



WASHINGTON STATE VOTER

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Barbara Seitle, President
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INTRODUCTION TO THE GROWTH MANAGEMENT ACT STUDY REPORT

The Growth Management Act celebrates its fifteenth anniversary this year.

In the past, this region—indeed, the whole country—grew almost without plan. As our population increased, we added individual developments generally of a small nature, one bulkhead, one house, one structure after another, and then one road after another that we widened, and widened again. By the 1980's, we began to realize that some of our finest agricultural land had been paved over, our salmon streams were no longer healthy, our water supply was compromised in some areas, taxes had gone sky-high, and we were all in one long line on the highways.

At this point, we as a state decided that we needed to better manage our growth, define the areas of growth, and protect the rest. In 1990 and 1991 we enacted the Growth Management Act (GMA).

The Act is recognized as "one of the most comprehensive and modern planning statutes in the country" by the American Planning Association. Since the GMA was adopted, Washington's population has increased by one million people to over six million people. Today, ninety-five percent of Washington residents live in jurisdictions fully planning under the GMA.

The Growth Management Act is a work in progress. As Washington's population grows, and funding priorities change, the Act responds through hearings board interpretations, new legislative mandates, and locally developed plans.

GOALS OF THE GROWTH MANAGEMENT ACT

To understand the Growth Management Act, it is necessary to know its goals. Knowing these goals enables us to better evaluate how the GMA is working. Here they are in full as set forth in the legislation (underlining is added for ease of reading; it is not in the original legislation).

"The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability. **continued on page 5**

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The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy. Any person of voting age, male or female, may become a League member.

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CALENDAR OF EVENTS

July 7, 2006 - Deadline for signature gathering,
For I-937 (Renewable Energy Initiative)
August 12, 2006 - LWVWA Board Retreat
August 21, 2006 - LWVWA & LWV/Thurston
sponsors Supreme Court candidates debate,
to be taped by TVW, release date TBA
September 8 - LWVWA Board Meeting
September 19 - Primary election
November 11, 2006 LWVUS Action Workshop -
9:30 - 3:00, St. Andrews, Bellevue
January 19, 2007 - Lobby Day! Save the date!
8:00 a.m. to 2:00 p.m.
June 21-24, 2007 - LWVWA Convention,
Vancouver, WA.
Don't forget to check out your local League's
website at www.lwvwa.org

**Fall *VOTER* Deadline
Friday, September 8, 2006**

**LWVUS Convention News
June, 2006**

Delegates at Convention approved:

- The slate of officers and directors as proposed
- Concurrence with LWV/IL's position to abolish the death penalty
- Approved removing "of citizens" from Article II, Section 1 of LWVUS Bylaws
- Revised SARA position to include "voter verifiable PAPER ballots"
- A 3 year study on immigration
- A raise in PMP to fund the study
** \$2.50 for 2006-2007 (\$26.30)
** \$.50cents to \$3.00 for 2007-2008 (\$26.80)
- A full report is available at lwv.org./members

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Council was a little bit like summer camp this year. We only wished there were a campfire to sit around as the temperature in the meeting room was about 64 degrees. It made for a very intimate gathering. I think all of us who were there, however, found it stimulating, energizing and fun. We enjoyed meeting each other, working together and sharing ideas and experiences. We hope to see more of you next time.

Washington sent a delegation of twenty-one members to Convention in Minneapolis. Seattle sent nine delegates; Bellingham, Pullman, San Juan Islands, South King County, Tacoma/Pierce, Thurston, Yakima, and the state board made up the rest.

The business of Convention is, of course, to approve a budget, elect officers, directors and a nominating committee, and select program for the next biennium. The slate proposed by the Nominating Committee was elected. The new LWVUS president is Mary Wilson from New Mexico. Our board liaison, Sarah Diefendorf, from San Francisco, was elected second vice president.

The approved budget contains an increase in PMP of \$2.50 for 2006-7 and an additional 50 cents, or \$3.00 for 2007-8. The reason for the raise is to fund a national study. Some delegates were very critical, but the overwhelming majority, including yours truly, voted in favor. Our studies and our positions are the source of our strength and the respect we engender. The approved study is a three year study of immigration: two years for the study, the third year for consensus. This is an issue that will not be solved any time soon and we need to develop a useful and multi-faceted position.

It is our job as local leagues to increase membership and build an organization that can support League at the state and national level. LWVUS is set to lead us with a large membership initiative to recruit “newly retired” women and men: a group they feel will be ready for civic engagement. National will inform local leagues by both sending information to league leaders and postings on the web site. However, I must tell you that there was a caucus for members under age forty-five at this Convention. It was attended by about 50 delegates and these “young” people are HOT. This group, in my opinion, is the real genesis for the future of League. They are going to lead the way. We need to provide every opportunity for them to be active and productive members.

There were some very interesting programs and workshops. Information from the workshops on topics ranging from membership to fundraising to election issues and the Democracy Agenda will be posted in some form on the LWVUS web site. Since no one person could attend them all, the delegation met late into the night sharing what each of us had learned. It was both fun and educational.

The keynote speech by Thomas Mann was a wakeup call to and about Congress. He has written a book with Norman Ornstein titled “The Broken Branch: How Congress is Failing America and How To Get It Back on Track.” It will be out this month.

Have a wonderful summer. Take some time to get out there and promote our positions on ballot measures. Let us know how it is going.

Barbara
bseitle@whidbey.com

LWVWA Takes Stands on Important Issues

*** The State League Board voted to oppose Initiative 933 ***

Initiative 933 will cost taxpayers hundreds of millions of dollars by creating a “pay or waive” system that makes local communities decide whether to waive laws for special interests or force taxpayers to pay them to follow the rules. These loopholes for special interests will lead to irresponsible development causing more traffic congestion.

I-933 creates a “pay or waive” system

This would make local communities decide whether to waive laws for special interests or force taxpayers to pay them to follow the rules.

I-933 costs too much

Before local communities are even forced to waive laws for special interests, it will cost hundreds of millions of taxpayer dollars just to administer. I-933 also mandates that taxpayers must pay for claimants’ attorneys’ fees, even if the claim is denied.

I-933 creates special interest loopholes

The extreme costs to taxpayers forcing communities to waive laws will result in loopholes for irresponsible development that will lead to more traffic congestion.

I-933 harms quality of life

I-933 will result in the kind of sprawling, irresponsible developments that increase traffic congestion and overwhelm local education, public safety and other services we all depend upon.

I-933 actually *threatens* property rights and neighborhoods

I-933 would effectively outlaw the basic zoning laws that keep neighborhoods strong and protect property values. I-933 says that any limit on “intensity of use” for a property triggers the initiative’s “pay or waive” requirement. With zoning laws rendered worthless, and the potential for almost any kind of property use to appear anywhere, homeownership becomes a high risk venture.

And remember...I-933 does not address “*eminent domain*” laws.

NO on 933 is endorsed by the League of Women Voters, The Nature Conservancy, Skagitonians to Preserve Farmland, Washington Wildlife Federation, Washington State Labor Council, and taxpayers and landowners throughout Washington. Contact Citizens for Community Protection P.O. Box 9100, Seattle, WA 98109-9779, www.NOon933.org

*** The State League board has endorsed Initiative 937, the Clean Energy Initiative ***

I-937 will guarantee that by 2020, 15% of the electricity from Washington’s largest utilities comes from plentiful and home-grown renewable energy sources, such as wind and solar, and help homeowners and businesses save on energy bills by assuring that we get all the cost-saving energy efficiency available in this state.

Go to www.energysecuritynow.org or call 206-283-3335 to donate or volunteer to collect signatures.

*** The State League Board voted to oppose Initiative 946 ***

Initiative Measure No. 946 concerns identity verification and immigration status of applicants for public benefits. While the League recognizes the desire to address immigration issues, this initiative is poorly written and would have negative and unintended consequences for law-abiding citizens.

- Initiative 946 would place a heavy burden, including misdemeanor charges and private suits, on our health care and emergency workers.
- This initiative would harm children by restricting access to basic human services such as pre-natal care, children’s health programs and seasonal child-care.
- The burden of proof of citizenship would fall hardest on the elderly, the homeless, victims of domestic violence and people of color. Anyone who could not provide proof of citizenship would be denied services.

Please support the **United for a Healthy Washington Coalition** in our effort to defeat -946. Volunteer, sign an endorsement form or contribute by calling (206) 726-1818.

The LWVWA opposes Initiative 946 as strongly contrary to our positions on meeting basic human needs, child-care and equal rights.

* * * Referendum 65, Washington Won't Discriminate * * *

The State League board voted to join the Washington Won't Discriminate coalition to fight the effort to repeal our State's anti-discrimination laws based on sexual orientation in housing and employment. The effort failed to collect enough signatures to qualify for the ballot.

**GMA Study Report, continued from page 1**

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be 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.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance."

(14) Shoreline Management Act.

The Shoreline Management Act (SMA) was adopted in 1971. In 1995, its goals and policies were added to the goals of the original Growth Management Act. For shorelines of the state, the goals and policies of the shoreline management act are added as one of the goals of this chapter without creating an order of priority among the fourteen goals."

GMA Requirements for All Counties and Cities

1. Designate agricultural, forest, and mineral lands.
2. Designate critical areas (wetlands, aquifer recharge areas, fish and wildlife habitat, flood plains, geologically hazardous areas) and adopt development regulations to protect them, using best available science.
3. Review and update critical areas plans every seven years. They must be reviewed and, if necessary, revised for consistency with comprehensive plans and development regulations to ensure compliance with the GMA.
4. Determine that all new subdivisions have adequate services for public health, safety and welfare.
5. Determine that adequate potable water is available before issuing new building permits.

Additional GMA Requirements for Counties and Cities Required or Choosing to Plan

- 1) All counties or cities with a population of 50,000 or more, or a 17% increase in population within the past ten years, are required to prepare and adopt comprehensive plans for 20 years of growth, and to update those plans every seven years. Other counties may choose to plan under the GMA.

Each plan must be internally consistent and include: land use, housing, capital facilities, utilities, transportation, shorelines, and parks and recreation, and, for counties only, a rural element. City and county activities and capital budgeting decisions shall conform to the plan.

A plan may also include: conservation, solar energy, recreation, transit, public facilities and buildings, redevelopment and financing capital improvements.

- 2) All fully planning counties, in cooperation with the cities, must designate the urban growth areas (UGAs) surrounding the cities. Growth is encouraged within the UGAs; it may occur outside of the UGAs if it is not urban in nature. Jurisdictions must review UGAs at least every ten years.
- 3) All county plans must be coordinated and consistent with plans of each city or county sharing a common border.
- 4) Large counties and cities within these counties must develop a 20-year population projection based on high, medium, or low figures given by the office of Financial Management (OFM) and determine whether they have enough buildable lands available to accommodate projected growth.
- 5) All fully planning counties and cities must adopt development regulations which conserve designated agricultural, forest and mineral resource lands. Jurisdictions must review their critical areas regulations to determine if they are consistent with the adopted comprehensive plan and development regulations. If they are not, they must be updated to make them consistent.
- 6) All development regulations must be consistent with each county/city's comprehensive plan.

- 7) Local governments must specify the kinds of services and facilities to be provided to support additional growth, where they will be sited, and how they will pay for them. Development and infrastructure must be planned to occur concurrently (the so-called concurrency requirement).
- 8) Early and continuous public participation is required during the process.

How Does the Planning Process Work?

The Department of Community, Trade and Economic Development (CTED) administers the GMA and helps jurisdictions with technical assistance and some financing during the development phase of their comprehensive plans and development regulations. Jurisdictions submit their completed plans to CTED for review and CTED may offer comments but does not have the authority to certify, approve, or reject plans.

Each jurisdiction must notify the public so it can participate in the planning process. During that time, a person or persons can object to any specific part of the comprehensive plan that is under review, but not to any other parts. Once a plan is developed with input from citizens at a public hearing, it goes to its county commissioners or city council for formal approval. If approved, the plan is then certified and presumed valid unless, within sixty days, one of the participating citizens files an appeal to a hearings board. Most difficulties are resolved during the planning and approval process.

The plan is then used by the jurisdiction as a guide for future proposed development projects. It is subject to continuing review and evaluation in the form of updates which occur at regular intervals, generally scheduled every seven years.

Growth Management Hearings Boards

If after a jurisdiction's comprehensive plan is approved and certified there are still major disagreements, petitions may be filed with the appropriate regional growth management hearings board. Those who may file include the governor or specific departments within the administration, the county or city that plans under GMA, or any person or persons (including associations, corporations, public or private entity, etc.) who has/have already participated on the petitioned issue during the planning process.

A jurisdiction's plan is only questioned if a petition is filed with a hearings board. Then it takes a strong "clearly erroneous case" to convince the board to declare the jurisdiction to be in non-compliance.

IN CONCLUSION, SOME OBSERVATIONS

Indisputably, Washington State has grown significantly since the enactment of the Growth Management Act. Equally indisputably, state and local jurisdictions, citizens and organizations are working hard to guide that growth under the auspices of the Act.

Some Positive Results:

- Washington State is addressing, planning for and managing growth.
- Citizens have a greater awareness of the relationships between growth and costs of growth, of development and requirements for services and transportation.
- Urban areas have increased density, taking development pressure off rural areas and reducing sprawl.
- Town cores have been revitalized as GMA has brought people back to the cities to live, work and shop.
- Growth in the urban areas has resulted in more interesting, more sought after, more economically viable downtowns and in less costly services per capita.
- An increase in experimentation with housing types has resulted in some more affordable housing.
- The requirement to set boundaries for growth has encouraged density within urban areas and reduced sprawl in outlying areas.
- Landowners, investors and businesses have a new sense of predictability and understanding of what to expect in land use.
- Many jurisdictions have less cumbersome permitting processes.
- Jurisdictions now must coordinate and cooperate with each other and think through the regional effects of their decisions.
- Planning has resulted in stronger levels of infrastructure in many areas.
- Critical fish habitat and agricultural and forest lands are increasingly well protected in many areas of the state.
- GMA is an evolutionary process, a work in progress. There are safeguards, reviews and updates of comprehensive plans to adjust to changes and trends in the state.

Continuing Challenges:

- The GMA allows considerable variation and effectiveness among local jurisdictions; decisions are often based on the political make-up of the local governing body at the time rather than on a uniform directive from the top.
- The GMA has no performance indicators, no assessment tools to measure whether it is working.

- Some jurisdictions are uncomfortable having to plan twenty years into the future.
- There has been unprecedented cooperation between cities and counties but there are still communication problems.
- Property owners, especially in areas designated as rural, continue to press their case that certain provisions of the Act place an unfair burden on them and constitute a “taking” of their property rights.
- The lack of sufficient affordable housing remains a problem.
- There is a need for better public education about the GMA.
- Jurisdictions need a broad array of revenue sources to pay for growth.
- There continues to be much development in rural areas.
- Agricultural land continues to shrink.
- The GMA is enforced only when a local entity, organization or citizen brings legal challenge to a local comprehensive plan or update.
- Many jurisdictions need more financial help from the state to help pay the costs of implementing GMA requirements.

As observed, the Growth Management Act has accomplished a great deal. Not surprisingly, though, there are still problems, still issues that need to be addressed and resolved. The Growth Management Act is, after all, only fifteen years old.

In the process of doing the full report of the LWVWA study of the Growth Management Act, the Growth Management Act study committee read about or talked to people in or about at least the following jurisdictions:

Counties: Clark, Island, Jefferson, Kitsap, King, Lewis, Mason, Okanogan, Pierce, San Juan, Skagit, Snohomish, Spokane, Thurston, Whatcom, Yakima.

Cities: Auburn, Battleground, Bellevue, Bellfair, Bellingham, Centralia, Chehalis, Duvall, Issaquah, Kenmore, Kent, Mercer Island, Olympia, Oroville, Port Townsend, Redmond, Renton, Ridgefield, Seattle, Silverdale, Spokane, Stanwood, Vancouver, Walla Walla, Winlock, Yakima.

The following is a quiz—a tough one! See if you can match some things the committee heard or read about counties and cities, to the jurisdiction—and check your answers when the full report is out later this summer. At least one copy will go to each League, and the report will be on the LWVWA website.

1. In which city? About 70% of the residents moved into downtown within the past three years.
2. In which city? The average allowed density in the Town Center is now 81 units per acre.
3. In which county? Much of the land currently under development in the proposed urban growth area is beyond the built-up urban areas.
4. What problem is this? The problem has now spilled all the way to Lewis and Whatcom Counties.
5. Which jurisdiction? ...has reported regularly on land use, economics, affordable housing, transportation and environment indicators.
6. Which county? ...has a “Farms Operation Acknowledgement Notification” that is now a required and permanent attachment to all deeds for property located close to or within agricultural lands.
7. In which city? A citizen participation group was formed at the very beginning of the GMA planning process before any proposed plan had been written, and this group worked throughout the process to help mold the entire plan.
8. In which county? Their growth rate between 1990 and 2000 was 45% and continues high.
9. In which jurisdictions? There are now reports of saltwater intrusion or other water supply problems.
10. Which jurisdictions? This city is the county’s major shopping center and its predominate sales tax revenue source. If this city incorporates, the county would lose a major source of its operating budget revenues.
11. Which jurisdiction? The median housing stock selling price advanced 57% in one year.

**EARLY BIRD REGISTRATION FOR
League of Women Voters of Washington's**

**ACTION WORKSHOP
Saturday, November 11, 2006**

St. Andrews Lutheran Church, 2650 – 148th Avenue SE, Bellevue

**Registration (\$20) begins at 9:30 a.m. with coffee and rolls
Program 10:00 a.m. – 3:00 p.m.**

*****Always great speakers and timely topics*****

Name: _____

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