

SHB 1241 - H AMD 436

By Representative Goehner

OUT OF ORDER 03/08/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 36.70A.130 and 2020 c 113 s 1 and 2020 c 20 s 1026
4 are each reenacted and amended to read as follows:

5 (1)(a) Each comprehensive land use plan and development
6 regulations shall be subject to continuing review and evaluation by
7 the county or city that adopted them. Except as otherwise provided, a
8 county or city shall take legislative action to review and, if
9 needed, revise its comprehensive land use plan and development
10 regulations to ensure the plan and regulations comply with the
11 requirements of this chapter according to the deadlines in
12 subsections (4) and (5) of this section.

13 (b) Except as otherwise provided, a county or city not planning
14 under RCW 36.70A.040 shall take action to review and, if needed,
15 revise its policies and development regulations regarding critical
16 areas and natural resource lands adopted according to this chapter to
17 ensure these policies and regulations comply with the requirements of
18 this chapter according to the deadlines in subsections (4) and (5) of
19 this section. Legislative action means the adoption of a resolution
20 or ordinance following notice and a public hearing indicating at a
21 minimum, a finding that a review and evaluation has occurred and
22 identifying the revisions made, or that a revision was not needed and
23 the reasons therefor.

24 (c) The review and evaluation required by this subsection shall
25 include, but is not limited to, consideration of critical area
26 ordinances and, if planning under RCW 36.70A.040, an analysis of the
27 population allocated to a city or county from the most recent ten-
28 year population forecast by the office of financial management.

29 (d) Any amendment of or revision to a comprehensive land use plan
30 shall conform to this chapter. Any amendment of or revision to
31 development regulations shall be consistent with and implement the
32 comprehensive plan.

1 (2) (a) Each county and city shall establish and broadly
2 disseminate to the public a public participation program consistent
3 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and
4 schedules whereby updates, proposed amendments, or revisions of the
5 comprehensive plan are considered by the governing body of the county
6 or city no more frequently than once every year. "Updates" means to
7 review and revise, if needed, according to subsection (1) of this
8 section, and the deadlines in subsections (4) and (5) of this section
9 or in accordance with the provisions of subsection (6) of this
10 section. Amendments may be considered more frequently than once per
11 year under the following circumstances:

12 (i) The initial adoption of a subarea plan. Subarea plans adopted
13 under this subsection (2) (a) (i) must clarify, supplement, or
14 implement jurisdiction-wide comprehensive plan policies, and may only
15 be adopted if the cumulative impacts of the proposed plan are
16 addressed by appropriate environmental review under chapter 43.21C
17 RCW;

18 (ii) The development of an initial subarea plan for economic
19 development located outside of the one hundred year floodplain in a
20 county that has completed a state-funded pilot project that is based
21 on watershed characterization and local habitat assessment;

22 (iii) The adoption or amendment of a shoreline master program
23 under the procedures set forth in chapter 90.58 RCW;

24 (iv) The amendment of the capital facilities element of a
25 comprehensive plan that occurs concurrently with the adoption or
26 amendment of a county or city budget; or

27 (v) The adoption of comprehensive plan amendments necessary to
28 enact a planned action under RCW 43.21C.440, provided that amendments
29 are considered in accordance with the public participation program
30 established by the county or city under this subsection (2) (a) and
31 all persons who have requested notice of a comprehensive plan update
32 are given notice of the amendments and an opportunity to comment.

33 (b) Except as otherwise provided in (a) of this subsection, all
34 proposals shall be considered by the governing body concurrently so
35 the cumulative effect of the various proposals can be ascertained.
36 However, after appropriate public participation a county or city may
37 adopt amendments or revisions to its comprehensive plan that conform
38 with this chapter whenever an emergency exists or to resolve an
39 appeal of a comprehensive plan filed with the growth management
40 hearings board or with the court.

1 (3) (a) Each county that designates urban growth areas under RCW
2 36.70A.110 shall review, according to the schedules established in
3 subsections (4) and (5) of this section, its designated urban growth
4 area or areas, and the densities permitted within both the
5 incorporated and unincorporated portions of each urban growth area.
6 In conjunction with this review by the county, each city located
7 within an urban growth area shall review the densities permitted
8 within its boundaries, and the extent to which the urban growth
9 occurring within the county has located within each city and the
10 unincorporated portions of the urban growth areas.

11 (b) The county comprehensive plan designating urban growth areas,
12 and the densities permitted in the urban growth areas by the
13 comprehensive plans of the county and each city located within the
14 urban growth areas, shall be revised to accommodate the urban growth
15 projected to occur in the county for the succeeding twenty-year
16 period. The review required by this subsection may be combined with
17 the review and evaluation required by RCW 36.70A.215.

18 (4) Except as otherwise provided in subsections (6) and (8) of
19 this section, counties and cities shall take action to review and, if
20 needed, revise their comprehensive plans and development regulations
21 to ensure the plan and regulations comply with the requirements of
22 this chapter as follows:

23 (a) On or before June 30, 2015, for King, Pierce, and Snohomish
24 counties and the cities within those counties;

25 (b) On or before June 30, 2016, for Clallam, Clark, Island,
26 Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom
27 counties and the cities within those counties;

28 (c) On or before June 30, 2017, for Benton, Chelan, Cowlitz,
29 Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and
30 the cities within those counties; and

31 (d) On or before June 30, 2018, for Adams, Asotin, Columbia,
32 Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln,
33 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
34 Whitman counties and the cities within those counties.

35 (5) Except as otherwise provided in subsections (6) and (8) of
36 this section, following the review of comprehensive plans and
37 development regulations required by subsection (4) of this section,
38 counties and cities shall take action to review and, if needed,
39 revise their comprehensive plans and development regulations to

1 ensure the plan and regulations comply with the requirements of this
2 chapter as follows:

3 (a) On or before June 30, 2024, and every ~~((eight))~~ 10 years
4 thereafter, for King, Kitsap, Pierce, and Snohomish counties and the
5 cities within those counties;

6 (b) On or before June 30, 2025, and every ~~((eight))~~ 10 years
7 thereafter, for Clallam, Clark, Island, Jefferson, Lewis, Mason, San
8 Juan, Skagit, Thurston, and Whatcom counties and the cities within
9 those counties;

10 (c) On or before June 30, 2026, and every ~~((eight))~~ 10 years
11 thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas,
12 Skamania, Spokane, Walla Walla, and Yakima counties and the cities
13 within those counties; and

14 (d) On or before June 30, 2027, and every ~~((eight))~~ 10 years
15 thereafter, for Adams, Asotin, Columbia, Ferry, Garfield, Grant,
16 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
17 Stevens, Wahkiakum, and Whitman counties and the cities within those
18 counties.

19 (6)(a) Nothing in this section precludes a county or city from
20 conducting the review and evaluation required by this section before
21 the deadlines established in subsections (4) and (5) of this section.
22 Counties and cities may begin this process early and may be eligible
23 for grants from the department, subject to available funding, if they
24 elect to do so.

25 (b) A county that is subject to a deadline established in
26 subsection (5) (~~((a)(ii) through (iv) [(b) through (d)]~~)) of this
27 section and meets the following criteria may comply with the
28 requirements of this section at any time within the twenty-four
29 months following the deadline established in subsection (5) of this
30 section: The county has a population of less than fifty thousand and
31 has had its population increase by no more than seventeen percent in
32 the ten years preceding the deadline established in subsection (5) of
33 this section as of that date.

34 (c) A city that is subject to a deadline established in
35 subsection (5) (~~((a)(ii) through (iv) [(b) through (d)]~~)) of this
36 section and meets the following criteria may comply with the
37 requirements of this section at any time within the twenty-four
38 months following the deadline established in subsection (5) of this
39 section: The city has a population of no more than five thousand and
40 has had its population increase by the greater of either no more than

1 one hundred persons or no more than seventeen percent in the ten
2 years preceding the deadline established in subsection (5) of this
3 section as of that date.

4 (d) State agencies are encouraged to provide technical assistance
5 to the counties and cities in the review of critical area ordinances,
6 comprehensive plans, and development regulations.

7 (7) (a) The requirements imposed on counties and cities under this
8 section shall be considered "requirements of this chapter" under the
9 terms of RCW 36.70A.040(1). Only those counties and cities that meet
10 the following criteria may receive grants, loans, pledges, or
11 financial guarantees under chapter 43.155 or 70A.135 RCW:

12 (i) Complying with the deadlines in this section; or

13 (ii) Demonstrating substantial progress towards compliance with
14 the schedules in this section for development regulations that
15 protect critical areas.

16 (b) A county or city that is fewer than twelve months out of
17 compliance with the schedules in this section for development
18 regulations that protect critical areas is making substantial
19 progress towards compliance. Only those counties and cities in
20 compliance with the schedules in this section may receive preference
21 for grants or loans subject to the provisions of RCW 43.17.250.

22 (8) (a) Except as otherwise provided in (c) of this subsection, if
23 a participating watershed is achieving benchmarks and goals for the
24 protection of critical areas functions and values, the county is not
25 required to update development regulations to protect critical areas
26 as they specifically apply to agricultural activities in that
27 watershed.

28 (b) A county that has made the election under RCW 36.70A.710(1)
29 may only adopt or amend development regulations to protect critical
30 areas as they specifically apply to agricultural activities in a
31 participating watershed if:

32 (i) A work plan has been approved for that watershed in
33 accordance with RCW 36.70A.725;

34 (ii) The local watershed group for that watershed has requested
35 the county to adopt or amend development regulations as part of a
36 work plan developed under RCW 36.70A.720;

37 (iii) The adoption or amendment of the development regulations is
38 necessary to enable the county to respond to an order of the growth
39 management hearings board or court;

1 (iv) The adoption or amendment of development regulations is
2 necessary to address a threat to human health or safety; or

3 (v) Three or more years have elapsed since the receipt of
4 funding.

5 (c) Beginning ten years from the date of receipt of funding, a
6 county that has made the election under RCW 36.70A.710(1) must review
7 and, if necessary, revise development regulations to protect critical
8 areas as they specifically apply to agricultural activities in a
9 participating watershed in accordance with the review and revision
10 requirements and timeline in subsection (5) of this section. This
11 subsection (8)(c) does not apply to a participating watershed that
12 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's
13 goals and benchmarks for protection have been met.

14 (9) Prior to adopting a proposed land use plan or development
15 regulation, counties and cities subject to the review and evaluation
16 program requirements in RCW 36.70A.215 must consider whether the
17 proposed regulation will increase the cost of housing, report the
18 expected cost increase, and take steps to eliminate or minimize the
19 cost increase.

20 **Sec. 2.** RCW 90.58.080 and 2011 c 353 s 13 are each amended to
21 read as follows:

22 (1) Local governments shall develop or amend a master program for
23 regulation of uses of the shorelines of the state consistent with the
24 required elements of the guidelines adopted by the department in
25 accordance with the schedule established by this section.

26 (2)(a) Subject to the provisions of subsections (5) and (6) of
27 this section, each local government subject to this chapter shall
28 develop or amend its master program for the regulation of uses of
29 shorelines within its jurisdiction according to the following
30 schedule:

31 (i) On or before December 1, 2005, for the city of Port Townsend,
32 the city of Bellingham, the city of Everett, Snohomish county, and
33 Whatcom county;

34 (ii) On or before December 1, 2009, for King county and the
35 cities within King county greater in population than ten thousand;

36 (iii) Except as provided by (a)(i) and (ii) of this subsection,
37 on or before December 1, 2011, for Clallam, Clark, Jefferson, King,
38 Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the
39 cities within those counties;

1 (iv) On or before December 1, 2012, for Cowlitz, Island, Lewis,
2 Mason, San Juan, Skagit, and Skamania counties and the cities within
3 those counties;

4 (v) On or before December 1, 2013, for Benton, Chelan, Douglas,
5 Grant, Kittitas, Spokane, and Yakima counties and the cities within
6 those counties; and

7 (vi) On or before December 1, 2014, for Adams, Asotin, Columbia,
8 Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln,
9 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
10 Whitman counties and the cities within those counties.

11 (b) Nothing in this subsection (2) shall preclude a local
12 government from developing or amending its master program prior to
13 the dates established by this subsection (2).

14 (3)(a) Following approval by the department of a new or amended
15 master program, local governments required to develop or amend master
16 programs on or before December 1, 2009, as provided by subsection
17 (2)(a)(i) and (ii) of this section, shall be deemed to have complied
18 with the schedule established by subsection (2)(a)(iii) of this
19 section and shall not be required to complete master program
20 amendments until the applicable dates established by subsection
21 (4)(b) of this section. Any jurisdiction listed in subsection
22 (2)(a)(i) of this section that has a new or amended master program
23 approved by the department on or after March 1, 2002, but before July
24 27, 2003, shall not be required to complete master program amendments
25 until the applicable date provided by subsection (4)(b) of this
26 section.

27 (b) Following approval by the department of a new or amended
28 master program, local governments choosing to develop or amend master
29 programs on or before December 1, 2009, shall be deemed to have
30 complied with the schedule established by subsection (2)(a)(iii)
31 through (vi) of this section and shall not be required to complete
32 master program amendments until the applicable dates established by
33 subsection (4)(b) of this section.

34 (4)(a) Following the updates required by subsection (2) of this
35 section, local governments shall conduct a review of their master
36 programs at least once every (~~eight~~) 10 years as required by (b) of
37 this subsection. Following the review required by this subsection
38 (4), local governments shall, if necessary, revise their master
39 programs. The purpose of the review is:

1 (i) To assure that the master program complies with applicable
2 law and guidelines in effect at the time of the review; and

3 (ii) To assure consistency of the master program with the local
4 government's comprehensive plan and development regulations adopted
5 under chapter 36.70A RCW, if applicable, and other local
6 requirements.

7 (b) Counties and cities shall take action to review and, if
8 necessary, revise their master programs as required by (a) of this
9 subsection as follows:

10 (i) On or before June 30, 2019, and every (~~eight~~) 10 years
11 thereafter, for King, Pierce, and Snohomish counties and the cities
12 within those counties;

13 (ii) On or before June 30, 2020, and every (~~eight~~) 10 years
14 thereafter, for Clallam, Clark, Island, Jefferson, Kitsap, Mason, San
15 Juan, Skagit, Thurston, and Whatcom counties and the cities within
16 those counties;

17 (iii) On or before June 30, 2021, and every (~~eight~~) 10 years
18 thereafter, for Benton, Chelan, Cowlitz, Douglas, (~~Grant,~~)
19 Kittitas, Lewis, Skamania, Spokane, and Yakima counties and the
20 cities within those counties; and

21 (iv) On or before June 30, 2022, and every (~~eight~~) 10 years
22 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,
23 Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend
24 Oreille, Stevens, Wahkiakum, Walla Walla, and Whitman counties and
25 the cities within those counties.

26 (5) In meeting the update requirements of subsection (2) of this
27 section, local governments are encouraged to begin the process of
28 developing or amending their master programs early and are eligible
29 for grants from the department as provided by RCW 90.58.250, subject
30 to available funding. Except for those local governments listed in
31 subsection (2)(a)(i) and (ii) of this section, the deadline for
32 completion of the new or amended master programs shall be two years
33 after the date the grant is approved by the department. Subsequent
34 master program review dates shall not be altered by the provisions of
35 this subsection.

36 (6) In meeting the update requirements of subsection (2) of this
37 section, the following shall apply:

38 (a) Grants to local governments for developing and amending
39 master programs pursuant to the schedule established by this section
40 shall be provided at least two years before the adoption dates

1 specified in subsection (2) of this section. To the extent possible,
2 the department shall allocate grants within the amount appropriated
3 for such purposes to provide reasonable and adequate funding to local
4 governments that have indicated their intent to develop or amend
5 master programs during the biennium according to the schedule
6 established by subsection (2) of this section. Any local government
7 that applies for but does not receive funding to comply with the
8 provisions of subsection (2) of this section may delay the
9 development or amendment of its master program until the following
10 biennium.

11 (b) Local governments with delayed compliance dates as provided
12 in (a) of this subsection shall be the first priority for funding in
13 subsequent biennia, and the development or amendment compliance
14 deadline for those local governments shall be two years after the
15 date of grant approval.

16 (c) Failure of the local government to apply in a timely manner
17 for a master program development or amendment grant in accordance
18 with the requirements of the department shall not be considered a
19 delay resulting from the provisions of (a) of this subsection.

20 (7) In meeting the update requirements of subsection (2) of this
21 section, all local governments subject to the requirements of this
22 chapter that have not developed or amended master programs on or
23 after March 1, 2002, shall, no later than December 1, 2014, develop
24 or amend their master programs to comply with guidelines adopted by
25 the department after January 1, 2003.

26 (8) In meeting the update requirements of subsection (2) of this
27 section, local governments may be provided an additional year beyond
28 the deadlines in this section to complete their master program or
29 amendment. The department shall grant the request if it determines
30 that the local government is likely to adopt or amend its master
31 program within the additional year.

32 **Sec. 3.** RCW 90.58.080 and 2020 c 113 s 2 are each amended to
33 read as follows:

34 (1) Local governments shall develop or amend a master program for
35 regulation of uses of the shorelines of the state consistent with the
36 required elements of the guidelines adopted by the department in
37 accordance with the schedule established by this section.

38 (2)(a) Subject to the provisions of subsections (5) and (6) of
39 this section, each local government subject to this chapter shall

1 develop or amend its master program for the regulation of uses of
2 shorelines within its jurisdiction according to the following
3 schedule:

4 (i) On or before December 1, 2005, for the city of Port Townsend,
5 the city of Bellingham, the city of Everett, Snohomish county, and
6 Whatcom county;

7 (ii) On or before December 1, 2009, for King county and the
8 cities within King county greater in population than ten thousand;

9 (iii) Except as provided by (a)(i) and (ii) of this subsection,
10 on or before December 1, 2011, for Clallam, Clark, Jefferson, King,
11 Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties and the
12 cities within those counties;

13 (iv) On or before December 1, 2012, for Cowlitz, Island, Lewis,
14 Mason, San Juan, Skagit, and Skamania counties and the cities within
15 those counties;

16 (v) On or before December 1, 2013, for Benton, Chelan, Douglas,
17 Grant, Kittitas, Spokane, and Yakima counties and the cities within
18 those counties; and

19 (vi) On or before December 1, 2014, for Adams, Asotin, Columbia,
20 Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Lincoln,
21 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
22 Whitman counties and the cities within those counties.

23 (b) Nothing in this subsection (2) shall preclude a local
24 government from developing or amending its master program prior to
25 the dates established by this subsection (2).

26 (3)(a) Following approval by the department of a new or amended
27 master program, local governments required to develop or amend master
28 programs on or before December 1, 2009, as provided by subsection
29 (2)(a)(i) and (ii) of this section, shall be deemed to have complied
30 with the schedule established by subsection (2)(a)(iii) of this
31 section and shall not be required to complete master program
32 amendments until the applicable dates established by subsection
33 (4)(b) of this section. Any jurisdiction listed in subsection
34 (2)(a)(i) of this section that has a new or amended master program
35 approved by the department on or after March 1, 2002, but before July
36 27, 2003, shall not be required to complete master program amendments
37 until the applicable date provided by subsection (4)(b) of this
38 section.

39 (b) Following approval by the department of a new or amended
40 master program, local governments choosing to develop or amend master

1 programs on or before December 1, 2009, shall be deemed to have
2 complied with the schedule established by subsection (2)(a)(iii)
3 through (vi) of this section and shall not be required to complete
4 master program amendments until the applicable dates established by
5 subsection (4)(b) of this section.

6 (4)(a) Following the updates required by subsection (2) of this
7 section, local governments shall conduct a review of their master
8 programs at least once every (~~eight~~) 10 years as required by (b) of
9 this subsection. Following the review required by this subsection
10 (4), local governments shall, if necessary, revise their master
11 programs. The purpose of the review is:

12 (i) To assure that the master program complies with applicable
13 law and guidelines in effect at the time of the review; and

14 (ii) To assure consistency of the master program with the local
15 government's comprehensive plan and development regulations adopted
16 under chapter 36.70A RCW, if applicable, and other local
17 requirements.

18 (b) Counties and cities shall take action to review and, if
19 necessary, revise their master programs as required by (a) of this
20 subsection as follows:

21 (i) On or before June 30, (~~2028~~) 2029, and every (~~eight~~) 10
22 years thereafter, for King, Kitsap, Pierce, and Snohomish counties
23 and the cities within those counties;

24 (ii) On or before June 30, (~~2029~~) 2030, and every (~~eight~~) 10
25 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis,
26 Mason, San Juan, Skagit, Thurston, and Whatcom counties and the
27 cities within those counties;

28 (iii) On or before June 30, (~~2030~~) 2031, and every (~~eight~~) 10
29 years thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin,
30 Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the
31 cities within those counties; and

32 (iv) On or before June 30, (~~2031~~) 2032, and every (~~eight~~) 10
33 years thereafter, for Adams, Asotin, Columbia, Ferry, Garfield,
34 Grant, Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend
35 Oreille, Stevens, Wahkiakum, and Whitman counties and the cities
36 within those counties.

37 (5) In meeting the review requirements of subsection (4) of this
38 section, local governments are encouraged to begin the process of
39 developing or amending their master programs early and are eligible
40 for grants from the department as provided by RCW 90.58.250, subject

1 to available funding. Except for those local governments listed in
2 subsection (2)(a)(i) and (ii) of this section, the deadline for
3 completion of the new or amended master programs shall be two years
4 after the date the grant is approved by the department. Subsequent
5 master program review dates shall not be altered by the provisions of
6 this subsection.

7 (6) In meeting the review requirements of subsection (4) of this
8 section, the following shall apply:

9 (a) Grants to local governments for reviewing master programs
10 pursuant to the schedule established by this section shall be
11 provided at least two years before the adoption dates specified in
12 subsection (4) of this section. To the extent possible, the
13 department shall allocate grants within the amount appropriated for
14 such purposes to provide reasonable and adequate funding to local
15 governments that have indicated their intent to develop or amend
16 master programs during the biennium according to the schedule
17 established by subsection (4) of this section. Any local government
18 that applies for but does not receive funding to comply with the
19 provisions of subsection (4) of this section may delay the
20 development or amendment of its master program until the following
21 biennium.

22 (b) Local governments with delayed compliance dates as provided
23 in (a) of this subsection shall be the first priority for funding in
24 subsequent biennia, and the periodic review compliance deadline for
25 those local governments shall be two years after the date of grant
26 approval.

27 (c) Failure of the local government to apply in a timely manner
28 for a master program development or amendment grant in accordance
29 with the requirements of the department shall not be considered a
30 delay resulting from the provisions of (a) of this subsection.

31 (7) In meeting the update requirements of subsection (2) of this
32 section, all local governments subject to the requirements of this
33 chapter that have not developed or amended master programs on or
34 after March 1, 2002, shall, no later than December 1, 2014, develop
35 or amend their master programs to comply with guidelines adopted by
36 the department after January 1, 2003.

37 (8) In meeting the review requirements of subsection (4) of this
38 section, local governments may be provided an additional year beyond
39 the deadlines in this section to complete their master program or
40 amendment. The department shall grant the request if it determines

1 that the local government is likely to adopt or amend its master
2 program within the additional year.

3 **Sec. 4.** RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
4 read as follows:

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

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

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

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

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

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

26 (f) That a county or city failed to submit a comprehensive plan
27 or master program update by the deadlines established in RCW
28 36.70A.130(5)(a) or 90.58.080(4)(b) (iii) and (iv), provided that no
29 petition may be filed unless at least 24 months after the established
30 deadline have passed.

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

37 (3) For purposes of this section "person" means any individual,
38 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 NEW SECTION. **Sec. 5.** Section 2 of this act expires July 1,
22 2025.

23 NEW SECTION. **Sec. 6.** Section 3 of this act takes effect July 1,
24 2025."

25 Correct the title.

EFFECT: (1) Removes provisions related to implementation progress reports.

(2) Removes provisions related to tribal participation in county or regional planning processes; in the container port element of a comprehensive plan; and in urban growth area planning.

(3) Removes provisions requiring the Department of Commerce to, upon request, provide a federally recognized Indian tribe with copies of notices of proposed comprehensive plans and development regulations, and of proposed amendments to such plans and regulations, when such notices are received.

(4) Removes provisions allowing a federally recognized Indian tribe to formally request the Department of Commerce enter into government-to-government consultation with the tribe over the tribe's concerns about a city or county's proposed comprehensive plan updates or amendments, and provisions related to the responsibilities of the

Department of Commerce and the city or county proposing the update or amendment thereafter.

(5) Removes provision requiring that federal agencies and federally recognized Indian tribes with a reservation or ceded lands within a county be invited to participate in the countywide planning policy adoption process.

(6) Requires that Clark, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom counties, and the cities within those counties, prior to adopting a proposed land use planning policy or development regulation, consider whether the proposed regulation will increase the cost of housing; that these counties and cities report the expected cost increase; and that these counties and cities take steps to mitigate the cost increase.

(7) Allows the Growth Management Board to hear a petition alleging that a county or city has failed to submit a comprehensive plan or a shoreline master program plan update by the applicable deadline, if at least 24 months have passed since the missed deadline.

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