
HOUSE BILL 2586

State of Washington

64th Legislature

2016 Regular Session

By Representatives Reykdal, Magendanz, Haler, Hargrove, Rossetti, Van De Wege, Muri, S. Hunt, and Springer

Read first time 01/15/16. Referred to Committee on Local Government.

1 AN ACT Relating to siting common schools; adding a new section to
2 chapter 36.70A RCW; adding a new section to chapter 28A.315 RCW;
3 creating new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that common schools
6 should be located near the communities that they serve. It is in the
7 best interests of students, parents, and communities that students
8 spend a minimum amount of time traveling to and from schools.
9 Limiting the amount of time that students spend on buses and
10 providing safe routes that students can use to walk and bike to and
11 from school will contribute to the health and engagement of students,
12 parents, and the community. Moreover, the legislature finds that
13 school districts are facing challenges in meeting their obligation to
14 provide all-day kindergarten and 17:1 class size ratios for
15 kindergarten through third grade in part due to current school
16 facility constraints.

17 While siting schools within the urban growth area is preferred
18 and all school districts should endeavor to site schools within the
19 boundaries of urban growth areas in accordance with existing local,
20 regional, and state planning policies, the legislature intends to
21 assist school districts in addressing the convergence of multiple

1 policies and obligations by authorizing for a period of ten years the
2 siting of schools in areas located outside of urban growth areas.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A
4 RCW to read as follows:

5 (1) Until July 1, 2026, any county that is required or chooses to
6 plan under RCW 36.70A.040 must allow school districts to site common
7 schools, as that term is defined in RCW 28A.150.020, on lands located
8 outside of urban growth areas when the criteria set forth in
9 subsection (2) of this section are met. For any school facility that
10 a school district sites outside of an urban growth area, as provided
11 in this section, the county must allow public services and public
12 facilities sufficient to meet the facility needs of the school to
13 extend beyond the urban growth area.

14 (2) A school district must show that the following criteria has
15 been met before a school may be sited outside of an urban growth area
16 under subsection (1) of this section:

17 (a) The school is needed to meet student capacity needs in an
18 identified service area that serves students residing in whole or in
19 part outside of an urban growth area, as demonstrated by a capital
20 facilities plan adopted by a locally elected school board of
21 directors;

22 (b) The school district has conducted an inventory of developable
23 land and determined that vacant land suitable to site the school is
24 unavailable within the urban growth area and relevant service area,
25 taking into consideration school service area needs, locally adopted
26 educational program requirements, and to the extent that there is
27 vacant land available within the urban growth boundary, the current
28 zoning and the financial feasibility of using public dollars to
29 secure such land;

30 (c) New infrastructure is planned and will be paid for by the
31 school district, and impact fees, if applicable, are established
32 consistent with the requirements of RCW 82.02.050. The extension of
33 any public facility beyond an urban growth area to serve the school
34 will be limited to those facilities necessary to serve the school
35 facility and will be provided only in a manner that does not permit
36 low-density sprawl;

37 (d) Service levels for transportation facilities serving the
38 school and impacted by the school are considered and mitigated,
39 including sidewalks, bike paths, and roads;

1 (e) The plan for the new school is consistent with the
2 development regulations established by the county for the protection
3 of critical areas pursuant to RCW 36.70A.170;

4 (f) An open record public hearing on siting the school is held by
5 the school district with notice published at least thirty days before
6 the hearing date and mailed to all property owners within one mile of
7 the proposed site; and

8 (g) Other criteria relevant to the development regulations,
9 planning goals, and unique local circumstances of the county are
10 considered.

11 (3) Any county subject to this section shall ensure that:

12 (a) The comprehensive plan specifically identifies policies,
13 consistent with this section, to guide the development of schools
14 located outside of the urban growth boundary;

15 (b) The comprehensive plan and development regulations include
16 restrictions that preclude new urban or suburban land uses in the
17 vicinity of the new school, except in areas otherwise designated for
18 urban growth under RCW 36.70A.110;

19 (c) The county ensures that the school development plan is
20 consistent with the development regulations established for critical
21 areas; and

22 (d) On-site and off-site infrastructure and service impacts are
23 fully considered and mitigated.

24 (4)(a) After July 1, 2016, any county planning under RCW
25 36.70A.140 must incorporate a school capital facilities plan for each
26 school district with service area in the county into the county's
27 comprehensive plan when it reviews and revises its comprehensive plan
28 and development regulations in accordance with RCW 36.70A.130.
29 Counties and school districts must work together to integrate the
30 school capital facilities plan into the comprehensive plan.

31 (b) Nothing in this subsection (4) modifies the authority of a
32 school district to amend a school capital facilities plan that has
33 been incorporated, as required by (a) of this subsection, into the
34 comprehensive plan of the county before the next periodic review and
35 revision of the county's comprehensive plan. A school district may
36 amend a school capital facilities plan at any time in accordance with
37 applicable law and administrative rules. The school district must
38 transmit any proposed amendment to the county for review and comment
39 prior to adoption.

1 NEW SECTION. **Sec. 3.** (1) The joint legislative audit and review
2 committee shall review the impacts of schools that are sited outside
3 of urban growth areas under the authority provided by this act. In
4 conducting the review, the committee shall examine:

5 (a) Each instance in which a school was sited outside of the
6 urban growth area and the factors, costs, and other criteria
7 considered by the school district and county in siting the school;

8 (b) Whether legislative intent has been achieved in the siting of
9 each school, such as the goals of locating schools in communities
10 they serve, reducing the amount of time students travel to and from
11 school, providing students safe routes for walking or biking to
12 school, and assisting school districts in providing all-day
13 kindergarten and 17:1 class size ratios for kindergarten through
14 third grade;

15 (c) Whether and to what extent each school has contributed to
16 sprawl or urban growth in areas outside of the urban growth area; and

17 (d) The impacts of extending public services and public
18 facilities outside of urban growth areas to serve each school,
19 including examining the costs, whether the public services and public
20 facilities serve any inhabitants outside of the urban growth area
21 other than the school, and whether extension of public services and
22 public facilities has contributed to urban growth outside of the
23 urban growth area.

24 (2) The joint legislative audit and review committee shall submit
25 a report of its review to the legislature by November 1, 2024.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.315
27 RCW to read as follows:

28 School districts may site common schools in accordance with
29 section 2 of this act.

30 NEW SECTION. **Sec. 5.** This act expires July 1, 2026.

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