Washington State
House of Representatives
Office of Program Research

Government Reform and Land Use Committee

BILL ANALYSIS
HB 2748

Title of the Bill: Allowing rural counties to authorize additional industrial development in rural areas.

What this Bill Does: Authorizes rural counties to allow additional industrial development in rural areas.

Sponsors: Representatives Mulliken, Thompson, Cairnes, Lantz, DeBolt, McMorris, Sherstad, Koster, Mielke, Sump, Bush, Johnson, Zellinsky, Boldt, Sheahan, Honeyford, Pennington, Schoesler and Chandler.

Hearing Date: 2/2/98

Fiscal Note: Not Requested.

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BACKGROUND:

The Growth Management Act (GMA) was enacted in 1990 and 1991. The GMA establishes requirements for all counties and cites in the state, and imposes additional requirements for the faster growing counties (and their cities). Counties and cities subject to all the requirements of the GMA are typically referred to as counties and cities that plan under the GMA.

Counties that plan under the GMA must adopt comprehensive plans that include a housing element, a land use element, a rural element, and a number of other elements. The plan must also include designations of urban growth areas. Urban growth areas are areas where urban growth is encouraged and outside of which growth can occur only if it is not urban. Urban growth may not be allowed in the rural element.

In 1997, the Legislature clarified and provided some details for the rural element. A county is specifically allowed to consider "local circumstances" when adopting a rural element. Rural development consistent with rural character must be allowed. Generally, a county must protect the rural character by containing the development, assuring visual compatibility, and reducing the inappropriate conversion of undeveloped land into sprawling, low-density development.

Limited areas of more intensive rural development are permitted under certain circumstances:

> **Existing commercial, industrial, residential, or mixed use areas** may be infilled, developed, or redeveloped. An existing area is one that clearly existed as of July 1, 1990, or the date the county was required to plan under the GMA. The county must adopt measures to contain the existing area. However, the general requirements to assure visual compatibility and reduce sprawl do not apply to this type of development. An industrial area is not required to be designed to serve the existing and projected rural population.
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> **Small-scale recreational or tourist uses** are allowed if residential development is not allowed and low-density sprawl does not occur
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> **Isolated nonresidential cottage industries and small-scale business**es are allowed.

SUMMARY:

A rural county planing under the GMA may adopt an ordinance allowing additional industrial development in its rural element. In addition to development of existing industrial areas, the county may allow new industrial development. The county may also allow existing industrial areas to be further developed, without regard to the requirement to contain existing areas.

For any additional development authorized, the county must protect critical areas and protect against conflicts with the use of designated resource lands.

A "rural county" is a county with a land base that is at least 75 percent in public ownership or designated resource lands, as determined by the county, or that has a population density of 60 or fewer persons per square mile, as determined by the Office of Financial Management.