
SENATE BILL 6426

State of Washington 64th Legislature 2016 Regular Session

By Senators Conway, Dammeier, Takko, Becker, Mullet, Sheldon, and Chase

Read first time 01/20/16. Referred to Committee on Government Operations & Security.

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 as essential
8 public facilities outside the urban growth area. Not later than one
9 year from the adoption of this section, each county and city planning
10 under RCW 36.70A.040 shall amend its existing process for siting
11 essential public facilities outside the urban growth area to comply
12 with the provisions of RCW 36.70A.200 and this section.

13 (2) Schools may be permitted as essential public facilities
14 outside the urban growth area 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 boundary 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 boundary, 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, forestlands, 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) Any jurisdiction subject to this section shall ensure that:

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

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 jurisdiction ensures that the school development plan is
36 consistent with the development regulations established for critical
37 areas; and

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

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