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HOUSE BILL 2684

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State of Washington

53rd Legislature

1994 Regular Session

By Representative Pruitt

Read first time 01/21/94. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to the water supply; amending RCW 36.70A.010,  
2 36.70A.020, 36.70A.030, 36.70A.040, 36.70A.070, 36.70A.110, and  
3 36.70A.210; and adding a new section to chapter 43.62 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 36.70A.010 and 1990 1st ex.s. c 17 s 1 are each  
6 amended to read as follows:

7 The legislature finds that uncoordinated and unplanned growth with  
8 its relentless demands on our finite water supplies leading to major  
9 shortfalls in our water uses, together with a lack of common goals  
10 expressing the public's interest in the conservation and the wise use  
11 of our lands and waters, pose a threat to the environment, sustainable  
12 economic development, and the health, safety, and high quality of life  
13 enjoyed by residents of this state. It is in the public interest that  
14 citizens, communities, local governments, and the private sector  
15 cooperate and coordinate with one another in comprehensive land use  
16 planning. Further, the legislature finds that it is in the public  
17 interest that economic development programs be shared with communities  
18 experiencing insufficient economic growth if those communities have  
19 more than marginal water supplies.

1       **Sec. 2.** RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each  
2 amended to read as follows:

3       The following goals are adopted to guide the development and  
4 adoption of comprehensive plans and development regulations of those  
5 counties and cities that are required or choose to plan under RCW  
6 36.70A.040. The following goals are not listed in order of priority  
7 and shall be used exclusively for the purpose of guiding the  
8 development of comprehensive plans and development regulations:

9       (1) Urban growth. Encourage development in urban areas where  
10 adequate public facilities and services exist or can be provided in an  
11 efficient manner.

12       (2) Reduce sprawl. Reduce the inappropriate conversion of  
13 undeveloped land into sprawling, low-density development.

14       (3) Transportation. Encourage efficient multimodal transportation  
15 systems that are based on regional priorities and coordinated with  
16 county and city comprehensive plans.

17       (4) Housing. Encourage the availability of affordable housing to  
18 all economic segments of the population of this state, promote a  
19 variety of residential densities and housing types, and encourage  
20 preservation of existing housing stock.

21       (5) Economic development. Encourage economic development  
22 throughout the state that is consistent with adopted comprehensive  
23 plans, promote economic opportunity for all citizens of this state,  
24 especially for unemployed and for disadvantaged persons, and encourage  
25 growth in areas experiencing insufficient economic growth, all within  
26 the capacities of the state's natural resources, public services, and  
27 public facilities.

28       (6) Property rights. Private property shall not be taken for  
29 public use without just compensation having been made. The property  
30 rights of landowners shall be protected from arbitrary and  
31 discriminatory actions.

32       (7) Permits. Applications for both state and local government  
33 permits should be processed in a timely and fair manner to ensure  
34 predictability.

35       (8) Natural resource industries. Maintain and enhance natural  
36 resource-based industries, including productive timber, agricultural,  
37 and fisheries industries. Encourage the conservation of productive  
38 forest lands and productive agricultural lands, and discourage  
39 incompatible uses.

1 (9) Open space and recreation. Encourage the retention of open  
2 space and development of recreational opportunities, conserve fish and  
3 wildlife habitat, increase access to natural resource lands and water,  
4 and develop parks.

5 (10) Environment. Protect the environment and enhance the state's  
6 high quality of life, including air and water quality, and the  
7 availability of water.

8 (11) Citizen participation and coordination. Encourage the  
9 involvement of citizens in the planning process and ensure coordination  
10 between communities and jurisdictions to reconcile conflicts.

11 (12) Public facilities and services. Ensure that those public  
12 facilities and services necessary to support development shall be  
13 adequate to serve the development at the time the development is  
14 available for occupancy and use without decreasing current service  
15 levels below locally established minimum standards.

16 (13) Historic preservation. Identify and encourage the  
17 preservation of lands, sites, and structures, that have historical or  
18 archaeological significance.

19 (14) Water supplies. Ensure that growth within a common watershed  
20 shall not adversely affect existing instream and out-of-stream water  
21 uses.

22 **Sec. 3.** RCW 36.70A.030 and 1990 1st ex.s. c 17 s 3 are each  
23 amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in  
25 this section apply throughout this chapter.

26 (1) "Adopt a comprehensive land use plan" means to enact a new  
27 comprehensive land use plan or to update an existing comprehensive land  
28 use plan.

29 (2) "Agricultural land" means land primarily devoted to the  
30 commercial production of horticultural, viticultural, floricultural,  
31 dairy, apiary, vegetable, or animal products or of berries, grain, hay,  
32 straw, turf, seed, Christmas trees not subject to the excise tax  
33 imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has  
34 long-term commercial significance for agricultural production.

35 (3) "City" means any city or town, including a code city.

36 (4) "Comprehensive land use plan," "comprehensive plan," or "plan"  
37 means a generalized coordinated land use policy statement of the

1 governing body of a county or city that is adopted pursuant to this  
2 chapter.

3 (5) "Contingency water" means supplemental fresh water that:

4 (a) Can be piped in from sources outside the county;

5 (b) Is developed through new research and technology; and

6 (c) Results from revisions to the domestic water availability based  
7 on changes in population growth trends, modifications to water rights  
8 and allocations, and new data regarding water resources capacities.

9 (6) "Critical areas" include the following areas and ecosystems:

10 (a) Wetlands; (b) areas with a critical recharging effect on aquifers  
11 used for potable water; (c) fish and wildlife habitat conservation  
12 areas; (d) frequently flooded areas; and (e) geologically hazardous  
13 areas.

14 (~~(+6)~~) (7) "Department" means the department of community, trade,  
15 and economic development.

16 (~~(+7)~~) (8) "Development regulations" means any controls placed on  
17 development or land use activities by a county or city, including, but  
18 not limited to, zoning ordinances, official controls, planned unit  
19 development ordinances, subdivision ordinances, and binding site plan  
20 ordinances.

21 (~~(+8)~~) (9) "Domestic water availability" means that portion of a  
22 county's total water supply available for household and home-site uses  
23 after:

24 (a) Deducting its existing state-certified water rights and  
25 allocations;

26 (b) Deducting its water requirements for both existing and planned  
27 industrial, commercial, and parks and recreational uses;

28 (c) Adding a factor based on the county's water conservation  
29 measures; and

30 (d) Adding fifty percent of its future contingency water supplies,  
31 or more than fifty percent subject to the county's option.

32 (10) "Forest land" means land primarily useful for growing trees,  
33 including Christmas trees subject to the excise tax imposed under RCW  
34 84.33.100 through 84.33.140, for commercial purposes, and that has  
35 long-term commercial significance for growing trees commercially.

36 (~~(+9)~~) (11) "Geologically hazardous areas" means areas that  
37 because of their susceptibility to erosion, sliding, earthquake, or  
38 other geological events, are not suited to the siting of commercial,

1 residential, or industrial development consistent with public health or  
2 safety concerns.

3 ~~((10))~~ (12) "Long-term commercial significance" includes the  
4 growing capacity, productivity, and soil composition of the land for  
5 long-term commercial production, in consideration with the land's  
6 proximity to population areas, and the possibility of more intense uses  
7 of the land.

8 ~~((11))~~ (13) "Minerals" include gravel, sand, and valuable  
9 metallic substances.

10 ~~((12))~~ (14) "Public facilities" include streets, roads, highways,  
11 sidewalks, street and road lighting systems, traffic signals, domestic  
12 water systems, storm and sanitary sewer systems, parks and recreational  
13 facilities, and schools.

14 ~~((13))~~ (15) "Public services" include fire protection and  
15 suppression, law enforcement, public health, education, recreation,  
16 environmental protection, and other governmental services.

17 ~~((14))~~ (16) "Urban growth" refers to growth that makes intensive  
18 use of land for the location of buildings, structures, and impermeable  
19 surfaces to such a degree as to be incompatible with the primary use of  
20 such land for the production of food, other agricultural products, or  
21 fiber, or the extraction of mineral resources. When allowed to spread  
22 over wide areas, urban growth typically requires urban governmental  
23 services. "Characterized by urban growth" refers to land having urban  
24 growth located on it, or to land located in relationship to an area  
25 with urban growth on it as to be appropriate for urban growth.

26 ~~((15))~~ (17) "Urban growth areas" means those areas designated by  
27 a county pursuant to RCW 36.70A.110.

28 ~~((16))~~ (18) "Urban governmental services" include those  
29 governmental services historically and typically delivered by cities,  
30 and include storm and sanitary sewer systems, domestic water systems,  
31 street cleaning services, fire and police protection services, public  
32 transit services, and other public utilities associated with urban  
33 areas and normally not associated with nonurban areas.

34 ~~((17))~~ (19) "Wetland" or "wetlands" means areas that are  
35 inundated or saturated by surface water or ground water at a frequency  
36 and duration sufficient to support, and that under normal circumstances  
37 do support, a prevalence of vegetation typically adapted for life in  
38 saturated soil conditions. Wetlands generally include swamps, marshes,  
39 bogs, and similar areas. Wetlands do not include those artificial

1 wetlands intentionally created from nonwetland sites, including, but  
2 not limited to, irrigation and drainage ditches, grass-lined swales,  
3 canals, detention facilities, wastewater treatment facilities, farm  
4 ponds, and landscape amenities. However, wetlands may include those  
5 artificial wetlands intentionally created from nonwetland areas created  
6 to mitigate conversion of wetlands, if permitted by the county or city.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.62 RCW  
8 to read as follows:

9 When planning the twenty year population projection under RCW  
10 37.70A.110 the office of financial management shall utilize the  
11 following information:

12 (1) The bureau of census data for the previous ten years trended  
13 for the next twenty years on a straight line basis;

14 (2) The planning counties' designation of critical areas that shall  
15 not accept any further population growth;

16 (3) The planning counties' designation of open space corridors that  
17 shall not accept any further population growth; and

18 (4) The planning counties' designation of agricultural, forest, and  
19 mineral resource lands that shall accept limited population growth  
20 under the comprehensive plan.

21 **Sec. 5.** RCW 36.70A.040 and 1993 sp.s. c 6 s 1 are each amended to  
22 read as follows:

23 (1) Each county that has both a population of fifty thousand or  
24 more and has had its population increase by more than ten percent in  
25 the previous ten years, and the cities located within such county, and  
26 any other county regardless of its population that has had its  
27 population increase by more than twenty percent in the previous ten  
28 years, and the cities located within such county, shall conform with  
29 all of the requirements of this chapter. However, the county  
30 legislative authority of such a county with a population of less than  
31 fifty thousand population may adopt a resolution removing the county,  
32 and the cities located within the county, from the requirements of  
33 adopting comprehensive land use plans and development regulations under  
34 this chapter if this resolution is adopted and filed with the  
35 department by December 31, 1990, for counties initially meeting this  
36 set of criteria, or within sixty days of the date the office of

1 financial management certifies that a county meets this set of criteria  
2 under subsection (5) of this section.

3 Once a county meets either of these sets of criteria, the  
4 requirement to conform with all of the requirements of this chapter  
5 remains in effect, even if the county no longer meets one of these sets  
6 of criteria.

7 (2) The county legislative authority of any county that does not  
8 meet either of the sets of criteria established under subsection (1) of  
9 this section may adopt a resolution indicating its intention to have  
10 subsection (1) of this section apply to the county. Each city, located  
11 in a county that chooses to plan under this subsection, shall conform  
12 with all of the requirements of this chapter. Once such a resolution  
13 has been adopted, the county and the cities located within the county  
14 remain subject to all of the requirements of this chapter.

15 (3) Any county or city that is initially required to conform with  
16 all of the requirements of this chapter under subsection (1) of this  
17 section shall take actions under this chapter as follows: (a) The  
18 county legislative authority shall adopt a county-wide planning policy  
19 under RCW 36.70A.210; (b) the county and each city located within the  
20 county shall designate critical areas, agricultural lands, forest  
21 lands, and mineral resource lands, and adopt development regulations  
22 conserving these designated agricultural lands, forest lands, and  
23 mineral resource lands and protecting these designated critical areas,  
24 under RCW 36.70A.170 and 36.70A.060; (c) the county shall designate and  
25 take other actions related to urban growth areas under RCW 36.70A.110;  
26 (d) if the county has a population of fifty thousand or more, the  
27 county and each city located within the county shall adopt a  
28 comprehensive plan under this chapter and development regulations that  
29 are consistent with and implement the comprehensive plan on or before  
30 July 1, 1994, and if the county has a population of less than fifty  
31 thousand, the county and each city located within the county shall  
32 adopt a comprehensive plan under this chapter and development  
33 regulations that are consistent with and implement the comprehensive  
34 plan by January 1, 1995, but if the governor makes written findings  
35 that a county with a population of less than fifty thousand or a city  
36 located within such a county is not making reasonable progress toward  
37 adopting a comprehensive plan and development regulations the governor  
38 may reduce this deadline for such actions to be taken by no more than  
39 one hundred eighty days. Any county or city subject to this subsection

1 may obtain an additional six months before it is required to have  
2 adopted its development regulations by submitting a letter notifying  
3 the department of community, trade, and economic development of its  
4 need prior to the deadline for adopting both a comprehensive plan and  
5 development regulations.

6 (4) Any county or city that is required to conform with all the  
7 requirements of this chapter, as a result of the county legislative  
8 authority adopting its resolution of intention under subsection (2) of  
9 this section, shall take actions under this chapter as follows: (a)  
10 The county legislative authority shall adopt a county-wide planning  
11 policy under RCW 36.70A.210; (b) the county and each city that is  
12 located within the county shall adopt development regulations  
13 conserving agricultural lands, forest lands, and mineral resource lands  
14 it designated under RCW 36.70A.060 within one year of the date the  
15 county legislative authority adopts its resolution of intention; (c)  
16 the county shall designate and take other actions related to urban  
17 growth areas under RCW 36.70A.110; and (d) the county and each city  
18 that is located within the county shall adopt a comprehensive plan and  
19 development regulations that are consistent with and implement the  
20 comprehensive plan not later than four years from the date the county  
21 legislative authority adopts its resolution of intention, but a county  
22 or city may obtain an additional six months before it is required to  
23 have adopted its development regulations by submitting a letter  
24 notifying the department of community, trade, and economic development  
25 of its need prior to the deadline for adopting both a comprehensive  
26 plan and development regulations.

27 (5) If the office of financial management certifies that the  
28 population of a county that previously had not been required to plan  
29 under subsection (1) or (2) of this section has changed sufficiently to  
30 meet either of the sets of criteria specified under subsection (1) of  
31 this section, and where applicable, the county legislative authority  
32 has not adopted a resolution removing the county from these  
33 requirements as provided in subsection (1) of this section, the county  
34 and each city within such county shall take actions under this chapter  
35 as follows: (a) The county legislative authority shall adopt a county-  
36 wide planning policy under RCW 36.70A.210; (b) the county and each city  
37 located within the county shall adopt development regulations under RCW  
38 36.70A.060 conserving agricultural lands, forest lands, and mineral  
39 resource lands it designated within one year of the certification by



1 the office of financial management; (c) the county shall designate and  
2 take other actions related to urban growth areas under RCW 36.70A.110;  
3 and (d) the county and each city located within the county shall adopt  
4 a comprehensive land use plan and development regulations that are  
5 consistent with and implement the comprehensive plan within four years  
6 of the certification by the office of financial management, but a  
7 county or city may obtain an additional six months before it is  
8 required to have adopted its development regulations by submitting a  
9 letter notifying the department of community, trade, and economic  
10 development of its need prior to the deadline for adopting both a  
11 comprehensive plan and development regulations.

12 (6) A copy of each document that is required under this section  
13 shall be submitted to the department at the time of its adoption.

14 **Sec. 6.** RCW 36.70A.070 and 1990 1st ex.s. c 17 s 7 are each  
15 amended to read as follows:

16 The comprehensive plan of a county or city that is required or  
17 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,  
18 and descriptive text covering objectives, principles, and standards  
19 used to develop the comprehensive plan. The plan shall be an  
20 internally consistent document and all elements shall be consistent  
21 with the future land use map. A comprehensive plan shall be adopted  
22 and amended with public participation as provided in RCW 36.70A.140.

23 Each comprehensive plan shall include a plan, scheme, or design for  
24 each of the following:

25 (1) A land use element designating the proposed general  
26 distribution and general location and extent of the uses of land, where  
27 appropriate, for agriculture, timber production, housing, commerce,  
28 industry, recreation, open spaces, public utilities, public facilities,  
29 and other land uses. The land use element shall include population  
30 densities, building intensities, and estimates of future population  
31 growth known domestic water availability as determined by the  
32 department of ecology through application of the domestic water  
33 availability formula under RCW 36.70A.030(9).

34 The land use element shall provide for protection of the quality  
35 and quantity of ground water used for public water supplies. Where  
36 applicable, the land use element shall review drainage, flooding, and  
37 storm water run-off in the area and nearby jurisdictions and provide  
38 guidance for corrective actions to mitigate or cleanse those discharges

1 that pollute waters of the state, including Puget Sound or waters  
2 entering Puget Sound.

3 (2) A housing element recognizing the vitality and character of  
4 established residential neighborhoods that: (a) Includes an inventory  
5 and analysis of existing and projected housing needs; (b) includes a  
6 statement of goals, policies, and objectives for the preservation,  
7 improvement, and development of housing; (c) identifies sufficient land  
8 for housing, including, but not limited to, government-assisted  
9 housing, housing for low-income families, manufactured housing,  
10 multifamily housing, and group homes and foster care facilities; and  
11 (d) makes adequate provisions for existing and projected needs of all  
12 economic segments of the community.

13 (3) A capital facilities plan element consisting of: (a) An  
14 inventory of existing capital facilities owned by public entities,  
15 showing the locations and capacities of the capital facilities; (b) a  
16 forecast of the future needs for such capital facilities; (c) the  
17 proposed locations and capacities of expanded or new capital  
18 facilities; (d) at least a six-year plan that will finance such capital  
19 facilities within projected funding capacities and clearly identifies  
20 sources of public money for such purposes; and (e) a requirement to  
21 reassess the land use element if probable funding falls short of  
22 meeting existing needs and to ensure that the land use element, capital  
23 facilities plan element, and financing plan within the capital  
24 facilities plan element are coordinated and consistent.

25 (4) A utilities element consisting of the general location,  
26 proposed location, and capacity of all existing and proposed utilities,  
27 including, but not limited to, electrical lines, telecommunication  
28 lines, and natural gas lines.

29 (5) Counties shall include a rural element including lands that are  
30 not designated for urban growth, agriculture, forest, or mineral  
31 resources. The rural element shall permit land uses that are  
32 compatible with the rural character of such lands and provide for a  
33 variety of rural densities.

34 (6) A transportation element that implements, and is consistent  
35 with, the land use element. The transportation element shall include  
36 the following subelements:

37 (a) Land use assumptions used in estimating travel;

38 (b) Facilities and services needs, including:

1 (i) An inventory of air, water, and land transportation facilities  
2 and services, including transit alignments, to define existing capital  
3 facilities and travel levels as a basis for future planning;

4 (ii) Level of service standards for all arterials and transit  
5 routes to serve as a gauge to judge performance of the system. These  
6 standards should be regionally coordinated;

7 (iii) Specific actions and requirements for bringing into  
8 compliance any facilities or services that are below an established  
9 level of service standard;

10 (iv) Forecasts of traffic for at least ten years based on the  
11 adopted land use plan to provide information on the location, timing,  
12 and capacity needs of future growth;

13 (v) Identification of system expansion needs and transportation  
14 system management needs to meet current and future demands;

15 (c) Finance, including:

16 (i) An analysis of funding capability to judge needs against  
17 probable funding resources;

18 (ii) A multiyear financing plan based on the needs identified in  
19 the comprehensive plan, the appropriate parts of which shall serve as  
20 the basis for the six-year street, road, or transit program required by  
21 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW  
22 35.58.2795 for public transportation systems;

23 (iii) If probable funding falls short of meeting identified needs,  
24 a discussion of how additional funding will be raised, or how land use  
25 assumptions will be reassessed to ensure that level of service  
26 standards will be met;

27 (d) Intergovernmental coordination efforts, including an assessment  
28 of the impacts of the transportation plan and land use assumptions on  
29 the transportation systems of adjacent jurisdictions;

30 (e) Demand-management strategies.

31 After adoption of the comprehensive plan by jurisdictions required  
32 to plan or who choose to plan under RCW 36.70A.040, local jurisdictions  
33 must adopt and enforce ordinances which prohibit development approval  
34 if the development causes the level of service on a transportation  
35 facility to decline below the standards adopted in the transportation  
36 element of the comprehensive plan, unless transportation improvements  
37 or strategies to accommodate the impacts of development are made  
38 concurrent with the development. These strategies may include  
39 increased public transportation service, ride sharing programs, demand

1 management, and other transportation systems management strategies.  
2 For the purposes of this subsection (6) "concurrent with the  
3 development" shall mean that improvements or strategies are in place at  
4 the time of development, or that a financial commitment is in place to  
5 complete the improvements or strategies within six years.

6 The transportation element described in this subsection, and the  
7 six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for  
8 counties, and RCW 35.58.2795 for public transportation systems, must be  
9 consistent.

10 **Sec. 7.** RCW 36.70A.110 and 1993 sp.s. c 6 s 2 are each amended to  
11 read as follows:

12 (1) Each county that is required or chooses to plan under RCW  
13 36.70A.040 shall designate an urban growth area or areas within which  
14 urban growth shall be encouraged and outside of which growth can occur  
15 only if it is not urban in nature. Each city that is located in such  
16 a county shall be included within an urban growth area. An urban  
17 growth area may include more than a single city. An urban growth area  
18 may include territory that is located outside of a city only if such  
19 territory already is characterized by urban growth or is adjacent to  
20 territory already characterized by urban growth.

21 (2) Based upon the (~~population growth management planning~~  
22 ~~population projection made for the county by the office of financial~~  
23 ~~management~~) known domestic water availability as determined by the  
24 department of ecology through application of the domestic water  
25 availability formula under RCW 36.70A.030(9), the urban growth areas in  
26 the county shall include areas and densities sufficient to permit the  
27 urban growth that is projected to occur in the county for the  
28 succeeding twenty-year period. Each urban growth area shall permit  
29 urban densities and shall include greenbelt and open space areas.  
30 Within one year of July 1, 1990, each county that as of June 1, 1991,  
31 was required or chose to plan under RCW 36.70A.040, shall begin  
32 consulting with each city located within its boundaries and each city  
33 shall propose the location of an urban growth area. Within sixty days  
34 of the date the county legislative authority of a county adopts its  
35 resolution of intention or of certification by the office of financial  
36 management, all other counties that are required or choose to plan  
37 under RCW 36.70A.040 shall begin this consultation with each city  
38 located within its boundaries. The county shall attempt to reach

1 agreement with each city on the location of an urban growth area within  
2 which the city is located. If such an agreement is not reached with  
3 each city located within the urban growth area, the county shall  
4 justify in writing why it so designated the area an urban growth area.  
5 A city may object formally with the department over the designation of  
6 the urban growth area within which it is located. Where appropriate,  
7 the department shall attempt to resolve the conflicts, including the  
8 use of mediation services.

9 (3) Urban growth should be located first in areas already  
10 characterized by urban growth that have existing public facility and  
11 service capacities to serve such development, and second in areas  
12 already characterized by urban growth that will be served by a  
13 combination of both existing public facilities and services and any  
14 additional needed public facilities and services that are provided by  
15 either public or private sources. Further, it is appropriate that  
16 urban government services be provided by cities, and urban government  
17 services should not be provided in rural areas.

18 (4) On or before October 1, 1993, each county that was initially  
19 required to plan under RCW 36.70A.040(1) shall adopt development  
20 regulations designating interim urban growth areas under this chapter.  
21 Within three years and three months of the date the county legislative  
22 authority of a county adopts its resolution of intention or of  
23 certification by the office of financial management, all other counties  
24 that are required or choose to plan under RCW 36.70A.040 shall adopt  
25 development regulations designating interim urban growth areas under  
26 this chapter. Adoption of the interim urban growth areas may only  
27 occur after public notice; public hearing; and compliance with the  
28 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.  
29 Such action may be appealed to the appropriate growth planning hearings  
30 board under RCW 36.70A.280. Final urban growth areas shall be adopted  
31 at the time of comprehensive plan adoption under this chapter.

32 (5) Each county shall include designations of urban growth areas in  
33 its comprehensive plan.

34 **Sec. 8.** RCW 36.70A.210 and 1993 sp.s. c 6 s 4 are each amended to  
35 read as follows:

36 (1) The legislature recognizes that counties are regional  
37 governments within their boundaries, and cities are primary providers  
38 of urban governmental services within urban growth areas. For the

1 purposes of this section, a "county-wide planning policy" is a written  
2 policy statement or statements used solely for establishing a county-  
3 wide framework from which county and city comprehensive plans are  
4 developed and adopted pursuant to this chapter. This framework shall  
5 ensure that city and county comprehensive plans are consistent as  
6 required in RCW 36.70A.100. Nothing in this section shall be construed  
7 to alter the land-use powers of cities.

8 (2) The legislative authority of a county that plans under RCW  
9 36.70A.040 shall adopt a county-wide planning policy in cooperation  
10 with the cities located in whole or in part within the county as  
11 follows:

12 (a) No later than sixty calendar days from July 16, 1991, the  
13 legislative authority of each county that as of June 1, 1991, was  
14 required or chose to plan under RCW 36.70A.040 shall convene a meeting  
15 with representatives of each city located within the county for the  
16 purpose of establishing a collaborative process that will provide a  
17 framework for the adoption of a county-wide planning policy. In other  
18 counties that are required or choose to plan under RCW 36.70A.040, this  
19 meeting shall be convened no later than sixty days after the date the  
20 county adopts its resolution of intention or was certified by the  
21 office of financial management.

22 (b) The process and framework for adoption of a county-wide  
23 planning policy specified in (a) of this subsection shall determine the  
24 manner in which the county and the cities agree to all procedures and  
25 provisions including but not limited to desired planning policies,  
26 deadlines, ratification of final agreements and demonstration thereof,  
27 and financing, if any, of all activities associated therewith.

28 (c) If a county fails for any reason to convene a meeting with  
29 representatives of cities as required in (a) of this subsection, the  
30 governor may immediately impose any appropriate sanction or sanctions  
31 on the county from those specified under RCW 36.70A.340.

32 (d) If there is no agreement by October 1, 1991, in a county that  
33 was required or chose to plan under RCW 36.70A.040 as of June 1, 1991,  
34 or if there is no agreement within one hundred twenty days of the date  
35 the county adopted its resolution of intention or was certified by the  
36 office of financial management in any other county that is required or  
37 chooses to plan under RCW 36.70A.040, the governor shall first inquire  
38 of the jurisdictions as to the reason or reasons for failure to reach  
39 an agreement. If the governor deems it appropriate, the governor may

1 immediately request the assistance of the department of community,  
2 trade, and economic development to mediate any disputes that preclude  
3 agreement. If mediation is unsuccessful in resolving all disputes that  
4 will lead to agreement, the governor may impose appropriate sanctions  
5 from those specified under RCW 36.70A.340 on the county, city, or  
6 cities for failure to reach an agreement as provided in this section.  
7 The governor shall specify the reason or reasons for the imposition of  
8 any sanction.

9 (e) No later than July 1, 1992, the legislative authority of each  
10 county that was required or chose to plan under RCW 36.70A.040 as of  
11 June 1, 1991, or no later than fourteen months after the date the  
12 county adopted its resolution of intention or was certified by the  
13 office of financial management the county legislative authority of any  
14 other county that is required or chooses to plan under RCW 36.70A.040,  
15 shall adopt a county-wide planning policy according to the process  
16 provided under this section and that is consistent with the agreement  
17 pursuant to (b) of this subsection, and after holding a public hearing  
18 or hearings on the proposed county-wide planning policy.

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

21 (a) Policies to implement RCW 36.70A.110;

22 (b) Policies for promotion of contiguous and orderly development  
23 and provision of urban services to such development;

24 (c) Policies for siting public capital facilities of a county-wide  
25 or state-wide nature;

26 (d) Policies for county-wide transportation facilities and  
27 strategies;

28 (e) Policies that consider the need for affordable housing, such as  
29 housing for all economic segments of the population and parameters for  
30 its distribution;

31 (f) Policies for joint county and city planning within urban growth  
32 areas;

33 (g) Policies for county-wide economic development and employment;  
34 ((and))

35 (h) An analysis of the fiscal impact; and

36 (i) Policies for implementing the water availability formula as  
37 provided by the department of ecology, if applicable.

38 (4) Federal agencies and Indian tribes may participate in and  
39 cooperate with the county-wide planning policy adoption process.

1 Adopted county-wide planning policies shall be adhered to by state  
2 agencies.

3 (5) Failure to adopt a county-wide planning policy that meets the  
4 requirements of this section may result in the imposition of a sanction  
5 or sanctions on a county or city within the county, as specified in RCW  
6 36.70A.340. In imposing a sanction or sanctions, the governor shall  
7 specify the reasons for failure to adopt a county-wide planning policy  
8 in order that any imposed sanction or sanctions are fairly and  
9 equitably related to the failure to adopt a county-wide planning  
10 policy.

11 (6) Cities and the governor may appeal an adopted county-wide  
12 planning policy to the growth planning hearings board within sixty days  
13 of the adoption of the county-wide planning policy.

14 (7) Multicounty planning policies shall be adopted by two or more  
15 counties, each with a population of four hundred fifty thousand or  
16 more, with contiguous urban areas and may be adopted by other counties,  
17 according to the process established under this section or other  
18 processes agreed to among the counties and cities within the affected  
19 counties throughout the multicounty region.

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