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ENGROSSED SUBSTITUTE SENATE BILL 6426

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State of Washington

64th Legislature

2016 Regular Session

By Senate Government Operations & Security (originally sponsored by Senators Conway, Dammeier, Takko, Becker, Mullet, Sheldon, and Chase)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to essential public facilities; and adding a new  
2 section to chapter 36.70A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A  
5 RCW to read as follows:

6 (1) The comprehensive plan of each county and city that is  
7 planning under RCW 36.70A.040 must identify schools to be sited  
8 outside the urban growth area as essential public facilities under  
9 RCW 36.70A.200. Not later than one year from the effective date of  
10 this section, each county and city planning under RCW 36.70A.040  
11 shall amend its existing process for siting essential public  
12 facilities to comply with this section.

13 (2) Schools may be permitted outside the urban growth area and  
14 considered essential public facilities under RCW 36.70A.200 when:

15 (a) The school is needed to meet student capacity needs in an  
16 identified service area which serves students residing in whole or in  
17 part outside of an urban growth area, as demonstrated by a capital  
18 facilities plan adopted by a locally elected school board of  
19 directors;

20 (b) An inventory of developable land has been conducted and  
21 findings have been made that vacant land suitable to site the school

1 is unavailable within the urban growth area and relevant service  
2 area, taking into consideration school service area needs, locally  
3 adopted educational program requirements, and, to the extent there is  
4 vacant land available within the urban growth area, the current  
5 zoning and the financial feasibility of using dollars to secure such  
6 land;

7 (c) New infrastructure is provided for and impact fees, if  
8 applicable, are established consistent with the requirements of RCW  
9 82.02.050;

10 (d) Any utility extensions or urban services necessary to serve  
11 schools outside the urban growth area are provided for, and are  
12 solely dedicated for school purposes;

13 (e) Transit-oriented site planning and traffic demand management  
14 programs are implemented;

15 (f) Buffers are provided between the school development and  
16 adjacent nonurban uses;

17 (g) Environmental protection has been addressed and provided for;

18 (h) Development regulations are established to ensure urban  
19 growth will not occur in adjacent nonurban areas;

20 (i) Provisions are made to mitigate impacts on designated  
21 agricultural lands, forest lands, and mineral resource lands if the  
22 proposed site is located adjacent to such lands; and

23 (j) The plan for the new school is consistent with the  
24 development regulations established for the protection of critical  
25 areas by the county pursuant to RCW 36.70A.170.

26 (3) Each county and city that is planning under RCW 36.70A.040  
27 and subject to this section shall ensure that:

28 (a) The comprehensive plan specifically identifies policies,  
29 consistent with this section, to guide the development of schools as  
30 essential public facilities located outside of the urban growth area;

31 (b) The comprehensive plan and development regulations include  
32 restrictions that preclude new urban or suburban land uses in the  
33 vicinity of new schools, except in areas otherwise designated for  
34 urban growth under RCW 36.70A.110;

35 (c) The county or city ensures that the school development plan  
36 is consistent with the development regulations established for  
37 critical areas; and

38 (d) On-site and off-site infrastructure and service impacts are  
39 fully considered and mitigated.

1           (4)(a) This section applies to any county that is required or  
2 chooses to plan under RCW 36.70A.040 with a population of at least  
3 one hundred fifty thousand and no more than two hundred thousand that  
4 abuts at least five other counties.

5           (b) This section applies to any county that is required or  
6 chooses to plan under RCW 36.70A.040 with a population of at least  
7 seven hundred thousand and no more than one million one hundred  
8 thousand that abuts at least five other counties.

9           (c) This section applies to any county that is required or  
10 chooses to plan under RCW 36.70A.040 with a population of at least  
11 eighty thousand and no more than one hundred thousand that abuts at  
12 least five other counties.

13           (d) This section applies to any county that is required or  
14 chooses to plan under RCW 36.70A.040 with a population of at least  
15 eighty-five thousand and that abuts at least six other counties.

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