identified service area which serves students residing in whole or in part outside of a UGA, as demonstrated by a capital facilities plan adopted by a locally elected school board of directors;
- an inventory of developable land has been conducted and findings have been made that vacant land suitable to site the school is unavailable within the urban growth boundary and relevant service area, taking into consideration school service area needs and other specified provisions;
- new infrastructure is provided for and impact fees, if applicable, are established;
- buffers are provided between the school development and adjacent nonurban uses; and
- environmental protection has been addressed and provided for.

Counties subject to the school siting directive must ensure that the following planning actions are met:

- The comprehensive plan specifically identifies policies to guide the development of schools located outside of the urban growth boundary;

- The comprehensive plan and development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the new school, except in areas otherwise designated for urban growth in accordance with UGA requirements;
- The county ensures that the school development plan is consistent with the development regulations established for critical areas; and
- On-site and off-site infrastructure and service impacts are fully considered and mitigated.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.