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## Local Government Committee

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# HB 2781

**Brief Description:** Changing provisions relating to state agency review of development regulations.

**Sponsors:** Representatives Upthegrove, Schindler, Jarrett, Clibborn and Schual-Berke.

### Brief Summary of Bill

- Requires counties and cities to notify the Department of Community, Trade and Economic Development (CTED) of the proposed adoption of certain development regulation amendments at least 30 (rather than 60) days before final adoption.
- Exempts certain ordinances, regulations, and other amendatory actions related to development regulations from specific notification requirements before final adoption.

**Hearing Date:** 1/29/04

**Staff:** Ethan Moreno (786-7386).

### Background:

The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA (GMA jurisdictions).

GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. GMA jurisdictions also must adopt development regulations that are consistent with and implement the comprehensive plan.

Comprehensive plans and development regulations are subject to continuing review and evaluation by the adopting county or city. With limited exceptions, however, amendments to a comprehensive plan may be considered by the governing body of the local jurisdiction no more frequently than once every year. Additionally, GMA jurisdictions must review and, if needed, revise their comprehensive plans and development regulations according to a statutory schedule.

The Department of Community, Trade and Economic Development (CTED) provides technical and financial assistance to jurisdictions implementing the GMA. The CTED also adopts procedural criteria to assist counties and cities in adopting comprehensive plans and development regulations that meet the goals and requirements of the GMA.

Proposed amendments for permanent changes to an adopted comprehensive plan or development regulation must be submitted by the proposing jurisdiction to the CTED at least 60 days prior to final adoption. State agencies, including the CTED, may provide comments to the county or city on the proposed amendment during a public review process prior to adoption. Amendments must be transmitted to the CTED within ten days after final adoption.

**Summary of Bill:**

Except as provided, each county and city proposing adoption of any amendments for permanent changes to a development regulation under the GMA must notify the CTED at least 30 days prior to final adoption. The following are exempt from the specified notification requirements:

- ordinances governing wireless communication facilities;
- sign codes;
- ordinances related to the siting of adult entertainment establishments;
- development regulations related to fences or accessory structures that do not alter the permitted underlying density;
- development regulations amendments to allowable height or bulk in a zone that do not alter the permitted underlying density;
- development regulations related to landscaping requirements that are not related to critical areas or clearing and grading;
- capital improvement programs or transportation programs adopted by reference; and
- site specific rezones authorized by a comprehensive plan or subarea plan and defined as a "project permit" or "project permit application" by statute.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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