

1 **SHB 1338 - H AMD 290 ADOPTED 3-18-97**

2 By Representative Mulliken

3 Beginning on page 1, after the enacting clause, strike all of
4 section 1 and insert the following:

5 **"Sec. 1.** RCW 36.70A.040 and 1995 c 400 s 1 are each amended
6 to read as follows:

7 (1)(a) Each county that has both a population of fifty
8 thousand or more and, until May 16, 1995, has had its population
9 increase by more than ten percent in the previous ten years or, on
10 or after May 16, 1995, has had its population increase by more than
11 seventeen percent in the previous ten years, and the cities located
12 within such county, and any other county regardless of its
13 population that has had its population increase by more than twenty
14 percent in the previous ten years, and the cities located within
15 such county, shall ~~((conform with all of the requirements of this
16 chapter))~~ plan under this section. However, the county legislative
17 authority of such a county with a population of less than ~~((fifty))~~
18 seventy-five thousand population may adopt a resolution removing
19 the county, and the cities located within the county, from the
20 requirement ~~((s of adopting comprehensive land use plans and
21 development regulations under this chapter))~~ to plan under this
22 section if this resolution is adopted and filed with the department
23 by December 31, ~~((1990, for counties initially meeting this set of
24 eriteria))~~ 1997, or within ~~((sixty days))~~ six months of the date the
25 office of financial management certifies that a county meets this
26 set of criteria under subsection (5) of this section. A county that
27 adopts a resolution removing the county, and the cities located
28 within the county, from the requirement to plan under this section
29 remains subject to the requirements for the designation and
30 protection of critical areas and the designation of natural
31 resource lands under RCW 36.70A.060(2), 36.70A.170, and 36.70A.172.

32 (b) Once a county meets either of these sets of criteria and
33 the county has not adopted a resolution under subsection (a) of

1 this section, the requirement to ~~((conform with all of the~~
 2 ~~requirements of this chapter))~~ plan under this section remains in
 3 effect, even if the county no longer meets one of these sets of
 4 criteria.

5 (2) The county legislative authority of any county that does
 6 not ~~((meet either of the sets of criteria established))~~ plan under
 7 ~~((subsection (1) of))~~ this section may adopt a resolution
 8 indicating its intention ~~((to have subsection (1) of this section~~
 9 ~~apply to))~~ that the county plan under this section. Each city,
 10 located in a county that ~~((chooses to plan))~~ adopts a resolution
 11 under this subsection~~((7))~~ shall ~~((conform with all of the~~
 12 ~~requirements of this chapter))~~ plan under this section. Once such
 13 a resolution has been adopted, the county and the cities located
 14 within the county remain subject to all of the requirements of this
 15 ~~((chapter-))~~section. However, a county with a population of
 16 seventy-five thousand or less that, before the effective date of
 17 this act, adopted a resolution of intention under this subsection
 18 to plan under this section may adopt a resolution removing the
 19 county, and the cities located within the county, from the
 20 requirement to plan under this section if the resolution is adopted
 21 and filed with the department by December 31, 1997. A county that
 22 adopts a resolution removing the county, and the cities located
 23 within the county, from the requirement to plan under this section
 24 remains subject to the requirements for the designation and
 25 protection of critical areas and the designation of natural
 26 resource lands under RCW 36.70A.060(2), 36.70A.170, and 36.70A.172.

27 (3) Any county or city that is initially required to ~~((conform~~
 28 ~~with all of the requirements of this chapter))~~ plan under this
 29 section, and, where applicable, the county legislative authority
 30 has not adopted a resolution removing the county from these
 31 requirements as provided in subsection (1) of this section, shall
 32 take actions under this chapter as follows: (a) The county
 33 legislative authority shall adopt a county-wide planning policy
 34 under RCW 36.70A.210; (b) the county and each city located within
 35 the county shall designate critical areas, agricultural lands,
 36 forest lands, and mineral resource lands, and adopt development
 37 regulations conserving these designated agricultural lands, forest
 38 lands, and mineral resource lands and protecting these designated

1 critical areas, under RCW 36.70A.170 and 36.70A.060; (c) the county
2 shall designate and take other actions related to urban growth
3 areas under RCW 36.70A.110; (d) if the county has a population of
4 fifty thousand or more, the county and each city located within the
5 county shall adopt a comprehensive plan under this chapter and
6 development regulations that are consistent with and implement the
7 comprehensive plan on or before July 1, 1994, and if the county has
8 a population of less than fifty thousand, the county and each city
9 located within the county shall adopt a comprehensive plan under
10 this chapter and development regulations that are consistent with
11 and implement the comprehensive plan by January 1, 1995, but if the
12 governor makes written findings that a county with a population of
13 less than fifty thousand or a city located within such a county is
14 not making reasonable progress toward adopting a comprehensive plan
15 and development regulations the governor may reduce this deadline
16 for such actions to be taken by no more than one hundred eighty
17 days. Any county or city subject to this subsection may obtain an
18 additional six months before it is required to have adopted its
19 development regulations by submitting a letter notifying the
20 department of community, trade, and economic development of its
21 need prior to the deadline for adopting both a comprehensive plan
22 and development regulations.

23 (4) Any county or city that is required to (~~conform with all~~
24 ~~the requirements of this chapter~~) plan under this section, as a
25 result of the county legislative authority adopting its resolution
26 of intention under subsection (2) of this section, and the county
27 legislative authority has not adopted a resolution removing the
28 county from these requirements under subsection (2) of this
29 section, shall take actions under this chapter as follows: (a) The
30 county legislative authority shall adopt a county-wide planning
31 policy under RCW 36.70A.210; (b) the county and each city that is
32 located within the county shall adopt development regulations
33 conserving agricultural lands, forest lands, and mineral resource
34 lands it designated under RCW 36.70A.060 within one year of the
35 date the county legislative authority adopts its resolution of
36 intention; (c) the county shall designate and take other actions
37 related to urban growth areas under RCW 36.70A.110; and (d) the
38 county and each city that is located within the county shall adopt

1 a comprehensive plan and development regulations that are
2 consistent with and implement the comprehensive plan not later than
3 four years from the date the county legislative authority adopts
4 its resolution of intention, but a county or city may obtain an
5 additional six months before it is required to have adopted its
6 development regulations by submitting a letter notifying the
7 department of community, trade, and economic development of its
8 need prior to the deadline for adopting both a comprehensive plan
9 and development regulations.

10 (5) If the office of financial management certifies that the
11 population of a county that (~~(previously had not been required to)~~)
12 does not plan under (~~(subsection (1) or (2) of)~~) this section has
13 changed sufficiently to meet either of the sets of criteria
14 specified under subsection (1) of this section, and where
15 applicable, the county legislative authority has not adopted a
16 resolution removing the county from these requirements as provided
17 in subsection (1) of this section, the county and each city within
18 such county shall take actions under this chapter as follows: (a)
19 The county legislative authority shall adopt a county-wide planning
20 policy under RCW 36.70A.210; (b) the county and each city located
21 within the county shall adopt development regulations under RCW
22 36.70A.060 conserving agricultural lands, forest lands, and mineral
23 resource lands it designated within one year of the certification
24 by the office of financial management; (c) the county shall
25 designate and take other actions related to urban growth areas
26 under RCW 36.70A.110; and (d) the county and each city located
27 within the county shall adopt a comprehensive land use plan and
28 development regulations that are consistent with and implement the
29 comprehensive plan within four years of the certification by the
30 office of financial management, but a county or city may obtain an
31 additional six months before it is required to have adopted its
32 development regulations by submitting a letter notifying the
33 department of community, trade, and economic development of its
34 need prior to the deadline for adopting both a comprehensive plan
35 and development regulations.

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

- 1 Beginning on page 7, line 17, strike all of sections 4 and 5
- 2 Renumber the remaining sections consecutively and correct the
- 3 title.

EFFECT: Counties with a population under 75,000 may remove themselves, and the cities within the counties, from the requirements to adopt comprehensive plans and development regulations under the GMA. All counties and cities in the state, whether or not they plan under the GMA, would remain subject to the requirements to designate natural resource lands and designate and protect critical areas.