
SENATE BILL 5022

State of Washington

58th Legislature

2003 Regular Session

By Senators Parlette, Haugen, Zarelli, Hale, Stevens, Mulliken and T. Sheldon

Read first time 01/13/2003. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to comprehensive plan amendment procedures; and
2 amending RCW 36.70A.130.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.70A.130 and 2002 c 320 s 1 are each amended to read
5 as follows:

6 (1)(a) Each comprehensive land use plan and development regulations
7 shall be subject to continuing review and evaluation by the county or
8 city that adopted them. A county or city shall take legislative action
9 to review and, if needed, revise its comprehensive land use plan and
10 development regulations to ensure the plan and regulations comply with
11 the requirements of this chapter according to the time periods
12 specified in subsection (4) of this section. A county or city not
13 planning under RCW 36.70A.040 shall take action to review and, if
14 needed, revise its policies and development regulations regarding
15 critical areas and natural resource lands adopted according to this
16 chapter to ensure these policies and regulations comply with the
17 requirements of this chapter according to the time periods specified in
18 subsection (4) of this section. Legislative action means the adoption

1 of a resolution or ordinance following notice and a public hearing
2 indicating at a minimum, a finding that a review and evaluation has
3 occurred and identifying the revisions made, or that a revision was not
4 needed and the reasons therefore. The review and evaluation required
5 by this subsection may be combined with the review required by
6 subsection (3) of this section. The review and evaluation required by
7 this subsection shall include, but is not limited to, consideration of
8 critical area ordinances and, if planning under RCW 36.70A.040, an
9 analysis of the population allocated to a city or county from the most
10 recent ten-year population forecast by the office of financial
11 management.

12 (b) Any amendment of or revision to a comprehensive land use plan
13 shall conform to this chapter. Any amendment of or revision to
14 development regulations shall be consistent with and implement the
15 comprehensive plan.

16 (2)(a) Each county and city shall establish and broadly disseminate
17 to the public a public participation program consistent with RCW
18 36.70A.035 and 36.70A.140 that identifies procedures and schedules
19 whereby updates, proposed amendments, or revisions of the comprehensive
20 plan are considered by the governing body of the county or city no more
21 frequently than once every year. "Updates" means to review and revise,
22 if needed, according to subsection (1) of this section, and the time
23 periods specified in subsection (4) of this section. Amendments may be
24 considered more frequently than once per year under the following
25 circumstances:

26 (i) The governing body of the county or city may by ordinance or
27 resolution establish a procedure for consideration of amendments no
28 more frequently than once every six months;

29 (ii) The initial adoption of a subarea plan that does not modify
30 the comprehensive plan policies and designations applicable to the
31 subarea;

32 (~~(iii)~~) (iii) The adoption or amendment of a shoreline master
33 program under the procedures set forth in chapter 90.58 RCW; and

34 (~~(iii)~~) (iv) The amendment of the capital facilities element of
35 a comprehensive plan that occurs concurrently with the adoption or
36 amendment of a county or city budget.

37 (b) Except as otherwise provided in (a) of this subsection, all
38 proposals shall be considered by the governing body concurrently so the

1 cumulative effect of the various proposals can be ascertained.
2 However, after appropriate public participation a county or city may
3 adopt amendments or revisions to its comprehensive plan that conform
4 with this chapter whenever an emergency exists or to resolve an appeal
5 of a comprehensive plan filed with a growth management hearings board
6 or with the court.

7 (3) Each county that designates urban growth areas under RCW
8 36.70A.110 shall review, at least every ten years, its designated urban
9 growth area or areas, and the densities permitted within both the
10 incorporated and unincorporated portions of each urban growth area. In
11 conjunction with this review by the county, each city located within an
12 urban growth area shall review the densities permitted within its
13 boundaries, and the extent to which the urban growth occurring within
14 the county has located within each city and the unincorporated portions
15 of the urban growth areas. The county comprehensive plan designating
16 urban growth areas, and the densities permitted in the urban growth
17 areas by the comprehensive plans of the county and each city located
18 within the urban growth areas, shall be revised to accommodate the
19 urban growth projected to occur in the county for the succeeding
20 twenty-year period. The review required by this subsection may be
21 combined with the review and evaluation required by RCW 36.70A.215.

22 (4) The department shall establish a schedule for counties and
23 cities to take action to review and, if needed, revise their
24 comprehensive plans and development regulations to ensure the plan and
25 regulations comply with the requirements of this chapter. The schedule
26 established by the department shall provide for the reviews and
27 evaluations to be completed as follows:

28 (a) On or before December 1, 2004, and every seven years
29 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
30 Snohomish, Thurston, and Whatcom counties and the cities within those
31 counties;

32 (b) On or before December 1, 2005, and every seven years
33 thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and
34 Skamania counties and the cities within those counties;

35 (c) On or before December 1, 2006, and every seven years
36 thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and
37 Yakima counties and the cities within those counties; and

1 (d) On or before December 1, 2007, and every seven years
2 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,
3 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
4 Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities
5 within those counties.

6 (5)(a) Nothing in this section precludes a county or city from
7 conducting the review and evaluation required by this section before
8 the time limits established in subsection (4) of this section.
9 Counties and cities may begin this process early and may be eligible
10 for grants from the department, subject to available funding, if they
11 elect to do so.

12 (b) State agencies are encouraged to provide technical assistance
13 to the counties and cities in the review of critical area ordinances,
14 comprehensive plans, and development regulations.

15 (6) A county or city subject to the time periods in subsection
16 (4)(a) of this section that, pursuant to an ordinance adopted by the
17 county or city establishing a schedule for periodic review of its
18 comprehensive plan and development regulations, has conducted a review
19 and evaluation of its comprehensive plan and development regulations
20 and, on or after January 1, 2001, has taken action in response to that
21 review and evaluation shall be deemed to have conducted the first
22 review required by subsection (4)(a) of this section. Subsequent
23 review and evaluation by the county or city of its comprehensive plan
24 and development regulations shall be conducted in accordance with the
25 time periods established under subsection (4)(a) of this section.

26 (7) The requirements imposed on counties and cities under this
27 section shall be considered "requirements of this chapter" under the
28 terms of RCW 36.70A.040(1). Only those counties and cities in
29 compliance with the schedules in this section shall have the requisite
30 authority to receive grants, loans, pledges, or financial guarantees
31 from those accounts established in RCW 43.155.050 and 70.146.030. Only
32 those counties and cities in compliance with the schedules in this
33 section shall receive preference for grants or loans subject to the
34 provisions of RCW 43.17.250.

--- END ---