

HOUSE BILL REPORT

HB 2411

As Reported by House Committee On: Local Government & Housing

Title: An act relating to amending comprehensive land use plans for the purpose of adopting subarea plan proposals.

Brief Description: Addressing subarea plan proposals as part of comprehensive land use planning.

Sponsors: Representatives Simpson, Williams, Chase and White.

Brief History:

Committee Activity:

Local Government & Housing: 1/11/10, 1/14/10 [DP].

Brief Summary of Bill

- Modifies requirements pertaining to the amendment of a comprehensive land use plan for the initial adoption of a subarea plan.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 10 members: Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Fagan, Miloscia, Short, Springer, Upthegrove, White and Williams.

Staff: Ethan Moreno (786-7386).

Background:

Growth Management Act.

The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, the GMA establishes numerous planning requirements for counties and cities obligated by mandate or choice to fully plan under the GMA (planning jurisdictions) and a reduced number of directives for all other counties and cities. Twenty-nine of Washington's 39 counties, and the cities within those counties, are planning jurisdictions.

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 directs planning jurisdictions to adopt internally consistent comprehensive land use plans (comprehensive plans) that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans must address specified planning elements, each of which is a subset of a comprehensive plan. Comprehensive plans may include subarea plans for geographic areas that are less than the entirety of the jurisdiction, provided the subarea plans are consistent with the comprehensive plan. The implementation of comprehensive plans occurs through locally-adopted development regulations mandated by the GMA.

Although comprehensive plans are subject to continuing review and evaluation by the adopting jurisdiction, amendments to comprehensive plans, with some exceptions, may only be considered by the applicable planning jurisdiction once each year. The exceptions to this limitation are as follows:

- the initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea;
- the adoption or amendment of a shoreline master program;
- the amendment of a capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget; and
- the adoption of comprehensive plan amendments necessary to enact a planned action under provisions of the State Environmental Policy Act (SEPA).

State Environmental Policy Act.

The SEPA establishes a review process for state and local governments to identify possible environmental impacts that may result from governmental decisions, including the issuance of permits or the adoption of or amendment to land use plans and regulations. Any governmental action may be conditioned or denied pursuant to the SEPA, provided the conditions or denials are based upon policies identified by the appropriate governmental authority and incorporated into formally designated regulations, plans, or codes.

Summary of Bill:

The requirements pertaining to amending a comprehensive plan for the initial adoption subarea plan are modified. A comprehensive plan amendment for the initial adoption of a subarea plan may occur more frequently than annually if the subarea plan clarifies, supplements, or implements jurisdiction-wide comprehensive plan policies. These subarea plans may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under the SEPA. A related requirement specifying that the initial adoption of a subarea plan may not modify the comprehensive plan policies and designations applicable to the subarea is deleted.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill was proposed by the American Planning Association and is a technical change. The bill will clarify what can and cannot be done with subarea plans on an annual basis. Subarea plans are an important planning tool. With some exceptions, comprehensive plans can only be amended once each year, but the current exception that allows comprehensive plans to be amended more frequently than annually for subarea plans is insufficient.

(Opposed) None.

Persons Testifying: Scott Greenberg, American Planning Association.

Persons Signed In To Testify But Not Testifying: None.