
Local Government & Housing Committee

SSB 6611

Brief Description: Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years and addressing the timing for adopting certain subarea plans.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Pridemore, Swecker and Shin; by request of Washington State Department of Commerce and Department of Ecology).

Brief Summary of Substitute Bill

- Establishes a new recurring seven-year review and revision schedule for comprehensive plans and development regulations adopted under the Growth Management Act.

Hearing Date:

Staff: Ethan Moreno (786-7386).

Background:

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 requirements for local governments 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. The Department of Commerce provides technical and financial assistance to jurisdictions that must satisfy obligations of the GMA.

Among other requirements that apply to all counties and cities, the GMA mandates that all counties and cities must, where appropriate, designate:

- agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products;

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- forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber;
- mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals; and
- critical areas, a term defined to include specific environmentally sensitive areas.

The GMA directs planning jurisdictions to adopt internally consistent comprehensive land use 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.

Although comprehensive plans may be amended, 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.

Comprehensive plans and development regulations are subject to continuing review and evaluation by the adopting county or city. With limited exceptions, including three-year extensions for qualifying counties with fewer than 50,000 residents and qualifying cities with fewer than 5,000 residents, and provisions for jurisdictions making substantial progress with certain regulatory requirements, planning jurisdictions must review and, if needed, revise their comprehensive plans and development regulations according to a recurring seven-year schedule. Jurisdictions that do not fully plan under the GMA must, except as otherwise provided, meet review and revision requirements pertaining to critical areas and natural resource lands according to this same schedule. The review schedule is as follows:

- on or before December 1, 2004, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties;
- on or before December 1, 2005, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties;
- on or before December 1, 2006, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those counties; and
- on or before December 1, 2007, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan,

Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

With some exceptions, only jurisdictions that are in compliance with the review and revision requirements of the GMA according to the review schedule are eligible to receive financial assistance from the Public Works Assistance Account and the Water Quality Account.

Summary of Bill:

Following the reviews of comprehensive plans and development regulations that were to be completed by jurisdictions between December 1, 2004, and December 1, 2007, counties and cities must review and, if needed, revise their comprehensive plans and development regulations to ensure the plans and regulations comply with the requirements of the GMA. The review schedule is as follows:

- on or before December 1, 2014, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties;
- on or before December 1, 2015, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties;
- on or before December 1, 2016, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those counties; and
- on or before December 1, 2017, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

Qualifying counties with fewer than 50,000 residents and qualifying cities with fewer than 5,000 residents that are obligated to comply with review and revision requirements by December 1, 2007 are granted an additional three-year extension for meeting the review and revision requirements.

Jurisdictions that comply with the review and revision deadlines or meet various extension provisions are eligible to receive financial assistance from the Public Works Assistance Account and the Water Quality Account.

An additional exception to provisions generally prohibiting comprehensive plan amendments more frequently than annually is specified. Comprehensive plans may be amended more often than once per year if the amendment is for the development of an initial subarea plan for economic development that is located outside of a 100-year floodplain and in a qualifying county.

Technical corrections, including the deletion of expired provisions, are included. Additionally, a provision granting a one-year extension for review and revision requirements for development regulations that protect critical areas that were to be completed between December 1, 2005, and December 1, 2007, 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.