

Land Use & Climate Change Advisory Committee

Background Paper: Recommendation Statement with Preliminary Cost Information Amend County-Wide Planning Policies

Recommendation 2a

Amend the Countywide Planning Policy provisions of the Growth Management Act (GMA) to include climate change issues. The LUCC recommends amending RCW 36.70A.210(3) to include climate change, so that local governments fully planning under the Growth Management Act must amend their county-wide planning policies to include provisions to reduce greenhouse gas emissions and dependence on foreign oil.

To support this objective, RCW 36.70A.210 (3) could be *amended* as follows (new proposed text is shown in underline text and proposed deleted text is shown in ~~strike through~~ text):

(3) A county-wide planning policy shall at a minimum, address the following:

- (a) Policies to implement RCW 36.70A.110;
- (b) Policies for promotion of contiguous and orderly development and provision of urban services to such development;
- (c) Policies for siting public capital facilities of a county-wide or statewide nature, including transportation facilities of statewide significance as defined in RCW 47.06.140;
- (d) Policies for county-wide transportation facilities and strategies;
- (e) Policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution;
- (f) Policies for joint county and city planning within urban growth areas;
- (g) Policies for county-wide economic development and employment; ~~and~~
- (h) An analysis of the fiscal impact; and
- (i) Policies for addressing climate change that will result in a reduction of greenhouse gas emissions and dependence on foreign oil.

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

Recommendation 2a would amend 36.70A.210 (3) RCW to add a ninth required policy area for counties. It could read: (i) Policies for addressing climate change that will result in a reduction of greenhouse gas emissions and dependence on foreign oil.

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:

Recommendation 2a requires policies for addressing climate change that will result in a reduction of greenhouse gas emissions and dependence on foreign oil, thus tasking each of the planning organizations with new work, although the amount and timing of the work will vary by planning entity depending on their update cycle.

Twenty-nine of Washington’s 39 counties that are fully-planning under the GMA would need to add a new planning policy. Because the new language is not specific to any one aspect of GMA planning there will be considerable room for interpretation of the new requirement. Most GHG reduction work is focused on transportation, reduction in vehicle miles traveled (VMT), commute trip reduction and compact development. However, this proposal is not specific to those areas, and therefore could attract the interest of people working on cogeneration technology, alternate energy production and other technologies.

Each county 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. According to Growth Management Services staff this change could be included as a part of the periodic comprehensive plan update rather than as a separate effort.

The impact on planning counties 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, although, they might not anticipated all of the possible GHG reduction methods.

For all counties, expenses 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 VMT, commute trip reduction, compact development, and transit issues could look to plans that have for methods and draft language, but if a county has not previously addressed the transportation issues under other GMA goals they may be faced with additional effort to address the new language.

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

The range of costs per county could be as much as \$100,000 for policy adoption and plan amendment. There may be additional expenses for some jurisdictions that are subject to appeal or litigations processes.

Possible costs:

County-wide Planning Policy adoption:

The primary area of focus will be transportation issues, but there is an opportunity for other issues to be raised related to energy generation and use. Entities that have not previously addressed these issues through transportation or land use planning would have higher 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 recent GMA Planning Grant Closeout and cost figures for new comprehensive plan elements; conversations with planning staff from various jurisdictions, 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.

(30,000 - 99,000 population) up to \$50,000 per county
(100,000 population and above) up to \$100,000 per county

Appeals and litigation:

In addition to adoption costs there may also be appeal and litigation costs. This is an indeterminate but potentially large cost Every policy 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. Once the new CWPP is adopted and accompanying changes are made to comprehensive plans and development regulations, there will be a chance for appeals and litigation from either a city or county, or as authorized by the Governor. No other entities are authorized to file appeals of CWPPs. It is not possible to predict the costs but the process often stretches out over several years and involves the usual costs associated with preparing for court.

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

Pete Philley, Deputy Pierce County Prosecutor, presentation Nov. 14, 2005, “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.”