
SENATE BILL 5945

State of Washington 65th Legislature 2017 2nd Special Session

By Senators Zeiger, Takko, Miloscia, and Conway

Read first time 06/05/17. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to the siting of schools and school facilities;
2 and adding a new 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) This chapter does not prohibit a county planning under RCW
7 36.70A.040 from authorizing the siting of a school in a rural area
8 that serves students that reside in an urban growth area and does not
9 prohibit local jurisdictions from extending public facilities and
10 utilities to serve a school sited in a rural area so long as the
11 following requirements are met:

12 (a) The school in a rural area is sited within two miles of the
13 urban growth boundary;

14 (b) The applicable school district board of directors has adopted
15 a policy addressing school service area and facility needs and
16 educational program requirements;

17 (c) The applicable school district has made a finding, with the
18 concurrence of the county legislative authority and the legislative
19 authorities of any affected cities, that the district's proposed site
20 is suitable to site the school and any associated recreational
21 facilities that the district has determined cannot reasonably be

1 collocated on an existing school site, taking into consideration the
2 policy adopted in (b) of this subsection and the extent to which
3 vacant or developable land within the growth area meets those
4 requirements;

5 (d) The county and any affected cities agree to the extension of
6 public facilities and utilities to serve the school sited in a rural
7 area at the time of concurrence in (c) of this subsection;

8 (e) If the public facility or utility is extended beyond the
9 urban growth area to serve a school, the public facility or utility
10 must serve only the school and the costs of such extension must be
11 borne by the applicable school district based on a reasonable nexus
12 to the impacts of the school, except as provided in subsection (3) of
13 this section; and

14 (f) Any impacts associated with the siting of the school are
15 mitigated as required by the state environmental policy act, chapter
16 43.21C RCW.

17 (2) This chapter does not prohibit either the expansion or
18 modernization of an existing school in the rural area or the
19 placement of portable classrooms at an existing school in the rural
20 area.

21 (3) Where a public facility or utility has been extended beyond
22 the urban growth area to serve a school, the public facility or
23 utility may, where consistent with RCW 36.70A.110(4), serve a
24 property or properties in addition to the school if a property owner
25 so requests, provided that the county and any affected cities agree
26 with the request and provided that the property is located no further
27 from the public facility or utility than the distance that, if the
28 property were within the urban growth area, the property would be
29 required to connect to the public facility or utility. In such an
30 instance, the school district may, for a period not to exceed twenty
31 years, require reimbursement from a requesting property owner for a
32 proportional share of the construction costs incurred by the school
33 district for the extension of the public facility or utilities.

34 (4) For the purposes of this section, "school" refers to public
35 schools as defined in RCW 28A.150.010.

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