

SENATE BILL REPORT

SSB 5841

As Passed Senate, February 6, 2002

Title: An act relating to establishing a schedule for review of comprehensive plans and development regulations adopted under the growth management act.

Brief Description: Establishing a schedule for review of comprehensive plans and development regulations adopted under the growth management act.

Sponsors: Senate Committee on State & Local Government (originally sponsored by Senators Patterson, McCaslin, Gardner, Sheahan, T. Sheldon, Deccio, Haugen, Winsley and Hochstatter).

Brief History:

Committee Activity: State & Local Government: 2/22/01, 6/11/01, 6/19/01 [DPS, DNP].

Second Special Session: Passed Senate: 6/21/01, 39-0.

Passed Senate: 2/6/02, 33-13.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 5841 be substituted therefor, and the substitute bill do pass.

Signed by Senators Patterson, Chair; Gardner, Haugen, Roach, T. Sheldon and Swecker.

Minority Report: Do not pass.

Signed by Senators Horn and Kline.

Staff: Eugene Green (786-7405)

Background: Each county or city that has adopted a comprehensive land use plan must review its plan and development regulations by September 1, 2002, and every five years thereafter. Every ten years a county or city must review its urban growth boundaries. These two reviews may be combined.

Summary of Bill: The Department of Community, Trade, and Economic Development (CTED) must establish a schedule for counties and cities to review and, if needed, revise their comprehensive plans and development regulations. Counties and cities not planning under the Growth Management Act must use this schedule to review and revise policies and regulations regarding critical areas and natural resource lands. The schedule must provide for reviews and evaluations as follows:

(a) By the following dates, and every five years thereafter, for Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties and their cities: (i) December 1, 2003, critical areas. Amendments adopted as a result of this review are not effective until July 1, 2004; and (ii) July 1, 2004, comprehensive plans and development regulations, other than policies and regulations regarding critical areas. If any of these counties or their cities has conducted a

review and evaluation of its comprehensive plan and development regulations and, on or after January 1, 2001, has taken action in response to this review, it shall be deemed to have conducted the first review required by this act. Subsequent review and evaluation by such county or city must be conducted in accordance with the established time periods;

(b) By December 1, 2004, and every ten years thereafter, for Clallam, Jefferson, and Whatcom counties and their cities;

(c) By December 1, 2005, and every ten years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and their cities;

(d) By December 1, 2006, and every ten years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and their cities; and

(e) By December 1, 2007, and every ten 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 their cities.

Counties and cities may begin this process early and may be eligible for grants from CTED, subject to available funding, if they elect to do so.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Cities and counties need more time to analyze the new census data. Also, many cities and counties have just recently completed their plans and it isn't cost beneficial to immediately do a new plan.

Testimony Against: Business likes certainty. Environmentalists want to make sure their concerns aren't postponed. A ten-year review period may be too long. There should be more integration between GMA plans and Shoreline Master plans.

Testified: Steve Francks, WA Assn. of Realtors (con); Paul Parker, WA Assn. of Counties (pro); Jim Halstrom, Master Builders of King and Snohomish Counties (con); Steve Wells, Office of Community Development (pro); Dave Williams, Assn. of WA Cities (pro); Mike Flynn, Realtors (con); Josh Baldi, WA Enviro Council (con); Bruce Wishart, People For Puget Sound (con); Steve Stuart, 1000 Friends of WA (concerns); Jodi Slavik, BIAW (con); Kristen Sawin, AWB (concerns); Larry Stout, Realtors (concerns); Carolyn Logue, NFIB (concerns).

House Amendment(s): The next review of comprehensive plans after the initial review is changed to seven years for all counties. 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 are removed, and the initial review date is changed 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. The review and evaluation must 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. State agencies are encouraged to provide technical assistance to counties and cities in review of their critical areas ordinances, comprehensive plans, and development regulations. Only cities and counties in compliance with the scheduled deadlines are granted authority for receiving grants or loans from the Public Works Trust Fund and the Centennial Clean Water Fund or preferences for grants or loans for state programs that use a scoring system to determine need for grants and loans.