
SENATE BILL 5964

State of Washington

64th Legislature

2015 Regular Session

By Senators Roach and Liias

Read first time 02/13/15. Referred to Committee on Government Operations & Security.

1 AN ACT Relating to infill development; and amending RCW
2 43.21C.229.

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

4 **Sec. 1.** RCW 43.21C.229 and 2012 1st sp.s. c 1 s 304 are each
5 amended to read as follows:

6 (1) In order to accommodate infill development and thereby
7 realize the goals and policies of comprehensive plans adopted
8 according to chapter 36.70A RCW, a city or county planning under RCW
9 36.70A.040 is authorized by this section to establish categorical
10 exemptions from the requirements of this chapter. An exemption
11 adopted under this section applies even if it differs from the
12 categorical exemptions adopted by rule of the department under RCW
13 43.21C.110(1)(a). An exemption may be adopted by a city or county
14 under this section if it meets the following criteria:

15 (a) It categorically exempts government action related to
16 development proposed to fill in an urban growth area, designated
17 according to RCW 36.70A.110, where current density and intensity of
18 use in the area is lower than called for in the goals and policies of
19 the applicable comprehensive plan and the development is either:

- 20 (i) Residential development;
- 21 (ii) Mixed-use development; or

1 (iii) Commercial development up to sixty-five thousand square
2 feet, excluding retail development;

3 (b) It does not exempt government action related to development
4 that is inconsistent with the applicable comprehensive plan or would
5 exceed the density or intensity of use called for in the goals and
6 policies of the applicable comprehensive plan;

7 (c) The local government considers the specific probable adverse
8 environmental impacts of the proposed action and determines that
9 these specific impacts are adequately addressed by the development
10 regulations or other applicable requirements of the comprehensive
11 plan, subarea plan element of the comprehensive plan, planned action
12 ordinance, or other local, state, or federal rules or laws; ((and))

13 (d) The action is a short plat or short subdivision approved
14 under RCW 58.17.060; or

15 (e)(i) The city or county's applicable comprehensive plan was
16 previously subjected to environmental analysis through an
17 environmental impact statement under the requirements of this chapter
18 prior to adoption; or

19 (ii) The city or county has prepared an environmental impact
20 statement that considers the proposed use or density and intensity of
21 use in the area proposed for an exemption under this section.

22 (2) Any categorical exemption adopted by a city or county under
23 this section shall be subject to the rules of the department adopted
24 according to RCW 43.21C.110(1)(a) that provide exceptions to the use
25 of categorical exemptions adopted by the department, except that
26 minor actions that are four dwelling units or less, excavation of
27 five hundred cubic yards of dirt or less, or four lot short plats or
28 less, are exempt.

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