

2 **2SHB 2697** - S COMM AMD

3 By Committee on State & Local Government

4 ADOPTED 03/14/02

5 Strike everything after the enacting clause and insert the  
6 following:

7 "**Sec. 1.** RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each  
8 amended to read as follows:

9 The following goals are adopted to guide the development and  
10 adoption of comprehensive plans and development regulations of those  
11 counties and cities that are required or choose to plan under RCW  
12 36.70A.040. The following goals are not listed in order of priority  
13 and shall be used exclusively for the purpose of guiding the  
14 development of comprehensive plans and development regulations:

15 (1) Urban growth. Encourage development in urban areas where  
16 adequate public facilities and services exist or can be provided in an  
17 efficient manner.

18 (2) Reduce sprawl. Reduce the inappropriate conversion of  
19 undeveloped land into sprawling, low-density development.

20 (3) Transportation. Encourage efficient multimodal transportation  
21 systems that are based on regional priorities and coordinated with  
22 county and city comprehensive plans.

23 (4) Housing. Encourage the availability of affordable housing to  
24 all economic segments of the population of this state, promote a  
25 variety of residential densities and housing types, and encourage  
26 preservation of existing housing stock.

27 (5) Economic development. Encourage economic development  
28 throughout the state that is consistent with adopted comprehensive  
29 plans, promote economic opportunity for all citizens of this state,  
30 especially for unemployed and for disadvantaged persons, promote the  
31 retention and expansion of existing businesses and recruitment of new  
32 businesses, recognize regional differences impacting economic  
33 development opportunities, and encourage growth in areas experiencing  
34 insufficient economic growth, all within the capacities of the state's  
35 natural resources, public services, and public facilities.

1 (6) Property rights. Private property shall not be taken for  
2 public use without just compensation having been made. The property  
3 rights of landowners shall be protected from arbitrary and  
4 discriminatory actions.

5 (7) Permits. Applications for both state and local government  
6 permits should be processed in a timely and fair manner to ensure  
7 predictability.

8 (8) Natural resource industries. Maintain and enhance natural  
9 resource-based industries, including productive timber, agricultural,  
10 and fisheries industries. Encourage the conservation of productive  
11 forest lands and productive agricultural lands, and discourage  
12 incompatible uses.

13 (9) Open space and recreation. (~~Encourage the retention of~~)  
14 Retain open space (~~and development of~~), enhance recreational  
15 opportunities, conserve fish and wildlife habitat, increase access to  
16 natural resource lands and water, and develop parks and recreation  
17 facilities.

18 (10) Environment. Protect the environment and enhance the state's  
19 high quality of life, including air and water quality, and the  
20 availability of water.

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

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

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

32 **Sec. 2.** RCW 36.70A.070 and 1998 c 171 s 2 are each amended to read  
33 as follows:

34 The comprehensive plan of a county or city that is required or  
35 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,  
36 and descriptive text covering objectives, principles, and standards  
37 used to develop the comprehensive plan. The plan shall be an  
38 internally consistent document and all elements shall be consistent

1 with the future land use map. A comprehensive plan shall be adopted  
2 and amended with public participation as provided in RCW 36.70A.140.

3 Each comprehensive plan shall include a plan, scheme, or design for  
4 each of the following:

5 (1) A land use element designating the proposed general  
6 distribution and general location and extent of the uses of land, where  
7 appropriate, for agriculture, timber production, housing, commerce,  
8 industry, recreation, open spaces, general aviation airports, public  
9 utilities, public facilities, and other land uses. The land use  
10 element shall include population densities, building intensities, and  
11 estimates of future population growth. The land use element shall  
12 provide for protection of the quality and quantity of ground water used  
13 for public water supplies. Where applicable, the land use element  
14 shall review drainage, flooding, and storm water run-off in the area  
15 and nearby jurisdictions and provide guidance for corrective actions to  
16 mitigate or cleanse those discharges that pollute waters of the state,  
17 including Puget Sound or waters entering Puget Sound.

18 (2) A housing element ensuring the vitality and character of  
19 established residential neighborhoods that: (a) Includes an inventory  
20 and analysis of existing and projected housing needs that identifies  
21 the number of housing units necessary to manage projected growth; (b)  
22 includes a statement of goals, policies, objectives, and mandatory  
23 provisions for the preservation, improvement, and development of  
24 housing, including single-family residences; (c) identifies sufficient  
25 land for housing, including, but not limited to, government-assisted  
26 housing, housing for low-income families, manufactured housing,  
27 multifamily housing, and group homes and foster care facilities; and  
28 (d) makes adequate provisions for existing and projected needs of all  
29 economic segments of the community.

30 (3) A capital facilities plan element consisting of: (a) An  
31 inventory of existing capital facilities owned by public entities,  
32 showing the locations and capacities of the capital facilities; (b) a  
33 forecast of the future needs for such capital facilities; (c) the  
34 proposed locations and capacities of expanded or new capital  
35 facilities; (d) at least a six-year plan that will finance such capital  
36 facilities within projected funding capacities and clearly identifies  
37 sources of public money for such purposes; and (e) a requirement to  
38 reassess the land use element if probable funding falls short of  
39 meeting existing needs and to ensure that the land use element, capital

1 facilities plan element, and financing plan within the capital  
2 facilities plan element are coordinated and consistent. Park and  
3 recreation facilities shall be included in the capital facilities plan  
4 element.

5 (4) A utilities element consisting of the general location,  
6 proposed location, and capacity of all existing and proposed utilities,  
7 including, but not limited to, electrical lines, telecommunication  
8 lines, and natural gas lines.

9 (5) Rural element. Counties shall include a rural element  
10 including lands that are not designated for urban growth, agriculture,  
11 forest, or mineral resources. The following provisions shall apply to  
12 the rural element:

13 (a) Growth management act goals and local circumstances. Because  
14 circumstances vary from county to county, in establishing patterns of  
15 rural densities and uses, a county may consider local circumstances,  
16 but shall develop a written record explaining how the rural element  
17 harmonizes the planning goals in RCW 36.70A.020 and meets the  
18 requirements of this chapter.

19 (b) Rural development. The rural element shall permit rural  
20 development, forestry, and agriculture in rural areas. The rural  
21 element shall provide for a variety of rural densities, uses, essential  
22 public facilities, and rural governmental services needed to serve the  
23 permitted densities and uses. In order to achieve a variety of rural  
24 densities and uses, counties may provide for clustering, density  
25 transfer, design guidelines, conservation easements, and other  
26 innovative techniques that will accommodate appropriate rural densities  
27 and uses that are not characterized by urban growth and that are  
28 consistent with rural character.

29 (c) Measures governing rural development. The rural element shall  
30 include measures that apply to rural development and protect the rural  
31 character of the area, as established by the county, by:

32 (i) Containing or otherwise controlling rural development;

33 (ii) Assuring visual compatibility of rural development with the  
34 surrounding rural area;

35 (iii) Reducing the inappropriate conversion of undeveloped land  
36 into sprawling, low-density development in the rural area;

37 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and  
38 surface water and ground water resources; and

1 (v) Protecting against conflicts with the use of agricultural,  
2 forest, and mineral resource lands designated under RCW 36.70A.170.

3 (d) Limited areas of more intensive rural development. Subject to  
4 the requirements of this subsection and except as otherwise  
5 specifically provided in this subsection (5)(d), the rural element may  
6 allow for limited areas of more intensive rural development, including  
7 necessary public facilities and public services to serve the limited  
8 area as follows:

9 (i) Rural development consisting of the infill, development, or  
10 redevelopment of existing commercial, industrial, residential, or  
11 mixed-use areas, whether characterized as shoreline development,  
12 villages, hamlets, rural activity centers, or crossroads developments.  
13 A commercial, industrial, residential, shoreline, or mixed-use area  
14 shall be subject to the requirements of (d)(iv) of this subsection, but  
15 shall not be subject to the requirements of (c)(ii) and (iii) of this  
16 subsection. An industrial area is not required to be principally  
17 designed to serve the existing and projected rural population;

18 (ii) The intensification of development on lots containing, or new  
19 development of, small-scale recreational or tourist uses, including  
20 commercial facilities to serve those recreational or tourist uses, that  
21 rely on a rural location and setting, but that do not include new  
22 residential development. A small-scale recreation or tourist use is  
23 not required to be principally designed to serve the existing and  
24 projected rural population. Public services and public facilities  
25 shall be limited to those necessary to serve the recreation or tourist  
26 use and shall be provided in a manner that does not permit low-density  
27 sprawl;

28 (iii) The intensification of development on lots containing  
29 isolated nonresidential uses or new development of isolated cottage  
30 industries and isolated small-scale businesses that are not principally  
31 designed to serve the existing and projected rural population and  
32 nonresidential uses, but do provide job opportunities for rural  
33 residents. Public services and public facilities shall be limited to  
34 those necessary to serve the isolated nonresidential use and shall be  
35 provided in a manner that does not permit low-density sprawl;

36 (iv) A county shall adopt measures to minimize and contain the  
37 existing areas or uses of more intensive rural development, as  
38 appropriate, authorized under this subsection. Lands included in such  
39 existing areas or uses shall not extend beyond the logical outer

1 boundary of the existing area or use, thereby allowing a new pattern of  
2 low-density sprawl. Existing areas are those that are clearly  
3 identifiable and contained and where there is a logical boundary  
4 delineated predominately by the built environment, but that may also  
5 include undeveloped lands if limited as provided in this subsection.  
6 The county shall establish the logical outer boundary of an area of  
7 more intensive rural development. In establishing the logical outer  
8 boundary the county shall address (A) the need to preserve the  
9 character of existing natural neighborhoods and communities, (B)  
10 physical boundaries such as bodies of water, streets and highways, and  
11 land forms and contours, (C) the prevention of abnormally irregular  
12 boundaries, and (D) the ability to provide public facilities and public  
13 services in a manner that does not permit low-density sprawl;

14 (v) For purposes of (d) of this subsection, an existing area or  
15 existing use is one that was in existence:

16 (A) On July 1, 1990, in a county that was initially required to  
17 plan under all of the provisions of this chapter;

18 (B) On the date the county adopted a resolution under RCW  
19 36.70A.040(2), in a county that is planning under all of the provisions  
20 of this chapter under RCW 36.70A.040(2); or

21 (C) On the date the office of financial management certifies the  
22 county's population as provided in RCW 36.70A.040(5), in a county that  
23 is planning under all of the provisions of this chapter pursuant to RCW  
24 36.70A.040(5).

25 (e) Exception. This subsection shall not be interpreted to permit  
26 in the rural area a major industrial development or a master planned  
27 resort unless otherwise specifically permitted under RCW 36.70A.360 and  
28 36.70A.365.

29 (6) A transportation element that implements, and is consistent  
30 with, the land use element.

31 (a) The transportation element shall include the following  
32 subelements:

33 (i) Land use assumptions used in estimating travel;

34 (ii) Estimated traffic impacts to state-owned transportation  
35 facilities resulting from land use assumptions to assist the department  
36 of transportation in monitoring the performance of state facilities, to  
37 plan improvements for the facilities, and to assess the impact of land-  
38 use decisions on state-owned transportation facilities;

39 (iii) Facilities and services needs, including:

1 (A) An inventory of air, water, and ground transportation  
2 facilities and services, including transit alignments and general  
3 aviation airport facilities, to define existing capital facilities and  
4 travel levels as a basis for future planning. This inventory must  
5 include state-owned transportation facilities within the city or  
6 county's jurisdiction boundaries;

7 (B) Level of service standards for all locally owned arterials and  
8 transit routes to serve as a gauge to judge performance of the system.  
9 These standards should be regionally coordinated;

10 (C) For state-owned transportation facilities, level of service  
11 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,  
12 to gauge the performance of the system. The purposes of reflecting  
13 level of service standards for state highways in the local  
14 comprehensive plan are to monitor the performance of the system, to  
15 evaluate improvement strategies, and to facilitate coordination between  
16 the county's or city's six-year street, road, or transit program and  
17 the department of transportation's six-year investment program. The  
18 concurrency requirements of (b) of this subsection do not apply to  
19 transportation facilities and services of statewide significance except  
20 for counties consisting of islands whose only connection to the  
21 mainland are state highways or ferry routes. In these island counties,  
22 state highways and ferry route capacity must be a factor in meeting the  
23 concurrency requirements in (b) of this subsection;

24 (D) Specific actions and requirements for bringing into compliance  
25 locally owned transportation facilities or services that are below an  
26 established level of service standard;

27 (E) Forecasts of traffic for at least ten years based on the  
28 adopted land use plan to provide information on the location, timing,  
29 and capacity needs of future growth;

30 (F) Identification of state and local system needs to meet current  
31 and future demands. Identified needs on state-owned transportation  
32 facilities must be consistent with the statewide multimodal  
33 transportation plan required under chapter 47.06 RCW;

34 (iv) Finance, including:

35 (A) An analysis of funding capability to judge needs against  
36 probable funding resources;

37 (B) A multiyear financing plan based on the needs identified in the  
38 comprehensive plan, the appropriate parts of which shall serve as the  
39 basis for the six-year street, road, or transit program required by RCW

1 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795  
2 for public transportation systems. The multiyear financing plan should  
3 be coordinated with the six-year improvement program developed by the  
4 department of transportation as required by RCW 47.05.030;

5 (C) If probable funding falls short of meeting identified needs, a  
6 discussion of how additional funding will be raised, or how land use  
7 assumptions will be reassessed to ensure that level of service  
8 standards will be met;

9 (v) Intergovernmental coordination efforts, including an assessment  
10 of the impacts of the transportation plan and land use assumptions on  
11 the transportation systems of adjacent jurisdictions;

12 (vi) Demand-management strategies.

13 (b) After adoption of the comprehensive plan by jurisdictions  
14 required to plan or who choose to plan under RCW 36.70A.040, local  
15 jurisdictions must adopt and enforce ordinances which prohibit  
16 development approval if the development causes the level of service on  
17 a locally owned transportation facility to decline below the standards  
18 adopted in the transportation element of the comprehensive plan, unless  
19 transportation improvements or strategies to accommodate the impacts of  
20 development are made concurrent with the development. These strategies  
21 may include increased public transportation service, ride sharing  
22 programs, demand management, and other transportation systems  
23 management strategies. For the purposes of this subsection (6)  
24 "concurrent with the development" shall mean that improvements or  
25 strategies are in place at the time of development, or that a financial  
26 commitment is in place to complete the improvements or strategies  
27 within six years.

28 (c) The transportation element described in this subsection (6),  
29 and the six-year plans required by RCW 35.77.010 for cities, RCW  
30 36.81.121 for counties, RCW 35.58.2795 for public transportation  
31 systems, and RCW 47.05.030 for the state, must be consistent.

32 (7) An economic development element establishing local goals,  
33 policies, objectives, and provisions for economic growth and vitality  
34 and a high quality of life. The element shall include: (a) A summary  
35 of the local economy such as population, employment, payroll, sectors,  
36 businesses, sales, and other information as appropriate; (b) a summary  
37 of the strengths and weaknesses of the local economy defined as the  
38 commercial and industrial sectors and supporting factors such as land  
39 use, transportation, utilities, education, workforce, housing, and



1 natural/cultural resources; and (c) an identification of policies,  
2 programs, and projects to foster economic growth and development and to  
3 address future needs. A city that has chosen to be a residential  
4 community is exempt from the economic development element requirement  
5 of this subsection.

6 (8) A park and recreation element that implements, and is  
7 consistent with, the capital facilities plan element as it relates to  
8 park and recreation facilities. The element shall include: (a)  
9 Estimates of park and recreation demand for at least a ten-year period;  
10 (b) an evaluation of facilities and service needs; and (c) an  
11 evaluation of intergovernmental coordination opportunities to provide  
12 regional approaches for meeting park and recreational demand.

13 (9) It is the intent that new or amended elements required after  
14 January 1, 2002, be adopted concurrent with the scheduled update  
15 provided in RCW 36.70A.130. Requirements to incorporate any such new  
16 or amended elements shall be null and void until funds sufficient to  
17 cover applicable local government costs are appropriated and  
18 distributed by the state at least two years before local government  
19 must update comprehensive plans as required in RCW 36.70A.130."

20 **2SHB 2697** - S COMM AMD

21 By Committee on State & Local Government

22 ADOPTED 03/14/02

23 On page 1, line 2 of the title, after "planning;" strike the  
24 remainder of the title and insert "and amending RCW 36.70A.020 and  
25 36.70A.070."

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