

# SENATE BILL REPORT

## ESHB 2905

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As Reported By Senate Committee On:  
Land Use & Planning, February 23, 2004

**Title:** An act relating to modifying provisions for limited areas of more intensive rural development.

**Brief Description:** Modifying provisions for type 1 limited areas of more intensive rural development.

**Sponsors:** House Committee on Local Government (originally sponsored by Representatives Hatfield and Jarrett).

**Brief History:**

**Committee Activity:** Land Use & Planning: 2/23/04 [DP].

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### SENATE COMMITTEE ON LAND USE & PLANNING

**Majority Report:** Do pass.

Signed by Senators Mulliken, Chair; Kline, Murray and T. Sheldon.

**Staff:** Andrea McNamara (786-7483)

**Background:** Under the Growth Management Act (GMA), comprehensive plans are required to include a rural element, which may allow for "limited areas of more intensive rural development" (LAMIRDs). There are three types of LAMIRDS authorized by the GMA: (1) existing commercial, industrial or mixed-use areas; (2) intensification or new development of small-scale recreational or tourist uses; and (3) intensification or new development of isolated cottage industries and isolated small-scale businesses.

The first type of LAMIRD, otherwise known as "Type (d)(i)," consists of infill, development or redevelopment of existing commercial, industrial, residential, or mixed-use areas. The area or use must have existed on July 1, 1990, or the date initially required to plan under the GMA. The 2003 Legislature amended this section in response to a Growth Management Hearings Board's narrow interpretation of allowable uses and expressly authorized industrial uses in both industrial areas and mixed-use areas within a Type (d)(i) LAMIRD.

Concerns continue that the types of uses that may be lawfully zoned within LAMIRDs causes particular hardship in counties suffering from losses of their resource-related industries. Such counties have a need to find new sources of development activity in order to achieve the goal of providing economic opportunity to those areas not enjoying a fair share of economic growth.

**Summary of Bill:** Any development or redevelopment within the first type of limited areas of more intensive rural development (i.e., a type (d)(i) LAMIRDs) other than an industrial area or an industrial use within a mixed-use or industrial area, must be principally designed to

serve the existing and projected rural population. Any development or redevelopment in terms of building size, scale, use, or intensity must be consistent with the character of the existing areas. Development or redevelopment may include changes in use from vacant land or a previously existing use if the new conforms to specific requirements.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The language in the engrossed version of the House bill has been agreed to and is supported by the GMA Working Group. It will give additional flexibility to counties that want to allow LAMIRDS to change with the times. Counties believe the language will allow uses to change, so long as they remain consistent with the rural character of the area.

**Testimony Against:** None.

**Testified:** Scott Merriman, Association of Counties (pro); Genesee Adkins (concerns).