
SUBSTITUTE SENATE BILL 6599

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, Winsley, Heavey, Sheldon, Hale, Snyder, Wood, McAuliffe, Finkbeiner, Rinehart, Pelz, Franklin and Smith)

Read first time 02/02/96.

1 AN ACT Relating to county-wide planning policies for
2 interjurisdictional land-use techniques; and amending RCW 36.70A.210.

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

4 **Sec. 1.** RCW 36.70A.210 and 1994 c 249 s 28 are each amended to
5 read as follows:

6 (1) The legislature recognizes that counties are regional
7 governments within their boundaries, and cities are primary providers
8 of urban governmental services within urban growth areas. For the
9 purposes of this section, a "county-wide planning policy" is a written
10 policy statement or statements used solely for establishing a county-
11 wide framework from which county and city comprehensive plans are
12 developed and adopted pursuant to this chapter. This framework shall
13 ensure that city and county comprehensive plans are consistent as
14 required in RCW 36.70A.100. Nothing in this section shall be construed
15 to alter the land-use powers of cities.

16 (2) The legislative authority of a county that plans under RCW
17 36.70A.040 shall adopt a county-wide planning policy in cooperation
18 with the cities located in whole or in part within the county as
19 follows:

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

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

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

21 (d) If there is no agreement by October 1, 1991, in a county that
22 was required or chose to plan under RCW 36.70A.040 as of June 1, 1991,
23 or if there is no agreement within one hundred twenty days of the date
24 the county adopted its resolution of intention or was certified by the
25 office of financial management in any other county that is required or
26 chooses to plan under RCW 36.70A.040, the governor shall first inquire
27 of the jurisdictions as to the reason or reasons for failure to reach
28 an agreement. If the governor deems it appropriate, the governor may
29 immediately request the assistance of the department of community,
30 trade, and economic development to mediate any disputes that preclude
31 agreement. If mediation is unsuccessful in resolving all disputes that
32 will lead to agreement, the governor may impose appropriate sanctions
33 from those specified under RCW 36.70A.340 on the county, city, or
34 cities for failure to reach an agreement as provided in this section.
35 The governor shall specify the reason or reasons for the imposition of
36 any sanction.

37 (e) No later than July 1, 1992, the legislative authority of each
38 county that was required or chose to plan under RCW 36.70A.040 as of
39 June 1, 1991, or no later than fourteen months after the date the

1 county adopted its resolution of intention or was certified by the
2 office of financial management the county legislative authority of any
3 other county that is required or chooses to plan under RCW 36.70A.040,
4 shall adopt a county-wide planning policy according to the process
5 provided under this section and that is consistent with the agreement
6 pursuant to (b) of this subsection, and after holding a public hearing
7 or hearings on the proposed county-wide planning policy.

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

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

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

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

15 (d) Policies for county-wide transportation facilities and
16 strategies;

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

20 (f) Policies for joint county and city planning within urban growth
21 areas;

22 (g) Policies for county-wide economic development and employment;
23 and

24 (h) An analysis of the fiscal impact.

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

29 (5) Failure to adopt a county-wide planning policy that meets the
30 requirements of this section may result in the imposition of a sanction
31 or sanctions on a county or city within the county, as specified in RCW
32 36.70A.340. In imposing a sanction or sanctions, the governor shall
33 specify the reasons for failure to adopt a county-wide planning policy
34 in order that any imposed sanction or sanctions are fairly and
35 equitably related to the failure to adopt a county-wide planning
36 policy.

37 (6) Cities and the governor may appeal an adopted county-wide
38 planning policy to the growth management hearings board within sixty
39 days of the adoption of the county-wide planning policy.

1 (7) Multicounty planning policies shall be adopted by two or more
2 counties, each with a population of four hundred fifty thousand or
3 more, with contiguous urban areas and may be adopted by other counties,
4 according to the process established under this section or other
5 processes agreed to among the counties and cities within the affected
6 counties throughout the multicounty region.

7 (8) By January 1, 1998, the legislative authority of a county that
8 plans under RCW 36.70A.040, in cooperation with the cities located in
9 whole or in part within the county, shall adopt an addition to the
10 county-wide planning policy adopted under this section that addresses
11 the interjurisdictional development and implementation within the
12 county of land use planning tools such as transfer of development
13 rights, clustering, and public benefit rating systems that will both
14 minimize the impact of development regulations on private property
15 owners and facilitate the protection of agricultural, forest, and
16 mineral resource lands and critical areas within the county.
17 Subsections (4), (5), and (6) of this section apply to the process of
18 adopting the addition required under this section. Nothing in this
19 section shall be construed to alter the power of a county or a city to
20 adopt development regulations regarding the planning tools.

--- END ---