
Local Government Committee

HB 1420

Brief Description: Concerning school siting and school district aid in reducing overall school construction costs.

Sponsors: Representatives Wilcox, Springer, Magendanz, G. Hunt, Muri, Kirby, Takko, Kilduff and Hargrove.

Brief Summary of Bill

- Requires counties that have a population of at least 500,000, abut at least five other counties, and are required or choose to plan under the Growth Management Act (GMA), to permit schools outside of designated urban growth areas (UGA) 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: 1/29/15

Staff: Michaela Murdock (786-7289).

Background:

Growth Management Act - Introduction.

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 Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 29 counties, and the cities within those counties, 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

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locally-adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

Planning Goals and Requirements.

For the purpose of guiding the development of comprehensive plans and development regulations, counties and cities must consider various goals set forth in statute. Several goals relate to "public facilities" and "public services," which are defined as including schools and education respectively:

- *Urban growth.* Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- *Economic development.* Encourage economic development throughout the state, promote economic opportunity, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
- *Public facilities and services.* Ensure that those public facilities and services necessary to support development are adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Each comprehensive plan must include a plan, scheme, or design for a land use element designating the proposed general distribution, location, and extent of the uses of land for, among other things, public facilities. In addition, comprehensive plans must include a capital facilities plan element consisting of: (a) an inventory of existing capital facilities owned by public entities; (b) a forecast of future facility needs; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan to finance such capital facilities; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that elements of the plan are coordinated and consistent.

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. Planning jurisdictions must include within their UGAs, sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. In addition, cities must include sufficient areas 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.

The GMA provides that, in general, it is not appropriate for urban governmental services—such as public services and public facilities at an intensity historically and typically provided in cities—to be extended to or expanded outside of the UGA into rural areas. Extension or expansion may be permitted in limited circumstances where: (1) it is shown to be necessary to protect basic public health and safety and the environment; and (2) when such services are financially supportable at rural densities and do not permit urban development.

Summary of Bill:

Counties with a population of at least 500,000 residents, that abut at least five other counties, and that are required or choose to plan under the GMA must permit schools outside of UGAs when specified criteria are met:

- The school is needed to meet identified student capacity needs.
- Vacant land suitable to site the school is unavailable within the UGA and relevant service area.
- New infrastructure is provided for and impact fees, if applicable, are established.
- Transit-oriented site planning and traffic demand management programs are implemented.
- Buffers are provided between the school development and adjacent nonurban uses.
- Environmental protection has been addressed.
- Development regulations ensure urban growth will not occur in adjacent nonurban areas.
- Impacts on designated agricultural lands, forest land, and mineral resource land will be mitigated, if applicable.
- The plan for the new school is consistent with development regulations established for the protection of critical areas by the county.

Counties that must permit a school outside a UGA must also ensure that specified planning actions are met. For example, the county must identify policies to guide the development of a school outside the UGA, and must restrict new urban or suburban land uses in the vicinity of the school, except as otherwise appropriately designated.

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.