

SENATE BILL 5364

State of Washington

52nd Legislature

1991 Regular Session

By Senators Roach, McCaslin and Stratton.

Read first time January 29, 1991. Referred to Committee on Governmental Operations.

1 AN ACT Relating to the location of public schools; adding a new
2 section to chapter 35.63 RCW; adding a new section to chapter 35A.63
3 RCW; adding a new section to chapter 36.70 RCW; and adding a new
4 section to chapter 28A.305 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63 RCW
7 to read as follows:

8 If the council, board, hearing examiner, or other municipal
9 authority has made a final decision refusing to permit a public school
10 to be located on a particular site under a land use plan adopted by the
11 municipality, the decision may be appealed to the state board of
12 education. If the state board of education determines that the
13 location of the school on that site would best serve the educational
14 needs of students, the school may be located on that site

1 notwithstanding the provisions of the municipality's land use plans or
2 zoning ordinances.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63 RCW
4 to read as follows:

5 If the council, board, hearing examiner, or other municipal
6 authority has made a final decision refusing to permit a public school
7 to be located on a particular site under a land use plan adopted by the
8 code city, the decision may be appealed to the state board of
9 education. If the state board of education determines that the
10 location of the school on that site would best serve the educational
11 needs of students, the school may be located on that site
12 notwithstanding the provisions of the code city's land use plans or
13 zoning ordinances.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70 RCW
15 to read as follows:

16 If the council, board, hearing examiner, or other county or
17 regional authority has made a final decision refusing to permit a
18 public school to be located on a particular site under a land use plan
19 adopted by the county or region, the decision may be appealed to the
20 state board of education. If the state board of education determines
21 that the location of the school on that site would best serve the
22 educational needs of students, the school may be located on that site
23 notwithstanding the provisions of the county's land use plans or zoning
24 ordinances.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.305
26 RCW to read as follows:

1 The state board of education, when requested in writing, shall
2 review a decision under section 1, 2, or 3 of this act and may make the
3 determination that a school should be located on a site notwithstanding
4 the provisions of the land use plans or zoning ordinances.