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**SUBSTITUTE HOUSE BILL 2412**

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**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** House Local Government & Housing (originally sponsored by Representatives Nelson, Springer, White, Simpson, Roberts, Chase, Appleton, and Kenney)

READ FIRST TIME 02/01/10.

1       AN ACT Relating to fully contained communities authorized under the  
2 growth management act; amending RCW 36.70A.350; and creating a new  
3 section.

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

5       **Sec. 1.** RCW 36.70A.350 and 1991 sp.s. c 32 s 16 are each amended  
6 to read as follows:

7       ~~((A)) (1)(a) Except as provided in (b) of this subsection, any~~  
8 county required or choosing to plan under RCW 36.70A.040 may  
9 ~~((establish a process as part of)), through its urban growth ((areas,~~  
10 ~~that are designated under RCW 36.70A.110,)) area designation~~  
11 procedures, establish a process for reviewing proposals to authorize  
12 new fully contained communities located outside of the initially  
13 designated urban growth areas.

14       ~~((1))~~ (b) Any county with a population greater than one million  
15 five hundred thousand persons, and any adjoining counties with  
16 populations greater than two hundred forty thousand persons, and that  
17 plan under RCW 36.70A.040, are prohibited from authorizing the  
18 development of fully contained communities.

1        (2) A new fully contained community may be approved in a county  
2 planning under this chapter if criteria including but not limited to  
3 the following are met:

4        (a) New infrastructure is provided for and impact fees are  
5 established consistent with the requirements of RCW 82.02.050;

6        (b) Transit-oriented site planning and traffic demand management  
7 programs are implemented;

8        (c) Buffers are provided between the new fully contained  
9 communities and adjacent urban development;

10       (d) A mix of uses is provided to offer jobs, housing, and services  
11 to the residents of the new community;

12       (e) Affordable housing is provided within the new community for a  
13 broad range of income levels;

14       (f) Environmental protection has been addressed and provided for;

15       (g) Development regulations are established to ensure urban growth  
16 will not occur in adjacent nonurban areas;

17       (h) Provision is made to mitigate impacts on designated  
18 agricultural lands, forest lands, and mineral resource lands;

19       (i) The plan for the new fully contained community is consistent  
20 with the development regulations established for the protection of  
21 critical areas by the county pursuant to RCW 36.70A.170.

22       ~~((+2))~~ (3) New fully contained communities may be approved outside  
23 established urban growth areas only if a county reserves a portion of  
24 the twenty-year population projection and offsets the urban growth area  
25 accordingly for allocation to new fully contained communities that meet  
26 the requirements of this chapter. Any county electing to establish a  
27 new community reserve shall do so no more often than once every five  
28 years as a part of the designation or review of urban growth areas  
29 required by this chapter. The new community reserve shall be allocated  
30 on a project-by-project basis, only after specific project approval  
31 procedures have been adopted pursuant to this chapter as a development  
32 regulation. When a new community reserve is established, urban growth  
33 areas designated pursuant to this chapter shall accommodate the  
34 unreserved portion of the twenty-year population projection.

35       Final approval of an application for a new fully contained  
36 community shall be considered an adopted amendment to the comprehensive  
37 plan prepared pursuant to RCW 36.70A.070 designating the new fully  
38 contained community as an urban growth area.

1        NEW SECTION.    **Sec. 2.**    Section 1 of this act does not apply to  
2 fully contained communities located west of the crest of the Cascade  
3 mountain range that were (1) approved and (2) in compliance with RCW  
4 36.70A.350, prior to the effective date of this section.

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