

---

## Local Government Committee

---

### ESSB 6401

**Brief Description:** Protecting military installations from encroachment of incompatible land uses.

**Sponsors:** Senate Committee on Land Use & Planning (originally sponsored by Senators Rasmussen, Roach, Kastama, Franklin, Doumit, Shin, Schmidt, Oke, Haugen and Murray).

<p style="text-align: center;"><b>Brief Summary of Engrossed Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Requires cities and counties fully planning under the Growth Management Act with or adjacent to qualifying federal military installations to notify installation commanders of the jurisdiction's intent to amend its comprehensive plan and development regulations for lands adjacent to the installations.</li></ul>
--



**Hearing Date:** 2/25/04

**Staff:** Ethan Moreno (786-7386).

**Background:**

The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA (GMA jurisdictions).

GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. GMA jurisdictions must also adopt development regulations that are consistent with and implement the comprehensive plan. Each comprehensive plan must include certain elements, such as housing, transportation, and land use elements.

The land use element of a comprehensive plan must designate the proposed general distribution, location and extent of the uses of land, where appropriate, for agriculture, housing, public facilities, and other land uses. In addition to other requirements, the land use element must include population densities, building intensities, and estimates of future population growth.

Comprehensive plans and development regulations are subject to continuing review and evaluation by the adopting county or city. With limited exceptions, however, amendments to a

comprehensive plan may be considered by the governing body of the local jurisdiction no more frequently than once every year. Furthermore, GMA jurisdictions must review and, if needed, revise their comprehensive plans and development regulations according to a statutory schedule.

**Summary of Bill:**

Each county and city fully planning under the Growth Management Act (GMA jurisdictions) with a qualifying federal military installation within its jurisdiction or adjacent to its border must notify the commander of the installation of the jurisdiction's intent to amend its comprehensive plan to address lands adjacent to military installations and consider policies to ensure that such lands are protected from incompatible development. The notification process is considered a requirement for the land use element of a comprehensive plan adopted under the GMA. A qualifying federal military installation must employ at least 100 persons and must be operated by the U.S. Department of Defense, but may not be a reserve center.

The notice provided to the installation commander must request a written recommendation and supporting facts within 60 days relating to the use of land being considered in the proposed comprehensive plan or amendment. If the commander does not submit a response to the request within 60 days, the local government may presume that implementation of the proposed plan or amendment will not have any adverse effect on the operation of the installation.

Similarly, when a GMA jurisdiction intends to amend its development regulations to be consistent with comprehensive plan elements for lands adjacent to qualifying military installations, the county or city must notify the installation commander of its intent and request a related written recommendation and supporting facts. If the commander does not submit a response to the request within 60 days, the local government may presume that implementation of the proposed development regulation or amendment will not have any adverse effect on the operation of the installation.

Except as provided, the legislature intends that strategies and policies related to lands adjacent to military installations must be adopted and amended concurrently with the statutory schedule for reviews and evaluations of comprehensive plans and development regulations. The following counties and the cities within those counties, however, must comply with the specified requirements by December 1, 2005:

- Clallam;
- Clark;
- Jefferson;
- King;
- Kitsap;
- Pierce;
- Snohomish;
- Thurston; and
- Whatcom.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.