
SUBSTITUTE HOUSE BILL 2676

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Local Government & Housing (originally sponsored by Representatives Hatfield, Mulliken, Dunshee, Mielke, Kirby, Berkey, Edwards, Dunn, DeBolt, Crouse and Sullivan)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to establishing a schedule for review of
2 comprehensive plans and development regulations under the growth
3 management act; amending RCW 36.70A.130, 47.26.084, 36.79.150,
4 66.08.190, and 82.08.170; adding a new section to chapter 82.36 RCW;
5 and adding a new section to chapter 82.14 RCW.

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

7 **Sec. 1.** RCW 36.70A.130 and 1997 c 429 s 10 are each amended to
8 read as follows:

9 (1)(a) Each comprehensive land use plan and development regulations
10 shall be subject to continuing review and evaluation by the county or
11 city that adopted them. (~~Not later than September 1, 2002, and at~~
12 ~~least every five years thereafter,)~~ A county or city shall take action
13 to review and, if needed, revise its comprehensive land use plan and
14 development regulations to ensure (~~that~~) the plan and regulations
15 (~~are complying~~) comply with the requirements of this chapter
16 according to the time periods specified in subsection (4) of this
17 section. A county or city not planning under RCW 36.70A.040 shall,
18 using best available science, take action to review and, if needed,
19 revise its policies and development regulations regarding critical

1 areas and natural resource lands adopted according to this chapter to
2 ensure these policies and regulations comply with the requirements of
3 this chapter according to the time periods specified in subsection (4)
4 of this section. The review and evaluation required by this subsection
5 may be combined with the review required by subsection (3) of this
6 section.

7 (b) Any amendment of or revision to a comprehensive land use plan
8 shall use best available science and conform to this chapter(~~(, and any~~
9 ~~change)~~). Any amendment of or revision to development regulations
10 shall be consistent with and implement the comprehensive plan.

11 (2)(a) Each county and city shall establish and broadly disseminate
12 to the public a public participation program identifying procedures
13 whereby proposed amendments or revisions of the comprehensive plan are
14 considered by the governing body of the county or city no more
15 frequently than once every year (~~except that~~). Amendments may be
16 considered more frequently than once per year under the following
17 circumstances:

18 (i) The initial adoption of a subarea plan;

19 (ii) The adoption or amendment of a shoreline master program under
20 the procedures set forth in chapter 90.58 RCW; and

21 (iii) The amendment of the capital facilities element of a
22 comprehensive plan that occurs concurrently with the adoption or
23 amendment of a county or city budget.

24 (b) Except as otherwise provided in (a) of this subsection, all
25 proposals shall be considered by the governing body concurrently so the
26 cumulative effect of the various proposals can be ascertained.
27 However, after appropriate public participation a county or city may
28 adopt amendments or revisions to its comprehensive plan that conform
29 with this chapter whenever an emergency exists or to resolve an appeal
30 of a comprehensive plan filed with a growth management hearings board
31 or with the court.

32 (3) Each county that designates urban growth areas under RCW
33 36.70A.110 shall review, at least every ten years, its designated urban
34 growth area or areas, and the densities permitted within both the
35 incorporated and unincorporated portions of each urban growth area. In
36 conjunction with this review by the county, each city located within an
37 urban growth area shall review the densities permitted within its
38 boundaries, and the extent to which the urban growth occurring within
39 the county has located within each city and the unincorporated portions

1 of the urban growth areas. The county comprehensive plan designating
2 urban growth areas, and the densities permitted in the urban growth
3 areas by the comprehensive plans of the county and each city located
4 within the urban growth areas, shall be revised to accommodate the
5 urban growth projected to occur in the county for the succeeding
6 twenty-year period. The review required by this subsection may be
7 combined with the review and evaluation required by RCW 36.70A.215.

8 (4) The department shall establish a schedule for counties and
9 cities to conduct the review and evaluation required by subsection (1)
10 of this section. The schedule established by the department shall
11 provide for the reviews and evaluations to be completed as follows:

12 (a) On or before July 1, 2004, and every five years thereafter, for
13 Clark, King, Kitsap, Pierce, Snohomish, and Thurston counties and the
14 cities within those counties;

15 (b) On or before December 1, 2004, and every ten years thereafter,
16 for Clallam, Jefferson, and Whatcom counties and the cities within
17 those counties;

18 (c) On or before December 1, 2005, and every ten years thereafter,
19 for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and Skamania
20 counties and the cities within those counties;

21 (d) On or before December 1, 2006, and every ten years thereafter,
22 for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima
23 counties and the cities within those counties; and

24 (e) On or before December 1, 2007, and every ten years thereafter,
25 for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grays Harbor,
26 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,
27 Wahkiakum, Walla Walla, and Whitman counties and the cities within
28 those counties.

29 (5) Nothing in this section precludes a county or city from
30 conducting the review and evaluation required by this section before
31 the time limits established in subsection (4) of this section.
32 Counties and cities may begin this process early and may be eligible
33 for grants from the department, subject to available funding, if they
34 elect to do so.

35 (6) A county or city subject to the time periods in subsection
36 (4)(a) of this section that, pursuant to an ordinance adopted by the
37 county or city establishing a schedule for periodic review of its
38 comprehensive plan and development regulations, has conducted a review
39 and evaluation of its comprehensive plan and development regulations

1 and, on or after January 1, 2001, has taken action in response to that
2 review and evaluation shall be deemed to have conducted the first
3 review required by subsection (4)(a) of this section. Subsequent
4 review and evaluation by the county or city of its comprehensive plan
5 and development regulations shall be conducted in accordance with the
6 time periods established under subsection (4)(a) of this section.

7 NEW SECTION. Sec. 2. A new section is added to chapter 82.36 RCW
8 to read as follows:

9 The state treasurer shall withhold a portion of the revenues to
10 which a county or city, that is subject to RCW 36.70A.130(4)(a), is
11 entitled under this chapter if the requirements of RCW 36.70A.130(1)
12 are not completed by the date established in RCW 36.70A.130(4)(a).

13 NEW SECTION. Sec. 3. A new section is added to chapter 82.14 RCW
14 to read as follows:

15 The state treasurer shall withhold a portion of the revenues to
16 which a county or city, that is subject to RCW 36.70A.130(4)(a), is
17 entitled under this chapter if the requirements of RCW 36.70A.130(1)
18 are not completed by the date established in RCW 36.70A.130(4)(a).

19 **Sec. 4.** RCW 47.26.084 and 1999 c 94 s 17 are each amended to read
20 as follows:

21 (1) The transportation improvement account is hereby created in the
22 motor vehicle fund. The intent of the program is to improve mobility
23 of people and goods in Washington state by supporting economic
24 development and environmentally responsive solutions to our statewide
25 transportation system needs.

26 Within one year after board approval of an application for funding,
27 a county, city, or transportation benefit district shall provide
28 written certification to the board of the pledged local and/or private
29 funding. Funds allocated to an applicant that does not certify its
30 funding within one year after approval may be reallocated by the board.

31 (2) The state treasurer shall withhold a portion of the revenues to
32 which a county or city, that is subject to RCW 36.70A.130(4)(a), is
33 entitled under this section if the requirements of RCW 36.70A.130(1)
34 are not completed by the date established in RCW 36.70A.130(4)(a).

1 **Sec. 5.** RCW 36.79.150 and 1991 sp.s. c 32 s 31 are each amended to
2 read as follows:

3 (1) Whenever the board approves a rural arterial project it shall
4 determine the amount of rural arterial trust account funds to be
5 allocated for such project. The allocation shall be based upon
6 information contained in the six-year plan submitted by the county
7 seeking approval of the project and upon such further investigation as
8 the board deems necessary. The board shall adopt reasonable rules
9 pursuant to which rural arterial trust account funds allocated to a
10 project may be increased upon a subsequent application of the county
11 constructing the project. The rules adopted by the board shall take
12 into account, but shall not be limited to, the following factors: (a)
13 The financial effect of increasing the original allocation for the
14 project upon other rural arterial projects either approved or
15 requested; (b) whether the project for which an additional allocation
16 is requested can be reduced in scope while retaining a usable segment;
17 (c) whether the original cost of the project shown in the applicant's
18 six-year program was based upon reasonable engineering estimates; and
19 (d) whether the requested additional allocation is to pay for an
20 expansion in the scope of work originally approved.

21 (2) The board shall not allocate funds, nor make payments under RCW
22 36.79.160, to any county or city identified by the governor under RCW
23 36.70A.340.

24 (3) The state treasurer shall withhold a portion of the revenues to
25 which a county or city, that is subject to RCW 36.70A.130(4)(a), is
26 entitled under this section if the requirements of RCW 36.70A.130(1)
27 are not completed by the date established in RCW 36.70A.130(4)(a).

28 **Sec. 6.** RCW 66.08.190 and 2000 c 227 s 2 are each amended to read
29 as follows:

30 (1) When excess funds are distributed, all moneys subject to
31 distribution shall be disbursed as follows:

32 (a) Three-tenths of one percent to border areas under RCW
33 66.08.195; and

34 (b) From the amount remaining after distribution under (a) of this
35 subsection, fifty percent to the general fund of the state, ten percent
36 to the counties of the state, and forty percent to the incorporated
37 cities and towns of the state.

1 (2) During the months of July, October, January, and April of each
2 year, prior to disbursing the distribution to incorporated cities and
3 towns under subsection (1)(b) of this section, the treasurer shall
4 deduct from that distribution an amount that, when combined with any
5 cash balance in the city and town research services account, will fund
6 that quarter's allotments under RCW 43.88.110 from any legislative
7 appropriation from the city and town research services account. The
8 treasurer shall deposit the amount deducted into the city and town
9 research services account.

10 (3) The governor may notify and direct the state treasurer to
11 withhold the revenues to which the counties and cities are entitled
12 under this section if the counties or cities are found to be in
13 noncompliance pursuant to RCW 36.70A.340.

14 (4) The state treasurer shall withhold a portion of the revenues to
15 which a county or city, that is subject to RCW 36.70A.130(4)(a), is
16 entitled under this section if the requirements of RCW 36.70A.130(1)
17 are not completed by the date established in RCW 36.70A.130(4)(a).

18 **Sec. 7.** RCW 82.08.170 and 1997 c 437 s 4 are each amended to read
19 as follows:

20 (1) During the months of January, April, July and October of each
21 year, the state treasurer shall make the apportionment and distribution
22 of all moneys in the liquor excise tax fund to the counties, cities and
23 towns in the following proportions: Twenty percent of the moneys in
24 said liquor excise tax fund shall be divided among and distributed to
25 the counties of the state in accordance with the provisions of RCW
26 66.08.200; eighty percent of the moneys in said liquor excise tax fund
27 shall be divided among and distributed to the cities and towns of the
28 state in accordance with the provisions of RCW 66.08.210.

29 (2) Each fiscal quarter and prior to making the twenty percent
30 distribution to counties under subsection (1) of this section, the
31 treasurer shall transfer to the county research services account under
32 RCW 43.110.050 sufficient moneys that, when combined with any cash
33 balance in the account, will fund the allotments from any legislative
34 appropriations from the county research services account.

35 (3) The state treasurer shall withhold a portion of the revenues to
36 which a county or city, that is subject to RCW 36.70A.130(4)(a), is

1 entitled under this chapter if the requirements of RCW 36.70A.130(1)
2 are not completed by the date established in RCW 36.70A.130(4)(a).

--- END ---