
SUBSTITUTE SENATE BILL 5022

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Land Use & Planning (originally sponsored by Senators Parlette, Haugen, Zarelli, Hale, Stevens, Mulliken and T. Sheldon)

READ FIRST TIME 02/17/03.

1 AN ACT Relating to comprehensive plan amendment procedures; and
2 amending RCW 36.70A.130.

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

4 **Sec. 1.** RCW 36.70A.130 and 2002 c 320 s 1 are each amended to read
5 as follows:

6 (1)(a) Each comprehensive land use plan and development regulations
7 shall be subject to continuing review and evaluation by the county or
8 city that adopted them. A county or city shall take legislative action
9 to review and, if needed, revise its comprehensive land use plan and
10 development regulations to ensure the plan and regulations comply with
11 the requirements of this chapter according to the time periods
12 specified in subsection (4) of this section. A county or city not
13 planning under RCW 36.70A.040 shall take action to review and, if
14 needed, revise its policies and development regulations regarding
15 critical areas and natural resource lands adopted according to this
16 chapter to ensure these policies and regulations comply with the
17 requirements of this chapter according to the time periods specified in
18 subsection (4) of this section. Legislative action means the adoption
19 of a resolution or ordinance following notice and a public hearing

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

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

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

25 (i) The governing body of the county or city may by ordinance or
26 resolution establish a procedure for consideration of amendments no
27 more frequently than twice per calendar year;

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

31 (~~(iii)~~) (iii) The adoption or amendment of a shoreline master
32 program under the procedures set forth in chapter 90.58 RCW; and

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

36 (b) Except as otherwise provided in (a) of this subsection, all
37 proposals shall be considered by the governing body concurrently so the
38 cumulative effect of the various proposals can be ascertained.

1 However, after appropriate public participation a county or city may
2 adopt amendments or revisions to its comprehensive plan that conform
3 with this chapter whenever an emergency exists or to resolve an appeal
4 of a comprehensive plan filed with a growth management hearings board
5 or with the court.

6 (3) Each county that designates urban growth areas under RCW
7 36.70A.110 shall review, at least every ten years, its designated urban
8 growth area or areas, and the densities permitted within both the
9 incorporated and unincorporated portions of each urban growth area. In
10 conjunction with this review by the county, each city located within an
11 urban growth area shall review the densities permitted within its
12 boundaries, and the extent to which the urban growth occurring within
13 the county has located within each city and the unincorporated portions
14 of the urban growth areas. The county comprehensive plan designating
15 urban growth areas, and the densities permitted in the urban growth
16 areas by the comprehensive plans of the county and each city located
17 within the urban growth areas, shall be revised to accommodate the
18 urban growth projected to occur in the county for the succeeding
19 twenty-year period. The review required by this subsection may be
20 combined with the review and evaluation required by RCW 36.70A.215.

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

27 (a) On or before December 1, 2004, and every seven years
28 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
29 Snohomish, Thurston, and Whatcom counties and the cities within those
30 counties;

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

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

37 (d) On or before December 1, 2007, and every seven years
38 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,

1 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
2 Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities
3 within those counties.

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

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

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

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

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