
HOUSE BILL 2135

State of Washington 59th Legislature 2005 Regular Session

By Representatives Orcutt, Takko, Curtis, Blake, Jarrett, Holmquist,
Strow and Talcott

Read first time 02/18/2005. Referred to Committee on Local Government.

1 AN ACT Relating to extending the deadlines and update frequency of
2 comprehensive plan updates; and 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
19 of a resolution or ordinance following notice and a public hearing

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

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

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

25 (i) The initial adoption of a subarea plan that does not modify the
26 comprehensive plan policies and designations applicable to the subarea;

27 (ii) The adoption or amendment of a shoreline master program under
28 the procedures set forth in chapter 90.58 RCW; and

29 (iii) The amendment of the capital facilities element of a
30 comprehensive plan that occurs concurrently with the adoption or
31 amendment of a county or city budget.

32 (b) Except as otherwise provided in (a) of this subsection, all
33 proposals shall be considered by the governing body concurrently so the
34 cumulative effect of the various proposals can be ascertained.
35 However, after appropriate public participation a county or city may
36 adopt amendments or revisions to its comprehensive plan that conform
37 with this chapter whenever an emergency exists or to resolve an appeal

1 of a comprehensive plan filed with a growth management hearings board
2 or with the court.

3 (3) Each county that designates urban growth areas under RCW
4 36.70A.110 shall review, at least every ten years, its designated urban
5 growth area or areas, and the densities permitted within both the
6 incorporated and unincorporated portions of each urban growth area. In
7 conjunction with this review by the county, each city located within an
8 urban growth area shall review the densities permitted within its
9 boundaries, and the extent to which the urban growth occurring within
10 the county has located within each city and the unincorporated portions
11 of the urban growth areas. The county comprehensive plan designating
12 urban growth areas, and the densities permitted in the urban growth
13 areas by the comprehensive plans of the county and each city located
14 within the urban growth areas, shall be revised to accommodate the
15 urban growth projected to occur in the county for the succeeding
16 twenty-year period. The review required by this subsection may be
17 combined with the review and evaluation required by RCW 36.70A.215.

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

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

31 (b) On or before December 1, ~~((2005))~~ 2007, and every ~~((seven))~~ ten
32 years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit,
33 and Skamania counties and the cities within those counties;

34 (c) On or before December 1, ~~((2006))~~ 2008, and every ~~((seven))~~ ten
35 years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas,
36 Spokane, and Yakima counties and the cities within those counties; and

37 (d) On or before December 1, ~~((2007))~~ 2009, and every ~~((seven))~~ ten
38 years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin,

1 Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend
2 Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the
3 cities within those counties.

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

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

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

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

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