
HOUSE BILL 1144

State of Washington

67th Legislature

2021 Regular Session

By Representatives Hoff and Vick

1 AN ACT Relating to standing before the growth management hearings
2 board; amending RCW 36.70A.280; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The growth management act was initially
5 established in 1990. Since its inception, various elements of the act
6 have been highly litigated. The costs of litigation have become
7 burdensome on cities and counties and have had a chilling effect on
8 growth and development especially in rural counties. In order to
9 relieve this burden, the legislature finds that it is time to make
10 the growth management hearings board consistent with other land use
11 appeals.

12 **Sec. 2.** RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
13 read as follows:

14 (1) The growth management hearings board shall hear and determine
15 only those petitions alleging either:

16 (a) That, except as provided otherwise by this subsection, a
17 state agency, county, or city planning under this chapter is not in
18 compliance with the requirements of this chapter, chapter 90.58 RCW
19 as it relates to the adoption of shoreline master programs or
20 amendments thereto, or chapter 43.21C RCW as it relates to plans,

1 development regulations, or amendments, adopted under RCW 36.70A.040
2 or chapter 90.58 RCW. Nothing in this subsection authorizes the board
3 to hear petitions alleging noncompliance with RCW 36.70A.5801;

4 (b) That the twenty-year growth management planning population
5 projections adopted by the office of financial management pursuant to
6 RCW 43.62.035 should be adjusted;

7 (c) That the approval of a work plan adopted under RCW
8 36.70A.735(1)(a) is not in compliance with the requirements of the
9 program established under RCW 36.70A.710;

10 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not
11 regionally applicable and cannot be adopted, wholly or partially, by
12 another jurisdiction; or

13 (e) That a department certification under RCW 36.70A.735(1)(c) is
14 erroneous.

15 (2) A petition may be filed only by:

16 (a) The state, or a county or city that plans under this chapter;

17 ~~(b) ((a person who has participated orally or in writing before~~
18 ~~the county or city regarding the matter on which a review is being~~
19 ~~requested; (c) a person who is certified by the governor within sixty~~
20 ~~days of filing the request with the board; or (d))~~) A person
21 qualified pursuant to RCW 34.05.530; or

22 (c) Any person who:

23 (i) Owns property within the boundaries of the city or county
24 planning under this chapter;

25 (ii) Is prejudiced or likely to be prejudiced by the action of
26 the city or county planning under this chapter; and

27 (iii) Will suffer actual injury if the contested action is
28 upheld.

29 (3) For purposes of this section "person" means any individual,
30 partnership, corporation, association, state agency, governmental
31 subdivision or unit thereof, or public or private organization or
32 entity of any character.

33 ~~(4) ((To establish participation standing under subsection (2)(b)~~
34 ~~of this section, a person must show that his or her participation~~
35 ~~before the county or city was reasonably related to the person's~~
36 ~~issue as presented to the board.~~

37 ~~(5))~~) When considering a possible adjustment to a growth
38 management planning population projection prepared by the office of
39 financial management, the board shall consider the implications of
40 any such adjustment to the population forecast for the entire state.

1 The rationale for any adjustment that is adopted by the board
2 must be documented and filed with the office of financial management
3 within ten working days after adoption.

4 If adjusted by the board, a county growth management planning
5 population projection shall only be used for the planning purposes
6 set forth in this chapter and shall be known as the "board adjusted
7 population projection." None of these changes shall affect the
8 official state and county population forecasts prepared by the office
9 of financial management, which shall continue to be used for state
10 budget and planning purposes.

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