



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 29, 2023

TIME: 10:01 AM

WSR 23-08-037

Agency: Washington State Department of Commerce

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Commerce conducted a comprehensive review and update of the administrative rules that implement the Growth Management Act so that local governments have clear guidance before the next round of county and city periodic updates to comprehensive plans and development regulations, required under RCW 36.70A.130. Updates are necessary to reflect recent legislative changes such as the periodic update deadline, the buildable lands program, potable water requirements, and school siting provisions. Commerce made other changes to provide clarity on requirements and recommendations to implement the Growth Management Act, with a large focus on the designation and protection of critical areas and natural resource lands.

Citation of rules affected by this order:

New: WAC 365-196- 350, WAC 365-196- 585

Repealed:

Amended: WAC 365-190-030, WAC 365-190,040, WAC 365-190-050, WAC 365-190-060, WAC 365-190-070, WAC 365-190,080, WAC 365-190-090, WAC 365-190-100, WAC 365-190-110, WAC 365-190-120, WAC 365-190-130, WAC 365-195-900, WAC 365-195-905, WAC 365-195-910, WAC 365-195-920, WAC 365-196-010, WAC 365-196-030, WAC 365-196-060, WAC 365-196-210, WAC 365-196-300, WAC 365-196-305, WAC 365-196-310, WAC 365-196-315, WAC 365-196-320, WAC 365-196-325, WAC 365-196-330, WAC 365-196-400, WAC 365-196-405, WAC 365-196-410, WAC 365-196-415, WAC 365-196-420, WAC 365-196-425, WAC 365-196-430, WAC 365-196-435, WAC 365-196-465, WAC 365-196- 470, WAC 365-196-475, WAC 365-196-480, WAC 365-196-485, WAC 365-196- 500, WAC 365-196-510, WAC 365-196-530, WAC 365-196-550, WAC 365-196- 600, WAC 365-196-610, 630, WAC 365-196-660, WAC 365-196-730, WAC 365-196-740, WAC 365-196-825, WAC 365-196-830

Suspended:

Statutory authority for adoption: RCW 36.70A.050, RCW 36.70A.190

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 22-13-125 and 23-01-078 on 6-17-22 and 12-15-22 (date).

Describe any changes other than editing from proposed to adopted version: Commerce amended WAC 365-190-050 and WAC 365-190-060 to clarify that counties may consider smaller parcels for designation as agricultural or forest resource lands if they are contiguous with larger blocks of designated resource lands. Commerce amended WAC 365-190-080 to clarify that all functions and values of critical areas must be protected.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>4</u>	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>2</u>	Amended	<u>50</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>2</u>	Amended	<u>50</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: March 29, 2023
Name: Amanda Hathaway
Title: Agency Rules Coordinator

Signature:

