
HOUSE BILL 1274

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By Representatives Reams, Sheldon, K. Schmidt, Hargrove, McMahan, Mulliken, Foreman, Sherstad, Elliot, Stevens, Johnson, Talcott and Huff

Read first time 01/19/95. Referred to Committee on Government Operations.

1 AN ACT Relating to growth management; amending RCW 36.70A.070,
2 36.70A.110, 36.70A.210, 36.70A.280, 36.70A.320, 36.70A.350, and
3 43.62.035; and reenacting and amending RCW 36.70A.030.

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

5 **Sec. 1.** RCW 36.70A.030 and 1994 c 307 s 2 and 1994 c 257 s 5 are
6 each reenacted and amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Adopt a comprehensive land use plan" means to enact a new
10 comprehensive land use plan or to update an existing comprehensive land
11 use plan.

12 (2) "Agricultural land" means land primarily devoted to the
13 commercial production of horticultural, viticultural, floricultural,
14 dairy, apiary, vegetable, or animal products or of berries, grain, hay,
15 straw, turf, seed, Christmas trees not subject to the excise tax
16 imposed by RCW 84.33.100 through 84.33.140, finfish in upland
17 hatcheries, or livestock, and that has long-term commercial
18 significance for agricultural production.

19 (3) "City" means any city or town, including a code city.

1 (4) "Comprehensive land use plan," "comprehensive plan," or "plan"
2 means a generalized coordinated land use policy statement of the
3 governing body of a county or city that is adopted pursuant to this
4 chapter.

5 (5) "Critical areas" include the following areas and ecosystems:
6 (a) Wetlands; (b) areas with a critical recharging effect on aquifers
7 used for potable water; (c) fish and wildlife habitat conservation
8 areas; (d) frequently flooded areas; and (e) geologically hazardous
9 areas.

10 (6) "Department" means the department of community, trade, and
11 economic development.

12 (7) For purposes of RCW 36.70A.065 and 36.70A.440, "development
13 permit application" means any application for a development proposal
14 for a use that could be permitted under a plan adopted pursuant to this
15 chapter and is consistent with the underlying land use and zoning,
16 including but not limited to building permits, subdivisions, binding
17 site plans, planned unit developments, conditional uses or other
18 applications pertaining to land uses, but shall not include rezones,
19 proposed amendments to comprehensive plans or the adoption or amendment
20 of development regulations.

21 (8) "Development regulations" means any controls placed on
22 development or land use activities by a county or city, including, but
23 not limited to, zoning ordinances, official controls, planned unit
24 development ordinances, subdivision ordinances, and binding site plan
25 ordinances.

26 (9) "Forest land" means land primarily devoted to growing trees for
27 long-term commercial timber production on land that can be economically
28 and practically managed for such production, including Christmas trees
29 subject to the excise tax imposed under RCW 84.33.100 through
30 84.33.140, and that has long-term commercial significance. In
31 determining whether forest land is primarily devoted to growing trees
32 for long-term commercial timber production on land that can be
33 economically and practically managed for such production, the following
34 factors shall be considered: (a) The proximity of the land to urban,
35 suburban, and rural settlements; (b) surrounding parcel size and the
36 compatibility and intensity of adjacent and nearby land uses; (c) long-
37 term local economic conditions that affect the ability to manage for
38 timber production; and (d) the availability of public facilities and
39 services conducive to conversion of forest land to other uses.

1 (10) "Geologically hazardous areas" means areas that because of
2 their susceptibility to erosion, sliding, earthquake, or other
3 geological events, are not suited to the siting of commercial,
4 residential, or industrial development consistent with public health or
5 safety concerns.

6 (11) "Long-term commercial significance" includes the growing
7 capacity, productivity, and soil composition of the land for long-term
8 commercial production, in consideration with the land's proximity to
9 population areas, and the possibility of more intense uses of the land.

10 (12) "Minerals" include gravel, sand, and valuable metallic
11 substances.

12 (13) "Public facilities" include streets, roads, highways,
13 sidewalks, street and road lighting systems, traffic signals, domestic
14 water systems, storm and sanitary sewer systems, parks and recreational
15 facilities, and schools.

16 (14) "Public services" include fire protection and suppression, law
17 enforcement, public health, education, recreation, environmental
18 protection, and other governmental services.

19 (15) "Urban growth" refers to growth that makes intensive use of
20 land for the location of buildings, structures, and impermeable
21 surfaces to such a degree as to be incompatible with the primary use of
22 such land for the production of food, other agricultural products, or
23 fiber, or the extraction of mineral resources. When allowed to spread
24 over wide areas, urban growth typically requires urban governmental
25 services. "Characterized by urban growth" refers to land having urban
26 growth located on it, or to land located in relationship to an area
27 with urban growth on it as to be appropriate for urban growth.

28 (16) "Urban growth areas" means those areas designated by a county
29 pursuant to RCW 36.70A.110.

30 (17) "Urban governmental services" include those governmental
31 services historically and typically delivered by cities, and include
32 storm and sanitary sewer systems, domestic water systems, street
33 cleaning services, fire and police protection services, public transit
34 services, and other public utilities associated with urban areas and
35 normally not associated with nonurban areas. However, public domestic
36 water systems in rural areas shall not be considered an urban
37 governmental service.

38 (18) "Wetland" or "wetlands" means areas that are inundated or
39 saturated by surface water or ground water at a frequency and duration

1 sufficient to support, and that under normal circumstances do support,
2 a prevalence of vegetation typically adapted for life in saturated soil
3 conditions. Wetlands generally include swamps, marshes, bogs, and
4 similar areas. Wetlands do not include those artificial wetlands
5 intentionally created from nonwetland sites, including, but not limited
6 to, irrigation and drainage ditches, grass-lined swales, canals,
7 detention facilities, wastewater treatment facilities, farm ponds, and
8 landscape amenities. However, wetlands may include those artificial
9 wetlands intentionally created from nonwetland areas created to
10 mitigate conversion of wetlands, if permitted by the county or city.

11 **Sec. 2.** RCW 36.70A.070 and 1990 1st ex.s. c 17 s 7 are each
12 amended to read as follows:

13 The comprehensive plan of a county or city that is required or
14 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
15 and descriptive text covering objectives, principles, and standards
16 used to develop the comprehensive plan. The plan shall be an
17 internally consistent document and all elements shall be consistent
18 with the future land use map. A comprehensive plan shall be adopted
19 and amended with public participation as provided in RCW 36.70A.140.

20 Each comprehensive plan shall include a plan, scheme, or design for
21 each of the following:

22 (1) A land use element designating the proposed general
23 distribution and general location and extent of the uses of land, where
24 appropriate, for agriculture, timber production, housing, commerce,
25 industry, recreation, open spaces, public utilities, public facilities,
26 and other land uses. The land use element shall include population
27 densities, building intensities, and estimates of future population
28 growth. The land use element shall provide for protection of the
29 quality and quantity of ground water used for public water supplies.
30 Where applicable, the land use element shall review drainage, flooding,
31 and storm water run-off in the area and nearby jurisdictions and
32 provide guidance for corrective actions to mitigate or cleanse those
33 discharges that pollute waters of the state, including Puget Sound or
34 waters entering Puget Sound.

35 (2) A housing element recognizing the vitality and character of
36 established residential neighborhoods that: (a) Includes an inventory
37 and analysis of existing and projected housing needs; (b) includes a
38 statement of goals, policies, and objectives for the preservation,

1 improvement, and development of housing; (c) identifies sufficient land
2 for housing, including, but not limited to, government-assisted
3 housing, housing for low-income families, manufactured housing,
4 multifamily housing, and group homes and foster care facilities; and
5 (d) makes adequate provisions for existing and projected needs of all
6 economic segments of the community.

7 (3) A capital facilities plan element consisting of: (a) An
8 inventory of existing capital facilities owned by public entities,
9 showing the locations and capacities of the capital facilities; (b) a
10 forecast of the future needs for such capital facilities; (c) the
11 proposed locations and capacities of expanded or new capital
12 facilities; (d) at least a six-year plan that will finance such capital
13 facilities within projected funding capacities and clearly identifies
14 sources of public money for such purposes; and (e) a requirement to
15 reassess the land use element if probable funding falls short of
16 meeting existing needs and to ensure that the land use element, capital
17 facilities plan element, and financing plan within the capital
18 facilities plan element are coordinated and consistent.

19 (4) A utilities element consisting of the general location,
20 proposed location, and capacity of all existing and proposed utilities,
21 including, but not limited to, electrical lines, telecommunication
22 lines, and natural gas lines.

23 (5) Counties shall include a rural element including lands that are
24 not designated for urban growth, agriculture, forest, or mineral
25 resources. The rural element shall permit residential and
26 nonresidential land uses that are compatible with the rural character
27 of such lands and provide for a variety of rural densities.

28 (6) A transportation element that implements, and is consistent
29 with, the land use element. The transportation element shall include
30 the following subelements:

31 (a) Land use assumptions used in estimating travel;

32 (b) Facilities and services needs, including:

33 (i) An inventory of air, water, and land transportation facilities
34 and services, including transit alignments, to define existing capital
35 facilities and travel levels as a basis for future planning;

36 (ii) Level of service standards for all arterials and transit
37 routes to serve as a gauge to judge performance of the system. These
38 standards should be regionally coordinated;

1 (iii) Specific actions and requirements for bringing into
2 compliance any facilities or services that are below an established
3 level of service standard;

4 (iv) Forecasts of traffic for at least ten years based on the
5 adopted land use plan to provide information on the location, timing,
6 and capacity needs of future growth;

7 (v) Identification of system expansion needs and transportation
8 system management needs to meet current and future demands;

9 (c) Finance, including:

10 (i) An analysis of funding capability to judge needs against
11 probable funding resources;

12 (ii) A multiyear financing plan based on the needs identified in
13 the comprehensive plan, the appropriate parts of which shall serve as
14 the basis for the six-year street, road, or transit program required by
15 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
16 35.58.2795 for public transportation systems;

17 (iii) If probable funding falls short of meeting identified needs,
18 a discussion of how additional funding will be raised, or how land use
19 assumptions will be reassessed to ensure that level of service
20 standards will be met;

21 (d) Intergovernmental coordination efforts, including an assessment
22 of the impacts of the transportation plan and land use assumptions on
23 the transportation systems of adjacent jurisdictions;

24 (e) Demand-management strategies.

25 After adoption of the comprehensive plan by jurisdictions required
26 to plan or who choose to plan under RCW 36.70A.040, local jurisdictions
27 must adopt and enforce ordinances which prohibit development approval
28 if the development causes the level of service on a transportation
29 facility to decline below the standards adopted in the transportation
30 element of the comprehensive plan, unless transportation improvements
31 or strategies to accommodate the impacts of development are made
32 concurrent with the development. These strategies may include
33 increased public transportation service, ride sharing programs, demand
34 management, and other transportation systems management strategies.
35 For the purposes of this subsection (6) "concurrent with the
36 development" shall mean that improvements or strategies are in place at
37 the time of development, or that a financial commitment is in place to
38 complete the improvements or strategies within six years.

1 The transportation element described in this subsection, and the
2 six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for
3 counties, and RCW 35.58.2795 for public transportation systems, must be
4 consistent.

5 (7) Counties may include a suburban element including lands that
6 are not designated urban growth, rural, agriculture, forest, or mineral
7 resources.

8 **Sec. 3.** RCW 36.70A.110 and 1994 c 249 s 27 are each amended to
9 read as follows:

10 (1) Each county that is required or chooses to plan under RCW
11 36.70A.040 shall designate an urban growth area or areas within which
12 urban growth shall be encouraged and outside of which growth can occur
13 only if it is not urban in nature. Each city that is located in such
14 a county shall be included within an urban growth area. An urban
15 growth area may include more than a single city. An urban growth area
16 may include territory that is located outside of a city only if such
17 territory already is characterized by urban growth or is adjacent to
18 territory already characterized by urban growth.

19 (2) Based upon the ~~((population))~~ county's twenty-year growth
20 management planning population projection ~~((made for the county by the~~
21 ~~office of financial management))~~, the urban growth area or areas in the
22 county shall include ~~((areas))~~ land and densities sufficient to permit
23 the urban growth that is projected to occur in the county for the
24 succeeding twenty-year period. Each urban growth area shall permit
25 urban densities and shall include greenbelt and open space areas.
26 Within one year of July 1, 1990, each county that as of June 1, 1991,
27 was required or chose to plan under RCW 36.70A.040, shall begin
28 consulting with each city located within its boundaries and each city
29 shall propose the location of an urban growth area. Within sixty days
30 of the date the county legislative authority of a county adopts its
31 resolution of intention or of certification by the office of financial
32 management, all other counties that are required or choose to plan
33 under RCW 36.70A.040 shall begin this consultation with each city
34 located within its boundaries. The county shall attempt to reach
35 agreement with each city on the location of an urban growth area within
36 which the city is located. If such an agreement is not reached with
37 each city located within the urban growth area, the county shall
38 justify in writing why it so designated the area an urban growth area.

1 A city may object formally with the department over the designation of
2 the urban growth area within which it is located. Where appropriate,
3 the department shall attempt to resolve the conflicts, including the
4 use of mediation services.

5 (3) Urban growth should be located first in areas already
6 characterized by urban growth that have existing public facility and
7 service capacities to serve such development, and second in areas
8 already characterized by urban growth that will be served by a
9 combination of both existing public facilities and services and any
10 additional needed public facilities and services that are provided by
11 either public or private sources. Further, in general it is
12 appropriate that urban government services be provided by cities, and
13 urban government services should not be provided in rural areas.

14 (4) On or before October 1, 1993, each county that was initially
15 required to plan under RCW 36.70A.040(1) shall adopt development
16 regulations designating interim urban growth areas under this chapter.
17 Within three years and three months of the date the county legislative
18 authority of a county adopts its resolution of intention or of
19 certification by the office of financial management, all other counties
20 that are required or choose to plan under RCW 36.70A.040 shall adopt
21 development regulations designating interim urban growth areas under
22 this chapter. Adoption of the interim urban growth areas may only
23 occur after public notice; public hearing; and compliance with the
24 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.
25 Such action may be appealed to the appropriate growth management
26 hearings board under RCW 36.70A.280. Final urban growth areas shall be
27 adopted at the time of comprehensive plan adoption under this chapter.

28 (5) Each county shall include designations of urban growth areas in
29 its comprehensive plan.

30 **Sec. 4.** RCW 36.70A.210 and 1994 c 249 s 28 are each amended to
31 read as follows:

32 (1) The legislature recognizes that in general counties are
33 (~~((regional governments within their boundaries))~~) the unit of local
34 government most appropriate to provide regional governmental services,
35 and cities are (~~((primary providers of))~~) the unit of local governmental
36 most appropriate to provide urban governmental services (~~((within urban~~
37 ~~growth areas))~~). For the purposes of this section, a "county-wide
38 planning policy" is a written policy statement or statements used

1 solely for establishing a county-wide framework from which county and
2 city comprehensive plans are developed and adopted pursuant to this
3 chapter. This framework shall ensure that city and county
4 comprehensive plans are consistent as required in RCW 36.70A.100.
5 Nothing in this section shall be construed to alter the land-use powers
6 of cities or the authority of counties to provide urban governmental
7 services. It is the intent of the legislature that regional and urban
8 governmental service decisions be made through the flexible process
9 established in chapter 36.115 RCW.

10 (2) The legislative authority of a county that plans under RCW
11 36.70A.040 shall adopt a county-wide planning policy in cooperation
12 with the cities located in whole or in part within the county as
13 follows:

14 (a) No later than sixty calendar days from July 16, 1991, the
15 legislative authority of each county that as of June 1, 1991, was
16 required or chose to plan under RCW 36.70A.040 shall convene a meeting
17 with representatives of each city located within the county for the
18 purpose of establishing a collaborative process that will provide a
19 framework for the adoption of a county-wide planning policy. In other
20 counties that are required or choose to plan under RCW 36.70A.040, this
21 meeting shall be convened no later than sixty days after the date the
22 county adopts its resolution of intention or was certified by the
23 office of financial management.

24 (b) The process and framework for adoption of a county-wide
25 planning policy specified in (a) of this subsection shall determine the
26 manner in which the county and the cities agree to all procedures and
27 provisions including but not limited to desired planning policies,
28 deadlines, ratification of final agreements and demonstration thereof,
29 and financing, if any, of all activities associated therewith.

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

34 (d) If there is no agreement by October 1, 1991, in a county that
35 was required or chose to plan under RCW 36.70A.040 as of June 1, 1991,
36 or if there is no agreement within one hundred twenty days of the date
37 the county adopted its resolution of intention or was certified by the
38 office of financial management in any other county that is required or
39 chooses to plan under RCW 36.70A.040, the governor shall first inquire

1 of the jurisdictions as to the reason or reasons for failure to reach
2 an agreement. If the governor deems it appropriate, the governor may
3 immediately request the assistance of the department of community,
4 trade, and economic development to mediate any disputes that preclude
5 agreement. If mediation is unsuccessful in resolving all disputes that
6 will lead to agreement, the governor may impose appropriate sanctions
7 from those specified under RCW 36.70A.340 on the county, city, or
8 cities for failure to reach an agreement as provided in this section.
9 The governor shall specify the reason or reasons for the imposition of
10 any sanction.

11 (e) No later than July 1, 1992, the legislative authority of each
12 county that was required or chose to plan under RCW 36.70A.040 as of
13 June 1, 1991, or no later than fourteen months after the date the
14 county adopted its resolution of intention or was certified by the
15 office of financial management the county legislative authority of any
16 other county that is required or chooses to plan under RCW 36.70A.040,
17 shall adopt a county-wide planning policy according to the process
18 provided under this section and that is consistent with the agreement
19 pursuant to (b) of this subsection, and after holding a public hearing
20 or hearings on the proposed county-wide planning policy.

21 (3) A county-wide planning policy shall at a minimum, address the
22 following:

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

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

26 (c) Policies for siting public capital facilities of a county-wide
27 or state-wide nature;

28 (d) Policies for county-wide transportation facilities and
29 strategies;

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

33 (f) Policies for joint county and city planning within urban growth
34 areas;

35 (g) Policies for county-wide economic development and employment;
36 and

37 (h) An analysis of the fiscal impact.

38 (4) A county-wide planning policy may also include a determination
39 of the twenty-year growth management planning population projection to

1 be used in comprehensive plans and a procedure for allocation of all or
2 a portion of this projection to each city and town located in the
3 county.

4 (5) Federal agencies and Indian tribes may participate in and
5 cooperate with the county-wide planning policy adoption process.
6 Adopted county-wide planning policies shall be adhered to by state
7 agencies.

8 ((+5)) (6) Failure to adopt a county-wide planning policy that
9 meets the requirements of this section may result in the imposition of
10 a sanction or sanctions on a county or city within the county, as
11 specified in RCW 36.70A.340. In imposing a sanction or sanctions, the
12 governor shall specify the reasons for failure to adopt a county-wide
13 planning policy in order that any imposed sanction or sanctions are
14 fairly and equitably related to the failure to adopt a county-wide
15 planning policy.

16 ((+6)) (7) Cities and the governor may appeal an adopted county-
17 wide planning policy to the growth management hearings board within
18 sixty days of the adoption of the county-wide planning policy.

19 ((+7)) (8) Multicounty planning policies shall be adopted by two
20 or more counties, each with a population of four hundred fifty thousand
21 or more, with contiguous urban areas and may be adopted by other
22 counties, according to the process established under this section or
23 other processes agreed to among the counties and cities within the
24 affected counties throughout the multicounty region.

25 **Sec. 5.** RCW 36.70A.280 and 1994 c 249 s 31 are each amended to
26 read as follows:

27 (1) A growth management hearings board shall hear and determine
28 only those petitions alleging either:

29 (a) That a state agency, county, or city is not in compliance with
30 the requirements of this chapter, or chapter 43.21C RCW as it relates
31 to plans, regulations, or amendments, adopted under RCW 36.70A.040; or

32 (b) That the county's twenty-year growth management planning
33 population (~~(projections adopted by the office of financial management~~
34 ~~pursuant to RCW 43.62.035))~~ projection or the allocation of the
35 projection to cities within the county should be adjusted.

36 (2) A petition may be filed only by the state, a county or city
37 that plans under this chapter, a person who has either appeared before
38 the county or city regarding the matter on which a review is being

1 requested or is certified by the governor within sixty days of filing
2 the request with the board, or a person qualified pursuant to RCW
3 34.05.530.

4 (3) For purposes of this section "person" means any individual,
5 partnership, corporation, association, governmental subdivision or unit
6 thereof, or public or private organization or entity of any character.

7 (4) When considering a possible adjustment to a growth management
8 planning population projection prepared by the office of financial
9 management, a 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 a board must be
12 documented and filed with the office of financial management within ten
13 working days after adoption.

14 If adjusted by a board, a county growth management planning
15 population projection shall only be used for the planning purposes set
16 forth in this chapter and shall be known as a "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 **Sec. 6.** RCW 36.70A.320 and 1991 sp.s. c 32 s 13 are each amended
22 to read as follows:

23 (1) Comprehensive plans and development regulations, and amendments
24 thereto, adopted under this chapter are presumed valid upon adoption.
25 In any petition under this chapter, the board, after full consideration
26 of the petition, shall determine whether there is compliance with the
27 requirements of this chapter and the petitioner shall bear the burden
28 of proof to show noncompliance. In making its determination, the board
29 shall consider the criteria adopted by the department under RCW
30 36.70A.190(4). The board shall find compliance (~~((unless it finds by a~~
31 ~~preponderance of the evidence that))~~ if the state agency, county, or
32 city (~~((erroneously interpreted or applied this chapter))~~):

33 (a) Correctly interpreted and applied the requirements of this
34 chapter;

35 (b) Complied with the public participation requirements of this
36 chapter;

1 (c) The local government articulated a rational connection between
2 the facts found by it and the choice or choices that it made and did
3 not materially rely on inappropriate factors; and

4 (d) The action being reviewed is within the range of discretion
5 granted to the local government by this chapter.

6 (2) Under no circumstances, unless specifically provided for by
7 chapter 34.05 RCW, shall the board (a) undertake de novo review of a
8 discretionary decision made by a city or county; (b) exercise the
9 discretion that the legislature has delegated to a city or county; (c)
10 substitute its judgment for that of the local government; (d) decide
11 matters not clearly presented in a petition; or (e) render advisory
12 opinions.

13 **Sec. 7.** RCW 36.70A.350 and 1991 sp.s. c 32 s 16 are each amended
14 to read as follows:

15 A county required or choosing to plan under RCW 36.70A.040 may
16 establish a process as part of its urban growth areas, that are
17 designated under RCW 36.70A.110, for reviewing proposals to authorize
18 new fully contained communities located outside of the initially
19 designated urban growth areas.

20 (1) A new fully contained community may be approved in a county
21 planning under this chapter if criteria including but not limited to
22 the following are met:

23 (a) New infrastructure is provided for and impact fees are
24 established consistent with the requirements of RCW 82.02.050;

25 (b) Transit-oriented site planning and traffic demand management
26 programs are implemented;

27 (c) Buffers are provided between the new fully contained
28 communities and adjacent urban development;

29 (d) A mix of uses is provided to offer jobs, housing, and services
30 to the residents of the new community;

31 (e) Affordable housing is provided within the new community for a
32 broad range of income levels;

33 (f) Environmental protection has been addressed and provided for;

34 (g) Development regulations are established to ensure urban growth
35 will not occur in adjacent nonurban areas;

36 (h) Provision is made to mitigate impacts on designated
37 agricultural lands, forest lands, and mineral resource lands;

1 (i) The plan for the new fully contained community is consistent
2 with the development regulations established for the protection of
3 critical areas by the county pursuant to RCW 36.70A.170.

4 (2) New fully contained communities may be approved outside
5 established urban growth areas only if a county reserves a portion of
6 the twenty-year growth management planning population projection and
7 offsets the urban growth area accordingly for allocation to new fully
8 contained communities that meet the requirements of this chapter. Any
9 county electing to establish a new community reserve shall do so no
10 more often than once every five years as a part of the designation or
11 review of urban growth areas required by this chapter. The new
12 community reserve shall be allocated on a project-by-project basis,
13 only after specific project approval procedures have been adopted
14 pursuant to this chapter as a development regulation. When a new
15 community reserve is established, urban growth areas designated
16 pursuant to this chapter shall accommodate the unreserved portion of
17 the twenty-year population projection.

18 Final approval of an application for a new fully contained
19 community shall be considered an adopted amendment to the comprehensive
20 plan prepared pursuant to RCW 36.70A.070 designating the new fully
21 contained community as an urban growth area.

22 **Sec. 8.** RCW 43.62.035 and 1991 sp.s. c 32 s 30 are each amended to
23 read as follows:

24 The office of financial management shall determine the population
25 of each county of the state annually as of April 1st of each year and
26 on or before July 1st of each year shall file a certificate with the
27 secretary of state showing its determination of the population for each
28 county. The office of financial management also shall determine the
29 percentage increase in population for each county over the preceding
30 ten-year period, as of April 1st, and shall file a certificate with the
31 secretary of state by July 1st showing its determination. At least
32 once every ten years the office of financial management shall prepare
33 a range of twenty-year growth management planning population
34 projections (~~((required by RCW 36.70A.110))~~) for each county that adopts
35 a comprehensive plan under RCW 36.70A.040 and shall review these
36 projections with such counties before final adoption. These
37 projections must be used exclusively unless a county demonstrates in
38 its county-wide planning policies or comprehensive plan that the

1 projections should be modified to accomplish the goals and requirements
2 of chapter 36.70A RCW.

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