

ESHB 1727 - S AMD TO S AMD (S-6059.2/08) **293**
By Senator Kline

1 Beginning on page 11, line 7 of the amendment, after "(3)" strike
2 all material through page 12, line 2, and insert "Counties subject to
3 RCW 36.70A.215 and counties west of the crest of the Cascade mountains
4 with a population greater than four hundred thousand must:

5 (a) Consult in good faith with cities within each urban growth area
6 in the county about developing criteria and procedures that may improve
7 the process of modifying or designating new urban growth area or areas;

8 (b) Upon request of a city or cities, consult in good faith with
9 any city or cities within the county that abut an unincorporated urban
10 growth area or areas about adopting consistent development standards
11 with those of the city or cities located within or adjacent to the
12 urban growth areas;

13 (c) Adopt, or amend as necessary, development regulations for new
14 development in unincorporated territory, within an urban growth area,
15 where the unincorporated territory is entirely surrounded by
16 incorporated territory, bordered by unincorporated waters of the state,
17 and in a county with a population of less than one million.
18 Development regulations adopted or amended under the requirements of
19 this subsection must be consistent with the development regulations of
20 the adjacent city or cities that receive the primary traffic and
21 development impacts, and through which the unincorporated territory
22 receives its only vehicular access. Impact fees that are collected
23 under new development in an unincorporated territory as defined in this
24 subsection must be transferred to the surrounding city or cities;

25 (d) Adopt, or amend as necessary, development regulations for new
26 development in unincorporated territory, within an urban growth area,
27 where the unincorporated territory is entirely surrounded by a single
28 city and where the unincorporated territory is greater than one hundred
29 fifty acres. Development regulations adopted or amended under the
30 requirements of this subsection must be consistent with the affordable
31 housing goals of this chapter and the adopted comprehensive plan of the

1 county containing the unincorporated territory, and must promote a
2 diverse mix of housing. Upon annexation of an unincorporated area as
3 identified in this subsection that has an average density of eight
4 units per acre or more, any unencumbered and unspent impact fees under
5 chapter 82.02 RCW that are collected under new development in the
6 unincorporated area must be transferred to the surrounding city,
7 provided that the city has in place a capital facilities plan that
8 addresses the impacts of the development and uses the proceeds of those
9 fees to mitigate those impacts. The city is also entitled to a
10 retroactive claim against the county for reimbursement of unspent
11 impact fees paid to the county within the previous two years, provided
12 that the city has in place a capital facilities plan that addresses the
13 impacts of the development and uses the proceeds of those fees to
14 mitigate those impacts; and

15 (e) Submit a report to the appropriate committees of the house of
16 representatives and the senate by December 1, 2008, summarizing
17 findings and recommendations resulting from the consultations required
18 in (a) and (b) of this subsection. The reports required in this
19 subsection may be submitted by individual jurisdictions or jointly by
20 participating jurisdictions."

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