

2 **SSB 5841** - H COMM AMD **Adopted 3-6-02**
3 By Committee on Local Government & Housing

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 36.70A.130 and 1997 c 429 s 10 are each amended to
8 read as follows:

9 (1)(a) Each comprehensive land use plan and development regulations
10 shall be subject to continuing review and evaluation by the county or
11 city that adopted them. (~~Not later than September 1, 2002, and at~~
12 ~~least every five years thereafter,~~) A county or city shall take
13 legislative action to review and, if needed, revise its comprehensive
14 land use plan and development regulations to ensure ((that)) the plan
15 and regulations ((are complying)) comply with the requirements of this
16 chapter according to the time periods specified in subsection (4) of
17 this section. A county or city not planning under RCW 36.70A.040 shall
18 take action to review and, if needed, revise its policies and
19 development regulations regarding critical areas and natural resource
20 lands adopted according to this chapter to ensure these policies and
21 regulations comply with the requirements of this chapter according to
22 the time periods specified in subsection (4) of this section.
23 Legislative action means the adoption of a resolution or ordinance
24 following notice and a public hearing indicating at a minimum, a
25 finding that a review and evaluation has occurred and identifying the
26 revisions made, or that a revision was not needed and the reasons
27 therefore. The review and evaluation required by this subsection may
28 be combined with the review required by subsection (3) of this section.
29 The review and evaluation required by this subsection shall include,
30 but is not limited to, consideration of critical area ordinances and,
31 if planning under RCW 36.70A.040, an analysis of the population
32 allocated to a city or county from the most recent ten-year population
33 forecast by the office of financial management.

34 (b) Any amendment of or revision to a comprehensive land use plan
35 shall conform to this chapter(~~,~~and). Any ((change)) amendment of or

1 revision to development regulations shall be consistent with and
2 implement the comprehensive plan.

3 (2)(a) Each county and city shall establish and broadly disseminate
4 to the public a public participation program (~~(identifying)~~) consistent
5 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and
6 schedules whereby updates, proposed amendments, or revisions of the
7 comprehensive plan are considered by the governing body of the county
8 or city no more frequently than once every year (~~(except that)~~).
9 "Updates" means to review and revise, if needed, according to
10 subsection (1) of this section, and the time periods specified in
11 subsection (4) of this section. Amendments may be considered more
12 frequently than once per year under the following circumstances:

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

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

17 (iii) The amendment of the capital facilities element of a
18 comprehensive plan that occurs concurrently with the adoption or
19 amendment of a county or city budget.

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

28 (3) Each county that designates urban growth areas under RCW
29 36.70A.110 shall review, at least every ten years, its designated urban
30 growth area or areas, and the densities permitted within both the
31 incorporated and unincorporated portions of each urban growth area. In
32 conjunction with this review by the county, each city located within an
33 urban growth area shall review the densities permitted within its
34 boundaries, and the extent to which the urban growth occurring within
35 the county has located within each city and the unincorporated portions
36 of the urban growth areas. The county comprehensive plan designating
37 urban growth areas, and the densities permitted in the urban growth
38 areas by the comprehensive plans of the county and each city located
39 within the urban growth areas, shall be revised to accommodate the

1 urban growth projected to occur in the county for the succeeding
2 twenty-year period. The review required by this subsection may be
3 combined with the review and evaluation required by RCW 36.70A.215.

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

10 (a) On or before December 1, 2004, and every seven years
11 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
12 Snohomish, Thurston, and Whatcom counties and the cities within those
13 counties;

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

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

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

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

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

34 (6) A county or city subject to the time periods in subsection
35 (4)(a) of this section that, pursuant to an ordinance adopted by the
36 county or city establishing a schedule for periodic review of its
37 comprehensive plan and development regulations, has conducted a review
38 and evaluation of its comprehensive plan and development regulations
39 and, on or after January 1, 2001, has taken action in response to that

1 review and evaluation shall be deemed to have conducted the first
2 review required by subsection (4)(a) of this section. Subsequent
3 review and evaluation by the county or city of its comprehensive plan
4 and development regulations shall be conducted in accordance with the
5 time periods established under subsection (4)(a) of this section.

6 (7) The requirements imposed on counties and cities under this
7 section shall be considered "requirements of this chapter" under the
8 terms of RCW 36.70A.040(1). Only those counties and cities in
9 compliance with the schedules in this section shall have the requisite
10 authority to receive grants, loans, pledges, or financial guarantees
11 from those accounts established in RCW 43.155.050 and 70.146.030. Only
12 those counties and cities in compliance with the schedules in this
13 section shall receive preference for grants or loans subject to the
14 provisions of RCW 43.17.250."

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18 On page 1, line 3 of the title, after "act;" strike the remainder
19 of the title and insert "and amending RCW 36.70A.130."

EFFECT: Changes the next review of comprehensive plans after the initial review to seven years for all counties. Removes the staggered deadlines for review and evaluation of December 1, 2003, for critical areas ordinances, and July 1, 2004, for review of comprehensive plans for Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties, and changes the initial review date to December 1, 2004. "Legislative action" is used to refer to the action of reviewing comprehensive plans and development regulations and is defined to mean the adoption of a resolution or ordinance following notice of a public hearing indicating a finding that a review and evaluation has occurred and identifying the revisions made, or that a review was not needed and the reasons why. Requires the review and evaluation to include consideration of critical areas ordinances, and an analysis of the population allocations from the most recent 10-year population forecast from the Office of Financial Management for GMA jurisdictions. Requires that jurisdictions use public participation when proceeding with the updates, and defines updates to mean to review and revise, if needed, according to the requirements and by the scheduled deadlines. Encourages state agencies to provide technical assistance to counties and cities in review of their critical areas ordinances, comprehensive plans, and development regulations. Grants only cities and counties in compliance with the scheduled deadlines requisite authority for receiving grants or loans from the Public Works Trust Fund and the Centennial Clean Water Fund. Requires that only cities and counties in

compliance may receive preferences for grants or loans for state programs that use a scoring system to determine need for grants and loans.

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