

---

SENATE BILL 5519

---

State of Washington

54th Legislature

1995 Regular Session

By Senator Heavey

Read first time 01/25/95. Referred to Committee on Government Operations.

1 AN ACT Relating to the fixing of, and the directing of growth  
2 within, urban growth area boundaries; and amending RCW 36.70A.110 and  
3 36.70A.130.

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

5 **Sec. 1.** RCW 36.70A.110 and 1994 c 249 s 27 are each amended to  
6 read as follows:

7 (1) Each county that is required or chooses to plan under RCW  
8 36.70A.040 shall designate an urban growth area or areas within which  
9 urban growth shall be encouraged and outside of which growth can occur  
10 only if it is not urban in nature. Each city that is located in such  
11 a county shall be included within an urban growth area. An urban  
12 growth area may include more than a single city. An urban growth area  
13 may include territory that is located outside of a city only if such  
14 territory already is characterized by urban growth or is adjacent to  
15 territory already characterized by urban growth.

16 (2) Based upon the population growth management planning population  
17 projection made for the county by the office of financial management as  
18 a minimum, the urban growth areas in the county shall include areas and  
19 densities sufficient to permit the urban growth that is projected to

1 occur in the county for the succeeding twenty-year period. Each urban  
2 growth area shall permit urban densities and shall include greenbelt  
3 and open space areas. Within one year of July 1, 1990, each county  
4 that as of June 1, 1991, was required or chose to plan under RCW  
5 36.70A.040, shall begin consulting with each city located within its  
6 boundaries and each city shall propose the location of an urban growth  
7 area. Within sixty days of the date the county legislative authority  
8 of a county adopts its resolution of intention or of certification by  
9 the office of financial management, all other counties that are  
10 required or choose to plan under RCW 36.70A.040 shall begin this  
11 consultation with each city located within its boundaries. The county  
12 shall attempt to reach agreement with each city on the location of an  
13 urban growth area within which the city is located. If such an  
14 agreement is not reached with each city located within the urban growth  
15 area, the county shall justify in writing why it so designated the area  
16 an urban growth area. A city may object formally with the department  
17 over the designation of the urban growth area within which it is  
18 located. Where appropriate, the department shall attempt to resolve  
19 the conflicts, including the use of mediation services.

20 (3) Urban growth (~~((should be located first in areas already~~  
21 ~~characterized by urban growth that have existing public facility and~~  
22 ~~service capacities to serve such development, and second in areas~~  
23 ~~already characterized by urban growth that will be served by a~~  
24 ~~combination of both existing public facilities and services and any~~  
25 ~~additional needed public facilities and services that are provided by~~  
26 ~~either public or private sources. Further,))~~ may be encouraged in any  
27 area within the urban growth boundary as determined by the local  
28 jurisdiction responsible for planning in that area. It is appropriate  
29 that urban government services be provided by cities, and urban  
30 government services should not be provided in rural areas.

31 (4) On or before October 1, 1993, each county that was initially  
32 required to plan under RCW 36.70A.040(1) shall adopt development  
33 regulations designating interim urban growth areas under this chapter.  
34 Within three years and three months of the date the county legislative  
35 authority of a county adopts its resolution of intention or of  
36 certification by the office of financial management, all other counties  
37 that are required or choose to plan under RCW 36.70A.040 shall adopt  
38 development regulations designating interim urban growth areas under  
39 this chapter. Adoption of the interim urban growth areas may only

1 occur after public notice; public hearing; and compliance with the  
2 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.  
3 Such action may be appealed to the appropriate growth management  
4 hearings board under RCW 36.70A.280. Final urban growth areas shall be  
5 adopted at the time of comprehensive plan adoption under this chapter.

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

8 **Sec. 2.** RCW 36.70A.130 and 1990 1st ex.s. c 17 s 13 are each  
9 amended to read as follows:

10 (1) Each comprehensive land use plan and development regulations  
11 shall be subject to continuing evaluation and review by the county or  
12 city that adopted them.

13 Any amendment or revision to a comprehensive land use plan shall  
14 conform to this chapter, and any change to development regulations  
15 shall be consistent with and implement the comprehensive plan.

16 (2) Each county and city shall establish procedures whereby  
17 proposed amendments or revisions of the comprehensive plan are  
18 considered by the governing body of the county or city no more  
19 frequently than once every year. All proposals shall be considered by  
20 the governing body concurrently so the cumulative effect of the various  
21 proposals can be ascertained. However, a county or city may adopt  
22 amendments or revisions to its comprehensive plan that conform with  
23 this chapter whenever an emergency exists.

24 (3) Each county that designates urban growth areas under RCW  
25 36.70A.110 shall review, at least every ten years, its designated urban  
26 growth area or areas, and the densities permitted within both the  
27 incorporated and unincorporated portions of each urban growth area. In  
28 conjunction with this review by the county, each city located within an  
29 urban growth area shall review the densities permitted within its  
30 boundaries, and the extent to which the urban growth occurring within  
31 the county has located within each city and the unincorporated portions  
32 of the urban growth areas. The county comprehensive plan designating  
33 urban growth areas, and the densities permitted in the urban growth  
34 areas by the comprehensive plans of the county and each city located  
35 within the urban growth areas, shall be revised, at least every ten

- 1 years, to accommodate the urban growth projected to occur in the county
- 2 for the succeeding twenty-year period.

--- END ---