

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5841

57th Legislature
2002 Regular Session

Passed by the Senate March 12, 2002
YEAS 38 NAYS 7

President of the Senate

Passed by the House March 6, 2002
YEAS 92 NAYS 0

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5841** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

Approved

FILED

Governor of the State of Washington

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5841

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington **57th Legislature 2001 Second Special Session**

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

READ FIRST TIME 06/20/2001.

1 AN ACT Relating to establishing a schedule for review of
2 comprehensive plans and development regulations adopted under the
3 growth management act; and amending RCW 36.70A.130.

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

5 **Sec. 1.** RCW 36.70A.130 and 1997 c 429 s 10 are each amended to
6 read as follows:

7 (1)(a) Each comprehensive land use plan and development regulations
8 shall be subject to continuing review and evaluation by the county or
9 city that adopted them. (~~Not later than September 1, 2002, and at~~
10 ~~least every five years thereafter,)~~ A county or city shall take
11 legislative action to review and, if needed, revise its comprehensive
12 land use plan and development regulations to ensure ((that)) the plan
13 and regulations ((are complying)) comply with the requirements of this
14 chapter according to the time periods specified in subsection (4) of
15 this section. A county or city not planning under RCW 36.70A.040 shall
16 take action to review and, if needed, revise its policies and
17 development regulations regarding critical areas and natural resource
18 lands adopted according to this chapter to ensure these policies and
19 regulations comply with the requirements of this chapter according to

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

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

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

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

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

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

34 (b) Except as otherwise provided in (a) of this subsection, all
35 proposals shall be considered by the governing body concurrently so the
36 cumulative effect of the various proposals can be ascertained.
37 However, after appropriate public participation a county or city may
38 adopt amendments or revisions to its comprehensive plan that conform
39 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;

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

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

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

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

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

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

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

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