
Local Government Committee

BILL ANALYSIS ESB 6446

TITLE OF THE BILL: *Providing for review and evaluation of a city or county's comprehensive growth plan.*

Brief Analysis:

- Extends deadline for revision of the Growth Management Act comprehensive plans and development regulations from 2002 to 2003 (retains 2002 deadline to take action to review plans and regulations).
- Specifies "take action to review" includes submission of local governments' evaluations regarding process and schedule for considering GMA amendments.
- Establishes a schedule for local governments to develop or amend shoreline master programs based on state guidelines adopted before December 31, 2000.
- Authorizes local governments to create lake management districts for any period to assist with development and implementation of comprehensive plan elements related to long-term lake management objectives.

SPONSORS: Senators Patterson and Oke; by request of Department of Community, Trade, and Economic Development.

HEARING DATE: Monday, February 21, 2000.

EFFECTIVE DATE: Ninety days after adjournment of session in which bill is passed.

FISCAL NOTE: Requested on February 18, 2000.

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BACKGROUND:

Growth Management Act

The Growth Management Act (GMA) requires a county and its cities to plan if the county:

- has a population of 50,000 or more and had its population increase by at least 17 percent in the past 10 years; or
- has a population fewer than 50,000 and had its population increase by at least 20 percent in the past 10 years (unless the county adopted or adopts a resolution removing itself from this requirement within the specified time period).

The population and 10-year growth criteria are determined by the Office of Financial Management (OFM). Counties not meeting these criteria may choose to plan under the GMA.

The GMA requires all counties and cities in the state to designate and protect critical areas and to designate natural resource lands. The GMA imposes additional requirements on counties and cities planning under RCW 36.70A.040 (GMA jurisdictions), including: (1) designation of urban growth areas; (2) adoption of comprehensive plans with specified required and optional elements; and (3) adoption of development regulations implementing the comprehensive plans.

Generally, a GMA jurisdiction is required to adopt a comprehensive plan and implementing development regulations consistent with GMA requirements within four years of the date the GMA jurisdiction became required or chose to plan under RCW 36.70A.040. By September 1, 2002, and every five years thereafter, GMA jurisdictions must review their comprehensive plans and development regulations for consistency with GMA requirements and revise their plans and regulations if necessary.

Shoreline Management Act

The SMA requires counties and cities to adopt local shoreline master programs regulating land use activities in shoreline areas of the state and to enforce approved programs within their jurisdictions. The SMA also requires the Department of Ecology (DOE) to adopt guidelines for local governments to use when developing these local shoreline master programs. The DOE must provide an opportunity for local governments and others to comment on the proposed guidelines and must hold public hearings before the proposed guidelines are adopted. The DOE may propose amendments to the guidelines no more than once per year and must review the guidelines at least once every five years.

Local governments must develop or amend shoreline master programs consistent with the DOE guidelines within 24 months after the DOE guidelines are adopted. The DOE considers the adopted guidelines and SMA requirements when reviewing and approving local shoreline master programs. DOE's decision approving or rejecting a local shoreline master program may be appealed to the Shorelines Hearings Board.

Lake Management Districts

Counties may create lake management districts to finance the improvement and maintenance of lakes within or partially within the county boundaries. These districts may be created for a maximum of ten years. A lake management district may include all or a portion of a lake or lakes and the adjacent land

areas, and a lake may be in more than one district.

Special assessments or rates or charges may be imposed annually on property within the district to finance a variety of lake improvement and maintenance activities, including: (1) control or removal of aquatic plants and vegetation; (2) water quality; (3) control of water levels; (4) storm water diversions and treatment; (5) agricultural waste control; (6) studying lake water quality problems and solutions; (7) cleaning and maintaining ditches and streams entering or leaving the lake; and (8) related administrative, engineering, legal, and operational costs, including the costs of creating the district.

SUMMARY:

Growth Management Act

The current requirement for counties and cities to take action to review comprehensive plans and development regulations adopted under Growth Management Act (GMA) requirements by September 1, 2002, and at least every five years thereafter, is retained. For purposes of this requirement, "take action to review" includes submission by all counties and cities planning under RCW 36.70.040 (GMA jurisdictions) of an evaluation indicating review and evaluation processes and schedules for considering amendments to ensure compliance with GMA requirements.

If needed, all counties and cities must revise GMA comprehensive plans and development regulations to ensure compliance with GMA requirements by September 1, 2003, and at least every five years thereafter.

Shoreline Management Act

Consistent with the priority salmon recovery regions identified in the statewide salmon recovery strategy and with population growth data provided by the Office of Financial Management, the following local shoreline master program development or amendment schedule is established for state shoreline master program guidelines adopted before December 31, 2000:

- **36 months** for King, Snohomish, Pierce, Clark, and Kitsap Counties and their cities and towns with shorelines of the state;
- **48 months** for Thurston, Whatcom, Benton, Yakima, Skagit, Cowlitz, Clallam, Chelan, Mason and Jefferson Counties and their cities and towns with shorelines of the state; and
- **60 months** for all other counties, cities and towns with shorelines of the state.

For state shoreline master program guidelines adopted at any time other than before December 31, 2000, local governments must develop or amend local shoreline master programs within twenty-four months after the guidelines are adopted.

Upon local government request, the Department of Ecology may grant extensions of up to twelve months after the deadline for development or amendment of local shoreline master programs.

Lake Management Districts

Local governments may create lake management districts for any period to assist with development and implementation of elements of comprehensive plans related to long-term lake management objectives in

coordination with revision of comprehensive plans. The provision restricting duration of a lake management district to 10 years is removed. The maximum 10-year term for lake management district bonds also is removed.