

FINAL BILL REPORT

SHB 2673

C 87 L 20
Synopsis as Enacted

Brief Description: Concerning exemptions for infill development under the state environmental policy act.

Sponsors: House Committee on Environment & Energy (originally sponsored by Representatives Barkis, Griffey, Gildon, Steele, Ybarra, Smith, Chambers, Boehnke, Hoff, Vick, Eslick, Volz, Graham, Jenkin, Klippert, Van Werven, Tharinger and Dufault).

House Committee on Environment & Energy
Senate Committee on Housing Stability & Affordability

Background:

Growth Management Act.

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 Originally enacted in 1990 and 1991, the GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities.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 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA (planning jurisdictions).

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.

State Environmental Policy Act.

The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts that may result from governmental decisions, such as the issuance of permits or the adoption of land-use plans. Except for development projects that are exempt from SEPA requirements, the SEPA generally requires a project applicant to submit an environmental checklist. The checklist includes answers to questions about the potential impacts of the project on the built environment and the natural environment. Generally, an environmental impact statement (EIS) must be prepared for a

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proposal that lead agency determines will have a probable significant and adverse impact on the environment.

Infill Development.

Planning jurisdictions under the GMA may establish a categorical exemption from SEPA requirements for government actions related to residential development, mixed-use development, and commercial development of up to 65,000 square feet, excluding retail development. The categorical exemption may only be proposed to fill in an urban growth area designated under the GMA where the current density or intensity of use is lower than called for in the goals and policies of the comprehensive plan. The categorical exemption may not exempt government action related to development that is inconsistent with the applicable comprehensive plan or that would exceed the density or intensity of use called for in the comprehensive plan.

Summary:

Infill development is eligible for a city- or county-adopted categorical exemption from the State Environmental Policy Act if the government action relates to development that occurs where current density and intensity of use is roughly equal to what is called for in a planning jurisdiction's comprehensive plan. The categorical exemption may not exempt government action related to development that is inconsistent with the applicable comprehensive plan or that would clearly exceed the density or intensity of use called for in the comprehensive plan.

Votes on Final Passage:

House	98	0
Senate	43	4

Effective: June 11, 2020