

1 **SHB 2697** - H AMD

2 By Representative Mulliken

3 Strike everything after the enacting clause and insert the
4 following:

5 "Sec. 1. RCW 36.70A.020 and 1990 1st ex.s. c 17 s 2 are each
6 amended to read as follows:

7 The following goals are adopted to guide the development and
8 adoption of comprehensive plans and development regulations of those
9 counties and cities that are required or choose to plan under RCW
10 36.70A.040. The following goals are not listed in order of priority
11 and shall be used exclusively for the purpose of guiding the
12 development of comprehensive plans and development regulations:

13 (1) Urban growth. Encourage development in urban areas where
14 adequate public facilities and services exist or can be provided in an
15 efficient manner.

16 (2) Reduce sprawl. Reduce the inappropriate conversion of
17 undeveloped land into sprawling, low-density development.

18 (3) Transportation. Encourage efficient multimodal transportation
19 systems that are based on regional priorities and coordinated with
20 county and city comprehensive plans.

21 (4) Housing. Encourage the availability of affordable housing to
22 all economic segments of the population of this state, promote a
23 variety of residential densities and housing types, and encourage
24 preservation of existing housing stock.

25 (5) Economic development. Encourage economic development
26 throughout the state that is consistent with adopted comprehensive
27 plans, promote economic opportunity for all citizens of this state,
28 especially for unemployed and for disadvantaged persons, promote the
29 retention and expansion of existing businesses and recruitment of new
30 businesses, recognize regional differences impacting economic
31 development opportunities, and encourage growth in areas experiencing
32 insufficient economic growth, all within the capacities of the state's
33 natural resources, public services, and public facilities.

34 (6) Property rights. Private property shall not be taken for
35 public use without just compensation having been made. The property

1 rights of landowners shall be protected from arbitrary and
2 discriminatory actions.

3 (7) Permits. Applications for both state and local government
4 permits should be processed in a timely and fair manner to ensure
5 predictability.

6 (8) Natural resource industries. Maintain and enhance natural
7 resource-based industries, including productive timber, agricultural,
8 and fisheries industries. Encourage the conservation of productive
9 forest lands and productive agricultural lands, and discourage
10 incompatible uses.

11 (9) Open space and recreation. Encourage the retention of open
12 space and development of recreational opportunities, conserve fish and
13 wildlife habitat, increase access to natural resource lands and water,
14 and develop parks.

15 (10) Environment. Protect the environment and enhance the state's
16 high quality of life, including air and water quality, and the
17 availability of water.

18 (11) Citizen participation and coordination. Encourage the
19 involvement of citizens in the planning process and ensure coordination
20 between communities and jurisdictions to reconcile conflicts.

21 (12) Public facilities and services. Ensure that those public
22 facilities and services necessary to support development shall be
23 adequate to serve the development at the time the development is
24 available for occupancy and use without decreasing current service
25 levels below locally established minimum standards.

26 (13) Historic preservation. Identify and encourage the
27 preservation of lands, sites, and structures, that have historical or
28 archaeological significance.

29 **Sec. 2.** RCW 36.70A.070 and 1998 c 171 s 2 are each amended to
30 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.

1 Each comprehensive plan shall include a plan, scheme, or design
2 for each of the following:

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

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

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

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

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

9 (a) Growth management act goals and local circumstances. Because
10 circumstances vary from county to county, in establishing patterns of
11 rural densities and uses, a county may consider local circumstances,
12 but shall develop a written record explaining how the rural element
13 harmonizes the planning goals in RCW 36.70A.020 and meets the
14 requirements of this chapter.

15 (b) Rural development. The rural element shall permit rural
16 development, forestry, and agriculture in rural areas. The rural
17 element shall provide for a variety of rural densities, uses, essential
18 public facilities, and rural governmental services needed to serve the
19 permitted densities and uses. In order to achieve a variety of rural
20 densities and uses, counties may provide for clustering, density
21 transfer, design guidelines, conservation easements, and other
22 innovative techniques that will accommodate appropriate rural densities
23 and uses that are not characterized by urban growth and that are
24 consistent with rural character.

25 (c) Measures governing rural development. The rural element shall
26 include measures that apply to rural development and protect the rural
27 character of the area, as established by the county, by:

28 (i) Containing or otherwise controlling rural development;

29 (ii) Assuring visual compatibility of rural development with the
30 surrounding rural area;

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

33 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
34 surface water and ground water resources; and

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

37 (d) Limited areas of more intensive rural development. Subject to
38 the requirements of this subsection and except as otherwise
39 specifically provided in this subsection (5)(d), the rural element may

1 allow for limited areas of more intensive rural development, including
2 necessary public facilities and public services to serve the limited
3 area as follows:

4 (i) Rural development consisting of the infill, development, or
5 redevelopment of existing commercial, industrial, residential, or
6 mixed-use areas, whether characterized as shoreline development,
7 villages, hamlets, rural activity centers, or crossroads developments.
8 A commercial, industrial, residential, shoreline, or mixed-use area
9 shall be subject to the requirements of (d)(iv) of this subsection, but
10 shall not be subject to the requirements of (c)(ii) and (iii) of this
11 subsection. An industrial area is not required to be principally
12 designed to serve the existing and projected rural population;

13 (ii) The intensification of development on lots containing, or new
14 development of, small-scale recreational or tourist uses, including
15 commercial facilities to serve those recreational or tourist uses, that
16 rely on a rural location and setting, but that do not include new
17 residential development. A small-scale recreation or tourist use is
18 not required to be principally designed to serve the existing and
19 projected rural population. Public services and public facilities
20 shall be limited to those necessary to serve the recreation or tourist
21 use and shall be provided in a manner that does not permit low-density
22 sprawl;

23 (iii) The intensification of development on lots containing
24 isolated nonresidential uses or new development of isolated cottage
25 industries and isolated small-scale businesses that are not principally
26 designed to serve the existing and projected rural population and
27 nonresidential uses, but do provide job opportunities for rural
28 residents. Public services and public facilities shall be limited to
29 those necessary to serve the isolated nonresidential use and shall be
30 provided in a manner that does not permit low-density sprawl;

31 (iv) A county shall adopt measures to minimize and contain the
32 existing areas or uses of more intensive rural development, as
33 appropriate, authorized under this subsection. Lands included in such
34 existing areas or uses shall not extend beyond the logical outer
35 boundary of the existing area or use, thereby allowing a new pattern of
36 low-density sprawl. Existing areas are those that are clearly
37 identifiable and contained and where there is a logical boundary
38 delineated predominately by the built environment, but that may also
39 include undeveloped lands if limited as provided in this subsection.

1 The county shall establish the logical outer boundary of an area of
2 more intensive rural development. In establishing the logical outer
3 boundary the county shall address (A) the need to preserve the
4 character of existing natural neighborhoods and communities, (B)
5 physical boundaries such as bodies of water, streets and highways, and
6 land forms and contours, (C) the prevention of abnormally irregular
7 boundaries, and (D) the ability to provide public facilities and public
8 services in a manner that does not permit low-density sprawl;

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

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

13 (B) On the date the county adopted a resolution under RCW
14 36.70A.040(2), in a county that is planning under all of the provisions
15 of this chapter under RCW 36.70A.040(2); or

16 (C) On the date the office of financial management certifies the
17 county's population as provided in RCW 36.70A.040(5), in a county that
18 is planning under all of the provisions of this chapter pursuant to RCW
19 36.70A.040(5).

20 (e) Exception. This subsection shall not be interpreted to permit
21 in the rural area a major industrial development or a master planned
22 resort unless otherwise specifically permitted under RCW 36.70A.360 and
23 36.70A.365.

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

26 (a) The transportation element shall include the following
27 subelements:

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

29 (ii) Estimated traffic impacts to state-owned transportation
30 facilities resulting from land use assumptions to assist the department
31 of transportation in monitoring the performance of state facilities, to
32 plan improvements for the facilities, and to assess the impact of land-
33 use decisions on state-owned transportation facilities;

34 (iii) Facilities and services needs, including:

35 (A) An inventory of air, water, and ground transportation
36 facilities and services, including transit alignments and general
37 aviation airport facilities, to define existing capital facilities and
38 travel levels as a basis for future planning. This inventory must

1 include state-owned transportation facilities within the city or
2 county's jurisdiction boundaries;

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

6 (C) For state-owned transportation facilities, level of service
7 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
8 to gauge the performance of the system. The purposes of reflecting
9 level of service standards for state highways in the local
10 comprehensive plan are to monitor the performance of the system, to
11 evaluate improvement strategies, and to facilitate coordination between
12 the county's or city's six-year street, road, or transit program and
13 the department of transportation's six-year investment program. The
14 concurrency requirements of (b) of this subsection do not apply to
15 transportation facilities and services of statewide significance except
16 for counties consisting of islands whose only connection to the
17 mainland are state highways or ferry routes. In these island counties,
18 state highways and ferry route capacity must be a factor in meeting the
19 concurrency requirements in (b) of this subsection;

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

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

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

30 (iv) Finance, including:

31 (A) An analysis of funding capability to judge needs against
32 probable funding resources;

33 (B) A multiyear financing plan based on the needs identified in
34 the comprehensive plan, the appropriate parts of which shall serve as
35 the basis for the six-year street, road, or transit program required by
36 RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
37 35.58.2795 for public transportation systems. The multiyear financing
38 plan should be coordinated with the six-year improvement program

1 developed by the department of transportation as required by RCW
2 47.05.030;

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

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

10 (vi) Demand-management strategies.

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

26 (c) The transportation element described in this subsection (6),
27 and the six-year plans required by RCW 35.77.010 for cities, RCW
28 36.81.121 for counties, RCW 35.58.2795 for public transportation
29 systems, and RCW 47.05.030 for the state, must be consistent.

30 (7) An economic development element establishing local goals,
31 policies, objectives, and provisions for economic growth, vitality, and
32 quality of life. The element shall include: (a) An assessment of the
33 economic contributions made by existing commercial and industrial
34 sectors to the community or region; (b) an assessment of opportunities
35 for business retention, expansion, recruitment, and economic benefits
36 of natural amenities; (c) an assessment of future needs, including for
37 capital facilities, land use, and housing, to manage projected growth

1 and foster economic vitality; and (d) an evaluation of economic impacts
2 from new and existing businesses to determine the effects on job
3 retention, expansion, and enhancement opportunities."

4 Correct the title.

EFFECT: Removes the parks and recreation element as a required element of the comprehensive plan, and removes parks and recreation as a required part of the capital facilities plan element. Also removes the null and void clause that required state funding at least one year prior to the deadlines for growth management jurisdictions to update their comprehensive plans.