

Comprehensive planning, growth management, and environmental protection

The combination of comprehensive planning, growth management, and environmental protection are areas that can require not just one expert, but many. The level of complexity—and continual changes in the law—can be a leading cause of disconnect at city hall.

Nonetheless, the underlying ideas are simple: A city needs to plan for growth if it intends to leave healthy communities for their children and grandchildren. The planning process can be a powerful way to clarify community values, needs, and goals. A comprehensive plan expresses a community's vision and is the blueprint for all subsequent land use activity.

Developing, implementing, and updating a comprehensive plan are great opportunities to:

- Create a vision—know what the community should look and be like in the future.
- Develop a road map—guide growth and development toward the vision.
- Set goals—establish achievable tasks to move the community towards the desired future.

The goals of a comprehensive plan are implemented through regulatory ordinances. These are collectively known as “development regulations” and include zoning codes, subdivision codes, building and health codes, environmental codes, and others that make up the planning and regulatory framework of the community.

Local codes can include incentives that stimulate the kind of growth desired, including such options as local property tax incentives or density bonuses for projects that carry out habitat restoration or provide affordable housing, such as conservation district property tax exemptions or multifamily housing tax exemptions.

Assistance from state agencies and other experts is available to help a city and its residents understand the process and meet state requirements.

The Growth Management Act

In 1990, the Washington State Legislature declared that “uncoordinated and unplanned growth, together with a lack of common goals ... pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state” and that “it is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.” This is the foundation for the Growth Management Act (GMA).

The GMA requires most cities (and counties) in Washington to plan for future growth while protecting natural areas, and in doing so, to balance thirteen goals of the GMA (RCW 36.70A.020):

- Concentrate growth where facilities and services can be cost-effectively provided
- Reduce sprawl
- Encourage multimodal, regional transportation
- Plan for and promote affordable housing
- Encourage economic development
- Respect property rights
- Process permits in a predictable manner
- Maintain natural resource industries
- Retain open space and increase recreation
- Protect the environment
- Involve the public
- Provide adequate public facilities and services
- Identify and encourage historic preservation
- Adapt to and mitigate the impacts of climate change
- Manage shoreline use, access, and development

Who must plan?

Twenty-nine counties and the cities within them, comprising about 95% of the state’s population, are required (or have chosen) to plan under the GMA. The remaining ten counties, referred to as “partially planning counties,” are as follows: Adams, Asotin, Cowlitz, Grays Harbor, Klickitat, Ferry, Lincoln, Okanogan, Skamania, Wahkiakum, and Whitman. The cities in these counties must still designate and protect natural resource lands and critical areas, discussed further below.

Comprehensive planning requirements

While there are many requirements for cities in developing their comprehensive plans, cities should always keep in mind the following priorities:

- Comprehensive plans will be measured against the goals and requirements of the GMA.
- Comprehensive plans must comply with countywide planning policies.
- Development regulations must be consistent with comprehensive plans.
- Individual elements of comprehensive plans need to be consistent with each other.
- Comprehensive plans must be consistent with the comprehensive plans of adjacent jurisdictions.
- Development (both private and public) must be measured for consistency with the comprehensive plan.

City and county comprehensive plans must include the following elements: land use, housing, capital facilities, utilities, transportation, and climate change and resiliency. Counties must also include a plan to protect rural areas. Shoreline protection plans under the Shoreline Management Act are also considered an element of local comprehensive plans. Finally, although parks and recreation and economic development elements are not required until adequate state funding is provided, some jurisdictions have chosen to include them in their comprehensive plans.

The GMA also provides a framework for regional coordination. Counties that plan in conformance with the GMA are required to adopt countywide planning policies to coordinate with their cities as they create and adopt their comprehensive plans. Counties are also required to establish urban growth areas (UGAs), which delineate those areas that will eventually be annexed into cities.

Comprehensive plan updates

The GMA requires that each fully planning city and county periodically review and, if necessary, revise its comprehensive plan and development regulations to ensure that they comply with the GMA. In addition to comprehensive plan amendments that are adopted annually by many jurisdictions, communities must conduct a full review of the comprehensive plan and development regulations every ten years, according to a schedule set in statute.

In 2023, the Legislature passed a law that allows very small cities and towns to opt out of the full comprehensive plan update process. Those cities still must update critical areas regulations and the capital facilities and transportation elements. To opt out of the full update, a city or town must meet the following criteria:

- Fewer than 500 in population;
- Not located within 10 miles of a city with a population greater than 100,000;
- Experienced a population growth rate below 10% in the preceding 10 years; and
- Has provided the Department of Commerce with notice of its intent to participate in a partial review and revision of its comprehensive plan.

Critical areas

Counties and cities, including those not fully planning under the GMA, are required to review and, if necessary, amend their policies and development regulations regarding critical areas and natural resource lands. Cities of less than 25,000 people may adopt their county's critical area regulations by reference, instead.

Critical areas include:

- Wetlands
- Areas with critical recharging effect on aquifers used for potable water
- Fish and wildlife habitat conservation areas
- Frequently flooded areas
- Geologically hazardous areas

All jurisdictions must include the best available science in developing policies and regulations to protect the function and values of critical areas.

For small cities that choose to adopt their own critical areas ordinances instead of the county's, the Department of Commerce developed a technical assistance tool called the Small Communities Critical Areas Ordinance Implementation Guidebook (2007). This document recommends simple procedures and includes references to sources of information, descriptions of permitting processes, examples of common permitting scenarios, and some useful checklists and public information brochures that can be customized for use in small communities.

Development regulations and regulatory reform

Local plans and development regulations must also conform to such environmental laws as the State Environmental Policy Act (SEPA) and the Shoreline Management Act (SMA).

The Land Use Regulatory Reform Act was passed in 1995 and made significant changes to three of the state's core land use laws: the GMA, SEPA, and SMA. The primary goal was to establish comprehensive plans and development regulations as the foundation from which subsequent land use decisions are made. The Act also introduced new state requirements for more coordinated and streamlined project review, known as the Local Project Review Act. Cities and counties fully planning under the GMA must have an integrated and consolidated project permit process that includes meeting time limits for permit processing.

More information about GMA comprehensive planning, including infill development for small cities, can be found on the Department of Commerce's Growth Management website, under the Short Course on Local Planning page.

State Environmental Policy Act

The State Environmental Policy Act (SEPA), enacted in 1971, requires that a city identify possible environmental impacts that may result from governmental decisions such as issuing permits for private projects; constructing public facilities; or adopting regulations, policies, or plans. SEPA was designed so that the environment is considered by government prior to decisions.

Information provided during the SEPA review process helps agency decision-makers, applicants, and the public understand how a proposal will affect the environment. This information can be used to change a proposal to reduce likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified.

SEPA applies to decisions by every state and local government agency within Washington. One agency is usually identified as the "lead agency" for a specific proposal. The lead agency for most private projects will be the city or county where the project is located. For public projects, the lead agency will be the agency proposing the project.

A SEPA environmental review is usually initiated when:

- An application is submitted to an agency for a license to construct a private project, such as an office building or a grocery store;
- An agency is considering construction of a public project, such as a new school, a highway, or a water pipeline; or
- An agency is developing a regulation, policy, or plan, such as a county or city comprehensive plan, a critical area ordinance, or a state water quality regulation.

SEPA review applies to all decisions unless they are categorically exempt. For example, residential housing is exempt if the proposed project is consistent with the comprehensive plan and local development regulations and an environmental analysis has occurred that considered the impacts.

Stormwater

Stormwater is rain and snow melt that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash and carries this pollution into our lakes, streams, rivers, and bays. Polluted runoff that goes into a storm drain is usually not treated and winds up in our downstream waters.

Under federal and state laws, cities across the state are required to manage stormwater as required by municipal stormwater permits administered by the Department of Ecology (Ecology). The requirements vary between the east and west sides of the state.

In simple terms, the municipal stormwater permits require operators of municipal separate storm sewer systems (MS4s) to develop and implement a stormwater management program that:

- Reduces the discharge of pollutants to the “maximum extent practicable;”
- Protects water quality; and
- Involves planning, public education and involvement, illicit discharge detection programs, and passing appropriate ordinances to reduce stormwater pollution.

Shoreline Management Act

Washington’s Shoreline Management Act (SMA) applies to all 39 counties and more than 230 cities having shorelines of the state. The goal of the SMA is “to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.” The Act establishes a broad policy giving preference to uses that:

- Protect the quality of water and the natural environment;
- Depend on proximity to the shoreline, called “water-dependent uses”; and
- Preserve and enhance public access or increase recreational opportunities for the public along shorelines.

The SMA is administered through a partnership between local governments and Ecology. The partnership provides that:

- Cities and counties develop shoreline master programs (SMPs) that regulate development along larger streams, lakes, and marine waters; and
- Ecology provides technical assistance and reviews local programs and permitting decisions.

The Act places a strong emphasis on public participation in developing local shoreline programs and in the local permit process.

Ecology's adoption of new SMP guidelines in 2003 initiated a new generation of shoreline planning in Washington, establishing a new schedule for updating SMPs and a biennial appropriation to help fund local SMP development. For fully planning cities under the GMA, SMP goals and policies are considered an element of the local comprehensive plan. Ecology provides a Shoreline Master Program Handbook on its website.

Endangered Species Act

The Endangered Species Act (ESA) is a federal statute designed to protect endangered and threatened fish, wildlife, and plant species and the ecosystems upon which they depend. The ESA is administered by the National Marine Fisheries Service (NOAA Fisheries) when the affected species are marine and anadromous (e.g., salmonid), and the United States Fish and Wildlife Service (USFWS) when the affected species live on land or in freshwater.

The ESA provides a variety of mechanisms for saving species threatened with extinction. One widely used tool is the "Habitat Conservation Plan," which offers protection to landowners in exchange for an agreement to manage land in a way that minimizes impacts to listed species. Another mechanism is the adoption of protective regulations, commonly called the "4(d) rules," named after a section in the ESA. The June 2000 4(d) rule adopted by NOAA prohibits "take" of salmon and steelhead listed as threatened under the Endangered Species Act (ESA) except in cases where the take is associated with an approved program that comes under one of the limits in the 4(d) rule. One of those programs is for the restoration of salmon habitat, if done under an approved plan. Projects that implement the salmon recovery plans produced by salmon recovery regional organizations meet the criteria for coverage under the 4(d) rule. Many cities are members of such regional organizations and are developing recovery plans.

In Washington, the listings of salmon, steelhead, and bull trout have focused attention on the ESA, although many other species in the state, such as the northern spotted owl, pocket gopher, Canada lynx, and western pond turtle, also have been listed as "endangered" or "threatened" under either the ESA or state laws.

Know the law

- [RCW 35.63 - Planning commissions](#)
- [RCW 35A.63 - Planning and zoning in code cities](#)
- [RCW 36.70A - Growth Management Act](#)
- [RCW 36.70A.130\(4\),\(5\) & \(9\) - Comprehensive plans - Review procedures and schedules - Implementation progress report](#)
- [WAC 365-195 - Growth Management Act - Procedural criteria for adopting comprehensive plans and development regulations](#)
- [RCW 36.70B - Local project review](#)
- [RCW 36.70C - Judicial review of land use decisions](#)
- [RCW 90.58 - Shoreline Management Act of 1971](#)
- [RCW 90.58.080 - Timetable for local governments to develop or amend master programs - Review of master programs - Grants](#)
- [WAC 173-18 - Shoreline Management Act - Streams and rivers constituting shorelines of the state](#)
- [WAC 173-20 - Shoreline Management Act - Lakes constituting shorelines of the state](#)
- [WAC 173-22 - Adoption of designations of shorelands and wetlands associated with shorelines of the state](#)
- [WAC 173-26 - State master program approval/amendment procedures and master program guidelines](#)
- [WAC 173-27 - Shoreline management permit and enforcement procedures](#)
- [16 U.S. Code Chapter 35 - Endangered Species Act](#)
- [ESA 4\(d\) Rules - Protective Regulations, National Marine Fisheries Service, Northwest Regional Office](#)
- [ESA Section 4 Regulations, 50 CFR Part 424 - Listing endangered and threatened species and designating critical habitat](#)
- [ESA Section 7 Regulations, 50 CFR Part 402 - Interagency cooperation](#)
- [ESA Section 10 Regulations, 50 CFR Part 222 - General endangered and threatened marine species](#)