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**SENATE BILL 5440**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Palumbo, Nguyen, Lillas, and Saldaña

1 AN ACT Relating to the housing element of comprehensive plans  
2 required under the growth management act; amending RCW 36.70A.030;  
3 and reenacting and amending RCW 36.70A.070.

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

5 **Sec. 1.** RCW 36.70A.030 and 2017 3rd sp.s. c 18 s 2 are each  
6 amended to read as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this chapter.

9 (1) "Adopt a comprehensive land use plan" means to enact a new  
10 comprehensive land use plan or to update an existing comprehensive  
11 land use plan.

12 (2) "Agricultural land" means land primarily devoted to the  
13 commercial production of horticultural, viticultural, floricultural,  
14 dairy, apiary, vegetable, or animal products or of berries, grain,  
15 hay, straw, turf, seed, Christmas trees not subject to the excise tax  
16 imposed by RCW 84.33.100 through 84.33.140, finfish in upland  
17 hatcheries, or livestock, and that has long-term commercial  
18 significance for agricultural production.

19 (3) "City" means any city or town, including a code city.

20 (4) "Comprehensive land use plan," "comprehensive plan," or  
21 "plan" means a generalized coordinated land use policy statement of

1 the governing body of a county or city that is adopted pursuant to  
2 this chapter.

3 (5) "Critical areas" include the following areas and ecosystems:

4 (a) Wetlands; (b) areas with a critical recharging effect on aquifers  
5 used for potable water; (c) fish and wildlife habitat conservation  
6 areas; (d) frequently flooded areas; and (e) geologically hazardous  
7 areas. "Fish and wildlife habitat conservation areas" does not  
8 include such artificial features or constructs as irrigation delivery  
9 systems, irrigation infrastructure, irrigation canals, or drainage  
10 ditches that lie within the boundaries of and are maintained by a  
11 port district or an irrigation district or company.

12 (6) "Department" means the department of commerce.

13 (7) "Development regulations" or "regulation" means the controls  
14 placed on development or land use activities by a county or city,  
15 including, but not limited to, zoning ordinances, critical areas  
16 ordinances, shoreline master programs, official controls, planned  
17 unit development ordinances, subdivision ordinances, and binding site  
18 plan ordinances together with any amendments thereto. A development  
19 regulation does not include a decision to approve a project permit  
20 application, as defined in RCW 36.70B.020, even though the decision  
21 may be expressed in a resolution or ordinance of the legislative body  
22 of the county or city.

23 (8) "Extremely low-income household" means a single person,  
24 family, or unrelated persons living together whose adjusted income is  
25 at or below thirty percent of the median family income adjusted for  
26 family size, for the county where the household is located, as  
27 reported by the United States department of housing and urban  
28 development.

29 (9) "Forestland" means land primarily devoted to growing trees  
30 for long-term commercial timber production on land that can be  
31 economically and practically managed for such production, including  
32 Christmas trees subject to the excise tax imposed under RCW 84.33.100  
33 through 84.33.140, and that has long-term commercial significance. In  
34 determining whether forestland is primarily devoted to growing trees  
35 for long-term commercial timber production on land that can be  
36 economically and practically managed for such production, the  
37 following factors shall be considered: (a) The proximity of the land  
38 to urban, suburban, and rural settlements; (b) surrounding parcel  
39 size and the compatibility and intensity of adjacent and nearby land  
40 uses; (c) long-term local economic conditions that affect the ability

1 to manage for timber production; and (d) the availability of public  
2 facilities and services conducive to conversion of forestland to  
3 other uses.

4 ~~((9))~~ (10) "Freight rail dependent uses" means buildings and  
5 other infrastructure that are used in the fabrication, processing,  
6 storage, and transport of goods where the use is dependent on and  
7 makes use of an adjacent short line railroad. Such facilities are  
8 both urban and rural development for purposes of this chapter.  
9 "Freight rail dependent uses" does not include buildings and other  
10 infrastructure that are used in the fabrication, processing, storage,  
11 and transport of coal, liquefied natural gas, or "crude oil" as  
12 defined in RCW 90.56.010.

13 ~~((10))~~ (11) "Geologically hazardous areas" means areas that  
14 because of their susceptibility to erosion, sliding, earthquake, or  
15 other geological events, are not suited to the siting of commercial,  
16 residential, or industrial development consistent with public health  
17 or safety concerns.

18 ~~((11))~~ (12) "Long-term commercial significance" includes the  
19 growing capacity, productivity, and soil composition of the land for  
20 long-term commercial production, in consideration with the land's  
21 proximity to population areas, and the possibility of more intense  
22 uses of the land.

23 ~~((12))~~ (13) "Low-income household" means a single person,  
24 family, or unrelated persons living together whose adjusted income is  
25 at or below eighty percent of the median family income adjusted for  
26 family size, for the county where the household is located, as  
27 reported by the United States department of housing and urban  
28 development.

29 (14) "Minerals" include gravel, sand, and valuable metallic  
30 substances.

31 ~~((13))~~ (15) "Public facilities" include streets, roads,  
32 highways, sidewalks, street and road lighting systems, traffic  
33 signals, domestic water systems, storm and sanitary sewer systems,  
34 parks and recreational facilities, and schools.

35 ~~((14))~~ (16) "Public services" include fire protection and  
36 suppression, law enforcement, public health, education, recreation,  
37 environmental protection, and other governmental services.

38 ~~((15))~~ (17) "Recreational land" means land so designated under  
39 RCW 36.70A.1701 and that, immediately prior to this designation, was  
40 designated as agricultural land of long-term commercial significance

1 under RCW 36.70A.170. Recreational land must have playing fields and  
2 supporting facilities existing before July 1, 2004, for sports played  
3 on grass playing fields.

4 ~~((16))~~ (18) "Rural character" refers to the patterns of land  
5 use and development established by a county in the rural element of  
6 its comprehensive plan:

7 (a) In which open space, the natural landscape, and vegetation  
8 predominate over the built environment;

9 (b) That foster traditional rural lifestyles, rural-based  
10 economies, and opportunities to both live and work in rural areas;

11 (c) That provide visual landscapes that are traditionally found  
12 in rural areas and communities;

13 (d) That are compatible with the use of the land by wildlife and  
14 for fish and wildlife habitat;

15 (e) That reduce the inappropriate conversion of undeveloped land  
16 into sprawling, low-density development;

17 (f) That generally do not require the extension of urban  
18 governmental services; and

19 (g) That are consistent with the protection of natural surface  
20 water flows and groundwater and surface water recharge and discharge  
21 areas.

22 ~~((17))~~ (19) "Rural development" refers to development outside  
23 the urban growth area and outside agricultural, forest, and mineral  
24 resource lands designated pursuant to RCW 36.70A.170. Rural  
25 development can consist of a variety of uses and residential  
26 densities, including clustered residential development, at levels  
27 that are consistent with the preservation of rural character and the  
28 requirements of the rural element. Rural development does not refer  
29 to agriculture or forestry activities that may be conducted in rural  
30 areas.

31 ~~((18))~~ (20) "Rural governmental services" or "rural services"  
32 include those public services and public facilities historically and  
33 typically delivered at an intensity usually found in rural areas, and  
34 may include domestic water systems, fire and police protection  
35 services, transportation and public transit services, and other  
36 public utilities associated with rural development and normally not  
37 associated with urban areas. Rural services do not include storm or  
38 sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

1        ~~((19))~~ (21) "Short line railroad" means those railroad lines  
2 designated class II or class III by the United States surface  
3 transportation board.

4        ~~((20))~~ (22) "Urban governmental services" or "urban services"  
5 include those public services and public facilities at an intensity  
6 historically and typically provided in cities, specifically including  
7 storm and sanitary sewer systems, domestic water systems, street  
8 cleaning services, fire and police protection services, public  
9 transit services, and other public utilities associated with urban  
10 areas and normally not associated with rural areas.

11        ~~((21))~~ (23) "Urban growth" refers to growth that makes  
12 intensive use of land for the location of buildings, structures, and  
13 impermeable surfaces to such a degree as to be incompatible with the  
14 primary use of land for the production of food, other agricultural  
15 products, or fiber, or the extraction of mineral resources, rural  
16 uses, rural development, and natural resource lands designated  
17 pursuant to RCW 36.70A.170. A pattern of more intensive rural  
18 development, as provided in RCW 36.70A.070(5)(d), is not urban  
19 growth. When allowed to spread over wide areas, urban growth  
20 typically requires urban governmental services. "Characterized by  
21 urban growth" refers to land having urban growth located on it, or to  
22 land located in relationship to an area with urban growth on it as to  
23 be appropriate for urban growth.

24        ~~((22))~~ (24) "Urban growth areas" means those areas designated  
25 by a county pursuant to RCW 36.70A.110.

26        ~~((23))~~ (25) "Very low-income household" means a single person,  
27 family, or unrelated persons living together whose adjusted income is  
28 at or below fifty percent of the median family income adjusted for  
29 family size, for the county where the household is located, as  
30 reported by the United States department of housing and urban  
31 development.

32        (26) "Wetland" or "wetlands" means areas that are inundated or  
33 saturated by surface water or groundwater at a frequency and duration  
34 sufficient to support, and that under normal circumstances do  
35 support, a prevalence of vegetation typically adapted for life in  
36 saturated soil conditions. Wetlands generally include swamps,  
37 marshes, bogs, and similar areas. Wetlands do not include those  
38 artificial wetlands intentionally created from nonwetland sites,  
39 including, but not limited to, irrigation and drainage ditches,  
40 grass-lined swales, canals, detention facilities, wastewater

1 treatment facilities, farm ponds, and landscape amenities, or those  
2 wetlands created after July 1, 1990, that were unintentionally  
3 created as a result of the construction of a road, street, or  
4 highway. Wetlands may include those artificial wetlands intentionally  
5 created from nonwetland areas created to mitigate conversion of  
6 wetlands.

7 **Sec. 2.** RCW 36.70A.070 and 2017 3rd sp.s. c 18 s 4 and 2017 3rd  
8 sp.s. c 16 s 4 are each reenacted and amended to read as follows:

9 The comprehensive plan of a county or city that is required or  
10 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,  
11 and descriptive text covering objectives, principles, and standards  
12 used to develop the comprehensive plan. The plan shall be an  
13 internally consistent document and all elements shall be consistent  
14 with the future land use map. A comprehensive plan shall be adopted  
15 and amended with public participation as provided in RCW 36.70A.140.  
16 Each comprehensive plan shall include a plan, scheme, or design for  
17 each of the following:

18 (1) A land use element designating the proposed general  
19 distribution and general location and extent of the uses of land,  
20 where appropriate, for agriculture, timber production, housing,  
21 commerce, industry, recreation, open spaces, general aviation  
22 airports, public utilities, public facilities, and other land uses.  
23 The land use element shall include population densities, building  
24 intensities, and estimates of future population growth. The land use  
25 element shall provide for protection of the quality and quantity of  
26 groundwater used for public water supplies. Wherever possible, the  
27 land use element should consider utilizing urban planning approaches  
28 that promote physical activity. Where applicable, the land use  
29 element shall review drainage, flooding, and storm water run-off in  
30 the area and nearby jurisdictions and provide guidance for corrective  
31 actions to mitigate or cleanse those discharges that pollute waters  
32 of the state, including Puget Sound or waters entering Puget Sound.

33 (2) (a) A housing element ensuring the vitality and character of  
34 established residential neighborhoods that: ~~((a))~~ (i) Includes an  
35 inventory and analysis of existing and projected housing needs that  
36 identifies the number of housing units necessary to manage projected  
37 growth and quantifies existing and projected housing needs for all  
38 income levels, including extremely low-income households, with  
39 documentation of housing and household characteristics, including

1 housing stock condition, overcrowding, and comparison of level of  
2 payment with ability to pay; ((b)) (ii) includes a statement of  
3 goals, policies, objectives, and mandatory provisions for the  
4 preservation, improvement, and development of housing, including  
5 single-family residences; ((e)) (iii) includes policies and  
6 programs to conserve and preserve existing market rate and subsidized  
7 affordable housing and existing manufactured home parks. In cities  
8 with populations of more than eighty thousand, the housing element  
9 must include policies, regulations, and programs to minimize  
10 displacement; (iv) identifies sufficient land for housing, including,  
11 but not limited to, government-assisted housing, housing for low-  
12 income families, manufactured housing, multifamily housing, and group  
13 homes and foster care facilities((; and (d))). If the inventory in  
14 (a)(i) of this subsection demonstrates a lack of sufficient sites to  
15 accommodate housing needs for extremely low-income, very low-income,  
16 and low-income households, the housing element must include a program  
17 to make sufficient sites available at multifamily densities available  
18 for development; (v) makes adequate provisions for existing and  
19 projected needs of all economic segments of the community. In  
20 counties and cities subject to the review and evaluation requirements  
21 of RCW 36.70A.215, any revision to the housing element shall include  
22 consideration of prior review and evaluation reports and any  
23 reasonable measures identified; (vi) analyzes population and  
24 employment trends, with documentation of projections; (vii) provides  
25 a zone where emergency shelters are permitted without a discretionary  
26 review process; (viii) includes an eight-year schedule of programs  
27 and actions to implement the policies of the housing element and to  
28 accommodate the planned housing units, including incentives and  
29 funding for affordable housing; and (ix) reviews and evaluates the  
30 previous housing element, including an evaluation of success in  
31 attaining planned housing units, achievement of goals and policies,  
32 and implementation of the schedule of programs and actions.

33 (b) The department must review and, if compliant with the  
34 requirements of this subsection, approve the housing element of each  
35 planning jurisdiction after each periodic review required under RCW  
36 36.70A.130.

37 (3) A capital facilities plan element consisting of: (a) An  
38 inventory of existing capital facilities owned by public entities,  
39 showing the locations and capacities of the capital facilities; (b) a  
40 forecast of the future needs for such capital facilities; (c) the

1 proposed locations and capacities of expanded or new capital  
2 facilities; (d) at least a six-year plan that will finance such  
3 capital facilities within projected funding capacities and clearly  
4 identifies sources of public money for such purposes; and (e) a  
5 requirement to reassess the land use element if probable funding  
6 falls short of meeting existing needs and to ensure that the land use  
7 element, capital facilities plan element, and financing plan within  
8 the capital facilities plan element are coordinated and consistent.  
9 Park and recreation facilities shall be included in the capital  
10 facilities plan element.

11 (4) A utilities element consisting of the general location,  
12 proposed location, and capacity of all existing and proposed  
13 utilities, including, but not limited to, electrical lines,  
14 telecommunication lines, and natural gas lines.

15 (5) Rural element. Counties shall include a rural element  
16 including lands that are not designated for urban growth,  
17 agriculture, forest, or mineral resources. The following provisions  
18 shall apply to the rural element:

19 (a) Growth management act goals and local circumstances. Because  
20 circumstances vary from county to county, in establishing patterns of  
21 rural densities and uses, a county may consider local circumstances,  
22 but shall develop a written record explaining how the rural element  
23 harmonizes the planning goals in RCW 36.70A.020 and meets the  
24 requirements of this chapter.

25 (b) Rural development. The rural element shall permit rural  
26 development, forestry, and agriculture in rural areas. The rural  
27 element shall provide for a variety of rural densities, uses,  
28 essential public facilities, and rural governmental services needed  
29 to serve the permitted densities and uses. To achieve a variety of  
30 rural densities and uses, counties may provide for clustering,  
31 density transfer, design guidelines, conservation easements, and  
32 other innovative techniques that will accommodate appropriate rural  
33 economic advancement, densities, and uses that are not characterized  
34 by urban growth and that are consistent with rural character.

35 (c) Measures governing rural development. The rural element shall  
36 include measures that apply to rural development and protect the  
37 rural character of the area, as established by the county, by:

38 (i) Containing or otherwise controlling rural development;

39 (ii) Assuring visual compatibility of rural development with the  
40 surrounding rural area;



1 (iii) Reducing the inappropriate conversion of undeveloped land  
2 into sprawling, low-density development in the rural area;

3 (iv) Protecting critical areas, as provided in RCW 36.70A.060,  
4 and surface water and groundwater resources; and

5 (v) Protecting against conflicts with the use of agricultural,  
6 forest, and mineral resource lands designated under RCW 36.70A.170.

7 (d) Limited areas of more intensive rural development. Subject to  
8 the requirements of this subsection and except as otherwise  
9 specifically provided in this subsection (5)(d), the rural element  
10 may allow for limited areas of more intensive rural development,  
11 including necessary public facilities and public services to serve  
12 the limited area as follows:

13 (i) Rural development consisting of the infill, development, or  
14 redevelopment of existing commercial, industrial, residential, or  
15 mixed-use areas, whether characterized as shoreline development,  
16 villages, hamlets, rural activity centers, or crossroads  
17 developments.

18 (A) A commercial, industrial, residential, shoreline, or mixed-  
19 use area are subject to the requirements of (d)(iv) of this  
20 subsection, but are not subject to the requirements of (c)(ii) and  
21 (iii) of this subsection.

22 (B) Any development or redevelopment other than an industrial  
23 area or an industrial use within a mixed-use area or an industrial  
24 area under this subsection (5)(d)(i) must be principally designed to  
25 serve the existing and projected rural population.

26 (C) Any development or redevelopment in terms of building size,  
27 scale, use, or intensity shall be consistent with the character of  
28 the existing areas. Development and redevelopment may include changes  
29 in use from vacant land or a previously existing use so long as the  
30 new use conforms to the requirements of this subsection (5);

31 (ii) The intensification of development on lots containing, or  
32 new development of, small-scale recreational or tourist uses,  
33 including commercial facilities to serve those recreational or  
34 tourist uses, that rely on a rural location and setting, but that do  
35 not include new residential development. A small-scale recreation or  
36 tourist use is not required to be principally designed to serve the  
37 existing and projected rural population. Public services and public  
38 facilities shall be limited to those necessary to serve the  
39 recreation or tourist use and shall be provided in a manner that does  
40 not permit low-density sprawl;

1 (iii) The intensification of development on lots containing  
2 isolated nonresidential uses or new development of isolated cottage  
3 industries and isolated small-scale businesses that are not  
4 principally designed to serve the existing and projected rural  
5 population and nonresidential uses, but do provide job opportunities  
6 for rural residents. Rural counties may allow the expansion of small-  
7 scale businesses as long as those small-scale businesses conform with  
8 the rural character of the area as defined by the local government  
9 according to RCW 36.70A.030(~~(+16+)~~) (18). Rural counties may also  
10 allow new small-scale businesses to utilize a site previously  
11 occupied by an existing business as long as the new small-scale  
12 business conforms to the rural character of the area as defined by  
13 the local government according to RCW 36.70A.030(~~(+16+)~~) (18). Public  
14 services and public facilities shall be limited to those necessary to  
15 serve the isolated nonresidential use and shall be provided in a  
16 manner that does not permit low-density sprawl;

17 (iv) A county shall adopt measures to minimize and contain the  
18 existing areas or uses of more intensive rural development, as  
19 appropriate, authorized under this subsection. Lands included in such  
20 existing areas or uses shall not extend beyond the logical outer  
21 boundary of the existing area or use, thereby allowing a new pattern  
22 of low-density sprawl. Existing areas are those that are clearly  
23 identifiable and contained and where there is a logical boundary  
24 delineated predominately by the built environment, but that may also  
25 include undeveloped lands if limited as provided in this subsection.  
26 The county shall establish the logical outer boundary of an area of  
27 more intensive rural development. In establishing the logical outer  
28 boundary, the county shall address (A) the need to preserve the  
29 character of existing natural neighborhoods and communities, (B)  
30 physical boundaries, such as bodies of water, streets and highways,  
31 and land forms and contours, (C) the prevention of abnormally  
32 irregular boundaries, and (D) the ability to provide public  
33 facilities and public services in a manner that does not permit low-  
34 density sprawl;

35 (v) For purposes of (d) of this subsection, an existing area or  
36 existing use is one that was in existence:

37 (A) On July 1, 1990, in a county that was initially required to  
38 plan under all of the provisions of this chapter;

1 (B) On the date the county adopted a resolution under RCW  
2 36.70A.040(2), in a county that is planning under all of the  
3 provisions of this chapter under RCW 36.70A.040(2); or

4 (C) On the date the office of financial management certifies the  
5 county's population as provided in RCW 36.70A.040(5), in a county  
6 that is planning under all of the provisions of this chapter pursuant  
7 to RCW 36.70A.040(5).

8 (e) Exception. This subsection shall not be interpreted to permit  
9 in the rural area a major industrial development or a master planned  
10 resort unless otherwise specifically permitted under RCW 36.70A.360  
11 and 36.70A.365.

12 (6) A transportation element that implements, and is consistent  
13 with, the land use element.

14 (a) The transportation element shall include the following  
15 subelements:

16 (i) Land use assumptions used in estimating travel;

17 (ii) Estimated traffic impacts to state-owned transportation  
18 facilities resulting from land use assumptions to assist the  
19 department of transportation in monitoring the performance of state  
20 facilities, to plan improvements for the facilities, and to assess  
21 the impact of land-use decisions on state-owned transportation  
22 facilities;

23 (iii) Facilities and services needs, including:

24 (A) An inventory of air, water, and ground transportation  
25 facilities and services, including transit alignments and general  
26 aviation airport facilities, to define existing capital facilities  
27 and travel levels as a basis for future planning. This inventory must  
28 include state-owned transportation facilities within the city or  
29 county's jurisdictional boundaries;

30 (B) Level of service standards for all locally owned arterials  
31 and transit routes to serve as a gauge to judge performance of the  
32 system. These standards should be regionally coordinated;

33 (C) For state-owned transportation facilities, level of service  
34 standards for highways, as prescribed in chapters 47.06 and 47.80  
35 RCW, to gauge the performance of the system. The purposes of  
36 reflecting level of service standards for state highways in the local  
37 comprehensive plan are to monitor the performance of the system, to  
38 evaluate improvement strategies, and to facilitate coordination  
39 between the county's or city's six-year street, road, or transit  
40 program and the office of financial management's ten-year investment

1 program. The concurrency requirements of (b) of this subsection do  
2 not apply to transportation facilities and services of statewide  
3 significance except for counties consisting of islands whose only  
4 connection to the mainland are state highways or ferry routes. In  
5 these island counties, state highways and ferry route capacity must  
6 be a factor in meeting the concurrency requirements in (b) of this  
7 subsection;

8 (D) Specific actions and requirements for bringing into  
9 compliance locally owned transportation facilities or services that  
10 are below an established level of service standard;

11 (E) Forecasts of traffic for at least ten years based on the  
12 adopted land use plan to provide information on the location, timing,  
13 and capacity needs of future growth;

14 (F) Identification of state and local system needs to meet  
15 current and future demands. Identified needs on state-owned  
16 transportation facilities must be consistent with the statewide  
17 multimodal transportation plan required under chapter 47.06 RCW;

18 (iv) Finance, including:

19 (A) An analysis of funding capability to judge needs against  
20 probable funding resources;

21 (B) A multiyear financing plan based on the needs identified in  
22 the comprehensive plan, the appropriate parts of which shall serve as  
23 the basis for the six-year street, road, or transit program required  
24 by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW  
25 35.58.2795 for public transportation systems. The multiyear financing  
26 plan should be coordinated with the ten-year investment program  
27 developed by the office of financial management as required by RCW  
28 47.05.030;

29 (C) If probable funding falls short of meeting identified needs,  
30 a discussion of how additional funding will be raised, or how land  
31 use assumptions will be reassessed to ensure that level of service  
32 standards will be met;

33 (v) Intergovernmental coordination efforts, including an  
34 assessment of the impacts of the transportation plan and land use  
35 assumptions on the transportation systems of adjacent jurisdictions;

36 (vi) Demand-management strategies;

37 (vii) Pedestrian and bicycle component to include collaborative  
38 efforts to identify and designate planned improvements for pedestrian  
39 and bicycle facilities and corridors that address and encourage  
40 enhanced community access and promote healthy lifestyles.

1 (b) After adoption of the comprehensive plan by jurisdictions  
2 required to plan or who choose to plan under RCW 36.70A.040, local  
3 jurisdictions must adopt and enforce ordinances which prohibit  
4 development approval if the development causes the level of service  
5 on a locally owned transportation facility to decline below the  
6 standards adopted in the transportation element of the comprehensive  
7 plan, unless transportation improvements or strategies to accommodate  
8 the impacts of development are made concurrent with the development.  
9 These strategies may include increased public transportation service,  
10 ride-sharing programs, demand management, and other transportation  
11 systems management strategies. For the purposes of this subsection  
12 (6), "concurrent with the development" means that improvements or  
13 strategies are in place at the time of development, or that a  
14 financial commitment is in place to complete the improvements or  
15 strategies within six years. If the collection of impact fees is  
16 delayed under RCW 82.02.050(3), the six-year period required by this  
17 subsection (6)(b) must begin after full payment of all impact fees is  
18 due to the county or city.

19 (c) The transportation element described in this subsection (6),  
20 the six-year plans required by RCW 35.77.010 for cities, RCW  
21 36.81.121 for counties, and RCW 35.58.2795 for public transportation  
22 systems, and the ten-year investment program required by RCW  
23 47.05.030 for the state, must be consistent.

24 (7) An economic development element establishing local goals,  
25 policies, objectives, and provisions for economic growth and vitality  
26 and a high quality of life. A city that has chosen to be a  
27 residential community is exempt from the economic development element  
28 requirement of this subsection.

29 (8) A park and recreation element that implements, and is  
30 consistent with, the capital facilities plan element as it relates to  
31 park and recreation facilities. The element shall include: (a)  
32 Estimates of park and recreation demand for at least a ten-year  
33 period; (b) an evaluation of facilities and service needs; and (c) an  
34 evaluation of intergovernmental coordination opportunities to provide  
35 regional approaches for meeting park and recreational demand.

36 (9) It is the intent that new or amended elements required after  
37 January 1, 2002, be adopted concurrent with the scheduled update  
38 provided in RCW 36.70A.130. Requirements to incorporate any such new  
39 or amended elements shall be null and void until funds sufficient to  
40 cover applicable local government costs are appropriated and

1 distributed by the state at least two years before local government  
2 must update comprehensive plans as required in RCW 36.70A.130.

--- **END** ---