
SENATE BILL 6348

State of Washington 58th Legislature 2004 Regular Session

By Senators Mulliken, T. Sheldon, Murray, Haugen and Morton

Read first time 01/19/2004. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to appropriate providers of water and sewer
2 services under the growth management act; and amending RCW 36.70A.110.

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

4 **Sec. 1.** RCW 36.70A.110 and 2003 c 299 s 5 are each amended to read
5 as follows:

6 (1) Each county that is required or chooses to plan under RCW
7 36.70A.040 shall designate an urban growth area or areas within which
8 urban growth shall be encouraged and outside of which growth can occur
9 only if it is not urban in nature. Each city that is located in such
10 a county shall be included within an urban growth area. An urban
11 growth area may include more than a single city. An urban growth area
12 may include territory that is located outside of a city only if such
13 territory already is characterized by urban growth whether or not the
14 urban growth area includes a city, or is adjacent to territory already
15 characterized by urban growth, or is a designated new fully contained
16 community as defined by RCW 36.70A.350.

17 (2) Based upon the growth management population projection made for
18 the county by the office of financial management, the county and each
19 city within the county shall include areas and densities sufficient to

1 permit the urban growth that is projected to occur in the county or
2 city for the succeeding twenty-year period. Each urban growth area
3 shall permit urban densities and shall include greenbelt and open space
4 areas. An urban growth area determination may include a reasonable
5 land market supply factor and shall permit a range of urban densities
6 and uses. In determining this market factor, cities and counties may
7 consider local circumstances. Cities and counties have discretion in
8 their comprehensive plans to make many choices about accommodating
9 growth.

10 Within one year of July 1, 1990, each county that as of June 1,
11 1991, was required or chose to plan under RCW 36.70A.040, shall begin
12 consulting with each city located within its boundaries and each city
13 shall propose the location of an urban growth area. Within sixty days
14 of the date the county legislative authority of a county adopts its
15 resolution of intention or of certification by the office of financial
16 management, all other counties that are required or choose to plan
17 under RCW 36.70A.040 shall begin this consultation with each city
18 located within its boundaries. The county shall attempt to reach
19 agreement with each city on the location of an urban growth area within
20 which the city is located. If such an agreement is not reached with
21 each city located within the urban growth area, the county shall
22 justify in writing why it so designated the area an urban growth area.
23 A city may object formally with the department over the designation of
24 the urban growth area within which it is located. Where appropriate,
25 the department shall attempt to resolve the conflicts, including the
26 use of mediation services.

27 (3) Urban growth should be located first in areas already
28 characterized by urban growth that have adequate existing public
29 facility and service capacities to serve such development, second in
30 areas already characterized by urban growth that will be served
31 adequately by a combination of both existing public facilities and
32 services and any additional needed public facilities and services that
33 are provided by either public or private sources, and third in the
34 remaining portions of the urban growth areas. Urban growth may also be
35 located in designated new fully contained communities as defined by RCW
36 36.70A.350.

37 (4) In general, cities are the units of local government most
38 appropriate to provide urban governmental services. Public water-sewer

1 districts established in accordance with Title 57 RCW are also
2 appropriate providers of sanitary sewers and domestic water services.

3 In general, it is not appropriate that urban governmental services be
4 extended to or expanded in rural areas except in those limited
5 circumstances shown to be necessary to protect basic public health and
6 safety and the environment and when such services are financially
7 supportable at rural densities and do not permit urban development.

8 (5) On or before October 1, 1993, each county that was initially
9 required to plan under RCW 36.70A.040(1) shall adopt development
10 regulations designating interim urban growth areas under this chapter.
11 Within three years and three months of the date the county legislative
12 authority of a county adopts its resolution of intention or of
13 certification by the office of financial management, all other counties
14 that are required or choose to plan under RCW 36.70A.040 shall adopt
15 development regulations designating interim urban growth areas under
16 this chapter. Adoption of the interim urban growth areas may only
17 occur after public notice; public hearing; and compliance with the
18 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.
19 Such action may be appealed to the appropriate growth management
20 hearings board under RCW 36.70A.280. Final urban growth areas shall be
21 adopted at the time of comprehensive plan adoption under this chapter.

22 (6) Each county shall include designations of urban growth areas in
23 its comprehensive plan.

24 (7) An urban growth area designated in accordance with this section
25 may include within its boundaries urban service areas or potential
26 annexation areas designated for specific cities or towns within the
27 county.

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