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HOUSE BILL 2803

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Chandler, Romero, Linville, Reams, Clements, Skinner, Mastin, Parlette, Delvin, Smith, Grant, Conway, Wood, Murray, Regala and Kessler

Read first time 01/20/98. Referred to Committee on House Government Reform & Land Use.

1 AN ACT Relating to extending timelines for growth management act  
2 compliance; and amending RCW 36.70A.040.

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

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

6 (1) Each county that has both a population of fifty thousand or  
7 more and, until May 16, 1995, has had its population increase by more  
8 than ten percent in the previous ten years or, on or after May 16,  
9 1995, has had its population increase by more than seventeen percent in  
10 the previous ten years, and the cities located within such county, and  
11 any other county regardless of its population that has had its  
12 population increase by more than twenty percent in the previous ten  
13 years, and the cities located within such county, shall conform with  
14 all of the requirements of this chapter. However, the county  
15 legislative authority of such a county with a population of less than  
16 fifty thousand population may adopt a resolution removing the county,  
17 and the cities located within the county, from the requirements of  
18 adopting comprehensive land use plans and development regulations under  
19 this chapter if this resolution is adopted and filed with the

1 department by December 31, 1990, for counties initially meeting this  
2 set of criteria, or within sixty days of the date the office of  
3 financial management certifies that a county meets this set of criteria  
4 under subsection (5) of this section.

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

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

17 (3) Any county or city that is initially required to conform with  
18 all of the requirements of this chapter under subsection (1) of this  
19 section shall take actions under this chapter as follows: (a) The  
20 county legislative authority shall adopt a county-wide planning policy  
21 under RCW 36.70A.210; (b) the county and each city located within the  
22 county shall designate critical areas, agricultural lands, forest  
23 lands, and mineral resource lands, and adopt development regulations  
24 conserving these designated agricultural lands, forest lands, and  
25 mineral resource lands and protecting these designated critical areas,  
26 under RCW 36.70A.170 and 36.70A.060; (c) the county shall designate and  
27 take other actions related to urban growth areas under RCW 36.70A.110;  
28 (d) except as otherwise provided in this section, if the county has a  
29 population of fifty thousand or more, the county and each city located  
30 within the county shall adopt a comprehensive plan under this chapter  
31 and development regulations that are consistent with and implement the  
32 comprehensive plan on or before July 1, 1994, and if the county has a  
33 population of less than fifty thousand, the county and each city  
34 located within the county shall adopt a comprehensive plan under this  
35 chapter and development regulations that are consistent with and  
36 implement the comprehensive plan by January 1, 1995, but if the  
37 governor makes written findings that a county with a population of less  
38 than fifty thousand or a city located within such a county is not  
39 making reasonable progress toward adopting a comprehensive plan and

1 development regulations the governor may reduce this deadline for such  
2 actions to be taken by no more than one hundred eighty days. Any  
3 county or city subject to this subsection may obtain an additional six  
4 months before it is required to have adopted its development  
5 regulations by submitting a letter notifying the department of  
6 community, trade, and economic development of its need prior to the  
7 deadline for adopting both a comprehensive plan and development  
8 regulations. A county or city making reasonable progress toward  
9 adopting a comprehensive plan and development regulations has until  
10 July 1, 2000, to adopt a comprehensive plan and development  
11 regulations.

12 (4) Any county or city that is required to conform with all the  
13 requirements of this chapter, as a result of the county legislative  
14 authority adopting its resolution of intention under subsection (2) of  
15 this section, shall take actions under this chapter as follows: (a)  
16 The county legislative authority shall adopt a county-wide planning  
17 policy under RCW 36.70A.210; (b) the county and each city that is  
18 located within the county shall adopt development regulations  
19 conserving agricultural lands, forest lands, and mineral resource lands  
20 it designated under RCW 36.70A.060 within one year of the date the  
21 county legislative authority adopts its resolution of intention; (c)  
22 the county shall designate and take other actions related to urban  
23 growth areas under RCW 36.70A.110; and (d) except as otherwise provided  
24 in this section, the county and each city that is located within the  
25 county shall adopt a comprehensive plan and development regulations  
26 that are consistent with and implement the comprehensive plan not later  
27 than four years from the date the county legislative authority adopts  
28 its resolution of intention, but a county or city may obtain an  
29 additional six months before it is required to have adopted its  
30 development regulations by submitting a letter notifying the department  
31 of community, trade, and economic development of its need prior to the  
32 deadline for adopting both a comprehensive plan and development  
33 regulations. A county or city making reasonable progress toward  
34 adopting a comprehensive plan and development regulations has until  
35 July 1, 2000, or four years from the date the county legislative  
36 authority adopts its resolution of intention, whichever is later, to  
37 adopt a comprehensive plan and development regulations.

38 (5) If the office of financial management certifies that the  
39 population of a county that previously had not been required to plan

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

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

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