
Environment & Energy Committee

HB 2672

Brief Description: Concerning limited areas of more intensive rural development.

Sponsors: Representatives Barkis, Griffey, Gildon, Steele, Boehnke, Ybarra, Smith, Chambers, Hoff, Vick, Goehner, Eslick, Dye, Volz, Graham, Klippert, Maycumber, Van Werven, Dufault and Kretz.

Brief Summary of Bill

- Changes the factors that local governments may consider in determining the boundaries of Limited Areas of More Intense Rural Development (LAMIRD). Allows the boundaries to be changed in various ways.
- Modifies the description of existing use for LAMIRDs.
- Authorizes new residential development for property owners on lots containing small-scale recreational or tourist uses.

Hearing Date: 1/30/20

Staff: Emily Williams (786-7291) and Robert Hatfield (786-7117).

Background:

Growth Management Act.

The Growth Management Act (GMA) is the comprehensive land-use-planning framework for counties and cities in Washington. The GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities. Twenty-eight counties are considered fully planning counties and are subject to all the statutory planning requirements of the GMA. Planning counties, and cities in those counties, are required to create internally consistent comprehensive land-use plans that are generalized, coordinated land-use policy statements of the governing body. Comprehensive plans must address various planning elements.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Eleven counties are considered partially planning counties and are subject to only some requirements of the GMA, including designating and protecting natural resource lands and critical areas.

The GMA is enforced by the Growth Management Hearings Board.

Limited Areas of More Intense Rural Development.

County comprehensive plans must include a rural element to plan for land that is not designated for urban growth, agriculture, forest, or mineral resources. In the rural element of the plan, counties must protect the rural character of the area by containing and controlling development, among other things.

The rural element of county comprehensive plans allows for the designation of limited areas of more intensive rural development (LAMIRDs), including public facilities and services. Counties may designate LAMIRDs under three general circumstances. The Department of Commerce, in rules adopted to implement the GMA, refers to these as Type 1, Type 2, and Type 3 LAMIRDs:

- Type 1 LAMIRD—The infill, development, or redevelopment of commercial, industrial, residential, or mixed-use areas.
- Type 2 LAMIRD—New and increased development of small-scale recreational or tourist uses that do not include new residential development. Type 2 LAMIRDs are not required to principally serve rural populations.
- Type 3 LAMIRD—New and increased development of isolated small-scale businesses and cottage industries that provide job opportunities for local residents, even though they need not primarily serve the existing population.

Logical Outer Boundary of LAMIRDs.

Counties must establish a logical outer boundary for existing areas of LAMIRDs, beyond which development allowed in LAMIRDs may not extend. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated by the built environment. This may include undeveloped land. In establishing the logical outer boundary, the county must consider:

- the need to preserve the character of existing natural neighborhoods and communities;
- physical boundaries, such as bodies of water, streets and highways, and land forms and contours;
- the prevention of abnormally irregular boundaries; and
- the ability to provide public facilities and public services in a manner that does not permit low-density sprawl.

An existing area is defined as one that was in existence on July 1, 1990, in a county that was initially required to be fully planning under the GMA, or on the date that the county became fully planning.

Summary of Bill:

Limited Areas of More Intense Rural Development.

The development regulations of counties, as well as the rural element of the comprehensive plans adopted by counties, may allow for Limited Areas of More Intense Rural Development (LAMIRDs).

For Type 1 LAMIRDs, any development or redevelopment in terms of building size, scale, use, or intensity must be determined by the county through development regulations consistent with the character of the existing area. Development of new uses is allowed as defined by local development regulations.

For Type 2 LAMIRDs, new residential development may be allowed for the property owner.

Logical Outer Boundary of LAMIRDs.

Local governments must set boundaries for LAMIRDs based on the logical outer boundary of the existing area of rural development, as delineated by the local government. In delineating the boundaries, the local government may consider several factors, including but not limited to:

- the existing built environment;
- physical boundaries and land forms;
- the needs of the rural community, including services the surrounding community needs and the proximity of those services; and
- historic growth patterns.

Undeveloped and underdeveloped land may be included in a LAMIRD. Local governments may connect two geographically separated LAMIRDs if the local government determines that other factors should be considered in determining the logical outer boundary.

The boundaries of a Type 1 LAMIRD may be expanded by local governments in order to primarily serve the needs of the existing rural population.

Appropriation: None.

Fiscal Note: Requested on January 29, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.