

2 **EHB 1305** - S COMM AMD

3 By Committee on Government Operations

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5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 36.70A.110 and 1994 c 249 s 27 are each amended to
8 read as follows:

9 (1) Each county that is required or chooses to plan under RCW
10 36.70A.040 shall designate an urban growth area or areas within which
11 urban growth shall be encouraged and outside of which growth can occur
12 only if it is not urban in nature. Each city that is located in such
13 a county shall be included within an urban growth area. An urban
14 growth area may include more than a single city. An urban growth area
15 may include territory that is located outside of a city only if such
16 territory already is characterized by urban growth whether or not the
17 urban growth area includes a city, or is adjacent to territory already
18 characterized by urban growth, or is a designated fully contained
19 community as defined by RCW 36.70A.350.

20 (2) Based upon the ~~((population))~~ growth management ~~((planning))~~
21 population projection made for the county by the office of financial
22 management, the urban growth areas in the county shall include areas
23 and densities sufficient to ~~((permit))~~ allow for the urban growth that
24 is projected to occur in the county for the succeeding twenty-year
25 period. Each urban growth area shall permit a range of urban densities
26 and shall include greenbelt and open space areas. Local circumstances,
27 traditions, and identity will result in unique choices and solutions by
28 each county and each city within it. Accordingly, cities and counties
29 enjoy broad discretion in their comprehensive plans to make many
30 specific choices about how growth is to be accommodated. These choices
31 include the specific location of particular land uses and development
32 intensities, community character and design, spending priorities, level
33 of service standards, financing mechanisms, and site development
34 standards. While such policy choices may be included in the sizing or
35 configuration of the urban growth area, they must be made in a
36 measurable way and with sufficient documentation as to the rationale.

1 While objective analysis is essential, counties and cities also have
2 the latitude to consider subjective factors, such as a land supply
3 market factor and the preferred vision that each county and city
4 expresses in its comprehensive plan. The explicit articulation and
5 balancing of these factors is required when designating urban growth
6 areas.

7 Within one year of July 1, 1990, each county that as of June 1,
8 1991, was required or chose to plan under RCW 36.70A.040, shall begin
9 consulting with each city located within its boundaries and each city
10 shall propose the location of an urban growth area. Within sixty days
11 of the date the county legislative authority of a county adopts its
12 resolution of intention or of certification by the office of financial
13 management, all other counties that are required or choose to plan
14 under RCW 36.70A.040 shall begin this consultation with each city
15 located within its boundaries. The county shall attempt to reach
16 agreement with each city on the location of an urban growth area within
17 which the city is located. If such an agreement is not reached with
18 each city located within the urban growth area, the county shall
19 justify in writing why it so designated the area an urban growth area.
20 A city may object formally with the department over the designation of
21 the urban growth area within which it is located. Where appropriate,
22 the department shall attempt to resolve the conflicts, including the
23 use of mediation services.

24 (3) Urban growth should be located first in areas already
25 characterized by urban growth that have adequate existing public
26 facility and service capacities to serve such development, ~~((and))~~
27 second in areas already characterized by urban growth that will be
28 served adequately by a combination of both existing public facilities
29 and services and any additional needed public facilities and services
30 that are provided by either public or private sources, and third in
31 areas adjacent to territory already characterized by urban growth that
32 will be served adequately by a combination of both existing public
33 facilities and services and any additional needed public facilities and
34 services that are provided by either public or private sources. Urban
35 growth may also be located in designated fully contained communities as
36 defined by RCW 36.70A.350. Further, in general it is appropriate that
37 urban ~~((government))~~ governmental services be primarily provided by
38 cities, and urban ~~((government))~~ governmental services should not be
39 ~~((provided))~~ extended to or expanded in rural areas except in those

1 limited circumstances shown to be necessary to protect basic public
2 health and safety and the environment and when such services are
3 financially supportable at rural densities and do not permit urban
4 development.

5 (4) On or before October 1, 1993, each county that was initially
6 required to plan under RCW 36.70A.040(1) shall adopt development
7 regulations designating interim urban growth areas under this chapter.
8 Within three years and three months of the date the county legislative
9 authority of a county adopts its resolution of intention or of
10 certification by the office of financial management, all other counties
11 that are required or choose to plan under RCW 36.70A.040 shall adopt
12 development regulations designating interim urban growth areas under
13 this chapter. Adoption of the interim urban growth areas may only
14 occur after public notice; public hearing; and compliance with the
15 state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110.
16 Such action may be appealed to the appropriate growth management
17 hearings board under RCW 36.70A.280. Final urban growth areas shall be
18 adopted at the time of comprehensive plan adoption under this chapter.

19 (5) Each county shall include designations of urban growth areas in
20 its comprehensive plan.

21 (6) Nothing in this chapter shall prevent a county with a
22 population greater than one million from including as part of the urban
23 growth area established under this section any master planned
24 development or fully contained community which prior to July 1, 1990,
25 both: (a) Was designated or zoned potentially for urban growth
26 activity under an officially adopted county plan; and (b) had a
27 development application submitted to the county implementing that urban
28 designation.

29 **Sec. 2.** RCW 36.70A.070 and 1990 1st ex.s. c 17 s 7 are each
30 amended to read as follows:

31 The comprehensive plan of a county or city that is required or
32 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
33 and descriptive text covering objectives, principles, and standards
34 used to develop the comprehensive plan. The plan shall be an
35 internally consistent document and all elements shall be consistent
36 with the future land use map. A comprehensive plan shall be adopted
37 and amended with public participation as provided in RCW 36.70A.140.

38 Each comprehensive plan shall include a plan, scheme, or design for

1 each of the following:

2 (1) A land use element designating the proposed general
3 distribution and general location and extent of the uses of land, where
4 appropriate, for agriculture, timber production, housing, commerce,
5 industry, recreation, open spaces, public utilities, public facilities,
6 and other land uses. The land use element shall include population
7 densities, building intensities, and estimates of future population
8 growth. The land use element shall provide for protection of the
9 quality and quantity of ground water used for public water supplies.
10 Where applicable, the land use element shall review drainage, flooding,
11 and storm water run-off in the area and nearby jurisdictions and
12 provide guidance for corrective actions to mitigate or cleanse those
13 discharges that pollute waters of the state, including Puget Sound or
14 waters entering Puget Sound.

15 (2) A housing element recognizing the vitality and character of
16 established residential neighborhoods that: (a) Includes an inventory
17 and analysis of existing and projected housing needs; (b) includes a
18 statement of goals, policies, and objectives for the preservation,
19 improvement, and development of housing; (c) identifies sufficient land
20 for housing, including, but not limited to, government-assisted
21 housing, housing for low-income families, manufactured housing,
22 multifamily housing, and group homes and foster care facilities; and
23 (d) makes adequate provisions for existing and projected needs of all
24 economic segments of the community.

25 (3) A capital facilities plan element consisting of: (a) An
26 inventory of existing capital facilities owned by public entities,
27 showing the locations and capacities of the capital facilities; (b) a
28 forecast of the future needs for such capital facilities; (c) the
29 proposed locations and capacities of expanded or new capital
30 facilities; (d) at least a six-year plan that will finance such capital
31 facilities within projected funding capacities and clearly identifies
32 sources of public money for such purposes; and (e) a requirement to
33 reassess the land use element if probable funding falls short of
34 meeting existing needs and to ensure that the land use element, capital
35 facilities plan element, and financing plan within the capital
36 facilities plan element are coordinated and consistent.

37 (4) A utilities element consisting of the general location,
38 proposed location, and capacity of all existing and proposed utilities,
39 including, but not limited to, electrical lines, telecommunication

1 lines, and natural gas lines.

2 (5) Counties shall include a rural element including lands that are
3 not designated for urban growth, agriculture, forest, or mineral
4 resources. The rural element shall permit appropriate land uses that
5 are compatible with the rural character of such lands and provide for
6 a variety of rural densities and uses and may also provide for
7 clustering, density transfer, design guidelines, conservation
8 easements, and other innovative techniques that will accommodate
9 appropriate rural uses.

10 (6) A transportation element that implements, and is consistent
11 with, the land use element. The transportation element shall include
12 the following subelements:

13 (a) Land use assumptions used in estimating travel;

14 (b) Facilities and services needs, including:

15 (i) An inventory of air, water, and land transportation facilities
16 and services, including transit alignments, to define existing capital
17 facilities and travel levels as a basis for future planning;

18 (ii) Level of service standards for all arterials and transit
19 routes to serve as a gauge to judge performance of the system. These
20 standards should be regionally coordinated;

21 (iii) Specific actions and requirements for bringing into
22 compliance any facilities or services that are below an established
23 level of service standard;

24 (iv) Forecasts of traffic for at least ten years based on the
25 adopted land use plan to provide information on the location, timing,
26 and capacity needs of future growth;

27 (v) Identification of system expansion needs and transportation
28 system management needs to meet current and future demands;

29 (c) Finance, including:

30 (i) An analysis of funding capability to judge needs against
31 probable funding resources;

32 (ii) A multiyear financing plan based on the needs identified in
33 the comprehensive plan, the appropriate parts of which shall serve as
34 the basis for the six-year street, road, or transit program required by
35 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
36 35.58.2795 for public transportation systems;

37 (iii) If probable funding falls short of meeting identified needs,
38 a discussion of how additional funding will be raised, or how land use
39 assumptions will be reassessed to ensure that level of service

1 standards will be met;

2 (d) Intergovernmental coordination efforts, including an assessment
3 of the impacts of the transportation plan and land use assumptions on
4 the transportation systems of adjacent jurisdictions;

5 (e) Demand-management strategies.

6 After adoption of the comprehensive plan by jurisdictions required
7 to plan or who choose to plan under RCW 36.70A.040, local jurisdictions
8 must adopt and enforce ordinances which prohibit development approval
9 if the development causes the level of service on a transportation
10 facility to decline below the standards adopted in the transportation
11 element of the comprehensive plan, unless transportation improvements
12 or strategies to accommodate the impacts of development are made
13 concurrent with the development. These strategies may include
14 increased public transportation service, ride sharing programs, demand
15 management, and other transportation systems management strategies.
16 For the purposes of this subsection (6) "concurrent with the
17 development" shall mean that improvements or strategies are in place at
18 the time of development, or that a financial commitment is in place to
19 complete the improvements or strategies within six years.

20 The transportation element described in this subsection, and the
21 six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for
22 counties, and RCW 35.58.2795 for public transportation systems, must be
23 consistent.

24 NEW SECTION. **Sec. 3.** No comprehensive plan adopted or amended
25 before the effective date of this act may be considered to be in
26 noncompliance with RCW 36.70A.070 or 36.70A.110, as in effect before
27 their amendment by this act, if the comprehensive plan is in compliance
28 with RCW 36.70A.070 and 36.70A.110 as amended by this act.

29 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of the
31 state government and its existing public institutions, and shall take
32 effect immediately."

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1 On page 1, line 1 of the title, after "management;" strike the
2 remainder of the title and insert "amending RCW 36.70A.110 and
3 36.70A.070; creating a new section; and declaring an emergency."

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