
HOUSE BILL 1023

State of Washington 59th Legislature 2005 Regular Session

By Representatives Orcutt, Buck, Kessler, Takko and Blake

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Committee on Local Government.

1 AN ACT Relating to critical area regulations under the growth
2 management act for tsunami resistant structures; and amending RCW
3 36.70A.050.

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

5 **Sec. 1.** RCW 36.70A.050 and 1990 1st ex.s. c 17 s 5 are each
6 amended to read as follows:

7 (1) Subject to the definitions provided in RCW 36.70A.030, the
8 department shall adopt guidelines, under chapter 34.05 RCW, no later
9 than September 1, 1990, to guide the classification of: (a)
10 Agricultural lands; (b) forest lands; (c) mineral resource lands; and
11 (d) critical areas. The department shall consult with the department
12 of agriculture regarding guidelines for agricultural lands, the
13 department of natural resources regarding forest lands and mineral
14 resource lands, and the department of ecology regarding critical areas.

15 (2) In carrying out its duties under this section, the department
16 shall consult with interested parties, including but not limited to:
17 (a) Representatives of cities; (b) representatives of counties; (c)
18 representatives of developers; (d) representatives of builders; (e)
19 representatives of owners of agricultural lands, forest lands, and

1 mining lands; (f) representatives of local economic development
2 officials; (g) representatives of environmental organizations; (h)
3 representatives of special districts; (i) representatives of the
4 governor's office and federal and state agencies; and (j)
5 representatives of Indian tribes. In addition to the consultation
6 required under this subsection, the department shall conduct public
7 hearings in the various regions of the state. The department shall
8 consider the public input obtained at such public hearings when
9 adopting the guidelines.

10 (3) The guidelines under subsection (1) of this section shall be
11 minimum guidelines that apply to all jurisdictions, but also shall
12 allow for regional differences that exist in Washington state. The
13 intent of these guidelines is to assist counties and cities in
14 designating the classification of agricultural lands, forest lands,
15 mineral resource lands, and critical areas under RCW 36.70A.170.

16 (4) The guidelines established by the department under this section
17 regarding classification of forest lands shall not be inconsistent with
18 guidelines adopted by the department of natural resources.

19 (5) The guidelines established by the department under this section
20 regarding classification of critical areas shall provide for an
21 exemption for tsunami resistant structures built in geologically
22 hazardous areas. For the purposes of this subsection, "tsunami
23 resistant structure" means a structure that:

24 (a) Meets construction standards adopted by a local government
25 pursuant to guidelines issued by the national oceanic and atmospheric
26 administration under the national tsunami hazard mitigation program as
27 of January 1, 2005;

28 (b) Is designed for the primary purpose of providing emergency
29 shelter to the residents of the local government in the event of a
30 tsunami;

31 (c) Is not suitable for long-term residential habitation; and

32 (d) May be used as a training site for emergency responders.

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