

New Legislation and Other Related Issues

Comprehensive Plans Adopted

Douglas County, and cities and towns within the County adopted comprehensive plans pursuant to the State Growth Management Act (GMA) between 1994 and 1998.

New Legislation

The State Legislature has amended the growth management act several times since its initial adoption in 1990. One of these amendments included amending RCW 37.70A.130 "Comprehensive plans – Review – Amendments". New provisions within this section require counties and cities to review and evaluate comprehensive plans and development regulations not later than September 1, 2002, and at least every five years thereafter. Amendments to this section further stipulate that comprehensive plans and development regulations be revised if necessary, to comply with the requirements of Chapter 36.70A RCW "Growth Management Act".

Other amendments to the Act included both minor and major amendments. The most significant amendments included adoption of several new code sections. They are as follows:

Section RCW 36.70A.172 "Critical areas -- Designation and Protection -- Best Available Science".

This is a new section, which was adopted in 1997. Provisions within this section require counties and cities to include best available science (BAS) in developing policies and development regulation to protect the function and values of critical areas. In addition, counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

In order to meet the provisions of this section, the county and the Cities will need to review their comprehensive plan and development regulations and make a determination of compliance or revise plans and regulations as necessary to comply with the Act. In many instances, BAS compliance may only include a review and documentation. Other more drastic action may be necessary if it is found that current and/or new policies or regulations are not based on BAS.

Section RCW 36.70.547 "General aviation airports -- Siting of incompatible uses".

This is a new section and was adopted in 1996. Provisions within this section require the county and cities having a public general aviation airport to establish policies and regulations within their comprehensive plan or development regulations to discourage the siting of incompatible uses adjacent to a general aviation airport. Plans and regulations may only be adopted or amended after formal consultation with: airport owners and managers, private airport operators, general aviation pilots, ports, and the Aviation Division of the Department of Transportation.

There are three general aviation airports within Douglas County. They include Pangborn Memorial Airport, the Waterville Airport and the Mansfield Airport. In 1998 through 2000, Douglas County adopted regulations to implement this section and provisions within the comprehensive plan for general aviation airports or part thereof within unincorporated areas of the County. The Town of Waterville adopted draft development language for their airport in 2000, with final adoption anticipated in the spring of 2001.

Section 36.70A.030 "Rural character" and Section 36.70A.070(5) "Rural Element".

Both of these sections undertook a major amendment in 1997. Changes to these sections were recommended by the Land Use Study Commission. Amendments to section 36.70A.030 define rural character, rural development, and rural governmental services. Amendments to section 36.70A.070(5) describe rural development, measures governing rural development, and limited areas of more intensive rural development. Rural character refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan. The rural element of the comprehensive plan are lands that are not designated for urban growth, agriculture, forest, or mineral resources.

Douglas County is currently working on the rural element of the County's comprehensive plan. The first phase of this process was completed in February of 2001 in which the County adopted general guidelines for designating agricultural lands of long term commercial significance and rural lands. The second phase of this process is currently underway and will utilize the guidelines established under phase one for the remaining rural and agricultural land area in the County. The second phase will be completed through the normal course of the 2002 review cycle.

Section RCW 36.70A.480 "Shorelines of the state".

This is a new section, adopted in 1997. Provisions within this section include the integration of shorelines into the Growth Management Act. This is to be accomplished in the following manner: First, 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 Act, bringing the total number of state-wide goals to fourteen; Second, the goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan; Third, all other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations; and, fourth, the shoreline master program shall be adopted pursuant to the procedures established in chapter 90.58 RCW rather than the procedures set forth in this chapter for the adoption of a comprehensive plan or development regulations.

The provisions set forth in this new section are rather confusing especially when considering new code revisions also established in chapter 90.58 RCW. New provisions within this chapter require the county and cities to revise their current shoreline master program within two years.

Economic Development Optional Element

According to Section 36.70A.080, a comprehensive plan may include additional elements, items, or studies dealing with other subjects relating to the physical development within its jurisdictions. The economic development element would be considered an optional element under this section.

In November of 2000, Douglas County received a grant from the Department of Community Trade and Economic Development to develop a regionally coordinated economic strategy and implementing measures to support industrial development and family-wage jobs. The program is structured to promote regional cooperation and coordination between public and private organizations and agencies within Douglas County through the platform of the Regional Council. Components of this framework include identifying policy guidelines in the regional policy plan; creating an industrial lands inventory; and develop implementation

measures for siting industry within the County within locally adopted comprehensive plans. The county comprehensive plan adopted included an economic development element.

Urban Growth Boundaries

According to the Douglas County Code Chapter 14.32 "Comprehensive Plan and Development Regulation Amendment Process", urban growth areas will be reviewed beginning in 2001. This review will require analysis of key indicators that were established in Chapter 14.32 to determine if urban growth areas are sized for optimal performance for the 2002 to 2022 planning horizon. Seven key indicators are set forth in this chapter to monitor land supply for a variety of uses. Key indicators are intended to monitor trends over a five-year period to signal problems and/or verify whether comprehensive plans are achieving the goals, policies and their overall planning objects. Key indicators include population, land absorption, conversion of vacant/underdeveloped land, density, vacancy rates, infrastructure, geographic distribution, and affordable housing.

The review of urban growth boundaries will coincide with the 2002 review cycle set forth in RCW 36.70A.130.

Transportation

Many new programs and policy provisions are being considered for transportation systems state-wide and within our region. These include the possibility of forming a metropolitan planning organization (MPO) for the Wenatchee valley (determined by 2000 census), the regional transportation organization (RTPO), and new legislation for establishing levels of service on State transportation corridors.

To promote efficiency and coordinate the various aspects of the local, regional, and state-wide transportation systems it is important to develop an overall strategy with the regional council.

Summary

Required Review:

- a. **Comprehensive Plan and Development Regulation Review** – September 2002
- b. **Critical Areas, Best Available Science (BAS)** – Review and update Comprehensive Plans and Development Regulations as necessary;
- c. **General Aviation Airports, siting of incompatible uses** -- Review and update Comprehensive Plans and Development Regulations as necessary;
- d. **Rural Element** -- Review and update Comprehensive Plans and Development Regulations as necessary;
- e. **Shorelines of the state, integration of shorelines into the growth management act, new goal & element goal** – Update GMA Comprehensive Plan goals and revise and include as an element the shoreline master program within two years.

Optional Element

- a. **Economic Development Grant, developing an industrial lands inventory, policy guideline and implementation measures for siting industry within the County** – June 2001

Other

- a. **Urban Growth Boundary** – 2002
- b. **Transportation (Countywide Element)** -- 2002