
HOUSE BILL 1456

State of Washington

61st Legislature

2009 Regular Session

By Representative Dunshee

Read first time 01/21/09. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to preventing the conversion of natural resource
2 lands; amending RCW 36.70A.350; and creating a new section.

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

4 **Sec. 1.** RCW 36.70A.350 and 1991 sp.s. c 32 s 16 are each amended
5 to read as follows:

6 (1) A county required or choosing to plan under RCW 36.70A.040 may
7 establish a process as part of its urban growth areas, that are
8 designated under RCW 36.70A.110, for reviewing proposals to authorize
9 new fully contained communities located outside of the initially
10 designated urban growth areas.

11 ~~((+1))~~ (2) A new fully contained community may be approved in a
12 county planning under this chapter if criteria including but not
13 limited to the following are met:

14 (a) New infrastructure is provided for and impact fees are
15 established consistent with the requirements of RCW 82.02.050;

16 (b) Transit-oriented site planning and traffic demand management
17 programs are implemented;

18 (c) Buffers are provided between the new fully contained
19 communities and adjacent urban development;

1 (d) A mix of uses is provided to offer jobs, housing, and services
2 to the residents of the new community;

3 (e) Affordable housing is provided within the new community for a
4 broad range of income levels;

5 (f) Environmental protection has been addressed and provided for;

6 (g) Development regulations are established to ensure urban growth
7 will not occur in adjacent nonurban areas;

8 (h) No portion of the actual area where the fully contained
9 community is proposed is designated agricultural, forest, or mineral
10 resource lands designated pursuant to RCW 36.70A.170;

11 (i) Provision is made to mitigate impacts on any affected
12 designated agricultural lands, forest lands, and mineral resource lands
13 located adjacent to or in the vicinity of the proposed fully contained
14 community; and

15 ~~((+i))~~ (j) The plan for the new fully contained community is
16 consistent with the development regulations established for the
17 protection of critical areas by the county pursuant to RCW 36.70A.170.

18 ~~((+2))~~ (3) New fully contained communities may be approved outside
19 established urban growth areas only if a county reserves a portion of
20 the twenty-year population projection and offsets the urban growth area
21 accordingly for allocation to new fully contained communities that meet
22 the requirements of this chapter. Any county electing to establish a
23 new community reserve shall do so no more often than once every five
24 years as a part of the designation or review of urban growth areas
25 required by this chapter. The new community reserve shall be allocated
26 on a project-by-project basis, only after specific project approval
27 procedures have been adopted pursuant to this chapter as a development
28 regulation. When a new community reserve is established, urban growth
29 areas designated pursuant to this chapter shall accommodate the
30 unreserved portion of the twenty-year population projection.

31 (4) Final approval of an application for a new fully contained
32 community shall be considered an adopted amendment to the comprehensive
33 plan prepared pursuant to RCW 36.70A.070 designating the new fully
34 contained community as an urban growth area.

35 NEW SECTION. **Sec. 2.** This act applies prospectively only. A
36 fully contained community that has received final approval by the
37 appropriate local government prior to the effective date of this

1 section is not impacted by the provisions of this act. However, this
2 act does apply to proposed fully contained communities that have not
3 received final local approval prior to the effective date of this
4 section.

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