
Local Government Committee

HB 1241

Brief Description: Planning under the growth management act.

Sponsors: Representatives Duerr, Berg, Ortiz-Self, Bateman, Wicks, Macri, Harris-Talley and Pollet.

Brief Summary of Bill

- Increases review and revision cycle for comprehensive plans and Shoreline Master Plans from eight to 10 years.
- Requires cities and counties with more than 7,500 population to produce an annual work program for implementing the comprehensive plan.
- Requires counties and cities to submit an implementation progress report with certain required information to the Department of Commerce five years after reviewing and revising a comprehensive plan.

Hearing Date: 2/3/21

Staff: Kellen Wright (786-7134).

Background:

The Growth Management Act (GMA) requires that certain counties, and the cities within those counties, engage in planning for future population growth. Counties that have a population of 50,000 or more and, prior to May 16, 1995, had its population grow by 10 percent or more, or, after May 16, 1995, by 17 percent or more in the prior ten years are covered by the GMA. So too is any county that experiences population growth of 20 percent. Counties with population under 50,000, that would otherwise be required to plan, can remove themselves from the GMA's comprehensive planning requirements. Conversely, counties that do not meet the standards for automatic inclusion in the GMA may choose to be included. Currently, 18 counties are required

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to plan, 10 have chosen to plan, and 11 are not subject to the full GMA planning requirements.

Whether a county is automatically required to plan under the GMA or voluntarily chooses to, the planning requirements are largely the same. The county must develop a countywide planning policy to provide a framework in which the county and the cities within the county can develop consistent comprehensive plans. The county and cities must adopt development regulations to conserve agricultural lands, forestlands, and mineral resource lands. The county and cities must also adopt urban growth area regulations. Finally, the county and cities must adopt a comprehensive land use plan and adopt development regulations consistent with the plan.

The comprehensive plan is the central part of the whole planning process. The Legislature has established 13 goals to act as the basis of all comprehensive plans. Examples of goals include reducing sprawl, providing for affordable housing, and protecting property rights. The comprehensive plan must address these goals and set out the policies and standards that are meant to guide the city or county's actions and decisions in the future. Comprehensive plans must contain certain elements, such as a land use element, a housing element, and a capital facilities plan element. These elements must satisfy the requirements for each individual element while fitting within the overall comprehensive plan.

Every eight years, a county or county that is planning under the GMA must review and revise its comprehensive plan and development regulations to ensure that the plan and regulations comply with the requirements of the GMA. This review and revision requires legislative action from the county or city. The county and cities must establish a public participation program that provides notice to various interested or impacted individuals and organizations who can become involved in the process. The county and cities may generally only consider updates to the comprehensive plan once a year. The county must also update its designated urban growth areas.

These reviews and revisions must occur at least every eight years. These deadlines are staggered for different counties. Currently, King, Kitsap, Pierce, and Snohomish counties and the cities within those counties have a deadline of June 30, 2024. Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom, and the cities within those counties, have a deadline of June 30, 2025. Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima, and the cities within those counties, have a deadline of June 30, 2026. Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman, and the cities within those counties, have a deadline of June 30, 2027. Each of these counties, and the cities within those counties, must again update their comprehensive plans every eight years after the current deadline.

Counties west of the Cascade mountain range that had more than 150,000 population in 1996 are also required to adopt, in consultation with the cities within those counties, a review and evaluation program. The purpose of this program is to compare the assumptions that went into the comprehensive plan with the actual growth that is occurring, and to identify measures to be taken to reduce the differences between the assumptions and the reality. The program must

determine whether there is sufficient suitable land to accommodate the county's projected future growth, and identify land suitable for development or redevelopment. The program must also provide for the collection, evaluation, and reconciliation of data, which must be collected and reviewed at least three years before the county's comprehensive plan is due to be updated.

The Shoreline Management Act requires all counties and most towns and cities to develop and implement Shoreline Master Programs. These programs are designed to help regulate and protect the shorelines of the state. The Department of Ecology has adopted Shoreline Master Program Guidelines to provide standards for adopting and implementing shoreline programs. A county and cities must review and revise its master program every eight years. Currently, the deadline for this review is June 30, 2028 for King, Pierce, and Snohomish Counties and the cities within those counties; June 30, 2029 for Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom counties and the cities within those counties; June 30, 2021 for Benton, Chelan, Cowlitz, Douglas, Grant, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and the cities within those counties; and June 30, 2022 for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties.

Summary of Bill:

Comprehensive plans and Shoreline Master Programs must be reviewed and revised every ten years.

Each city and county planning under the GMA that has a population of 7,500 or more must create an annual work program for implementing its comprehensive plan. The work program should describe the actions, including development regulations and nonregulatory measures, that are going to be considered in the coming year for implementing the comprehensive plan, as well as the actions that were considered and acted upon in the current year.

Counties and cities planning under the GMA must provide the Department of Commerce (Commerce) with an implementation progress report five years after the adoption of a comprehensive plan. Commerce must develop rules for the criteria and measures for cities and counties to use in the report. At a minimum, these must cover:

- housing affordability and availability within the jurisdiction;
- permit processing timelines;
- the protection of critical areas and the use of best available science;
- the jurisdiction's response to new statutory changes adopted since the previous comprehensive plan update; and
- achieving any required reductions to meet greenhouse gas reduction and vehicle miles traveled requirements.

Counties and cities subject to the review and evaluation program must include in the implementation progress report any inconsistencies that have been identified during the review

and evaluation program between the comprehensive plan and what has occurred since the adoption of that plan.

If a county or city has yet to implement statutory changes that have occurred since adoption of the comprehensive plan by the time of the implementation progress report, then the county or city must identify the needed changes and must include those changes in the work program.

These changes must occur within two years of the submission of the implementation progress report.

Appropriation: None.

Fiscal Note: Requested on 1/25/2021.

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