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ENGROSSED SUBSTITUTE SENATE BILL 5748

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State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators McAuliffe, Horn, Shin, Winsley, Oke, Haugen, Kohl-Welles and Kastama; by request of The Blue Ribbon Commission on Transportation)

READ FIRST TIME 03/08/01.

1 AN ACT Relating to integration of transportation and land use  
2 planning; amending RCW 35.63.060, 35A.63.060, 47.05.051, and 47.06.040;  
3 and adding a new section to chapter 47.26 RCW.

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

5 **Sec. 1.** RCW 35.63.060 and 1988 c 127 s 1 are each amended to read  
6 as follows:

7 The commission may act as the research and fact finding agency of  
8 the municipality. To that end it may make such surveys, analyses,  
9 researches and reports as are generally authorized or requested by its  
10 council or board, or by the state with the approval of its council or  
11 board. The commission, upon such request or authority may also:

12 (1) Make inquiries, investigations, and surveys concerning the  
13 resources of the county, including but not limited to the potential for  
14 solar energy development and alternative means to encourage and protect  
15 access to direct sunlight for solar energy systems;

16 (2) Assemble and analyze the data thus obtained and formulate plans  
17 for the conservation of such resources and the systematic utilization  
18 and development thereof;

1 (3) Make recommendations from time to time as to the best methods  
2 of such conservation, utilization, and development;

3 (4) Cooperate with other commissions and with other public agencies  
4 of the municipality, state and United States in such planning,  
5 conservation, and development; and

6 (5) In particular cooperate with and aid the state within its  
7 territorial limits in the preparation of the state master plan provided  
8 for in RCW 43.21A.350 and in advance planning of public works programs.

9 In carrying out its powers and duties, the commission should  
10 demonstrate how land use planning is integrated with transportation  
11 planning.

12 **Sec. 2.** RCW 35A.63.060 and 1967 ex.s. c 119 s 35A.63.060 are each  
13 amended to read as follows:

14 Every code city, by ordinance, shall direct the planning agency to  
15 prepare a comprehensive plan for anticipating and influencing the  
16 orderly and coordinated development of land and building uses of the  
17 code city and its environs. The comprehensive plan may be prepared as  
18 a whole or in successive parts. The plan should integrate  
19 transportation and land use planning.

20 **Sec. 3.** RCW 47.05.051 and 1998 c 175 s 12 are each amended to read  
21 as follows:

22 The comprehensive six-year investment program shall be based upon  
23 the needs identified in the state-owned highway component of the  
24 statewide multimodal transportation plan as defined in RCW 47.01.071(3)  
25 and priority selection systems that incorporate the following criteria:

26 (1) Priority programming for the preservation program shall take  
27 into account the following, not necessarily in order of importance:

28 (a) Extending the service life of the existing highway system;

29 (b) Ensuring the structural ability to carry loads imposed upon  
30 highways and bridges; and

31 (c) Minimizing life cycle costs. The transportation commission in  
32 carrying out the provisions of this section may delegate to the  
33 department of transportation the authority to select preservation  
34 projects to be included in the six-year program.

35 (2) Priority programming for the improvement program shall take  
36 into account the following, not necessarily in order of importance:

1 (a) Support for the state's economy, including job creation and job  
2 preservation;

3 (b) The cost-effective movement of people and goods;

4 (c) Accident and accident risk reduction;

5 (d) Protection of the state's natural environment;

6 (e) Continuity and systematic development of the highway  
7 transportation network;

8 (f) Consistency with local comprehensive plans developed under  
9 chapter 36.70A RCW as follows:

10 (i) Support for development in and revitalization of existing  
11 downtowns;

12 (ii) Extent that development implements local comprehensive plans  
13 for rural and urban residential and nonresidential densities;

14 (iii) Extent of compact, transit-oriented development at  
15 appropriate residential and nonresidential densities; and

16 (iv) Feasibility of multimodal transportation;

17 (g) Consistency with regional transportation plans developed under  
18 chapter 47.80 RCW;

19 (h) Public views concerning proposed improvements;

20 (i) The conservation of energy resources;

21 (j) Feasibility of financing the full proposed improvement;

22 (k) Commitments established in previous legislative sessions;

23 (l) Relative costs and benefits of candidate programs;

24 (m) Major projects addressing capacity deficiencies which  
25 prioritize allowing for preliminary engineering shall be reprioritized  
26 during the succeeding biennium, based upon updated project data.  
27 Reprioritized projects may be delayed or canceled by the transportation  
28 commission if higher priority projects are awaiting funding; ((and))

29 (n) Major project approvals which significantly increase a  
30 project's scope or cost from original prioritization estimates shall  
31 include a review of the project's estimated revised priority rank and  
32 the level of funding provided. Projects may be delayed or canceled by  
33 the transportation commission if higher priority projects are awaiting  
34 funding.

35 (3) The commission may depart from the priority programming  
36 established under subsections (1) and (2) of this section: (a) To the  
37 extent that otherwise funds cannot be utilized feasibly within the  
38 program; (b) as may be required by a court judgment, legally binding  
39 agreement, or state and federal laws and regulations; (c) as may be

1 required to coordinate with federal, local, or other state agency  
2 construction projects; (d) to take advantage of some substantial  
3 financial benefit that may be available; (e) for continuity of route  
4 development; or (f) because of changed financial or physical conditions  
5 of an unforeseen or emergent nature. The commission or secretary of  
6 transportation shall maintain in its files information sufficient to  
7 show the extent to which the commission has departed from the  
8 established priority.

9 (4) The commission shall identify those projects that yield freight  
10 mobility benefits or that alleviate the impacts of freight mobility  
11 upon affected communities.

12 **Sec. 4.** RCW 47.06.040 and 1998 c 199 s 1 are each amended to read  
13 as follows:

14 The department shall develop a statewide multimodal transportation  
15 plan under RCW 47.01.071(3) and in conformance with federal  
16 requirements, to ensure the continued mobility of people and goods  
17 within regions and across the state in a safe, cost-effective manner.  
18 The statewide multimodal transportation plan shall consist of:

19 (1) A state-owned facilities component, which shall guide state  
20 investment for state highways including bicycle and pedestrian  
21 facilities, and state ferries; and

22 (2) A state-interest component, which shall define the state  
23 interest in aviation, marine ports and navigation, freight rail,  
24 intercity passenger rail, bicycle transportation and pedestrian  
25 walkways, and public transportation, and recommend actions in  
26 coordination with appropriate public and private transportation  
27 providers to ensure that the state interest in these transportation  
28 modes is met.

29 The plans developed under each component must be consistent with  
30 the state transportation policy plan and with each other, reflect  
31 public involvement, be consistent with regional transportation  
32 planning, high-capacity transportation planning, and local  
33 comprehensive plans prepared under chapter 36.70A RCW, and include  
34 analysis of intermodal connections and choices. A primary emphasis for  
35 these plans shall be the relief of congestion, the preservation of  
36 existing investments and downtowns, ability to attract or accommodate  
37 planned population, and employment growth, the improvement of traveler  
38 safety, the efficient movement of freight and goods, and the

1 improvement and integration of all transportation modes to create a  
2 seamless intermodal transportation system for people and goods.

3 In the development of the statewide multimodal transportation plan,  
4 the department shall identify and document potential affected  
5 environmental resources, including, but not limited to, wetlands, storm  
6 water runoff, flooding, air quality, fish passage, and wildlife  
7 habitat. The department shall conduct its environmental identification  
8 and documentation in coordination with all relevant environmental  
9 regulatory authorities, including, but not limited to, local  
10 governments. The department shall give the relevant environmental  
11 regulatory authorities an opportunity to review the department's  
12 environmental plans. The relevant environmental regulatory authorities  
13 shall provide comments on the department's environmental plans in a  
14 timely manner. Environmental identification and documentation as  
15 provided for in RCW 47.01.300 and this section is not intended to  
16 create a private right of action or require an environmental impact  
17 statement as provided in chapter 43.21C RCW.

18 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.26 RCW  
19 to read as follows:

20 In any project funded by the transportation improvement board, and  
21 in addition to any other items required to be considered by statute,  
22 the board also shall consider the land use implications of the project,  
23 such as whether the programs and projects:

24 (1) Support development in and revitalization of existing  
25 downtowns;

26 (2) Implement local comprehensive plans for rural and urban  
27 residential and nonresidential densities;

28 (3) Have land use planning and regulations encouraging compact  
29 development at appropriate residential and nonresidential densities;  
30 and

31 (4) Promote the use of multimodal transportation.

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