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## Environment Committee

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### HB 1101

**Brief Description:** Simplifying the population growth criteria for planning required by the growth management act.

**Sponsors:** Representatives Taylor, McCaslin, J. Walsh, Shea, Griffey and Buys.

#### Brief Summary of Bill

- Modifies the population and population growth criteria used to determine those counties and cities that are required to plan fully under the Growth Management Act.
- Removes the option for counties to choose to plan fully under the Growth Management Act.

**Hearing Date:** 1/19/17

**Staff:** Robert Hatfield (786-7117).

#### **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 Originally enacted in 1990 and 1991, the GMA establishes certain land use designation and environmental protection requirements for all Washington counties and cities.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 the counties that, because of their population and population growth characteristics or because of their own choice, must conform with all of the requirements of the GMA. Conformance with all of the requirements of the GMA is sometimes referred to as "planning under the GMA" or "planning fully under the GMA." Counties that are not required to conform with all of the GMA's requirements are sometimes referred to as "partially planning under 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.*

## GMA - Obligations For All Counties and Cities, Whether Planning Fully under the GMA or Not.

All Washington counties and cities, whether planning fully or partially under the GMA, are required to adopt development regulations that assure the conservation of agricultural, forest, and mineral resource lands. All Washington counties and cities, whether planning fully or partially under the GMA, are also required to adopt development regulations that protect critical areas designated under the GMA.

### Who Must Plan Fully under the GMA.

The GMA uses two criteria –population, and population growth – to determine those counties that must plan fully under the GMA. Cities within counties that must plan under the GMA are themselves also required to plan under the GMA. These counties and cities must take on additional obligations under the GMA beyond the GMA’s two basic requirements of planning for resource lands and planning for critical areas. The following three categories of counties, and therefore the cities within those counties, are required to plan fully under the GMA:

- Each county that, until May 16, 1995, had both a population greater than 50,000 and had experienced a population increase of more than 10 percent in the previous 10 years;
- Each county that, since May 16, 1995, has a population greater than 50,000 and has experienced a population increase of more than 17 percent in the previous 10 years; and
- Each county that, regardless of its population, has experienced a population increase of more than 20 percent in the previous 10 years.

### Who May Plan Fully under the GMA.

The county legislative authority of any county that does not meet the criteria described above may nonetheless adopt a resolution indicating its intention to plan fully under the GMA. Cities within counties that choose to plan under the GMA are also required to plan under the GMA.

### Withdrawal From Planning Fully under the GMA.

The GMA provides certain counties with an option to withdraw from full planning under the GMA. To qualify for withdrawal from full planning under the GMA, the county must have a population of fewer than 20,000 persons, must have previously adopted a resolution indicating its intent to plan fully under the GMA, and must have adopted a resolution of withdrawal by December 31, 2015. Counties who withdraw from full planning under this provision must still comply with the GMA’s two basic requirements of planning for resource lands and planning for critical areas.

### Planning Obligations under the GMA.

The GMA sets forth three broad planning obligations for those counties and cities who plan fully under the GMA:

- the county legislative authority must adopt a countywide planning policy;

- the county, and the cities within the county, must designate critical areas, agricultural lands, forestlands, and mineral resource lands, and adopt development regulations accordingly; and
- the county must designate and take other actions related to Urban Growth Areas (UGAs).

In addition to the above three obligations, each county that has a population of 50,000 or more, and the cities within each such county, must adopt a comprehensive plan and related development regulations. A county with a population of fewer than 50,000, but that is otherwise required to plan fully under the GMA, may choose to opt out of the requirement to adopt a comprehensive plan if it does so within certain timelines.

#### GMA - 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 may 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:**

The numerical criteria used to determine those counties and cities that must plan fully under the GMA are adjusted. The counties required to plan under the GMA are those counties that have a population of 100,000 or more and have had their population increase by more than 20 percent in the previous ten years. The cities required to plan under the GMA are those cities that both (1) are located within the counties that meet the preceding criteria, and (2) have a population of at least 30,000 and have had their population increase by more than 20 percent in the previous ten years.

The option for counties to choose to plan fully under the GMA is removed.

If the office of financial management certifies that the population of a county is 100,000 or more, the county legislative authority must adopt a countywide planning policy, and must designate and take other actions related to UGAs. In addition, for such counties, the county and each city within the county must adopt development regulations conserving agricultural lands, forestlands, and mineral resource lands. Such counties, and each city within such counties, must also adopt a comprehensive land use plan and related development regulations.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill, with the exception of Section 6, takes effect 90 days after adjournment of the session in which the bill is passed. Section 5 (related to the jurisdiction of the Growth Management Hearings Board) expires December 31, 2020. Section 6 (a duplicate section related to the jurisdiction of the Growth Management Hearings Board) takes effect December 31, 2020.