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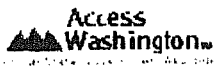
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RCW 36.70A.070

**Comprehensive plans — Mandatory elements.**

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A consist of a map or maps, and descriptive text covering objectives, principles, and standards for the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140.

Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future growth. The land use element shall provide for protection of the quality and quantity of ground water supplies. Wherever possible, the land use element should consider utilizing urban design approaches that promote physical activity. Where applicable, the land use element shall revise zoning actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods. (a) Includes an inventory and analysis of existing and projected housing needs that identifies housing units necessary to manage projected growth; (b) includes a statement of goals, policies, and mandatory provisions for the preservation, improvement, and development of housing, including family residences; (c) identifies sufficient land for housing, including, but not limited to, government housing, housing for low-income families, manufactured housing, multifamily housing, and foster care facilities; and (d) makes adequate provisions for existing and projected housing segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities of public entities, showing the locations and capacities of the capital facilities; (b) a forecast of need for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities at least a six-year plan that will finance such capital facilities within projected funding capacities; (d) identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and sewer lines.

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

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

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(b) Rural development. The rural element shall permit rural development, forestry, and agriculture. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, easements, and other innovative techniques that will accommodate appropriate rural densities. Rural densities are not characterized by urban growth and that are consistent with rural character.

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

(i) Containing or otherwise controlling rural development;

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

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

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

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

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection (5)(d), the rural element may allow areas of more intensive rural development, including necessary public facilities and public services, within the limited area as follows:

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

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

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

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

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

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for residents. Rural counties may allow the expansion of small-scale businesses as long as those businesses conform with the rural character of the area as defined by the local government according to \*RCW 36.70A.030(14). Rural counties may also allow new small-scale businesses to utilize land occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to \*RCW 36.70A.030(14). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of rural development, as appropriate, authorized under this subsection. Lands included in such areas or uses shall not extend beyond the logical outer boundary of the existing area or use, therefore, new patterns of low-density sprawl. Existing areas are those that are clearly identifiable and contain uses where there is a logical boundary delineated predominately by the built environment, but that

include undeveloped lands if limited as provided in this subsection. The county shall establish outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhood communities, (B) physical boundaries such as bodies of water, streets and highways, and land contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was

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

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that was initially required to plan under all of the provisions of this chapter under RCW 36.70A.040(2); or

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

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

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

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

(i) Land use assumptions used in estimating travel;

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

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel demand basis for future planning. This inventory must include state-owned transportation facilities within county's jurisdictional boundaries;

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

(C) For state-owned transportation facilities, level of service standards for highways, as provided in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of the level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's five-year street, road, or transit program and the department of transportation's six-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities of statewide significance except for counties consisting of islands whose only connection to the state highways or ferry routes. In these island counties, state highways and ferry route capacity shall be a factor in meeting the concurrency requirements in (b) of this subsection;

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

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

(F) Identification of state and local system needs to meet current and future demands. The location of state-owned transportation facilities must be consistent with the statewide multimodal transportation system required under chapter 47.06 RCW;

(iv) Finance, including:

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

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the parts of which shall serve as the basis for the six-year street, road, or transit program require RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation. The multiyear financing plan should be coordinated with the six-year improvement program of the department of transportation as required by RCW 47.05.030;

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

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

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and design improvements for pedestrian and bicycle facilities and corridors that address and encourage community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development without approval if the development causes the level of service on a locally owned transportation facility below the standards adopted in the transportation element of the comprehensive plan, unless the jurisdiction has improvements or strategies to accommodate the impacts of development made concurrent with development. These strategies may include increased public transportation service, ride share programs, demand management, and other transportation systems management strategies. For the purposes of subsection (6) "concurrent with the development" shall mean that improvements or strategies are made at the time of development, or that a financial commitment is in place to complete the improvement strategies within six years.

(c) The transportation element described in this subsection (6), and the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, RCW 35.58.2795 for public transportation and RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and programs to promote economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, education, work force, housing, and natural/cultural resources; and (c) an identification of policies and projects to foster economic growth and development and to address future needs. A city chosen to be a residential community is exempt from the economic development element required by this subsection.

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

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

[2005 c 360 § 2; (2005 c 477 § 1 expired August 31, 2005); 2004 c 19 § 1; 2004 c 152 § 1. Prior: 2002 c 212 § 2; 2002 c 154 § 2; 1998 c 171 § 2; 1997 c 199 § 1; 1996 c 239 § 1; prior: 1995 c 400 § 3; 1995 c 377 § 1; 1990 1st ex.s.]

#### Notes:

Reviser's note: \*(1) RCW 36.70A.030 was amended by 2005 c 423 § 2, changing subsection (15).

\*\* (2) RCW 47.05.030 was amended by 2005 c 319 § 9, changing the six-year improvement

a ten-year improvement program.

**Expiration date – 2005 c 477 § 1:** "Section 1 of this act expires August 31, 2005." [20

**Effective date – 2005 c 477:** "This act is necessary for the immediate preservation of peace, health, or safety, or support of the state government and its existing public institutions. This act shall take effect immediately [May 13, 2005]." [2005 c 477 § 2.]

**Findings – Intent – 2005 c 360:** "The legislature finds that regular physical activity is important for maintaining good health and reducing the rates of chronic disease. The legislature further finds that providing opportunities for walking, biking, horseback riding, and other regular forms of exercise can be accomplished through collaboration between the private sector and local, state, and federal policymakers. This collaboration can build communities where people find it easy and safe to be physically active. It is the intent of the legislature to promote policy and planning efforts that ensure access to inexpensive or free opportunities for regular exercise in all communities around the state." [2005 c 360 § 1.]

**Prospective application – 1997 c 429 §§ 1-21:** See note following RCW 36.70A.320.

**Severability – 1997 c 429:** See note following RCW 36.70A.3201.

**Construction – Application – 1995 c 400:** "A comprehensive plan adopted or amended after May 16, 1995, shall be considered to be in compliance with RCW 36.70A.070 or 36.70A.110, as amended before their amendment by this act, if the comprehensive plan is in compliance with RCW 36.70A.110 as amended by this act. This section shall not be construed to alter the relationship between a county-wide planning policy and comprehensive plans as specified under RCW 36.70A.

As to any appeal relating to compliance with RCW 36.70A.070 or 36.70A.110 pending before the county management hearings board on May 16, 1995, the board may take up to an additional nine months to resolve such appeal. By mutual agreement of all parties to the appeal, this additional nine months may be extended." [1995 c 400 § 4.]

**Effective date – 1995 c 400:** See note following RCW 36.70A.040.

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