

2 **ESHB 2596** - S COMM AMD

3 By Committee on Government Operations

4 ADOPTED 3/5/98

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

7 "NEW SECTION. **Sec. 1.** The primary intent of this act is to give
8 effect to recommendations by the 1994 department of community, trade,
9 and economic development's master planned resort task force by
10 clarifying that master planned resorts may make use of capital
11 facilities, utilities, and services provided by outside service
12 providers, and may enter into agreements for shared facilities with
13 such providers, when all costs directly attributable to the resort,
14 including capacity increases, are fully borne by the resort.

15 **Sec. 2.** RCW 36.70A.360 and 1991 sp.s. c 32 s 17 are each amended
16 to read as follows:

17 (1) Counties that are required or choose to plan under RCW
18 36.70A.040 may permit master planned resorts which may constitute urban
19 growth outside of urban growth areas as limited by this section. A
20 master planned resort means a self-contained and fully integrated
21 planned unit development, in a setting of significant natural
22 amenities, with primary focus on destination resort facilities
23 consisting of short-term visitor accommodations associated with a range
24 of developed on-site indoor or outdoor recreational facilities.

25 (2) Capital facilities, utilities, and services, including those
26 related to sewer, water, storm water, security, fire suppression, and
27 emergency medical, provided on-site shall be limited to meeting the
28 needs of the master planned resort. Such facilities, utilities, and
29 services may be provided to a master planned resort by outside service
30 providers, including municipalities and special purpose districts,
31 provided that all costs associated with service extensions and capacity
32 increases directly attributable to the master planned resort are fully
33 borne by the resort. A master planned resort and service providers may
34 enter into agreements for shared capital facilities and utilities,

1 provided that such facilities and utilities serve only the master
2 planned resort or urban growth areas.

3 Nothing in this subsection may be construed as: Establishing an
4 order of priority for processing applications for water right permits,
5 for granting such permits, or for issuing certificates of water right;
6 altering or authorizing in any manner the alteration of the place of
7 use for a water right; or affecting or impairing in any manner
8 whatsoever an existing water right.

9 All waters or the use of waters shall be regulated and controlled
10 as provided in chapters 90.03 and 90.44 RCW and not otherwise.

11 (3) A master planned resort may include other residential uses
12 within its boundaries, but only if the residential uses are integrated
13 into and support the on-site recreational nature of the resort.

14 (4) A master planned resort may be authorized by a county only if:

15 ~~((1))~~ (a) The comprehensive plan specifically identifies policies
16 to guide the development of master planned resorts;

17 ~~((2))~~ (b) The comprehensive plan and development regulations
18 include restrictions that preclude new urban or suburban land uses in
19 the vicinity of the master planned resort, except in areas otherwise
20 designated for urban growth under RCW 36.70A.110;

21 ~~((3))~~ (c) The county includes a finding as a part of the approval
22 process that the land is better suited, and has more long-term
23 importance, for the master planned resort than for the commercial
24 harvesting of timber or agricultural production, if located on land
25 that otherwise would be designated as forest land or agricultural land
26 under RCW 36.70A.170;

27 ~~((4))~~ (d) The county ensures that the resort plan is consistent
28 with the development regulations established for critical areas; and

29 ~~((5))~~ (e) On-site and off-site infrastructure and service impacts
30 are fully considered and mitigated."

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4 On page 1, line 1 of the title, after "resorts;" strike the
5 remainder of the title and insert "amending RCW 36.70A.360; and
6 creating a new section."

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