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HOUSE BILL 2854

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State of Washington                      60th Legislature                      2008 Regular Session

By Representative Miloscia

Read first time 01/16/08. Referred to Committee on Local Government.

1            AN ACT Relating to reporting compliance with countywide planning  
2 policy requirements; and amending RCW 36.70A.210.

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

4            **Sec. 1.** RCW 36.70A.210 and 1998 c 171 s 4 are each amended to read  
5 as follows:

6            (1) The legislature recognizes that counties are regional  
7 governments within their boundaries, and cities are primary providers  
8 of urban governmental services within urban growth areas. For the  
9 purposes of this section, a "countywide planning policy" is a written  
10 policy statement or statements used solely for establishing a  
11 countywide framework from which county and city comprehensive plans are  
12 developed and adopted pursuant to this chapter. This framework shall  
13 ensure that city and county comprehensive plans are consistent as  
14 required in RCW 36.70A.100. Nothing in this section shall be construed  
15 to alter the land-use powers of cities.

16            (2) The legislative authority of a county that plans under RCW  
17 36.70A.040 shall adopt a countywide planning policy in cooperation with  
18 the cities located in whole or in part within the county as follows:

1 (a) No later than sixty calendar days from July 16, 1991, the  
2 legislative authority of each county that as of June 1, 1991, was  
3 required or chose to plan under RCW 36.70A.040 shall convene a meeting  
4 with representatives of each city located within the county for the  
5 purpose of establishing a collaborative process that will provide a  
6 framework for the adoption of a countywide planning policy. In other  
7 counties that are required or choose to plan under RCW 36.70A.040, this  
8 meeting shall be convened no later than sixty days after the date the  
9 county adopts its resolution of intention or was certified by the  
10 office of financial management.

11 (b) The process and framework for adoption of a countywide planning  
12 policy specified in (a) of this subsection shall determine the manner  
13 in which the county and the cities agree to all procedures and  
14 provisions including but not limited to desired planning policies,  
15 deadlines, ratification of final agreements and demonstration thereof,  
16 and financing, if any, of all activities associated therewith.

17 (c) If a county fails for any reason to convene a meeting with  
18 representatives of cities as required in (a) of this subsection, the  
19 governor may immediately impose any appropriate sanction or sanctions  
20 on the county from those specified under RCW 36.70A.340.

21 (d) If there is no agreement by October 1, 1991, in a county that  
22 was required or chose to plan under RCW 36.70A.040 as of June 1, 1991,  
23 or if there is no agreement within one hundred twenty days of the date  
24 the county adopted its resolution of intention or was certified by the  
25 office of financial management in any other county that is required or  
26 chooses to plan under RCW 36.70A.040, the governor shall first inquire  
27 of the jurisdictions as to the reason or reasons for failure to reach  
28 an agreement. If the governor deems it appropriate, the governor may  
29 immediately request the assistance of the department of community,  
30 trade, and economic development to mediate any disputes that preclude  
31 agreement. If mediation is unsuccessful in resolving all disputes that  
32 will lead to agreement, the governor may impose appropriate sanctions  
33 from those specified under RCW 36.70A.340 on the county, city, or  
34 cities for failure to reach an agreement as provided in this section.  
35 The governor shall specify the reason or reasons for the imposition of  
36 any sanction.

37 (e) No later than July 1, 1992, the legislative authority of each  
38 county that was required or chose to plan under RCW 36.70A.040 as of

1 June 1, 1991, or no later than fourteen months after the date the  
2 county adopted its resolution of intention or was certified by the  
3 office of financial management the county legislative authority of any  
4 other county that is required or chooses to plan under RCW 36.70A.040,  
5 shall adopt a countywide planning policy according to the process  
6 provided under this section and that is consistent with the agreement  
7 pursuant to (b) of this subsection, and after holding a public hearing  
8 or hearings on the proposed countywide planning policy.

9 (3) A countywide planning policy shall at a minimum, address the  
10 following:

11 (a) Policies to implement RCW 36.70A.110;

12 (b) Policies for promotion of contiguous and orderly development  
13 and provision of urban services to such development;

14 (c) Policies for siting public capital facilities of a countywide  
15 or statewide nature, including transportation facilities of statewide  
16 significance as defined in RCW 47.06.140;

17 (d) Policies for countywide transportation facilities and  
18 strategies;

19 (e) Policies that consider the need for affordable housing, such as  
20 housing for all economic segments of the population and parameters for  
21 its distribution;

22 (f) Policies for joint county and city planning within urban growth  
23 areas;

24 (g) Policies for countywide economic development and employment;  
25 and

26 (h) An analysis of the fiscal impact.

27 (4) Federal agencies and Indian tribes may participate in and  
28 cooperate with the countywide planning policy adoption process.  
29 Adopted countywide planning policies shall be adhered to by state  
30 agencies.

31 (5) Failure to adopt a countywide planning policy that meets the  
32 requirements of this section may result in the imposition of a sanction  
33 or sanctions on a county or city within the county, as specified in RCW  
34 36.70A.340. In imposing a sanction or sanctions, the governor shall  
35 specify the reasons for failure to adopt a countywide planning policy  
36 in order that any imposed sanction or sanctions are fairly and  
37 equitably related to the failure to adopt a countywide planning policy.

1           (6) Cities and the governor may appeal an adopted countywide  
2 planning policy to the growth management hearings board within sixty  
3 days of the adoption of the countywide planning policy.

4           (7) Multicounty planning policies shall be adopted by two or more  
5 counties, each with a population of four hundred fifty thousand or  
6 more, with contiguous urban areas and may be adopted by other counties,  
7 according to the process established under this section or other  
8 processes agreed to among the counties and cities within the affected  
9 counties throughout the multicounty region.

10          (8) Each December 1st, the department shall submit to the  
11 appropriate committees of the house of representatives and the senate  
12 a report analyzing compliance with the requirements of this section.

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