



11/23/15



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

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November 16, 2015

Mr. Oliver Orjako
Director of Community Planning
Clark County
1300 Franklin Street
Post Office Box 9810
Vancouver Washington 98660

RE: 2016 Periodic Update Deadline

Greetings

Your deadline for the GMA periodic update is coming up soon. We wanted to share some critical information to help you complete this important step as easily as possible. Here are the critical statutory deadlines for you:

- June 30, 2016 Statutory deadline to complete the update ⁹⁴
- June 30, 2017 Deadline for completion of the CAO under the *reasonable progress exception* ⁹⁵

Commerce is responsible for tracking compliance with the requirements of the GMA in order to advise granting agencies of whether jurisdictions are eligible to receive funds for certain grant and loan programs ⁹⁶. This includes completion of the periodic update. Right now, our assigned planners are making contact with all of the cities and counties with an upcoming deadline to make sure we are providing the help that we can. Attached is a list of critical steps you can take to help make sure we correctly record your status.

We are in the middle of reviewing submittals as they come in from jurisdictions. 2015 jurisdictions are wrapping up their update process. 2016 and 2017 jurisdictions are in the middle of the updates. We are prioritizing items for review that are part of the update process, or are part of an outstanding Hearings Board case.

⁹⁴ RCW 36 70A-130(5)(a)

⁹⁵ RCW 36 70A 130(7)(b)

⁹⁶ RCW 43 155, RCW 70 146

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When we see an item submitted for review, we are using the check box on the cover sheet to identify periodic review items and reviewing them accordingly. We use the checklist to review them for completeness and are contacting you to go over the items before we send a comment letter.

When we receive adopted items that are part of the periodic update, we are reviewing them to see if you have completed one of your milestones. We are tracking the comprehensive plan, the development regulations and the critical areas ordinance the three separate milestones. When you have adopted your comprehensive plan update, you will get a letter from Commerce congratulating you for completing this milestone. This letter also provides some advice on how to wrap up the process cleanly.

Your final step to complete the periodic review process is to **notify us in writing that your update is complete**. When you have taken final action, we will send you a congratulatory letter completing the process. We will call you first to make sure we correctly interpreted what you sent us. However, **a cover letter telling us that your process is complete will help avoid confusion on our end**.

We maintain a list on our web site showing who is current in compliance with the GMA, according to our records. **Please review that list. If it does not reflect your current status, please contact us and let us know.** We will be updating that list in the next few weeks to reflect the latest GMA deadline.

Your assigned planner is available to help you if you have any questions. Please call

Ike Nwankwo, Senior Planner at (360) 725-3056

Thank you for all your hard work on this important process.

Best regards,



Jeffrey S. Wilson, AICP
Senior Managing Director
Growth Management Services

Critical Steps to Finalize the Periodic Update Process

- 1 **Legislative Action:** After reviewing, and revising (if necessary), your local plans and regulations, you must take legislative action to formally conclude the periodic review process. For every ordinance or resolution that is a component of your periodic update process, **include a finding in the recitals that this action is part of the periodic update.** Our [Commerce web site](#) includes several examples of legislative language for you to work from. We can also help you find an example that is right for you.
2. **Final Action:** When you have completed the process, the last legislative action you take should **include a finding in the recitals that you have taken all necessary action and that your periodic update is complete.** A clear statement in the record that you have completed the update is critical. This step starts the 60-day appeal clock and will help defend your process if a failure to act claim is made after the end of the 60-day appeal period. Again, we have sample language available to help guide you through this final step.
- 3 **Notify Department of Commerce:** Your final step to complete the periodic review process is to **notify us in writing that your update is complete.** You are required to send every comprehensive plan or development regulation amendment that you adopt to Commerce within ten days of adoption. We recommend you also promptly publish notice of adoption and include a statement regarding the periodic update in your published notice of adoption. Our [submission cover sheet](#) has a check box to indicate whether the adopted ordinance was part of the periodic review. Additionally, for your final action to complete your update, include a letter formally notifying Commerce that your update is complete. That way there is no misunderstanding about when you completed the process. Many jurisdictions have been working on their updates and adopting changes in phases. Formal notice that the process is complete is critical to keeping us in the loop so we do not inadvertently list you as out of compliance.

Where to go for more Help and Information

- <http://www.commerce.wa.gov/growth> (select "[GMA Periodic Update](#)" from the left index)
- *Keeping your Comprehensive Plan and Development Regulations Current: A Guide to the Periodic Update Process under the Growth Management Act*
- [WAC 365-196-610](#) Periodic review and update of comprehensive plans and development regulations
- [RCW 36.70A.130](#)

Schroader, Kathy

From: Wiser, Sonja
Sent: Monday, November 23, 2015 10 30 AM
To: Schroader, Kathy
Cc: Albrecht, Gary, Alvarez, Jose; Anderson, Colete, Euler, Gordon, Hermen, Matt, Kamp, Jacqueline, Lebowsky, Laurie, Lumbantobing, Sharon, Orjiako, Oliver, Wiser, Sonja
Subject: Letter from Dept of Commerce - fyi and for the record (Oliver has original)
Attachments: SServer-51215112310300 pdf

Your message is ready to be sent with the following file or link attachments:

SServer-51215112310300 pdf

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