
SENATE BILL 5733

State of Washington

69th Legislature

2025 Regular Session

By Senators Braun, Christian, Cortes, and Dozier

Read first time 02/12/25. Referred to Committee on Housing.

1 AN ACT Relating to updating comprehensive plans; amending RCW
2 36.70A.130; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that providing
5 housing to citizens of the state of Washington is of utmost
6 importance. Giving local governments the ability to rapidly permit
7 housing projects will aid in more housing being built more rapidly.

8 **Sec. 2.** RCW 36.70A.130 and 2024 c 17 s 1 are each amended to
9 read as follows:

10 (1)(a) Each comprehensive land use plan and development
11 regulations shall be subject to continuing review and evaluation by
12 the county or city that adopted them. Except as otherwise provided, a
13 county or city shall take legislative action to review and, if
14 needed, revise its comprehensive land use plan and development
15 regulations to ensure the plan and regulations comply with the
16 requirements of this chapter according to the deadlines in
17 subsections (4) and (5) of this section.

18 (b)(i) A city or town located within a county planning under RCW
19 36.70A.040 may opt out of a full review and revisions of its

1 comprehensive plan established in this section if the city or town
2 meets the following criteria:

3 (A) Has a population fewer than 500;

4 (B) Is not located within 10 miles of a city with a population
5 over 100,000;

6 (C) Experienced a population growth rate of fewer than 10 percent
7 in the preceding 10 years; and

8 (D) Has provided the department with notice of its intent to
9 participate in a partial review and revision of its comprehensive
10 plan.

11 (ii) The department shall review the population growth rate for a
12 city or town participating in the partial review and revision of its
13 comprehensive plan process at least three years before the periodic
14 update is due as outlined in subsection (4) of this section and
15 notify cities of their eligibility.

16 (iii) A city or town that opts out of a full review and revision
17 of its comprehensive plan must update its critical areas regulations
18 and its capital facilities element and its transportation element.

19 (c) Except as otherwise provided, a county or city not planning
20 under RCW 36.70A.040 shall take action to review and, if needed,
21 revise its policies and development regulations regarding critical
22 areas and natural resource lands adopted according to this chapter to
23 ensure these policies and regulations comply with the requirements of
24 this chapter according to the deadlines in subsections (4) and (5) of
25 this section. Legislative action means the adoption of a resolution
26 or ordinance following notice and a public hearing indicating at a
27 minimum, a finding that a review and evaluation has occurred and
28 identifying the revisions made, or that a revision was not needed and
29 the reasons therefor.

30 (d) The review and evaluation required by this subsection shall
31 include, but is not limited to, consideration of critical area
32 ordinances and, if planning under RCW 36.70A.040, an analysis of the
33 population allocated to a city or county from the most recent 10-year
34 population forecast by the office of financial management.

35 (e) Any amendment of or revision to a comprehensive land use plan
36 shall conform to this chapter. Any amendment of or revision to
37 development regulations shall be consistent with and implement the
38 comprehensive plan.

39 (2)(a) Each county and city shall establish and broadly
40 disseminate to the public a public participation program consistent

1 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and
2 schedules whereby updates, proposed amendments, or revisions of the
3 comprehensive plan are considered by the governing body of the county
4 or city no more frequently than once every year. "Updates" means to
5 review and revise, if needed, according to subsection (1) of this
6 section, and the deadlines in subsections (4) and (5) of this section
7 or in accordance with the provisions of subsection (6) of this
8 section. Amendments may be considered more frequently than once per
9 year under the following circumstances:

10 (i) The initial adoption of a subarea plan. Subarea plans adopted
11 under this subsection (2)(a)(i) must clarify, supplement, or
12 implement jurisdiction-wide comprehensive plan policies, and may only
13 be adopted if the cumulative impacts of the proposed plan are
14 addressed by appropriate environmental review under chapter 43.21C
15 RCW;

16 (ii) The development of an initial subarea plan for economic
17 development located outside of the 100 year floodplain in a county
18 that has completed a state-funded pilot project that is based on
19 watershed characterization and local habitat assessment;

20 (iii) The adoption or amendment of a shoreline master program
21 under the procedures set forth in chapter 90.58 RCW;

22 (iv) The amendment of the capital facilities element of a
23 comprehensive plan that occurs concurrently with the adoption or
24 amendment of a county or city budget; (~~(v)~~)

25 (v) The adoption of comprehensive plan amendments necessary to
26 enact a planned action under RCW 43.21C.440, provided that amendments
27 are considered in accordance with the public participation program
28 established by the county or city under this subsection (2)(a) and
29 all persons who have requested notice of a comprehensive plan update
30 are given notice of the amendments and an opportunity to comment; or

31 (vi) The adoption of comprehensive plan amendments or development
32 regulations necessary for the permitting of housing projects.

33 (b) Except as otherwise provided in (a) of this subsection, all
34 proposals shall be considered by the governing body concurrently so
35 the cumulative effect of the various proposals can be ascertained.
36 However, after appropriate public participation a county or city may
37 adopt amendments or revisions to its comprehensive plan that conform
38 with this chapter whenever an emergency exists or to resolve an
39 appeal of a comprehensive plan filed with the growth management
40 hearings board or with the court.

1 (3) (a) Each county that designates urban growth areas under RCW
2 36.70A.110 shall review, according to the schedules established in
3 subsections (4) and (5) of this section, its designated urban growth
4 area or areas, patterns of development occurring within the urban
5 growth area or areas, and the densities permitted within both the
6 incorporated and unincorporated portions of each urban growth area.
7 In conjunction with this review by the county, each city located
8 within an urban growth area shall review the densities permitted
9 within its boundaries, and the extent to which the urban growth
10 occurring within the county has located within each city and the
11 unincorporated portions of the urban growth areas.

12 (b) The county comprehensive plan designating urban growth areas,
13 and the densities permitted in the urban growth areas by the
14 comprehensive plans of the county and each city located within the
15 urban growth areas, shall be revised to accommodate the urban growth
16 projected to occur in the county for the succeeding 20-year period.
17 The review required by this subsection may be combined with the
18 review and evaluation required by RCW 36.70A.215.

19 (c) If, during the county's review under (a) of this subsection,
20 the county determines revision of the urban growth area is not
21 required to accommodate the urban growth projected to occur in the
22 county for the succeeding 20-year period, but does determine that
23 patterns of development have created pressure in areas that exceed
24 available, developable lands within the urban growth area, the urban
25 growth area or areas may be revised to accommodate identified
26 patterns of development and likely future development pressure for
27 the succeeding 20-year period if the following requirements are met:

28 (i) The revised urban growth area may not result in an increase
29 in the total surface areas of the urban growth area or areas;

30 (ii) The areas added to the urban growth area are not or have not
31 been designated as agricultural, forest, or mineral resource lands of
32 long-term commercial significance;

33 (iii) Less than 15 percent of the areas added to the urban growth
34 area are critical areas;

35 (iv) The areas added to the urban growth areas are suitable for
36 urban growth;

37 (v) The transportation element and capital facility plan element
38 have identified the transportation facilities, and public facilities
39 and services needed to serve the urban growth area and the funding to

1 provide the transportation facilities and public facilities and
2 services;

3 (vi) The urban growth area is not larger than needed to
4 accommodate the growth planned for the succeeding 20-year planning
5 period and a reasonable land market supply factor;

6 (vii) The areas removed from the urban growth area do not include
7 urban growth or urban densities; and

8 (viii) The revised urban growth area is contiguous, does not
9 include holes or gaps, and will not increase pressures to urbanize
10 rural or natural resource lands.

11 (4) Except as otherwise provided in subsections (6) and (8) of
12 this section, counties and cities shall take action to review and, if
13 needed, revise their comprehensive plans and development regulations
14 to ensure the plan and regulations comply with the requirements of
15 this chapter as follows:

16 (a) On or before June 30, 2015, for King, Pierce, and Snohomish
17 counties and the cities within those counties;

18 (b) On or before June 30, 2016, for Clallam, Clark, Island,
19 Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom
20 counties and the cities within those counties;

21 (c) On or before June 30, 2017, for Benton, Chelan, Cowlitz,
22 Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and
23 the cities within those counties; and

24 (d) On or before June 30, 2018, for Adams, Asotin, Columbia,
25 Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln,
26 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
27 Whitman counties and the cities within those counties.

28 (5) Except as otherwise provided in subsections (6) and (8) of
29 this section, following the review of comprehensive plans and
30 development regulations required by subsection (4) of this section,
31 counties and cities shall take action to review and, if needed,
32 revise their comprehensive plans and development regulations to
33 ensure the plan and regulations comply with the requirements of this
34 chapter as follows:

35 (a) Except as provided in subsection (10) of this section, on or
36 before December 31, 2024, with the following review and, if needed,
37 revision on or before June 30, 2034, and then every 10 years
38 thereafter, for King, Kitsap, Pierce, and Snohomish counties and the
39 cities within those counties;

1 (b) On or before December 31, 2025, with the following review
2 and, if needed, revision on or before June 30, 2035, and then every
3 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis,
4 Mason, San Juan, Skagit, Thurston, and Whatcom counties and the
5 cities within those counties;

6 (c) On or before June 30, 2026, and every 10 years thereafter,
7 for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania,
8 Spokane, Walla Walla, and Yakima counties and the cities within those
9 counties; and

10 (d) On or before June 30, 2027, and every 10 years thereafter,
11 for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor,
12 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,
13 Wahkiakum, and Whitman counties and the cities within those counties.

14 (6) (a) Nothing in this section precludes a county or city from
15 conducting the review and evaluation required by this section before
16 the deadlines established in subsections (4) and (5) of this section.
17 Counties and cities may begin this process early and may be eligible
18 for grants from the department, subject to available funding, if they
19 elect to do so.

20 (b) A county that is subject to a deadline established in
21 subsection (5) (b) through (d) of this section and meets the following
22 criteria may comply with the requirements of this section at any time
23 within the 24 months following the deadline established in subsection
24 (5) of this section: The county has a population of less than 50,000
25 and has had its population increase by no more than 17 percent in the
26 10 years preceding the deadline established in subsection (5) of this
27 section as of that date.

28 (c) A city that is subject to a deadline established in
29 subsection (5) (b) through (d) of this section and meets the following
30 criteria may comply with the requirements of this section at any time
31 within the 24 months following the deadline established in subsection
32 (5) of this section: The city has a population of no more than 5,000
33 and has had its population increase by the greater of either no more
34 than 100 persons or no more than 17 percent in the 10 years preceding
35 the deadline established in subsection (5) of this section as of that
36 date.

37 (d) State agencies are encouraged to provide technical assistance
38 to the counties and cities in the review of critical area ordinances,
39 comprehensive plans, and development regulations.

1 (7) (a) The requirements imposed on counties and cities under this
2 section shall be considered "requirements of this chapter" under the
3 terms of RCW 36.70A.040(1). Only those counties and cities that meet
4 the following criteria may receive grants, loans, pledges, or
5 financial guarantees under chapter 43.155 or 70A.135 RCW:

6 (i) Complying with the deadlines in this section; or

7 (ii) Demonstrating substantial progress towards compliance with
8 the schedules in this section for development regulations that
9 protect critical areas.

10 (b) A county or city that is fewer than 12 months out of
11 compliance with the schedules in this section for development
12 regulations that protect critical areas is making substantial
13 progress towards compliance. Only those counties and cities in
14 compliance with the schedules in this section may receive preference
15 for grants or loans subject to the provisions of RCW 43.17.250.

16 (8) (a) Except as otherwise provided in (c) of this subsection, if
17 a participating watershed is achieving benchmarks and goals for the
18 protection of critical areas functions and values, the county is not
19 required to update development regulations to protect critical areas
20 as they specifically apply to agricultural activities in that
21 watershed.

22 (b) A county that has made the election under RCW 36.70A.710(1)
23 may only adopt or amend development regulations to protect critical
24 areas as they specifically apply to agricultural activities in a
25 participating watershed if:

26 (i) A work plan has been approved for that watershed in
27 accordance with RCW 36.70A.725;

28 (ii) The local watershed group for that watershed has requested
29 the county to adopt or amend development regulations as part of a
30 work plan developed under RCW 36.70A.720;

31 (iii) The adoption or amendment of the development regulations is
32 necessary to enable the county to respond to an order of the growth
33 management hearings board or court;

34 (iv) The adoption or amendment of development regulations is
35 necessary to address a threat to human health or safety; or

36 (v) Three or more years have elapsed since the receipt of
37 funding.

38 (c) Beginning 10 years from the date of receipt of funding, a
39 county that has made the election under RCW 36.70A.710(1) must review
40 and, if necessary, revise development regulations to protect critical

1 areas as they specifically apply to agricultural activities in a
2 participating watershed in accordance with the review and revision
3 requirements and timeline in subsection (5) of this section. This
4 subsection (8)(c) does not apply to a participating watershed that
5 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's
6 goals and benchmarks for protection have been met.

7 (9)(a) Counties subject to planning deadlines established in
8 subsection (5) of this section that are required or that choose to
9 plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or
10 (ii) of this subsection, and cities with a population of more than
11 6,000 as of April 1, 2021, within those counties, must provide to the
12 department an implementation progress report detailing the progress
13 they have achieved in implementing their comprehensive plan five
14 years after the review and revision of their comprehensive plan. Once
15 a county meets the criteria in (a)(i) or (ii) of this subsection, the
16 implementation progress report requirements remain in effect
17 thereafter for that county and the cities therein with populations
18 greater than 6,000 as of April 1, 2021, even if the county later no
19 longer meets either or both criteria. A county is subject to the
20 implementation progress report requirement if it meets either of the
21 following criteria on or after April 1, 2021:

22 (i) The county has a population density of at least 100 people
23 per square mile and a population of at least 200,000; or

24 (ii) The county has a population density of at least 75 people
25 per square mile and an annual growth rate of at least 1.75 percent as
26 determined by the office of financial management.

27 (b) The department shall adopt guidelines for indicators,
28 measures, milestones, and criteria for use by counties and cities in
29 the implementation progress report that must cover:

30 (i) The implementation of previously adopted changes to the
31 housing element and any effect those changes have had on housing
32 affordability and availability within the jurisdiction;

33 (ii) Permit processing timelines; and

34 (iii) Progress toward implementing any actions required to
35 achieve reductions to meet greenhouse gas and vehicle miles traveled
36 requirements as provided for in any element of the comprehensive plan
37 under RCW 36.70A.070.

38 (c) If a city or county required to provide an implementation
39 progress report under this subsection (9) has not implemented any
40 specifically identified regulations, zoning and land use changes, or

1 taken other legislative or administrative action necessary to
2 implement any changes in the most recent periodic update in their
3 comprehensive plan by the due date for the implementation progress
4 report, the city or county must identify the need for such action in
5 the implementation progress report. Cities and counties must adopt a
6 work plan to implement any necessary regulations, zoning and land use
7 changes, or take other legislative or administrative action
8 identified in the implementation progress report and complete all
9 work necessary for implementation within two years of submission of
10 the implementation progress report.

11 (10) Any county or city that is required by RCW 36.70A.095 to
12 include in its comprehensive plan a climate change and resiliency
13 element and that is also required by subsection (5)(a) of this
14 section to review and, if necessary, revise its comprehensive plan on
15 or before December 31, 2024, must update its transportation element
16 and incorporate a climate change and resiliency element into its
17 comprehensive plan as part of the first implementation progress
18 report required by subsection (9) of this section if funds are
19 appropriated and distributed by December 31, 2027, as required under
20 RCW 36.70A.070(10).

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