

SHB 1727 - H AMD TO H AMD (H-2924.4/07) **256**
By Representative Springer

ADOPTED 3/10/2007

1 On page 9, after line 26 of the amendment, insert the
2 following:

3 "Sec. 4. RCW 36.70A.110 and 2004 c 206 s 1 are each amended to
4 read as follows:

5 (1) In accordance with the requirements of this section, each
6 county that is required or chooses to plan under RCW 36.70A.040
7 shall designate an urban growth area or areas within which urban
8 growth shall be encouraged and outside of which growth can occur
9 only if it is not urban in nature. Each city that is located in
10 such a county shall be included within an urban growth area. An
11 urban growth area may include more than a single city. An urban
12 growth area may include territory that is located outside of a city
13 only if such territory already is characterized by urban growth
14 whether or not the urban growth area includes a city, or is
15 adjacent to territory already characterized by urban growth, or is
16 a designated new fully contained community as defined by RCW
17 36.70A.350.

18 (2) Based upon the growth management population projection made
19 for the county by the office of financial management, the county
20 and each city within the county shall include areas and densities
21 sufficient to permit the urban growth that is projected to occur in
22 the county or city for the succeeding twenty-year period, except
23 for those urban growth areas contained totally within a national
24 historical reserve.

25 Each urban growth area shall permit urban densities and shall
26 include greenbelt and open space areas. In the case of urban
27 growth areas contained totally within a national historical
28 reserve, the city may restrict densities, intensities, and forms of
29 urban growth as determined to be necessary and appropriate to
30 protect the physical, cultural, or historic integrity of the

1 reserve. An urban growth area determination may include a
2 reasonable land market supply factor and shall permit a range of
3 urban densities and uses. In determining this market factor,
4 cities and counties may consider local circumstances. Cities and
5 counties have discretion in their comprehensive plans to make many
6 choices about accommodating growth.

7 Within one year of July 1, 1990, each county that as of June 1,
8 1991, was required or chose to plan under RCW 36.70A.040, shall
9 begin consulting with each city located within its boundaries and
10 each city shall propose the location of an urban growth area.
11 Within sixty days of the date the county legislative authority of
12 a county adopts its resolution of intention or of certification by
13 the office of financial management, all other counties that are
14 required or choose to plan under RCW 36.70A.040 shall begin this
15 consultation with each city located within its boundaries. The
16 county shall attempt to reach agreement with each city on the
17 location of an urban growth area within which the city is located.
18 If such an agreement is not reached with each city located within
19 the urban growth area, the county shall justify in writing why it
20 so designated the area an urban growth area. A city may object
21 formally with the department over the designation of the urban
22 growth area within which it is located. Where appropriate, the
23 department shall attempt to resolve the conflicts, including the
24 use of mediation services.

25 (3) Counties planning under RCW 36.70A.040 with populations of
26 at least one hundred seventy-five thousand must:

27 (a) Consult and cooperate with each city within an urban growth
28 area proposed for modification prior to and concurrent with actions
29 to modify the urban growth area within which the city or cities are
30 located;

31 (b) Consult and cooperate with each city within each urban
32 growth area to adopt development regulations for unincorporated
33 territory within urban growth areas that are consistent with each
34 applicable city;

35 (c) Adopt development regulations for new development in
36 unincorporated territory within an urban growth area that is, as of
37 the effective date of this act, entirely surrounded by incorporated
38 territory. Development regulations adopted under this subsection

1 (c) must be consistent with the city or cities surrounding the
2 unincorporated territory; and

3 (d) Report to the appropriate committees of the house of
4 representatives and the senate by December 1, 2007, on the
5 implementation of, and any impediments related to, the requirements
6 of (a) and (b) of this subsection (3).

7 (4) Urban growth should be located first in areas already
8 characterized by urban growth that have adequate existing public
9 facility and service capacities to serve such development, second
10 in areas already characterized by urban growth that will be served
11 adequately by a combination of both existing public facilities and
12 services and any additional needed public facilities and services
13 that are provided by either public or private sources, and third in
14 the remaining portions of the urban growth areas. Urban growth may
15 also be located in designated new fully contained communities as
16 defined by RCW 36.70A.350.

17 ~~((4))~~ (5) In general, cities are the units of local government
18 most appropriate to provide urban governmental services. In
19 general, it is not appropriate that urban governmental services be
20 extended to or expanded in rural areas except in those limited
21 circumstances shown to be necessary to protect basic public health
22 and safety and the environment and when such services are
23 financially supportable at rural densities and do not permit urban
24 development.

25 ~~((5))~~ (6) On or before October 1, 1993, each county that was
26 initially required to plan under RCW 36.70A.040(1) shall adopt
27 development regulations designating interim urban growth areas
28 under this chapter. Within three years and three months of the
29 date the county legislative authority of a county adopts its
30 resolution of intention or of certification by the office of
31 financial management, all other counties that are required or
32 choose to plan under RCW 36.70A.040 shall adopt development
33 regulations designating interim urban growth areas under this
34 chapter. Adoption of the interim urban growth areas may only occur
35 after public notice; public hearing; and compliance with the state
36 environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.
37 Such action may be appealed to the appropriate growth management
38 hearings board under RCW 36.70A.280. Final urban growth areas

1 shall be adopted at the time of comprehensive plan adoption under
2 this chapter.

3 ~~((6))~~(7) Each county shall include designations of urban
4 growth areas in its comprehensive plan.

5 ~~((7))~~(8) An urban growth area designated in accordance with
6 this section may include within its boundaries urban service areas
7 or potential annexation areas designated for specific cities or
8 towns within the county."

EFFECT: Requires counties fully planning under the Growth Management Act with at least 175,000 residents to:

(1) Consult and cooperate with each city within an urban growth area (UGA) proposed for modification prior to and concurrent with actions to modify the UGA within which the city or cities are located;

(2) Consult and cooperate with each city within each UGA to adopt development regulations for unincorporated territory within UGAs that are consistent with each applicable city;

(3) Adopt development regulations for new development in unincorporated territory within a UGA that is, as of the effective date of the act, entirely surrounded by incorporated territory. Development regulations adopted in accordance with this requirement must be consistent with the city or cities surrounding the unincorporated territory; and

(4) Report to the appropriate committees of the House and Senate by December 1, 2007, on the implementation of, and any impediments related to, the consultation and cooperation requirements of (1) and (2).