

*Land Use & Climate Change Advisory Committee*

## Background Information and Research for LUCC Potential Recommendation on Adding a New or Amended Goal to the Growth Management Act

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### Recommendation 1a

**Amend the Environment Goal in the Growth Management Act (GMA) to include reductions in greenhouse gas emissions.** The LUCC recommends amending the environment goal to the GMA so local governments will consider greenhouse gas emissions and foreign oil dependence reduction strategies as part of their comprehensive planning under the GMA. Nothing in this goal authorizes a Growth Management Hearings Board or superior court to hear petitions alleging noncompliance with this section of this act for a period of five years.

As examples, potential legislation could be:

Amended Goal: RCW 36.70A.020(10) could be amended as follows:

Environment: Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water. Develop land use and transportation patterns that support the state greenhouse gas emissions reduction targets.

Or:

Environment: Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water. Encourage the development of land use and transportation patterns that support the state greenhouse gas emissions reduction targets.

### Recommendation 1b

**Establish a new Growth Management Act (GMA) goal related to green house gas emission and dependence on foreign oil reduction.** The LUCC recommends addition of a new goal to the GMA so local governments will consider greenhouse gas emissions and foreign oil dependence reduction strategies as part of their comprehensive planning under the GMA. Nothing in this amended goal authorizes a Growth Management Hearings Board or superior court to hear petitions alleging noncompliance with this section of this act for a period of five years.

As examples, potential legislation could be:

RCW 36.70A.020 (14) could be added.

Climate Change: Encourage land use and transportation development patterns that support the state's greenhouse gas emissions reduction targets.

Or:

Climate Change: Develop land use and transportation patterns that support the state greenhouse gas emissions reduction targets.

**General assessment of state and local resources needed, financial and otherwise, needed to fully implement the idea.**

Recommendation 1a would amend the existing environmental goal to add the following language: “Develop land use and transportation patterns that support the state greenhouse gas emissions reduction targets.”

Recommendation 1b would accomplish a similar outcome but by creating a new goal titled “Climate Change.”

For this analysis CTED has evaluated the recommendations as a single item, under the assumption that the specific method used to include the goal in the GMA is not at issue. The effect of the goal on local governments is the issue.

**Background:**

Since the adoption of the GMA in 1990 counties and cities in Washington State have engaged in coordinated planning activities. The plans are defined by 14 goals within the GMA and a variety of recommendations. Each county adopts its own county-wide planning policies (CWPPs) with the framework of the GMA to provide parameters for comprehensive plans and development regulations within the county. The cities and county government planning bodies arrive at a comprehensive plan through a complex process. The plans coordinate the many aspects of planning for growth including land use planning, transportation, water and sewer, preservation of open space, preservation of farm lands, and concentrating development at higher densities. Development regulations are then adopted to implement the county-wide policies and entity specific comprehensive plan.

Every plan is subject to review by the public, other governments and interest groups via hearings boards and the courts. In this way “case law” is developed about the GMA and the planning process.

**Analysis:**

Recommendations 1a and 1b call for development of land use and transportation patterns that meet the specific goal of reducing GHG emissions. We assume that this is tasking each of the planning organizations with new work, although the amount and timing of the work will vary by planning entity depending on its update cycle and the language of its existing plan related to transportation and land use.

All 39 counties and 281 cities are planning under the GMA process. However, only those that are “fully” planning under the GMA would be required to respond to this goal. There are 219 cities and 29 counties fully planning. Each fully planning county would likely update its county-wide planning policies to recognize the new goal prior to any updates of comprehensive plans

and development regulations. This is assumed under 36.70A.210 (3) (b), (d), and (f) covering orderly development, transportation planning, and joint planning between cities and counties.

There is no requirement in the proposed language for specific measurement or reporting. The language mentions support of the goals, but nothing further. This limits expenses to only the initial work of research and adoption of policies and plans. Furthermore, it is unlikely that a person would bring an appeal or legal action under this proposal as there are no specific targets for reduction of GHG. It would be difficult to allege that a plan was in violation of this new GMA goal. Alternatively, the language considered in 1b may be included to prevent such actions.

Each planning authority would likely amend their county-wide planning policies and comprehensive plans to accommodate the new goal on the timeline provided in RCW 36.70A.130 on a seven year cycle. It is assumed that all of the planning entities would eventually adopt changes to their plans that included the new goal. It is assumed this change would be included as a part of the required periodic comprehensive plan update rather than as a separate effort.

The impact on planning counties and cities will vary depending on each entity's existing plans. Many urban areas will have addressed many of the transportation related GHG methods, if their transportation and land use plans have addressed reductions in VMT, commute trip reduction, and promoted compact development and transit.

If a planning organization has not previously addressed the transportation issues under other GMA goals they may be faced with additional effort to address the new language. This could include staff time for research and drafting of proposed language, additional hearings and meetings, and additional constituent work. There are many tools available to help governments with proposed solutions and methodologies. Entities that have not previously addressed in vehicle miles traveled (VMT), commute trip reduction, compact development, and transit issues could look to plans that have for methods and draft language.

Determining the numbers of plans that might need a little work vs. a larger amount of effort would require either reading all of the plans or a survey of jurisdictions. Time pressures prevent either of those options.

The fiscal impacts of this proposal are indeterminate because it is not clear how many cities and counties would need to do major work on their CWPP or comprehensive plans, and it is not possible to estimate the amount that each would spend over their normal expenses of the standard seven-year update. Some might decide that their plans are adequate to address the new goal.

**Costs for adopting a new county-wide planning policy or updating the comprehensive plan related to GHG:**

The range of costs per planning body could range from no cost to as much as \$100,000. These costs partly depend upon the size of the jurisdiction:

(30,000 - 99,000 population) up to \$50,000 per jurisdiction

(100,000 population and above) up to \$100,000 per jurisdiction

**No or low cost:**

The largest and most urban planning organizations do not expect to spend any additional funds, because their plans are already in support of the goal. They do expect to spend some staff time editing their plans to acknowledge the new goal language, but the cost would be minimal as it would be included in the seven-year update.

**Possible costs:**

Entities that have not previously addressed these issues through transportation or land use planning would have some costs for research, drafting, hearings, and meetings. Planning costs will be highly variable and depend on the status of current planning efforts, any guidance adopted by CTED, and other factors. Rough estimates were developed based on: a review of a recent GMA Planning Grant Closeout and cost figures for new comprehensive plan elements, conversations with planning staff from various jurisdictions and local government associations, and a brief review of the literature related to climate change and transportation planning. These are rough estimates only and were developed to help define a sense of the overall scale of the potential direct short-term expenditure impacts.

**Sources:**

CTED Growth Management Unit

Puget Sound Regional Council

Thurston Regional Planning Council

GMA Desk Reference

Fiscal Note for HB 2797 2008 session.

Alan Copsey

“One GMA Problem – the Confusion Caused by the Inherent Tension between Individual Planning Goals and the Conflict between These Planning Goals and the Act’s Specific Requirements.” Pete Philley, Deputy Pierce County Prosecutor