STATE OF WASHINGTON

GROWTH MANAGEMENT HEARINGS BOARDS

2009-2010 STRATEGIC PLAN

❖ Mission Statement

The State Growth Management Act requires local governments to manage the state's growth by preparing comprehensive plans and implementing them through capital investments, land use, and natural resource regulations. The three growth management hearings boards were established by statute to resolve disputes that arise from implementing components of this law. The boards have a single mission:

> *The shared mission of the three Growth Management Hearings Boards is to resolve appeals arising from the implementation of the Growth Management Act [GMA – Chapter 36.70A RCW] in a clear, consistent, timely and impartial manner that recognizes the diversity in their jurisdictional regions. In doing so, the Boards guide local communities to incorporate statewide growth management goals and requirements into local plans and regulations.*

❖ Statutory Authority

The Boards are established and their powers defined by RCW 36.70A.250-.345.

❖ Goals, Objectives, Performance Measures, Targets, and Strategies

➢ **Goal One:** *Resolve appeals to the Boards in a clear, consistent, timely, and impartial manner.*

***Objective 1.1*:** Ensure decisions continue to be made within statutory deadlines.

Measure: Number or percentage of decisions and orders issued within statutory deadlines.

Target: 100 % compliance with statutory deadlines

Strategies:

- Continue to follow timelines, internal management procedures, and Board communication protocols that enable the Boards to meet or beat statutory deadlines.
- Identify equipment and services needs to ensure timeliness.

- Establish adequate lead times for administrative and support staff to meet production needs.
- Identify workload needs in advance of deadlines in order to deploy staff attorney effectively in providing legal assistance among the Boards.

***Objective 1.2*:** Encourage alternative dispute resolution.

Measure: Number or percentage of appeals mediated, settled, or withdrawn.

Target: 20% of appeals mediated, settled, or withdrawn.

Strategies:

- Inform parties of settlement options at early stages of each proceeding.
- Increase number of Board personnel trained as mediators.
- Develop and maintain a list of mediation services available within the three Board's jurisdiction.
- Provide a reasonable number of settlement extensions to accommodate dispute resolution.

***Objective 1.3*:** Issue decisions that should withstand judicial review.

Measure: Number or percentage of court remands based on substantive and procedural errors.

Target 1: No court remands based upon procedural errors.

Target 2: Boards' substantive decisions are upheld on 75 % of issues reviewed by courts using a three-year running total [recognizing that some years there may be only one or two court decisions.]

Strategies:

- Monitor activity of the Courts with the assistance of the staff attorney.
- Use staff attorney to assist Board members in legal research and analysis.

➢ **Goal Two:** *Make Board decisions and process accessible to the public and key stakeholders.*

***Objective 2.1*:** Easily accessible Board decisions.

Measures:

- Number of substantive Board decisions posted to the website.
- Timely posting of substantive Board decisions on the website.
- Annual updates to each of the Boards' Digests.

Target 1: 100% of substantive Board decisions posted to the website.

Target 2: All substantive Board decisions are posted to the website within a week after issuance.

Target 3: Digests are updated at least annually

Strategies:

- Maintain effective contract with webmaster.
- Devote more Board and staff resources to maintaining the Digests.
- With assistance of staff attorney, begin working toward a more uniform format and style for Digest.

***Objective 2.2*:** Easily accessible Board process.

Measures:

- Procedural information is provided on the Board website
- Number of outreach presentations
- Stakeholder feedback opportunities provided

Target 1: Production and maintenance of GMHB Practice Handbook

Target 2: Stakeholder meetings are convened at least annually.

Target 3: Nine speaking engagements per year.

Strategies:

- Upgrade the website as a source of Board information.
- Annual review of GMHB Practice Handbook

- Continue to solicit input from stakeholders at Joint Boards meetings.
- Conduct biennial survey of clients on Board processes and performance.
- Seek opportunities to present information about the Boards' role in ensuring compliance with the GMA at various conferences and gatherings [legal, planning, government officials functions].

➢ **Goal Three:** *Ensure the cost-effectiveness, administrative compliance, and environmental sustainability of Board operations.*

Objective 3.1. Manage fiscal and environmental costs.

Measures: Board operations are cost-conscious and environmentally responsible.

Target 1. No new budget increment request for 2009-2010 biennium [except for essential rental rates].

Strategies:

- Hold Board meetings, prehearing conferences and hearings, when appropriate, by teleconference.
- Support telecommuting by Board members to reduce travel.
- Co-locate Eastern, Western and Central Board offices with other state agencies.
- Recycle re-usable office materials and waste products.

Objective 3.2: Share staff attorney resource efficiently.

Measure: Staff attorney resource is deployed equitably to meet fluctuating workloads.

Target: Ensure maximal efficient utilization of this resource.

Strategies:

- Quarterly time-allocation reporting by staff attorney to a joint meeting of the administrative chairs.
- Annual evaluation of the staff attorney by the Boards.

Objective 3.3: Adopt required board policies.

Measure: All agency policies required by state government are adopted in a thoughtful process and all are current.

Target: Adopt and/or update all required policies by the end of the biennium.

Strategy: Propose six-to-ten policies for discussion and action at each semi-annual Joint Boards meeting.

***Objective 3.4*:** Develop consistent and comparable data collection and reporting.

Measure: Uniform data collection and reporting procedures

Target: Consistency of data for reporting

Strategies:

- Consider uniform adoption of case data base system being developed by Western.
- Agree upon data to be reported and methodology that allows evaluation of workload and output of the Boards.

❖ Performance Analysis

Highlights of the Boards' 2007-2008 performance were:

1. hiring and deployment of the new shared staff attorney;
2. publication of a handbook of the Boards' procedures; and
3. relocation of the Central Board and Western Board offices.[1]

The Boards successfully met their targets for percent of final decisions and compliance orders issued within statutory deadlines (100%) and for number of challenges successfully settled, mediated, withdrawn or dismissed by stipulation.

The Boards' target for percentage of cases upheld on appeal was not met and the target itself (94%) proved faulty. The volume of court decisions in any year is unpredictable but generally too low to allow for meaningful tally. For the 2009-2010 biennium, the target is re-stated and re-set:

Target: Boards' substantive decisions are upheld on 75 % of issues reviewed by courts using a three-year running total [recognizing that some years there may be only one or two court decisions.]

❖ Assessment of External Challenges and Opportunities

Board workloads are directly impacted by statutory deadlines requiring cities and counties to review and update their comprehensive plans, development regulations, critical areas ordinances, and shoreline management programs by certain dates. As cities and counties adopt these updates,

[1] Co-location with other state agencies was an objective. The Central Board was able to co-locate with the AGO, and the Western Board has co-located with other small agencies where it can obtain IT support from GA or DIS and connect to the state system.

appeals may be filed to the Boards. Because the statutory deadlines are specific to different counties and regions of the State, the case loads of the various Boards fluctuate.

The 2007-2008 biennium provided the Boards with additional resources to engage a staff attorney serving the three boards and a half-time office assistant serving the Western Board. Maintaining these additional resources will be essential to enabling the Boards to meet the anticipated increased work load created by required GMA and SMA planning deadlines for the cities and counties within our jurisdiction.

❖ Assessment of Internal Capacity and Financial Health

Workforce Issues:

During the biennium, a new Board member will be appointed to each Board [Eastern and Western in 2008, and Central in 2009]. This will require orientation, training, and new or transferred equipment. The Boards' budgets can absorb these requirements.

The shared staff attorney is a new resource authorized in the 2007-2008 biennium. This resource has already proved extremely valuable to the work of the Boards. The staff attorney will have an important role in assisting each new Board member to assume their new responsibilities.

The retirement of Board members will require annual leave buyouts. Annual leave buyouts of long serving board members may not be able to be absorbed in the Board's biennial budget and may need supplemental budget appropriations.

Change in Service Delivery Methods:

Continued increases are expected in electronic case filing and case management.

Facilities Requirements:

No change in facilities or increase in space is anticipated in the biennium.

Technology Investments:

No major technology investments are anticipated. Equipment for the new Board members can be provided within the normal budget.

Financial Sustainability:

The increased cost of rent caused by re-location of the Western Board and connection to the state internet system will result in higher costs that cannot be absorbed in the Board's biennial budget and will require an increase in the Boards' annual budget. The Boards do not anticipate any other significant new costs.