

## CHAPTER 242.

[ S. B. 164. ]

LIMITED ACCESS FACILITIES THROUGH CITIES  
AND TOWNS.

AN ACT relating to limited access facilities extending through cities and towns; amending sections 5, 6 and 7, chapter 235, Laws of 1957 and RCW 47.52.130, RCW 47.52.140 and RCW 47.52.150.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 5, chapter 235, Laws of 1957 and RCW 47.52.130 are each amended to read as follows:

RCW 47.52.130 amended.

When the state highway commission is planning a limited access facility through an incorporated city or town, the commission, or its staff, shall give careful consideration to available data as to the city's comprehensive plan, land use pattern, present and potential traffic volumes of city streets crossing the proposed facility, origin and destination traffic surveys, existing utilities and other pertinent surveys, and shall submit to the city officials for study a report showing how these factors have been taken into account and how the proposed plan for a limited access facility will serve public convenience and necessity, together with the locations and access and egress plans, and over and under crossings under consideration.

Report—  
Conferences—  
Proposed plan,  
hearing,  
notice.

Conferences shall be held on the merits of this state report and plans, recommended locations and the economic effects of the plan and any proposed modification or alternate proposal of the cities or towns, in order to attempt to reach an agreement between the state highway commission and the city officials. As a result of the conference, the proposed plan, together with any modifications thereof, shall be prepared by the state highway commission and presented to the city for inspection and study at least thirty days before the public hearing thereon.

The highway commission shall hold a public hearing within the city or town to determine the desirability of the plan proposed by the commission, at which hearing any city official or person may appear and be heard even though such official or person is not an abutting property owner. Notice of such hearing shall be given by publication once each week for two weeks, the date of first publication to be not less than fifteen days nor more than twenty days prior to such hearing in one or more newspapers of general circulation within the city or town. Such hearing shall be conducted in such a manner as to comply with the requirements of section 116(c) of the Federal Aid Highway Act of 1956 or any act supplemental thereto or amendatory thereof.

RCW 47.52.140  
amended.

Adoption of  
plan—Trans-  
mittal to  
mayor—  
Publication—  
Objections,  
request for  
hearing.

SEC. 2. Section 6, chapter 235, Laws of 1957 and RCW 47.52.140 are each amended to read as follows:

After said hearing has been held as provided in section 1 of this amendatory act, the commission shall adopt a plan with such modifications, if any, as the commission deems proper and necessary. A copy of such plan shall be transmitted to the mayor of the city or town affected thereby, and the state highway commission shall cause a resume of such plan to be published once each week for two weeks in one or more newspapers of general circulation within such city or town beginning not less than ten days after the mailing of such plan. The city or town may, upon receipt of such plan, notify the state highway commission of its approval of such plan in writing, in which event such plan shall be final. Unless such plan shall be disapproved in writing filed with the state highway commission within thirty days after the mailing thereof to such mayor and if the city or town affected does not request in writing a hearing before a board of review, hereinafter referred to as the board, and file such request with the state highway commission within thirty

days after mailing of such plan, such plan shall be final. Such request for hearing shall set forth the portions of the plan of the state highway commission to which the city or town objects, and shall include every issue to be considered by the board.

SEC. 3. Section 7, chapter 235, Laws of 1957 and RCW 47.52.150 are each amended to read as follows:

RCW 47.52.150  
amended.

Upon request for a hearing before the board by any city or town, a board consisting of five members shall be appointed as follows: The mayor shall appoint two members of the board, of which one shall be a duly elected official of the city, county or legislative district, except that of the legislative body of the city or town requesting the hearing, subject to confirmation by the legislative body of the city or town; the state highway commission shall appoint two members of the board who shall not be members of such commission; and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. Such board shall be appointed within thirty days after the next meeting of the state highway commission immediately following the receipt of such a request by the commission. In the event the state highway commission or a city or town shall not appoint members of the board or members thus appointed fail to appoint a fifth member of the board, either the state highway commission or the city or town may apply to the superior court of the county in which the city or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

Board of  
review—  
Composition  
—Appoint-  
ment.

Passed the Senate March 11, 1959.

Passed the House March 10, 1959.

Approved by the Governor March 23, 1959.