
HOUSE BILL 2171

State of Washington 59th Legislature 2005 Regular Session

By Representatives Springer, Simpson, Takko, Ericks and Clibborn

Read first time 02/21/2005. Referred to Committee on Local Government.

1 AN ACT Relating to allowing counties and cities one additional year
2 to comply with the requirements of RCW 36.70A.130; amending RCW
3 36.70A.130; and providing an effective date.

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

5 **Sec. 1.** RCW 36.70A.130 and 2002 c 320 s 1 are each amended to read
6 as follows:

7 (1)(a) Each comprehensive land use plan and development regulations
8 shall be subject to continuing review and evaluation by the county or
9 city that adopted them. Except as otherwise provided, a county or city
10 shall take legislative action to review and, if needed, revise its
11 comprehensive land use plan and development regulations to ensure the
12 plan and regulations comply with the requirements of this chapter
13 according to the time periods specified in subsection (4) of this
14 section.

15 (b) Except as otherwise provided, a county or city not planning
16 under RCW 36.70A.040 shall take action to review and, if needed, revise
17 its policies and development regulations regarding critical areas and
18 natural resource lands adopted according to this chapter to ensure
19 these policies and regulations comply with the requirements of this

1 chapter according to the time periods specified in subsection (4) of
2 this section. Legislative action means the adoption of a resolution or
3 ordinance following notice and a public hearing indicating at a
4 minimum, a finding that a review and evaluation has occurred and
5 identifying the revisions made, or that a revision was not needed and
6 the reasons (~~(therefore)~~) therefor.

7 (c) The review and evaluation required by this subsection may be
8 combined with the review required by subsection (3) of this section.
9 The review and evaluation required by this subsection shall include,
10 but is not limited to, consideration of critical area ordinances and,
11 if planning under RCW 36.70A.040, an analysis of the population
12 allocated to a city or county from the most recent ten-year population
13 forecast by the office of financial management.

14 (~~(b)~~) (d) Any amendment of or revision to a comprehensive land
15 use plan shall conform to this chapter. Any amendment of or revision
16 to development regulations shall be consistent with and implement the
17 comprehensive plan.

18 (2)(a) Each county and city shall establish and broadly disseminate
19 to the public a public participation program consistent with RCW
20 36.70A.035 and 36.70A.140 that identifies procedures and schedules
21 whereby updates, proposed amendments, or revisions of the comprehensive
22 plan are considered by the governing body of the county or city no more
23 frequently than once every year. "Updates" means to review and revise,
24 if needed, according to subsection (1) of this section, and the time
25 periods specified in subsection (4) of this section or in accordance
26 with the provisions of subsection (8) of this section. Amendments may
27 be considered more frequently than once per year under the following
28 circumstances:

29 (i) The initial adoption of a subarea plan that does not modify the
30 comprehensive plan policies and designations applicable to the subarea;

31 (ii) The adoption or amendment of a shoreline master program under
32 the procedures set forth in chapter 90.58 RCW; and

33 (iii) The amendment of the capital facilities element of a
34 comprehensive plan that occurs concurrently with the adoption or
35 amendment of a county or city budget.

36 (b) Except as otherwise provided in (a) of this subsection, all
37 proposals shall be considered by the governing body concurrently so the
38 cumulative effect of the various proposals can be ascertained.

1 However, after appropriate public participation a county or city may
2 adopt amendments or revisions to its comprehensive plan that conform
3 with this chapter whenever an emergency exists or to resolve an appeal
4 of a comprehensive plan filed with a growth management hearings board
5 or with the court.

6 (3)(a) Each county that designates urban growth areas under RCW
7 36.70A.110 shall review, at least every ten years, its designated urban
8 growth area or areas, and the densities permitted within both the
9 incorporated and unincorporated portions of each urban growth area. In
10 conjunction with this review by the county, each city located within an
11 urban growth area shall review the densities permitted within its
12 boundaries, and the extent to which the urban growth occurring within
13 the county has located within each city and the unincorporated portions
14 of the urban growth areas.

15 (b) The county comprehensive plan designating urban growth areas,
16 and the densities permitted in the urban growth areas by the
17 comprehensive plans of the county and each city located within the
18 urban growth areas, shall be revised to accommodate the urban growth
19 projected to occur in the county for the succeeding twenty-year period.
20 The review required by this subsection may be combined with the review
21 and evaluation required by RCW 36.70A.215.

22 (4) The department shall establish a schedule for counties and
23 cities to take action to review and, if needed, revise their
24 comprehensive plans and development regulations to ensure the plan and
25 regulations comply with the requirements of this chapter. Except as
26 provided in subsection (8) of this section, the schedule established by
27 the department shall provide for the reviews and evaluations to be
28 completed as follows:

29 (a) On or before December 1, 2004, and every seven years
30 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
31 Snohomish, Thurston, and Whatcom counties and the cities within those
32 counties;

33 (b) On or before December 1, 2005, and every seven years
34 thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and
35 Skamania counties and the cities within those counties;

36 (c) On or before December 1, 2006, and every seven years
37 thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and
38 Yakima counties and the cities within those counties; and

1 (d) On or before December 1, 2007, and every seven years
2 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,
3 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
4 Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities
5 within those counties.

6 (5)(a) Nothing in this section precludes a county or city from
7 conducting the review and evaluation required by this section before
8 the time limits established in subsection (4) of this section.
9 Counties and cities may begin this process early and may be eligible
10 for grants from the department, subject to available funding, if they
11 elect to do so.

12 (b) State agencies are encouraged to provide technical assistance
13 to the counties and cities in the review of critical area ordinances,
14 comprehensive plans, and development regulations.

15 (6) A county or city subject to the time periods in subsection
16 (4)(a) of this section that, pursuant to an ordinance adopted by the
17 county or city establishing a schedule for periodic review of its
18 comprehensive plan and development regulations, has conducted a review
19 and evaluation of its comprehensive plan and development regulations
20 and, on or after January 1, 2001, has taken action in response to that
21 review and evaluation shall be deemed to have conducted the first
22 review required by subsection (4)(a) of this section. Subsequent
23 review and evaluation by the county or city of its comprehensive plan
24 and development regulations shall be conducted in accordance with the
25 time periods established under subsection (4)(a) of this section.

26 (7) The requirements imposed on counties and cities under this
27 section shall be considered "requirements of this chapter" under the
28 terms of RCW 36.70A.040(1). Only those counties and cities in
29 compliance with the schedules in this section, those counties and
30 cities making a good faith effort to comply with the schedules in this
31 section, and those counties and cities that have fully satisfied the
32 requirements of this section according to the provisions of subsection
33 (8) of this section shall have the requisite authority to receive
34 grants, loans, pledges, or financial guarantees from those accounts
35 established in RCW 43.155.050 and 70.146.030. Only those counties and
36 cities in compliance with the schedules in this section shall receive
37 preference for grants or loans subject to the provisions of RCW
38 43.17.250.

1 (8)(a) Counties and cities required to satisfy the requirements of
2 this section according to the schedule established by subsection (4)(b)
3 through (d) of this section may comply with the requirements of this
4 section one year after the dates established in subsection (4)(b)
5 through (d) of this section.

6 (b) Counties and cities complying with the requirements of this
7 section one year after the dates established in subsection (4)(b)
8 through (d) of this section shall be deemed in compliance with the
9 requirements of this section.

10 (c) This subsection (8) applies only to the counties and cities
11 specified in subsection (4)(b) through (d) of this section, and only to
12 the requirements of this section that must be satisfied by December 1,
13 2005, December 1, 2006, and December 1, 2007.

14 NEW SECTION. Sec. 2. This act takes effect August 1, 2005.

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