H-1330.3

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**SUBSTITUTE HOUSE BILL 1017**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** House Environment (originally sponsored by Representatives McCaslin, Barkis, Blake, Holy, Pettigrew, Haler, Taylor, Shea, Harris, Chandler, Smith, Muri, Stokesbary, Nealey, Stambaugh, Griffey, Vick, Buys, Dye, Short, Pike, Wilcox, Van Werven, Hargrove, Young, Klippert, Kilduff, and Sawyer)

AN ACT Relating to the siting of schools and school facilities; adding new sections to chapter 36.70A RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The office of the superintendent of public instruction and the department of commerce are each directed, no later than June 30, 2018, to adopt rules to:

(1) Revise the population projection and enrollment forecast allocation process adopted by rule by the office of the superintendent of public instruction in order to resolve inconsistencies between population projections produced by the office of financial management and enrollment projections produced by the office of the superintendent of public instruction;

(2) Revise the acreage guidelines for new schools adopted by rule by the office of the superintendent of public instruction;

(3) Develop policies that favor remodeling existing schools and that encourage selection of infill sites for new schools; and

(4) Create school siting standards that recognize the differences between school districts serving exclusively urban communities, exclusively rural communities, and those districts serving both urban and rural communities.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

(1) A county may allow for up to three school sites to be sited in rural areas, following a determination by the county decision maker that:

(a) No alternative sites are both available and suitable;

(b) New or upgraded infrastructure with a reasonable nexus to the school project is provided for by the school district, including the payment of any applicable impact fees;

(c) On-site and off-site infrastructure and service impacts are fully considered and mitigated;

(d) Transportation demand management programs required by the city, county, or regional transportation planning organization, pursuant to this chapter or chapter 47.80 RCW, are provided and implemented by the school district;

(e) Buffers are provided on school-owned property between the school development and adjacent nonurban areas. The buffer must be planted with native vegetation and be of sufficient width and planting to protect the school from the adverse impacts of allowed nonurban uses and to protect the allowed nonurban uses from impacts from the school. The buffer must be maintained for the duration of the use of the school site;

(f) Environmental protection, including air and water quality, has been addressed and provided for;

(g) The county has adopted development regulations under this chapter to ensure that urban growth will not occur in adjacent nonurban areas;

(h) Impacts on designated agricultural lands, forestlands, and mineral resource lands are avoided; and

(i) The plan for the school development is consistent with the county's development regulations concerning the protection of critical areas. The selection of the school site must seek to avoid risk of natural hazards.

(2) For the purposes of this section, alternative sites are considered unavailable when an inventory of developable land has been conducted by the school district, in consultation with the county and cities, and subject to final approval by the county. In order to support a determination that alternative sites are unavailable, a county's approval of such an inventory must be supported by findings on the part of the county that developable land suitable to site the school is unavailable within the urban growth area and relevant services area, taking into consideration school service area needs, locally adopted educational program requirements, and the extent to which there is vacant and suitable land available within the growth area.

(3) If necessary to implement this section, the county legislative authority must amend the countywide planning policies consistent with this section, through the process established within that county.

(4) A county located west of the crest of the Cascade mountains may site a school under this section only if it has a population greater than eight hundred thousand but less than one million five hundred thousand.

(5) For the purposes of this section, proximity to a school in a rural area is not considered urban growth for the purpose of removing a resource land designation or expanding an urban growth area.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

In a county that chooses to site schools under section 2 of this act, each school district within the county must participate in the county's periodic updates required by RCW 36.70A.130(1)(b) by:

(1) Coordinating its enrollment forecasts and projections with the county's adopted population projections;

(2) Identifying school siting criteria with the county, cities, and regional transportation planning organizations;

(3) Identifying suitable school sites with the county and cities, with priority to siting urban-serving schools in existing cities and towns in locations where students can safely walk and bicycle to the school from their homes and that can effectively be served with transit; and

(4) Working with the county and cities to identify school costs and funding for the capital facilities plan element required by RCW 36.70A.070(3).

**--- END ---**