
SENATE BILL 5042

State of Washington

67th Legislature

2021 Regular Session

By Senators Salomon, Billig, Kuderer, Lias, and Wilson, C.

Prefiled 12/29/20. Read first time 01/11/21. Referred to Committee on Housing & Local Government.

1 AN ACT Relating to the effective date of certain actions taken
2 under the growth management act; adding a new section to chapter
3 36.70A RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that climate change
6 is one of the greatest challenges facing our state and the world
7 today, an existential crisis with major negative impacts on
8 environmental and human health. The legislature further finds that
9 compact and responsibly planned development of residential and public
10 facilities, intended under the growth management act, mitigates
11 climate change through the efficient use of energy resources and the
12 corresponding decrease in greenhouse gas production. This dense
13 development and the concentration of growth in urban areas also
14 prevents sprawl, lessening development's impact on natural resources,
15 ecosystems, and habitats.

16 The legislature also finds that current legal frameworks work
17 against the act's goal of responsibly planned for growth by
18 prematurely allowing development rights to vest before the validity
19 of plans and regulations can be determined. This flawed process has
20 led to the approval of development that has decreased resource lands
21 and placed a strain on local infrastructure services. Furthermore, it

1 makes it extremely difficult for local jurisdictions to come back
2 into compliance with state laws and leaves citizens with no real
3 remedy to undo these planning violations.

4 Therefore, the legislature intends to set the effective date of
5 these impactful planning actions to a time that will allow for the
6 thorough review of growth planning decisions intended under the act.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A
8 RCW to read as follows:

9 The initial effective date of an action that expands an urban
10 growth area designated under RCW 36.70A.110, removes the designation
11 of agricultural, forest, or mineral resource lands designated under
12 RCW 36.70A.170, creates or expands a limited area of more intensive
13 rural development designated under RCW 36.70A.070(5)(d), establishes
14 a new fully contained community under RCW 36.70A.350, or creates or
15 expands a master planned resort designated under RCW 36.70A.360, is
16 after the latest of the following dates:

17 (1) 60 days after the date of publication of notice of adoption
18 of the comprehensive plan, development regulation, or amendment to
19 the plan or regulation, implementing the action, as provided in RCW
20 36.70A.290(2); or

21 (2) If a petition for review to the growth management hearings
22 board is timely filed, upon issuance of the board's final order.

--- END ---