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SENATE BILL 6637

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State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Sheldon, Winsley, Hale, Wood and Long

Read first time 01/22/96. Referred to Committee on Government Operations.

1 AN ACT Relating to limitations on growth management hearings board  
2 discretion; and amending RCW 36.70A.320.

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

4 **Sec. 1.** RCW 36.70A.320 and 1995 c 347 s 111 are each amended to  
5 read as follows:

6 (1) Except as provided in subsection (2) of this section,  
7 comprehensive plans and development regulations, ~~((and))~~ amendments  
8 thereto, and other required actions adopted under this chapter are  
9 presumed valid upon adoption. In any petition under this chapter, the  
10 board, after full consideration of the petition, shall determine  
11 whether there is compliance with ~~((the requirements of))~~ this chapter,  
12 including approved county-wide planning policies. In making its  
13 determination, the board shall consider the criteria adopted by the  
14 department under RCW 36.70A.190(4). The board shall find compliance  
15 unless it finds ~~((by a preponderance of the evidence))~~ that the  
16 petitioner has demonstrated by evidence that is substantial when  
17 reviewed in light of the whole record before the board that the  
18 comprehensive plan, development regulation, or other action or  
19 amendment of the state agency, county, or city erroneously interpreted

1 or applied this chapter. In evaluating compliance with the goals set  
2 forth in RCW 36.70A.020, the board shall defer to the city or county as  
3 to the relative weight to be given to each goal in arriving at a  
4 balanced plan.

5 (2) The shoreline element of a comprehensive plan and the  
6 applicable development regulations adopted by a county or city shall  
7 take effect as provided in chapter 90.58 RCW.

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