
HOUSE BILL 2536

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By Representatives Maycumber, Chapman, Blake, Walsh, Dent, Van Werven, Graham, Goehner, Mosbrucker, Dufault, and Tharinger

Read first time 01/15/20. Referred to Committee on Environment & Energy.

1 AN ACT Relating to updating rural character under the growth
2 management act; and reenacting and amending RCW 36.70A.030 and
3 36.70A.070.

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

5 **Sec. 1.** RCW 36.70A.030 and 2019 c 348 s 2 are each reenacted and
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Adopt a comprehensive land use plan" means to enact a new
10 comprehensive land use plan or to update an existing comprehensive
11 land use plan.

12 (2) "Affordable housing" means, unless the context clearly
13 indicates otherwise, residential housing whose monthly costs,
14 including utilities other than telephone, do not exceed thirty
15 percent of the monthly income of a household whose income is:

16 (a) For rental housing, sixty percent of the median household
17 income adjusted for household size, for the county where the
18 household is located, as reported by the United States department of
19 housing and urban development; or

20 (b) For owner-occupied housing, eighty percent of the median
21 household income adjusted for household size, for the county where

1 the household is located, as reported by the United States department
2 of housing and urban development.

3 (3) "Agricultural land" means land primarily devoted to the
4 commercial production of horticultural, viticultural, floricultural,
5 dairy, apiary, vegetable, or animal products or of berries, grain,
6 hay, straw, turf, seed, Christmas trees not subject to the excise tax
7 imposed by RCW 84.33.100 through 84.33.140, finfish in upland
8 hatcheries, or livestock, and that has long-term commercial
9 significance for agricultural production.

10 (4) "City" means any city or town, including a code city.

11 (5) "Comprehensive land use plan," "comprehensive plan," or
12 "plan" means a generalized coordinated land use policy statement of
13 the governing body of a county or city that is adopted pursuant to
14 this chapter.

15 (6) "Critical areas" include the following areas and ecosystems:
16 (a) Wetlands; (b) areas with a critical recharging effect on aquifers
17 used for potable water; (c) fish and wildlife habitat conservation
18 areas; (d) frequently flooded areas; and (e) geologically hazardous
19 areas. "Fish and wildlife habitat conservation areas" does not
20 include such artificial features or constructs as irrigation delivery
21 systems, irrigation infrastructure, irrigation canals, or drainage
22 ditches that lie within the boundaries of and are maintained by a
23 port district or an irrigation district or company.

24 (7) "Department" means the department of commerce.

25 (8) "Development regulations" or "regulation" means the controls
26 placed on development or land use activities by a county or city,
27 including, but not limited to, zoning ordinances, critical areas
28 ordinances, shoreline master programs, official controls, planned
29 unit development ordinances, subdivision ordinances, and binding site
30 plan ordinances together with any amendments thereto. A development
31 regulation does not include a decision to approve a project permit
32 application, as defined in RCW 36.70B.020, even though the decision
33 may be expressed in a resolution or ordinance of the legislative body
34 of the county or city.

35 (9) "Extremely low-income household" means a single person,
36 family, or unrelated persons living together whose adjusted income is
37 at or below thirty percent of the median household income adjusted
38 for household size, for the county where the household is located, as
39 reported by the United States department of housing and urban
40 development.

1 (10) "Forestland" means land primarily devoted to growing trees
2 for long-term commercial timber production on land that can be
3 economically and practically managed for such production, including
4 Christmas trees subject to the excise tax imposed under RCW 84.33.100
5 through 84.33.140, and that has long-term commercial significance. In
6 determining whether forestland is primarily devoted to growing trees
7 for long-term commercial timber production on land that can be
8 economically and practically managed for such production, the
9 following factors shall be considered: (a) The proximity of the land
10 to urban, suburban, and rural settlements; (b) surrounding parcel
11 size and the compatibility and intensity of adjacent and nearby land
12 uses; (c) long-term local economic conditions that affect the ability
13 to manage for timber production; and (d) the availability of public
14 facilities and services conducive to conversion of forestland to
15 other uses.

16 (11) "Freight rail dependent uses" means buildings and other
17 infrastructure that are used in the fabrication, processing, storage,
18 and transport of goods where the use is dependent on and makes use of
19 an adjacent short line railroad. Such facilities are both urban and
20 rural development for purposes of this chapter. "Freight rail
21 dependent uses" does not include buildings and other infrastructure
22 that are used in the fabrication, processing, storage, and transport
23 of coal, liquefied natural gas, or "crude oil" as defined in RCW
24 90.56.010.

25 (12) "Geologically hazardous areas" means areas that because of
26 their susceptibility to erosion, sliding, earthquake, or other
27 geological events, are not suited to the siting of commercial,
28 residential, or industrial development consistent with public health
29 or safety concerns.

30 (13) "Long-term commercial significance" includes the growing
31 capacity, productivity, and soil composition of the land for long-
32 term commercial production, in consideration with the land's
33 proximity to population areas, and the possibility of more intense
34 uses of the land.

35 (14) "Low-income household" means a single person, family, or
36 unrelated persons living together whose adjusted income is at or
37 below eighty percent of the median household income adjusted for
38 household size, for the county where the household is located, as
39 reported by the United States department of housing and urban
40 development.

1 (15) "Minerals" include gravel, sand, and valuable metallic
2 substances.

3 (16) "Permanent supportive housing" is subsidized, leased housing
4 with no limit on length of stay, paired with on-site or off-site
5 voluntary services designed to support a person living with a
6 disability to be a successful tenant in a housing arrangement,
7 improve the resident's health status, and connect residents of the
8 housing with community-based health care, treatment, and employment
9 services.

10 (17) "Public facilities" include streets, roads, highways,
11 sidewalks, street and road lighting systems, traffic signals,
12 domestic water systems, storm and sanitary sewer systems, parks and
13 recreational facilities, and schools.

14 (18) "Public services" include fire protection and suppression,
15 law enforcement, public health, education, recreation, environmental
16 protection, and other governmental services.

17 (19) "Recreational land" means land so designated under RCW
18 36.70A.1701 and that, immediately prior to this designation, was
19 designated as agricultural land of long-term commercial significance
20 under RCW 36.70A.170. Recreational land must have playing fields and
21 supporting facilities existing before July 1, 2004, for sports played
22 on grass playing fields.

23 (20) "Rural character" refers to the patterns of land use and
24 development established by a county in the rural element of its
25 comprehensive plan((÷

26 ~~(a) In which open space, the natural landscape, and vegetation~~
27 ~~predominate over the built environment;~~

28 ~~(b) That foster traditional rural lifestyles, rural-based~~
29 ~~economies, and opportunities to both live and work in rural areas;~~

30 ~~(c) That provide visual landscapes that are traditionally found~~
31 ~~in rural areas and communities;~~

32 ~~(d) That are compatible with the use of the land by wildlife and~~
33 ~~for fish and wildlife habitat;~~

34 ~~(e) That reduce the inappropriate conversion of undeveloped land~~
35 ~~into sprawling, low-density development;~~

36 ~~(f) That generally do not require the extension of urban~~
37 ~~governmental services; and~~

38 ~~(g) That are consistent with the protection of natural surface~~
39 ~~water flows and groundwater and surface water recharge and discharge~~
40 ~~areas)) that must provide opportunities to support natural growth of~~

1 families in the communities to prevent out-migration of people that
2 were born in those communities. Rural character refers to patterns of
3 land use and development that prevent high density development
4 throughout the landscape. Land uses are adaptable with the use of
5 land by wildlife and for fish and wildlife habitat, farming and farm-
6 related industries, natural resource usage and manufacturing, and
7 tourism. Rural character includes but is not limited to access to
8 cell phone, broadband, and wireless technology; health care and
9 wellness services for humans and animals; a variety of services and
10 opportunities for children; markets, restaurants, and food services;
11 industries to support agricultural tourism and outdoor recreation;
12 and home-based economic opportunities that diversify rural economies.

13 (21) "Rural development" refers to development outside the urban
14 growth area and outside agricultural, forest, and mineral resource
15 lands designated pursuant to RCW 36.70A.170. Rural development can
16 consist of a variety of uses and residential densities, including
17 clustered residential development, at levels that are consistent with
18 the preservation of rural character and the requirements of the rural
19 element. Rural development does not refer to agriculture or forestry
20 activities that may be conducted in rural areas.

21 (22) "Rural governmental services" or "rural services" include
22 those public services and public facilities historically and
23 typically delivered at an intensity usually found in rural areas, and
24 may include domestic water systems, fire and police protection
25 services, transportation and public transit services, and other
26 public utilities associated with rural development and normally not
27 associated with urban areas. Rural services do not include storm or
28 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

29 (23) "Short line railroad" means those railroad lines designated
30 class II or class III by the United States surface transportation
31 board.

32 (24) "Urban governmental services" or "urban services" include
33 those public services and public facilities at an intensity
34 historically and typically provided in cities, specifically including
35 storm and sanitary sewer systems, domestic water systems, street
36 cleaning services, fire and police protection services, public
37 transit services, and other public utilities associated with urban
38 areas and normally not associated with rural areas.

39 (25) "Urban growth" refers to growth that makes intensive use of
40 land for the location of buildings, structures, and impermeable

1 surfaces to such a degree as to be incompatible with the primary use
2 of land for the production of food, other agricultural products, or
3 fiber, or the extraction of mineral resources, rural uses, rural
4 development, and natural resource lands designated pursuant to RCW
5 36.70A.170. A pattern of more intensive rural development, as
6 provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed
7 to spread over wide areas, urban growth typically requires urban
8 governmental services. "Characterized by urban growth" refers to land
9 having urban growth located on it, or to land located in relationship
10 to an area with urban growth on it as to be appropriate for urban
11 growth.

12 (26) "Urban growth areas" means those areas designated by a
13 county pursuant to RCW 36.70A.110.

14 (27) "Very low-income household" means a single person, family,
15 or unrelated persons living together whose adjusted income is at or
16 below fifty percent of the median household income adjusted for
17 household size, for the county where the household is located, as
18 reported by the United States department of housing and urban
19 development.

20 (28) "Wetland" or "wetlands" means areas that are inundated or
21 saturated by surface water or groundwater at a frequency and duration
22 sufficient to support, and that under normal circumstances do
23 support, a prevalence of vegetation typically adapted for life in
24 saturated soil conditions. Wetlands generally include swamps,
25 marshes, bogs, and similar areas. Wetlands do not include those
26 artificial wetlands intentionally created from nonwetland sites,
27 including, but not limited to, irrigation and drainage ditches,
28 grass-lined swales, canals, detention facilities, wastewater
29 treatment facilities, farm ponds, and landscape amenities, or those
30 wetlands created after July 1, 1990, that were unintentionally
31 created as a result of the construction of a road, street, or
32 highway. Wetlands may include those artificial wetlands intentionally
33 created from nonwetland areas created to mitigate conversion of
34 wetlands.

35 **Sec. 2.** RCW 36.70A.070 and 2017 3rd sp.s. c 18 s 4 and 2017 3rd
36 sp.s. c 16 s 4 are each reenacted and amended to read as follows:

37 The comprehensive plan of a county or city that is required or
38 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
39 and descriptive text covering objectives, principles, and standards

1 used to develop the comprehensive plan. The plan shall be an
2 internally consistent document and all elements shall be consistent
3 with the future land use map. A comprehensive plan shall be adopted
4 and amended with public participation as provided in RCW 36.70A.140.
5 Each comprehensive plan shall include a plan, scheme, or design for
6 each of the following:

7 (1) A land use element designating the proposed general
8 distribution and general location and extent of the uses of land,
9 where appropriate, for agriculture, timber production, housing,
10 commerce, industry, recreation, open spaces, general aviation
11 airports, public utilities, public facilities, and other land uses.
12 The land use element shall include population densities, building
13 intensities, and estimates of future population growth. The land use
14 element shall provide for protection of the quality and quantity of
15 groundwater used for public water supplies. Wherever possible, the
16 land use element should consider utilizing urban planning approaches
17 that promote physical activity. Where applicable, the land use
18 element shall review drainage, flooding, and stormwater runoff in the
19 area and nearby jurisdictions and provide guidance for corrective
20 actions to mitigate or cleanse those discharges that pollute waters
21 of the state, including Puget Sound or waters entering Puget Sound.

22 (2) A housing element ensuring the vitality and character of
23 established residential neighborhoods that: (a) Includes an inventory
24 and analysis of existing and projected housing needs that identifies
25 the number of housing units necessary to manage projected growth; (b)
26 includes a statement of goals, policies, objectives, and mandatory
27 provisions for the preservation, improvement, and development of
28 housing, including single-family residences; (c) identifies
29 sufficient land for housing, including, but not limited to,
30 government-assisted housing, housing for low-income families,
31 manufactured housing, multifamily housing, and group homes and foster
32 care facilities; and (d) makes adequate provisions for existing and
33 projected needs of all economic segments of the community. In
34 counties and cities subject to the review and evaluation requirements
35 of RCW 36.70A.215, any revision to the housing element shall include
36 consideration of prior review and evaluation reports and any
37 reasonable measures identified.

38 (3) A capital facilities plan element consisting of: (a) An
39 inventory of existing capital facilities owned by public entities,
40 showing the locations and capacities of the capital facilities; (b) a

1 forecast of the future needs for such capital facilities; (c) the
2 proposed locations and capacities of expanded or new capital
3 facilities; (d) at least a six-year plan that will finance such
4 capital facilities within projected funding capacities and clearly
5 identifies sources of public money for such purposes; and (e) a
6 requirement to reassess the land use element if probable funding
7 falls short of meeting existing needs and to ensure that the land use
8 element, capital facilities plan element, and financing plan within
9 the capital facilities plan element are coordinated and consistent.
10 Park and recreation facilities shall be included in the capital
11 facilities plan element.

12 (4) A utilities element consisting of the general location,
13 proposed location, and capacity of all existing and proposed
14 utilities, including, but not limited to, electrical lines,
15 telecommunication lines, and natural gas lines.

16 (5) Rural element. Counties shall include a rural element
17 including lands that are not designated for urban growth,
18 agriculture, forest, or mineral resources. The following provisions
19 shall apply to the rural element:

20 (a) Growth management act goals and local circumstances. Because
21 circumstances vary from county to county, in establishing patterns of
22 rural densities and uses, a county may consider local circumstances,
23 but shall develop a written record explaining how the rural element
24 harmonizes the planning goals in RCW 36.70A.020 and meets the
25 requirements of this chapter.

26 (b) Rural development. The rural element shall permit rural
27 development, forestry, and agriculture in rural areas. The rural
28 element shall provide for a variety of rural densities, uses,
29 essential public facilities, and rural governmental services needed
30 to serve the permitted densities and uses. To achieve a variety of
31 rural densities and uses, counties may provide for clustering,
32 density transfer, design guidelines, conservation easements, and
33 other innovative techniques that will accommodate appropriate rural
34 economic advancement, densities, and uses that are not characterized
35 by urban growth and that are consistent with rural character.

36 (c) Measures governing rural development. The rural element shall
37 include measures that apply to rural development and (~~protect~~)
38 embody the rural character of the area(~~(r)~~) as established by the
39 county, or by:

40 (i) Containing or otherwise controlling rural development;

1 (ii) Assuring visual compatibility of rural development with the
2 surrounding rural area;

3 (iii) Reducing the inappropriate conversion of undeveloped land
4 into sprawling, low-density development in the rural area;

5 (iv) Protecting critical areas, as provided in RCW 36.70A.060,
6 and surface water and groundwater resources; and

7 (v) Protecting against conflicts with the use of agricultural,
8 forest, and mineral resource lands designated under RCW 36.70A.170.

9 (d) Limited areas of more intensive rural development. Subject to
10 the requirements of this subsection and except as otherwise
11 specifically provided in this subsection (5)(d), the rural element
12 may allow for limited areas of more intensive rural development,
13 including necessary public facilities and public services to serve
14 the limited area as follows:

15 (i) Rural development consisting of the infill, development, or
16 redevelopment of existing commercial, industrial, residential, or
17 mixed-use areas, whether characterized as shoreline development,
18 villages, hamlets, rural activity centers, or crossroads
19 developments.

20 (A) A commercial, industrial, residential, shoreline, or mixed-
21 use area are subject to the requirements of (d)(iv) of this
22 subsection, but are not subject to the requirements of (c)(ii) and
23 (iii) of this subsection.

24 (B) Any development or redevelopment other than an industrial
25 area or an industrial use within a mixed-use area or an industrial
26 area under this subsection (5)(d)(i) must be principally designed to
27 serve the existing and projected rural population.

28 (C) Any development or redevelopment in terms of building size,
29 scale, use, or intensity shall be consistent with the character of
30 the existing areas. Development and redevelopment may include changes
31 in use from vacant land or a previously existing use so long as the
32 new use conforms to the requirements of this subsection (5);

33 (ii) The intensification of development on lots containing, or
34 new development of, small-scale recreational or tourist uses,
35 including commercial facilities to serve those recreational or
36 tourist uses, that rely on a rural location and setting, but that do
37 not include new residential development. A small-scale recreation or
38 tourist use is not required to be principally designed to serve the
39 existing and projected rural population. Public services and public
40 facilities shall be limited to those necessary to serve the

1 recreation or tourist use and shall be provided in a manner that does
2 not permit low-density sprawl;

3 (iii) The intensification of development on lots containing
4 isolated nonresidential uses or new development of isolated cottage
5 industries and isolated small-scale businesses that are not
6 principally designed to serve the existing and projected rural
7 population and nonresidential uses, but do provide job opportunities
8 for rural residents. Rural counties may allow the expansion of small-
9 scale businesses as long as those small-scale businesses conform with
10 the rural character of the area as defined by the local government
11 according to RCW 36.70A.030(~~((+16+))~~) (20). Rural counties may also
12 allow new small-scale businesses to utilize a site previously
13 occupied by an existing business as long as the new small-scale
14 business conforms to the rural character of the area as defined by
15 the local government according to RCW 36.70A.030(~~((+16+))~~) (20). Public
16 services and public facilities shall be limited to those necessary to
17 serve the isolated nonresidential use and shall be provided in a
18 manner that does not permit low-density sprawl;

19 (iv) A county shall adopt measures to minimize and contain the
20 existing areas or uses of more intensive rural development, as
21 appropriate, authorized under this subsection. Lands included in such
22 existing areas or uses shall not extend beyond the logical outer
23 boundary of the existing area or use, thereby allowing a new pattern
24 of low-density sprawl. Existing areas are those that are clearly
25 identifiable and contained and where there is a logical boundary
26 delineated predominately by the built environment, but that may also
27 include undeveloped lands if limited as provided in this subsection.
28 The county shall establish the logical outer boundary of an area of
29 more intensive rural development. In establishing the logical outer
30 boundary, the county shall address (A) the need to preserve the
31 character of existing natural neighborhoods and communities, (B)
32 physical boundaries, such as bodies of water, streets and highways,
33 and land forms and contours, (C) the prevention of abnormally
34 irregular boundaries, and (D) the ability to provide public
35 facilities and public services in a manner that does not permit low-
36 density sprawl;

37 (v) For purposes of (d) of this subsection, an existing area or
38 existing use is one that was in existence:

39 (A) On July 1, 1990, in a county that was initially required to
40 plan under all of the provisions of this chapter;

1 (B) On the date the county adopted a resolution under RCW
2 36.70A.040(2), in a county that is planning under all of the
3 provisions of this chapter under RCW 36.70A.040(2); or

4 (C) On the date the office of financial management certifies the
5 county's population as provided in RCW 36.70A.040(5), in a county
6 that is planning under all of the provisions of this chapter pursuant
7 to RCW 36.70A.040(5).

8 (e) Exception. This subsection shall not be interpreted to permit
9 in the rural area a major industrial development or a master planned
10 resort unless otherwise specifically permitted under RCW 36.70A.360
11 and 36.70A.365.

12 (6) A transportation element that implements, and is consistent
13 with, the land use element.

14 (a) The transportation element shall include the following
15 subelements:

16 (i) Land use assumptions used in estimating travel;

17 (ii) Estimated traffic impacts to state-owned transportation
18 facilities resulting from land use assumptions to assist the
19 department of transportation in monitoring the performance of state
20 facilities, to plan improvements for the facilities, and to assess
21 the impact of land-use decisions on state-owned transportation
22 facilities;

23 (iii) Facilities and services needs, including:

24 (A) An inventory of air, water, and ground transportation
25 facilities and services, including transit alignments and general
26 aviation airport facilities, to define existing capital facilities
27 and travel levels as a basis for future planning. This inventory must
28 include state-owned transportation facilities within the city or
29 county's jurisdictional boundaries;

30 (B) Level of service standards for all locally owned arterials
31 and transit routes to serve as a gauge to judge performance of the
32 system. These standards should be regionally coordinated;

33 (C) For state-owned transportation facilities, level of service
34 standards for highways, as prescribed in chapters 47.06 and 47.80
35 RCW, to gauge the performance of the system. The purposes of
36 reflecting level of service standards for state highways in the local
37 comprehensive plan are to monitor the performance of the system, to
38 evaluate improvement strategies, and to facilitate coordination
39 between the county's or city's six-year street, road, or transit
40 program and the office of financial management's ten-year investment

1 program. The concurrency requirements of (b) of this subsection do
2 not apply to transportation facilities and services of statewide
3 significance except for counties consisting of islands whose only
4 connection to the mainland are state highways or ferry routes. In
5 these island counties, state highways and ferry route capacity must
6 be a factor in meeting the concurrency requirements in (b) of this
7 subsection;

8 (D) Specific actions and requirements for bringing into
9 compliance locally owned transportation facilities or services that
10 are below an established level of service standard;

11 (E) Forecasts of traffic for at least ten years based on the
12 adopted land use plan to provide information on the location, timing,
13 and capacity needs of future growth;

14 (F) Identification of state and local system needs to meet
15 current and future demands. Identified needs on state-owned
16 transportation facilities must be consistent with the statewide
17 multimodal transportation plan required under chapter 47.06 RCW;

18 (iv) Finance, including:

19 (A) An analysis of funding capability to judge needs against
20 probable funding resources;

21 (B) A multiyear financing plan based on the needs identified in
22 the comprehensive plan, the appropriate parts of which shall serve as
23 the basis for the six-year street, road, or transit program required
24 by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
25 35.58.2795 for public transportation systems. The multiyear financing
26 plan should be coordinated with the ten-year investment program
27 developed by the office of financial management as required by RCW
28 47.05.030;

29 (C) If probable funding falls short of meeting identified needs,
30 a discussion of how additional funding will be raised, or how land
31 use assumptions will be reassessed to ensure that level of service
32 standards will be met;

33 (v) Intergovernmental coordination efforts, including an
34 assessment of the impacts of the transportation plan and land use
35 assumptions on the transportation systems of adjacent jurisdictions;

36 (vi) Demand-management strategies;

37 (vii) Pedestrian and bicycle component to include collaborative
38 efforts to identify and designate planned improvements for pedestrian
39 and bicycle facilities and corridors that address and encourage
40 enhanced community access and promote healthy lifestyles.

1 (b) After adoption of the comprehensive plan by jurisdictions
2 required to plan or who choose to plan under RCW 36.70A.040, local
3 jurisdictions must adopt and enforce ordinances which prohibit
4 development approval if the development causes the level of service
5 on a locally owned transportation facility to decline below the
6 standards adopted in the transportation element of the comprehensive
7 plan, unless transportation improvements or strategies to accommodate
8 the impacts of development are made concurrent with the development.
9 These strategies may include increased public transportation service,
10 ride-sharing programs, demand management, and other transportation
11 systems management strategies. For the purposes of this subsection
12 (6), "concurrent with the development" means that improvements or
13 strategies are in place at the time of development, or that a
14 financial commitment is in place to complete the improvements or
15 strategies within six years. If the collection of impact fees is
16 delayed under RCW 82.02.050(3), the six-year period required by this
17 subsection (6)(b) must begin after full payment of all impact fees is
18 due to the county or city.

19 (c) The transportation element described in this subsection (6),
20 the six-year plans required by RCW 35.77.010 for cities, RCW
21 36.81.121 for counties, and RCW 35.58.2795 for public transportation
22 systems, and the ten-year investment program required by RCW
23 47.05.030 for the state, must be consistent.

24 (7) An economic development element establishing local goals,
25 policies, objectives, and provisions for economic growth and vitality
26 and a high quality of life. A city that has chosen to be a
27 residential community is exempt from the economic development element
28 requirement of this subsection.

29 (8) A park and recreation element that implements, and is
30 consistent with, the capital facilities plan element as it relates to
31 park and recreation facilities. The element shall include: (a)
32 Estimates of park and recreation demand for at least a ten-year
33 period; (b) an evaluation of facilities and service needs; and (c) an
34 evaluation of intergovernmental coordination opportunities to provide
35 regional approaches for meeting park and recreational demand.

36 (9) It is the intent that new or amended elements required after
37 January 1, 2002, be adopted concurrent with the scheduled update
38 provided in RCW 36.70A.130. Requirements to incorporate any such new
39 or amended elements shall be null and void until funds sufficient to
40 cover applicable local government costs are appropriated and

1 distributed by the state at least two years before local government
2 must update comprehensive plans as required in RCW 36.70A.130.

--- **END** ---