

ATTACHMENTS FOR THE ANNEXATION CHECKLIST

ITEM #9 - CITY OF STANWOOD COMPREHENSIVE PLAN LUP 15-1 - 15.15

Growth Plan

Goal

LUP-15 - To extend cost-effective high quality municipal services throughout the unincorporated portion of the City's adopted Urban Growth Area (UGA).

Policies

LUP-15.1 - Unincorporated areas within the UGA must annex to Stanwood to receive a full range of city-provided services.

LUP-15.2 - At the prerogative of the City Council, limited City services may be extended into the UGA without annexation under the following conditions.

- A. Annexation into the City is either impossible or unfeasible.
- B. Any new development will meet City standards as determined by the City Council.
- C. The extension of utilities into the UGA will solve a health and environmental safety issue.

LUP-15.3 - Within the UGA, collaborate with adjacent Snohomish County and consult with affected residents in the designation of potential annexation areas.

LUP-15.4 - The immediate areas for annexation to Stanwood should include the territory contiguous with boundaries of the City such as:

- A. Peninsulas and islands of unincorporated lands;
- B. Neighborhoods where municipal type services have been extended;
- C. Lands subject to development pressure;
- D. Developed areas where urban type services are needed to correct health and safety related problems.

LUP-15.5 - Evaluate proposed annexations based on the following criteria:

- A. The ability of the City to provide public services at the City's adopted levels of service within the six-year timelines allowed under concurrency.
- B. The annexation would facilitate an appropriate balance between the provision of jobs and the availability of housing.
- C. The annexations would simplify governmental structure in annexing areas and the resultant City of Stanwood.
- D. The relative costs to serve the proposed annexation versus the revenue to be derived from the annexation (a negative net revenue projection by itself should not be considered grounds for disapproval).

- E. The annexation would result in future improvements to the resultant City of Stanwood services through potential enhancements of levels of service or through elimination of duplication services. Services include water, sanitary sewers, storm water drainage, utility drainage basins, transportation, park and open space, library, and public safety.
- F. The annexation would include those who already use City services or who impact City infrastructure.
- G. Annexation boundaries would facilitate the efficient delivery of emergency and public services.
- H. The annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island.
- I. The annexation would follow logical boundaries, such as streets, waterways, neighborhoods, or substantial topographic changes.
- J. The Annexation would create logical city boundaries and not create unincorporated islands or irregular municipal boundaries.

LUP-15.6 - Applicants for annexations are encouraged to apply jointly with other interested property owners or residents to reduce costs for the applicants and enable the City to process annexation applications more efficiently. However, individual property owners should not be precluded from pursuing annexation.

LUP-15.7 - City staff should conduct an assessment report of the environmental impacts, costs to provide service and of the tax revenues, which would be generated in the area. The City recognizes that these impacts are only a few of several criteria to be evaluated, and must be balanced with other annexation policy goals such as providing public service, governmental structure, or infrastructure.

LUP-15.8 - Individual annexation areas should be part of logical, orderly growth for the City and should avoid irregular boundaries. Islands of unincorporated areas and City peninsulas should be avoided. Peninsulas should be allowed only if needed to serve other areas. Lands closest to City boundaries should annex before areas further out.

LUP-15.9 - Annexation proponents requesting different zoning designation other than that shown on comprehensive land use and zoning maps should apply for a particular zone amendment concurrently with the annexation proposal. The zoning application should be processed as a regular rezone and the rezone ordinance decided concurrently with the City Council approval of the annexation. Amendments to zoning / land use classification can only be applied for during the Comprehensive Plan amendment process as outlined on pages INTRO-8 and -9 of this plan.

LUP-15.10 - Funding Public Facilities in Annexed Areas:

- A. The property owners of the annexation area should fund the public facility improvements necessary to serve new development. The funding requirements shall be consistent with applicable Stanwood policies and regulations.
- B. The city may annex areas that require public facility improvements to correct health and safety related problems.

- C. If an area annexing to Stanwood has public facilities that do not meet city standards and the property owners of the annexation area want to improve the facilities to meet City standards, the property owners of the annexation area will fund those improvements, or the proportion of those improvements, that do not have a citywide benefit.
- D. Public facility improvements within annexed areas that have a citywide benefit may be considered for funding through City revenues as part of the Stanwood capital facilities and improvements planning processes.

LUP-15.11 - Existing development within newly annexed areas should have a full level of services (such as streets, utilities, public safety, parks) at the time of annexation or as soon as practicable thereafter.

LUP-15.12 - Both sides of streets and roads, including rights-of-way should be made part of an annexation.

LUP-15.13 - Explore creative ways to facilitate the transition of government services, especially public safety, transportation, parks and recreation, land use and development.

LUP-15.14 - Ensure that the public is provided information and opportunities to evaluate and have input on decisions related to service delivery and boundary change associated with annexations.

LUP-15.15 - The City shall not extend utilities outside of the UGA Boundary unless necessitated by a public health and environmental safety issue.

ITEM #10 – CITY OF STANWOOD MUNICIPAL CODE SECTION 17.158.020

Chapter 17.158 ANNEXATIONS

Sections:

- 17.158.010 Purpose.
- 17.158.020 Uniform criteria.
- 17.158.030 Comprehensive Plan consistency.
- 17.158.040 Decision to annex.
- 17.158.050 Pre-application conference.
- 17.158.060 Notice of intent.
- 17.158.070 Review of intent petition.
- 17.158.080 Meeting with the petitioner.
- 17.158.090 Annexation petition.
- 17.158.100 Review of annexation petition.
- 17.158.110 Zoning or Comprehensive Plan amendment.
- 17.158.120 Planning department review.
- 17.158.130 Public hearing and notice.
- 17.158.135 Resolution of intent to annex.
- 17.158.140 Boundary review board.
- 17.158.150 Council decision.
- 17.158.160 Annexation notification.

17.158.010 Purpose.

The ordinance codified in this chapter is enacted pursuant to the provisions of Chapter 35A.14 RCW, and is intended to accomplish the following:

- (1) To identify criteria for evaluation of annexation proposals;
- (2) To outline annexation procedures; and
- (3) To ensure that an adequate level of service (LOS) is available for annexation proposals. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.020 Uniform criteria.

Uniform criteria shall be used in evaluating annexations.

(1) Annexations shall comply with all requirements with respect to the city's Comprehensive Plan. The city should evaluate all annexations on the basis of their short- and long-term community impact. Annexations shall be consistent with city plans for urban densities and uses within the urban area of the city and to assure adequate financial capability of the annexed area to meet the criteria for urban areas.

(2) The city should, at a minimum, analyze and evaluate the condition and safety of all streets, the availability and condition of public utilities and the demand for emergency services (police, fire and medical). Public services and facilities to be analyzed may include:

- (a) City facilities;
- (b) Transportation needs;
- (c) Necessary utilities;
- (d) Sidewalks, curbs and lighting;
- (e) Recreational and human services (includes parks and open spaces and social services); and
- (f) Support a balance of housing, commercial and public recreational needs.

(3) The city may require the development of a plan for public transportation to serve the newly annexed area. When possible, plans should be consistent with plans of community transit for public transportation in north Snohomish County.

(4) Annexation of land should be directly dependent upon the city's ability to provide, acquire, operate and maintain general services and utility services. Annexation will take place only after the city is satisfied that general services, utility resources and necessary utility plan capacity can be made available in a manner cost effective to the city.

(5) In order to accomplish the above, this code will establish uniform annexation procedures.

(a) In addition to adoption of the annexation procedures, the city shall designate staff to perform the following:

- (i) Receive and process annexation requests;
- (ii) Furnish the public and city official with annexation information;
- (iii) Prepare technical studies and assessments on the impacts from annexation.

(b) The city may require the applicant to prepare a report assessing the probable short- and long-term financial, economic, environmental and social impacts from the annexation.

(c) If the annexation is acceptable to the city, the city shall forward reports, plans, studies and agreement of areas requesting annexation to Snohomish County and the boundary review board (BRB) to facilitate processing. (Ord. 1071, 1999).

17.158.030 Comprehensive Plan consistency.

The city should consider annexations that best meet the growth goals and policies set forth in the Stanwood Comprehensive Plan.

(1) The city may, by council approval, condition the extension of utilities and services to encourage and guide needed and desirable urban growth.

(a) The area served by water and/or sewer may be subject to a contractual arrangement wherein it is agreed that all utility improvements meet city standards.

(2) The owners of lands to be served by such water and/or sewer service agree to participate, financially, to the extent and in the manner agreeable to the city, in capital improvements taking place, or projected to take place. (Ord. 1071, 1999).

17.158.040 Decision to annex.

(1) The decision to annex a property is vested in the discretion of the Stanwood city council. The acceptance of a notice of intent by the city represents a commitment by the city to process an annexation consistent with the requirements of this code and the Comprehensive Plan annexation goals and policies.

(2) Final acceptance of the annexation is within the sole discretion of the city council upon a finding that the annexation, as proposed, is both beneficial to the residents of the city and is consistent with the city's plans and policies at the time the annexation request was considered for approval. The decision to approve an annexation is conditioned on the council finding, through a public hearing process, that the applicant has adequately satisfied the requirements of the final annexation ordinance and these annexation guidelines. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.050 Pre-application conference.

Prior to submitting a notice of intent to annex petition and related documents, the applicant will meet with the planning director and other departmental staff at an informal meeting to discuss the annexation process and any issues that may affect the proposed annexation request. The applicant shall also meet with the planning commission prior to submitting the application. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.060 Notice of intent.

The notice of intent petition shall be filed utilizing a form supplied by the city. In addition, the applicant shall file ownership documentation as required by the city attorney. A fee deposit shall also be paid to cover the costs of reviewing of the intent petition (SMC 3.30.060). (Ord. 1071, 1999).

17.158.070 Review of intent petition.

The planning department will review the material supplied by the petitioner and determine:

- (1) Whether sufficient information has been filed to meet city requirements and to certify the intent petition;
- (2) Whether all costs have been paid; and
- (3) Whether or not the intent petition can be certified to have sufficient signatures of property owners to meet the requirements of state law.

If there are any defects in the petition, information, or cost payments, the planning department shall return the application and notify the petitioner of the defects. Once the petition, other information, and cost payments are

complete, the planning department will assign a file number to the intent petition and give the petition a filing date. Copies of the relevant information will be distributed to the city council and Snohomish County staff. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.080 Meeting with the petitioner.

The city council shall set a public meeting with the intent petitioners within 60 days of the petition filing date. The meeting shall be open to the public and occur at a regular or special council meeting. At the meeting, the city council shall determine whether the city will accept, reject, or geographically modify the proposed annexation; whether it shall require the simultaneous adoption of a proposed zoning regulation; and whether it will require the assumption of all or a fair portion of existing city indebtedness by the area to be annexed. A resolution may be adopted incorporating the council's decision. Approval by the council shall be a condition precedent to circulation of the annexation petition. The city council reserves the right to reject the annexation at any time until final adoption of an annexation ordinance. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.090 Annexation petition.

If the city council accepted the notice of intent petition, the petitioners shall circulate an annexation petition on a form provided by the city and approved by the city attorney. A fee deposit shall also be paid to cover the costs of reviewing the annexation petition (SMC 3.30.060). (Ord. 1071, 1999).

17.158.100 Review of annexation petition.

The planning department will review the material supplied by the petitioner and determine:

- (1) Whether sufficient information has been filed to meet city requirements and to certify the annexation petition;
- (2) Whether all costs have been paid; and
- (3) Whether or not the annexation petition can be certified to have sufficient signatures of property owners to meet the requirements of state law.

If additional information is needed in the petition, information, or cost payments, the planning department shall return the application and notify the petitioner of the defects. Once the petition, other information, and cost payments are complete, copies of the relevant information will be distributed to the city council. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.110 Zoning or Comprehensive Plan amendment.

If the city council elects to simultaneously adopt a new zoning regulation for the area to be annexed, the rezone and any related Comprehensive Plan amendment shall be referred to the planning commission and the procedure for rezones and plan amendments set forth in these regulations shall be utilized. The referral shall be made at such a time as an annexation petition is certified by the planning department. (Ord. 1071, 1999).

17.158.120 Planning department review.

Upon filing of an annexation petition, the planning director shall evaluate the property in relation to the Comprehensive Plan, infrastructure capacity, existing level of service (LOS), capital improvements program, expected revenue/expenditures impact, and other element particulars important to the annexation request. The planning director may refer the petition to other parties for review and comment including but not limited to:

- (1) Urban planning and design consultants, traffic and civil engineers, landscape architects, and biologists, after notification to the applicant; and
- (2) Snohomish County, the Stanwood School District, the State Departments of Transportation and Ecology, and other appropriate agencies and jurisdictions.

Upon completion of the review, the planning department shall transmit a report on the annexation to the city council. (Ord. 1071, 1999).

17.158.130 Public hearing and notice.

The planning department shall issue a notice for a public hearing on the annexation before the city council. The notice shall be prepared in accordance with the requirements of RCW 35A.14.130 and 35A.14.340. After notice, the city council shall conduct a public hearing on the proposed annexation considering the report of the planning department, any input from the petitioners, and other public comment at the hearing. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.135 Resolution of intent to annex.

After the public hearing, if the city council determines that it is willing to annex, the council shall pass a resolution of intent to annex to be forwarded to the county boundary review board (BRB). (Ord. 1110 § 3, 2002).

17.158.140 Boundary review board.

After the public hearing, the planning director will forward an annexation packet to the boundary review board unless the annexation is exempt from BRB review by law (Chapter 36.93 RCW). The packet shall contain all information required by the BRB to review the proposed annexation. If the annexation is exempt from BRB review, the city council shall proceed to make a decision on the annexation. On annexations subject to BRB review, the city shall take no further action until the annexation is returned to the city by the BRB for further consideration. (Ord. 1110 § 3, 2002; Ord. 1071, 1999).

17.158.150 Council decision.

After the city council passes a resolution of intent to annex and BRB consideration, the city council shall make a final decision on the annexation. The timing for the decision is within the sole discretion of the city council. The city council reserves the right to reject any annexation until an ordinance is adopted and becomes effective annexing the property into the city. The city shall have the right to modify the annexation in accordance with state law. The city shall also have the right to condition the annexation, as it deems necessary, to protect public health, safety, and welfare, and to serve the best interests of the citizens of Stanwood. The annexation may be conditioned upon a preannexation agreement. The preannexation agreement must be signed by the mayor and approved by the city council. (Ord. 1071, 1999).

17.158.160 Annexation notification.

Upon the adoption by the city council of an ordinance approving an annexation, the planning department shall file a certified copy of the ordinance with Snohomish County. The planning department shall also prepare annexation certificates to be filed with the state of Washington and with other agencies. (Ord. 1071, 1999).

ITEM #11 - RCW 36.93.170 and .180 - BOUNDARY REVIEW BOARD

RCW 36.93.170

Factors to be considered by board -- Incorporation proceedings exempt from state environmental policy act.

In reaching a decision on a proposal or an alternative, the board shall consider the factors affecting such proposal, which shall include, but not be limited to the following:

(1) Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter [35.63](#), [35A.63](#), or [36.70](#), RCW; comprehensive plans and development regulations adopted under chapter [36.70A](#), RCW; applicable service agreements entered into under chapter [36.115](#), or [39.34](#), RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units; and

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

The provisions of chapter [43.21C](#), RCW, State Environmental Policy, shall not apply to incorporation proceedings covered by chapter [35.02](#), RCW.

[1997 c 429 § 39; 1989 c 84 § 5; 1986 c 234 § 33; 1982 c 220 § 2; 1979 ex.s. c 142 § 1; 1967 c 189 § 17.]

NOTES:

Severability -- 1997 c 429: See note following RCW [36.70A.3201](#).

Severability -- 1982 c 220: See note following RCW [36.93.100](#).

Incorporation proceedings exempt from state environmental policy act: RCW [43.21C.220](#).

RCW 36.93.180

Objectives of boundary review board.

The decisions of the boundary review board shall attempt to achieve the following objectives:

(1) Preservation of natural neighborhoods and communities;

(2) Use of physical boundaries, including but not limited to bodies of water, highways, and land contours;

(3) Creation and preservation of logical service areas;

(4) Prevention of abnormally irregular boundaries;

(5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas;

(6) Dissolution of inactive special purpose districts;

(7) Adjustment of impractical boundaries;

(8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character; and

(9) Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.

[1989 c 84 § 6; 1981 c 332 § 10; 1979 ex.s. c 142 § 2; 1967 c 189 § 18.]

NOTES:

Severability -- 1981 c 332: See note following RCW [35.13.165](#).

ITEM #12 – RCW 36.70A.020, .110 and .210 - GROWTH MANAGEMENT ACT

RCW 36.70A.020

Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW [36.70A.040](#). The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
- (5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
- (6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
- (7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.
- (8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.
- (9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
- (10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

[2002 c 154 § 1; 1990 1st ex.s. c 17 § 2.]

RCW 36.70A.110

Comprehensive plans -- Urban growth areas.

(1) Each county that is required or chooses to plan under RCW [36.70A.040](#) shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW [36.70A.350](#).

(2) Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve.

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

Within one year of July 1, 1990, each county that as of June 1, 1991, was required or chose to plan under RCW [36.70A.040](#), shall begin consulting with each city located within its boundaries and each city shall propose the location of an urban growth area. Within sixty days of the date the county legislative authority of a county adopts its resolution of intention or of certification by the office of financial management, all other counties that are required or choose to plan under RCW [36.70A.040](#) shall begin this consultation with each city located within its boundaries. The county shall attempt to reach agreement with each city on the location of an urban growth area within which the city is located. If such an agreement is not reached with

each city located within the urban growth area, the county shall justify in writing why it so designated the area an urban growth area. A city may object formally with the department over the designation of the urban growth area within which it is located. Where appropriate, the department shall attempt to resolve the conflicts, including the use of mediation services.

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

(4) In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

(5) On or before October 1, 1993, each county that was initially required to plan under RCW [36.70A.040](#)(1) shall adopt development regulations designating interim urban growth areas under this chapter. Within three years and three months of the date the county legislative authority of a county adopts its resolution of intention or of certification by the office of financial management, all other counties that are required or choose to plan under RCW [36.70A.040](#) shall adopt development regulations designating interim urban growth areas under this chapter. Adoption of the interim urban growth areas may only occur after public notice; public hearing; and compliance with the state environmental policy act, chapter [43.21C](#), RCW, and RCW [36.70A.110](#). Such action may be appealed to the appropriate growth management hearings board under RCW [36.70A.280](#). Final urban growth areas shall be adopted at the time of comprehensive plan adoption under this chapter.

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

(7) An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county.

[2004 c 206 § 1; 2003 c 299 § 5; 1997 c 429 § 24; 1995 c 400 § 2; 1994 c 249 § 27; 1993 sp.s. c 6 § 2; 1991 sp.s. c 32 § 29; 1990 1st ex.s. c 17 § 11.]

NOTES:

Severability -- 1997 c 429: See note following RCW [36.70A.3201](#).

Construction -- Application -- 1995 c 400: See note following RCW [36.70A.070](#).

Effective date -- 1995 c 400: See note following RCW [36.70A.040](#).

Severability -- Application -- 1994 c 249: See notes following RCW [34.05.310](#).

Effective date -- 1993 sp.s. c 6: See note following RCW [36.70A.040](#).

RCW 36.70A.210

County-wide planning policies.

(1) The legislature recognizes that counties are regional governments within their boundaries, and cities are primary providers of urban governmental services within urban growth areas. For the purposes of this section, a "county-wide planning policy" is a written policy statement or statements used solely for establishing a county-wide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent as required in RCW [36.70A.100](#). Nothing in this section shall be construed to alter the land-use powers of cities.

(2) The legislative authority of a county that plans under RCW [36.70A.040](#) shall adopt a county-wide planning policy in cooperation with the cities located in whole or in part within the county as follows:

(a) No later than sixty calendar days from July 16, 1991, the legislative authority of each county that as of June 1, 1991, was required or chose to plan under RCW [36.70A.040](#) shall convene a meeting with representatives of each city located within the county for the purpose of establishing a collaborative process that will provide a framework for the adoption of a county-wide planning policy. In other counties that are required or choose to plan under RCW [36.70A.040](#), this meeting shall be convened no later than sixty days after the date the county adopts its resolution of intention or was certified by the office of financial management.

(b) The process and framework for adoption of a county-wide planning policy specified in (a) of this subsection shall determine the manner in which the county and the cities agree to all procedures and provisions including but not limited to desired planning policies, deadlines, ratification of final agreements and demonstration thereof, and financing, if any, of all activities associated therewith.

(c) If a county fails for any reason to convene a meeting with representatives of cities as required in (a) of this subsection, the governor may immediately impose any appropriate sanction or sanctions on the county from those specified under RCW [36.70A.340](#).

(d) If there is no agreement by October 1, 1991, in a county that was required or chose to plan under RCW [36.70A.040](#) as of June 1, 1991, or if there is no agreement within one hundred twenty days of the date the county adopted its resolution of intention or was certified by the office of financial management in any other county that is required or chooses to plan under RCW [36.70A.040](#), the governor shall first inquire of the jurisdictions as to the reason or reasons for failure to reach an agreement. If the governor deems it appropriate, the governor may immediately request the assistance of the department of community, trade, and economic development to mediate any disputes that preclude agreement. If mediation is unsuccessful in resolving all disputes that will lead to agreement, the governor may impose appropriate sanctions from those specified under RCW [36.70A.340](#) on the county, city, or cities for failure to reach an agreement as provided in this section. The governor shall specify the reason or reasons for the imposition of any sanction.

(e) No later than July 1, 1992, the legislative authority of each county that was required or

chose to plan under RCW [36.70A.040](#) as of June 1, 1991, or no later than fourteen months after the date the county adopted its resolution of intention or was certified by the office of financial management the county legislative authority of any other county that is required or chooses to plan under RCW [36.70A.040](#), shall adopt a county-wide planning policy according to the process provided under this section and that is consistent with the agreement pursuant to (b) of this subsection, and after holding a public hearing or hearings on the proposed county-wide planning policy.

(3) A county-wide planning policy shall at a minimum, address the following:

(a) Policies to implement RCW [36.70A.110](#);

(b) Policies for promotion of contiguous and orderly development and provision of urban services to such development;

(c) Policies for siting public capital facilities of a county-wide or statewide nature, including transportation facilities of statewide significance as defined in RCW [47.06.140](#);

(d) Policies for county-wide transportation facilities and strategies;

(e) Policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution;

(f) Policies for joint county and city planning within urban growth areas;

(g) Policies for county-wide economic development and employment; and

(h) An analysis of the fiscal impact.

(4) Federal agencies and Indian tribes may participate in and cooperate with the county-wide planning policy adoption process. Adopted county-wide planning policies shall be adhered to by state agencies.

(5) Failure to adopt a county-wide planning policy that meets the requirements of this section may result in the imposition of a sanction or sanctions on a county or city within the county, as specified in RCW [36.70A.340](#). In imposing a sanction or sanctions, the governor shall specify the reasons for failure to adopt a county-wide planning policy in order that any imposed sanction or sanctions are fairly and equitably related to the failure to adopt a county-wide planning policy.

(6) Cities and the governor may appeal an adopted county-wide planning policy to the growth management hearings board within sixty days of the adoption of the county-wide planning policy.

(7) Multicounty planning policies shall be adopted by two or more counties, each with a population of four hundred fifty thousand or more, with contiguous urban areas and may be adopted by other counties, according to the process established under this section or other processes agreed to among the counties and cities within the affected counties throughout the multicounty region.

[1998 c 171 § 4; 1994 c 249 § 28; 1993 sp.s. c 6 § 4; 1991 sp.s. c 32 § 2.]

NOTES:

Severability -- Application -- 1994 c 249: See notes following RCW [34.05.310](#).

Effective date -- 1993 sp.s. c 6: See note following RCW [36.70A.040](#).