
ENGROSSED HOUSE BILL 2440

State of Washington

57th Legislature

2002 Regular Session

By Representatives Romero, Cooper, Fisher, Mitchell, Murray, Sullivan, Wood, Ogden and McIntire

Read first time 01/17/2002. Referred to Committee on Transportation.

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 including the following if they have been included
10 in the comprehensive plan:

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

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

15 (iii) Extent of compact, transit-oriented development for rural and
16 urban residential and nonresidential densities;

17 (iv) Opportunities for multimodal transportation; and

18 (v) Extent to which the project accommodates planned growth and
19 economic development;

20 (g) Consistency with regional transportation plans developed under
21 chapter 47.80 RCW;

22 (h) Public views concerning proposed improvements;

23 (i) The conservation of energy resources;

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

25 (k) Commitments established in previous legislative sessions;

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

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

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

38 (3) The commission may depart from the priority programming
39 established under subsections (1) and (2) of this section: (a) To the

1 extent that otherwise funds cannot be utilized feasibly within the
2 program; (b) as may be required by a court judgment, legally binding
3 agreement, or state and federal laws and regulations; (c) as may be
4 required to coordinate with federal, local, or other state agency
5 construction projects; (d) to take advantage of some substantial
6 financial benefit that may be available; (e) for continuity of route
7 development; or (f) because of changed financial or physical conditions
8 of an unforeseen or emergent nature. The commission or secretary of
9 transportation shall maintain in its files information sufficient to
10 show the extent to which the commission has departed from the
11 established priority.

12 (4) The commission shall identify those projects that yield freight
13 mobility benefits or that alleviate the impacts of freight mobility
14 upon affected communities.

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

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

22 (1) A state-owned facilities component, which shall guide state
23 investment for state highways including bicycle and pedestrian
24 facilities, and state ferries; and

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

32 The plans developed under each component must be consistent with
33 the state transportation policy plan and with each other, reflect
34 public involvement, be consistent with regional transportation
35 planning, high-capacity transportation planning, and local
36 comprehensive plans prepared under chapter 36.70A RCW, and include
37 analysis of intermodal connections and choices. A primary emphasis for
38 these plans shall be the relief of congestion, the preservation of

1 existing investments and downtowns, ability to attract or accommodate
2 planned population, and employment growth, the improvement of traveler
3 safety, the efficient movement of freight and goods, and the
4 improvement and integration of all transportation modes to create a
5 seamless intermodal transportation system for people and goods.

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

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

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

27 (1) Support development in and revitalization of existing
28 downtowns;

29 (2) Implement local comprehensive plans for rural and urban
30 residential and nonresidential densities;

31 (3) Have land use planning and regulations encouraging compact
32 development for rural and urban residential and nonresidential
33 densities; and

34 (4) Promote the use of multimodal transportation.

--- END ---