
HOUSE BILL 2201

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2026 Regular Session

By Representatives Parshley, Stuebe, Ramel, Reed, Zahn, Duerr, and Pollet

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1 AN ACT Relating to standardizing city and county planning and
2 development regulations with an urban growth area; amending RCW
3 36.70A.110; and reenacting and amending RCW 36.70A.130.

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

5 **Sec. 1.** RCW 36.70A.110 and 2025 c 258 s 2 are each amended to
6 read as follows:

7 (1) Each county that is required or chooses to plan under RCW
8 36.70A.040 shall designate an urban growth area or areas within which
9 urban growth shall be encouraged and outside of which growth can
10 occur only if it is not urban in nature. Each city that is located in
11 such a county shall be included within an urban growth area. An urban
12 growth area may include more than a single city. An urban growth area
13 may include territory that is located outside of a city only if such
14 territory already is characterized by urban growth whether or not the
15 urban growth area includes a city, or is adjacent to territory
16 already characterized by urban growth, or is a designated new fully
17 contained community as defined by RCW 36.70A.350. When a federally
18 recognized Indian tribe whose reservation or ceded lands lie within
19 the county or city has voluntarily chosen to participate in the
20 planning process pursuant to RCW 36.70A.040, the county or city and
21 the tribe shall coordinate their planning efforts for any areas

1 planned for urban growth consistent with the terms outlined in the
2 memorandum of agreement provided for in RCW 36.70A.040(8).

3 (2) Based upon the growth management population projection made
4 for the county by the office of financial management, the county and
5 each city within the county shall include areas and densities
6 sufficient to permit the urban growth that is projected to occur in
7 the county or city for the succeeding twenty-year period, except for
8 those urban growth areas contained totally within a national
9 historical reserve. As part of this planning process, each city
10 within the county must include areas sufficient to accommodate the
11 broad range of needs and uses that will accompany the projected urban
12 growth including, as appropriate, medical, governmental,
13 institutional, commercial, service, retail, and other nonresidential
14 uses.

15 Each urban growth area shall permit urban densities and shall
16 include greenbelt and open space areas. In the case of urban growth
17 areas contained totally within a national historical reserve, the
18 city may restrict densities, intensities, and forms of urban growth
19 as determined to be necessary and appropriate to protect the
20 physical, cultural, or historic integrity of the reserve. An urban
21 growth area determination may include a reasonable land market supply
22 factor and shall permit a range of urban densities and uses. In
23 determining this market factor, cities and counties may consider
24 local circumstances. Cities and counties have discretion in their
25 comprehensive plans to make many choices about accommodating growth.

26 Within one year of July 1, 1990, each county that as of June 1,
27 1991, was required or chose to plan under RCW 36.70A.040, shall begin
28 consulting with each city located within its boundaries and each city
29 shall propose the location of an urban growth area. Within sixty days
30 of the date the county legislative authority of a county adopts its
31 resolution of intention or of certification by the office of
32 financial management, all other counties that are required or choose
33 to plan under RCW 36.70A.040 shall begin this consultation with each
34 city located within its boundaries. The county shall attempt to reach
35 agreement with each city on the location of an urban growth area
36 within which the city is located. If such an agreement is not reached
37 with each city located within the urban growth area, the county shall
38 justify in writing why it so designated the area an urban growth
39 area. A city may object formally with the department over the
40 designation of the urban growth area within which it is located.

1 Where appropriate, the department shall attempt to resolve the
2 conflicts, including the use of mediation services.

3 (3) Urban growth should be located first in areas already
4 characterized by urban growth that have adequate existing public
5 facility and service capacities to serve such development, second in
6 areas already characterized by urban growth that will be served
7 adequately by a combination of both existing public facilities and
8 services and any additional needed public facilities and services
9 that are provided by either public or private sources, and third in
10 the remaining portions of the urban growth areas. Urban growth may
11 also be located in designated new fully contained communities as
12 defined by RCW 36.70A.350.

13 (4) In general, cities are the units of local government most
14 appropriate to provide urban governmental services. In general, it is
15 not appropriate that urban governmental services be extended to or
16 expanded in rural areas except in those limited circumstances shown
17 to be necessary to protect basic public health and safety and the
18 environment and when such services are financially supportable at
19 rural densities and do not permit urban development and as authorized
20 in RCW 36.70A.830.

21 (5) On or before October 1, 1993, each county that was initially
22 required to plan under RCW 36.70A.040(1) shall adopt development
23 regulations designating interim urban growth areas under this
24 chapter. Within three years and three months of the date the county
25 legislative authority of a county adopts its resolution of intention
26 or of certification by the office of financial management, all other
27 counties that are required or choose to plan under RCW 36.70A.040
28 shall adopt development regulations designating interim urban growth
29 areas under this chapter. Adoption of the interim urban growth areas
30 may only occur after public notice; public hearing; and compliance
31 with the state environmental policy act, chapter 43.21C RCW, and
32 under this section. Such action may be appealed to the growth
33 management hearings board under RCW 36.70A.280. Final urban growth
34 areas shall be adopted at the time of comprehensive plan adoption
35 under this chapter.

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

38 (7) An urban growth area designated in accordance with this
39 section may include within its boundaries urban service areas or

1 potential annexation areas designated for specific cities or towns
2 within the county.

3 (8) If, during the county's annual review under RCW
4 36.70A.130(2)(a), the county determines revision of the urban growth
5 area is not required to accommodate the population projection for the
6 county made by the office of financial management for the succeeding
7 20-year period, but does determine that patterns of development have
8 created pressure for development in areas exceeding the amount of
9 available developable lands within the urban growth area, then the
10 county may revise the urban growth area or areas based on identified
11 patterns of development and likely future development pressure if the
12 following requirements are met:

13 (a) The revised urban growth area would not result in a net
14 increase in the total acreage or development capacity of the urban
15 growth area or areas;

16 (b) The areas added to the urban growth area are not designated
17 by the county as agricultural, forest, or mineral resource lands of
18 long-term commercial significance;

19 (c) If the areas added to the urban growth area have previously
20 been designated as agricultural, forest, or mineral resource lands of
21 long-term commercial significance, either an equivalent amount of
22 agricultural, forest, or mineral resource lands of long-term
23 commercial significance must be added to the area outside of the
24 urban growth area, or the county must wait a minimum of two years
25 before another swap may occur;

26 (d) Less than 15 percent of the areas added to the urban growth
27 area are critical areas other than critical aquifer recharge areas.
28 Critical aquifer recharge areas must have been previously designated
29 by the county and be maintained per county development regulations
30 within the expanded urban growth area and the revised urban growth
31 area must not result in a net increase in critical aquifer recharge
32 areas within the urban growth area;

33 (e) The areas added to the urban growth areas are suitable for
34 urban growth;

35 (f) The transportation element and capital facility plan element
36 of the county's comprehensive plan have identified the transportation
37 facilities and public facilities and services needed to serve the
38 urban growth area and the funding to provide the transportation
39 facilities and public facilities and services;

1 (g) The areas removed from the urban growth area are not
2 characterized by urban growth or urban densities;

3 (h) The revised urban growth area is contiguous, does not include
4 holes or gaps, and will not increase pressures to urbanize rural or
5 natural resource lands;

6 (i) The county's proposed urban growth area revision has been
7 reviewed according to the process and procedure in the countywide
8 planning policies adopted and approved according to RCW 36.70A.210;
9 and

10 (j) The revised urban growth area meets all other requirements of
11 this section.

12 (9) (a) At the earliest possible date prior to the revision of the
13 county's urban growth area authorized under subsection (8) of this
14 section, the county must engage in meaningful consultation with any
15 federally recognized Indian tribe that may be potentially affected by
16 the proposed revision. Meaningful consultation must include
17 discussion of the potential impacts to cultural resources and tribal
18 treaty rights.

19 (b) A county must notify the affected federally recognized Indian
20 tribe of the proposed revision using at least two methods, including
21 by mail. Upon receiving a notice, the federally recognized Indian
22 tribe may request a consultation to determine whether an agreement
23 can be reached related to the revision of the county's urban growth
24 area. If an agreement is not reached, the parties must enter
25 mediation pursuant to RCW 36.70A.040.

26 (10) (a) Except as provided in (b) of this subsection, the
27 expansion of an urban growth area is prohibited into the one hundred
28 year floodplain of any river or river segment that: (i) Is located
29 west of the crest of the Cascade mountains; and (ii) has a mean
30 annual flow of one thousand or more cubic feet per second as
31 determined by the department of ecology.

32 (b) Subsection (10) (a) of this section does not apply to:

33 (i) Urban growth areas that are fully contained within a
34 floodplain and lack adjacent buildable areas outside the floodplain;

35 (ii) Urban growth areas where expansions are precluded outside
36 floodplains because:

37 (A) Urban governmental services cannot be physically provided to
38 serve areas outside the floodplain; or

39 (B) Expansions outside the floodplain would require a river or
40 estuary crossing to access the expansion; or

1 (iii) Urban growth area expansions where:

2 (A) Public facilities already exist within the floodplain and the
3 expansion of an existing public facility is only possible on the land
4 to be included in the urban growth area and located within the
5 floodplain; or

6 (B) Urban development already exists within a floodplain as of
7 July 26, 2009, and is adjacent to, but outside of, the urban growth
8 area, and the expansion of the urban growth area is necessary to
9 include such urban development within the urban growth area; or

10 (C) The land is owned by a jurisdiction planning under this
11 chapter or the rights to the development of the land have been
12 permanently extinguished, and the following criteria are met:

13 (I) The permissible use of the land is limited to one of the
14 following: Outdoor recreation; environmentally beneficial projects,
15 including but not limited to habitat enhancement or environmental
16 restoration; stormwater facilities; flood control facilities; or
17 underground conveyances; and

18 (II) The development and use of such facilities or projects will
19 not decrease flood storage, increase stormwater runoff, discharge
20 pollutants to fresh or salt waters during normal operations or
21 floods, or increase hazards to people and property.

22 (c) For the purposes of this subsection (10), "one hundred year
23 floodplain" means the same as "special flood hazard area" as set
24 forth in WAC 173-158-040 as it exists on July 26, 2009.

25 (11) If a county, city, or utility has adopted a capital facility
26 plan or utilities element to provide sewer service within the urban
27 growth areas during the twenty-year planning period, nothing in this
28 chapter obligates counties, cities, or utilities to install sanitary
29 sewer systems to properties within urban growth areas designated
30 under subsection (2) of this section by the end of the twenty-year
31 planning period when those properties:

32 (a)(i) Have existing, functioning, nonpolluting on-site sewage
33 systems;

34 (ii) Have a periodic inspection program by a public agency to
35 verify the on-site sewage systems function properly and do not
36 pollute surface or groundwater; and

37 (iii) Have no redevelopment capacity; or

38 (b) Do not require sewer service because development densities
39 are limited due to wetlands, floodplains, fish and wildlife habitats,
40 or geological hazards.

1 (12) Within an urban growth area, county development regulations
2 and comprehensive planning must conform to that of the urban growth
3 area's designated city, as provided for in RCW 36.70A.130(3)(d).

4 **Sec. 2.** RCW 36.70A.130 and 2025 c 269 s 5 and 2025 c 148 s 1 are
5 each reenacted and amended to read as follows:

6 (1)(a) Each comprehensive land use plan and development
7 regulations shall be subject to continuing review and evaluation by
8 the county or city that adopted them. Except as otherwise provided, a
9 county or city shall take legislative action to review and, if
10 needed, revise its comprehensive land use plan and development
11 regulations to ensure the plan and regulations comply with the
12 requirements of this chapter according to the deadlines in
13 subsections (4) and (5) of this section.

14 (b)(i) A city or town located within a county planning under RCW
15 36.70A.040 may opt out of a full review and revisions of its
16 comprehensive plan established in this section if the city or town
17 meets the following criteria:

18 (A) Has a population fewer than 500;

19 (B) Is not located within 10 miles of a city with a population
20 over 100,000;

21 (C) Experienced a population growth rate of fewer than 10 percent
22 in the preceding 10 years; and

23 (D) Has provided the department with notice of its intent to
24 participate in a partial review and revision of its comprehensive
25 plan.

26 (ii) The department shall review the population growth rate for a
27 city or town participating in the partial review and revision of its
28 comprehensive plan process at least three years before the periodic
29 update is due as outlined in subsection (4) of this section and
30 notify cities of their eligibility.

31 (iii) A city or town that opts out of a full review and revision
32 of its comprehensive plan must update its critical areas regulations
33 and its capital facilities element and its transportation element.

34 (c) Except as otherwise provided, a county or city not planning
35 under RCW 36.70A.040 shall take action to review and, if needed,
36 revise its policies and development regulations regarding critical
37 areas and natural resource lands adopted according to this chapter to
38 ensure these policies and regulations comply with the requirements of
39 this chapter according to the deadlines in subsections (4) and (5) of

1 this section. Legislative action means the adoption of a resolution
2 or ordinance following notice and a public hearing indicating at a
3 minimum, a finding that a review and evaluation has occurred and
4 identifying the revisions made, or that a revision was not needed and
5 the reasons therefor.

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

11 (e) Any amendment of or revision to a comprehensive land use plan
12 shall conform to this chapter. Any amendment of or revision to
13 development regulations shall be consistent with and implement the
14 comprehensive plan.

15 (2)(a) Each county and city shall establish and broadly
16 disseminate to the public a public participation program consistent
17 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and
18 schedules whereby updates, proposed amendments, or revisions of the
19 comprehensive plan are considered by the governing body of the county
20 or city no more frequently than once every year. "Updates" means to
21 review and revise, if needed, according to subsection (1) of this
22 section, and the deadlines in subsections (4) and (5) of this section
23 or in accordance with the provisions of subsection (6) of this
24 section. Amendments may be considered more frequently than once per
25 year under the following circumstances:

26 (i) The initial adoption of a subarea plan. Subarea plans adopted
27 under this subsection (2)(a)(i) must clarify, supplement, or
28 implement jurisdiction-wide comprehensive plan policies, and may only
29 be adopted if the cumulative impacts of the proposed plan are
30 addressed by appropriate environmental review under chapter 43.21C
31 RCW;

32 (ii) The development of an initial subarea plan for economic
33 development located outside of the 100 year floodplain in a county
34 that has completed a state-funded pilot project that is based on
35 watershed characterization and local habitat assessment;

36 (iii) The adoption or amendment of a shoreline master program
37 under the procedures set forth in chapter 90.58 RCW;

38 (iv) The amendment of the capital facilities element of a
39 comprehensive plan that occurs concurrently with the adoption or
40 amendment of a county or city budget;

1 (v) The adoption of comprehensive plan amendments necessary to
2 enact a planned action under RCW 43.21C.440, provided that amendments
3 are considered in accordance with the public participation program
4 established by the county or city under this subsection (2)(a) and
5 all persons who have requested notice of a comprehensive plan update
6 are given notice of the amendments and an opportunity to comment; or

7 (vi) The adoption or amendment of any housing element necessary
8 to receive a determination of compliance under RCW 36.70A.835.

9 (b) Except as otherwise provided in (a) of this subsection, all
10 proposals shall be considered by the governing body concurrently so
11 the cumulative effect of the various proposals can be ascertained.
12 However, after appropriate public participation a county or city may
13 adopt amendments or revisions to its comprehensive plan that conform
14 with this chapter whenever an emergency exists or to resolve an
15 appeal of a comprehensive plan filed with the growth management
16 hearings board or with the court.

17 (3)(a) Each county that designates urban growth areas under RCW
18 36.70A.110 shall review, according to the schedules established in
19 subsections (4) and (5) of this section, its designated urban growth
20 area or areas, patterns of development occurring within the urban
21 growth area or areas, ~~((and))~~ the densities permitted within both the
22 incorporated and unincorporated portions of each urban growth area,
23 and the development regulations applicable within its designated
24 urban growth areas. In conjunction with this review by the county,
25 each city located within an urban growth area shall review the
26 densities permitted within its boundaries, and the extent to which
27 the urban growth occurring within the county has located within each
28 city and the unincorporated portions of the urban growth areas.

29 (b) The county comprehensive plan designating urban growth areas,
30 and the densities permitted in the urban growth areas by the
31 comprehensive plans of the county and each city located within the
32 urban growth areas, shall be revised to accommodate the urban growth
33 projected to occur in the county for the succeeding 20-year period.
34 The review required by this subsection may be combined with the
35 review and evaluation required by RCW 36.70A.215.

36 (c) If, during the county's review under (a) of this subsection,
37 the county determines revision of the urban growth area is not
38 required to accommodate the urban growth projected to occur in the
39 county for the succeeding 20-year period, but does determine that
40 patterns of development have created pressure in areas that exceed

1 available, developable lands within the urban growth area, the urban
2 growth area or areas may be revised to accommodate identified
3 patterns of development and likely future development pressure for
4 the succeeding 20-year period if the following requirements are met:

5 (i) The revised urban growth area may not result in an increase
6 in the total surface areas of the urban growth area or areas;

7 (ii) The areas added to the urban growth area are not or have not
8 been designated as agricultural, forest, or mineral resource lands of
9 long-term commercial significance;

10 (iii) Less than 15 percent of the areas added to the urban growth
11 area are critical areas;

12 (iv) The areas added to the urban growth areas are suitable for
13 urban growth;

14 (v) The transportation element and capital facility plan element
15 have identified the transportation facilities, and public facilities
16 and services needed to serve the urban growth area and the funding to
17 provide the transportation facilities and public facilities and
18 services;

19 (vi) The urban growth area is not larger than needed to
20 accommodate the growth planned for the succeeding 20-year planning
21 period and a reasonable land market supply factor;

22 (vii) The areas removed from the urban growth area do not include
23 urban growth or urban densities; and

24 (viii) The revised urban growth area is contiguous, does not
25 include holes or gaps, and will not increase pressures to urbanize
26 rural or natural resource lands.

27 (d) Each county that contains an urban growth area in which a
28 city is located must, at the time of the review provided for in (a)
29 of this subsection, ensure that its comprehensive plan and
30 development regulations applicable to such an urban growth area
31 conform to the comprehensive plan and regulations adopted by the
32 urban growth area's designated city, unless the city has agreed that
33 the county provisions may vary from the city provisions or county
34 regulations are otherwise required by law to vary from those adopted
35 by the city. A county that is required to provide an implementation
36 progress report under subsection (9) of this section must initially
37 conform its regulations as required in this subsection at the time of
38 its first implementation progress report due after January 1, 2027.

39 (4) Except as otherwise provided in subsections (6) and (8) of
40 this section, counties and cities shall take action to review and, if

1 needed, revise their comprehensive plans and development regulations
2 to ensure the plan and regulations comply with the requirements of
3 this chapter as follows:

4 (a) On or before June 30, 2015, for King, Pierce, and Snohomish
5 counties and the cities within those counties;

6 (b) On or before June 30, 2016, for Clallam, Clark, Island,
7 Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom
8 counties and the cities within those counties;

9 (c) On or before June 30, 2017, for Benton, Chelan, Cowlitz,
10 Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and
11 the cities within those counties; and

12 (d) On or before June 30, 2018, for Adams, Asotin, Columbia,
13 Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln,
14 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
15 Whitman counties and the cities within those counties.

16 (5) Except as otherwise provided in subsections (6) and (8) of
17 this section, following the review of comprehensive plans and
18 development regulations required by subsection (4) of this section,
19 counties and cities shall take action to review and, if needed,
20 revise their comprehensive plans and development regulations to
21 ensure the plan and regulations comply with the requirements of this
22 chapter as follows:

23 (a) Except as provided in subsection (10) of this section, on or
24 before December 31, 2024, with the following review and, if needed,
25 revision on or before June 30, 2034, and then every 10 years
26 thereafter, for King, Kitsap, Pierce, and Snohomish counties and the
27 cities within those counties;

28 (b) On or before December 31, 2025, with the following review
29 and, if needed, revision on or before June 30, 2035, and then every
30 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis,
31 Mason, San Juan, Skagit, Thurston, and Whatcom counties and the
32 cities within those counties;

33 (c) On or before December 31, 2026, with the following review
34 and, if needed, revision, on or before June 30, 2036, and every 10
35 years thereafter, for Benton, Chelan, Cowlitz, Douglas, Franklin,
36 Kittitas, Skamania, Spokane, Walla Walla, and Yakima counties and the
37 cities within those counties; and

38 (d) On or before June 30, 2027, and every 10 years thereafter,
39 for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor,

1 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,
2 Wahkiakum, and Whitman counties and the cities within those counties.

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

9 (b) A county that is subject to a deadline established in
10 subsection (5) (b) through (d) of this section and meets the following
11 criteria may comply with the requirements of this section at any time
12 within the 24 months following the deadline established in subsection
13 (5) of this section: The county has a population of less than 50,000
14 and has had its population increase by no more than 17 percent in the
15 10 years preceding the deadline established in subsection (5) of this
16 section as of that date.

17 (c) A city that is subject to a deadline established in
18 subsection (5) (b) through (d) of this section and meets the following
19 criteria may comply with the requirements of this section at any time
20 within the 24 months following the deadline established in subsection
21 (5) of this section: The city has a population of no more than 5,000
22 and has had its population increase by the greater of either no more
23 than 100 persons or no more than 17 percent in the 10 years preceding
24 the deadline established in subsection (5) of this section as of that
25 date.

26 (d) State agencies are encouraged to provide technical assistance
27 to the counties and cities in the review of critical area ordinances,
28 comprehensive plans, and development regulations.

29 (7) (a) The requirements imposed on counties and cities under this
30 section shall be considered "requirements of this chapter" under the
31 terms of RCW 36.70A.040(1). Only those counties and cities that meet
32 the following criteria may receive grants, loans, pledges, or
33 financial guarantees under chapter 43.155 or 70A.135 RCW:

34 (i) The county or city is in compliance with the deadlines in
35 this section;

36 (ii) The county or city demonstrates substantial progress towards
37 compliance with the deadlines in this section for development
38 regulations that protect critical areas. For the purposes of this
39 subsection (7) (a) (ii), a county or city that is fewer than 12 months
40 out of compliance with the deadlines in this section for development

1 regulations that protect critical areas is making substantial
2 progress towards compliance with the deadlines in this section; or

3 (iii) The county or city demonstrates substantial progress
4 towards compliance with the deadlines in this section for any housing
5 element and any housing development regulations required to be
6 submitted to the department for review under RCW 36.70A.835. For the
7 purposes of this subsection (7)(a)(iii), a county or city that
8 applies to the department for review within the timelines specified
9 under RCW 36.70A.835 demonstrates substantial progress towards
10 compliance with the deadlines in this section and is eligible for
11 grants, loans, pledges, or financial guarantees under chapter 43.155
12 or 70A.135 RCW until the department or the growth management hearings
13 board issues a final decision determining that the county's or city's
14 housing element or any related housing development regulations are
15 not in compliance with the laws and regulations identified in RCW
16 36.70A.835(7).

17 (b) Only those counties and cities in compliance with the
18 schedules in this section may receive preference for grants or loans
19 subject to the provisions of RCW 43.17.250.

20 (8)(a) Except as otherwise provided in (c) of this subsection, if
21 a participating watershed is achieving benchmarks and goals for the
22 protection of critical areas functions and values, the county is not
23 required to update development regulations to protect critical areas
24 as they specifically apply to agricultural activities in that
25 watershed.

26 (b) A county that has made the election under RCW 36.70A.710(1)
27 may only adopt or amend development regulations to protect critical
28 areas as they specifically apply to agricultural activities in a
29 participating watershed if:

30 (i) A work plan has been approved for that watershed in
31 accordance with RCW 36.70A.725;

32 (ii) The local watershed group for that watershed has requested
33 the county to adopt or amend development regulations as part of a
34 work plan developed under RCW 36.70A.720;

35 (iii) The adoption or amendment of the development regulations is
36 necessary to enable the county to respond to an order of the growth
37 management hearings board or court;

38 (iv) The adoption or amendment of development regulations is
39 necessary to address a threat to human health or safety; or

1 (v) Three or more years have elapsed since the receipt of
2 funding.

3 (c) Beginning 10 years from the date of receipt of funding, a
4 county that has made the election under RCW 36.70A.710(1) must review
5 and, if necessary, revise development regulations to protect critical
6 areas as they specifically apply to agricultural activities in a
7 participating watershed in accordance with the review and revision
8 requirements and timeline in subsection (5) of this section. This
9 subsection (8)(c) does not apply to a participating watershed that
10 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's
11 goals and benchmarks for protection have been met.

12 (9)(a) Counties subject to planning deadlines established in
13 subsection (5) of this section that are required or that choose to
14 plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or
15 (ii) of this subsection, and cities with a population of more than
16 6,000 as of April 1, 2021, within those counties, must provide to the
17 department an implementation progress report detailing the progress
18 they have achieved in implementing their comprehensive plan five
19 years after the review and revision of their comprehensive plan. Once
20 a county meets the criteria in (a)(i) or (ii) of this subsection, the
21 implementation progress report requirements remain in effect
22 thereafter for that county and the cities therein with populations
23 greater than 6,000 as of April 1, 2021, even if the county later no
24 longer meets either or both criteria. A county is subject to the
25 implementation progress report requirement if it meets either of the
26 following criteria on or after April 1, 2021:

27 (i) The county has a population density of at least 100 people
28 per square mile and a population of at least 200,000; or

29 (ii) The county has a population density of at least 75 people
30 per square mile and an annual growth rate of at least 1.75 percent as
31 determined by the office of financial management.

32 (b) The department shall adopt guidelines for indicators,
33 measures, milestones, and criteria for use by counties and cities in
34 the implementation progress report that must cover:

35 (i) The implementation of previously adopted changes to the
36 housing element and any effect those changes have had on housing
37 affordability and availability within the jurisdiction;

38 (ii) Permit processing timelines; and

39 (iii) Progress toward implementing any actions required to
40 achieve reductions to meet greenhouse gas and vehicle miles traveled

1 requirements as provided for in any element of the comprehensive plan
2 under RCW 36.70A.070.

3 (c) If a city or county required to provide an implementation
4 progress report under this subsection (9) has not implemented any
5 specifically identified regulations, zoning and land use changes, or
6 taken other legislative or administrative action necessary to
7 implement any changes in the most recent periodic update in their
8 comprehensive plan by the due date for the implementation progress
9 report, the city or county must identify the need for such action in
10 the implementation progress report. Cities and counties must adopt a
11 work plan to implement any necessary regulations, zoning and land use
12 changes, or take other legislative or administrative action
13 identified in the implementation progress report and complete all
14 work necessary for implementation within two years of submission of
15 the implementation progress report.

16 (10) Any county or city that is required by RCW 36.70A.095 to
17 include in its comprehensive plan a climate change and resiliency
18 element and that is also required by subsection (5)(a) of this
19 section to review and, if necessary, revise its comprehensive plan on
20 or before December 31, 2024, must update its transportation element
21 and incorporate a climate change and resiliency element into its
22 comprehensive plan as part of the first implementation progress
23 report required by subsection (9) of this section if funds are
24 appropriated and distributed by December 31, 2027, as required under
25 RCW 36.70A.070(10).

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