
HOUSE BILL 2111

State of Washington 65th Legislature 2017 Regular Session

By Representatives Reeves, Ormsby, Fey, Kilduff, Fitzgibbon,
Riccelli, and Ryu

Read first time 02/15/17. Referred to Committee on Environment.

1 AN ACT Relating to the protection of military installations
2 operated by the United States armed services from incompatible
3 development; and amending RCW 36.70A.530.

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

5 **Sec. 1.** RCW 36.70A.530 and 2004 c 28 s 2 are each amended to
6 read as follows:

7 (1) Military installations are of particular importance to the
8 economic health of the state of Washington and it is a priority of
9 the state to protect the land surrounding our military installations
10 from incompatible development.

11 (2) Comprehensive plans, amendments to comprehensive plans,
12 development regulations, or amendments to development regulations
13 adopted under this section shall be adopted or amended concurrent
14 with the scheduled update provided in RCW 36.70A.130, except that
15 counties and cities identified in RCW 36.70A.130(4)(a) shall comply
16 with this section on or before December 1, 2005, and shall thereafter
17 comply with this section on a schedule consistent with RCW
18 36.70A.130(4).

19 (3) A comprehensive plan, amendment to a plan, a development
20 regulation, or amendment to a new development regulation, (~~should~~)
21 may not allow development in the vicinity of a military installation

1 that is incompatible with the installation's ability to carry out its
2 mission requirements. A city or county may find that an existing
3 comprehensive plan or development regulations are compatible with the
4 installation's ability to carry out its mission requirements.

5 (4) As part of the requirements of RCW 36.70A.070(1) each county
6 and city planning under RCW 36.70A.040 that has a federal military
7 installation, other than a reserve center or a recruiting center,
8 that (~~employs one hundred or more personnel and~~) is operated by the
9 United States (~~department of defense~~) armed services within or
10 adjacent to its border, shall notify the commander of the military
11 installation or a designee of the county's or city's intent to amend
12 its comprehensive plan or amend or adopt development regulations (~~to~~
13 ~~address lands adjacent to military installations to ensure those~~
14 ~~lands are protected from incompatible development~~) where the
15 proposal applies to lands where development may interfere with the
16 installation's ability to carry out its current or future mission
17 requirements. The notice must fully inform the commander or their
18 designee of the county's or city's proposal.

19 (5)(a) The notice provided under subsection (4) of this section
20 shall request from the commander of the military installation or a
21 designee a written (~~recommendation and supporting facts~~) response
22 with comments relating to the (~~use of land being considered in the~~
23 ~~adoption of a comprehensive plan or an amendment to a plan~~) county's
24 or city's proposal and providing recommendations to ensure the
25 military installation is protected from incompatible development. The
26 notice shall provide sixty days for a response from the commander. If
27 the commander does not submit a response to such request within sixty
28 days, the local government may presume that implementation of the
29 proposed plan or amendment will not have any adverse effect on the
30 operation of the installation.

31 (b) When a county or city intends to amend its development
32 regulations to be consistent with the comprehensive plan elements
33 addressed in (a) of this subsection, notice shall be provided to the
34 commander of the military installation or a designee consistent with
35 subsection (4) of this section. The notice shall request from the
36 commander of the military installation or a designee a written
37 recommendation and supporting facts relating to the use of land being
38 considered in the amendment to the development regulations. The
39 notice shall provide sixty days for a response from the commander to
40 the requesting government. If the commander or a designee does not

1 submit a response to such request within sixty days, the local
2 government may presume that implementation of the proposed
3 development regulation or amendment will not have any adverse effect
4 on the operation of the installation.

5 (6) Where one or more counties or cities and a military base have
6 jointly developed plans or studies, such as a joint land use study,
7 to identify potentially incompatible uses and necessary mitigation
8 and avoidance measures, each county or city must adopt comprehensive
9 plan and development regulation amendments that are consistent with
10 and implement the recommendations of the plans or studies on or
11 before the next periodic update specified in RCW 36.70A.130(5).

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