

2 SHB 2735 - H AMD
3 By Representative

4

5 On page 3, after line 3, insert the following:

6 "Sec. 4. RCW 36.70A.040 and 2000 c 36 s 1 are each amended to read
7 as follows:

8 (1) Each county that has:

9 (a) Both a population of fifty thousand or more and, until May 16,
10 1995, has had its population increase by more than ten percent in the
11 previous ten years or, (~~on or after~~) beginning May 16, 1995, through
12 June 30, 1998, has had its population increase by more than seventeen
13 percent in the previous ten years; or

14 (b) On or after July 1, 1998, has both a population of sixty
15 thousand or more and has had its population increase by more than
16 seventeen percent in the previous ten years, and the cities located
17 within such county, and any other county regardless of its population
18 that has had its population increase by more than twenty percent in the
19 previous ten years, and the cities located within such county, shall
20 (~~conform with all of the requirements of this chapter~~) plan under
21 this section. However, the county legislative authority of such a
22 county with a population of less than fifty thousand population may
23 adopt a resolution removing the county, and the cities located within
24 the county, from the requirements (~~of adopting comprehensive land use~~
25 ~~plans and development regulations under this chapter~~) to plan under
26 this section if this resolution is adopted and filed with the
27 department by December 31, 1990, for counties initially meeting this
28 set of criteria, or within sixty days of the date the office of
29 financial management certifies that a county meets this set of criteria
30 under subsection (5) of this section. For the purposes of this
31 subsection, a county not currently planning under this chapter is not
32 required to include in its population count those persons confined in
33 a correctional facility under the jurisdiction of the department of
34 corrections that is located in the county.

35 Once a county meets either of these sets of criteria, the
36 requirement to (~~conform with all of the requirements of this chapter~~)

1 plan under this section remains in effect, even if the county no longer
2 meets one of these sets of criteria.

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

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

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

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

31 (5) If the office of financial management certifies that the
32 population of a county that (~~previously had not been required to~~)
33 does not plan under (~~subsection (1) or (2) of~~) this section has
34 changed sufficiently to meet either of the sets of criteria specified
35 under subsection (1) of this section, and where applicable, the county
36 legislative authority has not adopted a resolution removing the county
37 from these requirements as provided in subsection (1) of this section,
38 the county and each city within such county shall take actions under
39 this chapter as follows: (a) The county legislative authority shall

1 adopt a countywide planning policy under RCW 36.70A.210; (b) the county
2 and each city located within the county shall adopt development
3 regulations under RCW 36.70A.060 conserving agricultural lands, forest
4 lands, and mineral resource lands it designated within one year of the
5 certification by the office of financial management; (c) the county
6 shall designate and take other actions related to urban growth areas
7 under RCW 36.70A.110; and (d) the county and each city located within
8 the county shall adopt a comprehensive land use plan and development
9 regulations that are consistent with and implement the comprehensive
10 plan within four years of the certification by the office of financial
11 management, but a county or city may obtain an additional six months
12 before it is required to have adopted its development regulations by
13 submitting a letter notifying the department of community, trade, and
14 economic development of its need prior to the deadline for adopting
15 both a comprehensive plan and development regulations.

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

18 (7) Cities and counties planning under this chapter must amend the
19 transportation element of the comprehensive plan to be in compliance
20 with this chapter and chapter 47.80 RCW no later than December 31,
21 2000.

22 (8) The county legislative authority of any county with a
23 population of less than fifty thousand that is required to plan by
24 reason of adopting a resolution under subsection (2) of this section,
25 and any county with a population of less than fifty thousand that at
26 any time has had the authority to remove itself from the requirements
27 of this chapter by adoption of a resolution under subsection (1) of
28 this section, may remove the county and the cities located within the
29 county from the requirement to plan under this section under the
30 procedures in this subsection.

31 (a) By December 31, 2002, the county legislative authority, by
32 majority vote, may adopt a resolution stating its intent to remove the
33 county, and the cities located within the county, from the requirement
34 to plan under this section and submit the resolution to the cities
35 located within the county.

36 (b) If the county has two or more cities, the county and the cities
37 located within the county are no longer subject to the requirement to
38 plan:

1 (i) If within sixty days of submission of the resolution of intent,
2 a majority of the cities adopt resolutions concurring in the resolution
3 of the county; or

4 (ii) If the cities do not concur within sixty days under (b)(i) of
5 this subsection, if a resolution removing the county and the cities
6 located within the county from the requirement to plan under this
7 section is submitted to and approved by a majority of the registered
8 voters in the county at the next general election.

9 (c) If the county has one city, the county and the city located
10 within the county are no longer subject to the requirement to plan:

11 (i) If within sixty days of submission of the resolution of intent,
12 the city adopts a resolution concurring in the resolution of the
13 county; or

14 (ii) If the city does not concur within sixty days under (c)(i) of
15 this subsection, if a resolution removing the county and the city
16 located within the county from the requirement to plan under this
17 section is submitted to and approved by a majority of the registered
18 voters in the county at the next general election.

19 (d) A county, and the cities located within the county, that are no
20 longer required to plan under this section remain subject to the
21 requirements for the designation and protection of critical areas and
22 the designation of natural resource lands under RCW 36.70A.060(2),
23 36.70A.170, and 36.70A.172.

24 NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW
25 to read as follows:

26 If a resolution is adopted or approved under RCW 36.70A.040(8)
27 removing the county and the cities located within the county from the
28 requirement to plan under this chapter, any claim pending before a
29 board or court that relates to the requirement to plan under this
30 chapter is moot and the claim shall be dismissed."

31 Renumber the remaining sections consecutively and correct the
32 title.

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