

2 **HB 2542** - S COMM AMD

3 By Committee on Government Operations

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 36.70A.040 and 1995 c 400 s 1 are each amended to
8 read as follows:

9 (1) Each county that has both a population of fifty thousand or
10 more and, until May 16, 1995, has had its population increase by more
11 than ten percent in the previous ten years or, on or after May 16,
12 1995, has had its population increase by more than seventeen percent in
13 the previous ten years, and the cities located within such county, and
14 any other county regardless of its population that has had its
15 population increase by more than twenty percent in the previous ten
16 years, and the cities located within such county, shall ~~((conform with
17 all of the requirements of this chapter))~~ plan under this section.
18 However, the county legislative authority of such a county with a
19 population of less than fifty thousand population may adopt a
20 resolution removing the county, and the cities located within the
21 county, from the requirements ~~((of adopting comprehensive land use
22 plans and development regulations under this chapter))~~ to plan under
23 this section if this resolution is adopted and filed with the
24 department by December 31, 1990, for counties initially meeting this
25 set of criteria, or within sixty days of the date the office of
26 financial management certifies that a county meets this set of criteria
27 under subsection (5) of this section.

28 Once a county meets either of these sets of criteria, the
29 requirement to ~~((conform with all of the requirements of this chapter))~~
30 plan under this section remains in effect, even if the county no longer
31 meets one of these sets of criteria.

32 (2) The county legislative authority of any county that does not
33 meet either of the sets of criteria established under subsection (1) of
34 this section may adopt a resolution indicating its intention ~~((to have
35 subsection (1) of this section apply to))~~ that the county plan under
36 this section. Each city, located in a county that ~~((chooses to plan))~~

1 adopts a resolution under this subsection, shall ((conform with all of
2 the requirements of this chapter)) plan under this section. Once such
3 a resolution has been adopted, the county and the cities located within
4 the county remain subject to all of the requirements of this
5 ((chapter)) section, unless the county removes itself, and the cities
6 located within the county, from the requirement to plan under this
7 section under the procedures in subsection (7) of this section.

8 (3) Any county or city that is initially required to ((conform with
9 all of the requirements of this chapter)) plan under ((subsection (1)
10 of)) this section shall take actions under this chapter as follows:

11 (a) The county legislative authority shall adopt a county-wide planning
12 policy under RCW 36.70A.210; (b) the county and each city located
13 within the county shall designate critical areas, agricultural lands,
14 forest lands, and mineral resource lands, and adopt development
15 regulations conserving these designated agricultural lands, forest
16 lands, and mineral resource lands and protecting these designated
17 critical areas, under RCW 36.70A.170 and 36.70A.060; (c) the county
18 shall designate and take other actions related to urban growth areas
19 under RCW 36.70A.110; (d) if the county has a population of fifty
20 thousand or more, the county and each city located within the county
21 shall adopt a comprehensive plan under this chapter and development
22 regulations that are consistent with and implement the comprehensive
23 plan on or before July 1, 1994, and if the county has a population of
24 less than fifty thousand, the county and each city located within the
25 county shall adopt a comprehensive plan under this chapter and
26 development regulations that are consistent with and implement the
27 comprehensive plan by January 1, 1995, but if the governor makes
28 written findings that a county with a population of less than fifty
29 thousand or a city located within such a county is not making
30 reasonable progress toward adopting a comprehensive plan and
31 development regulations the governor may reduce this deadline for such
32 actions to be taken by no more than one hundred eighty days. Any
33 county or city subject to this subsection may obtain an additional six
34 months before it is required to have adopted its development
35 regulations by submitting a letter notifying the department of
36 community, trade, and economic development of its need prior to the
37 deadline for adopting both a comprehensive plan and development
38 regulations.

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

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

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

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

12 (7) The county legislative authority of any county with a
13 population of less than fifty thousand that is required to plan by
14 reason of adopting a resolution under subsection (2) of this section,
15 and any county with a population of less than fifty thousand that at
16 any time has had the authority to remove itself from the requirements
17 of this chapter by adoption of a resolution under subsection (1) of
18 this section, may remove the county and the cities located within the
19 county from the requirement to plan under this section under the
20 procedures in this subsection.

21 (a) By December 31, 1998, the county legislative authority, by
22 majority vote, may adopt a resolution stating its intent to remove the
23 county, and the cities located within the county, from the requirement
24 to plan under this section and submit the resolution to the cities
25 located within the county.

26 (b) If the county has three or more cities, the county and the
27 cities located within the county are no longer subject to the
28 requirement to plan:

29 (i) If within sixty days of submission of the resolution of intent,
30 a majority of the cities representing at least sixty percent of the
31 cities' population in the county adopt a resolution concurring in the
32 resolution of the county; or

33 (ii) If the cities do not concur within sixty days under (b)(i) of
34 this subsection:

35 (A) If the county legislative authority, by unanimous vote, adopts
36 a resolution removing itself and the cities located within the county
37 from the requirement to plan under this section; or

38 (B) If a resolution removing the county and the cities located
39 within the county from the requirement to plan under this section is

1 submitted to and approved by a majority of the registered voters in the
2 county at the next general election.

3 (c) If the county has fewer than three cities, the county and the
4 cities located within the county are no longer subject to the
5 requirement to plan:

6 (i) If within sixty days of submission of the resolution of intent,
7 all of the cities adopt a resolution concurring in the resolution of
8 the county; or

9 (ii) If the cities do not concur within sixty days under (c)(i) of
10 this subsection:

11 (A) If the county legislative authority, by unanimous vote, adopts
12 a resolution removing itself and the cities located within the county
13 from the requirement to plan under this section; or

14 (B) If a resolution removing the county and the cities located
15 within the county from the requirement to plan under this section is
16 submitted to and approved by a majority of the registered voters in the
17 county at the next general election.

18 (d) A county, and the cities located within the county, that are no
19 longer required to plan under this section remain subject to the
20 requirements for the designation and protection of critical areas and
21 the designation of natural resource lands under RCW 36.70A.060(2),
22 36.70A.170, and 36.70A.172.

23 NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW
24 to read as follows:

25 If a resolution is adopted or approved under RCW 36.70A.040(7)
26 removing the county and the cities located within the county from the
27 requirement to plan under this chapter, any claim pending before a
28 board or court that relates to the requirement to plan under this
29 chapter is moot and the claim shall be dismissed.

30 NEW SECTION. Sec. 3. This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately."

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4 On page 1, line 3 of the title, after "act;" strike the remainder
5 of the title and insert "amending RCW 36.70A.040; adding a new section
6 to chapter 36.70A RCW; and declaring an emergency."

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