

SSB 5659 - S AMD 335

By SenatorS Mulliken, Hargrove, Winsley, T. Sheldon

4/10/03 ADOPTED

1 On page 2, after line 11, insert the following:

2 "Sec. 3. RCW 36.70A.130 and 2002 c 320 s 1 are each amended to
3 read as follows:

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

28 (b) Any amendment of or revision to a comprehensive land use plan
29 shall conform to this chapter. Any amendment of or revision to
30 development regulations shall be consistent with and implement the
31 comprehensive plan.

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

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

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

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

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

26 (3) Each county that designates urban growth areas under RCW
27 36.70A.110 shall review, at least every ten years, its designated urban
28 growth area or areas, and the densities permitted within both the
29 incorporated and unincorporated portions of each urban growth area. In
30 conjunction with this review by the county, each city located within an
31 urban growth area shall review the densities permitted within its
32 boundaries, and the extent to which the urban growth occurring within
33 the county has located within each city and the unincorporated portions
34 of the urban growth areas. The county comprehensive plan designating
35 urban growth areas, and the densities permitted in the urban growth
36 areas by the comprehensive plans of the county and each city located
37 within the urban growth areas, shall be revised to accommodate the
38 urban growth projected to occur in the county for the succeeding

1 twenty-year period. The review required by this subsection may be
2 combined with the review and evaluation required by RCW 36.70A.215.

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

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

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

15 On page 1, on line 3 of the title, after "84.52.043", insert
16 "43.17.130"

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EFFECT: Allows Jefferson and Clallam Counties one more year to
update GMA comprehensive plans.