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HOUSE BILL 2412

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Nelson, Springer, White, Simpson, Roberts, Chase, Appleton, and Kenney

Prefiled 12/07/09. Read first time 01/11/10. Referred to Committee on Local Government & Housing.

1            AN ACT Relating to fully contained communities authorized under the  
2 growth management act; amending RCW 36.70A.350; and creating a new  
3 section.

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

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

7            ((A)) Any county ((required or choosing to plan)) located east of  
8 the crest of the Cascade mountain range that plans under RCW 36.70A.040  
9 may ~~((establish a process as part of))~~, through its urban growth  
10 ~~((areas, that are designated under RCW 36.70A.110,))~~ area designation  
11 procedures, establish a process for reviewing proposals to authorize  
12 new fully contained communities located outside of the initially  
13 designated urban growth areas.

14            (1) A new fully contained community may be approved in a county  
15 planning under this chapter if criteria including but not limited to  
16 the following are met:

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

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

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

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

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

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

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

12 (h) Provision is made to mitigate impacts on designated  
13 agricultural lands, forest lands, and mineral resource lands;

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

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

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

34 NEW SECTION. **Sec. 2.** Section 1 of this act does not apply to  
35 fully contained communities located west of the crest of the Cascade

1 mountain range that were (1) approved and (2) in compliance with RCW  
2 36.70A.350, prior to the effective date of this section.

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