
SENATE BILL 6030

State of Washington

59th Legislature

2005 Regular Session

By Senators Haugen, Mulliken and Rasmussen

Read first time 02/23/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to review of amendments to comprehensive plans and
2 development regulations; and amending RCW 36.70A.290.

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

4 **Sec. 1.** RCW 36.70A.290 and 1997 c 429 s 12 are each amended to
5 read as follows:

6 (1) All requests for review to a growth management hearings board
7 shall be initiated by filing a petition that includes a detailed
8 statement of issues presented for resolution by the board. The board
9 shall render written decisions articulating the basis for its holdings.
10 The board shall not issue advisory opinions on issues not presented to
11 the board in the statement of issues, as modified by any prehearing
12 order.

13 (2) All petitions relating to whether or not an adopted
14 comprehensive plan, development regulation, or permanent amendment
15 thereto, is in compliance with the goals and requirements of this
16 chapter or chapter 90.58 or 43.21C RCW must be filed within sixty days
17 after publication by the legislative bodies of the county or city. All
18 petitions relating to whether or not amendments made to a comprehensive

1 plan or development regulations pursuant to RCW 36.70A.130 comply with
2 this chapter shall be limited to actual amendments adopted during that
3 review process.

4 (a) Except as provided in (c) of this subsection, the date of
5 publication for a city shall be the date the city publishes the
6 ordinance, or summary of the ordinance, adopting the comprehensive plan
7 or development regulations, or amendment thereto, as is required to be
8 published.

9 (b) Promptly after adoption, a county shall publish a notice that
10 it has adopted the comprehensive plan or development regulations, or
11 amendment thereto.

12 Except as provided in (c) of this subsection, for purposes of this
13 section the date of publication for a county shall be the date the
14 county publishes the notice that it has adopted the comprehensive plan
15 or development regulations, or amendment thereto.

16 (c) For local governments planning under RCW 36.70A.040, promptly
17 after approval or disapproval of a local government's shoreline master
18 program or amendment thereto by the department of ecology as provided
19 in RCW 90.58.090, the local government shall publish a notice that the
20 shoreline master program or amendment thereto has been approved or
21 disapproved by the department of ecology. For purposes of this
22 section, the date of publication for the adoption or amendment of a
23 shoreline master program is the date the local government publishes
24 notice that the shoreline master program or amendment thereto has been
25 approved or disapproved by the department of ecology.

26 (3) Unless the board dismisses the petition as frivolous or finds
27 that the person filing the petition lacks standing, or the parties have
28 filed an agreement to have the case heard in superior court as provided
29 in RCW 36.70A.295, the board shall, within ten days of receipt of the
30 petition, set a time for hearing the matter.

31 (4) The board shall base its decision on the record developed by
32 the city, county, or the state and supplemented with additional
33 evidence if the board determines that such additional evidence would be
34 necessary or of substantial assistance to the board in reaching its
35 decision.

36 (5) The board, shall consolidate, when appropriate, all petitions

1 involving the review of the same comprehensive plan or the same
2 development regulation or regulations.

--- END ---