
SENATE BILL 6443

State of Washington

52nd Legislature

1992 Regular Session

By Senators Bluechel, Snyder and McCaslin

Read first time 01/30/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to growth management deadlines; amending RCW
2 36.70A.060 and 36.70A.210; and declaring an emergency.

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

4 **Sec. 1.** RCW 36.70A.060 and 1991 sp.s. c 32 s 21 are each amended
5 to read as follows:

6 (1) Each county that is required or chooses to plan under RCW
7 36.70A.040, and each city within such county, shall adopt development
8 regulations on or before September 1, 1991, to assure the conservation
9 of agricultural, forest, and mineral resource lands designated under
10 RCW 36.70A.170. Regulations adopted under this subsection may not
11 prohibit uses legally existing on any parcel prior to their adoption
12 and shall remain in effect until the county or city adopts development
13 regulations pursuant to RCW 36.70A.120. Such regulations shall assure
14 that the use of lands adjacent to agricultural, forest, or mineral

1 resource lands shall not interfere with the continued use, in the
2 accustomed manner and in accordance with best management practices, of
3 these designated lands for the production of food, agricultural
4 products, or timber, or for the extraction of minerals. Counties and
5 cities shall require that all plats, short plats, development permits,
6 and building permits issued for development activities on, or within
7 three hundred feet of, lands designated as agricultural lands, forest
8 lands, or mineral resource lands, contain a notice that the subject
9 property is within or near designated agricultural lands, forest lands,
10 or mineral resource lands on which a variety of commercial activities
11 may occur that are not compatible with residential development for
12 certain periods of limited duration.

13 (2) Each county and city shall adopt development regulations that
14 protect critical areas that are required to be designated under RCW
15 36.70A.170. For counties and cities that are required or choose to
16 plan under RCW 36.70A.040, such development regulations shall be
17 adopted on or before September 1, 1991. For the remainder of the
18 counties and cities, such development regulations shall be adopted on
19 or before (~~March~~) June 1, 1992.

20 (3) Such counties and cities shall review these designations and
21 development regulations when adopting their comprehensive plans under
22 RCW 36.70A.040 and implementing development regulations under RCW
23 36.70A.120 and may alter such designations and development regulations
24 to insure consistency.

25 (4) Forest land and agricultural land located within urban growth
26 areas shall not be designated by a county or city as forest land or
27 agricultural land of long-term commercial significance under RCW
28 36.70A.170 unless the city or county has enacted a program authorizing
29 transfer or purchase of development rights.

1 **Sec. 2.** RCW 36.70A.210 and 1991 sp.s. c 32 s 2 are each amended to
2 read as follows:

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

13 (2) The legislative authority of a county that plans under RCW
14 36.70A.040 shall adopt a county-wide planning policy in cooperation
15 with the cities located in whole or in part within the county as
16 follows:

17 (a) No later than sixty calendar days from July 16, 1991, the
18 legislative authority of the county shall convene a meeting with
19 representatives of each city for the purpose of establishing a
20 collaborative process that will provide a framework for the adoption of
21 a county-wide planning policy;

22 (b) The process and framework for adoption of a county-wide
23 planning policy specified in (a) of this subsection shall determine the
24 manner in which the county and the cities agree to all procedures and
25 provisions including but not limited to desired planning policies,
26 deadlines, ratification of final agreements and demonstration thereof,
27 and financing, if any, of all activities associated therewith;

28 (c) If a county fails for any reason to convene a meeting with
29 representatives of cities as required in (a) of this subsection, the

1 governor may immediately impose any appropriate sanction or sanctions
2 on the county from those specified under RCW 36.70A.340;

3 (d) If there is no agreement by October 1, 1991, the governor shall
4 first inquire of the jurisdictions as to the reason or reasons for
5 failure to reach an agreement. If the governor deems it appropriate,
6 the governor may immediately request the assistance of the department
7 of community development to mediate any disputes that preclude
8 agreement. If mediation is unsuccessful in resolving all disputes that
9 will lead to agreement, the governor may impose appropriate sanctions
10 from those specified under RCW 36.70A.340 on the county, city, or
11 cities for failure to reach an agreement as provided in this section.
12 The governor shall specify the reason or reasons for the imposition of
13 any sanction; and

14 (e) No later than (~~July~~) October 1, 1992, the legislative
15 authority of the county shall adopt a county-wide planning policy
16 according to the process provided under this section and that is
17 consistent with the agreement pursuant to (b) of this subsection, and
18 after holding a public hearing or hearings on the proposed county-wide
19 planning policy.

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

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

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

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

27 (d) Policies for county-wide transportation facilities and
28 strategies;

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

4 (f) Policies for joint county and city planning within urban growth
5 areas;

6 (g) Policies for county-wide economic development and employment;
7 and

8 (h) An analysis of the fiscal impact.

9 (4) Federal agencies and Indian tribes may participate in and
10 cooperate with the county-wide planning policy adoption process.
11 Adopted county-wide planning policies shall be adhered to by state
12 agencies.

13 (5) Failure to adopt a county-wide planning policy that meets the
14 requirements of this section may result in the imposition of a sanction
15 or sanctions on a county or city within the county, as specified in RCW
16 36.70A.340. In imposing a sanction or sanctions, the governor shall
17 specify the reasons for failure to adopt a county-wide planning policy
18 in order that any imposed sanction or sanctions are fairly and
19 equitably related to the failure to adopt a county-wide planning
20 policy.

21 (6) Cities and the governor may appeal an adopted county-wide
22 planning policy to the growth planning hearings board within sixty days
23 of the adoption of the county-wide planning policy.

24 (7) Multicounty planning policies shall be adopted by two or more
25 counties, each with a population of four hundred fifty thousand or
26 more, with contiguous urban areas and may be adopted by other counties,
27 according to the process established under this section or other
28 processes agreed to among the counties and cities within the affected
29 counties throughout the multicounty region. Such policies must be
30 adopted by January 1, 1993.

1 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and shall take
4 effect immediately.