

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE HOUSE BILL 2342**

Chapter 113, Laws of 2020

66th Legislature  
2020 Regular Session

GROWTH MANAGEMENT ACT AND SHORELINE MANAGEMENT ACT--PLAN/PROGRAM  
UPDATE TIMING

EFFECTIVE DATE: June 11, 2020—Except for section 2, which becomes  
effective July 1, 2025.

Passed by the House March 9, 2020  
Yeas 78 Nays 18

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 6, 2020  
Yeas 46 Nays 3

CYRUS HABIB

**President of the Senate**

Approved March 25, 2020 3:00 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2342** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 26, 2020

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2342**

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AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

**State of Washington                      66th Legislature                      2020 Regular Session**

**By** House Environment & Energy (originally sponsored by  
Representatives Fitzgibbon, Leavitt, Tharinger, Walen, Doglio,  
Pollet, and Appleton)

READ FIRST TIME 02/07/20.

1            AN ACT Relating to aligning the timing of comprehensive plan  
2 updates required by the growth management act with the timing of  
3 shoreline master program updates required by the shoreline management  
4 act; amending RCW 36.70A.130 and 90.58.080; and providing an  
5 effective date.

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

7            **Sec. 1.** RCW 36.70A.130 and 2012 c 191 s 1 are each amended to  
8 read as follows:

9            (1)(a) Each comprehensive land use plan and development  
10 regulations shall be subject to continuing review and evaluation by  
11 the county or city that adopted them. Except as otherwise provided, a  
12 county or city shall take legislative action to review and, if  
13 needed, revise its comprehensive land use plan and development  
14 regulations to ensure the plan and regulations comply with the  
15 requirements of this chapter according to the deadlines in  
16 subsections (4) and (5) of this section.

17            (b) Except as otherwise provided, a county or city not planning  
18 under RCW 36.70A.040 shall take action to review and, if needed,  
19 revise its policies and development regulations regarding critical  
20 areas and natural resource lands adopted according to this chapter to  
21 ensure these policies and regulations comply with the requirements of

1 this chapter according to the deadlines in subsections (4) and (5) of  
2 this section. Legislative action means the adoption of a resolution  
3 or ordinance following notice and a public hearing indicating at a  
4 minimum, a finding that a review and evaluation has occurred and  
5 identifying the revisions made, or that a revision was not needed and  
6 the reasons therefor.

7 (c) The review and evaluation required by this subsection shall  
8 include, but is not limited to, consideration of critical area  
9 ordinances and, if planning under RCW 36.70A.040, an analysis of the  
10 population allocated to a city or county from the most recent ten-  
11 year population forecast by the office of financial management.

12 (d) 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  
17 disseminate to the public a public participation program consistent  
18 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and  
19 schedules whereby updates, proposed amendments, or revisions of the  
20 comprehensive plan are considered by the governing body of the county  
21 or city no more frequently than once every year (~~(, except that, until~~  
22 ~~December 31, 2015, the program shall provide for consideration of~~  
23 ~~amendments of an urban growth area in accordance with RCW 36.70A.1301~~  
24 ~~once every year)~~). "Updates" means to review and revise, if needed,  
25 according to subsection (1) of this section, and the deadlines in  
26 subsections (4) and (5) of this section or in accordance with the  
27 provisions of subsection (6) of this section. Amendments may be  
28 considered more frequently than once per year under the following  
29 circumstances:

30 (i) The initial adoption of a subarea plan. Subarea plans adopted  
31 under this subsection (2)(a)(i) must clarify, supplement, or  
32 implement jurisdiction-wide comprehensive plan policies, and may only  
33 be adopted if the cumulative impacts of the proposed plan are  
34 addressed by appropriate environmental review under chapter 43.21C  
35 RCW;

36 (ii) The development of an initial subarea plan for economic  
37 development located outside of the one hundred year floodplain in a  
38 county that has completed a state-funded pilot project that is based  
39 on watershed characterization and local habitat assessment;

1 (iii) The adoption or amendment of a shoreline master program  
2 under the procedures set forth in chapter 90.58 RCW;

3 (iv) The amendment of the capital facilities element of a  
4 comprehensive plan that occurs concurrently with the adoption or  
5 amendment of a county or city budget; or

6 (v) The adoption of comprehensive plan amendments necessary to  
7 enact a planned action under RCW (~~(43.21C.031(2))~~) 43.21C.440,  
8 provided that amendments are considered in accordance with the public  
9 participation program established by the county or city under this  
10 subsection (2)(a) and all persons who have requested notice of a  
11 comprehensive plan update are given notice of the amendments and an  
12 opportunity to comment.

13 (b) Except as otherwise provided in (a) of this subsection, all  
14 proposals shall be considered by the governing body concurrently so  
15 the cumulative effect of the various proposals can be ascertained.  
16 However, after appropriate public participation a county or city may  
17 adopt amendments or revisions to its comprehensive plan that conform  
18 with this chapter whenever an emergency exists or to resolve an  
19 appeal of a comprehensive plan filed with the growth management  
20 hearings board or with the court.

21 (3)(a) Each county that designates urban growth areas under RCW  
22 36.70A.110 shall review, according to the schedules established in  
23 (~~subsection~~) subsections (4) and (5) of this section, its  
24 designated urban growth area or areas, and the densities permitted  
25 within both the incorporated and unincorporated portions of each  
26 urban growth area. In conjunction with this review by the county,  
27 each city located within an urban growth area shall review the  
28 densities permitted within its boundaries, and the extent to which  
29 the urban growth occurring within the county has located within each  
30 city and the unincorporated portions of the urban growth areas.

31 (b) The county comprehensive plan designating urban growth areas,  
32 and the densities permitted in the urban growth areas by the  
33 comprehensive plans of the county and each city located within the  
34 urban growth areas, shall be revised to accommodate the urban growth  
35 projected to occur in the county for the succeeding twenty-year  
36 period. The review required by this subsection may be combined with  
37 the review and evaluation required by RCW 36.70A.215.

38 (~~(4) (Except as provided in subsection (6) of this section,~~  
39 ~~counties and cities shall take action to review and, if needed,~~  
40 ~~revise their comprehensive plans and development regulations to~~

1 ~~ensure the plan and regulations comply with the requirements of this~~  
2 ~~chapter as follows:~~

3 ~~(a) On or before December 1, 2004, for Clallam, Clark, Jefferson,~~  
4 ~~King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and~~  
5 ~~the cities within those counties;~~

6 ~~(b) On or before December 1, 2005, for Cowlitz, Island, Lewis,~~  
7 ~~Mason, San Juan, Skagit, and Skamania counties and the cities within~~  
8 ~~those counties;~~

9 ~~(c) On or before December 1, 2006, for Benton, Chelan, Douglas,~~  
10 ~~Grant, Kittitas, Spokane, and Yakima counties and the cities within~~  
11 ~~those counties; and~~

12 ~~(d) On or before December 1, 2007, for Adams, Asotin, Columbia,~~  
13 ~~Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln,~~  
14 ~~Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and~~  
15 ~~Whitman counties and the cities within those counties.~~

16 ~~(5)) Except as otherwise provided in subsections (6) and (8) of~~  
17 ~~this section, ((following the review of comprehensive plans and~~  
18 ~~development regulations required by subsection (4) of this section,))~~  
19 ~~counties and cities shall take action to review and, if needed,~~  
20 ~~revise their comprehensive plans and development regulations to~~  
21 ~~ensure the plan and regulations comply with the requirements of this~~  
22 ~~chapter as follows:~~

23 ~~(a) On or before June 30, 2015, ((and every eight years~~  
24 ~~thereafter,)) for King, Pierce, and Snohomish counties and the cities~~  
25 ~~within those counties;~~

26 ~~(b) On or before June 30, 2016, ((and every eight years~~  
27 ~~thereafter,)) for Clallam, Clark, Island, Jefferson, Kitsap, Mason,~~  
28 ~~San Juan, Skagit, Thurston, and Whatcom counties and the cities~~  
29 ~~within those counties;~~

30 ~~(c) On or before June 30, 2017, ((and every eight years~~  
31 ~~thereafter,)) for Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis,~~  
32 ~~Skamania, Spokane, and Yakima counties and the cities within those~~  
33 ~~counties; and~~

34 ~~(d) On or before June 30, 2018, ((and every eight years~~  
35 ~~thereafter,)) for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,~~  
36 ~~Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend~~  
37 ~~Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and~~  
38 ~~the cities within those counties.~~

39 (5) Except as otherwise provided in subsections (6) and (8) of  
40 this section, following the review of comprehensive plans and

1 development regulations required by subsection (4) of this section,  
2 counties and cities shall take action to review and, if needed,  
3 revise their comprehensive plans and development regulations to  
4 ensure the plan and regulations comply with the requirements of this  
5 chapter as follows:

6 (a) On or before June 30, 2024, and every eight years thereafter,  
7 for King, Kitsap, Pierce, and Snohomish counties and the cities  
8 within those counties;

9 (b) On or before June 30, 2025, and every eight years thereafter,  
10 for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan,  
11 Skagit, Thurston, and Whatcom counties and the cities within those  
12 counties;

13 (c) On or before June 30, 2026, and every eight years thereafter,  
14 for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania,  
15 Spokane, Walla Walla, and Yakima counties and the cities within those  
16 counties; and

17 (d) On or before June 30, 2027, and every eight years thereafter,  
18 for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor,  
19 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,  
20 Wahkiakum, and Whitman counties and the cities within those counties.

21 (6) (a) Nothing in this section precludes a county or city from  
22 conducting the review and evaluation required by this section before  
23 the deadlines established in subsections (4) and (5) of this section.  
24 Counties and cities may begin this process early and may be eligible  
25 for grants from the department, subject to available funding, if they  
26 elect to do so.

27 ~~(b) ((A county that is subject to a deadline established in~~  
28 ~~subsection (4) (b) through (d) of this section and meets the following~~  
29 ~~criteria may comply with the requirements of this section at any time~~  
30 ~~within the thirty-six months following the deadline established in~~  
31 ~~subsection (4) of this section: The county has a population of less~~  
32 ~~than fifty thousand and has had its population increase by no more~~  
33 ~~than seventeen percent in the ten years preceding the deadline~~  
34 ~~established in subsection (4) of this section as of that date.~~

35 ~~(c) A city that is subject to a deadline established in~~  
36 ~~subsection (4) (b) through (d) of this section and meets the following~~  
37 ~~criteria may comply with the requirements of this section at any time~~  
38 ~~within the thirty-six months following the deadline established in~~  
39 ~~subsection (4) of this section: The city has a population of no more~~  
40 ~~than five thousand and has had its population increase by the greater~~

1 of either no more than one hundred persons or no more than seventeen  
2 percent in the ten years preceding the deadline established in  
3 subsection (4) of this section as of that date.

4 ~~(d) A county or city that is subject to a deadline established in~~  
5 ~~subsection (4) (d) of this section and that meets the criteria~~  
6 ~~established in (b) or (c) of this subsection may comply with the~~  
7 ~~requirements of subsection (4) (d) of this section at any time within~~  
8 ~~the thirty-six months after the extension provided in (b) or (c) of~~  
9 ~~this subsection.~~

10 (e)) A county that is subject to a deadline established in  
11 subsection (5) (~~(b) through (d)~~) (a) (ii) through (iv) of this  
12 section and meets the following criteria may comply with the  
13 requirements of this section at any time within the twenty-four  
14 months following the deadline established in subsection (5) of this  
15 section: The county has a population of less than fifty thousand and  
16 has had its population increase by no more than seventeen percent in  
17 the ten years preceding the deadline established in subsection (5) of  
18 this section as of that date.

19 (~~(f)~~) (c) A city that is subject to a deadline established in  
20 subsection (5) (~~(b) through (d)~~) (a) (ii) through (iv) of this  
21 section and meets the following criteria may comply with the  
22 requirements of this section at any time within the twenty-four  
23 months following the deadline established in subsection (5) of this  
24 section: The city has a population of no more than five thousand and  
25 has had its population increase by the greater of either no more than  
26 one hundred persons or no more than seventeen percent in the ten  
27 years preceding the deadline established in subsection (5) of this  
28 section as of that date.

29 (~~(g)~~) (d) State agencies are encouraged to provide technical  
30 assistance to the counties and cities in the review of critical area  
31 ordinances, comprehensive plans, and development regulations.

32 (7) (a) The requirements imposed on counties and cities under this  
33 section shall be considered "requirements of this chapter" under the  
34 terms of RCW 36.70A.040(1). Only those counties and cities that meet  
35 the following criteria may receive grants, loans, pledges, or  
36 financial guarantees under chapter 43.155 or 70.146 RCW:

37 (i) Complying with the deadlines in this section; or

38 (ii) Demonstrating substantial progress towards compliance with  
39 the schedules in this section for development regulations that  
40 protect critical areas (~~(; or~~

1 ~~(iii) Complying with the extension provisions of subsection~~  
2 ~~(6)(b), (c), or (d) of this section).~~

3 (b) A county or city that is fewer than twelve months out of  
4 compliance with the schedules in this section for development  
5 regulations that protect critical areas is making substantial  
6 progress towards compliance. Only those counties and cities in  
7 compliance with the schedules in this section may receive preference  
8 for grants or loans subject to the provisions of RCW 43.17.250.

9 (8)(a) Except as otherwise provided in (c) of this subsection, if  
10 a participating watershed is achieving benchmarks and goals for the  
11 protection of critical areas functions and values, the county is not  
12 required to update development regulations to protect critical areas  
13 as they specifically apply to agricultural activities in that  
14 watershed.

15 (b) A county that has made the election under RCW 36.70A.710(1)  
16 may only adopt or amend development regulations to protect critical  
17 areas as they specifically apply to agricultural activities in a  
18 participating watershed if:

19 (i) A work plan has been approved for that watershed in  
20 accordance with RCW 36.70A.725;

21 (ii) The local watershed group for that watershed has requested  
22 the county to adopt or amend development regulations as part of a  
23 work plan developed under RCW 36.70A.720;

24 (iii) The adoption or amendment of the development regulations is  
25 necessary to enable the county to respond to an order of the growth  
26 management hearings board or court;

27 (iv) The adoption or amendment of development regulations is  
28 necessary to address a threat to human health or safety; or

29 (v) Three or more years have elapsed since the receipt of  
30 funding.

31 (c) Beginning ten years from the date of receipt of funding, a  
32 county that has made the election under RCW 36.70A.710(1) must review  
33 and, if necessary, revise development regulations to protect critical  
34 areas as they specifically apply to agricultural activities in a  
35 participating watershed in accordance with the review and revision  
36 requirements and timeline in subsection (5) of this section. This  
37 subsection (8)(c) does not apply to a participating watershed that  
38 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's  
39 goals and benchmarks for protection have been met.

1       **Sec. 2.** RCW 90.58.080 and 2011 c 353 s 13 are each amended to  
2 read as follows:

3       (1) Local governments shall develop or amend a master program for  
4 regulation of uses of the shorelines of the state consistent with the  
5 required elements of the guidelines adopted by the department in  
6 accordance with the schedule established by this section.

7       (2)(a) Subject to the provisions of subsections (5) and (6) of  
8 this section, each local government subject to this chapter shall  
9 develop or amend its master program for the regulation of uses of  
10 shorelines within its jurisdiction according to the following  
11 schedule:

12       (i) On or before December 1, 2005, for the city of Port Townsend,  
13 the city of Bellingham, the city of Everett, Snohomish county, and  
14 Whatcom county;

15       (ii) On or before December 1, 2009, for King county and the  
16 cities within King county greater in population than ten thousand;

17       (iii) Except as provided by (a)(i) and (ii) of this subsection,  
18 on or before December 1, 2011, for Clallam, Clark, Jefferson, King,  
19 Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the  
20 cities within those counties;

21       (iv) On or before December 1, 2012, for Cowlitz, Island, Lewis,  
22 Mason, San Juan, Skagit, and Skamania counties and the cities within  
23 those counties;

24       (v) On or before December 1, 2013, for Benton, Chelan, Douglas,  
25 Grant, Kittitas, Spokane, and Yakima counties and the cities within  
26 those counties; and

27       (vi) On or before December 1, 2014, for Adams, Asotin, Columbia,  
28 Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln,  
29 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and  
30 Whitman counties and the cities within those counties.

31       (b) Nothing in this subsection (2) shall preclude a local  
32 government from developing or amending its master program prior to  
33 the dates established by this subsection (2).

34       (3)(a) Following approval by the department of a new or amended  
35 master program, local governments required to develop or amend master  
36 programs on or before December 1, 2009, as provided by subsection  
37 (2)(a)(i) and (ii) of this section, shall be deemed to have complied  
38 with the schedule established by subsection (2)(a)(iii) of this  
39 section and shall not be required to complete master program  
40 amendments until the applicable dates established by subsection

1 (4)(b) of this section. Any jurisdiction listed in subsection  
2 (2)(a)(i) of this section that has a new or amended master program  
3 approved by the department on or after March 1, 2002, but before July  
4 27, 2003, shall not be required to complete master program amendments  
5 until the applicable date provided by subsection (4)(b) of this  
6 section.

7 (b) Following approval by the department of a new or amended  
8 master program, local governments choosing to develop or amend master  
9 programs on or before December 1, 2009, shall be deemed to have  
10 complied with the schedule established by subsection (2)(a)(iii)  
11 through (vi) of this section and shall not be required to complete  
12 master program amendments until the applicable dates established by  
13 subsection (4)(b) of this section.

14 (4)(a) Following the updates required by subsection (2) of this  
15 section, local governments shall conduct a review of their master  
16 programs at least once every eight years as required by (b) of this  
17 subsection. Following the review required by this subsection (4),  
18 local governments shall, if necessary, revise their master programs.  
19 The purpose of the review is:

20 (i) To assure that the master program complies with applicable  
21 law and guidelines in effect at the time of the review; and

22 (ii) To assure consistency of the master program with the local  
23 government's comprehensive plan and development regulations adopted  
24 under chapter 36.70A RCW, if applicable, and other local  
25 requirements.

26 (b) Counties and cities shall take action to review and, if  
27 necessary, revise their master programs as required by (a) of this  
28 subsection as follows:

29 (i) On or before June 30, (~~(2019)~~) 2028, and every eight years  
30 thereafter, for King, Kitsap, Pierce, and Snohomish counties and the  
31 cities within those counties;

32 (ii) On or before June 30, (~~(2020)~~) 2029, and every eight years  
33 thereafter, for Clallam, Clark, Island, Jefferson, (~~(Kitsap)~~) Lewis,  
34 Mason, San Juan, Skagit, Thurston, and Whatcom counties and the  
35 cities within those counties;

36 (iii) On or before June 30, (~~(2021)~~) 2030, and every eight years  
37 thereafter, for Benton, Chelan, Cowlitz, Douglas, (~~(Grant)~~)  
38 Franklin, Kittitas, (~~(Lewis)~~) Skamania, Spokane, Walla Walla, and  
39 Yakima counties and the cities within those counties; and

1 (iv) On or before June 30, (~~(2022)~~) 2031, and every eight years  
2 thereafter, for Adams, Asotin, Columbia, Ferry, (~~(Franklin)~~)  
3 Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific,  
4 Pend Oreille, Stevens, Wahkiakum, (~~(Walla-Walla)~~) and Whitman  
5 counties and the cities within those counties.

6 (5) In meeting the (~~(update)~~) review requirements of subsection  
7 (~~(2)~~) (4) of this section, local governments are encouraged to  
8 begin the process of developing or amending their master programs  
9 early and are eligible for grants from the department as provided by  
10 RCW 90.58.250, subject to available funding. Except for those local  
11 governments listed in subsection (2)(a)(i) and (ii) of this section,  
12 the deadline for completion of the new or amended master programs  
13 shall be two years after the date the grant is approved by the  
14 department. Subsequent master program review dates shall not be  
15 altered by the provisions of this subsection.

16 (6) In meeting the (~~(update)~~) review requirements of subsection  
17 (~~(2)~~) (4) of this section, the following shall apply:

18 (a) Grants to local governments for (~~(developing and amending)~~)  
19 reviewing master programs pursuant to the schedule established by  
20 this section shall be provided at least two years before the adoption  
21 dates specified in subsection (~~(2)~~) (4) of this section. To the  
22 extent possible, the department shall allocate grants within the  
23 amount appropriated for such purposes to provide reasonable and  
24 adequate funding to local governments that have indicated their  
25 intent to develop or amend master programs during the biennium  
26 according to the schedule established by subsection (~~(2)~~) (4) of  
27 this section. Any local government that applies for but does not  
28 receive funding to comply with the provisions of subsection (~~(2)~~)  
29 (4) of this section may delay the development or amendment of its  
30 master program until the following biennium.

31 (b) Local governments with delayed compliance dates as provided  
32 in (a) of this subsection shall be the first priority for funding in  
33 subsequent biennia, and the (~~(development or amendment)~~) periodic  
34 review compliance deadline for those local governments shall be two  
35 years after the date of grant approval.

36 (c) Failure of the local government to apply in a timely manner  
37 for a master program development or amendment grant in accordance  
38 with the requirements of the department shall not be considered a  
39 delay resulting from the provisions of (a) of this subsection.

1 (7) In meeting the update requirements of subsection (2) of this  
2 section, all local governments subject to the requirements of this  
3 chapter that have not developed or amended master programs on or  
4 after March 1, 2002, shall, no later than December 1, 2014, develop  
5 or amend their master programs to comply with guidelines adopted by  
6 the department after January 1, 2003.

7 (8) In meeting the (~~update~~) review requirements of subsection  
8 (~~(2)~~) (4) of this section, local governments may be provided an  
9 additional year beyond the deadlines in this section to complete  
10 their master program or amendment. The department shall grant the  
11 request if it determines that the local government is likely to adopt  
12 or amend its master program within the additional year.

13 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect July 1,  
14 2025.

Passed by the House March 9, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor March 25, 2020.

Filed in Office of Secretary of State March 26, 2020.

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