
HOUSE BILL 1162

State of Washington

59th Legislature

2005 Regular Session

By Representatives Roach, Nixon, Bailey, Holmquist, McDonald, Rodne, Campbell, Shabro, McCune, Kessler, Kristiansen, Dunn, Newhouse, Woods and Condotta

Read first time 01/18/2005. Referred to Committee on Local Government.

1 AN ACT Relating to critical area regulations; and adding a new
2 section to chapter 36.70A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW
5 to read as follows:

6 (1) The legislative body of a county or city planning under this
7 chapter, before adopting or amending a development regulation that
8 designates or protects a critical area, shall publish notice of the
9 development regulation at least once a week for two weeks in one or
10 more newspapers of general circulation within the county or city.

11 (2) Following adoption of the critical area development regulation,
12 the legislative body shall cause notice of the proposed effective date
13 of the development regulation, together with a description of the
14 critical area and the effect of the development regulation, to be
15 published at least once each week for two weeks subsequent to passage
16 of the development regulation, in one or more newspapers of general
17 circulation within the county or city. Any development regulation
18 adopted under this section shall take effect upon the date fixed in the

1 development regulation, which date may not be fewer than forty-five
2 days after adoption of the development regulation.

3 (3) The critical area development regulation provided for in this
4 section is subject to referendum for forty-five days after passage.
5 Upon the filing of a timely and sufficient referendum petition with the
6 legislative body of the county or city that adopted the development
7 regulation, signed by registered voters in number equal to not less
8 than fifteen percent of the votes cast in the last general state
9 election in the county or city, the question of adoption of the
10 critical area development regulation shall be submitted to the voters
11 of the area in a general election if one is to be held within ninety
12 days or at a special election called for that purpose not less than
13 forty-five days nor more than ninety days after the filing of the
14 referendum petition. Notice of the election shall be given and the
15 election shall be conducted as provided in the general election law.
16 The development regulation shall be deemed approved by the voters
17 unless a majority of the votes cast on the proposition are in
18 opposition thereto.

19 After the expiration of the forty-fifth day from but excluding the
20 date of passage of the development regulation, if no timely and
21 sufficient referendum petition has been filed, the development
22 regulation shall take effect upon the date fixed in the development
23 regulation.

24 (4) Costs for an election required under subsection (3) of this
25 section shall be borne by the county or city adopting the development
26 regulation.

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