
SUBSTITUTE SENATE BILL 6637

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, Sheldon, Winsley, Hale, Wood and Long)

Read first time 02/02/96.

1 AN ACT Relating to limitations on growth management hearings board
2 discretion; and amending RCW 36.70A.320.

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

4 **Sec. 1.** RCW 36.70A.320 and 1995 c 347 s 111 are each amended to
5 read as follows:

6 (1) Except as provided in subsection (2) of this section,
7 comprehensive plans and development regulations, ~~((and))~~ amendments
8 thereto, and other required actions adopted under this chapter are
9 presumed valid upon adoption. In any petition under this chapter, the
10 board, after full consideration of the petition, shall determine
11 whether there is compliance with ~~((the requirements of))~~ this chapter,
12 including approved county-wide planning policies. In making its
13 determination, the board shall consider the criteria adopted by the
14 department under RCW 36.70A.190(4). The board shall defer to the city
15 or county as to the relative weight to be given to each goal set forth
16 in RCW 36.70A.020 in the development of its comprehensive plan and
17 development regulations. The local government may give higher priority
18 to certain goals over others, but all of the goals must be given
19 effect. The board shall find compliance unless it finds ~~((by a~~

1 ~~preponderance of the evidence~~) that the petitioner has demonstrated by
2 evidence that is substantial when reviewed in light of the whole record
3 before the board that the comprehensive plan, development regulation,
4 or other action or amendment of the state agency, county, or city
5 erroneously interpreted or applied this chapter.

6 (2) The shoreline element of a comprehensive plan and the
7 applicable development regulations adopted by a county or city shall
8 take effect as provided in chapter 90.58 RCW.

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