SENATE BILL 5151

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1   AN ACT Relating to counties that plan under the growth management
2 act; and amending RCW 36.70A.040.

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

4   **Sec. 1.** RCW 36.70A.040 and 1993 sp.s. c 6 s 1 are each amended to
5 read as follows:
6   (1) Each county that has both a population of fifty thousand or
7 more and has had its population increase by more than ten percent in
8 the previous ten years, and the cities located within such county, and
9 any other county regardless of its population that has had its
10 population increase by more than twenty percent in the previous ten
11 years, and the cities located within such county, shall conform with
12 all of the requirements of this chapter. However, the county
13 legislative authority of such a county with a population of less than
14 fifty thousand population may adopt a resolution removing the county,
15 and the cities located within the county, from the requirements of
16 adopting comprehensive land use plans and development regulations under
17 this chapter if this resolution is adopted and filed with the
18 department by December 31, 1990, for counties initially meeting this
19 set of criteria, or within sixty days of the date the office of

financial management certifies that a county meets this set of criteria under subsection (5) of this section.

Once a county meets either of these sets of criteria, the requirement to conform with all of the requirements of this chapter remains in effect, even if the county no longer meets one of these sets of criteria unless the county removes itself under subsection (6) of this section.

(2) The county legislative authority of any county that does not meet either of the sets of criteria established under subsection (1) of this section may adopt a resolution indicating its intention to have subsection (1) of this section apply to the county. Each city, located in a county that chooses to plan under this subsection, shall conform with all of the requirements of this chapter. Once such a resolution has been adopted, the county and the cities located within the county remain subject to all of the requirements of this chapter unless the county removes itself under subsection (6) of this section.

(3) Any county or city that is initially required to conform with all of the requirements of this chapter under subsection (1) of this section shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a county-wide planning policy under RCW 36.70A.210; (b) the county and each city located within the county shall designate critical areas, agricultural lands, forest lands, and mineral resource lands, and adopt development regulations conserving these designated agricultural lands, forest lands, and mineral resource lands and protecting these designated critical areas, under RCW 36.70A.170 and 36.70A.060; (c) the county shall designate and take other actions related to urban growth areas under RCW 36.70A.110; (d) if the county has a population of fifty thousand or more, the county and each city located within the county shall adopt a comprehensive plan under this chapter and development regulations that are consistent with and implement the comprehensive plan on or before July 1, 1994, and if the county has a population of less than fifty thousand, the county and each city located within the county shall adopt a comprehensive plan under this chapter and development regulations that are consistent with and implement the comprehensive plan by January 1, 1995, but if the governor makes written findings that a county with a population of less than fifty thousand or a city located within such a county is not making reasonable progress toward adopting a comprehensive plan and development regulations the governor

may reduce this deadline for such actions to be taken by no more than one hundred eighty days. Any county or city subject to this subsection may obtain an additional six months before it is required to have adopted its development regulations by submitting a letter notifying the department of community, trade, and economic development of its need prior to the deadline for adopting both a comprehensive plan and development regulations.

     (4) Any county or city that is required to conform with all the requirements of this chapter, as a result of the county legislative authority adopting its resolution of intention under subsection (2) of this section, shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a county-wide planning policy under RCW 36.70A.210; (b) the county and each city that is located within the county shall adopt development regulations conserving agricultural lands, forest lands, and mineral resource lands it designated under RCW 36.70A.060 within one year of the date the county legislative authority adopts its resolution of intention; (c) the county shall designate and take other actions related to urban growth areas under RCW 36.70A.110; and (d) the county and each city that is located within the county shall adopt a comprehensive plan and development regulations that are consistent with and implement the comprehensive plan not later than four years from the date the county legislative authority adopts its resolution of intention, but a county or city may obtain an additional six months before it is required to have adopted its development regulations by submitting a letter notifying the department of community, trade, and economic development of its need prior to the deadline for adopting both a comprehensive plan and development regulations.

     (5) If the office of financial management certifies that the population of a county that previously had not been required to plan under subsection (1) or (2) of this section has changed sufficiently to meet either of the sets of criteria specified under subsection (1) of this section, and where applicable, the county legislative authority has not adopted a resolution removing the county from these requirements as provided in subsection (1) of this section, the county and each city within such county shall take actions under this chapter as follows: (a) The county legislative authority shall adopt a county-wide planning policy under RCW 36.70A.210; (b) the county and each city located within the county shall adopt development regulations under RCW

1 36.70A.060 conserving agricultural lands, forest lands, and mineral
2 resource lands it designated within one year of the certification by
3 the office of financial management; (c) the county shall designate and
4 take other actions related to urban growth areas under RCW 36.70A.110;
5 and (d) the county and each city located within the county shall adopt
6 a comprehensive land use plan and development regulations that are
7 consistent with and implement the comprehensive plan within four years
8 of the certification by the office of financial management, but a
9 county or city may obtain an additional six months before it is
10 required to have adopted its development regulations by submitting a
11 letter notifying the department of community, trade, and economic
12 development of its need prior to the deadline for adopting both a
13 comprehensive plan and development regulations.
14   (6) The county legislative authority of any county that is planning
15 under this chapter may adopt a resolution removing the county, and the
16 cities located within the county, from the requirements of this
17 chapter. The removal shall be effective on the date the resolution is
18 filed with the department.
19   (7) A copy of each document that is required under this section
20 shall be submitted to the department at the time of its adoption.

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