# Community Development Department

**Emily Arteche, Director**
38624 SE River St. | P.O. Box 987
Snoqualmie, Washington 98065
(425) 888-5337 | earteche@snoqualmiewa.gov


MEMORANDUM

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|---|---|
| To: | Community Development Committee |
| From: | Emily Arteche, Community Development Director |
| Date: | April 8, 2024 |
| Subject: | Comprehensive Plan – Environmental Element Policy Review |

**Introduction**

The Washington Growth Management Act (GMA) requires King County and cities within King County to update their comprehensive plans on or before December 31, 2024. The environment chapter (sometimes referred to as an "element") is not a required element but provides the policy framework for the critical areas ordinance and is an important element to the City. Under the GMA Goals, RCW 36.70A.020 Environment is goal 10 and is intended to *protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water*.

To facilitate the review and approval of the draft Element a roundtable discussion will be held on the recommended draft goals and policies, (see Attachment 1: Planning Commission Recommendation Signed April 1, 2024). A presentation to the Community Development Committee summarizing the work of Planning Commission is also included to assist in the review of this Element, (see Attachment 2: Environment Element Planning Commission Presentation April 1, 2024).

The Community Development Committee had no further edits.

**Background**

The recommended Environment Element goals and policies are intended to support the City's critical area ordinance future update efforts using best available science, BAS. Critical areas are defined in RCW 36.70A.030(6): include the following areas and ecosystems: Wetlands; critical recharging aquifers, fish and wildlife habitat conservation areas; now known as riparian areas; frequently flooded areas and geologically hazardous areas. The BAS on Riparian Ecosystems is documented a 2020 updated Priority Habitats and Species (PHS) document entitled Volume 1: Science Synthesis and Management Implications from the Washington Department of Fish and Wildlife (WDFW). Areas along rivers, including perennial or intermittent streams are identified as Riparian Areas with aquatic and terrestrial ecosystems. These areas are important because of moist and mild microclimates and fertile soils that enhance plant growth and support complex food webs for wildlife species.

The Environmental Element draft goals and policies were discussed at a series of meetings with the public, Planning Commission, and the Community Development Council Committee on the following dates:

Legislative/Public Meeting Dates:

- ✓ On April 6, 2023, City Staff and consultants held a Comprehensive Plan Open House and received input from the public on the Element.

- ✓ On October 18, 2023, City Staff and consultants held a Comprehensive Plan Open House and received input from the public on the Element.

- ✓ At the December 4, 2023, Planning Commission meeting, staff consultants presented an overview of the Environment chapter and its requirements under GMA.

- ✓ At the January 16, 2024, Planning Commission meeting, staff and consultants presented policies for the Environmental Protection and Climate Planning, (now deferred to a future Climate Change Element).

- ✓ On February 5, 2024, staff and consultants presented proposed policies on Water Resources, Aquifers and Critical Recharge Areas; Snoqualmie River, Stream Corridors and Wetlands; Geologic and Flood Hazard Areas; and Goals.

- ✓ On February 20, 2024, the Planning Commission meeting Commissioners reviewed Tribal revisions to the Goals and Policies.

- ✓ On March 18, 2024, the Planning Commission meeting staff presented recommended revision to the Goals and Policies based on Washington State Fish and Wildlife review comments.

- ✓ On April 1, 2024, the Community Development Council Committee reviewed the recommended Element at a regularly scheduled meeting.

The Element was developed with the intention not to include policies on climate change in the Environmental Element due to the pending development of a new State mandated Climate Change Element. On January 11, 2024 during the time the Planning Commission was working on the Environmental Element the Washington State Department of Commerce released Climate Change Element guidance. Future climate change goals and policies will be prepared under this guidance.

The draft recommended goals and polices were reviewed at the State and Regional level for GMA and Vision 2050 consistency, including the Department of Fish and Wildlife, (DFW) and well as with the Snoqualmie Tribe. The Puget Sound Regional Council (PSRC), Liz Underwood-Bultmann Principal Planner, Growth Management Planning recently submitted a comment letter dated March 26, 2024, (see Attachment 3, PSRC Environment, Capital Facilities and Parks Review Comment Letter Dated March 26, 2024).

Ms. Underwood-Bultmann praised the City's recommended policy: *Support programs that ensure that all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment, and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected by climate change* and recommended that the City extend its policy efforts to include another policy on "where" and "what". The Community Development Council Committee expressed a desire to include the below draft policy in the new Climate Change Element.

| *Draft Policy for Climate Change Element* |
|---|
| *As feasible, identify where vulnerable populations disproportionately affected by climate change currently live and what environmental consequences most impactful.* |

Additional PSRC comments provided will be incorporated into the review process for Capital Facilities and Utilities and Parks, Open Space and Recreation Elements.

This Element does address new PSRC legislation on:

| PSRC New Legislation Overview |
|---|
| 1. Protecting and restoring natural systems.<br>❖ Conserve habitat,<br>❖ Protect wildlife corridors,<br>❖ Improving water quality, and<br>❖ Reduce air pollutants. |
| 2. Minimize impacts to natural features. |
| 3. Use of best information available,<br>❖ Scientific information. |
| 4. Reduce impacts to vulnerable populations. |
| 5. Enhance urban tree canopy.<br>❖ Restore native vegetation. |
| 6. Incentivize environmental stewardship. |
| 7. Control the noxious weeds. |

**Analysis**

The Element was developed to be compliant with all the legislative changes made since the pervious Comprehensive Plan completed over 8 years ago in 2015. Approximately 46 bills related to the Comprehensive Plan were passed during the time span. Legislation passed and signed into law in 2023 (HB 1181) added a climate goal to the Growth Management Act (GMA) and requires local comprehensive plans to have a climate element with resilience and greenhouse gas emissions mitigation sub-elements. A complete list of legislation is also included to assist in the review of this Element, (see Attachment 4, GMA-amendments-1995-2023). During the Planning Commission policy work, staff and consultants prepared color-coded policy presentations to identify more easily proposed polices of a regulatory nature, (see Attachment 5: Legislative Color-Coded Previous Presentations on Environment Goals and Policies for Planning Commission).

The Element will be supported by technical documentation. The following components: Wildlife, Flood History, Critical Areas Summary, Urban Forestry Planning, Flood Control and Hazard Mitigation Planning, River Trail Planning, Critical Area Mapping, and Tree Canopy, (see Attachment 6: 2044 Snoqualmie Comprehensive Plan Outline) will be included in Volume 2 of the Comprehensive Plan, as appendices.

The Environmental Evolution Spreadsheet, (see Attachment 7) demonstrates the evolution of goals and policies, i.e., when policies were combined, moved, updated to support new requirements, modified to address public comment, eliminated to reflect current conditions and/or adapted to fit the PSRC Vision 2050. This Element is rewritten and will fit into a reorganized Plan. The updated Element is intended to improve clarity, remove duplicative language, update terminology, reflect the values of the community and meet recent changes to the Growth Management Act and other laws.

The Snoqualmie Community continues to express concern over protecting the environment. The recommendations also reflect public comments received during the planning process. Two public open house events, on April 6 and October 16, 2023, as well as an on-going public online survey have generated 8 public comments to date related to this Element, (see Attachment 8: Environmental Element Public Comments Table). Comments received ask for City consideration on: the impacts due to climate change, the protection of trees and the preservation of the natural environment.

| Public Comment Overview |
|---|
| 1. “NOT clear cut for development…maintain pockets of natural growth” |
| 2. “Snoqualmie's natural setting and strengths … should be the focus..” |
| 3. “Please consider the climate crisis in all decisions…” |

**NEXT STEPS**

Discuss the draft Environmental Element as recommended by the Community Development Council Committee. The Roundtable will be followed by a City Council motion on the Element at an upcoming Council meeting.

Attachment 1: Planning Commission Recommendation Signed April 1, 2024
Attachment 2: Environment Element Planning Commission Presentation April 1, 2024
Attachment 3: PSRC Environment, Capital Facilities and Parks Review Comment Letter Dated March 26, 2024
Attachment 4: GMA amendments-1995-2023
Attachment 5: Legislative Color-Coded Previous Presentations on Environment Goals and Policies for Planning Commission
Attachment 6: 2044 Snoqualmie Draft Comprehensive Plan Outline
Attachment 7: Environment Element Evolution Spreadsheet
Attachment 8: Environmental Element Public Comments Table

The Planning Commission unanimously recommends that the Community Development Committee APPROVE the proposed vision, goals, and policies for the Environment Element of the 2044 Snoqualmie Comprehensive Plan and transmit them to the City Council for consideration.

It is the recommendation of the Planning Commission to approve proposed vision, goals, and policies for the Environment Element as presented in Attachment A.

**RECOMMENDED BY THE CITY OF SNOQUALMIE PLANNING COMMISION ON THE 18TH OF MARCH 2024.**

Luke Marusiak
Luke Marusiak (Apr 1, 2024 15:37 PDT) Date Apr 1, 2024

Luke Marusiak
Commission Chair

Attest by:

Ashley Wragge
Ashley Wragge (Mar 22, 2024 13:40 PDT)

Ashley Wragge
Planning Technician

1) **The health, wildlife and ecosystem services and functions provided by the City's natural environment are protected and enhanced, and potential hazards to citizen health, welfare and property are minimized.**
    a. Incorporate and utilize applicable best available science for purposes of designating and protecting all regulated critical areas and anadromous fisheries that need "special consideration" for their conservation and protection.
    b. Protect Snoqualmie's environmental critical areas, habitat, and the natural environment through land use plans, surface water management plans and programs, comprehensive park plans, development regulations and site-specific project review and consultation with affected Tribes.
    c. Consider areas of high wildlife movement and mortality and the needs of all roadway users when designing and building neighborhood traffic safety projects.
    d. Ensure the protection and recovery of ecosystems to provide healthy habitat and support fish, wildlife, and plant populations in a changing climate. This includes actively managing lands through controlling noxious weeds, restoring native vegetation, and monitoring project results.
    e. Coordinate with governmental agencies, non-profit organizations and Tribes to protect and enhance the environment through countywide and watershed planning, fish and wildlife resource management, and habitat protection networks across jurisdictional boundaries.
    f. Establish and maintain relations with Native American tribes for the preservation of archaeological sites and traditional cultural properties that are vulnerable to climate change.
    g. Actively manage city forest lands to decrease climate-exacerbated risks from severe wildfires, protect residents, and improve ecosystem health and habitat and encourage others to do so.
    h. Apply Best Available Science, including Traditional Ecological Knowledge, to protect critical areas, such as wetlands, landslide hazard and erosion-prone areas, and maintain these areas in their natural condition, including native vegetation preservation.
    i. Control the spread of noxious weeds as identified by King County Noxious Weed Control Board from public properties, particularly in more fire-prone areas like roadsides and utility corridors and if possible educate citizens about the control of noxious weeds on private property.
    j. Support integrated and interdisciplinary approaches for environmental planning and assessment
    k. Promote innovative and environmentally sensitive practices in site planning, design, materials selection, construction and maintenance.
    l. Encourage environmental stewardship on private and public lands through partnerships and voluntary efforts that protect, restore and enhance the quality and functions of critical areas and associated buffers.
    m. Support programs that ensure that all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment, and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected by climate change.
2) **Rivers, streams aquifer recharge areas and other water resources within the City are protected and managed for multiple beneficial uses.**
    a. Preserve and protect natural surface water storage sites, such as wetlands, aquifers, streams, and water bodies as these are critical features that support hydrological functions, water quality, regulate surface flows and recharge groundwater.

b. Coordinate the management and restoration Snoqualmie watershed through participation in the Snoqualmie Watershed Forum and the implementation of the Puget Sound Action Agenda.
c. Coordinate with WSDOT, King County, and neighboring jurisdictions to plan and prioritize culvert upgrades and utility crossings to ensure fish passage barrier removal, adequate projected stormwater passage, and continued climate-related adaptations to handle water passage into the future throughout Snoqualmie, especially where terrestrial species connectivity can be restored simultaneously (i.e., with wider bridges).
d. Ensure that local regulations for surface and stormwater management allow for and encourage Low-Impact Development (LID) and Natural Drainage practices. Support retrofitting basins to improve stormwater management and quality.
e. Encourage building construction that uses alternative techniques to minimize impervious surfaces and reduce harmful impacts to the natural environment and proximate waterways.
f. Actively investigate and promote water conservation strategies to efficiently use the City's legal access to water, and to reduce the amount of wastewater to be treated, through such measures as rotating irrigation schedules, and by incentivizing or requiring installation of water-wise landscaping throughout the City.
g. Work with the State Department of Ecology, King County, Tribes and other stakeholders to reduce or eliminate pollution sources and protect public health.
h. Work in conjunction with King County to take corrective action to remove contaminant loading due to failing septic systems and stormwater runoff in susceptible recharge areas.
i. Seek funding to support stormwater retrofitting and green technologies in areas where water quality is impacted by stormwater.
j. Natural hydraulic, hydrologic and habitat functions, and scenic and recreational values of rivers, streams, wetlands and natural drainage courses are protected.
k. Minimize stream crossings, utilizing bridges rather than culverts whenever feasible, and minimize new utility crossing impacts, when possible, by using techniques such as bridges, tunneling, or other innovative methods.
l. Participate in regional species protection efforts, including salmon habitat enhancement and restoration. Identify, prioritize, and eliminate physical barriers (such as fish blocking culverts), and other impediments to anadromous fish spawning and rearing habitat.
m. Maintain infrastructure located within stream corridors in accordance with Best Management Practices that minimize water quality impacts and pursue design modifications or alternative siting options for when significant alterations are undertaken.
n. Protect wetlands areas, functions and values within the City and urban growth area, and allow the creation of wetlands where feasible and appropriate.
o. Restore and maintain previously disturbed wetlands and stream buffers riparian management zones and their buffers where feasible; using the correct mitigation sequencing and maintain restored buffers for optimal ecosystem services.
p. Ensure wetland regulations allow for conservation easements and other techniques to preserve their health and existence.

**3) Public health and property damage risk associated with flood and geologic hazard areas have been reduced, while preventing irreparable harm to regionally significant ecological resources.**

a. Pursue strategies to lower the City's classification rating in the federal FEMA program.

b. Protect properties and ecological functions in the floodplain with development regulations guided by standards established by FEMA, and the Department of Ecology, and Best Available Science that incorporates climate change projections.
c. Pursue the reduction of accelerated erosion and sedimentation due to construction and construction-related activities.
d. Protect areas with severe geologic hazard potential, limiting development in hazard areas or requiring development to minimize grading and enhance native vegetation to the greatest extent possible.
e. Seek to restore natural vegetative cover and natural drainage features on degraded sites, including the removal of invasive weeds as necessary.
f. Support the implementation of the City's Hazard Mitigation Plan to reduce risks associated with floods, erosion, damages to property owners, and other observed hazards and improve development regulations.

# Environment Element Vision, Goals, Policies

**2044 Snoqualmie Comprehensive Plan**

**Snoqualmie Planning Commission**

# Environment Element: Vision, Goals, Policies

**Protect Natural Environment and Minimize Hazards to Citizens**

Coordinate with Government Agencies, Non-Profits, and Tribes

Actively Manage Lands – Control Weeds, Restore Native Vegetation, Monitor Results

Promote Innovative and Environmentally Sensitive Practices in Site Planning, Design, Materials, Construction, and Maintenance

**Rivers, Streams Aquifer Recharge Areas Protected and Managed**

Coordinate with Snoqualmie Watershed Forum, WSDOT, King County, WDFW, Tribe

Culvert Upgrades, Fish Passage Barrier Removal, Stormwater Passage, Elimination of Pollution Sources

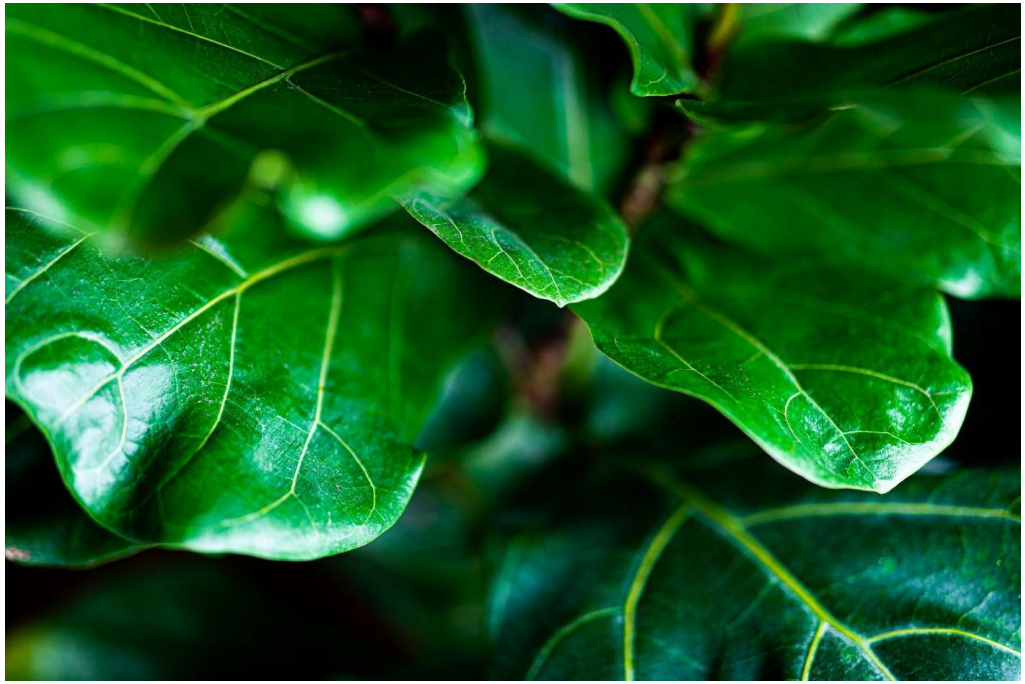
**Reduce Public Health and Damage Risk, Prevent Ecological Harm**

Restore Natural Vegetative Cover, Natural Drainage on Degraded Sites and Remove Invasive Weeds

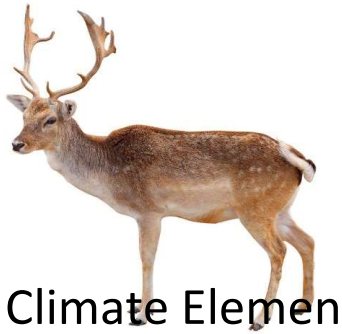
Support Implementation of City's Hazard Mitigation Plan – Reduce Risk due to Floods, Erosion, Other Hazards

# Environmental Element Policy Discussion

Planning Commission Meeting
January 2, 2024



# Schedule



Organized by following topics:

- Environmental Protection
- Climate Planning and Resiliency (Deferred to Climate Element)

January 2, 2024

- Water Resources, Aquifers and Critical Recharge Areas
- Snoqualmie River, Stream Corridors and Wetlands
- Geologic and Flood Hazard Areas
- Goals

February 5,2024

# Draft Environmental Policies
## Environmental Protection

- Incorporate and utilize applicable best available science for purposes of designating and protecting all regulated critical areas and anadromous fisheries that need “special consideration” for their conservation and protection.

- Protect Snoqualmie's environmental critical areas, habitat, and the natural environment through land use plans, surface water management plans and programs, comprehensive park plans, development regulations and site-specific project review. Vision 2050

- Ensure the protection and recovery of ecosystems to provide healthy habitat and support fish, wildlife, and plant populations in a changing climate.

# Draft Environmental Policies
## Environmental Protection

- Coordinate with governmental agencies, non-profit organizations and Tribes to protect and enhance the environment through countywide and watershed planning, fish and wildlife resource management, and habitat protection networks across jurisdictional boundaries.

- Establish and maintain relations with Native American tribes for the preservation of archaeological sites and traditional cultural properties that are vulnerable to climate impacts.

- Actively manage city forest lands to decrease climate-exacerbated risks from severe wildfires, protect residents, and improve ecosystem health and habitat and encourage others to do so.

# Draft Environmental Policies
## Environmental Protection

- Control the spread of noxious weeds as identified by King County Noxious Weed Control Board from public properties, particularly in more fire-prone areas like roadsides and utility corridors and if possible educate citizens about the control of noxious weeds on private property.

- Support integrated and interdisciplinary approaches for environmental planning and assessment. Vision 2050

- Promote innovative and environmentally sensitive practices in site planning, design, materials selection, construction and maintenance. Vision 2050

# Draft Environmental Policies
## Environmental Protection

- Encourage environmental stewardship on private and public lands through partnerships and voluntary efforts that protect, restore and enhance the quality and functions of critical areas and associated buffers. Vision 2050

- Support programs that ensure all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment, and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected by climate change. Vision 2050

# Draft Environmental Policies

## Water Resources, Aquifers and Critical Recharge Areas

- Preserve and protect natural surface water storage sites, such as wetlands, aquifers, streams, and water bodies as these are critical features that support hydrological functions, water quality, regulate surface flows and recharge groundwater. Vision 2050

- Coordinate the management and restoration of the Snoqualmie watershed through participation in the Snoqualmie Watershed Forum and the implementation of the Puget Sound Action Agenda.

- Ensure that local regulations for surface and stormwater management allow for and encourage Low-Impact Development (LID) and natural drainage practices. Support retrofitting basins to improve stormwater management and quality.

- Encourage building construction that uses alternative techniques to minimize impervious surfaces and reduce harmful impacts to the natural environment and proximate waterways.

# Draft Environmental Policies

## Water Resources, Aquifers and Critical Recharge Areas

- Actively investigate and promote water conservation strategies to efficiently use the City's legal access to water, and to reduce the amount of wastewater to be treated, through such measures as rotating irrigation schedules, and by incentivizing or requiring installation of water-wise landscaping throughout the City.

- Seek funding to support stormwater retrofitting and green technologies in areas where water quality is impacted by stormwater.

- Work with the State Department of Ecology, King County, Tribes and other stakeholders to reduce or eliminate pollution sources and protect public health.

- Work in conjunction with King County to take corrective action to remove contaminant loading due to failing septic systems and stormwater runoff in susceptible recharge areas.

# Draft Environmental Policies
## Snoqualmie River, Stream Corridors & Wetlands

- Minimize stream crossings, utilizing bridges rather than culverts whenever feasible, and minimize new utility crossing impacts, when possible, by using techniques such as bridges, tunneling, or other innovative methods.

- Participate in regional species protection efforts, including salmon habitat enhancement and restoration. Identify, prioritize, and eliminate physical barriers (such as fish-blocking culverts), and other impediments to anadromous fish spawning and rearing habitat. Vision 2050

- Maintain infrastructure located within stream corridors in accordance with Best Management Practices that minimize water quality impacts and pursue design modifications or alternative siting options for when significant alterations are undertaken.

# Draft Environmental Policies
## Snoqualmie River, Stream Corridors & Wetlands

- Protect wetlands areas, functions and values within the City and urban growth area and allow the creation of wetlands where feasible and appropriate.

- Restore previously disturbed wetland and stream buffers where feasible and maintain restored buffers.

- Ensure wetland regulations allow for conservation easements and other techniques to preserve their health and existence.

# Draft Environmental Policies
## Geologically and Flood Hazardous Areas

- Protect properties and ecological functions in the floodplain with development regulations that are guided by standards established by FEMA, and the Department of Ecology.

- Pursue strategies to lower the City's classification rating in the federal FEMA program, which provides a discount federally backed flood insurance premiums for property owners.

- Pursue the reduction of accelerated erosion and sedimentation due to construction and construction-related activities.

# Draft Environmental Policies
## Geologically and Flood Hazardous Areas

- Protect areas with severe geologic hazard potential, limiting development in hazard areas or requiring development to minimize grading and enhance native vegetation to the greatest extent possible.

- Seek to restore natural vegetative cover and natural drainage features on degraded sites including the removal of invasive weeds as necessary.

# Draft Environmental Policies
## GOALS

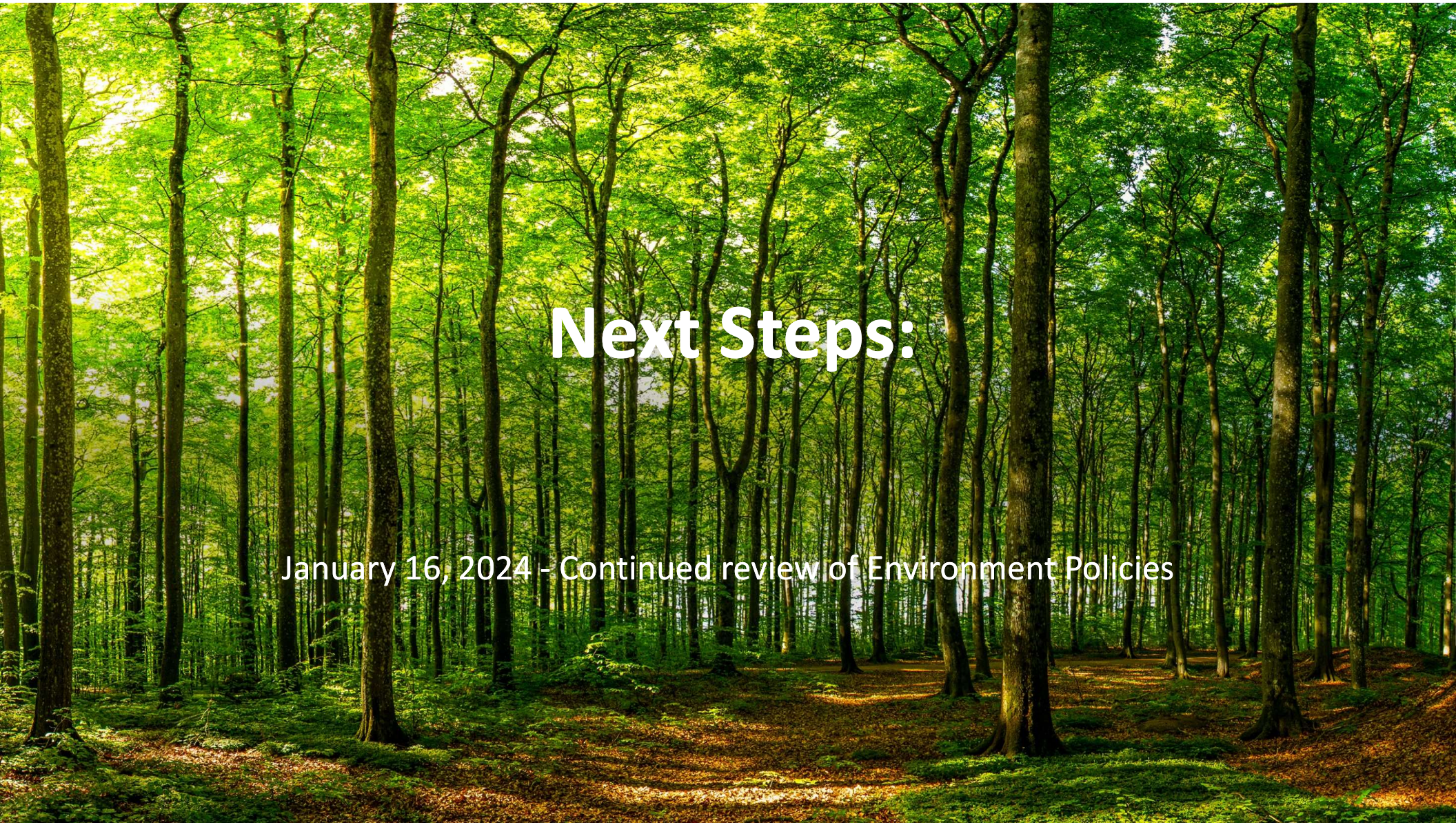
- Environmental Protection: The health and ecosystem services and functions provided by the City's natural environment are protected and enhanced, and potential hazards to citizen health, welfare and property are minimized.

- Water Resources, Aquifers and Critical Recharge Areas: Rivers, streams, aquifer recharge areas and other water resources within the City are protected and managed for multiple beneficial uses.

# Draft Environmental Policies
## GOALS

- Snoqualmie River, Stream Corridors and Wetlands: Natural hydraulic, hydrologic and habitat functions, and scenic and recreational values, of rivers, streams, wetlands and natural drainage courses, are protected.

- Geologic and Flood Hazard Areas: Public health and property damage risk associated with flood and geologic hazard areas have been reduced, while preventing irreparable harm to regionally significant ecological resources.


Next Steps:
January 16, 2024 - Continued review of Environment Policies

Puget Sound Regional Council

1201 Third Avenue, Suite 500 Seattle, WA 98101-3055 | psrc.org | 206-464-7090

March 26, 2024

Ashley Wragge, Planning Technician
City of Snoqualmie
38624 SE River St
Snoqualmie, WA 98065

Subject: PSRC Comments on Snoqualmie Draft Environment, Utilities, and Capital Facilities Policies

Dear Ms. Wragge,

Thank you for providing an opportunity for the Puget Sound Regional Council (PSRC) to review a draft of the Snoqualmie environment, utilities, and capital facilities goals and policies. We appreciate that the city has invested a substantial amount of time and effort in developing the draft elements and appreciate the chance to review while in draft form. This timely collaboration provides an opportunity to review plan elements for the 2024 comprehensive plan and prepares the city well for certification by PSRC once the full plan has been adopted.

We suggest the city consider the following comments as further work is completed for the comprehensive plan update to align with VISION 2050 and the Growth Management Act. We understand from city staff that policies on climate change will be addressed in a separate climate element, so we did not comment on that aspect of the consistency tool.

We reviewed the draft plan using the PSRC Plan Review Consistency Tool. Key sections of the consistency tool are listed below on the left along with relevant comments on the draft plan on the right:

**Capital Facilities and Utilities**

| Plan Review Consistency Tool | PSRC Comment on Draft Snoqualmie Plan |
|---|---|
| Prioritize investments in centers, including regional centers, countywide centers, high-capacity transit areas with a station area plan, and other local centers (MPP-RC-8-9) | The plan includes a policy (Utilities and Capital Facilities Policy 9.1.3) to focus investments to support the development of regional centers. Based on the location of Snoqualmie and existing regional centers, local investment may be better |

| Plan Review Consistency Tool | PSRC Comment on Draft Snoqualmie Plan |
|---|---|
| | suited for local centers. We recommend including a policy to prioritize investments in local centers, consistent with MPP-RC-8 and DP-25. |
| Locate community facilities and services, including civic places like parks, schools, and other public spaces, in centers and near transit, with consideration for climate change, economic, social and health impacts (MPP-PS-18, PS-20, PS-29, DP-11) | The city should consider an additional policy to locate community and civic facilities near transit and in consideration of other community goals. |

Environment

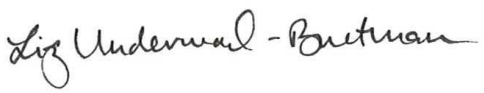
| Plan Review Consistency Tool | PSRC Comment on Draft Snoqualmie Plan |
|---|---|
| Support programs to ensure that all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected (MPP-En-3-4, En-7-8, En-21) | In addition to including a policy on protecting vulnerable populations (Environment Policy 1-L), it would be beneficial to identify where these populations currently live and where environmental impacts are more impactful. |
| Identify open space, trail, and park resources and needs, and develop programs for protecting and enhancing these areas (MPP-En-11-12, En-15, En-Action-4) | Consistent with VISION 2050 and national best practices, PSRC recommends including information on open space and a parks level-of-service to provide parks within a 10-minute walk of all residents. This will set the foundation for adding or expanding parks to create equitable access. |

PSRC has resources available to assist the city in addressing these comments and inform development of the draft plan. We have provided links to online documents in this letter, and additional resources related to the plan review process can also be found at https://www.psrc.org/planning-2050/vision/vision-2050-planning-resources.

We appreciate all the work the city is doing and the opportunity to review and provide comments. We are happy to continue working with you as the draft progresses through the

adoption process. If you have any questions or need additional information, please contact me at 206-464-6174 or LUnderwood-Bultmann@psrc.org.

Sincerely,



Liz Underwood-Bultmann
Principal Planner, Growth Management
Puget Sound Regional Council

cc: Review Team, Growth Management Services, Department of Commerce

Washington State Department of Commerce

# Growth Management Act Amendments 1995-2023

The Washington State Growth Management Act (GMA) has been amended numerous times since originally enacted in 1990. To help local governments with evaluating whether their adopted comprehensive plans and development regulations comply with the GMA, Department of Commerce, Growth Management Services, has developed a list of annual amendments to the GMA. This list summarizes amendments to Chapter 36.70A RCW ("The Growth Management Act" or "GMA"), as well as other related statutory amendments, enacted by the Washington State Legislature from 1995 to 2023.

Each amendment is listed below, by RCW citation and original bill number, according to the year of adoption, and it includes a brief description of the legislation and identification of the local jurisdictions affected.

***Please note**: This list has been prepared to briefly summarize legislative amendments to the GMA and to assist local governments with their periodic update process under RCW 36.70A.130 and for general research. This summary is not intended to provide a complete interpretation of all GMA amendments. Other related statutes may also help implement the GMA, and this summary is not a definitive legal guide for all planning requirements.*

## 2023 Legislative Session

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **RCW 36.70A.060**<br>***SB 5374 – Relating to the adoption of county critical area ordinances by small cities***<br><br>**Brief Description:**<br><br>The bill allows cities under 25,000 to adopt the county's critical area ordinance by reference as long as the CAO is not under appeal. Once adopted by reference, the city is not required to take further action during future GMA periodic updates. Counties are entitled to a portion of the city's grant funding that otherwise would have been used to update their CAOs. | Counties and cities |
| **RCW 36.70A.130**<br>***SB 5457 – Relating to implementing growth management task force legislative recommendations regarding small cities***<br><br>**Brief Description:**<br><br>The bill allows cities and towns to opt out of the full comprehensive plan update process, but still must update critical areas regulations and the capital facilities and transportation elements, if the following are met:<br><br>• Has a population fewer than 500<br>• Is not located within 10 miles of a city with a population over 100,000<br>• Experienced a population growth rate of fewer than 10 percent in the preceding 10 years | Cities and towns |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| • Has provided the department of Commerce with notice of its intent to participate in a partial review and revision of its comprehensive plan | |
| **Ch. 36.70A (GMA), Ch. 43.21C (SEPA), Chs. 64.34, .32, .38, and .90 RCW.**<br>***HB 1337 – Expanding housing options by easing barriers to the construction and use of ADUs***<br><br>**Brief Description:**<br><br>All GMA cities and counties must allow at least two ADUs per lot within urban growth areas in zones that allow for single-family homes. The ADUs may be attached, detached, or a combination of both, or may be conversions of existing structures. Cities must implement the bill's requirements 6 months after their next comprehensive plan periodic update, or else the provisions in the bill will control.<br><br>The bill places certain restrictions on local governments, including:<br><br>• Local governments may not charge more than 50% of impact fees charged for the principal unit.<br>• Local governments may not require the owner to occupy the property.<br>• Local governments may not prohibit the ADU's sale as independent units.<br>• Local governments must allow an ADU of at least 100 square feet and must adjust zoning to be consistent with the bill with respect to bulk and scale regulations.<br>• Local governments must set consistent parking requirements based on distance from transit and lot size.<br><br>Local governments are protected from HOAs seeking to enforce private covenants against ADUs in conflict with the bill. | |
| **RCW 36.70A.030 and .280; adding new sections to the GMA and amending SEPA.**<br>***HB 1110 – Creating more homes for Washington by increasing middle housing in areas traditionally dedicated to single-family detached housing.***<br><br>**Brief description:**<br><br>The bill requires cities of over 25,000 in population or that are within a contiguous UGA with the largest city in county with a population of more than 275,000 to allow two housing units per lot, four if one is affordable, or it is located within ¼ mile of transit, unless higher densities are already permitted.<br><br>For cities over 75,000 in population, the requirement is four and six units, respectively. Extensions and exemptions are available for areas with critical areas, risk of displacement, infrastructure deficiencies, and when certain transportation safety conditions exist. | Cities |
| **RCW 36.70A.020, .030, .070, .130, .190, .280, .320, and .480**<br>***HB 1181 – Improving the state's climate response through updates to the state's planning framework***<br><br>**Brief Description:**<br><br>The bill adds Climate Change and Resiliency as the 14th goal to the Growth Management Act and includes the following key changes to the GMA: | Counties and cities |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
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| • Adds a greenhouse gas emissions reduction sub-element that would be mandatory for 11 of the largest counties and their cities. The sub-element and implementing development regulations must identify actions the jurisdiction will take that will:<br>  ○ Result in reductions in overall GHG emissions generated by the transportation and land use systems within the jurisdiction but without increasing emissions elsewhere.<br>  ○ Result in reductions in vehicle miles traveled within the jurisdictions but without increasing emissions elsewhere.<br>  ○ Prioritize reductions that would benefit overburdened communities in order to maximize the co-benefits of reduced air pollution and environmental justice.<br>• Adds a resiliency sub-element that would be mandatory for all jurisdictions planning under RCW 36.70A.040. This requirement can be satisfied by adopting by reference a FEMA natural hazard mitigation plan that is in substantial conformance with this sub-element.<br>• The land use, capital facilities, park and recreation, utilities, and transportation elements must be updated to include certain climate change related topics, including a prohibition for denying a development permit because a project may cause the transportation level of service to fall below the minimum standard where multimodal mitigation is possible.<br>• Requires consideration of environmental justice in order to avoid worsening environmental health disparities.<br>• Creates a new grant program for community-based organizations to advance participation of vulnerable populations in the planning process.<br>• Requires the Department of Ecology to update its Shoreline Master Program (SMP) guidelines to require that SMPs address the impact of sea level rise and increased storm severity.<br>• Requires the Department of Transportation to maintain a summary of the per capita vehicle miles traveled for cities and unincorporated portions of counties; adds multimodal concurrency. | |
| **Ch. 36.70A RCW (GMA) and Ch. 36.70B RCW (Local Project Review Act)**<br>***HB 1293 – Streamlining development regulations***<br><br>**Brief description:**<br><br>• Effective six months after its next periodic comprehensive plan update, GMA cities and counties must have in place clear, objective, and understandable design review procedures and standards governing the exterior design of all new development. The term "design review" is further defined in statute.<br><br>• Design review of development projects must be reviewed concurrently with two or more project permits associated with the proposal and are limited to one public meeting.<br><br>• The bill adds language to ch. 36.70B RCW (Local Project Review Act) encouraging jurisdictions to consider prompt, coordinated, and expedited project review of general project permits and specifically projects that include affordable housing. | Counties and cities |
| **Ch. 36.70B RCW (Local Project Review Act)**<br>***SB 5290 – Consolidating local permit review***<br><br>**Brief description:** | Counties and cities |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
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| The bill amends chapter 36.70B RCW, the Local Project Review Act, for jurisdictions planning under the GMA. The bill includes the following provisions:<br><br>• Establishes a consolidated permit review grant program for local governments that commit to issuing final decisions for residential permit applications within specified time frames.<br>• Creates a new grant program to support local governments' transition to digital permit application systems.<br>• Requires the department of commerce to convene a work group to study statewide license and permitting software for local governments.<br>• Removes building permits for the types of project permits in the covered types of land use permits.<br>• Amends the process for jurisdictions to provide a written determination of completeness for project permit applications.<br>• Beginning January 1, 2025, jurisdictions must set certain permit decision timelines at 65, 100, and 170 days depending on the permit and other factors. When timelines are not met a portion of the permit fees must be refunded. Jurisdictions can set other deadlines but lose administrative appeal safe harbor protection. Certain jurisdictions must also submit annual performance reports to commerce, which will report to the legislature.<br>• Provides additional measures that jurisdictions can take to facilitate prompt coordinate permit review.<br>• Requires commerce to provide guidance to local governments with respect to appropriate fee structures, staffing-up residential permit processing, and other topics. | |
| **Ch. 43.21C RCW (SEPA)**<br>***SB 5412 – Decreasing local government workload***<br><br>**Brief description:**<br><br>The bill allows for a SEPA categorical exemption for residential development projects within incorporated UGAs and middle housing projects within unincorporated UGAs if:<br><br>• The local government finds the proposed development is consistent with its development regulations; and<br>• The local government has prepared environmental analysis that considers the project in the area proposed for the exemption and analyzes certain multimodal transportation impacts.<br><br>The environmental analysis must include documentation that the requirements for environmental analysis, protection, and mitigation for impacts have been adequately addressed for the exempted project. The local government must also document its consultation with the department of transportation regarding certain transportation impacts. Before finalizing the environmental analysis, the local government must provide at least 60 days public notice and the exemption is effective 30 days following adoptive action. Residential projects in Seattle are exempt from these requirements until September 30, 2025. | Counties and cities |
| **Ch. 90.58 RCW (Shoreline Management Act)**<br>***HB 1544 – SMP review schedules***<br><br>**Brief description:** | Counties and cities |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
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| This bill changes the Shoreline Master Program update schedule from eight years to ten years to align with local governments' comprehensive plan periodic update schedule. The bill also extends by one year the date by which the next round of SMP reviews and revisions are due. | |
| **Ch. 44.39 RCW (Joint Committee on Energy Supply and Energy Conservation), Ch. 80.50 RCW (Energy Facilities), Ch. 43.21C RCW (SEPA), and Ch. 36.70B RCW (Local Project Review Act)**<br><br>***HB 1216 – Clean Energy Siting***<br><br>**Brief description:**<br><br>The bill establishes a new type of project designation by Commerce: Clean Energy Projects of Statewide Significance (CEPSS). The department of Ecology is responsible for coordinating an optional coordinated permitted process for CEPSS projects. Cities and counties with development projects determined as eligible for the coordinated permit process within their jurisdiction must enter into an agreement with Ecology or the project proponent for expediting the completion of projects, including expedited permit process and environmental review processing.<br><br>The bill also directs lead agencies to complete an EIS for CEPSS projects within 24 months of a threshold determination and requires them to work collaboratively with agencies that have actions requiring SEPA review for the project to develop a schedule that includes a list of agency responsibilities, actions, and deadlines. The bill makes other SEPA changes related to the process of environmental review for CEPSS projects.<br><br>During a review of a project to construct or improve electric generation, transmission, or distribution facilities, a local government may not require a project applicant to demonstrate the necessity or utility of the project, other than to require as part of the completed project application the submission of documentation required by the Federal Energy Regulatory Commission or other federal agencies with regulatory authority over electric power transmission and distribution needs, or the Utilities and Transportation Commission.<br><br>A county may not prohibit the installation of wind and solar resource evaluation equipment necessary for the design and environmental planning of a renewable energy project. | Counties and cities |
| **RCW 36.70A710 and .740**<br><br>***SB 5353 – Relating to the Voluntary Stewardship Program***<br><br>**Brief description:**<br><br>The bill removes the date by which counties must join the VSP, opening it up to currently non-participating jurisdictions. A county that elects to join the VSP is not required to implement the program in a participating watershed until new adequate funding is provided. The Conservation Commission is required to determine every two years which watersheds in the new participating counties received adequate funding. If adequate funding is not provided, the county must take one of four options:<br><br>• Develop, adopt, and implement a work plan in the watershed that protects critical areas used for agricultural activities;<br>• Adopt development regulations that have previously been adopted by another local government for the purpose of protecting critical areas used for agricultural activities; | Counties |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
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| • Adopt development regulations certified by commerce as protective as critical areas in areas used for agricultural activities; or<br>• Review, and if necessary, update development regulations adopted under the GMA to protect critical areas as they related to agricultural activities. | |
| **Ch. 43.21C RCW (SEPA), Ch. 35.21 RCW (cities and towns), Ch. 35A.21 RCW (code cities), and Ch. 19.27A RCW (Energy-Related Building Standards)**<br><br>***HB 1042 – The creation of additional housing units in existing buildings***<br><br>**Brief description:**<br><br>The bill prohibits cities from denying a permit application for the addition of housing units within an existing building due to nonconformity with height, setback, parking, modulation, or elevator size unless it is a building code of life safety issue. When new residential units are proposed completely within an existing building, cities must allow a density bonus of 50% more than the zone otherwise allows. Cities may not require the addition of parking spaces, permitting requirements, or design standards not applied to all residential development in the zone, and may not impose exterior design or architectural requirements to the building. Cities also may not require a transportation concurrency study or SEPA review based on the addition of housing units within an existing building.<br><br>The changes to city codes necessary to implement the bill are categorically exempt from SEPA.<br><br>The state building code council is required to adopt an amendment to the energy code that waives the requirement for the unchanged portions of an existing building to comply with the current energy code when additional housing units are added to the building. | Cities |
| **RCW 35.13.470 and RCW 82.14.415**<br><br>***HB 1425 – Facilitating municipal annexations***<br><br>**Brief description:**<br><br>The bill requires that if an interlocal agreement is used for a sales and use tax credit for annexed areas, the interlocal agreement must address:<br><br>• The balancing of annexations of commercial, industrial, and residential properties;<br>• Development, ownership, and maintenance of infrastructure; and<br>• The potential for revenue-sharing agreements.<br><br>The bill removes the requirements that a city be within a county with a population of at least 600,000 to impose the tax and that an annexation area must have a population of at least 10,000 or 4,000. The bill also removes the eligibility timeline.<br><br>The bill requires that to impose the tax, a city must have entered into an interlocal agreement with the county regarding the proposed annexation area. The bill also updates the maximum levy amounts that may be imposed based on population. | Counties and cities |
| **Title 64 RCW (Real Property and Conveyances), RCW 58.17.060, RCW 82.02.060, Ch. 82.45 RCW (Real Estate Excise Tax)**<br><br>***SB 5258 – Increasing the supply and affordability of condominium units and townhouses as an option for homeownership*** | |

| RCW, Bill Number, Brief Description for 2023 Legislative Session | Counties/Cities Other interested parties affected |
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| **Brief description:**<br><br>This bill imposes new requirements on condo associations seeking to bring a construction defect claim and imposes additional pre-litigation procedural requirements with the intent to better resolve disputes and encourage the construction of more housing. The bill also created a Down Payment Assistance Account funded by the REET. Impact fee schedules must now reflect the proportionate impact of new housing units based on the square footage and number of bedrooms, or trips generated, in the housing unit, to produce a proportionally lower impact fee for smaller housing units.<br><br>All cities, towns, and counties must include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots. | |

## 2022 Legislative Session

| RCW, Bill Number, Brief Description for 2022 Legislative Session | Counties/Cities Other interested parties affected |
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| **RCW 36.70A.130**<br>***HB 1241 – Relating to planning under the GMA.*** **(Ch. 192 Laws 2022)**<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>This bill changes the comprehensive plan periodic update from every eight years to every ten years and established the next deadline being December 31, 2024 for King, Kitsap, Pierce, and Snohomish counties and the cities within them. In addition, counties meeting certain population or growth thresholds, and certain cities within them, must provide the Department of Commerce with an implementation progress report five years after the periodic comprehensive plan adoption. Commerce must develop guidelines for the report, including:<br><br>• The implementation of previously adopted changes to the housing element and the effect of those changes on housing affordability and availability within the jurisdiction;<br>• Permit processing timelines; and<br>• Progress toward implementing actions required to achieve reductions to meet greenhouse gas and vehicle miles traveled requirements as provided for in any element of the comprehensive plan.<br><br>If a covered jurisdiction has yet to implement any changes that were included in the most recent period update or has not taken legislative or administrative actions necessary to implement the changes by the implementation progress report due date, then that jurisdiction must identify the need for changes or action in its report, adopt a work plan to implement the changes, and complete all work necessary for implementation within two years of the report's submission. | Counties and cities |
| **RCW 36.70A.040 - .210.**<br>***HB 1717 – Relating to tribal participation in GMA planning.*** **(Ch. 252 Laws 2022)**<br>**Effective date: June 9, 2022** | Counties, Cities, regional planning authorities, and tribes. |

| RCW, Bill Number, Brief Description for 2022 Legislative Session | Counties/Cities Other interested parties affected |
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| **Brief description:**<br><br>Federal agencies and tribes with a reservation or ceded lands within a county are required to be invited to participate in the countywide planning process. A federally recognized Indian tribe may voluntarily choose to participate in the county or regional planning process and coordinate with the counties and cities required to plan under the GMA. Once a local government receives notice from a tribe whose reservations or ceded land are in the county that the tribe has or will have a parallel planning process, the local government must enter into good faith negotiations with the tribe to attempt to reach a mutually acceptable memorandum of agreement regarding collaboration and participation in the planning process, including coordinating planning for urban growth. If such agreement cannot be reached, the local government and tribe must enter mediation. A tribe may also request that Commerce provide facilitation services to resolve issues that it has with a local government's comprehensive planning. Delay of adoption of a local government's comprehensive plan or development regulations due to this dispute resolution are not subject to GMHB appeal regarding the delay.<br><br>Countywide planning policies must include policies that address the protection of tribal cultural resources in collaboration with tribes that choose to participate in the planning process. When a city's comprehensive plan includes a port element, the city must develop the element collaboratively with the port and any tribe that is participating in the planning process through a MOA. | |
| **RCW 36.70A.540**<br>***HB 2001 – Relating to expanding the ability to build tiny houses.*** **(Ch. 275 Laws 2002)**<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>The bill adds tiny house communities, which were legislatively authorized in 2017, to the type of housing eligible for affordable housing incentive programs established by local governments under the GMA through comprehensive plans and development regulations. | Counties and cities |
| **RCW 36.70A.067**<br>***SB 5042 – Relating to the effective date of certain actions taken under the GMA.*** **(Ch. 218 Laws 2022).**<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>The bill establishes the effective date of an action that expands a UGA; removes the designation of agricultural, forest, or mineral resource lands; creates or expands a LAMIRD; establishes a new fully contained community; or creates or expands a master planned resort is the later of the following:<br><br>• 60 days after the date of public of notice of adoption of the comprehensive plan, development regulation, or amendment to the plan or regulation, implementing the action; or<br>• If a petition for review to the Growth Management Hearings Board is timely filed, upon issuance of the board's final order.<br><br>This eliminates a vesting loophole that previously allowed these actions to proceed due to Washington's early vesting law, even when an action is subsequently invalidated by the GMHB. | Counties |

| RCW, Bill Number, Brief Description for 2022 Legislative Session | Counties/Cities Other interested parties affected |
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| **RCW 36.70A.070**<br>***SB 5275 – Relating to enhancing opportunity in LAMIRDs. (Ch. 220 Laws 2022).***<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>The bill amends current LAMIRD requirements by allowing for:<br><br>• Development and redevelopment within a LAMIRD with confirmation that existing providers of public facilities and services have sufficient capacity to serve new or additional demand from the development or redevelopment.<br><br>• Changes to land use designations on vacant land if new development and redevelopment is consistent with the county definition of local rural character.<br><br>• Commercial development or redevelopment within mixed-use areas to serve existing and projected rural populations with a footprint limitation of up to a maximum of 5,000 square feet. New uses of retail or food service space cannot exceed 2,500 square feet. | Counties |
| **RCW 36.70A.130**<br>***SB 5593 – Relating to UGA boundaries. (Ch. 287 Laws 2022).***<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>Each county that designates UGAs must review the patterns of development within the UGA during the periodic comprehensive plan update. If, during this review, the county determines the patterns of development have created pressure in areas that exceed the available and developable lands within the UGA, the county may revise the UGA to accommodate identified patterns of development and future development pressure for the succeeding 20-year period. Areas added to the UGA must not be designated as natural resource lands or contain more than 15 percent critical areas.v The areas added must be suitable for urban growth and contiguous. The revision may not result in an increase in the total surface area of the existing UGA.<br><br>A jurisdiction's transportation element and capital facility plan element must identify the transportation facilities, public facilities, and related services needed to serve the added areas to the UGA, including funding sources. | Counties, cities, and service providers. |
| **RCW 36.70A.600, .070 and Ch. 43.21C RCW (SEPA)**<br>***SB 5818 – Relating to promoting housing construction in cities through amendments to and limiting appeals under SEPA and the GMA.***<br>**Effective date: June 9, 2022**<br><br>**Brief Description:**<br><br>Any nonproject action taken by a fully planning city to implement certain optional planning actions to increase residential building capacity is permanently exempt from administrative and judicial appeal under SEPA. The adoption of ordinances, development regulations, and amendments to such regulations and other nonproject actions taken by a fully planning city that increases housing capacity and affordability and mitigates displacement, outside of critical areas, are exempt from | |

| RCW, Bill Number, Brief Description for 2022 Legislative Session | Counties/Cities Other interested parties affected |
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| administrative and judicial appeals under SEPA, except for nonproject actions having a probable significant adverse impact on fish habitat.<br><br>The SEPA exemption for project actions related to a residential, multifamily, or mixed-use development on the basis of or impacts to the transportation elements of the environment only applies if WSDOT has not found that the project will present significant adverse impacts to the state-owned transportation system. Impacts to aesthetics or light and glare are exempt from SEPA if the project is subject to adopted design review requirements.<br><br>Ecology must undergo expedited rulemaking to modify rule-based SEPA categorical exemptions to SEPA as follows:<br><br>• Add four attached single-family residential units to the current exemption for certain types of construction.<br>• Create a new exemption level for single-family residential project types with a total square footage of fewer than 1500 square feet in incorporated UGAs of at least 100 units.<br>• Increase the exemption level for multifamily residential project types in incorporated UGAs from 60 units to 200 units.<br>• Add the following sentence to the categorical exemptions for minor new construction: "The city, town, or county must document the result of its outreach with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to state-owned transportation facilities."<br><br>Any applicant whose project qualifies as exempt under SEPA is not required to file an environmental checklist if other information is available to establish that a project qualifies for an exemption. | |
| **Title 70A RCW (Environmental Health and Safety), Ch. 36.70A RCW (GMA), Ch. 36.70 RCW (Planning Enabling Act), and related statutes**<br>***HB 1799 – Relating to organic materials management***<br>**Effective date: June 9, 2022**<br><br>**Brief description:**<br><br>Beginning January 1, 2027, each county or city that implements a local solid waste plan must provide source-separated organic waste collection services at least either biweekly or 26 weeks annually to all residents and non-residential customers that generate at least 0.25 cubic yards of organic materials per week, and must provide for organic materials management of collected organic materials. Cities and counties may charge and collect fees or rates for these services, consistent with existing authority to impose fees and rates for solid waste collection services. These requirements do not apply to certain jurisdictions and certain areas described in the bill.<br><br>Jurisdictions implementing local solid waste management plans may not site the increase or expansion of an existing organic materials management facility that processed more than 200,000 tons of material relative to 2019 levels, except that this limitation does not apply to anaerobic digesters.<br><br>By January 1, 2023, cities and counties with a population of at least 25,000 or in which organic material collection services are provided must adopt a compost procurement ordinance to implement the 2020 requirement for local governments to consider the use of compost products in projects and to use compose products in a project except when availability, health, quality, safety, or price-competitive criteria are not met. They must develop strategies to inform residents | Counties and cities |

| RCW, Bill Number, Brief Description for 2022 Legislative Session | Counties/Cities Other interested parties affected |
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| regarding the jurisdiction's use of compost and the value of compost and give priority to purchasing compost products that produce compost locally, are certified by a nationally recognized organization, the product products derived from municipal solid waste compost programs, and that meet quality standards. The bill creates additional procurement options for local governments. | |

## 2021 Legislative Session

| RCW, Bill Number, Brief Description for 2021 Legislative Session | Counties/Cities Other interested parties affected |
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| **RCW 36.70A.020, .030, .070, .390; chapter 35A.21 RCW; chapter 35.21 RCW**<br>***HB 1220 – Relating to supporting emergency shelters and housing through local planning and development regulations.*** **(Ch. 254 Laws 2021)**<br>**Effective date: July 25, 2021**<br><br>**Brief Description:**<br><br>Commerce will provide jurisdictions with existing and projected housing needs that identify the number of housing units necessary to manage projected growth, including units for moderate, low, very low, and extremely low-income households as well as emergency housing, emergency shelters, and permanent supportive housing.<br><br>The housing element of comprehensive plans is updated to require GMA planning counties and cities to do the following:<br><br>• Include moderate density housing options within the UGA and include mandatory provisions for the preservation, improvement, and development of housing.<br>• Identify sufficient land and zoning capacities for the following housing types based on the housing needs provided by Commerce: moderate, low, very low, and extremely low-income households; emergency housing, emergency shelters, and permanent supportive housing; and within the UGA, consideration of duplexes, triplexes, and townhomes.<br>• Plan for and accommodate, rather than just encourage the availability of, affordable housing for the economic segments described above by doing the following:<br>  ○ Incorporate special consideration for low, very low, extremely low, and moderate-income households;<br>  ○ Document programs and actions needed to achieve housing availability, including gaps in local funding, barriers such as development regulations, and other limitations;<br>  ○ Consider housing locations in relation to employment locations;<br>  ○ Consider the role of ADUs in meeting housing needs.<br>• Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing and implement policies and regulations to address and being to undo them.<br>• Identify areas at high risk of displacement from market forces that occur with changes to zoning, development regulations, and capital investments.<br>• Establish anti-displacement policies<br><br>Cities may not prohibit transitional housing or permanent supportive housing in any zones where residential dwelling units or hotels are allowed. Cities may not prohibit indoor emergency shelters or indoor emergency housing in any zones where hotels are allowed, except for cities that have | Counties and cities |

| RCW, Bill Number, Brief Description for 2021 Legislative Session | Counties/Cities Other interested parties affected |
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| adopted an ordinance authorizing such shelters and housing in a majority of zones within a 1-mile proximity to transit. Cities may impose reasonable occupancy and use regulations on such shelters and housing but those regulations may not prevent the siting of a sufficient number to accommodate the need. | |
| **RCW 36.70A.330 and RCW 43.155.070; chapters 35A.14 RCW, 36.70A RCW, 43.160 RCW, 80.36 RCW, and 43.330 RCW.**<br>***SB 5368 – Relating to encouraging rural economic development.*** **(Ch. 312 Laws 2021)**<br>**Effective date: July 25, 2021**<br><br>**Brief Description:**<br><br>This bill allows code cities and counties to enter into an interlocal agreement for the purpose of facilitating city annexation of unincorporated UGA territory, including collaborating on the jurisdictional transfer of commercial, industrial, and residential properties and facilities.<br><br>The bill also authorizes the Growth Management Hearings Board to refer a finding of noncompliance to Commerce to facilitate a speedy resolution. | Counties and Cities |

## 2020 Legislative Session

| RCW, Bill Number, Brief Description for 2020 Legislative Session | Counties/Cities Other interested parties affected |
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| **RCW 36.70A.130**<br>***HB 2342 – Relating to aligning the timing of comprehensive plan updates required by the growth management act with the timing of shoreline master program updates required by the shoreline management act.*** **(Ch. 113 Laws 2020)**<br>**Effective date: 6/11/2020**<br>**Effective date (Section 2): 7/1/2025**<br><br>**Brief Description:**<br>This amendment updated the GMA periodic update schedule to better align the GMA update cycle with the census and makes associated changes to the Shoreline Management Act (SMA) schedule. The new GMA schedule took effect June 11, 2020. (The new SMA schedule changes, RCW 90.58.080, changes take effect July 1, 2025.)<br><br><u>New GMA periodic update schedule</u>:<br>• The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2024, and every eight years thereafter: King, Kitsap, Pierce, and Snohomish.<br>• The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2025, and every eight years thereafter: Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan, Skagit, Thurston, and Whatcom.<br>• The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2026, and every | Counties and cities |

| RCW, Bill Number, Brief Description for 2020 Legislative Session | Counties/Cities Other interested parties affected |
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| eight years thereafter: Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima.<br>• The following counties, and the cities within them, are required to review and, if needed, revise their comprehensive plans and development regulations by June 30, 2027, and every eight years thereafter: Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, and Whitman. | |
| **RCW 36.70A.600 through .620, and RCW 36.70A.030.**<br>***HB 2343 – Relating to urban housing supply.*** **(Ch. 173 Laws 2020)**<br>Effective date: 6/11/2020<br><br>**Brief Description:**<br>• Adds to provisions of E2SHB 1923 (2019), extending timelines and adding to the list of activities that cities are encouraged to take in order to increase residential building capacity.<br>• The date by which cities must take certain planning actions to increase residential building capacity in order for those actions to be exempt from administrative or judicial appeal under the GMA and the State Environmental Policy Act (SEPA) is changed from April 1, 2021, to April 1, 2023.<br>• Reduces requirements for bus frequency from four times an hour to two times an hour for very or extremely low income (30-50% AMI) relating to parking reductions.<br>• Adds parking reductions for market rate housing: "*For market rate multifamily housing units that are located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit*."<br>• The GMA definition of "permanent supportive housing" is modified. | Cities |
| **RCW 36.70A.696 through .699**<br>***SB 6617 – Relating to accessory dwelling unit regulation.*** **(Ch. 217 Laws 2020)**<br>Effective date: 6/11/2020<br><br>**Brief Description:**<br>• Requires, by July 1, 2021, any city within a GMA county must adopt or amend regulations so as to not require off-street parking for accessory dwelling units (ADUs) within 0.25 mile of a "major transit stop" unless the city determines the ADU is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons that would make on-street parking infeasible for the ADU.<br>• A city that has adopted or substantively amended its ADU regulations within the previous four years is exempt from the new ADU requirements regarding off-street parking.<br>• "Major transit stop" is defined as:<br>o A stop on certain high capacity transportation systems;<br>o Commuter rail stops;<br>o Stops on rail or fixed guideway systems, including transit-ways; | Cities |

| RCW, Bill Number, Brief Description for 2020 Legislative Session | Counties/Cities Other interested parties affected |
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| ○ Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or<br>○ Stops for a bus or other transit mode providing fixed route service at intervals of at least 15 minutes during the peak hours of operation. | |
| **RCW 36.70A.200**<br>***HB 2640 – Relating to clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act.*** **(Ch. 128 Laws 2020)**<br>Effective date: 3/25/2020<br><br>**Brief Description:**<br>This bill updates the GMA provision governing the siting of essential public facilities, and exclude private detention facilities from the definition of essential public facilities. It further clarifies that this exclusions does not apply to mental health facilities. Those facilities remain essential public facilities. It applies to only facilities for pretrial detention. It applies retroactively as well as prospectively. | Counties and cities |
| **RCW 36.70A.250 through .280**<br>***SB 6574 – Relating to clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office.*** **(Ch. 214 Laws 2020)**<br>Effective date: 6/11/2020<br><br>**Brief Description:**<br>This bill is governor request legislation designed to align the structure and practice of the Growth Management Hearings Board (GMHB) with the rest of the Environmental and Land Use Hearings Office to improve administration. The bill changes the size of the board, adjusts the qualifications of board members and the procedures for appointing board members and makes other miscellaneous changes to the composition and operations of the GMHB. | Counties, cities and members of the public |
| **RCW 43.21C.229**<br>***HB 2673 – Relating to exemptions for infill development under the state environmental policy act.*** **(Ch. 87 Laws 2020)**<br>Effective date: 6/11/2020<br><br>**Brief Description:**<br>This bill amends RCW 43.21C.229, and changes the standard for use of optionally SEPA categorical exemption for infill development to include development in areas where population is roughly equal to projections in comprehensive plan and development regulations, rather than limiting it to areas where it is less than such projections. | Counties and cities |
| **RCW 84.14.020**<br>***HB 2950 – Relating to addressing affordable housing needs through the multifamily housing tax exemption by providing an extension of the exemption until January 1, 2022, for certain properties currently receiving a twelve-year exemption and by convening a work group.***<br>**(Ch. 237 Laws 2020)**<br>Governor partial veto – Section 3 not approved.<br>**Effective date: 6/11/2020** | Counties and cities |

| RCW, Bill Number, Brief Description for 2020 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **Brief Description:**<br>This bill extends the multifamily property tax exemption (MFTE) for certain properties through December 31, 2021.<br><br>Governor's partial veto: *Section 3 directs the Department of Commence to contract with a nonprofit facilitator to convene a work group to study and make recommendations on certain aspects of the multifamily property tax exemption program. The department is also required to provide a follow-up report to the Legislature and the Joint Legislative Audit and Review Committee by December 1, 2020. However, the work required under Section 3 is not funded in the budget. For these reasons I have vetoed Section 3 of Substitute House Bill 2950.* | |

## 2019 Legislative Session

| RCW, Bill Number, Brief Description for 2019 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **RCW 36.70A.545** (and RCW 35A.63.300, and RCW 35.63.280)<br>***HB 1377 – Relating to affordable housing development on religious organization property.***<br>**(Ch. 218 Laws 2019)**<br>**Effective date: 7/28/2019**<br><br>**Brief Description:**<br>• A city planning under certain planning enabling statutes, or a city or county fully planning under the GMA, must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization if the affordable housing development under certain conditions outlined under RCW 36.70A.545.<br>• A city or town, code city, or county may develop policies to implement the increased density bonus if it receives a request from a religious organization for the increased density bonus.<br>• The religious organization developing the qualifying affordable housing must pay all fees, mitigation costs, and other charges required and, if applicable, should work with local transit agencies to ensure appropriate transit services are provided to the affordable housing development.<br>• An affordable housing development created by a religious institution within a city or county fully planning under the GMA must be located within an urban growth area. | Counties and cities |
| **RCW 36.70A.600 through 620; and RCW 36.70A.030**<br>***HB 1923 – Relating to increasing urban residential building capacity.*** **(Ch. 348 Laws 2019)**<br>**Effective date: 7/28/2019**<br>**Effective date (Section 11): 7/1/2019**<br><br>**Brief Description:**<br>This is a multifaceted bill designed to increase residential capacity in larger cities. | Cities |

| RCW, Bill Number, Brief Description for 2019 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| • Encourages fully planning cities to take certain actions designed to increase residential building capacity. The bill lists twelve qualifying measures they are encouraged to adopt. If a city intends to adopt actions before July 30, 2021 they can apply to Commerce for a grant of up to $100,000 to support the effort. Implementation actions taken before this deadline are also shielded from SEPA and GMA appeal. Cities may also gain eligibility through development of a housing action plan. A housing action plan is an expanded version of the housing needs analysis.<br>• The bill also directs the Washington Center for Real Estate Research to produce a report every two years that compiles housing supply and affordability metrics for all fully planning cities. This data is designed for use with drafting the housing action plan.<br>• The bill also contains two mandatory requirements designed to reduce pressure on housing supply. The first is a requirement to all permanent supportive housing in all multifamily areas. The second is limitations on minimum parking requirements.<br>• In order to fund the grants and the production of the housing data profiles, the bill establishes a $2.50 increase in the document-recording fee. | |
| **RCW 43.330.515 and .520**<br>***SB 5748 – Relating to creating an account to support necessary infrastructure nearby military installations.*** **(Ch. 404 Laws 2019)**<br>Effective date: 7/28/2019<br><br>**Brief Description:**<br>The bill creates the defense community compatibility account. The account funds grants to local governments, or entities who have an agreement with a military installation under the Readiness and Environmental Protection Integration (REPI) program. Eligible projects include:<br>• Acquisition of real property or real property interests to eliminate an existing incompatible use;<br>• Projects to jointly assist in the recovery or protection of endangered species dependent on military installation property for habitat;<br>• Projects or programs to increase the availability of housing affordable to enlisted military personnel and nonmilitary residents in the local community.<br>• Projects to retrofit existing uses to increase their compatibility with existing military operations.<br>• Projects to enable local communities heavily dependent on a nearby military installation to diversify the local economy so as to reduce the economic dependence on the military base;<br>• Projects that aid communities to replace jobs lost in the event of a reduction of the military presence;<br>• Local infrastructure or facilities necessary to help a community accommodate an expanded military presence in their community;<br>• Projects that improve or enhance aspects of the local economy, environment, or quality of life impacted by the presence of military activities.<br>Commerce must produce a biennial report with a prioritized list of projects, and may develop rules to implement this section. | Counties and cities, and certain entities also identified in this bill. |
| **RCW 36.70A.270**<br>***SB 5151 – Relating to requiring the growth management hearings board to topically index the rulings, decisions, and orders it publishes.*** **(Ch. 452 Laws 2019)**<br>Effective date: 7/28/2019 | Counties, cities, and members of the public. |

| RCW, Bill Number, Brief Description for 2019 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **Brief Description:**<br>Environmental & Land Use Hearings Office must coordinate with the Growth Management Hearings Board, the Department of Commerce, and other interested stakeholders to develop and maintain a rational system of categorizing rulings, decisions, and orders. The website must allow a user to search GMHB decisions and orders by topic, party, and geographic location or by natural language. All rulings, decisions, and orders issued before January 1, 2019, must be published by June 30, 2021. | |

## 2018 Legislative Session

| RCW, Bill Number, Brief Description for 2018 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **RCW 36.70A.590**<br>***SB 6091 - Relating to ensuring that water is available to support development.***<br>**(Ch.1 Laws 2018) Effective date 1/19/2018**<br><br>**Brief Description:**<br>Addresses the availability of water to support development. For the purposes of complying with the GMA relating to surface and groundwater resources, a county or city may rely on or refer to applicable minimum instream flow rules adopted by Ecology. Development regulations must ensure that proposed water uses are consistent with the permit-exempt groundwater statute and with applicable rules when making building permit and subdivision decisions. | Counties and cities |

## 2017 Legislative Session

| RCW, Bill Number, Brief Description for 2017 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **RCW 36.70A.211 and .212**<br>***HB 1017 – Relating to the siting of schools and school facilities.***<br>**(Ch. 129 Laws 17)** ***Governor vetoed Section 1.***<br>**Effective date 7/23/2017**<br><br>**Brief Description (Sections 2-3):**<br>• Pierce County may authorize the siting of a school in a rural area to serve students from an urban area, even when otherwise prohibited by multicounty policies if the county has adopted a comprehensive plan policy concerning the siting of schools in rural areas. Such a school may not collect impact fees.<br>• Vision 2040, the multicounty planning policy document is to be amended at its next update (2020) to include a policy addressing the siting of schools in rural areas. (This policy would cover all four PSRC counties).<br>• Each school district that sites schools under Section 2 must participate in the county's next GMA update (due in 2023 for Pierce County), to:<br>  ○ Coordinate on enrollment forecasts and projections<br>  ○ Identify school siting criteria, with the county, cities and PSRC | Pierce County |

| RCW, Bill Number, Brief Description for 2017 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| ○ Identify suitable school sites with the county and cities with priority to siting urban serving schools in existing cities and towns in locations where students can safely walk and bicycle to school from the homes, and can effectively served by transit<br>○ Identify schools costs and include this in the capital facilities plan element.<br><br>Governors' partial veto (Section 1)**: *First, any extension of urban services to serve a rural school must be limited to the size and scale needed to support the long-term needs of the school. Second, the land surrounding a new rural school must maintain its rural character and housing density as specified in RCW 36.70A.070(5). Finally, in order for schools to be sited outside the Urban Growth Boundary Line, school districts must demonstrate that there is no suitable land available within the Urban Growth Area. For these reasons I have vetoed Section 1 of Engrossed Substitute House Bill 1017.*<br><br>** Note: See HB 2243 (2017) below. | |
| **RCW 37.70A.690**<br>***HB 1503 – Relating to preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners.*** **(Ch. 105 Laws 17)**<br>**Effective date 7/23/2017**<br><br>**Brief Description:**<br>• Declares that the Growth Management Act (GMA) does not preclude counties from certifying homeowners, or their family members or tenants, to inspect their on-site sewage systems (OSS).<br>• Declares that counties are not relived of the obligation to protect water quality under the GMA.<br>Governor signed | Counties and cities. Property owners (pertaining to self-inspection of septic systems) |
| **RCW 36.70A.030, .060, .070, and .108**<br>***SB 5517 – Concerning rail dependent uses for purposes of the growth management act and related development regulations.*** **Governor vetoed**<br><br>**Brief Description:**<br>• Adds definitions of "freight rail dependent uses" and "short line railroad" to the Growth Management Act (GMA).<br>• Direct the Department of Commerce to submit a report to the Legislature by November 15 of each-even numbered year, beginning in 2022 and ending in 2032, that describes any job gains, tax impact, and impacts to resource lands resulting from freight rail dependent uses sited under the GMA.<br>• Authorized Clark and Okanogan counties to allow rail dependent industrial uses on resource lands adjacent to short line railroads.<br>• Authorizes Clark and Okanogan counties to include development of freight rail dependent uses on land adjacent to railroad lines and infrastructure in the transportation element of their comprehensive plan. | Clark, Okanogan |
| **RCW 36.70A.110**<br>***HB 1683 – Addressing sewer service within urban growth areas.***<br>**(Chapter 305 Laws 2017) Effective date 7/23/2017** | Counties and cities. Utility districts and Property owners. |

| RCW, Bill Number, Brief Description for 2017 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **Brief Description:**<br>Specifies that GMA fully planning counties, cities, and utilities are not obligated to install sanitary sewer systems to certain properties within urban growth areas served by on-site sewage systems. | |
| **HB 2243-Concerning the siting of schools and school facilities**<br>**Governor signed C32 L 2017 3rd Special Session. Effective date 10/19/2017**<br><br>**Brief Description:**<br>• Provides that the Growth Management Act (GMA) does not prohibit a county planning fully under the GMA from authorizing the extension of public facilities and utilities to serve a school located in a rural area that serves students from a rural area and an urban area, so long as certain requirements are met.<br>• Authorizes the extension of public facilities and utilities extended to a school located outside an Urban Growth Area (UGA),.<br>• Provides that the GMA does not prohibit the expansion, modernization, or placement of portable classrooms at an existing school in a rural area.<br>• Directs the Department of Commerce to submit a report to the Legislature in 2023 that reports on the schools built under this legislation.<br><br>**Note: how this is related to ESHB 1017**: During the 2017 Legislative Session, the Legislature passed Engrossed Substitute House Bill (ESHB) 1017, which dealt with the topic of siting schools in rural areas under the GMA. Governor signed ESHB 1017 into law, but in so doing, vetoed section 1 of ESHB 1017. The vetoed provisions were signed into law as part of HB 2243. | Counties and cities |
| **SB 5254–Relating to ensuring adequacy of buildable lands and zoning in urban growth areas and providing funding for low-income housing and homeless programs**<br>**Governor signed C16, L 2017 3Rd Special Session, Effective date 10/19/2017**<br><br>**Brief Description:**<br><br>• Extends the $40 local homeless housing and assistance surcharge to 2023.<br>• Allows revenue from the local real estate excise tax (REET II) to be used for homeless housing development through 2019, subject to certain conditions.<br>• Makes certain changes to the Growth Management Act's buildable lands program through 2030, including making Whatcom County subject to buildable lands program requirements and requiring that county buildable land reports be completed at least two years prior to scheduled comprehensive plan updates.<br>• Requires the Department of Commerce to contract for the development of buildable lands program guidance for use by local governments.<br>• Exempts projects with environmental impacts that have been addressed in a planned actions designated by local governments that encompass areas located near transit stops from further environmental review under the State Environmental Policy Act (SEPA). | Buildable Lands Counties:<br>Clark, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties.<br><br>Note: Portions of the bill only affect newly added Whatcom County. |

| RCW, Bill Number, Brief Description for 2017 Legislative Session | Counties/Cities Other interested parties affected |
|---|---|
| **RCW 36.70A, .070**<br>**SSB 5790 – Concerning the economic development element of the growth management act. Governor partial veto – Section 3 not approved. Chapter 331, 2017 Laws PV, Effective date 7/23/2017**<br><br>**Brief Description:**<br><br>The bill amends the rural element requirement to allow innovative techniques that will accommodate appropriate rural economic advancement, densities, and uses. It also removes the following provisions from the economic development element:<br>• A summary of the local economy<br>• A summary of the strengths and weaknesses of the local economy, and<br>• An identification of policies, programs, and projects to foster economic growth and development and to address future needs.<br><br>The Governor partially vetoed a section of the bill that would have allowed smaller counties to identify stagnate or deteriorating economic industries in rural areas and "seize economic opportunities that may deviate" from the GMA in order to encourage economic development. The vetoed section would have required the GMHB to afford deference to local development choices that prioritize economic development in rural areas for certain jurisdictions. | Cities, Counties |
| **SB 5806-Concerning preliminary work to develop a process for planning for a new interstate 5 bridge spanning the Columbia river. Governor signed. C288 L2017. Effective date 7/23/2017**<br><br>The process for designating a project of statewide significance is modified to allow for a legislative designation. Projects of statewide significance that are designated by the Legislature are exempted from the application requirements. | Cities and Counties |

## 2016 Legislative Session

| No Growth Management Act Amendments for 2016 Legislative Session | Cities/Counties Affected |
|---|---|

## 2015 Legislative Session

| RCW, Bill Number, Brief Description for 2015 Legislative Session | Cities/Counties Affected |
|---|---|
| **RCW 36.70A.035**<br>**SB 5238 – Concerning public water systems' public participation notice provisions.**<br><br>**Brief Description:**<br>• The list of persons and entities that public participation requirements of GMA must, through notice procedures, must also be reasonably calculated to provide notice of proposed amendments to comprehensive plans and development regulations is expanded to include Group A public water systems that are required to develop water system plans. Group A water systems either have 15 or more service connections, regularly serve 25 or more people 60 or more days per year, or serve 1,000 or more people for two or more consecutive days. | Counties, Cities |
| **RCW 37.70A.070**<br>**ESB 5923 – Promoting economic recovery in the construction industry**<br>**Brief Description:**<br>• Obligates counties, cities, and towns that collect impact fees to, by September 1, 2016, adopt and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction.<br>• Delays the starting of the six-year frame for satisfying transportation concurrency provisions of the Growth Management Act until deferred impact fees are due.<br>• Establishes impact fee deferral reporting requirements for the Joint Legislative Audit and Review Committee and the Department of Commerce.<br>• Makes all provisions effective September 1, 2016. | Counties, cities, and towns that collect impact fees |

## Legislative Session 2014

| RCW, Bill Number, Brief Description for Legislative Session 2014 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A.040, .060, .280**<br>**EHB 1224 – Providing a process for county legislative authorities to withdraw from voluntary planning under the GMA**<br><br>**Brief Description:**<br>• Allows a county that elected to fully plan under the Growth Management Act (GMA) and that has 20,000 or fewer inhabitants to reduce the planning obligations that it and the cities within must satisfy under the GMA.<br>• Expires the authority of a county to reduce planning obligations for it and the cities within on December 31, 2015.<br>• Establishes that a county action to reduce the planning obligations for it and the cities within may be invalidated if the county is not in compliance with certain planning requirements of | Counties, Cities |

| RCW, Bill Number, Brief Description for Legislative Session 2014 | Cities/Counties Affected |
|---|---|
| GMA at the time of the county's reduction action, and if the county does not rece3ived a determination of compliance from the Department of Commerce (Commerce).<br>• Makes compliance determinations by Commerce subject to review by the Growth Management Hearings Board.<br>• Specifies that a county that reduces the planning obligations for it and the cities within must satisfy requirements for natural resource lands, critical areas, the use of best available science and the requirements established in the rural element of a comprehensive plan and the associated development regulations. | |
| **RCW 36.70A.367**<br><br>**HB 1360 – Extending the deadline to designate one or more Industrial land banks**<br><br>**Brief Description:**<br>• Extends the deadline for certain counties planning under the Growth Management Act and with the authority to designate industrial land banks to identify and approve locations and then adopt regulations for industrial land banks until December 31, 2016, rather than December 31, 2014. | Counties, Cities |
| **RCW 36.70A.460**<br>**2SHB 2251 – Fish barrier removals**<br><br>**Brief Description:**<br>• Adds three new categories of fish habitat enhancement projects to the list of projects eligible for streamlined permitting under the Department of Fish and Wildlife's hydraulic project approval process.<br>• Directs WDFW to convene a fish passage barrier removal board, with representatives from state agencies, local and tribal governments, and other interested entities to coordinate removal projects. | Counties, Cities |
| **RCW 84.14.007, .010, .040, .060**<br>**2SSB 6330 – Promoting affordable housing in unincorporated areas of rural counties within urban growth areas**<br><br>**Brief Description:**<br>• Rural counties may offer a property tax exemption for multi-family housing projects within unincorporated urban growth areas.<br>• The Joint Legislative Audit and Review Committee must assess the performance of the tax preference with reference to the intent and public policy objective.<br>• The property tax exemption for properties located in rural counties expires on January 1, 2020. | Counties |

## Legislative Session 2013

| RCW, Bill Number, Brief Description for Legislative Session 2013 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A.340**<br>**SHB 1883– Simplifying and updating statutes related to fuel tax administration..** | Counties, Cities |

| RCW, Bill Number, Brief Description for Legislative Session 2013 | Cities/Counties Affected |
|---|---|
| **Brief Description:**<br>Amends various statutes to reflect the consolidation of the fuel tax statutes, including a change in the reference to the RCW chapter addressing fuel tax revenues that may be withheld from a city or county by the Governor upon a notification by the Growth Management Hearings Board of continued non-compliance with the GMA by that city or county. | |
| **RCW 36.70A.070**<br>**ESHB 1652 – Impact fee payment Governor vetoed bill in its entirety**<br>http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Vetoes/House/1652-S.VTO.pdf<br><br>**Brief Description:**<br>Would have required counties and cities to provide for deferred payment of impact fees, and would have delayed the starting of the six-year time frame for satisfying concurrency provisions for the Growth Management Act until after the county or city received full payment of all deferred impact fees. | Counties, Cities |
| **RCWs 36.70A.200, 36.70A.300, 43.17.250, 43.155.070, 70.146.070**<br>**SSB 5399– Addressing the timing of penalties under the growth management act.**<br><br>**Brief Description:**<br>• Establishes that, state agencies, commissions, and governing boards may not penalize jurisdictions during the period of remand following a finding of noncompliance by the Growth Management Hearings Board (GMHB) and the pendency of an appeal before GMHB or subsequent judicial appeals, unless GMHB makes a determination of invalidity, IF:<br>  • the local government has delayed the effective date of the action subject to the petition until after GMHB issues a final determination; or,<br>  • within 30 days of receiving notice of a petition for review by GMHB, the local government delays or suspends the effective date of the action until after GMHB issues a final determination in order to not be penalized.<br>• A local jurisdiction may not be deemed ineligible or otherwise penalized, in the award of a state agency grant or loan during the pendency of the appeal before GMHB, or during any subsequent judicial appeals under certain circumstances. | Counties; Cities; state agencies, commissions, and governing boards |
| **RCWs 35.91, 35.91.020, 43.21C, 82.02.020**<br>**ESHB 1717– Up-front environmental planning**<br><br>**Brief Description:**<br>• Authorizes local governments to recover reasonable expenses incurred in the preparation of non-project environmental impact statements (EIS) for infill actions that are categorically exempt from requirements of the State Environmental Policy Act, and for development or redevelopment actions that qualify as planned actions.<br>• Requires that a county, city, or town enact an ordinance, prior to the collection of fees to cover reasonable expenses incurred in the preparation of the EIS, which establishes the total amount of expenses to be recovered through fees, and provides objective standards for determining the fee amount imposed upon each development proposal; provides a procedure by which an applicant may pay the fees under protest; and makes information available about the amount of the expenses designated for recovery.<br>• Modifies provisions governing contracting between qualifying municipalities and real estate owners for the construction or improvement of water or sewer facilities by making the | Counties, Cities |

| RCW, Bill Number, Brief Description for Legislative Session 2013 | Cities/Counties Affected |
|---|---|
| contracts mandatory, at the owner's request, and by allowing municipalities to collect associated fees. | |
| **RCW 34.05**<br>**HB 1112– Concerning standards for the use of Science to support public policy**<br><br>**Brief Description:**<br>Directs the Department of Fish and Wildlife to identify the sources of information reviewed and relied on before taking a significant agency action. The requirement applies to actions including those resulting in species recovery plans, certain types of rulemaking, and guidance to support implementation of a rule or statute. | Department of Fish and Wildlife |
| **RCW 34.05**<br>**HB 1113 – Concerning standards for the use of Science to support public policy**<br><br>**Brief Description:**<br>Requires the Department of Ecology to identify peer-reviewed science, scientific literature, and other sources of information being relied upon before taking significant agency actions related to certain agency programs. | Department of Ecology |
| **RCWs 39.102, 39.102.020, 39.102.140, 39.102.150, 39.102.904, 82.14.475**<br>**E2SHB 1306 – Extending the expiration dates of the local infrastructure financing tool program**<br><br>**Brief Description:**<br>• Extends the expiration date of the Local Infrastructure Financing Tool program from June 30, 2039, to June 30, 2044.<br>• Requires local jurisdictions to commence construction by June 30, 2017, to impose the state shared local sales and use tax.<br>• Removes the requirement that a sponsoring local government issue indebtedness to receive a state sales and use tax credit. | Counties, Cities |
| **RCWs 39.102, 39.102.020, 39.102.140, 39.102.150, 39.102.904, 82.14.475**<br>**HB 1644 – Concerning transportation planning objectives and performance measures for local and regional agencies.**<br><br>**Brief Description:**<br>• Allows local or regional agencies to establish transportation objectives and performance measures that correspond with state transportation objectives and performance measures.<br>• Applies the same liability protection to the local or regional agencies that is currently available to the state. | Counties, Cities, Regional Transportation Planning Organizations |

## Legislative Session 2012

| RCW, Bill Number, Brief Description for Legislative Session 2012 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A.180**<br>**HB 2834 – Relating to providing cost savings for local governments by reducing a limited number of reporting requirements.**<br><br>**Brief Description:**<br>Eliminates a requirement obligating jurisdictions that fully plan under the Growth Management Act (GMA) to submit reports to the Department of Commerce every five years regarding the progress by that jurisdiction in implementing the GMA is eliminated. Other county and city reporting requirements are also eliminated. | Counties, Cities |

| RCW, Bill Number, Brief Description for Legislative Session 2012 | Cities/Counties Affected |
|---|---|
| **RCW 90.58.190**<br>**EHB 2671 – Clarifying procedures for appealing department of ecology final action on a local shoreline mater program by ensuring consistency with existing procedural provisions of the growth management act, chapter 36.70A RCW, the administrative procedure act, chapter 34.50 RCW, and the state environmental policy act, chapter 43.21C RCW.**<br><br>**Brief Description:**<br>Amends certain standards and procedures relating to the review of shoreline master programs by the Growth Management Hearings Board, Shoreline Hearings Board, and Superior courts. | Counties, Cities |
| **RCW 36.70A.030**<br>**SB 5292 – Exempting irrigation and drainage ditches from the definition of critical areas.**<br><br>**Brief Description:**<br>Within the definition of critical areas, fish and wildlife habitat conservation areas do not include artificial features or constructs, including irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company. | Counties, Cities |
| **RCW 36.70A, 36.70A.130**<br>**SB 5995 – Authorizing urban growth area boundary modifications for industrial land.**<br><br>**Brief Description:**<br>A city planning under the GMA may request that a county amend the UGA within which the city is located. A city's request to the county to amend the UGA should be done as part of the county's annual comprehensive plan amendment process and must meet the county's application deadline for that year's comprehensive plan amendment process. The requests are subject to certain conditions. | Counties located east of the crest of the Cascade Mountains with a population of more than 100,000 and less than 200,000. (Benton County) |
| **RCW 43.21C**<br>**SB 6082 – Regarding the preservation and conservation of agricultural resource lands.**<br><br>**Brief Description:**<br>Department of Ecology will conduct rulemaking by December 31, 2013, to review and consider whether the current environmental checklist ensures consideration of potential impacts to agricultural lands of long-term commercial significance. | Counties, Cities planning under the GMA are to designate and protect agricultural lands of long term commercial significance. |
| **RCW 36.70A.490, 36.70A.500**<br>**2ESSB 6406 – Modifying programs that provide for the protection of the state's natural resources.**<br><br>**Brief Description:**<br>By December 31, 2013, DOE must update the thresholds for all other project actions, create categorical exemptions for minor code amendments that do not lessen environmental protection, and propose methods for more closely integrating SEPA with the Growth Management Act. Other changes to SEPA and local development provisions include authorizing money in the Growth Management Planning and Environmental Review Fund to be used to make loans, in addition to grants, to local governments for specified purposes; and authorizing lead agencies to identify within an environmental checklist items that are adequately covered by other legal authorities, although a lead entity may not ignore or delete a question. | Counties, Cities |

## Legislative Session 2011

| RCW, Bill Number, Brief Description for Legislative Session 2011 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A, 36.70A.130, 36.70A.280**<br>**ESHB 1886 - Implementing Recommendations of the Ruckelshaus Center process**.<br><br>**Brief Description**:<br>The Voluntary Stewardship Program is established as an alternative to protecting critical areas on lands used for agricultural activities through development regulations adopted under RCW 36.60A.060. The Program must be designed to protect and enhance critical areas on lands used for agricultural activities through voluntary actions by agricultural operators. The Washington State Conservation Commission (Commission) is charged with administering the Program.<br><br>Click here to view a description of the timelines in the Program. | All counties must decide if they are going to opt-in by January 22, 2012.<br><br>Does not apply to incorporated cities or towns. |
| **RCW 36.70A.080**<br>**ESSB 5253 - Concerning tax increment financing for landscape conservation and local infrastructure.**<br><br>**Brief Description:**<br>Provides financing tool for certain cities in King, Pierce, and Snohomish Counties to invest in infrastructure in designated receiving areas for transfers of development rights (TDR). Eligible cities are cities with a population of 22,500 or more in the three counties. Consistent with the regional TDR program in Chapter 43.362, transfers must be from county sending areas to incorporated city receiving areas. | King, Pierce, and Snohomish Counties, and the Cities within. |
| **RCW 36.70A.130, 36.70A.215**<br>**ESHB 1478**<br>**Delaying or modifying certain regulatory and statutory requirements affecting cities and counties.**<br><br>**Brief Description:**<br>Extends timeframes within which local government entities must comply with requirements pertaining to reviews, revisions, and evaluations under the Growth Management Act.<br><br>The comprehensive plan and development regulation/critical areas ordinance review and revision schedule of the Growth Management Act is modified to require counties and cities to take such action every eight years, rather than every seven years, and to reallocate review and revision years for some jurisdictions.<br><br>An additional two years for meeting the review and requirements is granted to smaller and slow growing counties and cities. The date by which the initial review and revision requirements must be completed for the first bloc of counties and cities is June 30, 2015, rather than December 1, 2014. County reviews of designated urban growth areas must also be completed according to this schedule, and evaluation requirements for the buildable lands program must be completed by counties and cities one year before the applicable review and revision deadline.<br><br>Also included are extensions for the timelines for expending and encumbering impact fees; and shoreline master programs. | Counties, Cities |
| **RCW 36.70A.290** | Counties and Cities |

| RCW, Bill Number, Brief Description for Legislative Session 2011 | Cities/Counties Affected |
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| **SSB 5192 - Concerning provisions for notifications and appeals timelines under the shoreline management act.**<br><br>**Brief Description**:<br>Makes numerous technical changes to effective date provisions for shoreline master programs and to notification and timing requirements governing appeals under the Shoreline Management Act. | |
| RCW 36.70A.340<br>**SSB 5797 -** Eliminating the urban arterial trust account.<br><br>Brief Description:<br>Merges the Urban Arterial Trust Account into the Transportation Improvement Account. | None |

## Legislative Session 2010

| RCW, Bill Number, Brief Description for Legislative Session 2010 | Cities/Counties Affected |
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| **RCW 36.70A.480**<br>**EHB 1653 - Clarifying the Integration of Shoreline Management Act policies with the Growth Management Act**.<br><br>**Brief Description:**<br>Modifies provisions in the Growth Management Act (GMA) pertaining to the integration of the GMA and the Shoreline Management Act. Establishes new provisions in the GMA pertaining to the regulation and protection of critical areas that are located within shorelines of the state. Declares an emergency and establishes a July 27, 2003, application date.<br>Clarifies that, with certain exceptions, critical area regulations adopted under the GMA apply within Shoreline areas. These regulations apply until Ecology approves either a comprehensive, new shoreline management program (SMP) that meets Ecology's guidelines, or a SMP amendment specifically related to critical areas. The new law specifies that legally existing structures and uses in shoreline areas that are within protection zones created by local critical areas ordinances (CAOs) may continue as conforming uses. The law also provides criteria about how these structures and uses may be redeveloped or modified. In addition, the bill also addresses existing and ongoing farming practices. | All counties and cities with shorelines. |
| **RCW 36.70A**<br>**ESHB 2538 - Regarding High-Density Urban Development - Encourages certain cities that plan under the GMA to include compact development in their comprehensive plans.**<br><br>**Brief Description**:<br>Requires the development of a non-project environmental impact statement for a compact development plan included in a comprehensive plan. Provides for immunity of appeals for proposals that are covered by a non-project environmental impact statement for the compact development area. Encourages establishment of a transfer of development rights program for cities that include compact development in their comprehensive plans. Provides funding incentives to assist with the cost of developing a non-project environmental impact statement for a compact development plan. | A city with a population greater than 5,000 that is required to plan under the GMA. A city of any size required to comply with the GMA and is located on the east side of the Cascade Mountain in a county with a population of 230,00 or less may elect to adopt subarea |

| RCW, Bill Number, Brief Description for Legislative Session 2010 | Cities/Counties Affected |
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| | development elements. |
| **Referenced throughout the RCW**<br><br>**E2SHB 2658**<br><br>**Brief Description:**<br>The "Department of Commerce" is created to replace the Department of Community, Trade and Economic Development. By November 1, 2009, the Director is to develop a report, with analysis and recommendations for the Governor and appropriate legislative committees, on statutory changes for effective operation of the department. This is to be done in collaboration with the Office of Financial Management, the Governor's Office, the Economic Development Commission, and legislators from policy and fiscal committees. Input from a broad range of stakeholders is required. The Code Reviser is directed to prepare legislation for the 2010 legislative session that changes all statutory references from the "Department of Community, Trade, and Economic Development" to the "Department of Commerce." | None. |
| **RCW 36.70C.020**<br>**HB 2740 - Regarding the definition of Land Use Decision in the Land Use Petition Act**<br><br>**Brief Description:**<br>Amends the Land Use Petition Act (LUPA) to clarify when the 21-day time limit for the filing of judicial appeals to local land use decisions begins. | A county or city processing motions for reconsideration under LUPA. |
| **RCW 36.70A**<br>**SHB 2935 - Regarding Environmental and Land Use Hearings Boards**<br><br>**Brief Description**:<br>Creates the Environmental and Land Use Hearings Office by consolidating the powers, duties, and functions of the Environmental Hearings Office and the Growth Management Hearings Boards. Reduces the number of state boards that conduct administrative review of environmental and land use decisions. | None. |
| **RCW 36.70A.110, .130, .172, .250, .260, .270, .280, .290**<br>**SSB 6214 - Restructuring the three Growth Management Hearings Boards into one Board**<br><br>**Brief Description:**<br>Consolidates the powers, duties, and functions of the three regional Growth Management Hearings Boards into a single, seven-member Growth Management Hearings Board. Specifies that petitions for review before the consolidated board must be heard and decided by a regional panel of three board members. Specifies provisions for the adjudicative and operational functioning of the consolidated board. | None. |
| **RCW 36.70A.200**<br>**SB 6279 - Clarifying Regional Transit Authority Facilities as Essential Public Facilities.**<br><br>**Brief Description:**<br>Adds regional transit authority facilities to the list of essential public facilities delineated under the GMA. | A county or city planning under GMA. |
| **RCW 36.70A.5601** | A county or city that intends to amend or |

| RCW, Bill Number, Brief Description for Legislative Session 2010 | Cities/Counties Affected |
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| **SSB 6520 - Extending time to complete recommendations under RCW 36.70A.5601 conducted by the William D. Ruckelshaus Center**<br><br>**Brief Description**:<br>Extends a provision that temporarily prohibits counties and cities from amending or adopting certain changes to critical areas ordinances (CAOs) by one additional year to July 1, 2011. Specifies that counties and cities subject to the temporary prohibition are required to review and, if necessary, revise their applicable CAOs between July 1, 2011 and December 1, 2012. Grants the William D. Ruckelshaus Center, in completing its examination of the conflicts between agricultural activities and CAOs, one additional year to conclude certain examination tasks and a final report by September 1, 2010**.** | adopt a CAO affecting agricultural lands. |
| **RCW 36.70A.130**<br>**SSB 6611 - Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years and addressing the timing for adopting certain subarea plans.**<br><br>**Brief Description**:<br>Establishes a new recurring seven-year review and revision schedule for comprehensive plans and development regulations adopted under the GMA, which includes jurisdictions that had a December 1, 2007 deadline that qualified for and used a former three year extension. (Note: These new deadlines take effect following the existing requirement by jurisdictions to complete the review of comprehensive plans and development regulations between December 1, 2004 and December 1, 2007).<br><br>Establishes and modifies requirements applicable to subarea plans in provisions of the GMA that generally prohibit comprehensive plan amendments from occurring more frequently than annually. Such subarea plans must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted after appropriate environmental review under SEPA.<br><br>In addition, amendment of a comprehensive plan to take place more than once per year when the amendment is for a subarea plan for economic development located outside a 100-year floodplain in a county that completed a state-funded pilot project based on watershed characterization and local habitat assessment.<br><br>**Cities/Counties Affected:**<br>On or before December 1, 2014, and every seven years thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the cities within those counties;<br><br>On or before December 1, 2015, and every seven years thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania counties and the cities within those counties;<br><br>On or before December 1, 2016, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those Counties;<br><br>On or before December 1, 2017, and every seven years thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities within those counties. | See below first column Brief Description on SSB 6611 for Cities/Counties Affected for this bill. |

| RCW, Bill Number, Brief Description for Legislative Session 2010 | Cities/Counties Affected |
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| Exceptions include a three-year extension for qualifying counties with fewer than 50,000 residents, qualifying cities with fewer than 5,000 residents, and provisions for jurisdictions making substantial progress with certain regulatory requirements. | |

## Legislative Session 2009

| RCW, Bill Number, Brief Description for Legislative Session 2009 | Cities/Counties Affected |
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| **RCW 36.70A**<br>**2SHB 1481 - Regarding Electric Vehicles, add section or chapter**<br><br>**Brief Description:**<br>Specifies that local government regulations of areas in the I-5 corridor from Snohomish County to Thurston County and the King County areas around SR- 520, I-405, and I-90 must allow for electric vehicle infrastructure, except in residential areas, by July of 2010. Requires the state, to the extent practicable, to install charging outlets capable of charging electric vehicles in each of the state's fleet parking and maintenance facilities, as well as in all state operated highway rest stops. Specifies that the Puget Sound Regional Council must seek federal or private funding related to planning for electric vehicle infrastructure deployment. | Snohomish, King, Pierce, and Thurston Counties and their cities, if within I-5, I-405, SR520, or I-90 corridors. |
| **RCW 36.70A**<br>**ESHB 1959 –Concerning land use and transportation planning for marine container ports, add section or chapter.**<br><br>**Brief Description**:<br>Requires cities with a qualifying marine container port in their jurisdiction to include a container port element in their comprehensive plans. Authorizes cities with a qualifying port district to include a marine industrial port element in their comprehensive plans. Requires the Department of Community, Trade and Economic Development to provide matching grant funds | Cities of Seattle and Tacoma. |

| RCW, Bill Number, Brief Description for Legislative Session 2009 | Cities/Counties Affected |
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| to cities to support development of the container port elements. Declares key freight transportation corridors that serve qualifying marine port facilities to be transportation facilities and services of statewide significance. | |
| **RCW 36.70A.030**<br>**EHB 2242 – Creating a Department of Commerce, amend section**<br><br>**Brief Description:**<br>A Department of Commerce is created to replace the Department of Community, Trade and Economic Development. By November 1, 2009, the Director is to develop a report, with analysis and recommendations for the Governor and appropriate legislative committees, on statutory changes for effective operation of the department. This is to be done in collaboration with the Office of Financial Management, the Governor's Office, the Economic Development Commission, and legislators from policy and fiscal committees. Input from a broad range of stakeholders is required. The Code Reviser is directed to prepare legislation for the 2010 session that changes all statutory references from the "Department of Community, Trade, and Economic Development" to the "Department of Commerce." | None. |
| **RCW 36.70A.110**<br>**EHB 1967 – One hundred year floodplains**<br><br>**Brief Description:**<br>Prohibiting expansions of urban growth areas into one hundred year floodplains. A county, city, or town is generally prohibited from expanding an urban growth area into the 100-year floodplain of any river or river segment that is located west of the crest of the Cascade Mountains and has a mean annual flow of 1,000 or more cubic feet per second, except under certain specified circumstances. | Counties and cities west of Cascade Crest, if expanding urban growth areas into 100-year floodplains. |
| **RCW 36.70A.110, .115, .210**<br>**SHB 1825 –Identifying specific facilities planning requirements under the growth management act, amend section**<br><br>**Brief Description:**<br>Each city within a county fully planning under the Growth Management Act must identify areas sufficient to accommodate the full range of needs and uses that will accompany projected urban growth. The land uses that must be identified include facilities for medical, governmental, institutional, commercial, service, retail, and other nonresidential uses. Countywide economic development and employment policies must include consideration of the future development of commercial and industrial facilities. A county or city that chooses to amend their comprehensive plan to accommodate projected housing and employment growth must also include sufficient land capacity to accommodate commercial and industrial uses. | Cities and counties fully planning under the Growth Management Act. |
| **EHB 1464 – Concerning affordable housing incentive programs.**<br><br>**Brief Description:**<br>Clarifies provisions governing affordable housing incentive programs that may be enacted or expanded in jurisdictions planning under the Growth Management Act | Cities and counties fully planning under the Growth Management Act. (optional) |

## Legislative Session 2008

| RCW, Bill Number, Brief Description for Legislative Session 2008 | Cities/Counties Affected |
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| **RCW 36.70A**<br>**ESSB 6580- Add section or chapter – Governor partially vetoed in 2008 relating to mitigating the impacts of climate change through the growth management act; amending 36.70A.280; adding a new section to chapter 36.70A RCW**<br><br>**Brief Description:**<br>Requires the Department of Community, Trade and Economic Development (CTED) to develop and provide counties and cities with advisory climate change response methodologies, a computer modeling program, and estimates of greenhouse gas emission reductions resulting from specific measures. Establishes a local government global warming mitigation and adaptation program. Prohibits Growth Management Hearings Boards from hearing petitions alleging non-compliance with the mitigation and adaptation program. Requires CTED to provide a climate change report to the Governor and the Legislature by December 1, 2008 | None. |

## Legislative Session 2007

| RCW, Bill Number, Brief Description for Legislative Session 2007 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A**<br>**SHB 1135: AN ACT Relating to aquifer conservation zones in qualifying island cities without access to potable water sources outside their jurisdiction; and adding a new section to chapter 36.70A RCW.**<br><br>**Brief Description:**<br>Allows any qualifying island city to designate one or more aquifer conservation zone to conserve and protect potable water sources.<br><br>Specifies that conservation zones may not be considered critical areas except to the extent that specific areas located within zones qualify for critical area designation and have been designated as such. Allows a city declaring one or more conservation zone to consider whether an area is within a zone when determining the residential density of that area.<br><br>Specifies that residential densities within conservation zones, in combination with other densities of the city, must be sufficient to accommodate projected population growth. | Any qualifying island city that meets specified criteria. |
| **RCW 36.70A**<br>**Amending RCW 76.09.240**<br>**SHB 1409: AN ACT Relating to the transfer of jurisdiction over conversion-related forest practices to local governments.**<br><br>**Brief Description:**<br>The process for transferring authority to approve or disapprove forest practices applications is repealed. A new mechanism with new dates is established. Some counties and cities are required to adopt forest practices approval ordinances by the end of 2008, while the other counties and cities retain the discretion to not assume the responsibility for approving forest practices. The requirements on local governments vary depending on whether a county plans under the Growth Management Act (GMA), although the path for transferring jurisdiction remains constant across all counties.<br><br>The trigger for determining if a county or city is required to adopt these ordinances is the number of forest practices applications that have been submitted within the county for the | Counties and cities meeting qualifying criteria. |

| RCW, Bill Number, Brief Description for Legislative Session 2007 | Cities/Counties Affected |
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| time period between January 1, 2003, and December 31, 2005, and whether the county plans under the GMA.<br><br>For counties planning under the GMA, if more than 25 Class IV applications had been filed to the DNR between those dates for properties within a specific county, then that county, and the cities within it, are required to adopt forest practices approval ordinances.<br><br>If the number is less than 25, or if the county does not plan under the GMA, then the transfer of jurisdiction for approvals is optional for the county and its cities.<br><br>Counties that do plan under the GMA, and their cities, are required to adopt ordinances covering Class IV forest practices applications on the same lands that non-GMA counties may address. They must also adopt ordinances for the approval of all four class types of forest practices when those applications are submitted for land located within an urban growth area.<br><br>The only land over which the GMA-planning counties and cities are not required to assume jurisdiction are ownerships of 20 contiguous acres or more.<br><br>A county or city may not assume the jurisdiction for forest practices approvals without bringing their critical areas and development regulations in compliance with the current requirements and notifying both the DNR and the DOE at least 60 days before adoption of the necessary ordinances. | |
| **RCW 36.70A**<br>**SSB 5248: Preserving the viability of agricultural lands.**<br><br>**Brief Description**:<br>Counties and cities may not amend or adopt critical areas ordinances (CAOs) as they specifically apply to agricultural activities until July 1, 2010. This does not limit obligations of a county or city to comply with requirements pertaining to critical areas not associated with agricultural activities nor limit the ability of a county or city to adopt or employ voluntary measures or programs to protect or enhance critical areas associated with agricultural activities.<br><br>Counties and cities subject to deferral requirements should implement voluntary programs to enhance public resources and the viability of agriculture, and must include measures to evaluate their success. By December 1, 2011, counties and cities subject to deferral are to review and revise CAOs to comply with the requirements of this chapter.<br><br>Subject to the availability of funds, the Ruckelshaus Center is directed to commence, by July 1, 2007, a two-phase examination of the conflicts between agricultural activities and CAOs.<br><br>The Center is to issue two reports of its fact-finding efforts and stakeholder discussions to the<br>Governor and the appropriate legislative committees by December 1, 2007, and December 1, 2008. A report on the second phase including findings and legislative recommendations is to be issued to the Governor and to the Legislature by September, 1, 2009.<br>The Center is to work to achieve agreement among participating stakeholders and to develop a<br>coalition that can be used to support agreed upon changes or new approaches to protecting critical areas during the 2010 Legislative Session. | All cities and counties, if proposing critical areas ordinance amendments. |

| RCW, Bill Number, Brief Description for Legislative Session 2007 | Cities/Counties Affected |
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| **RCW 36.70A**<br>**SB 6014: Authorizing industrial development on reclaimed surface coal mine sites.**<br><br>**Brief Description:**<br>Certain qualified counties planning under the GMA may designate a master planned location for major industrial activity outside UGAs on lands formerly used or designated for surface coal mining and supporting uses. Counties authorized to designate major industrial development on former surface coal mining uses must have had a surface coal mining operation in excess of 3,000 acres that ceased operation after July 1, 2006, and that is located within 15 miles of the I-5 corridor.<br><br>Designation of a master planned location for major industrial activities is an amendment to the comprehensive plan of the county. The master planned location must be located on land formerly used or designated for surface coal mining and supporting uses, that consist of an aggregation of land of at least 1,000 acres, and that is suitable for manufacturing, industrial, or commercial business. The master planned location must include criteria for the provision of new infrastructure and an environmental review must be done at the programmatic level.<br><br>Approval of a specific major industrial activity is conducted through a local master plan process and does not require comprehensive plan amendment. The development regulations adopted must provide that the site consist of 100 or more acres of land formerly used or designated for surface coal mining; must prevent urban growth in the adjacent nonurban areas; and limit commercial development. | Lewis County |
| **36.70A.367**<br>**SHB 1965: Authorizing major industrial development within industrial land banks.**<br><br>**Brief Description:**<br>The requirements for designating master planned locations for major industrial developments outside Urban Growth Areas are revised. A master planned location for major industrial developments may be approved through a two-step process: designation of a land bank area in the applicable comprehensive plan; and subsequent approval of specific major industrial developments through a local master plan process.<br><br>The applicable comprehensive plan must identify locations suited to major industrial development because of proximity to transportation or resource assets. The comprehensive plan must identify the maximum size of the land bank area and any limitations on major industrial developments based on local factors, but the plan need not specify particular parcels or identify any specific use or user.<br><br>In selecting locations for the land bank area, priority must be given to locations that are adjacent or in close proximity to a UGA. The environmental review for amendment of the comprehensive plan must be at the programmatic level and, in addition to a threshold determination, must include:<br>➢ a county-conducted inventory of developable land indicating that land suitable to site qualifying industrial development is unavailable within the UGA; and<br>➢ an analysis of the availability of alternative sites within UGAs and the long-term annexation feasibility of sites outside UGAs.<br><br>Final approval of a land bank area must be by amendment to the comprehensive plan, but the amendment may be considered at any time. Approval of a specific major industrial | Counties meeting qualifying criteria. |

| RCW, Bill Number, Brief Description for Legislative Session 2007 | Cities/Counties Affected |
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| development within the land bank area requires no further amendment of the comprehensive plan.<br><br>**Development Regulations Amendments**<br>In concert with the designation of a land bank area, a county must also adopt development regulations for review and approval of specific major industrial developments through a master plan process. The regulations governing the master plan process must ensure, at a minimum, that specific criteria, including the following, are met:<br>➢ urban growth will not occur in adjacent nonurban areas;<br>➢ development is consistent with development regulations adopted for protection of critical areas;<br>➢ required infrastructure is identified and provided concurrent with development.<br><br>Such infrastructure, however, may be phased in with development; and an open record public hearing is held before either the planning commission or hearing examiner with notice published at least 30 days before the hearing date and mailed to all property owners within one mile of the site.<br><br>**Termination and Eligibility Provisions**<br>Separate eligibility criteria pertaining to population, unemployment, and geographic requirements for counties choosing to identify and approve locations for major industrial development in land banks are specified. Termination provisions with dates certain are deleted and replaced with provisions requiring, in part, that a county choosing to identify and approve locations for land banks must take action to designate one or more of these banks and adopt regulations meeting certain requirements on or before the last date to complete the county's next periodic comprehensive plan and development regulations review that occurs before December 31, 2014. The authority of a county to designate a land bank area in its comprehensive plan expires if not acted upon within these time limitations.<br><br>Once a land bank area has been identified in a county's comprehensive plan, the authority of the county to process a master plan or site projects within an approved master plan does not expire.<br><br>**Public Notification and Determination Requirements**<br>New notification and written determination requirements are specified. Counties seeking to designate an industrial land bank must:<br><br>➢ Provide countywide notice, in conformity with specific public participation and notification provisions of the GMA, of the intent to designate an industrial land bank. These notices must be published in one or more newspapers of general circulation that are reasonably likely to reach subscribers throughout the applicable county at least 30 days before the county legislative body begins the consideration process for siting a land bank; and<br>➢ Make written determinations of the criteria and rationale used by the county legislative body for siting a land bank. | |
| **36.70A.450**<br>**SB 5952 – Family day-care providers' home facility-County or city may not prohibit in residential or commercial area**<br><br>**Brief Description:** | All cities and counties. |

| RCW, Bill Number, Brief Description for Legislative Session 2007 | Cities/Counties Affected |
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| Except as provided in subsections (2) and (3) of this section, no county or city may enact, enforce, or maintain an ordinance, development regulation, zoning regulation, or official control, policy, or administrative practice that prohibits the use of a residential dwelling, located in an area zoned for residential or commercial use, as a family day-care provider's home facility. | |

## Legislative Session 2006

| RCW, Bill Number, Brief Description for Legislative Session 2006 | Cities/Counties Affected |
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| **RCW 36.70A**<br>**ESHB 2984: Authorizing cities, towns, and counties to implement affordable housing incentive programs**<br><br>**Brief Description:**<br>The amendments:<br>Authorize jurisdictions fully planning under the GMA to enact or expand affordable housing incentive programs.<br><br>Establish optional provisions for enacted or expanded the programs. Specify that excise tax imposition limits do not limit local government authorities in the implementation of programs or the enforcement of related agreements.<br><br>Local governments fully planning under the GMA may enact or expand affordable housing incentive programs, providing for the development of low-income housing units. Incentive programs may include, but are not limited to, provisions pertaining to: density bonuses within the urban growth area (UGA); height and bulk bonuses; mixed-use projects; fee waivers or exemptions; parking reductions; or expedited permitting, conditioned on the provision of low-income housing units. | Counties and cities fully planning under the Growth Management A ct (optional). |
| **RCW 36.70A.130**<br>**ESSB 6427: Relating to schedules for comprehensive plan and development regulation review for certain cities and counties**<br><br>**Brief Description:**<br>The timelines bill has two main features. First, it provides a time extension to small and slow-growing jurisdictions for updates to their comprehensive plans, development regulations, and critical areas ordinances. The bill contains qualifying criteria and clarification that jurisdictions making progress on their updates will be eligible for state grants, loans, pledges, and financial guarantees. Second, it clarifies that amendments to comprehensive plans necessary to enact planned actions may occur more frequently than annually, provided that pursuit of the amendments are consistent with the jurisdictions adopted public participation program and notification is given to agencies that may comment on the proposed amendments. Part of the Governor's Land Use Agenda. CTED request legislation. | Counties and cities meeting qualifying criteria. |
| **RCW 36.70A.117**<br>**SHB 2917: Identifying Accessory Uses on Agricultural Lands**<br><br>**Brief Description:**<br>The amendments: | Counties and cities with designated agricultural lands of long-term |

| RCW, Bill Number, Brief Description for Legislative Session 2006 | Cities/Counties Affected |
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| Revise GMA requirements regarding the use of agricultural lands of long-term commercial significance by creating more permissive guidelines governing the range of accessory uses permitted on such lands.<br>Provide counties and cities with greater flexibility in implementing innovative zoning techniques related to accessory uses of agricultural lands of long-term commercial significance.<br>SHB 2917 clarifies that any accessory use a city or county may allow on designated agricultural lands of long-term significance must not interfere with and must support continuation of the overall agricultural use of the property and neighboring properties. It provides policy guidepost; requiring any nonagricultural accessory use to (1) be consistent with the size, scale, and intensity of the agricultural use of the property, (2) be located within the general area already developed, and (3) not convert more than one acre of land. Part of the Governor's Land Use Agenda. Washington State Department of Agriculture request legislation.<br><br>Limit to one acre the amount of agricultural land that may be converted to nonagricultural accessory uses. | commercial significance. |

## Legislative Session 2005

| RCW, Bill Number, Brief Description for Legislative Session 2005 | Cities/Counties Affected |
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| RCW 36.70A<br>2SHB 1565: Addressing transportation concurrency strategies<br><br>Brief Description:<br>The amendments specify that concurrency compliance improvements or strategies may include qualifying multimodal transportation improvements or strategies. They:<br>• Require regional transportation plans that include provisions for regional growth centers to address concurrency strategies, measurements for vehicle level of service, and total multimodal capacity.<br>• Require the Washington State Department of Transportation (WSDOT) to administer a study to examine multimodal transportation improvements or strategies to comply with the concurrency requirements of the GMA.<br>• Require the study to be completed by one or more regional transportation planning organizations (RTPOs) electing to participate in the study.<br>Require WSDOT, in coordination with participating RTPOs, to submit a report of findings and recommendations to the appropriate committees of the Legislature by December 31, 2006. | RTPOs |
| **RCW 36.70A.130**<br>**ESHB 2171: Allowing counties and cities one additional year to comply with certain requirements of RCW 36.70A.130.**<br><br>**Brief Description:**<br>Counties and cities required to satisfy the review and revision requirements of the GMA by December 1, 2005, December 1, 2006, or December 1, 2007, may comply with the requirements for development regulations that protect critical areas (critical areas regulations) one year after the applicable deadline provided in the statutory schedule. Jurisdictions complying with the review and revision requirements for critical areas regulations one year after the deadline must be deemed in compliance with such requirements. | Counties and cities meeting qualifying criteria. |

| RCW, Bill Number, Brief Description for Legislative Session 2005 | Cities/Counties Affected |
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| Except as otherwise provided, only those counties and cities in compliance with the statutory review and revision schedule of the GMA, and those counties and cities demonstrating substantial progress towards compliance with the schedule for critical areas regulations, may receive financial assistance from the public works assistance and water quality accounts. A county or city that is fewer than 12 months out of compliance with the schedule is deemed to be making substantial progress towards compliance. Additionally, notwithstanding other provisions, only those counties and cities in compliance with the review and revision schedule of the GMA may receive preferences for financial assistance from the public works assistance and water quality accounts.<br><br>Until December 1, 2005, a county or city required to satisfy the review and revision requirements of the GMA by December 1, 2004, that is demonstrating substantial progress towards compliance with applicable requirements for its comprehensive plan and development regulations may receive financial assistance from the public works assistance and water quality accounts. A county or city that is fewer than 12 months out of compliance with the GMA review and revision schedule for its comprehensive plan and development regulations is deemed to be making substantial progress towards compliance. | |
| **RCW 36.70A, 36.70A.030, 36.70A.060, 36.70A.130**<br>**EHB 2241: Authorizing limited recreational activities, playing fields, and supporting facilities**<br><br>**Brief Description**:<br>The amendments:<br>• Authorize the legislative authority of counties planning under RCW 36.70A.040 and meeting specified criteria (Snohomish) to, until June 30, 2006, designate qualifying agricultural lands as recreational lands.<br>• Establish designation criteria, including specifying that qualifying agricultural lands must have playing fields and supporting facilities existing before July 1, 2004, and must not be in use for commercial agricultural production.<br>• Specify activities that may be allowed on designated recreational lands. | Snohomish County |
| **RCW 36.70A.200**<br>**ESSB 5121: Assessing long-term air transportation needs.**<br><br>**Brief Description:**<br>The amendments:<br>Require WSDOT to conduct a statewide airport capacity and facilities assessment and report results by July 1, 2006.<br><br>Require WSDOT to conduct a 25-year capacity and facilities market analysis, forecasting demands for passengers and air cargo, and report results by July 1, 2007. After completion of the reports, the Governor is to appoint a ten member Aviation Planning Council to make recommendations on future aviation and capacity needs. The council expires July 1, 2009. | None |
| **RCW 36.70A.070**<br>**SSB 5186: Increasing the physical activity of the citizens of Washington State**<br><br>**Brief Description:**<br>Land use elements of comprehensive plans are encouraged to consider using approaches to urban planning that promote physical activity. The Transportation Element of a comprehensive plan must contain a pedestrian and bicycle component that includes identified planned improvements for pedestrian and bicycle facilities and corridors to | Counties and cities fully planning under the Growth Management Act. |

| RCW, Bill Number, Brief Description for Legislative Session 2005 | Cities/Counties Affected |
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| enhance community access and promote healthy lifestyles. Comprehensive transportation programs must include any new or enhanced bicycle or pedestrian facilities identified in the Transportation Element.<br><br>The Washington State Parks and Recreation Commission is to maintain policies that increase access to free or low-cost recreational opportunities for physical activities, within allowable resources.<br>The Health Care Authority, in coordination with other agencies, is authorized to create a work-site health promotion program for state employees to increase physical activity and engage individuals in their health care decision-making. The Health Care Authority must report on progress by December 1, 2006. | |
| **RCW 35A.15**<br>**SB 5589: Providing for proceedings for excluding agricultural land from the boundaries of a charter or non-charter code city**<br><br>**Brief Description**:<br>The amendments create a method for property owners of agricultural land located within a code city to petition for exclusion from the incorporated area of that code city that does not require the issue to be submitted to the voters for approval.<br><br>Property owners of agricultural land may petition the legislative body of a code city for exclusion from the incorporated area of that city. The petition must be signed by 100 percent of the owners of the land. In addition, if non-agricultural landowner residents reside within the subject area, the petition must also be signed by a majority of those residents who are registered voters in the subject area. The petition must also set forth a legal description of the territory to be excluded and be accompanied by a drawing that outlines the boundaries of the territory sought to be excluded.<br><br>After such a petition is filed, the legislative body must set a date for public hearing on the petition within 60 days. Notice of the hearing must be published in at least one newspaper of general circulation in the city as well as in three public places within the territory proposed for exclusion. Interested persons are invited to appear and voice approval or disapproval of the exclusion.<br><br>If the legislative body decides to grant the petition following the hearing, they must do so by ordinance. The ordinance may exclude all or any portion of the proposed territory but may not include in the exclusion any territory not described in the petition. The petition is not submitted to the voters for approval.<br><br>The GMA defines "agricultural land" as land that has long-term commercial significance for agricultural production and is primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products; or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to certain excise taxes, finfish in upland hatcheries, or livestock. | Charter or non-charter code city. |
| **RCW 36.70A.070**<br>**SB 6037: Changing provisions relating to limited development of rural areas**<br><br>**Brief Description**:<br>The amendments modify GMA provisions for public services and facilities in qualifying limited areas of more intensive rural development (LAMIRDs). Until August 31, 2005, an example of a public service or facility that is permitted within recreational and tourist use LAMIRDs is a connection to an existing sewer line where the connection serves only the | Counties with qualifying LAMIRDs. |

| RCW, Bill Number, Brief Description for Legislative Session 2005 | Cities/Counties Affected |
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| recreational or tourist use and is not available to adjacent non-recreational or non-tourist use parcels. | |

## Legislative Session 2004

| RCW, Bill Number, Brief Description for Legislative Session 2004 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A**<br>**ESSB 6401: Protecting military installations from encroachment of incompatible land uses**<br><br>**Brief Description**:<br>Legislative findings in the amendments recognize the importance of the United States military as a vital component of the Washington State economy, and it is identified as a priority of the state to protect the land surrounding military installations from incompatible development.<br><br>Comprehensive plans, development regulations, and amendments to either should not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements. A consultation procedure is established whereby counties and cities must notify base commanders during the process of adopting or amending comprehensive plans or development regulations that will affect lands adjacent to the installations. | Counties and cities with land adjacent to military installations. |
| **RCW 35.61.160**<br>**SB 6593: Prohibiting Discrimination Against Consumers' Choices in Housing**<br><br>**Brief Description:**<br>Cities, code cities, and counties generally are required to regulate manufactured homes in the same manner as all other homes. They may require new manufactured homes to meet requirements such as the following: (1) the foundation must meet the manufacturer's design standard, (2) the placement of concrete or a concrete product between the base of the home and the ground, and (3) thermal standards must be consistent with the standards for manufactured homes. | All counties and cities. |
| **RCW 36.70A.170**<br>**SB 6488: Ordering a study of the designation of agricultural lands in four counties**<br><br>**Brief Description:**<br>By December 1, 2004, CTED will prepare a report on designation of agricultural resource land in King, Lewis, Chelan, and Yakima counties. The report will cover how much land is designated, how much is in production, changes in these amounts since 1990, comparison with other uses, effects on tax revenue, threats to the agriculture land base, and measures to better maintain the base and the agriculture industry. | King, Lewis, Chelan, and Yakima counties are studied. |
| **RCW 36.70A .070**<br>**ESHB 2905: Modifying provisions for type 1 limited areas of more intensive rural development**<br><br>**Brief Description**: | Counties that have designated Type 1 LAMIRDs. |

| RCW, Bill Number, Brief Description for Legislative Session 2004 | Cities/Counties Affected |
|---|---|
| Any development or redevelopment within one category of existing LAMIRDs must be principally designed to serve the existing and projected rural population. Building size, scale, use, or intensity of the LAMIRD development or redevelopment must be consistent with the character of the existing areas.<br>Development or redevelopment may include changes in use from vacant land or a previously existing use if the new development conforms to certain requirements. | |
| **RCW 36.70A.106**<br>**SHB 2781: Changing provisions relating to expedited state agency review of development regulations**<br><br>**Brief Description**:<br>Proposed changes to development regulations by jurisdictions that plan under the GMA can receive expedited review by CTED and be adopted immediately thereafter, if timely comments regarding GMA compliance or other matters of state interest can be provided. | All counties and cities (optional). |
| **RCW 36.70A.110**<br>**SSB 6367: Protecting the integrity of national historical reserves in the UGA planning process**<br><br>**Brief Description**:<br>The existing requirement that cities and counties must include areas and densities sufficient to permit the urban growth projected for the succeeding 20-year period does not apply to those UGAs contained totally within a national historical reserve. When a UGA is contained totally within a national historical reserve, a city may restrict densities, intensities, and forms of urban growth as it determines necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve | Cities that are totally within a national historic reserve. |
| **RCW 36.70A.177**<br>**SB 6237: Providing nonagricultural commercial and retail uses that support and sustain agricultural operations on designated agricultural lands of long-term significance**<br><br>**Brief Description**:<br>Agricultural zoning can allow accessory uses that support, promote, or sustain agricultural operations and production, including compatible commercial and retail uses that involve agriculture or agricultural products or provide supplemental farm income. | Counties. (optional) |
| **RCW 36.70A.367**<br>**SSB 6534: Designating processes and siting of industrial land banks**<br><br>**Brief Description**:<br>The requirements for including master planned locations within industrial land banks and for siting specific development projects are separated so that designation of master planned locations may occur during the comprehensive planning process before a specific development project has been proposed.<br>Some of the current criteria for designating a master planned location within an industrial land bank may be delayed until the process for siting specific development projects within a land bank occurs.<br>Designating master planned locations within an industrial land bank is considered an adopted amendment to a comprehensive plan, and approval of a specific development project does not require any further amendment to a comprehensive plan. | Counties meeting qualifying criteria. |

| RCW, Bill Number, Brief Description for Legislative Session 2004 | Cities/Counties Affected |
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| **RCW 36.70B.080**<br>**HB 2811: Modifying local government permit processing provisions**<br><br>**Brief Description:**<br>Existing requirements for timely and predictable procedures for processing permit applications by local governments are clarified. For the buildable lands jurisdictions, performance-reporting requirements are reinstated and changed to an annual basis. A report on the projected costs of this reporting with recommendations for state funding must be provided to the Governor and the Legislature by January 1, 2005. | Buildable Lands Counties: Clark, King, Kitsap, Pierce, Snohomish, Thurston and their cities with population > 20,000. |
| **RCW 36.70**<br>**SB 6476: Designating manufactured housing communities as nonconforming uses**<br><br>**Brief Description**:<br>Elimination of existing manufactured housing communities on the basis of their status as a nonconforming use is prohibited. | Cities and counties. |
| **SSCR 8418:**<br>**Creating a joint select legislative task force to evaluate permitting processes**<br><br>**Brief Description:**<br>A joint select legislative task force is established to make recommendations regarding permitting processes by January 1, 2006, after evaluating local development regulations of selected jurisdictions among the "buildable lands" counties and their cities over 50,000.<br><br>The task force is composed of the chairs and ranking minority members of the Senate Committee on Land Use and Planning and the House Local Government Committee. The Governor will be invited to participate and form a Five Corners Task Force.<br><br>An advisory committee is also established to assist the task force and is composed of CTED, the Department of Ecology, the Office of Regulatory Assistance, a county, a city, the business community, the environmental community, agriculture, labor, the property rights community, the construction industry, ports, and federally recognized Indian tribes. | None. |

## Legislative Session 2003

| RCW, Bill Number, Brief Description for Legislative Session 2003 | Cities/Counties Affected |
|---|---|
| **RCW 36.70A**<br>**SSB 5602: Concerning the accommodation of housing and employment growth under local comprehensive plans**<br><br>**Brief Description:**<br>Counties and cities subject to the GMA are required to ensure that, taken collectively, actions to adopt or amend their comprehensive plans or development regulations provide sufficient capacity of land suitable for development within their jurisdictions.<br><br>The requirement for sufficient capacity refers to accommodating a jurisdiction's allocated housing and employment growth as adopted in the applicable county-wide planning policies and consistent with the 20-year population forecast from the Office of Financial Management. | Counties and cities fully planning under the Growth Management Act. |

| RCW, Bill Number, Brief Description for Legislative Session 2003 | Cities/Counties Affected |
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| **RCW 36.70A.070**<br>**SSB 5786: Clarifying the scope of industrial uses allowed in rural areas under the GMA**<br><br>**Brief Description:**<br>Industrial uses are permitted under the GMA in both industrial and mixed-use areas in certain types of LAMIRDs. Industrial uses within specified LAMIRDs are not required to be principally designed to serve the existing and projected rural population in order to be lawfully zoned | Counties with qualifying LAMIRDs. |
| **RCW 36.70A.110**<br>**S HB 1755: Creating alternative means for annexation of unincorporated islands of territory**<br><br>**Brief Description**:<br>The amendments create an alternative method of annexation allowing jurisdictions subject to the buildable lands review and evaluation program of the GMA to enter into interlocal agreements to annex qualifying territory meeting specific contiguity requirements. It creates an alternative method of annexation allowing GMA buildable lands counties to enter into interlocal agreements with multiple municipalities to conduct annexation elections for qualifying territory contiguous to more than one city or town. | Snohomish, King, Pierce, Kitsap, Thurston, and Clark Counties and their cities. |
| **RCW 36.70A.280**<br>**SB 5507: Clarifying who has standing regarding growth management hearings board hearings**<br><br>**Brief Description**:<br>The requirement under the GMA for participation standing before a growth management hearings board is that a petitioner must have participated orally or in writing before the local government. An additional requirement to obtain participation standing is added and provides that only issues "reasonably relate" to issues that the aggrieved person previously raised at the local level can be considered by the board | Counties and cities fully planning under the Growth Management Act. |
| **RCW 36.70A.367**<br>**SB 5651: Authorizing land banks in certain counties with low population densities**<br><br>**Brief Description:**<br>The industrial land bank program under the GMA is amended to provide that counties meeting certain geographic requirements are eligible for the program based on population density criteria, rather than unemployment criteria. The amendments clarify that Jefferson and Clallam counties are eligible for the program under this provision. | Counties meeting qualifying criteria. |
| **RCW 36.70A.450**<br>**HB 1170: Limiting restrictions on residential day-care facilities**<br><br>**Brief Description**:<br>A county cannot zone against or otherwise prohibit the use of a residential dwelling as a family day-care facility in a residential or commercial zone. The county can require the family day-care facility to comply with safety and licensing regulations and zoning conditions that are imposed on other dwellings in the same zone. | Counties, cities and towns. |
| **RCW 36.70A.480**<br>**ESHB 1933: Integrating Shoreline Management Act and Growth Management Act provisions** | Counties and cities subject to the |

| RCW, Bill Number, Brief Description for Legislative Session 2003 | Cities/Counties Affected |
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| **Brief Description:**<br>The goals of the GMA, including the goals and policies of the Shoreline Management Act (SMA), continue to be listed without priority. Shorelines of statewide significance may include critical areas as designated by the GMA, but shorelines of statewide significance are not critical areas simply because they are shorelines of statewide significance. Within shoreline jurisdiction, the Shoreline Master Program (SMP) will protect critical areas and regulations will be reviewed for compliance with the SMA. However, SMP regulations must provide a level of protection of critical areas at least equal to that provided by the county or city's adopted or thereafter amended critical areas ordinances. | Shoreline Management Act. |
| **RCW 90.58.080**<br>**SSB 6012: Establishing limits on the adoption of state shoreline guidance and setting a schedule for local adoption**<br><br>**Brief Description:**<br>The Washington State Department of Ecology (Ecology) may adopt amendments to the shorelines guidelines no more than once per year and the amendments must be related to technical, procedural, or compliance issues. A staggered statutory schedule for the update of shoreline master programs, running from 2005 to 2014 and every seven years after the initial deadline, is established. Limits on grants from Ecology to local governments for master program reviews are removed and new requirements for the receipt of such grants are created | None. |

## Legislative Session 2002

RCW 36.70A.011: Findings – Rural lands
The amendment adds a new section containing legislative finds to support the amendment to the Rural Element requirements in RCW 36.70A.070.

RCW 36.70A.020: Planning goals
The amendments change the economic development goal to add the underlined words: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The open space goal is amended to read as follows: Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

RCW 36.70A.070: Comprehensive plans – Mandatory elements
The amendments:
Change the requirements for the Rural Element of comprehensive plans to (1) authorize limited expansion of small-scale businesses in the rural area, and (2) authorize new businesses in the rural area to use sites previously occupied by rural businesses.
Change the Housing Element to require the inventory of housing needs to include the number of housing units necessary to manage projected population growth.
Change the Capital Facilities Element to require the inclusion of parks and recreation facilities.
Require comprehensive plans to include an Economic Development Element and a Parks and Recreation Facilities Element if money to implement these requirements is appropriated by the Legislature.

RCW 36.70A.103: State agencies required to comply with comprehensive plans
The law is amended to cross-reference new provisions for siting secure community transition facilities for sex offenders.

RCW 36.70A.130: Comprehensive plans – Review amendments
The amendments change the deadlines for reviewing and updating comprehensive plans and development regulations adopted under the GMA and clarify the requirements relating to the reviews and updates.

RCW 36.70A.200: Siting of essential public facilities – Limitation on liability
The amendments clarify that the deadline for adopting a process for siting secure community transition facilities for sex offenders must be adopted by September 1, 2002, even though deadlines for GMA reviews and updates were changed in amendments to RCW 36.70A.130. It exempts noncompliance with the September 1, 2002, deadline from challenge before the growth management hearings boards and from economic sanctions under the GMA's enforcement provisions.

RCW 36.70A.367: Major industrial developments – Master planned locations
The amendment establishes a pilot program authorizing the designation of industrial land banks outside urban growth areas if specified requirements are satisfied.

## Legislative Session 2001

RCW 36.70A.103: State agencies required to comply with comprehensive plans
The amendment authorizes the Department of Social and Health Services (DSHS) to site and operate a Special Commitment Center and a secure community transition facility to house persons conditionally released to a less restrictive alternative on McNeil Island. The state's authority to site an essential public facility under RCW 36.70A.200, in conformance with comprehensive plans and development regulations, is not affected, and with the exception of these two facilities, state agencies must comply with those plans and regulations.

RCW 36.70A.200: Siting of essential public facilities
The amendments add secure community transition facilities, as defined in RCW 71.09.020, to the list of essential public facilities typically difficult to site. Each city and county planning under RCW 36.70A.040 is required to establish a process, or amend its existing process, for identifying and siting essential public facilities, and to adopt and amend its development regulations as necessary to provide for the siting of secure community transition facilities. Local governments are required to complete this no later than the deadline set in RCW 36.70A.130. Any city or county not planning under RCW 36.70A.040 is required to establish a process for siting secure community transition facilities and amend or adopt development regulations necessary to provide the siting of these facilities.

RCW 36.70A.367: Major industrial developments – Master planned locations
The amendment extends the deadline for counties eligible to use the industrial land bank authority. Currently, Grant County and Lewis County satisfy all three criteria. Until December 2002 eligible counties may establish a process for designating a bank of no more than two master planned locations for major industrial activity outside a UGA. Eligible counties must meet statutory criteria initially specified for the authority terminating on December 1999.

## Legislative Session 2000

RCW 36.70A.520: National historic towns
The amendment allows counties planning under RCW 36.70A.040 to authorize and designate national historic towns that may constitute urban growth outside UGAs, if specified conditions are satisfied. A GMA county may allocate a portion of its 20-year population projection to the national historic town to correspond to the projected number of permanent town residents.

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans

The amendment adds language stating that for the purposes of being required to conform to the requirements of the GMA, no county is required to include in its population count those persons confined in a correctional facility under the jurisdiction of the state Department of Corrections that is located in the county.

## Legislative Session 1999

RCW 36.70A.035: Public participation – Notice provisions
The amendment adds school districts to list of entities and affected individuals to be provided with notice of comprehensive plan and development regulation amendment.

## Legislative Session 1998

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans
The amendment adds the requirement for cities or counties to amend the Transportation Element to be in compliance with Chapter 47.80 RCW no later than December 31, 2000.

RCW 36.70A.060: Natural resource lands and critical areas – Development regulations
The requirement for notice on plats and permits issued for development activities near designated resource lands is expanded to activities within 500 feet, instead of 300 feet, of the resource lands. The notice for mineral lands is required to include information that an application might be made for mining-relating activities. Land Use Study Commission recommendation

RCW 36.70A.070: Comprehensive plans – Mandatory elements
The amendment requires cities or counties to include level of service standards for state highways in local comprehensive plans in order to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and WSDOT six-year investment program. Inventories of transportation are required to include state-owned transportation facilities.

RCW 36.70A.131: Mineral resource lands – Review of related designations and development regulations
A county or city is required to take into consideration new information available since the adoption of its designations and development regulations, including new or modified model development regulations for mineral resource lands prepared by the Washington State Department of Natural Resources, CTED, or the Washington Association of Counties.

RCW 36.70A.200: Siting of essential public facilities
State or regional facilities and services of statewide significance as defined in Chapter 47.06 RCW are added to the list of essential public facilities under the GMA. Included in the definition, among others, are high speed rail, inter-city high speed ground transportation, and the Columbia/Snake navigable river system.

RCW 36.70A.210 County-wide planning policies
Transportation facilities of state-wide significance are added to the minimums that county-wide planning policies are to address.

RCW 36.70A.360: Master planned resorts
Master planned resorts are expressly authorized to use capital facilities, utilities, and services (including sewer, water, stormwater, security, fire suppression, and emergency medical) from outside service providers. Any capital facilities, utilities, and services provided on-site are limited to those meeting the needs of master planned resorts. Master planned resorts are required to bear the full costs related to service extensions and capacity increases directly attributable to the resorts.

RCW 36.70A.367: Major industrial developments
Additional counties (Lewis, Grant, and Clallam) are authorized to establish industrial land banks for two master planned locations by December 31, 1999. Sunset dates are extended for Clark and Whatcom counties to December 31, 1999.

RCW 36.70A.395: Environmental planning pilot projects
Technical corrections are made to eliminate references concerning reports to the Legislature that are no longer necessary or have expired.

RCW 36.70A.460: Watershed restoration projects – Permit processing – Fish habitat enhancement project
A fish habitat enhancement project meeting the criteria of this law is not subject to local government permits, inspections, or fees. Such projects, when approved and a hydraulic permit has been issued, are not required to complete a substantial development permit under the SMA. Fish habitat enhancement projects that meet the criteria of this act are considered to be consistent with local shoreline master programs.

## Legislative Session 1997

RCW 36.70A.030: Definitions
The definition of urban growth is amended to expand the listed incompatible primary uses of land to include the following: rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. Additionally, the following is added: A pattern of more intense rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth.

The following terms "rural character," "rural development," and "rural governmental services" are defined.

The following: or "urban services" is added to the definition of "urban governmental services." (ESB 6094 amendments)

RCW 36.70A.035: Public participation – Notice provisions
Requirements for GMA counties and cities to adopt procedures for notifying property owners and other affected or interested parties of proposed amendments to comprehensive plans and development regulations are added. The procedures generally follow the notice requirements currently in the State Environmental Policy Act (SEPA). (ESB 6094 amendments)

The requirement is added that a county or city considering an amendment to a comprehensive plan or a development regulation needs to allow for public comment on the proposed change before adoption. (ESB 6094 amendments)

RCW 36.70A.070: Comprehensive plans – Mandatory elements
Provisions that are to apply to the Rural Element are specified. (ESB 6094 amendments.)

RCW 36.70A.110: Comprehensive plans – Urban growth areas
"Urban growth areas" is deleted from subsection (2) and the following is added: "and each city within the county" so it now reads: based on OFM projections, "…the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected…" (ESB 6094 amendments)

RCW 36.70A.130: Comprehensive plans – Review – Amendments
Language related to the 2002 review requirement is added to the GMA: No later than September 1, 2002, and at least every five years thereafter, a county or city shall take action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure that the plan and regulations are complying with the requirements of this chapter. The review and evaluation required by this subsection may be combined with the review required by subsection (3) of this section. (ESB 6094 amendments)

An amendment to the Capital Facilities Element of the comprehensive plan is allowed if it occurs concurrent with the adoption or amendment of a county or city budget.

RCW 36.70A.165: Property designated as greenbelt or open space – Not subject to adverse possession
Adverse possession is prohibited on property designated as open space to a public agency or homeowner's association. (ESB 6094 amendments)

RCW 36.70A.177: Agricultural lands – Innovative zoning techniques
The amendment allows a variety of innovative zoning techniques in designated agriculture lands of long-term commercial significance. (ESB 6094 amendments)

RCW 36.70A.215: Review and evaluation program
The Buildable Lands Program is created. Six Western Washington counties and the cities located within their boundaries are to establish a monitoring and evaluation program to determine if the actual growth and development is consistent with what was planned for in the county-wide planning policies and comprehensive plans. Measures, other than expanding UGAs, must be taken to correct any inconsistencies. (ESB 6094 amendments)

RCW 36.70A.270: Growth management hearings boards – Conduct, procedure, and compensation
It amends the boards' procedures for distribution of rules and decisions to follow the Administrative Procedures Act, Chapter 34.05 RCW, specifically including the provisions of RCW 34.05.455 governing ex parte communications. (ESB 6094 amendments)

RCW 36.70A.290: Petitions to the growth management hearings boards – Evidence
The board is to render written decisions articulating the basis for its holdings. The board is not to issue advisory opinions on issues not presented to the board in the statement of issues, as modified by any prehearing order. (ESB 6094 amendments)

RCW 36.70A.295: Direct judicial review
The superior court is allowed to directly review a petition for review if all parties to a case before a board agreed to direct review in the superior court. (ESB 6094 amendments)

RCW 36.70A.300: Growth management hearings boards – Final orders
The boards may extend the time for issuing a decision beyond the 180-day period to allow settlement negotiations to proceed if the parties agree to the extension. The boards may: (1) allow up to 90-day extensions that may be renewed; (2) establish a compliance schedule that goes beyond 180 days for a plan or development regulation that does not comply with the GMA if the complexity of the case justifies it; and (3) require periodic updates on progress towards compliance as part of the compliance order. (ESB 6094 amendments)

RCW 36.70A.302: Determination of invalidity – Vesting of development permits – Interim controls
A clarification is made on which permits invalidity orders apply to. (ESB 6094 amendments)

RCW 36.70A.320: Presumption of validity – Burden of proof – Plans and regulations
The burden is shifted to the petitioner to demonstrate that any action by a respondent is not in compliance with the requirements of the GMA. The board is required to find compliance unless it determines that the action by the state agency, county, or city is clearly erroneous in view of the entire record before the board and in light of the goals and requirements of the GMA. (ESB 6094 amendments)

RCW 36.70A.3201: Intent – Finding
Local comprehensive plans and development regulations require counties and cities to balance priorities and consider local circumstances. The ultimate responsibility for planning and implementing a county's or city's future rests with that community. The boards are to apply a more deferential standard of review to actions of counties and cities than the previous "preponderance of the evidence" standard. (ESB 6094 amendments)

RCW 36.70A.330: Noncompliance
The board is enabled to modify a compliance order and allow additional time for compliance in the appropriate circumstances. The board is directed to take into account a county's or city's progress toward compliance in making its decision as to whether to recommend the imposition of sanctions by the Governor. (ESB 6094 amendments)

RCW 36.70A.335: Order of invalidity issued before July 27, 1997
A county or city subject to an order of invalidity issued prior to the effective date of the act may request the board to review its order in light of the changes to the invalidity provisions. If requested, the board is required to rescind or modify an order to make it consistent with the act's changes. (ESB 6094 amendments)

RCW 36.70A.362: Master planned resorts – Existing resort may be included

Counties planning under the GMA may include some existing resorts as master planned resorts under a GMA provision that allows counties to permit master planned resorts as urban growth outside of UGAs. An existing resort is defined as a resort that was in existence on July 1, 1990, and developed as a significantly self-contained and integrated development that includes various types of accommodations and facilities.

RCW 36.70A.367: Major industrial developments – Master planned locations
Whatcom County is authorized, in consultation with its cities, to establish a process for designating land to be in an industrial land bank, according to certain conditions.

RCW 36.70A.500: Growth management planning and environmental review fund – Awarding of grants – Procedures
CTED is directed to encourage participation in the Planning and Environmental Review Fund (PERF) by other public agencies through the provision of grant funds. CTED is required to develop the grant criteria, monitor the grant program, and select grant recipients in consultation with state agencies participating in the grant program. Grants from PERF are to be provided for proposals designed to improve the project review process and which encourage the use of GMA plans to meet the requirements of other state programs. (ESB 6094 amendments)

## Legislative Session 1996

RCW 36.70A.070: Comprehensive plans – Mandatory elements
General aviation airports are added to subsection (6)(i) relating to required subelements of a Transportation Element as defined by this section.

RCW 36.70A.270: Growth management hearings boards – Conduct, procedure, and compensation
The boards are required to publish their decisions and arrange for reasonable distribution of them. The Administrative Procedures Act (APA) is to be used for the boards' procedures, unless it conflicts with RCW 36.70A. The APA also is to be used to determine whether a board member or hearing examiner will be disqualified.

RCW 36.70A.280: Matters subject to board review
A clarification is made on who may file petitions with the boards (i.e., standing).

RCW 36.70A.305: Expedited review
Courts are to expedite reviews on invalidity determinations made by the boards. Hearings on the issues are to be scheduled within 60 days of the date set for submitting the board's record.

RCW 36.70A.367: Major industrial developments – Master planned locations
The GMA is amended to allow a pilot project to designate an urban industrial bank outside UGAs. A county is allowed to establish the pilot project if it has a population of more than 250,000 and if it is part of a metropolitan area that includes a city in another state with a population of more than 250,000 (Clark County). The urban industrial land banks are to consist of no more than two master planned locations. Priority is to be given to locations that are adjacent to or in close proximity to a UGA. The same criteria are to be met that are required under the existing major industrial development process in the GMA, except that specific businesses to locate on the site(s) need not be identified ahead of the designation. The pilot project terminates on December 31, 1998.

RCW 36.70A.510: General aviation airports
General aviation airports are added to the list of items that all local governments must include in the land use elements of their comprehensive plans. General aviation airports include all airports in the state (i.e., public use facilities).

## Legislative Session 1995

RCW 36.70A.030: Definitions
A definition of "wetlands" is added to the Shoreline Management Act that is identical to the definition under the GMA. Excluded from the wetlands definitions under both acts are wetlands created after July 1, 1990, that were unintentionally created as the result of road construction.

RCW 36.70A.040: Who must plan – Summary of requirements – Development regulations must implement comprehensive plans
The percentage of population increase required to trigger planning under the GMA is changed from 10 percent to 17 percent for a ten-year period for counties with a population of 50,000 or more.

RCW 36.70A.070: Comprehensive Plans – Mandatory elements
The following underlined text is added in subsection (5): The Rural Element shall permit appropriate land uses that are compatible with the rural character of such lands and provide for a variety of rural densities and uses and may also provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate rural uses not characterized by urban growth.

The word "recognizing" is changed to "ensuring" for what the Housing Element must do as noted in the act so it now reads: "…ensuring the vitality and character of established residential neighborhoods." "Mandatory provisions" and "single-family residences" are added to the following: "…include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences.

RCW 36.70A.110: Comprehensive Plans – Urban growth areas
Counties are allowed to designate UGAs outside of cities. A UGA determination may include a reasonable land market supply factor and is to permit a range of urban densities. The term "in general" was added to the GMA statement that indicates urban services are to be provided by cities.

RCW 36.70A.130: Comprehensive plans – Review
Cities and counties are to broadly disseminate to the public, a public participation program.

The provision is added that amendments may be considered more than once a year under the following circumstances: (1) emergency compliance with a growth management hearings board order, (2) the initial adoption of a subarea plan, and (3) the adoption or amendment of a Shoreline Master Program according to chapter 90.58 RCW.

The requirement of public participation is added to the emergency amendment process already permitted by the GMA and the resolution of a growth management hearings board or court order as an amendment permitted outside of the comprehensive plan amendment cycle. (ESHB 1724 amendments)

RCW 36.70A.140: Comprehensive Plans – Ensure public participation
The requirement of a public participation program that identifies procedures is added. Local governments must also provide public participation that is effective when responding to a board order of invalidity. (ESHB 1724 amendments)

RCW 36.70A.172: Critical areas – Designation and protection – Best available science to be used
The state's goals and policies for protecting critical areas functions and values are clarified. Local governments are required to include the "best available science" in developing policies and development regulations to protect the functions and values of critical areas as defined in the GMA and must give special consideration to preserving or enhancing anadromous fisheries.

RCW 36.70A.175: Wetlands to be delineated in accordance with manual
Ecology is directed to adopt by a rule a manual for the delineation of wetlands regulated under the SMA and GMA. The manual is based on the 1987 U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency manual as amended through January 1, 1995.

RCW 36.70A.280: Matters subject to board review
Shoreline master programs or amendments adopted under Chapter 90.58 RCW are added as subjects for growth management hearings board review. (ESHB 1724 amendments)

RCW 36.70A.290: Petitions to growth management hearings boards – Evidence

The publication date for a Shoreline Master Program or amendment is established to be the date when the Shoreline Master Program or amendment is approved or disapproved by Ecology.

RCW 36.70A.300: Growth management hearings boards – Final orders
The Shoreline Master Program and amendments are added to final order procedures.

A finding of noncompliance is not to affect the validity of comprehensive plans or development regulations. The parameters of an invalidity determination by the boards, including vesting issues, are established.

RCW 36.70A.320: Presumption of validity
The Shoreline Element of a comprehensive plan and applicable development regulations adopted by a city or county are governed by Chapter 90.58 RCW and are not presumed valid upon adoption in the same manner as comprehensive plan and development regulations in general. (ESHB 1724 amendments)

RCW 36.70A.330: Noncompliance
Invalidity text is added. The board is allowed to reconsider its final order and decide: (a) if a determination of invalidity has been made, whether to rescind or modify its determination as provided by RCW 36.70A.300(2), or (b) if no invalidity determination has been made, whether to issue a determination as provided by RCW 36.70A.300(2).

Language is added that a person with standing may participate in a hearing of compliance or noncompliance. (ESHB 1724 amendments)

RCW 36.70A.365: Major industrial developments
Counties planning under the GMA are allowed to establish, in consultation with cities, a process for authorizing the siting of major industrial developments outside UGAs. Such a development may be approved if certain criteria are met.

RCW 36.70A.385: Environmental planning pilot projects
References for the "Department of Community Development" to changed to "department."

RCW 36.70A.450: Family day-care provider's home facility – City may not prohibit in residential or commercial area
The agency responsible for certifying that a family day-care provider's facility provides a safe passenger loading area is changed from the Washington State Department of Licensing to the Office of Child Care Policy of DSHS.

RCW 36.70A.460: Watershed restoration projects – Permit processing – Fish habitat enhancement project
The Washington Conservation Commission is directed to develop a single application process by which all permits for watershed restoration projects may be obtained by a sponsoring agency for its project, to be completed by January 1, 1996. Each agency is required to name an office or official as a designated recipient of project applications and inform the commission of the designation. All agencies of state and local government are required to accept the single application developed by the commission.

RCW 36.70A.470: Project review – Amendment suggestion procedure – Definitions - GMA integrated project and environmental review is to be conducted under the newly created provisions of Chapter 36.70B RCW.

RCW 36.70A.480: Shorelines of the state
Under the GMA, (1) the goals and policies of the SMA become one of the goals of the GMA under RCW 36.70A.020, and (2) the goals and policies of a Shoreline Master Program for a county or city are required to become an element of the jurisdiction's comprehensive plan. All other portions of the Shoreline Master Program including regulations are required to become part of the county's or city's development regulations. Additionally, shoreline master programs are to continue to be amended or adopted under the procedures of the SMA (Chapter 90.58 RCW).

RCW 36.70A.481: Construction
Nothing in RCW 36.70A.480 (shorelines of the state) is to be construed to authorize a county or city to adopt regulations applicable to shorelands as defined in RCW 90.58.030 that are inconsistent with the provisions of Chapter 90.58 RCW. (ESHB 1724 amendments)

RCW 36.70A.490: Growth Management Planning and Environmental Review Fund – Established
Moneys in the fund are required to be used to make grants to local governments for the purposes set forth in RCW 43.21C.031. (ESHB 1724 amendments)

RCW 36.70A.500: Growth Management Planning and Environmental Review Fund – Awarding of grants – Procedures
Procedures are established for dispersing funds. (ESHB 1724 amendments)

Chapter 36.70B RCW: Regulatory reform - Regulatory reform amendments are made to streamline permitting procedures in the state. (ESHB 1724 amendments)

# Snoqualmie 2044 Draft Comprehensive Plan Outline

Volume 1.

I. Cover

II. Acknowledgements

III. Introduction: (Elk, Meadowbrook Farm, Train Museum, Falls, Riverwalk, Historic Downtown, Neighborhoods Overview and, Snoqualmie Events Overview)

IV. History and Background: Weyerhaeuser Mill Site, Snoqualmie Tribe, Town of Meadowbrook, 1990/2009 Floods

V. Snoqualmie Vision

VI. Public Engagement Summary

VII. Elements
- Land Use
- Housing
- Transportation
- Utilities/Capital Facilities
- Parks and Recreation
- Environment
- Shoreline
- Economic Development

VIII. Implementation

Volume 2. Background Information and Appendices

I. Public Engagement Plan

II. Land Use/Neighborhoods
- Land Capacity Analysis
- Growth Targets
- Planning Areas and Maps
- Neighborhood Profiles
- Viewsheds
- Historic Sites Map
- Annexations

III. Housing
- Housing Needs Analysis
- Housing Strategy Plan
- Middle Housing
- Affordable Housing Opportunities

IV. Transportation
- Functional Classifications
- TIP
- LOS
- Traffic Volume
- Non-Motorized
- Future Transportation Network
- Inventory and Classification of Streets
- TAZ

V. Utilities/Capital Facilities
- 6 Year Facility Plans Summary
- CIP
- Stormwater/Surface Water Reference

VI. Parks and Recreation
- PRO Plan

VII. Environment/Climate Change
- Elk
- Flood History
- Critical Area Summary
- Urban Forestry Strategic Plan Reference
- Flood Control Plan Reference
- Riverwalk Plan Reference
- Shoreline Master Plan, Reference
- Critical Area Maps
- Tree Canopy Map

VIII. Economic Development
- Tourism
- Target Industries
- Local Centers
- Local Partners
- Retail Opportunities Map

| Element | Topic | Type | Policy No | Existing Environment Comprehensive Plan Policy | Environment Element New Policies |
|---|---|---|---|---|---|
| Environment | Environmental Protection, General | Goal | New | | The health, wildlife and ecosystem services and functionsprovided by the City's natural environment are protected and enhanced, and potential hazards to citizen health, welfare and property are minimized. |
| Environment | Environmental Protection, General | Policy | 6.1.1 | Maintain and implement City Sensitive Areas Regulations that are consistent with the Best Available Science, as required by the Growth Management Act. | Incorporate and utilize applicable best available science for purposes of designating and protecting all regulated critical areas and anadromous fisheries that need "special consideration" for their conservation and protection. |
| Environment | Environmental Protection, General | Policy | 6.1.2 | In protecting and enhancing sensitive areas, incorporate the full spectrum of planning and regulatory measures including the comprehensive plan, shoreline master program, development regulations, stormwater management plans, project mitigation, and state and federal programs. | Protect Snoqualmie's environmental critical areas, habitat, and the natural environment through land use plans, surface water management plans and programs, comprehensive park plans, development regulations and site-specific project review and consultation with affected Tribes. **Vision 2050** |
| Environment | Environmental Protection, General | Policy | 6.1.3 | Strive to increase the number, size, diversity and value of wildlife habitat areas and promote, where appropriate, the coexistence of native plant communities and wildlife alongside other land uses. | Ensure the protection and recovery of ecosystems to provide healthy habitat and support fish, wildlife, and plant populations in a changing climate. This includes actively managing lands through controlling noxious weeds, restoring native vegetation, and monitoring project results. |
| Environment | Environmental Protection, General | Policy | 6.1.4 | Coordinate with other governmental agencies, adjacent communities, non-profit organizations and federally recognized Tribes to protect and enhance the environment through land use planning, fish and wildlife resource management, and by identifying and protecting habitat networks across jurisdictional boundaries. | Coordinate with governmental agencies, non-profit organizations and Tribes to protect and enhance the environment through countywide and watershed planning, fish and wildlife resource management, and habitat protection networks across jurisdictional boundaries. |
| Environment | Environmental Protection, General | Goal | New | | ~~Establish and maintain relations~~ Follow the principles of Free, Prior and Informed Consent with regard to Native American tribes for the preservation of archaeological sites and traditional cultural properties~~ that are vulnerable to climate impact~~s. |
| Environment | Environmental Protection, General | Policy | New | | Actively manage city forest lands to decrease climate-exacerbated risks from severe wildfires, protect residents, and improve ecosystem health and habitat and encourage others to do so. |
| Environment | Environmental Protection, General | Policy | 6.1.5 | Locate open space areas to protect critical areas such as wetlands, landslide hazard and erosion-prone areas, and maintain such areas in their natural condition, including native vegetation preservation. | Apply Best Available Science, including Traditional Ecological Knowledge, to protect critical areas, such as wetlands, landslide hazard and erosion-prone areas, and maintain these areas in their natural condition, including native vegetation preservation. |
| Environment | Environmental Protection, General | Policy | 6.1.6 | Inventory and remove noxious weeds such as Scotchbroom, English Ivy, English Holly, knotweed, Himalayan Blackberry and other noxious weeds as identified by King County Noxious Weed Control Board from public properties and educate citizens on the importance of their removal on private property. | Control the spread of noxious weeds as identified by King County Noxious Weed Control Board from public properties, particularly in more fire-prone areas like roadsides and utility corridors and if possible educate citizens about the control of noxious weeds on private property. |
| Environment | Environmental Protection, General | New | | | Support integrated and interdisciplinary approaches for environmental planning and assessment. **Vision 2050** |
| Environment | Environmental Protection, General | New | | | Promote innovative and environmentally sensitive practices in site planning, design, materials selection, construction and maintenance. **Vision 2050** |
| Environment | Environmental Protection, General | New | | | Encourage environmental stewardship on private and public lands through partnerships and voluntary efforts that protect, restore and enhance the quality and functions of critical areas and associated buffers. **Vision 2050** |
| Environment | Environmental Protection, General | New | | | Support programs that ensure that all residents, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment, and prioritize the reduction of impacts to vulnerable populations that have been disproportionately affected by climate change. **Vision 2050** |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.1 | Against a projected 2007 baseline, strive to reduce community greenhouse gas emissions 25% by 2020, 50% by 2030, and 80% by 2050. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.2 | Develop and implement a Climate Action Plan that includes greenhouse gas emission programs such as incorporating GHG assessments in SEPA review; carbon storage in the urban forest; and the impacts of climate change on the City's hydrological systems. | Climate Planning Poliices to be identified a new Climiate Change Element |

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| Environment | Climate Protection and Sustainable Development | Policy | 6.2.3 | Encourage lot layout and site design that allows for houses and other buildings to be oriented to optimize passive and active solar access and minimize shade on adjoining properties. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.4 | Promote energy efficiency and renewable energy sources by such actions as demonstrating renewable energy at municipal buildings, supporting Northwest Energy Code energy efficiency improvements, and participating in energy-efficiency and conservation awareness programs. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.5 | Support and implement the Mayor's Climate Protection Agreement, the King-County Cities Climate Collaboration (K4C), and other multijurisdictional efforts to address climate change, sea-level rise, ocean acidification and other impacts from changing global conditions. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.6 | Implement Best Management Practices to reduce the amount of air-borne particulates | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.7 | Consider the purchase of alternative-fuel vehicles and charging stations to lower-emission or net-zero emission fleet vehicles. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.8 | In future development agreements emphasize pursuit of higher standards for durable, energy-efficient developments. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.9 | Remove regulatory barriers and create incentives, such as expedited permitted and/or density bonuses, to encourage the use of energy-efficient and sustainable building methods and materials, such as those specified under certification systems like Leadership in Energy & Environmental Design (LEED), Built Green, Salmon-Safe, and the Living Building Challenge (LBC). | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Climate Protection and Sustainable Development | Policy | 6.2.10 | Reduce landfilled solid waste tonnages through such actions as promoting the use of recyclable and compostable packaging, commercial composting, and the recycling of construction and demolition debris. | Climate Planning Poliices to be identified a new Climiate Change Element |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Goal | New | | RIvers, streams aquifer recharge areas and other water resources within the City are protected and managed for muliple beneficial uses. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | New | | Preserve and protect natural surface water storage sites, such as wetlands, aquifers, streams, and water bodies as these are critical features that support hydrological functions, water quality, regulate surface flows and recharge groundwater. **Vision 2050** |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.1 | Coordinate the management and restoration of rivers, streams, wetlands and other water resources within the Snoqualmie watershed through participation in the Snoqualmie Watershed Forum and implementation of the Puget Sound Action Plan. | Coordinate the management and restoration Snoqualmie watershed through participation in the Snoqualmie Watershed Forum and the implementation of the Puget Sound Action Agenda. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.2 | Ensure that local regulations for surface and stormwater management allow for and encourage Low-Impact Development (LID) practices. | Ensure that local regulations for surface and stormwater management allow for and encourage Low-Impact Development (LID) and Natural Drainage practices. Support retrofitting basins to improve storwater management and quality. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.3 | Encourage building construction that uses alternative techniques to minimize impervious surfaces, such as using underground parking where feasible, cooperative parking such as shared and coordinated parking lots, and using "green roofs." | Encourage building construction that uses alternative techniques to minimize impervious surfaces and reduce harmful impacts to the natural environment and proximate waterways. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.4 | Implement water conservation strategies to increase the capacity for potable water use, and reduce the amount of wastewater to be treated, through such measures as rotating irrigation schedules, and by minimizing or encouraging alternatives to grass lawn in future subdivisions | Actively investigate and promote water conservation strategies to efficiently use the City's legal access to water, and to reduce the amount of wastewater to be treated, through such measures as rotating irrigation schedules, and by incentivizing or requiring installation of water-wise landscaping throughout the City. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.5 | Work with the State Department of Ecology, King County and other stakeholders to implement the 1998 East King County Ground Water Management Plan, and develop short and long-term strategies to reduce or eliminate pollution sources and protect public health. | Work with the State Department of Ecology, King County, Tribes and other stakeholders to reduce or eliminate pollution sources and protect public health. |

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| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | 6.3.6 | Work in conjunction with King County to take corrective action to remove contaminant loading due to failing septic systems and stormwater runoff in susceptible recharge areas, and consider the issue of mandatory septic tank testing or enforcing sewer line connection as an aquifer protection technique. | Work in conjunction with King County to take corrective action to remove contaminant loading due to failing septic systems and stormwater runoff in susceptible recharge areas. |
| Environment | Water Resources, Aquifers & Critical Recharge Areas | Policy | New | | Seek funding to support stormwater retrofitting and green technologies in areas where water quality is impacted by stormwater. |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Goal | New | | Natural hydraulic, hydrologic and habitat functions, and scenic and recreational vaues of rivers,streams, wetlands and natural drainage courses are protected. |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | 6.4.1 | Minimize stream crossings, utilizing bridges rather than culverts whenever feasible, and minimize new utility crossing impacts when possible by using techniques such as bridges, tunneling, or other innovative methods. | Minimize stream crossings, utilizing bridges rather than culverts whenever feasible, and minimize new utility crossing impacts, when possible, by using techniques such as bridges, tunneling, or other innovative methods. |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | New | | Participate in regional species protection efforts, including salmon habitat enhancement and restoration. Identify, prioritize, and eliminate physical barriers (such as fish blocking culverts), and other impediments to anadromous fish spawning and rearing habitat. **Vision 2050** |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | 6.4.2 | Maintain infrastructure located within stream corridors in accordance with Best Management Practices that minimize water quality impacts, and pursue design modifications or alternative siting options for when significant alterations are undertaken. | Maintain infrastructure located within stream corridors in accordance with Best Management Practices that minimize water quality impacts and pursue design modifications or alternative siting options for when significant alterations are undertaken. |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | 6.4.3 | Encourage no net loss of remaining wetlands acreage, functions and values within the City and urban growth area, and the creation of wetlands where feasible | Protect wetlands areas, functions and values within the City and urban growth area, and allow the creation of wetlands where feasible and appropriate. |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | 6.4.4 | Restore previously disturbed wetland and stream buffers where feasible, and maintain restored buffers to limit the reintroduction of invasive species. | Restore previously disturbed wetland and stream buffers where feasible, and maintain restored buffers . |
| Environment | Snoqualmie River, Stream Corridors & Wetlands | Policy | 6.4.5 | Ensure wetland regulation and mitigation implementation is flexible enough to allow for protection of systems or corridors of connected wetlands, encourage incentives such as property tax reductions, conservation easements and other techniques to preserve wetlands. | Ensure wetland regulations allow for conservation easements and other techniques to preserve their health and existence. |
| Environment | Geological and Flood Hazard Areas | Goal | New | | Public health and property damage risk associated with flood and geologic hazard areas have been reduced, while preventing irreparable harm to regionally signficant ecological resources. |
| Environment | Geological and Flood Hazard Areas | Policy | New | | Pursue strategies to lower the City's classification rating in the federal FEMA program. |
| Environment | Geological and Flood Hazard Areas | Policy | 6.5.1 | Meet, and attempt to exceed, the federal minimum standards of the National Flood Insurance Program, and strictly enforce Flood Hazard Regulations that meet and exceed the minimum requirements established by FEMA and the Department of Ecology | Protect properties and ecological functions in the floodplain with development regulations guided by standards established by FEMA and the Department of Ecology. |
| Environment | Geological and Flood Hazard Areas | Policy | 6.5.2 | Require the use of Best Management Practices to reduce accelerated erosion and sedimentation due to construction and construction-related activities. | Pursue the reduction of accelerated erosion and sedimentation due to construction and construction-related activities. |
| Environment | Geological and Flood Hazard Areas | Policy | 6.5.3 | Limit the scale and density of development in areas with severe geologic hazard potential, requiring development to minimize grading and restore native vegetation to the greatest extent possible. | Protect areas with severe geologic hazard potential, limiting developmennt in hazard areas or requiring development to minimize grading and enhance native vegetation to the greatest extent possible. |
| Environment | Geological and Flood Hazard Areas | Policy | 6.5.4 | Where possible, seek to restore natural vegetative cover and natural drainage features on degraded sites which contribute to accelerated erosion and sedimentation. | Seek to restore natural vegetative cover and natural drainage features on degraded sites, including the removal of invasive weeds as necessary. |

# Attachment 8 Environmental Element Public Comments Table

| Date | Source | Comment | Category |
|---|---|---|---|
| 4/6/2023 | Open House | Please consider the climate crisis in all decisions going forward. | Environment |
| 4/26/2023 | Online Survey | Would love to see housing start to level out and the focus to shift to maximizing the natural environment and creating and maintaining spaces to recreate in nature. This is such a beautiful area! | Environment |
| 7/12/2023 | Online Survey | Green space and proximity to nature is why we became new residents this year. I don't think we lack for parks or great environment. | Environment |
| 10/18/2023 | Open House | Please maintain Snoqualmie's original plan to NOT clear cut for development and to maintain pockets of natural growth. SO disappointing that recent development ignored original design/planning and space limits (hotel!) Thanks! | Environment |
| 5/24/2023 | Online Survey | Snoqualmie is an amazing place to live, and appreciate the thought and care that City leadership is putting into this effort. Leveraging Snoqualmie's natural setting and strengths (river, mountains, Valley, trails) for measured growth and reinvestment should be the focus of the next 20 years. | Environment |
| 10/18/2023 | Open House | We have lost trees from the last storm (2022-2023). Please replace the trees to keep Snoqualmie beautiful. | Environment |
| 10/18/2023 | Open House | Where the hell is the contamination? Your map doesn't show contamination. | Environment |
| 10/18/2023 | Open House | Concerned about the 4 stages of development affecting stream flow (Kinble Creek). Is there a zero rise analysis being completed by the developer? | Environment |