



**Agenda Planning Commission  
Gig Harbor Civic Center  
Thursday, February 2, 2023 at 5:30 P.M.**

This meeting may be accessed through Zoom at <https://zoom.us/j/95353411299> or by calling (253) 215- 8782 and entering Meeting ID 953 5341 1299. Please see the Public Comment & Decorum section at the end of this agenda for information on options to make public comment.

This meeting may also be viewed live in the Community Rooms at the Civic Center. All participants will be engaging in the meeting via Zoom.

- I. Call to Order/Roll Call:**
  
- II. Approval of Minutes:**
  
- III. Public Comment:**
  
- IV. Agenda Items:**
  - a. Chair and Vice Chair Elections
  - b. Urban Forestry
  - c. Comprehensive Plan Update Checklist
  
- V. Other Business: Next meeting Thursday, February 16, 2023**
  
- VI. Adjournment:**

**PUBLIC COMMENT & DECORUM**

Commenters will be allotted 3 minutes per individual, unless revised by the Chair. In-person comments shall be made from the microphone, first giving the speaker's name and address. When there are 30 seconds remaining, staff will alert you to summarize your comments. At the end of your comments, staff will notify you it has come to the end of your comment period. Anyone making "out of order" comments may be subject to removal from the meeting.

Public comment may be made remotely via Zoom or by phone during designated portions of the meeting. To speak during the meeting, press the Raise Hand button near the bottom of your Zoom window or press \*9 on your phone. Please refrain from raising your hand until the Chair has

announced that the Commission has opened the public comment portion of the meeting. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in, you may need to press \*6 to unmute yourself. All speakers will have up to three minutes to speak.

All remarks shall be addressed to the Commission as a body and not to any specific Commissioner. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any Commissioner, the Chair, or any member of the staff or the public.

There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding a public meeting, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.

**AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS** ADA accommodations can be provided upon request. Those requiring special accommodations should contact the City Clerk at [cityclerk@giharborwa.gov](mailto:cityclerk@giharborwa.gov) or (253) 853-7613 at least 24 hours prior to the meeting.



**Minutes for Gig Harbor Planning Commission  
Thursday, December 15, 2022 5:30 P.M.**

**Virtual Meeting**

- I. Call to Order/Roll Call:** Chair Krawczyk called the meeting to order at 5:30 p.m. Commissioners Bradbury, Soltess, Brown, Burcar, and Snodgrass were present. Commissioner Jordan not in attendance  
City Staff: Principal Planner, Robin Bolster-Grant; Senior Planner, Roxanne Robles & Planning Technician, Michelle Thomas were present
- II. Approval of Minutes:** Move to amend and approve minutes for December 1, 2022 (Bradbury/Brown) Unanimously approved
- III. Public Comment:** No public comment
- IV. Agenda Items:** Urban Forestry Management Program – Staff Presentation  
Robles
- V. Other Business:** Introduction of new Commissioner Mark Burcar. Next meeting Thursday, January 5, 2023, will be returning to in person with online option
- VI. Adjournment:** The meeting adjourned at 6:15 pm

*Michelle Thomas*

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Michelle Thomas  
Planning Technician



**TO:** Gig Harbor Planning Commission

**FROM:** Roxanne Robles, Senior Planner  
Planning Division

**DATE:** February 2, 2023

**RE:** Urban Forestry Management Plan Update

Staff presented an overview of the Urban Forestry Management Plan (UFMP) scope at the December 15, 2022 regular meeting. The UFMP includes:

- Program review (V2 delivered January 2023, V3 in progress)
- Land cover and planting assessment (V1 delivered December 2022, V2 in progress)
- Management metrics (in progress)
- Ordinance review (V1 delivered January 2023, V2 in progress)
- Plan development

Thus far, the consultant (Davey Resource Group, Inc.) has provided drafts, and the City has been able to provide at least one set of revisions, for most of the deliverables. The project is on track for completion by the grant due date at the end of May.

### **Outreach Survey Questions and Commissioner Feedback**

Staff requested commissioner feedback about urban forestry concerns to develop appropriate survey questions for public outreach. A list of used on the commissioners' feedback and examples provided by the consultant.

Commissioner feedback was focused on the long-term ecological benefits of trees, as well as the pressures faced by local governments from state-mandated development and growth. Staff has curated a set of questions to reflect these concerns and issues in as brief a survey as possible. The survey has a projected launch mid-February, running through mid-March. The survey will be online with hard copies by request and will be distributed through the City's social media platforms, newsletter, and postcard mailers.

The City will be requesting public feedback to inform the in-progress climate action plan, as well as the 2024 Comprehensive Plan Update, and would like to prevent *outreach fatigue* with the public. Given the desire to prevent *outreach* fatigue, staff would like Commissioners to consider the following:

- Are there any gaps in the outreach questions?
- Are any questions duplicative?
- Can any questions be combined?

**Attachments:**

Exhibit A – Outreach Survey Questions & Commissioner Feedback

## Potential Urban Forestry Outreach Questions

1. Trees are important to the quality of life in Gig Harbor (not sure to strongly agree)
2. Which tree-related ecological benefits are most important to you? Pick three:
  - Providing varied and rich habitats for wildlife
  - Reducing greenhouse gas emissions
  - Moderating the effects of wind and temperature
  - Stabilizing and enriching soil
  - Slowing runoff and reducing soil erosion
  - Improving air quality
  - Improving water quality
3. Trees can grow to obstruct streets & sidewalks. How often do you encounter this issue with trees in the public rights-of-way? (never to several times a year)
4. Trees can become damaged or develop structural weakness over time. These issues may be risks for injury to persons or property. How often do you encounter this issue with public trees? (never to several times a year)
5. What is your satisfaction with the current level of maintenance provided for the City's public trees? (completely dissatisfied to completely satisfied)
6. What are your top concerns for Gig Harbor's urban forest? Select all that apply.
  - Safety hazards
  - Trees blocking my view
  - Trees shading my yard
  - Tree debris in my yard
  - Unable to remove trees on my property
  - Healthy trees being removed during development
  - Canopy loss
  - Habitat loss
  - No concerns
7. Where would you like to see more public trees planted? Select all that apply:
  - Parks
  - Open spaces & natural areas
  - Along public streets
  - Shopping centers and commercial areas
  - Trails and bike paths
  - We have enough public trees
8. How would you like to receive information about Gig Harbor's urban forest?
  - Seminars & workshops
  - Interpretive trails & displays
  - Website resources
  - Online videos
  - Guided nature/tree walks
  - Informational brochures

9. What is your experience with the City's tree regulations on private property?
- The process is easy and the requirements are reasonable
  - The process is easy but the requirements are too strict
  - The process is easy but the requirements are too lenient
  - The process was difficult but the requirements are reasonable
  - The process was difficult and the requirements are too strict
  - The process was difficult and the requirements are too lenient
  - Not applicable
10. What do you think about a Citywide special assessment (property tax) to fund urban forestry programs?
- Yes
  - No
  - Maybe, with certain conditions
11. What do you think about the City hiring a staff arborist to serve as a point of contact for community tree issues?
- Yes
  - No
  - Maybe, with certain conditions
12. What is your age?
- Under 18
  - 18 to 25
  - 26 to 35
  - 36 to 45
  - 46 to 55
  - 56 to 65
  - 65+
13. What is your relationship with Gig Harbor's urban forest?
- I am a resident of the City
  - I am a frequent visitor to the City
  - I own a business in the City
  - I have experienced issues with tree regulations on my private property in Gig Harbor
  - I have planted public trees as a volunteer
  - I help care for a public tree adjacent to my property
  - I have donated to a cause in support of public trees
  - Not applicable

**Commissioner Feedback    January 2023**

<p><b>What do you want to know from the greater community (Gig Harbor residents &amp; stakeholders)?</b></p>	<p>How do residents feel about the state of the natural environment of Gig Harbor?</p>
	<p>Should the City be doing more to protect the forest land in the city?</p>
	<p>I would like to know specific views and observations, with specific ideas of how the citizens would see the City respond to growth and regulatory requirements</p>
	<p>I would like to know if the general populace is even thinking about this, and if so, what do they think about the number of trees now versus 5 or 10 years ago.</p>
<p><b>What is the most pressing issue, in terms of urban forestry, in Gig Harbor at the moment?</b></p>	<p>For me it is developers and builders' unwillingness to preserve mature trees in properties they are developing. There needs to be regulations, incentives and other means to encourage the protection of trees for shade, privacy, and carbon capture.</p>
	<p>Regulatory driven (UGA and others) in combination with rapid growth requires a fundamental change in maintaining a community character that has a nature/natural focus and presence.</p>
	<p>"Conservation means development as much as it does protection" - Teddy Roosevelt; how do we craft a plan to preserve necessary trees while supporting reasonable development. Is it urban forest corridors? Is it regulating the number of trees that must be preserved on a lot? If some needs to cut down one too many trees, what are the guidelines, if any, on where, how, and with what they can replace that tree? Are there density guidelines we create to preserve larger areas of trees? I know these are all things we have discussed, but I would like these ideas to be posed to the general populace and be used as seeds to get them thinking about how we accomplish this.</p>
<p><b>How have you seen the urban forest change throughout your tenure in Gig Harbor?</b></p>	<p>Significant reduction in the forest canopy with less emphasis on forest buffer zones around new development. The problem is even worse in the UGA.</p>
	<p>Yes. New development over the past roughly ten years has provided for increasing density with less tree preservation. This changes the visual nature of our community environment.</p>
	<p>Yes, there are definitely fewer trees over the last 10 years. However, I am a big proponent of the ball fields in Harbor Hill. So, how do we preserve as many trees there and in surrounding areas to balance the need for those fields with preservation of urban forest?</p>
<p><b>Do you have any environmental of community organizations/ stakeholders that you would like included in the survey outreach?</b></p>	<p>Chamber of commerce, school boards, elks club, rotary club, KGI watershed council, Harbor WildWatch, Gig Harbor land conservancy, CCCPAC, parks commission, PenMet Parks, HOAs within the City</p>
	<p>Development community</p>





**TO:** Gig Harbor Planning Commission

**FROM:** Robin Bolster-Grant, Principal Planner  
Planning Division

**DATE:** February 2, 2023

**RE:** 2024 Comprehensive Plan Periodic Update - Department of Commerce Checklist

Pursuant to RCW 36.70.040, the City of Gig Harbor must complete a periodic update for its entire comprehensive plan and relevant development regulations by December 31, 2024. The Washington State Department of Commerce (Commerce) has created a checklist to help identify components of comprehensive plans and development regulations that may need updating to reflect the latest local changes or to comply with changes to the Growth Management Act (GMA) that have occurred since the last periodic update cycle (2015-2018).

The Community Development Department is currently finalizing a contract with a consultant to assist in the Comprehensive Plan update project, which includes a robust public engagement plan.

From housing and land use policies to transportation and environmental protection, the update will touch upon the issues that affect the quality of life and ultimately will reflect the vision our citizens have for the future of their community.

Staff presents the Commerce Checklist to your Commission as an introduction to the update process and to familiarize Commissioners with the scope of work involved in this substantial endeavor. Your Commission has made very clear the desire to explore these crucial policy issues this introduction is the first step toward that end.

**Attachments:**

Exhibit A – Washington State Department of Commerce Periodic Update Checklist

## Periodic Update Checklist for Fully-Planning Cities

**Overview:** This checklist is intended to help cities that are fully planning under the Growth Management Act (GMA) conduct the “periodic review and update” of **comprehensive plans** and **development regulations** required by [RCW 36.70A.130 \(4\)](#). This checklist identifies components of comprehensive plans and development regulations that may need updating to reflect the latest local conditions or to comply with GMA changes since the last periodic update cycle (2015-2018).

Statutory changes adopted since 2015 are emphasized in highlighted text to help identify new GMA requirements that may not have been addressed during the last update or through other amendments outside of the required periodic update process.

**What’s new:** For the 2024-2027 update cycle, Commerce has updated and streamlined periodic update resources including checklists, guidebooks and a [webpage](#) to serve you better. A checklist and guidebook for *partially-planning jurisdictions* will be available prior to their 2026-2027 updates. A separate checklist is available for counties.

2021-2022 Legislative Session:

[HB 1220](#) substantially amends housing-related provisions of the GMA, [RCW 36.70A.070\(2\)](#). Please refer to the following Commerce housing webpages for further information about the new requirements: [Updating GMA Housing Elements](#) and [Planning for Housing](#).

[HB 1241](#) changes the periodic update cycle described in RCW 36.70A.130. Jurisdictions required to complete their update in 2024 now have until December 31, 2024 to finalize their review and submit to Commerce. Jurisdictions required to complete their updates in 2025-2027 are still required to submit prior to June 30<sup>th</sup> of their respective year. Additionally, jurisdictions that meet the new criteria will be required to submit an implementation progress report five years after the review and revision of their comprehensive plan.

[HB 1717](#) adds new requirements in [RCW 36.70A.040](#) and [RCW 36.70A.190](#) regarding tribal participation in planning efforts with local and regional jurisdictions.

[SB 5593](#) adds new elements to RCW [36.70A.130\(3\)](#) regarding changes to planning and/or modifying urban growth areas.

[SB 5818](#) promotes housing construction in cities through amendments to and limiting appeals under the state environmental policy act (SEPA) and the GMA, amending [RCW 36.70A.070\(2\)](#).

Local governments should review local comprehensive plan policies, countywide planning policies and multicounty planning policies (where applicable) to be consistent with the new requirements.

_____
City
_____
_____
_____
Staff contact, phone + email

# Checklist Instructions

With the most recent versions of your comprehensive plan and development regulations in hand, fill out each item in the checklist, answering the following questions:

**Is this item addressed in your current plan or development regulations?** If YES, fill in the form with citation(s) to where in the plan or regulation the item is addressed. Where possible, we recommend citing policy or goal numbers by element rather than page numbers, since these can change. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the Commerce [Periodic Update webpage](#) or contact the [Commerce planner assigned to your region](#).

**Is amendment needed to meet current statute?** Check YES to indicate a change to your plan will be needed. Check NO to indicate that the GMA requirement has already been met. Local updates may not be needed if the statute hasn't changed since your previous update, if your jurisdiction has kept current with required inventories, or if there haven't been many changes in local circumstances.

**Use the "Notes" column** to add additional information to note where your city may elect to work on or amend sections of your plan or development regulations, to call out sections that are not strictly required by the GMA, or to indicate if the item is not applicable to your jurisdiction.

**Submit your checklist!** This will be the first deliverable under your periodic update grant.

**PlanView system and instructions:** Completed checklists can be submitted through Commerce's PlanView portal. The PlanView system allows cities and counties to submit and track amendments to comprehensive plans or development regulations online, with or without a user account. You can also submit via email: [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov) Fill out and attach a [cover sheet](#), a copy of your submittal and this checklist. *Please be advised that Commerce is no longer accepting paper submittals.*

For further information about the submittal process please visit Commerce's [Requirements and procedures for providing notice to the state](#) webpage.

## Need help?

Please visit Commerce's [periodic update webpage](#) for additional resources

or contact:

Suzanne Austin, AICP

Senior Planner

Growth Management Services

WA Department of Commerce

509.407.7955

[suzanne.austin@commerce.wa.gov](mailto:suzanne.austin@commerce.wa.gov)

# Checklist Navigation

(Ctrl + Click each element)

## Section I: Comprehensive Plan

LAND USE

HOUSING

CAPITAL FACILITIES

UTILITIES

TRANSPORTATION

SHORELINE

ESSENTIAL PUBLIC FACILITIES

TRIBAL PLANNING

ECONOMIC DEVELOPMENT

PARKS & RECREATION

OPTIONAL ELEMENTS

CONSISTENCY

PUBLIC PARTICIPATION

## Section II: Development Regulations

CRITICAL AREAS

ZONING CODE

SHORELINE MASTER PROGRAM

RESOURCE LANDS

ESSENTIAL PUBLIC FACILITIES

SUBDIVISION CODE

STORMWATER

IMPACT FEES

CONCURRENCY & TDM

TRIBAL PARTICIPATION

OPTIONAL REGULATIONS

PROJECT REVIEW PROCEDURES

PLAN & REGULATION AMENDMENTS

# Section I: Comprehensive Plan Elements

## Land Use Element

Consistent with countywide planning policies (CWPPs) and RCW 36.70A.070(1)

	In Current Plan? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>New 2021-2022 legislation <a href="#">ESSB 5593</a>: changes to <a href="#">RCW 36.70A.130</a> regarding UGA size, patterns of development, suitability and infrastructure.</p> <p>Coordinate these efforts with your county</p>			
<p>a. The element integrates relevant county-wide planning policies into the local planning process, and ensures local goals and policies are consistent. For jurisdictions in the central Puget Sound region, the plan is consistent with applicable multicounty planning policies. <a href="#">RCW 36.70A.210</a> <a href="#">WAC 365-196-305</a></p> <p>Coordinate these efforts with your county</p>			
<p>b. A future land use map showing city limits and UGA boundaries. <a href="#">RCW 36.70A.070(1)</a> and <a href="#">RCW 36.70A.110(6)</a> <a href="#">WAC 365-196-400(2)(d)</a>, <a href="#">WAC 365-196-405(2)(i)(ii)</a></p>			
<p>c. Consideration of urban planning approaches that increase physical activity. <a href="#">RCW 36.70A.070(1)</a> and <a href="#">WAC 365-196-405(2)(j)</a>. Additional resources: <a href="#">Transportation Efficient Communities</a>, <a href="#">The Washington State Plan for Healthy Communities</a>, <a href="#">Active Community Environment Toolkit</a></p>			
<p>d. A consistent population projection throughout the plan which should be consistent with the county's sub-county allocation of that forecast and housing needs. <a href="#">RCW 36.70A.115</a>, <a href="#">RCW 43.62.035</a> and <a href="#">WAC 365-196-405(f)</a></p>			

## Section I: Comprehensive Plan Elements

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>e. Estimates of population densities and building intensities based on future land uses and housing needs. <a href="#">RCW 36.70A.070(1)</a>, <a href="#">WAC 365-196-405(2)(i)</a></p> <ul style="list-style-type: none"> <li>For cities required to plan under the Buildable Lands Program, <a href="#">RCW 36.70A.215 amended in 2017</a>, some jurisdictions may need to identify reasonable measures to reconcile inconsistencies. See <a href="#">Commerce’s Buildable Lands Program page</a>.</li> </ul>			
<p>f. Provisions for protection of the quality and quantity of groundwater used for public water supplies. <a href="#">RCW 36.70A.070(1)</a>; <a href="#">WAC 365-196-405(1)(c)</a>; <a href="#">WAC 365-196-485(1)(d)</a></p>			
<p>g. Identification of lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, storm water management facilities, recreation, schools, and other public uses. <a href="#">RCW 36.70A.150</a> and <a href="#">WAC 365-196-340</a></p>			
<p>h. Identification of open space corridors within and between urban growth areas, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas. <a href="#">RCW 36.70A.160</a> and <a href="#">WAC 365-196-335</a></p>			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>i. If there is an airport within or adjacent to the city: policies, land use designations (and zoning) to discourage the siting of incompatible uses adjacent to general aviation airports. <a href="#">RCW 36.70A.510</a>, <a href="#">RCW 36.70.547</a></p> <p>Note: The plan (and associated regulations) must be filed with the <a href="#">Aviation Division of WSDOT</a>. <a href="#">WAC 365-196-455</a></p>			
<p>j. Where applicable, a review of drainage, flooding, and stormwater run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. <a href="#">RCW 36.70A.070(1)</a> and <a href="#">WAC 365-196-405(2)(e)</a></p> <p>Note: <a href="#">RCW 90.56.010(27)</a> defines waters of the state.</p> <p>Additional resources: <a href="#">Protect Puget Sound Watersheds</a>, <a href="#">Building Cities in the Rain</a>, <a href="#">Ecology Stormwater Manuals</a>, <a href="#">Puget Sound Partnership Action Agenda</a></p>			
<p>k. Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, the city must have included the best available science (BAS) to protect the functions and values of critical areas, and give “special consideration” to conservation or protection measures necessary to preserve or enhance anadromous fisheries. <a href="#">RCW 36.70A.030(6)</a>, <a href="#">RCW 36.70A.172</a>, <a href="#">WAC 365-190-080</a></p> <p>Best Available Science: see <a href="#">WAC 365-195-900 through -925</a></p>			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
l. If forest or agricultural lands of long-term commercial significance are designated inside city: a program authorizing Transfer (or Purchase) of Development Rights. <a href="#">RCW 36.70A.060(4)</a> , <a href="#">RCW 36.70A.170</a>			
m. If there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel: policies, land use designations, (and consistent zoning) to discourage the siting of incompatible uses adjacent to military bases. <a href="#">RCW 36.70A.530(3)</a> , <a href="#">WAC 365-196-475</a>			

## Housing Element

In the 2021 legislative session, HB 1220 substantially amended the housing-related provisions of the Growth Management Act (GMA), RCW 36.70A.070 (2). Local governments should review local comprehensive plan policies and countywide planning policies to be consistent with the updated requirements. Please refer to Commerce’s housing webpages for further information about the new requirements:

### **Updating GMA Housing Elements and Planning for Housing**

a. Goals, policies, and objectives for the preservation, improvement, and development of housing. <a href="#">RCW 36.70A.070(2)(b)</a> and <a href="#">WAC 365-196-410(2)(a)</a>			
b. Within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes. <a href="#">RCW 36.70A.070(2)(c)</a> amended in 2021, <a href="#">WAC 365-196-300</a>			
c. Consideration of housing locations in relation to employment locations and the role of ADUs. <a href="#">RCW 36.70A.070(2)(d)</a> amended in 2021			



	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>d. An inventory and analysis of existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction's share of housing need, as provided by Commerce. <a href="#">RCW 36.70A.070(2)(a)</a> amended in 2021, <a href="#">WAC 365-196-410(2)(b)</a> and <a href="#">(c)</a>.</p>			
<p>e. Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing. <a href="#">RCW 36.70A.070(2)(c)</a> amended in 2021, <a href="#">WAC 365-196-410(e)</a> and <a href="#">(f)</a>.</p>			
<p>f. Adequate provisions for existing and projected housing needs for all economic segments of the community. <a href="#">RCW 36.70A.070(2)(d)</a> amended in 2021, <a href="#">WAC 365-196-010(g)(ii)</a>, <a href="#">WAC 365-196-300(f)</a>, <a href="#">WAC 365-196-410</a> and see Commerce's Housing Action Plan (HAP) guidance: <a href="#">Guidance for Developing a Housing Action Plan</a></p>			
<p>g. Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:</p> <ul style="list-style-type: none"> <li>• Zoning that may have a discriminatory effect;</li> <li>• Disinvestment; and</li> <li>• Infrastructure availability</li> </ul> <p><a href="#">RCW 36.70A.070(e)</a> new in 2021</p>			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>h. Establish policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. <u>RCW 36.70A.070(2)(f)</u> new in 2021</p>			
<p>i. Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments.<sup>1</sup> <u>RCW 36.70A.070(2)(g)</u> new in 2021</p> <p>Establish anti-displacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing. <u>RCW 36.70A.070(2)(h)</u> new in 2021</p>			

<sup>1</sup> This work should identify areas where anti-displacement tools may be applied, but may not need to be in the comprehensive plan. See Commerce’s housing guidance: [Updating GMA Housing Elements - Washington State Department of Commerce](#)

## Capital Facilities Plan (CFP) Element

To serve as a check on the practicality of achieving other elements of the plan, covering all capital facilities planned, provided, and paid for by public entities including local government and special districts, etc. including water systems, sanitary sewer systems, storm water facilities, schools, parks and recreational facilities, police and fire protection facilities. Capital expenditures from park and recreation elements, if separate, should be included in the CFP Element. The CFP Element must be consistent with CWPPs, and [RCW 36.70A.070\(3\)](#), and include:

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
a. Policies or procedures to ensure capital budget decisions are in conformity with the comprehensive plan. <a href="#">RCW 36.70A.120</a>			
b. An inventory of existing capital facilities owned by public entities. <a href="#">RCW 36.70A.070(3)(a)</a> and <a href="#">WAC 365-196-415(1)(a)</a>			
c. A forecast of needed capital facilities. <a href="#">RCW 36.70A.070(3)(b)</a> and <a href="#">WAC 365-196-415(1)(b)</a>  Note: The forecast of future need should be based on projected population and adopted levels of service (LOS) over the planning period.			
d. Proposed locations and capacities of expanded or new capital facilities. <a href="#">RCW 36.70A.070(3)(c)</a> and <a href="#">WAC 365-196-415 (1)(c) and (3)(c)</a> <sup>2</sup>			
e. A six-year plan (at least) that will finance such capital facilities within projected funding capacities and identify sources of public money to finance planned capital facilities. <a href="#">RCW 36.70A.070(3)(d)</a> , <a href="#">RCW 36.70A.120</a> , <a href="#">WAC 365-196-415(1)(d)</a>			

<sup>2</sup> Infrastructure investments should consider equity and plan for any potential displacement impacts.

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
f. A policy or procedure to reassess the Land Use Element if probable funding falls short of meeting existing needs. <a href="#">RCW 36.70A.070(3)(e)</a> <a href="#">WAC 365-196-415(2)(d)</a>  Note: park and recreation facilities shall be included in the capital facilities plan element			
g. If impact fees are collected: identification of public facilities on which money is to be spent. <a href="#">RCW 82.02.050(5)</a> and <a href="#">WAC 365-196-850(3)</a>			

## Utilities Element

Consistent with relevant CWPPs and RCW 36.70A.070(4). Utilities include, but are not limited to: sanitary sewer systems, water lines, fire suppression, electrical lines, telecommunication lines, and natural gas lines.

The general location, proposed location and capacity of all existing and proposed utilities. <a href="#">RCW 36.70A.070(4)</a> and <a href="#">WAC 365-196-420</a>			
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## Transportation Element

Consistent with relevant CWPPs and RCW 36.70A.070(6)

a. An inventory of air, water, and ground transportation facilities and services, including transit alignments, state-owned transportation facilities, and general aviation airports. <a href="#">RCW 36.70A.070(6)(a)(iii)(A)</a> and <a href="#">WAC 365-196-430(2)(c)</a> .			
b. Adopted levels of service (LOS) standards for all arterials, transit routes and highways. <a href="#">RCW 36.70A.070(6)(a)(iii)(B) and (C)</a> , <a href="#">WAC 365-196-430</a>			
c. Identification of specific actions to bring locally-owned transportation facilities and services to established LOS. <a href="#">RCW 36.70A.070(6)(a)(iii)(D)</a> , <a href="#">WAC 365-196-430</a>			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
d. A forecast of traffic for at least 10 years including land use assumptions used in estimating travel. <a href="#">RCW 36.70A.070(6)(a)(i)</a> , <a href="#">RCW 36.70A.070(6)(a)(iii)(E)</a> , <a href="#">WAC 365-196-430(2)(f)</a>			
e. A projection of state and local system needs to meet current and future demand. <a href="#">RCW 36.70A.070(6)(a)(iii)(F)</a> and <a href="#">WAC 365-196-430(1)(c)(vi)</a>			
f. A pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles. <a href="#">RCW 36.70A.070(6)(a)(vii)</a> , <a href="#">WAC 365-196-430(2)(j)</a>			
g. A description of any existing and planned transportation demand management (TDM) strategies, such as HOV lanes or subsidy programs, parking policies, etc. <a href="#">RCW 36.70A.070(6)(a)(vi)</a> and <a href="#">WAC 365-196-430(2)(i)(i)</a>			
h. An analysis of future funding capability to judge needs against probable funding resources. <a href="#">RCW 36.70A.070(6)(a)(iv)(A)</a> , <a href="#">WAC 365.196-430(2)(k)(iv)</a>			
i. A multi-year financing plan based on needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the 6-year street, road or transit program. <a href="#">RCW 36.70A.070(6)(a)(iv)(B)</a> and <a href="#">RCW 35.77.010</a> , <a href="#">WAC 365-196-430(2)(k)(ii)</a>			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
j. If probable funding falls short of meeting identified needs: a discussion of how additional funds will be raised, or how land use assumptions will be reassessed to ensure that LOS standards will be met. <a href="#">RCW 36.70A.070(6)(a)(iv)(C)</a> , <a href="#">WAC 365-196-430(2)(l)(iii)</a>			
k. A description of intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions and how it is consistent with the regional transportation plan. <a href="#">RCW 36.70A.070(6)(a)(v)</a> ; <a href="#">WAC 365-196-430(1)(e)</a> and <a href="#">430(2)(a)(iii)</a>			

## Shoreline

For shorelines of the state, the goals and policies of the shoreline management act as set forth in [RCW 90.58.020](#) are added as one of the goals of the Growth Management Act (GMA) as set forth in [RCW 36.70A.480](#). The goals and policies of a shoreline master program for a county or city approved under [RCW 90.58](#) shall be considered an element of the county or city's comprehensive plan.

a. The policies, goals, and provisions of <a href="#">RCW 90.58</a> and applicable guidelines shall be the sole basis for determining compliance of a shoreline master program with this chapter except as the shoreline master program is required to comply with the internal consistency provisions of <a href="#">RCW 36.70A.070</a> , <a href="#">36.70A.040(4)</a> , <a href="#">35.63.125</a> , <a href="#">35A.63.105</a> , <a href="#">36.70A.480</a>			
b. Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by department of ecology guidelines adopted pursuant to <a href="#">RCW 90.58.060</a> .			

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
c. Shorelines of the state shall not be considered critical areas under this chapter except to the extent that specific areas located within shorelines of the state qualify for critical area designation based on the definition of critical areas provided by <a href="#">RCW 36.70A.030(5)</a> and have been designated as such by a local government pursuant to <a href="#">RCW 36.70A.060(2)</a> .			
d. If a local jurisdiction's master program does not include land necessary for buffers for critical areas that occur within shorelines of the state, as authorized by <a href="#">RCW 90.58.030(2)(f)</a> , then the local jurisdiction shall continue to regulate those critical areas and their required buffers pursuant to <a href="#">RCW 36.70A.060(2)</a> .			

### Provisions for siting essential public facilities (EPFs)

Consistent with CWPPs and [RCW 36.70A.200](#), amended 2021. This section can be included in the Capital Facilities Element, Land Use Element or in its own element. Sometimes the identification and siting process for EPFs is part of the CWPPs.

a. A process or criteria for identifying and siting essential public facilities (EPFs). <a href="#">RCW 36.70A.200</a> and <a href="#">WAC 365-196-550(1)</a>  Notes: <a href="#">RCW 36.70A.200, amended 2021</a> regarding reentry and rehabilitation facilities. EPFs are defined in <a href="#">RCW 36.70A.200</a> .  Regional transit authority facilities are included in the list of essential public facilities.			
b. Policies or procedures that ensure the comprehensive plan does not preclude the siting of EPFs. <a href="#">RCW 36.70A.200(5)</a>  Note: If the EPF siting process is in the CWPPs, this policy may be contained in the comprehensive plan as well. <a href="#">WAC 365-196-550(3)</a>			

## Tribal Participation in Planning new in 2022 (see [HB 1717](#))

A federally recognized Indian tribe may voluntarily choose to participate in the local and regional planning processes.

	In Current Plan? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>a. Mutually agreeable memorandum of agreement between local governments and tribes in regard to collaboration and participation in the planning process unless otherwise agreed at the end of a mediation period. <a href="#">RCW 36.70A.040(8)(a)</a> new in 2022, <a href="#">RCW 36.70A.190</a> new in 2022</p>			
<p>b. <i>Port elements</i>, if adopted, are developed collaboratively between the city, the applicable port and the applicable tribe(s), which shall comply with <a href="#">RCW 36.70A.040(8)</a>. <a href="#">RCW 36.70A.085</a> amended in 2022</p>			
<p>c. <i>Urban Growth Areas</i>: counties and cities coordinate planning efforts for any areas planned for urban growth with applicable tribe(s). <a href="#">RCW 36.70A.110(1)</a> amended 2022, <a href="#">RCW 36.70A.040(8)</a></p>			



## Future required elements: pending state funding

As of 2022, these elements have not received state funding to aid local jurisdictions in implementation. Therefore, these elements are not required to be added to comprehensive plans at this time. Commerce encourages jurisdictions to begin planning for these elements, pending the future mandate.

	In Current Plan? Yes/No  If yes, cite section	Notes
<p><b>Economic Development</b> Although included in <a href="#">RCW 36.70A.070</a> “mandatory elements” an economic development element is not currently required because funding was not provided to assist in developing local elements when this element was added to the GMA. However, provisions for economic growth, vitality, and a high quality of life are important, and supporting strategies should be integrated with the land use, housing, utilities, and transportation elements. <a href="#">RCW 36.70A.070(7)</a> amended 2017</p>		
<p><b>Parks and Recreation</b> Although included in <a href="#">RCW 36.70A.070</a> “mandatory elements” a parks and recreation element is not required because the state did not provide funding to assist in developing local elements when this provision was added to the GMA. However, park, recreation, and open space planning are GMA goals, and it is important to plan for and fund these facilities. <a href="#">RCW 36.70A.070(8)</a></p>		

## Optional Elements

Pursuant to [RCW 36.70A.080](#), a comprehensive plan may include additional elements, items, or studies dealing with other subjects relating to the physical development within its jurisdiction, including, but not limited to:

	In Current Plan? Yes/No If yes, cite section	Notes
<p><b>Climate Change Mitigation &amp; Resilience</b> As of 2022, this optional element has not yet received state funding to aid local jurisdictions in implementation. Please visit <a href="#">Commerce’s Climate Program page</a> for resources and assistance if interested in developing climate mitigation and resilience plans for your jurisdiction.</p>		
<p><b>Sub-Area Plans</b></p>		
<p><b>Other</b></p>		

## Consistency is required by the GMA

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
a. All plan elements must be consistent with relevant county-wide planning policies (CWPPs) and, where applicable, multi-county planning policies (MPPs), and the GMA. <a href="#">RCW 36.70A.100</a> and <a href="#">210</a> , <a href="#">WAC 365-196-305</a> ; <a href="#">400(2)(c)</a> ; <a href="#">510</a> and <a href="#">520</a>			
b. All plan elements must be consistent with each other. <a href="#">RCW 36.70A.070 (preamble)</a> and <a href="#">WAC 365-197-040</a>			
c. The plan must be coordinated with the plans of adjacent jurisdictions. <a href="#">RCW 36.70A.100</a> and <a href="#">WAC 365-196-520</a>			

## Public Participation

a. Plan ensures public participation in the comprehensive planning process. <a href="#">RCW 36.70A.020(11)</a> , <a href="#">.035</a> , and <a href="#">.140</a> , <a href="#">WAC 365-196-600(3)</a> provide possible public participation choices.			
<p>b. If the process for making amendments is included in the comprehensive plan:</p> <ul style="list-style-type: none"> <li>• The plan provides that amendments are to be considered no more often than once a year, not including the exceptions described in <a href="#">RCW 36.70A.130(2)</a>, <a href="#">WAC365-196-640</a></li> <li>• The plan sets out a procedure for adopting emergency amendments and defines emergency. <a href="#">RCW 36.70A.130(2)(b)</a> and <a href="#">RCW 36.70A.390</a>, <a href="#">WAC 365-196-650(4)</a></li> </ul>			

## Consistency is required by the GMA

	In Current Plan? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>c. Plan or program for monitoring how well comprehensive plan policies, development regulations, and other implementation techniques are achieving the comp plan’s goals and the goals of the GMA. <a href="#">WAC 365-196-660</a> discusses a potential review of growth management implementation on a systematic basis.</p> <p><b>New 2021-2022 legislation <a href="#">HB 1241</a></b> provides that those jurisdictions with a periodic update due in 2024 have until December 31, 2024 to submit. The legislation also changed the update cycle to every ten years after the 2024-2027 cycle. Jurisdictions that meet the new criteria described in <a href="#">RCW 36.70A.130(9)</a> will be required to submit an implementation progress report five years after the review and revision of their comprehensive plan.</p>			
<p>d. Considerations for preserving property rights. Local governments must evaluate proposed regulatory or administrative actions to assure that such actions do not result in an unconstitutional taking of private property. <a href="#">RCW 36.70A.370</a>. For further guidance see the <a href="#">2018 Advisory Memo on the Unconstitutional Taking of Private Property</a></p>			

## Section II: Development Regulations

Must be consistent with and implement the comprehensive plan. [RCW 36.70A.040](#), [WAC 365-196-800](#) and [810](#)

### Critical Areas

Regulations protecting critical areas are required by [RCW 36.70A.060\(2\)](#), [RCW 36.70A.172\(1\)](#), [WAC 365-190-080](#) and [WAC 365-195-900](#) through [925](#).

Please visit Commerce’s [Critical Areas webpage](#) for resources and to complete the [Critical Areas Checklist](#). Critical areas regulations must be reviewed and updated, as necessary, to incorporate legislative changes and best available science. Jurisdictions using periodic update grant funds to update critical areas regulations must submit the critical areas checklist as a first deliverable, in addition to this periodic update checklist.

### Zoning Code

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
a. Zoning designations are consistent and implement land use designations that accommodate future housing needs by income bracket as allocated through the countywide planning process ( <a href="#">RCW 36.70A.070(2)(c)</a> - Amended in 2021 with HB 1220)			
b. Permanent supportive housing or transitional housing must be allowed where residences and hotels are allowed. <a href="#">RCW 36.70A.390</a> New in 2021, (HB 1220 sections 3-5) “permanent supportive housing” is defined in <a href="#">RCW 36.70A.030</a> ; “transitional housing” is defined in <a href="#">RCW 84.36.043(2)(c)</a>			
c. Indoor emergency shelters and indoor emergency housing shall be allowed in any zones in which hotels are allowed, except in cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit. Indoor emergency housing must be allowed in areas with hotels. <a href="#">RCW 35A.21.430</a> amended in 2021, <a href="#">RCW 35.21.683</a> , amended in 2021, (HB 1220 sections 3-5) “emergency housing” is defined in <a href="#">RCW 84.36.043(2)(b)</a>			

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>d. The number of unrelated persons that occupy a household or dwelling unit except as provided in state law, for short term rentals, or occupant load per square foot shall not be regulated or limited by cities. <a href="#">(HB 5235)</a>, <a href="#">RCW 35.21.682</a> new in 2021, <a href="#">RCW 35A.21.314</a> new in 2022, <a href="#">RCW 36.01.227</a> new in 2021</p>			
<p>e. Limitations on the amount of parking local governments can require for low-income, senior, disabled and market-rate housing units located near high-quality transit service. <a href="#">RCW 36.70A.620</a> amended in 2020 and <a href="#">RCW 36.70A.600</a> amended in 2019</p>			
<p>f. Family day care providers are allowed in all residential dwellings located in areas zoned for residential or commercial <a href="#">RCW 36.70A.450</a>. Review <a href="#">RCW 43.216.010</a> for definition of family day care provider and <a href="#">WAC 365-196-865</a> for more information.</p>			
<p>g. Manufactured housing is regulated the same as site built housing. <a href="#">RCW 35.21.684</a> amended in 2019, <a href="#">RCW 35.63.160</a>, <a href="#">RCW 35A.21.312</a> amended in 2019 and <a href="#">RCW 36.01.225</a> amended in 2019. A local government may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood, but may not discriminate against consumer choice in housing.  See: <a href="#">National Manufactured Housing Construction and Safety Standards Act of 1974</a></p>			

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>h. Accessory dwelling units: cities (and counties) must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations and other official controls the requirements of <a href="#">RCW 36.70A.698 amended in 2021</a>; Review <a href="#">RCW 36.70A.696 amended in 2021 through 699</a> and <a href="#">RCW 43.63A.215(3)</a></p> <p>Watch for new guidance from Commerce on the <a href="#">Planning for Housing webpage</a>.</p>			
<p>i. Residential structures occupied by persons with handicaps, and group care for children that meets the definition of “familial status” are regulated the same as a similar residential structure occupied by a family or other unrelated individuals. No city or county planning under the GMA may enact or maintain ordinances, development regulations, or administrative practices which treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals.</p> <p><a href="#">RCW 36.70A.410</a>, <a href="#">RCW 70.128.140</a> and <a href="#">150</a>, <a href="#">RCW 49.60.222-225</a> and <a href="#">WAC 365-196-860</a></p>			

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>j. Affordable housing programs enacted or expanded under <a href="#">RCW 36.70A.540 amended in 2022</a> comply with the requirements of this section. Examples of such programs may include: density bonuses within urban growth areas, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting conditioned on provision of low-income housing units, or mixed-use projects. <a href="#">WAC 365-196-300</a></p> <p>See also <a href="#">RCW 36.70A.545</a> and <a href="#">WAC 365-196-410(2)(e)(i)</a></p> <p>“affordable housing” is defined in <a href="#">RCW 84.14.010</a></p> <p>Review <a href="#">RCW 36.70A.620 amended in 2020</a> for minimum residential parking requirements</p>			
<p>k. Limitations on regulating: outdoor encampments, safe parking efforts, indoor overnight shelters and temporary small houses on property owned or controlled by a religious organization. <a href="#">RCW 36.01.290 amended in 2020</a></p>			
<p>l. Regulations discourage incompatible uses around general aviation airports. <a href="#">RCW 36.70.547</a> and <a href="#">WAC 365-196-455</a>. Incompatible uses include: high population intensity uses such as schools, community centers, tall structures, and hazardous wildlife attractants such as solid waste disposal sites, wastewater or stormwater treatment facilities, or stockyards. For more guidance, see <a href="#">WSDOT’s Aviation Land Use Compatibility Program</a>.</p>			



	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>m. If a U.S. Department of Defense (DoD) military base employing 100 or more personnel is within or adjacent to the jurisdiction, zoning should discourage the siting of incompatible uses adjacent to military base. <a href="#">RCW 36.70A.530(3)</a> and <a href="#">WAC 365-196-475</a>. Visit <a href="#">Military One Source</a> to locate any bases in your area and help make determination of applicability. If applicable, inform the commander of the base regarding amendments to the comprehensive plan and development regulations on lands adjacent to the base.</p>			
<p>n. Electric vehicle infrastructure (jurisdiction specified: adjacent to Interstates 5, 90, 405 or state route 520 and other criteria) must be allowed as a use in all areas except those zoned for residential, resource use or critical areas. <a href="#">RCW 36.70A.695</a></p>			
<p><b>Shoreline Master Program</b> Consistent with <a href="#">RCW 90.58</a> Shoreline Management Act of 1971</p>			
<p>a. Zoning designations are consistent with Shoreline Master Program (SMP) environmental designations. <a href="#">RCW 36.70A.480</a></p>			
<p>b. If updated to meet <a href="#">RCW 36.70A.480</a> (2010), SMP regulations provide protection to critical areas in shorelines that is at least equal to the protection provided to critical areas by the critical areas ordinance. <a href="#">RCW 36.70A.480(4)</a> and <a href="#">RCW 90.58.090(4)</a></p> <p>See <a href="#">Ecology's shoreline planners' toolbox</a> for the SMP Checklist and other resources and <a href="#">Ecology's Shoreline Master Programs Handbook webpage</a></p>			

## Resource Lands

Defined in [RCW 36.70A.030\(3\), \(12\) and \(17\)](#) and consistent with [RCW 36.70A.060](#) and [RCW 36.70A.170](#)

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>a. Zoning is consistent with natural resource lands designations in the comprehensive plan and conserves natural resource lands. <a href="#">RCW 36.70A.060(3)</a>, <a href="#">WAC 365-196-815</a> and <a href="#">WAC 365-190-020(6)</a>. Consider innovative zoning techniques to conserve agricultural lands of long-term significance <a href="#">RCW 36.70A.177(2)</a>. See also <a href="#">WAC 365-196-815(3)</a> for examples of innovative zoning techniques.</p>			
<p>b. Regulations to assure that use of lands adjacent to natural resource lands does not interfere with natural resource production. <a href="#">RCW 36.70A.060(1)(a)</a> and <a href="#">WAC 365-190-040</a></p> <p>Regulations require notice on all development permits and plats within 500 feet of designated natural resource lands that the property is within or near a designated natural resource land on which a variety of commercial activities may occur that are regulations to implement comprehensive plan</p>			
<p>c. For designated agricultural land, regulations encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes. Accessory uses should be located, designed and operated to support the continuation of agricultural uses. <a href="#">RCW 36.70A.177(3)(b)</a></p>			
<p>d. Designate mineral lands and associated regulations as required by <a href="#">RCW 36.70A.131</a> and <a href="#">WAC 365-190-040(5)</a>. For more information review the <a href="#">WA State Dept. of Natural Resources (DNR)'s Geology Division site</a></p>			

## Siting Essential Public Facilities

Regulations for siting essential public facilities should be consistent with [RCW 36.70A.200](#) and consider [WAC 365-196-550](#). Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities. Regulations may be specific to a local jurisdiction, but may be part of county-wide planning policies (CWPPs).

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>Regulations or CWPPs include a process for siting EPFs and ensure EPFs are not precluded. <a href="#">RCW 36.70A.200(2), (3), (5)</a>. <a href="#">WAC 365-196-550(6)</a> lists process for siting EPFs. <a href="#">WAC 365-196-550(3)</a> details preclusions. EPFs should be located outside of known hazardous areas.</p> <p>Visit <a href="#">Commerce’s Behavioral Health Facilities Program page</a> for information on establishing or expanding new capacity for behavioral health EPFs.</p>			

## Subdivision Code

<p>a. Subdivision regulations are consistent with and implement comprehensive plan policies. <a href="#">RCW 36.70A.030(5)</a> and <a href="#">36.70A.040(4)</a>.</p>			
<p>b. Written findings to approve subdivisions establish adequacy of public facilities. <a href="#">RCW 58.17.110 amended in 2018</a></p> <ul style="list-style-type: none"> <li>• Streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students.</li> <li>• Potable water supplies, sanitary wastes, and drainage ways. <a href="#">RCW 36.70A.590 amended 2018</a></li> <li>• Open spaces, parks and recreation, and playgrounds</li> <li>• Schools and school grounds</li> </ul> <p>Other items related to the public health, safety and general welfare <a href="#">WAC 365-196-820(1)</a>.</p>			

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>c. Preliminary subdivision approvals under <a href="#">RCW 58.17.140</a> and <a href="#">RCW 58.17.170</a> are valid for a period of five or seven years (previously five years).</p> <p>Note: preliminary plat approval is valid for: seven years if the date of preliminary plat approval is on or before December 31, 2014; five years if the preliminary plat approval is issued on or after January 1, 2015; and ten years if the project is located within city limits, not subject to the shoreline management act, and the preliminary plat is approved on or before December 31, 2007.</p>			
<b>Stormwater</b>			
<p>a. Regulations protect water quality and implement actions to mitigate or cleanse drainage, flooding, and storm water run-off that pollute waters of the state, including Puget Sound or waters entering Puget Sound. <a href="#">RCW 36.70A.070(1)</a> Regulations may include: adoption of a stormwater manual consistent with Ecology's latest manual for Eastern or Western Washington, adoption of a clearing and grading ordinance – See <a href="#">Commerce's 2005 Technical Guidance Document for Clearing and Grading in Western Washington</a>.</p> <p>Adoption of a low impact development ordinance. See <a href="#">Puget Sound Partnership's 2012 Low Impact Development guidance</a> and Ecology's <a href="#">2013 Eastern Washington Low Impact Development guidance</a>.</p> <p>Additional Resources: <a href="#">Federal Grants to Protect Puget Sound Watersheds</a>, <a href="#">Building Cities in the Rain</a>, <a href="#">Ecology Stormwater Manuals</a>, <a href="#">Puget Sound Partnership Action Agenda</a></p>			

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
b. Provisions for corrective action for failing septic systems that pollute waters of the state. <a href="#">RCW 36.70A.070(1)</a> . See also: <a href="#">DOH Wastewater Management, Ecology On-Site Sewage System Projects &amp; Funding</a>			
<h2>Impact Fees</h2>			
<p>May impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds; cannot rely solely on impact fees.</p>			
a. If adopted, impact fees are applied consistent with <a href="#">RCW 82.02.050</a> amended in 2016, <a href="#">.060</a> amended in 2021, <a href="#">.070</a> , <a href="#">.080</a> , <a href="#">.090</a> amended in 2018 and <a href="#">.100</a> . <a href="#">WAC 365-196-850</a> provides guidance on how impact fees should be implemented and spent.			
b. Jurisdictions collecting impact fees must adopt and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction, consistent with <a href="#">RCW 82.02.050(3)</a> amended in 2016			
c. If adopted, limitations on impact fees for early learning facilities <a href="#">RCW 82.02.060</a> amended in 2021			
d. If adopted, exemption of impact fees for low-income and emergency housing development <a href="#">RCW 82.02.060</a> amended in 2021. See also definition change in <a href="#">RCW 82.02.090(1)(b)</a> amended in 2018			

## Concurrency and Transportation Demand Management (TDM)

Ensures consistency in land use approval and the development of adequate public facilities as plans are implemented, maximizes the efficiency of existing transportation systems, limits the impacts of traffic and reduces pollution.

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
<p>a. The transportation concurrency requirement includes specific language that prohibits development when level of service standards for transportation facilities cannot be met. <a href="#">RCW 36.70A.070(6)(b)</a>, <a href="#">WAC 365-196-840</a>.</p> <p>Note: Concurrency is required for transportation, but may also be applied to park facilities, etc.</p>			
<p>b. Measures exist to bring into compliance locally owned transportation facilities or services that are below the levels of service established in the comprehensive plan. <a href="#">RCW 36.70A.070(6)(a)(iii)(B) and (D)</a>. Levels of service can be established for automobiles, pedestrians and bicycles. See <a href="#">WAC 365-196-840(3)</a> on establishing an appropriate level of service.</p>			
<p>c. Highways of statewide significance (HSS) are exempt from the concurrency ordinance. <a href="#">RCW 36.70A.070(6)(a)(iii)(C)</a></p>			
<p>d. Traffic demand management (TDM) requirements are consistent with the comprehensive plan. <a href="#">RCW 36.70A.070(6)(a)(vi)</a> Examples may include requiring new development to be oriented towards transit streets, pedestrian-oriented site and building design, and requiring bicycle and pedestrian connections to street and trail networks. <a href="#">WAC 365-196-840(4)</a> recommends adopting methodologies that analyze the transportation system from a comprehensive, multimodal perspective.</p>			

	In Current Regs? Yes/No If yes, cite section	Changes needed to meet current statute? Yes/No	Notes
<p>e. If required by <a href="#">RCW 82.70</a>, a commute trip reduction (CTR) ordinance to achieve reductions in the proportion of single-occupant vehicle commute trips has been adopted. The ordinance should be consistent with comprehensive plan policies for CTR and Department of Transportation rules.</p>			
<p><b>Tribal Participation in Planning</b> new in 2022 (see <a href="#">HB 1717</a>) A federally recognized Indian tribe may voluntarily choose to participate in the county or regional planning process.</p>			
<p>a. Mutually agreeable memorandum of agreement between local governments and tribes in regard to collaboration and participation in the planning process unless otherwise agreed at the end of a mediation period <a href="#">RCW 36.70A.040(8)(a)</a> new in 2022</p>			
<p>b. Policies consistent with countywide planning policies that address the protection of tribal cultural resources in collaboration with federally recognized Indian tribes that are invited, provided that a tribe, or more than one tribe, chooses to participate in the process. <a href="#">RCW 36.70A.210(3)(i)</a> new in 2022</p>			
<p><b>Regulations to Implement Optional Elements</b></p>			
<p>a. New fully contained communities are consistent with comprehensive plan policies, <a href="#">RCW 36.70A.350</a> and <a href="#">WAC 365-196-345</a></p>			
<p>b. If applicable, master planned resorts are consistent with comprehensive plan policies, <a href="#">RCW 36.70A.360</a>, <a href="#">RCW 36.70A.362</a> and <a href="#">WAC 365-196-460</a></p>			

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
c. If applicable, major industrial developments and master planned locations outside of UGAs are consistent with comprehensive plan policies, <a href="#">RCW 36.70A.365</a> , <a href="#">RCW 36.70A.367</a> and <a href="#">WAC 365-196-465</a>			
d. Regulations include procedures to identify, preserve, and/or monitor historical or archaeological resources. <a href="#">RCW 36.70A.020(13)</a> , <a href="#">WAC 365-196-450</a>			
e. Other development regulations needed to implement comprehensive plan policies such as energy, sustainability or design are adopted. <a href="#">WAC 365-196-445</a>			
f. Design guidelines for new development are clear and easy to understand; administration procedures are clear and defensible.			
<b>Project Review Procedures</b>			
<p>Project review processes integrate permit and environmental review. <a href="#">RCW 36.70A.470</a>, <a href="#">RCW 36.70B</a> and <a href="#">RCW 43.21C</a>.</p> <p>Also: <a href="#">WAC 365-196-845</a>, <a href="#">WAC 197-11</a>(SEPA Rules), <a href="#">WAC 365-197</a> (Project Consistency Rule, Commerce, 2001) and <a href="#">Ecology SEPA Handbook</a>.</p> <p>Integrated permit and environmental review procedures for:</p> <ul style="list-style-type: none"> <li>• Notice of application</li> <li>• Notice of complete application</li> <li>• One open-record public hearing</li> <li>• Combining public hearings &amp; decisions for multiple permits</li> <li>• Notice of decision</li> <li>• One closed-record appeal</li> </ul>			



## Plan & Regulation Amendments

If procedures governing comprehensive plan amendments are part of the code, then assure the following are true:

	In Current Regs? Yes/No  If yes, cite section	Changes needed to meet current statute?  Yes/No	Notes
a. Regulations limit amendments to the comprehensive plan to once a year (with statutory exceptions). <a href="#">RCW 36.70A.130(2)</a> and <a href="#">WAC 365-196-640(3)</a> .			
b. Regulations define <i>emergency</i> for an emergency plan amendment. <a href="#">RCW 36.70A.130(2)(b)</a> and <a href="#">WAC 365-196-640(4)</a> .			
c. Regulations include a docketing process for requesting and considering plan amendments. <a href="#">RCW 36.70A.130(2)</a> , <a href="#">RCW 36.70A.470</a> , and <a href="#">WAC 365-196-640(6)</a> .			
d. A process has been established for early and continuous public notification and participation in the planning process. <a href="#">RCW 36.70A.020(11)</a> , <a href="#">RCW 36.70A.035</a> and <a href="#">RCW 36.70A.140</a> . See <a href="#">WAC 365-196-600</a> regarding public participation and <a href="#">WAC 365-196-610(2)</a> listing recommendations for meeting requirements.			
e. A process exists to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property <a href="#">RCW 36.70A.370</a> . See the <a href="#">2018 Advisory Memo on the Unconstitutional Taking of Private Property</a>			
f. Provisions ensure adequate enforcement of regulations, such as zoning and critical area ordinances (civil or criminal penalties). See implementation strategy in <a href="#">WAC 365-196-650(1)</a> .			