

ESHB 1241 - S AMD TO HLG COMM AMD (S-2308.1/21) 780
By Senator Fortunato

NOT CONSIDERED 04/26/2021

1 Beginning on page 14, line 5, after "has" strike all material
2 through "regulations." on page 16, line 24 and insert "~~((both))~~ a
3 population of ~~((fifty thousand))~~ 2,000,000 or more ~~((and, until May~~
4 ~~16, 1995, has had its population increase by more than ten percent in~~
5 ~~the previous ten years or, on or after May 16, 1995, has had its~~
6 ~~population increase by more than seventeen percent in the previous~~
7 ~~ten years,))~~ and the cities located within such county~~((, and any~~
8 ~~other county regardless of its population that has had its population~~
9 ~~increase by more than twenty percent in the previous ten years, and~~
10 ~~the cities located within such county,))~~ shall conform with all of
11 the requirements of this chapter. ~~((However, the))~~ The county
12 legislative authority of ~~((such a))~~ any other city or county ~~((with a~~
13 ~~population of less than fifty thousand population))~~ may adopt a
14 resolution ~~((removing the county, and the cities located within the~~
15 ~~county, from the requirements of))~~ adopting comprehensive land use
16 plans and development regulations under this chapter ~~((if this~~
17 ~~resolution is adopted and filed with the department by December 31,~~
18 ~~1990, for counties initially meeting this set of criteria, or within~~
19 ~~sixty days of the date the office of financial management certifies~~
20 ~~that a county meets this set of criteria under subsection (5) of this~~
21 ~~section. For the purposes of this subsection, a county not currently~~
22 ~~planning under this chapter is not required to include in its~~
23 ~~population count those persons confined in a correctional facility~~
24 ~~under the jurisdiction of the department of corrections that is~~
25 ~~located in the county.~~

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

30 (2) ~~((a))~~ The county legislative authority of any county ~~((that~~
31 ~~does not meet either of the sets of criteria established under~~
32 ~~subsection (1) of this section))~~ may adopt a resolution indicating
33 its intention to have subsection (1) of this section apply to the

1 county. Each city, located in a county that chooses to plan under
2 this subsection, shall conform with all of the requirements of this
3 chapter. Once such a resolution has been adopted, the county and the
4 cities located within the county remain subject to all of the
5 requirements of this chapter (~~(, unless the county subsequently adopts~~
6 ~~a withdrawal resolution for partial planning pursuant to (b) (i) of~~
7 ~~this subsection.~~

8 ~~(b) (i) Until December 31, 2015, the legislative authority of a~~
9 ~~county may adopt a resolution removing the county and the cities~~
10 ~~located within the county from the requirements to plan under this~~
11 ~~section if:~~

12 ~~(A) The county has a population, as estimated by the office of~~
13 ~~financial management, of twenty thousand or fewer inhabitants at any~~
14 ~~time between April 1, 2010, and April 1, 2015;~~

15 ~~(B) The county has previously adopted a resolution indicating its~~
16 ~~intention to have subsection (1) of this section apply to the county;~~

17 ~~(C) At least sixty days prior to adopting a resolution for~~
18 ~~partial planning, the county provides written notification to the~~
19 ~~legislative body of each city within the county of its intent to~~
20 ~~consider adopting the resolution; and~~

21 ~~(D) The legislative bodies of at least sixty percent of those~~
22 ~~cities having an aggregate population of at least seventy-five~~
23 ~~percent of the incorporated county population have not: Adopted~~
24 ~~resolutions opposing the action by the county; and provided written~~
25 ~~notification of the resolutions to the county.~~

26 ~~(ii) Upon adoption of a resolution for partial planning under~~
27 ~~(b) (i) of this subsection:~~

28 ~~(A) The county and the cities within the county are, except as~~
29 ~~provided otherwise, no longer obligated to plan under this section;~~
30 ~~and~~

31 ~~(B) The county may not, for a minimum of ten years from the date~~
32 ~~of adoption of the resolution, adopt another resolution indicating~~
33 ~~its intention to have subsection (1) of this section apply to the~~
34 ~~county.~~

35 ~~(c) The adoption of a resolution for partial planning under~~
36 ~~(b) (i) of this subsection does not nullify or otherwise modify the~~
37 ~~requirements for counties and cities established in RCW 36.70A.060,~~
38 ~~36.70A.070(5) and associated development regulations, 36.70A.170, and~~
39 ~~36.70A.172.~~

1 ~~(3) Any county or city that is initially required to conform with~~
2 ~~all of the requirements of this chapter under subsection (1) of this~~
3 ~~section shall take actions under this chapter as follows: (a) The~~
4 ~~county legislative authority shall adopt a countywide planning policy~~
5 ~~under RCW 36.70A.210; (b) the county and each city located within the~~
6 ~~county shall designate critical areas, agricultural lands,~~
7 ~~forestlands, and mineral resource lands, and adopt development~~
8 ~~regulations conserving these designated agricultural lands,~~
9 ~~forestlands, and mineral resource lands and protecting these~~
10 ~~designated critical areas, under RCW 36.70A.170 and 36.70A.060; (c)~~
11 ~~the county shall designate and take other actions related to urban~~
12 ~~growth areas under RCW 36.70A.110; [and] (d) if the county has a~~
13 ~~population of fifty thousand or more, the county and each city~~
14 ~~located within the county shall adopt a comprehensive plan under this~~
15 ~~chapter and development regulations that are consistent with and~~
16 ~~implement the comprehensive plan on or before July 1, 1994, and if~~
17 ~~the county has a population of less than fifty thousand, the county~~
18 ~~and each city located within the county shall adopt a comprehensive~~
19 ~~plan under this chapter and development regulations that are~~
20 ~~consistent with and implement the comprehensive plan by January 1,~~
21 ~~1995, but if the governor makes written findings that a county with a~~
22 ~~population of less than fifty thousand or a city located within such~~
23 ~~a county is not making reasonable progress toward adopting a~~
24 ~~comprehensive plan and development regulations the governor may~~
25 ~~reduce this deadline for such actions to be taken by no more than one~~
26 ~~hundred eighty days. Any county or city subject to this subsection~~
27 ~~may obtain an additional six months before it is required to have~~
28 ~~adopted its development regulations by submitting a letter notifying~~
29 ~~the department of its need prior to the deadline for adopting both a~~
30 ~~comprehensive plan and development regulations))."~~

31 Renumber the remaining subsections consecutively and correct any
32 internal references accordingly.

EFFECT: Provides that the requirements of the Growth Management Act apply only to those counties that have a population of two million or more and the cities located within such counties, as well

as those cities and counties that choose to adopt comprehensive land use plans and development regulations.

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