
HOUSE BILL 1787

State of Washington

68th Legislature

2023 Regular Session

By Representatives Sandlin, Chapman, Barkis, Robertson, Graham, Corry, Dent, Steele, and Goehner

1 AN ACT Relating to the planning and implementation of
2 infrastructure to facilitate the transport and delivery of goods;
3 reenacting and amending RCW 36.70A.070; adding a new section to
4 chapter 47.04 RCW; adding a new section to chapter 35.21 RCW; adding
5 a new section to chapter 35.63 RCW; adding a new section to chapter
6 36.70 RCW; adding a new section to chapter 36.70A RCW; and creating
7 new sections.

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

9 NEW SECTION. **Sec. 1.** The trucking industry is vital to
10 Washington state's economy. In order to make the flow of goods by the
11 trucking industry possible, there must be appropriate infrastructure
12 to accommodate the needs of the men and women who drive and work on
13 the trucks, and to service the trucks themselves. Some local
14 governments in Washington have not planned sufficiently for those
15 needs or have erected barriers to developing such infrastructure. The
16 joint transportation committee has received recommendations in a
17 truck parking action plan. The action plan includes immediate actions
18 to have governments build parking, provide incentives to build truck
19 parking in high-demand areas, and have governments plan for truck
20 parking and other necessary facilities. The legislature intends for
21 this act to promote action to increase these much needed facilities.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.04
2 RCW to read as follows:

3 (1) As part of the safety policy goal established in RCW
4 47.04.280(1), the department must establish a plan for the department
5 and other state agencies to facilitate the establishment and
6 operation of commercial truck parking located near interstate
7 highways, ports, and other areas that generate significant amounts of
8 commercial truck trips. This plan should include proposals for public
9 investment in truck parking as well as recommending or providing
10 incentives for nonpublic investment in such parking.

11 (2) During the years 2023 to 2030, the department must annually
12 report to the governor and the transportation committees of the
13 legislature on the known increases to commercial truck parking near
14 Interstates 2, 5, and 90, and any of the ports. The department must
15 reach out to local governments, ports, and a state association
16 representing commercial trucking companies when preparing the report.

17 NEW SECTION. **Sec. 3.** With funding provided in the omnibus
18 transportation appropriations act, the department of transportation,
19 in consultation with members of port authorities, trucking
20 industries, counties, and cities, shall develop and implement a
21 program to provide direct assistance to counties and cities for the
22 preparation of comprehensive plan amendments, development
23 regulations, and expedited permitting programs, land purchases,
24 building incentives, and construction funding to assist in
25 development of truck parking facilities, including collocations with
26 restaurants and showering facilities available for commercial truck
27 drivers.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.21
29 RCW to read as follows:

30 Cities must allow commercial truck parking near ports,
31 warehouses, and the national highway system in areas frequently used
32 by commercial trucks. Cities may not prohibit the establishment of
33 commercial truck parking in areas where there are commercial or
34 industrial developments, and are encouraged to facilitate the
35 development of areas where commercial truck drivers may abide for
36 periods of rest. Commercial truck parking facilities should include
37 restrooms, showers, equipment to facilitate idle reduction allowing
38 for heating, ventilation, air conditioning, and electric services to

1 be powered from on-site, and security measures. Some locations should
2 be collocated, abutting, or very near restaurants and grocery stores
3 that can accommodate commercial trucks with trailers.

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 35.63
5 RCW to read as follows:

6 Cities must plan for and allow commercial truck parking near
7 ports, warehouses, and the national highway system in areas
8 frequently used by commercial trucks. Cities may not prohibit the
9 establishment of commercial truck parking in areas where there are
10 commercial or industrial developments, and are encouraged to
11 facilitate the development of areas where commercial truck drivers
12 may abide for periods of rest. Commercial truck parking facilities
13 should include restrooms, showers, equipment to facilitate idle
14 reduction allowing for heating, ventilation, air conditioning, and
15 electric services to be powered from on-site, and security measures.
16 Some locations should be collocated, abutting, or very near
17 restaurants and grocery stores that can accommodate commercial trucks
18 with trailers.

19 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.70
20 RCW to read as follows:

21 Counties must allow commercial truck parking near ports,
22 warehouses, and the national highway system in areas frequently used
23 by commercial trucks. Counties may not prohibit the establishment of
24 commercial truck parking in areas where there are commercial or
25 industrial developments, and are encouraged to facilitate the
26 development of areas where commercial truck drivers may abide for
27 periods of rest. Commercial truck parking facilities should include
28 restrooms, showers, equipment to facilitate idle reduction allowing
29 for heating, ventilation, air conditioning, and electric services to
30 be powered from on-site, and security measures. Some locations should
31 be collocated, abutting, or very near restaurants and grocery stores
32 that can accommodate commercial trucks with trailers.

33 **Sec. 7.** RCW 36.70A.070 and 2022 c 246 s 2 and 2022 c 220 s 1 are
34 each reenacted and amended to read as follows:

35 The comprehensive plan of a county or city that is required or
36 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
37 and descriptive text covering objectives, principles, and standards

1 used to develop the comprehensive plan. The plan shall be an
2 internally consistent document and all elements shall be consistent
3 with the future land use map. A comprehensive plan shall be adopted
4 and amended with public participation as provided in RCW 36.70A.140.
5 Each comprehensive plan shall include a plan, scheme, or design for
6 each of the following:

7 (1) A land use element designating the proposed general
8 distribution and general location and extent of the uses of land,
9 where appropriate, for agriculture, timber production, housing,
10 commerce, industry, truck parking, recreation, open spaces, general
11 aviation airports, public utilities, public facilities, and other
12 land uses. The land use element shall include population densities,
13 building intensities, and estimates of future population growth. The
14 land use element shall provide for protection of the quality and
15 quantity of groundwater used for public water supplies. Wherever
16 possible, the land use element should consider utilizing urban
17 planning approaches that promote physical activity. Where applicable,
18 the land use element shall review drainage, flooding, and stormwater
19 runoff in the area and nearby jurisdictions and provide guidance for
20 corrective actions to mitigate or cleanse those discharges that
21 pollute waters of the state, including Puget Sound or waters entering
22 Puget Sound.

23 (2) A housing element ensuring the vitality and character of
24 established residential neighborhoods that:

25 (a) Includes an inventory and analysis of existing and projected
26 housing needs that identifies the number of housing units necessary
27 to manage projected growth, as provided by the department of
28 commerce, including:

29 (i) Units for moderate, low, very low, and extremely low-income
30 households; and

31 (ii) Emergency housing, emergency shelters, and permanent
32 supportive housing;

33 (b) Includes a statement of goals, policies, objectives, and
34 mandatory provisions for the preservation, improvement, and
35 development of housing, including single-family residences, and
36 within an urban growth area boundary, moderate density housing
37 options including, but not limited to, duplexes, triplexes, and
38 townhomes;

39 (c) Identifies sufficient capacity of land for housing including,
40 but not limited to, government-assisted housing, housing for

1 moderate, low, very low, and extremely low-income households,
2 manufactured housing, multifamily housing, group homes, foster care
3 facilities, emergency housing, emergency shelters, permanent
4 supportive housing, and within an urban growth area boundary,
5 consideration of duplexes, triplexes, and townhomes;

6 (d) Makes adequate provisions for existing and projected needs of
7 all economic segments of the community, including:

8 (i) Incorporating consideration for low, very low, extremely low,
9 and moderate-income households;

10 (ii) Documenting programs and actions needed to achieve housing
11 availability including gaps in local funding, barriers such as
12 development regulations, and other limitations;

13 (iii) Consideration of housing locations in relation to
14 employment location; and

15 (iv) Consideration of the role of accessory dwelling units in
16 meeting housing needs;

17 (e) Identifies local policies and regulations that result in
18 racially disparate impacts, displacement, and exclusion in housing,
19 including:

20 (i) Zoning that may have a discriminatory effect;

21 (ii) Disinvestment; and

22 (iii) Infrastructure availability;

23 (f) Identifies and implements policies and regulations to address
24 and begin to undo racially disparate impacts, displacement, and
25 exclusion in housing caused by local policies, plans, and actions;

26 (g) Identifies areas that may be at higher risk of displacement
27 from market forces that occur with changes to zoning development
28 regulations and capital investments; and

29 (h) Establishes antidisplacement policies, with consideration
30 given to the preservation of historical and cultural communities as
31 well as investments in low, very low, extremely low, and moderate-
32 income housing; equitable development initiatives; inclusionary
33 zoning; community planning requirements; tenant protections; land
34 disposition policies; and consideration of land that may be used for
35 affordable housing.

36 In counties and cities subject to the review and evaluation
37 requirements of RCW 36.70A.215, any revision to the housing element
38 shall include consideration of prior review and evaluation reports
39 and any reasonable measures identified. The housing element should

1 link jurisdictional goals with overall county goals to ensure that
2 the housing element goals are met.

3 The adoption of ordinances, development regulations and
4 amendments to such regulations, and other nonproject actions taken by
5 a city that is required or chooses to plan under RCW 36.70A.040 that
6 increase housing capacity, increase housing affordability, and
7 mitigate displacement as required under this subsection (2) and that
8 apply outside of critical areas are not subject to administrative or
9 judicial appeal under chapter 43.21C RCW unless the adoption of such
10 ordinances, development regulations and amendments to such
11 regulations, or other nonproject actions has a probable significant
12 adverse impact on fish habitat.

13 (3) A capital facilities plan element consisting of: (a) An
14 inventory of existing capital facilities owned by public entities,
15 showing the locations and capacities of the capital facilities; (b) a
16 forecast of the future needs for such capital facilities; (c) the
17 proposed locations and capacities of expanded or new capital
18 facilities; (d) at least a six-year plan that will finance such
19 capital facilities within projected funding capacities and clearly
20 identifies sources of public money for such purposes; and (e) a
21 requirement to reassess the land use element if probable funding
22 falls short of meeting existing needs and to ensure that the land use
23 element, capital facilities plan element, and financing plan within
24 the capital facilities plan element are coordinated and consistent.
25 Park and recreation facilities shall be included in the capital
26 facilities plan element.

27 (4) A utilities element consisting of the general location,
28 proposed location, and capacity of all existing and proposed
29 utilities, including, but not limited to, electrical lines,
30 telecommunication lines, and natural gas lines.

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

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

1 (b) Rural development. The rural element shall permit rural
2 development, forestry, and agriculture in rural areas. The rural
3 element shall provide for a variety of rural densities, uses,
4 essential public facilities, and rural governmental services needed
5 to serve the permitted densities and uses. To achieve a variety of
6 rural densities and uses, counties may provide for clustering,
7 density transfer, design guidelines, conservation easements, and
8 other innovative techniques that will accommodate appropriate rural
9 economic advancement, densities, and uses that are not characterized
10 by urban growth and that are consistent with rural character.

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

- 14 (i) Containing or otherwise controlling rural development;
- 15 (ii) Assuring visual compatibility of rural development with the
16 surrounding rural area;
- 17 (iii) Reducing the inappropriate conversion of undeveloped land
18 into sprawling, low-density development in the rural area;
- 19 (iv) Protecting critical areas, as provided in RCW 36.70A.060,
20 and surface water and groundwater resources; and
- 21 (v) Protecting against conflicts with the use of agricultural,
22 forest, and mineral resource lands designated under RCW 36.70A.170.

23 (d) Limited areas of more intensive rural development. Subject to
24 the requirements of this subsection and except as otherwise
25 specifically provided in this subsection (5)(d), the rural element
26 may allow for limited areas of more intensive rural development,
27 including necessary public facilities and public services to serve
28 the limited area as follows:

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

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

38 (B) Any development or redevelopment other than an industrial
39 area or an industrial use within a mixed-use area or an industrial

1 area under this subsection (5)(d)(i) must be principally designed to
2 serve the existing and projected rural population.

3 (C) Any development or redevelopment in terms of building size,
4 scale, use, or intensity may be permitted subject to confirmation
5 from all existing providers of public facilities and public services
6 of sufficient capacity of existing public facilities and public
7 services to serve any new or additional demand from the new
8 development or redevelopment. Development and redevelopment may
9 include changes in use from vacant land or a previously existing use
10 so long as the new use conforms to the requirements of this
11 subsection (5) and is consistent with the local character. Any
12 commercial development or redevelopment within a mixed-use area must
13 be principally designed to serve the existing and projected rural
14 population and must meet the following requirements:

15 (I) Any included retail or food service space must not exceed the
16 footprint of previously occupied space or 5,000 square feet,
17 whichever is greater, for the same or similar use; and

18 (II) Any included retail or food service space must not exceed
19 2,500 square feet for a new use;

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

30 (iii) The intensification of development on lots containing
31 isolated nonresidential uses or new development of isolated cottage
32 industries and isolated small-scale businesses that are not
33 principally designed to serve the existing and projected rural
34 population and nonresidential uses, but do provide job opportunities
35 for rural residents. Rural counties may allow the expansion of small-
36 scale businesses as long as those small-scale businesses conform with
37 the rural character of the area as defined by the local government
38 according to RCW 36.70A.030(23). Rural counties may also allow new
39 small-scale businesses to utilize a site previously occupied by an
40 existing business as long as the new small-scale business conforms to

1 the rural character of the area as defined by the local government
2 according to RCW 36.70A.030(23). Public services and public
3 facilities shall be limited to those necessary to serve the isolated
4 nonresidential use and shall be provided in a manner that does not
5 permit low-density sprawl;

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

23 (v) For purposes of this subsection (5)(d), an existing area or
24 existing use is one that was in existence:

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

27 (B) On the date the county adopted a resolution under RCW
28 36.70A.040(2), in a county that is planning under all of the
29 provisions of this chapter under RCW 36.70A.040(2); or

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

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

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

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

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

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

10 (iii) Facilities and services needs, including:

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

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

20 (C) For state-owned transportation facilities, level of service
21 standards for highways, as prescribed in chapters 47.06 and 47.80
22 RCW, to gauge the performance of the system. The purposes of
23 reflecting level of service standards for state highways in the local
24 comprehensive plan are to monitor the performance of the system, to
25 evaluate improvement strategies, and to facilitate coordination
26 between the county's or city's six-year street, road, or transit
27 program and the office of financial management's (~~ten~~) 10-year
28 investment program. The concurrency requirements of (b) of this
29 subsection do not apply to transportation facilities and services of
30 statewide significance except for counties consisting of islands
31 whose only connection to the mainland are state highways or ferry
32 routes. In these island counties, state highways and ferry route
33 capacity must be a factor in meeting the concurrency requirements in
34 (b) of this subsection;

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

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

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

5 (iv) Finance, including:

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

8 (B) A multiyear financing plan based on the needs identified in
9 the comprehensive plan, the appropriate parts of which shall serve as
10 the basis for the six-year street, road, or transit program required
11 by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW
12 35.58.2795 for public transportation systems. The multiyear financing
13 plan should be coordinated with the ~~((ten))~~ 10-year investment
14 program developed by the office of financial management as required
15 by RCW 47.05.030;

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

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

23 (vi) Demand-management strategies;

24 (vii) Pedestrian and bicycle component to include collaborative
25 efforts to identify and designate planned improvements for pedestrian
26 and bicycle facilities and corridors that address and encourage
27 enhanced community access and promote healthy lifestyles;

28 (viii) Accommodation of the delivery of goods into communities by
29 requiring truck loading and unloading areas in urban areas, the
30 creation of commercial truck parking sufficient for the amount of
31 deliveries into the community, and planned highway corridors for
32 heavy commercial trucks to traverse.

33 (b) After adoption of the comprehensive plan by jurisdictions
34 required to plan or who choose to plan under RCW 36.70A.040, local
35 jurisdictions must adopt and enforce ordinances which prohibit
36 development approval if the development causes the level of service
37 on a locally owned transportation facility to decline below the
38 standards adopted in the transportation element of the comprehensive
39 plan, unless transportation improvements or strategies to accommodate
40 the impacts of development are made concurrent with the development.

1 These strategies may include increased public transportation service,
2 ride-sharing programs, demand management, and other transportation
3 systems management strategies. For the purposes of this subsection
4 (6), "concurrent with the development" means that improvements or
5 strategies are in place at the time of development, or that a
6 financial commitment is in place to complete the improvements or
7 strategies within six years. If the collection of impact fees is
8 delayed under RCW 82.02.050(3), the six-year period required by this
9 subsection (6)(b) must begin after full payment of all impact fees is
10 due to the county or city.

11 (c) The transportation element described in this subsection (6),
12 the six-year plans required by RCW 35.77.010 for cities, RCW
13 36.81.121 for counties, and RCW 35.58.2795 for public transportation
14 systems, and the ~~((ten))~~ 10-year investment program required by RCW
15 47.05.030 for the state, must be consistent.

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

21 (8) A park and recreation element that implements, and is
22 consistent with, the capital facilities plan element as it relates to
23 park and recreation facilities. The element shall include: (a)
24 Estimates of park and recreation demand for at least a ~~((ten))~~ 10-
25 year period; (b) an evaluation of facilities and service needs; and
26 (c) an evaluation of intergovernmental coordination opportunities to
27 provide regional approaches for meeting park and recreational demand.

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

35 NEW SECTION. **Sec. 8.** A new section is added to chapter 36.70A
36 RCW to read as follows:

37 Planning cities and counties as part of the transportation
38 requirements in RCW 36.70A.070(6) must address the following issues:

1 (1) Each must plan to provide sufficient parking locations to
2 accommodate delivery of goods.

3 (a) Each may require properties that are to receive delivery from
4 commercial trucks to have a way to accommodate those vehicles,
5 preferably on-site.

6 (b) Each must require communities to have commercial truck
7 parking near ports, warehouses, and the national highway system in
8 areas frequently used by commercial trucks. Counties and cities may
9 not prohibit the establishment of commercial truck parking in areas
10 where there are commercial or industrial developments. They are
11 encouraged to facilitate the development of areas where commercial
12 truck drivers may abide for periods of rest. Commercial truck parking
13 facilities should include restrooms, showers, equipment to facilitate
14 idle reduction allowing for heating, ventilation, air conditioning,
15 and electric services to be powered from on-site, and security
16 measures. Some locations should be collocated, abutting, or very near
17 restaurants and grocery stores that can accommodate the commercial
18 trucks.

19 (c) Multifamily residential buildings within the urban growth
20 area are to have locations where light duty, package delivery, or
21 moving trucks can temporarily park without obstructing the flow of
22 vehicular, bicycle, and pedestrian traffic on the streets, bicycle
23 lanes, and sidewalks.

24 (2) Each must plan to provide and maintain streets designed,
25 sized, and constructed to be used by heavy commercial trucks in
26 appropriate locations.

27 (3) For counties or cities with a population greater than 75,000,
28 each must plan for and permit locations where large commercial
29 vehicles can receive maintenance, repairs, and services.

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