

ESHB 1241 - S AMD TO HLG COMM AMD (S-2308.1/21) 755
By Senator Short

NOT CONSIDERED 04/26/2021

1 On page 29, after line 38, insert the following:

2 "Sec. 10. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
3 read as follows:

4 (1) The growth management hearings board shall hear and determine
5 only those petitions alleging either:

6 (a) That, except as provided otherwise by this subsection, a
7 state agency, county, or city planning under this chapter is not in
8 compliance with the requirements of this chapter, chapter 90.58 RCW
9 as it relates to the adoption of shoreline master programs or
10 amendments thereto, or chapter 43.21C RCW as it relates to plans,
11 development regulations, or amendments, adopted under RCW 36.70A.040
12 or chapter 90.58 RCW. Nothing in this subsection authorizes the board
13 to hear petitions alleging noncompliance with RCW 36.70A.5801;

14 (b) That the twenty-year growth management planning population
15 projections adopted by the office of financial management pursuant to
16 RCW 43.62.035 should be adjusted;

17 (c) That the approval of a work plan adopted under RCW
18 36.70A.735(1)(a) is not in compliance with the requirements of the
19 program established under RCW 36.70A.710;

20 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not
21 regionally applicable and cannot be adopted, wholly or partially, by
22 another jurisdiction; or

23 (e) That a department certification under RCW 36.70A.735(1)(c) is
24 erroneous.

25 (2) A petition may be filed only by: (a) The state, or a county
26 or city that plans under this chapter; (b) a person who has
27 participated orally or in writing before the county or city regarding
28 the matter on which a review is being requested; (c) a person who is
29 certified by the governor within sixty days of filing the request
30 with the board; or (d) a person qualified pursuant to RCW 34.05.530.

31 (3) For purposes of this section "person" means any individual,
32 partnership, corporation, association, state agency, governmental

1 subdivision or unit thereof, or public or private organization or
2 entity of any character.

3 (4) To establish participation standing under subsection (2)(b)
4 of this section, a person must show that his or her participation
5 before the county or city was reasonably related to the person's
6 issue as presented to the board.

7 (5) When considering a possible adjustment to a growth management
8 planning population projection prepared by the office of financial
9 management, the board shall consider the implications of any such
10 adjustment to the population forecast for the entire state.

11 The rationale for any adjustment that is adopted by the board
12 must be documented and filed with the office of financial management
13 within ten working days after adoption.

14 If adjusted by the board, a county growth management planning
15 population projection shall only be used for the planning purposes
16 set forth in this chapter and shall be known as the "board adjusted
17 population projection." None of these changes shall affect the
18 official state and county population forecasts prepared by the office
19 of financial management, which shall continue to be used for state
20 budget and planning purposes.

21 (6) Beginning January 1, 2021, whenever a new element is added to
22 the comprehensive plan under RCW 36.70A.070, that element is not
23 subject to appeal or petition for review under this section until the
24 next mandatory comprehensive plan update."

25 Renumber the remaining sections consecutively and correct any
26 internal references accordingly.

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27 On page 30, beginning on line 7, after "36.70A.190," strike "and
28 36.70A.210" and insert "36.70A.210, and 36.70A.280"

EFFECT: Provides that, beginning January 1, 2021, a new element
added to the comprehensive plan is not subject to appeal or petition

for review by the Growth Management Hearings Board until the next mandatory comprehensive plan update.

--- **END** ---