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## Local Government Committee

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### HB 2194

**Brief Description:** Changing public participation requirements of the growth management act.

**Sponsors:** Representatives Springer and Simpson.

Brief Summary of Bill
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| <ul style="list-style-type: none"><li>• Requires that the public notification process with respect to comprehensive plan review and evaluation be commenced at least one year in advance of the statutorily required completion date.</li></ul> |
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**Hearing Date:** 2/28/05

**Staff:** CeCe Clynch (786-7168).

**Background:**

Enacted in 1990 and 1991, the Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. The GMA includes several broad goals which are to guide local governments in the adoption of comprehensive plans and development regulations. The GMA also includes public participation and notice provisions and sets various completion dates.

GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. Development regulations must be consistent with and implement the comprehensive plan. The GMA sets forth the following schedule for counties and cities to take action to review and, if needed, revise their comprehensive plans and development regulations:

- 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.

The GMA requires notice that is reasonably calculated to provide notice. Various types of notice are cited as "reasonable notice provisions", such as posting property for site-specific proposals, publishing notice in a newspaper of general circulation, and notifying interest groups with a known interest in a certain type of proposal. There are no time requirements specific to these notice provisions in statute. The law, as well as the regulations adopted by the Department of Community, Trade, and Economic Development, requires that each county and city establish procedures "for early and continuous public participation." Failure to exactly comply with established procedures does not render the plan or the regulations invalid if the spirit of the procedures is observed.

**Summary of Bill:**

The public notification process with respect to review and evaluation of comprehensive plans and development regulations must begin no later than one year before the completion date specified for that particular county or city. Those cities and counties required to complete review and evaluation on or before December 1, 2005 are required to commence the notice process "as soon as reasonably possible" since they cannot possibly comply with a one year notice requirement if this bill becomes law.

The statute which encourages early and continuous public participation is also amended to include the same one year notice requirement, with a similar exception made for those counties required to complete review and evaluation by December 1, 2005.

Counties and cities which had to meet a December 1, 2004 deadline, are wholly exempted from the one year time requirement.

Finally, it is provided that the one year notice provision requirement is "procedural and not substantive."

**Appropriation:** None.

**Fiscal Note:** Not requested.

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