
SENATE BILL 5902

State of Washington

54th Legislature

1995 Regular Session

By Senators Palmer and Rasmussen

Read first time 02/13/95. Referred to Committee on Government Operations.

1 AN ACT Relating to allowing counties to consider a resolution or
2 hold a referendum on continuing to be subject to the growth management
3 act; and amending RCW 36.70A.040.

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

5 **Sec. 1.** RCW 36.70A.040 and 1993 sp.s. c 6 s 1 are each amended to
6 read as follows:

7 (1) Each county that has both a population of fifty thousand or
8 more and has had its population increase by more than ten percent in
9 the previous ten years, and the cities located within such county, and
10 any other county regardless of its population that has had its
11 population increase by more than twenty percent in the previous ten
12 years, and the cities located within such county, shall conform with
13 all of the requirements of this chapter. However, the county
14 legislative authority of such a county with a population of less than
15 fifty thousand population may adopt a resolution removing the county,
16 and the cities located within the county, from the requirements of
17 adopting comprehensive land use plans and development regulations under
18 this chapter if this resolution is adopted and filed with the
19 department by December 31, 1990, for counties initially meeting this

1 set of criteria, or within sixty days of the date the office of
2 financial management certifies that a county meets this set of criteria
3 under subsection (5) of this section.

4 Once a county meets either of these sets of criteria, the
5 requirement to conform with all of the requirements of this chapter
6 remains in effect, even if the county no longer meets one of these sets
7 of criteria.

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

16 (3) Any county or city that is initially required to conform with
17 all of the requirements of this chapter under subsection (1) of this
18 section shall take actions under this chapter as follows: (a) The
19 county legislative authority shall adopt a county-wide planning policy
20 under RCW 36.70A.210; (b) the county and each city located within the
21 county shall designate critical areas, agricultural lands, forest
22 lands, and mineral resource lands, and adopt development regulations
23 conserving these designated agricultural lands, forest lands, and
24 mineral resource lands and protecting these designated critical areas,
25 under RCW 36.70A.170 and 36.70A.060; (c) the county shall designate and
26 take other actions related to urban growth areas under RCW 36.70A.110;
27 (d) if the county has a population of fifty thousand or more, the
28 county and each city located within the county shall adopt a
29 comprehensive plan under this chapter and development regulations that
30 are consistent with and implement the comprehensive plan on or before
31 July 1, 1994, and if the county has a population of less than fifty
32 thousand, the county and each city located within the county shall
33 adopt a comprehensive plan under this chapter and development
34 regulations that are consistent with and implement the comprehensive
35 plan by January 1, 1995, but if the governor makes written findings
36 that a county with a population of less than fifty thousand or a city
37 located within such a county is not making reasonable progress toward
38 adopting a comprehensive plan and development regulations the governor
39 may reduce this deadline for such actions to be taken by no more than

1 one hundred eighty days. Any county or city subject to this subsection
2 may obtain an additional six months before it is required to have
3 adopted its development regulations by submitting a letter notifying
4 the department of community, trade, and economic development of its
5 need prior to the deadline for adopting both a comprehensive plan and
6 development regulations.

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

28 (5) If the office of financial management certifies that the
29 population of a county that previously had not been required to plan
30 under subsection (1) or (2) of this section has changed sufficiently to
31 meet either of the sets of criteria specified under subsection (1) of
32 this section, and where applicable, the county legislative authority
33 has not adopted a resolution removing the county from these
34 requirements as provided in subsection (1) of this section, the county
35 and each city within such county shall take actions under this chapter
36 as follows: (a) The county legislative authority shall adopt a county-
37 wide planning policy under RCW 36.70A.210; (b) the county and each city
38 located within the county shall adopt development regulations under RCW
39 36.70A.060 conserving agricultural lands, forest lands, and mineral

1 resource lands it designated within one year of the certification by
2 the office of financial management; (c) the county shall designate and
3 take other actions related to urban growth areas under RCW 36.70A.110;
4 and (d) the county and each city located within the county shall adopt
5 a comprehensive land use plan and development regulations that are
6 consistent with and implement the comprehensive plan within four years
7 of the certification by the office of financial management, but a
8 county or city may obtain an additional six months before it is
9 required to have adopted its development regulations by submitting a
10 letter notifying the department of community, trade, and economic
11 development of its need prior to the deadline for adopting both a
12 comprehensive plan and development regulations.

13 (6) A copy of each document that is required under this section
14 shall be submitted to the department at the time of its adoption.

15 (7) Any county that is required to plan under subsection (1) of
16 this section or chooses to plan under subsection (2) of this section
17 may terminate such requirements and exempt itself from the provisions
18 of this chapter that are not of general application, if the county
19 legislative authority adopts a resolution exempting the county, or
20 causes to be placed on the ballot at the next general election, in the
21 form of a referendum, the question of whether the county should exempt
22 itself from the requirements of this chapter and the referendum is
23 approved by a majority of the votes cast on the question.

24 (8) If the county legislative authority adopts a resolution
25 exempting the county, or the voters of a county approve a ballot
26 measure to terminate participation under this chapter pursuant to
27 subsection (7) of this section, the authority to collect any fees or
28 taxes that are predicated on participation under this chapter shall
29 terminate at the end of the calendar year in which the resolution is
30 adopted or the election results on the ballot measure are certified,
31 and any unexpended funds received through such fees and taxes and any
32 unexpended funds received from the state for the purpose of planning
33 under this chapter shall be placed in the county general fund without
34 restriction.

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