

CHAPTER 103.

[Sub. H. B. 347.]

LIMITED ACCESS HIGHWAYS.

AN ACT relating to limited access highways; and amending sections 47.52.130, 47.52.140, 47.52.150, 47.52.160, and 47.52.190, chapter 13, Laws of 1961, and RCW 47.52.130, 47.52.140, 47.52.150, 47.52.160 and 47.52.190.

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

RCW 47.52.130 amended.

SECTION 1. Section 47.52.130, chapter 13, Laws of 1961, and RCW 47.52.130 are each amended to read as follows:

Limited access facility through city or town. Report—Conferences—Proposed plan, hearing, notice.

When the state highway commission is planning a limited access facility through a county or an incorporated city or town, the commission, or its staff, shall give careful consideration to available data as to the county or city's comprehensive plan, land use pattern, present and potential traffic volume of county roads and city streets crossing the proposed facility, origin and destination traffic surveys, existing utilities, the physical appearance the facility will present, and other pertinent surveys, and shall submit to the county and 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. Such report shall show the proposed approximate right of way limits and profile of the facility with relation to the existing grade and shall discuss in a general manner plans for landscaping treatment, fencing, and illumination and shall include sketches of typical roadway sections for the roadway itself and any necessary structures such as viaducts or bridges, subways or tunnels.

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 counties, cities or towns, in order to attempt to reach an agreement between the state highway commission and the county or 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 county or city for inspection and study. If the county and/or city are in full agreement with the proposed plan of the highway commission and shall indicate their concurrence in writing to the highway commission, such plan shall then become final. If the county and/or city are not in full agreement with the proposed plan and request within thirty days that a public hearing be held, the highway commission shall hold such public hearing within the county, city or town to determine the desirability of the plan proposed by the commission, at which hearing any county, 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 county, 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.

SEC. 2. Section 47.52.140, chapter 13, Laws of 1961 and RCW 47.52.140 are each amended to read as follows:

RCW 47.52.140
amended.

After said hearing has been held as provided in RCW 47.52.130, the commission shall adopt a plan with such modifications, if any, as the commission

—Adoption
of plan.

Limited access facility through city or town. Adoption of plan—Transmittal to mayor—Publication—Objections.

deems proper and necessary. A copy of such plan shall be transmitted to the county commissioners of the county affected and 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 county, city or town beginning not less than ten days after the mailing of such plan. The county, 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 or county commissioner and if the county, 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 county, city or town objects, and shall include every issue to be considered by the board.

RCW 47.52.150 amended.

SEC. 3. Section 47.52.150, chapter 13, Laws of 1961 and RCW 47.52.150 are each amended to read as follows:

—Hearing. Board of review—Composition—Appointment.

Upon request for a hearing before the board by any county, city or town, a board consisting of five members shall be appointed as follows: The mayor or the county commissioners, as the case may be 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 county, 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. In the case both the county and an included city or town request a hearing, the board shall consist of nine members appointed as follows: The mayor and the county commission shall each appoint two members from the elective officials of their respective jurisdictions and of the four thus selected no more than two thereof may be members of a legislative body of the county, city or town. The state highway commission shall appoint four members of the board who shall not be members of such commission. One member shall be selected by the members thus selected and such ninth member shall be a licensed civil engineer or a recognized city or town planner who shall be chairman of the board. Such boards as are provided by this section 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 county, city or town shall not appoint members of the board or members thus appointed fail to appoint a fifth or ninth member of the board, as the case may be, either the state highway commission or the county, city or town may apply to the superior court of the county in which the county, city or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

SEC. 4. Section 47.52.160, chapter 13, Laws of 1961 and RCW 47.52.160 are each amended to read as follows:

RCW 47.52.160
amended.

The board shall fix a reasonable time not more than thirty days after the date of their appointment

Limited access
facility
through city
or town.
~~—Hearing—~~
~~Evidence—~~
Determination.

and shall indicate the time and place for the hearing, and shall give notice thereof to the county, city or town and to the state highway commission. At the time and place fixed for the hearing, the state and the county, the city or town shall present all of their evidence with respect to the objections set forth in the request for the hearing before the board, and if either the state, the county or the city or town fails to do so, the board may determine the issues upon such evidence as may be presented to it at said hearing.

RCW 47.52.190
amended.

SEC. 5. Section 47.52.190, chapter 13, Laws of 1961 and RCW 47.52.190 are each amended to read as follows:

~~—Hearing—~~
Assistance—
Costs—
Reporter.

The board shall employ such assistance and clerical help as is necessary in the performance of its duties. The costs thereby incurred and incident to the conduct of the hearing, necessary expenses and fees, if any, of members of the board shall be borne equally by the county, city or town requesting the hearing and the state highway commission. When oral testimony is stenographically reported, the state highway commission shall provide a reporter at its expense.

Passed the House March 3, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 25, 1963.