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## Local Government Committee

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### HB 1233

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

**Sponsors:** Representatives Barkis, Griffey and Eslick.

**Brief Summary of Bill**

- Allows a county to provide for limited areas of more intensive rural development and to determine what development and redevelopment is consistent with the character of the existing area through local development regulations.
- Allows a county to set and, when needed to primarily serve the needs of the existing population or to connect two separate areas, to expand the logical outer boundary for limited areas of more intensive rural development.

**Hearing Date:** 1/27/21

**Staff:** Kellen Wright (786-7134).

**Background:**

The Growth Management Act (GMA) requires that certain counties, and the cities within those counties, engage in planning for future population growth. The central part of the planning process is the comprehensive plan. The Legislature has established 13 goals that should act as the basis for all comprehensive plans. Examples of goals include reducing sprawl, providing for affordable housing, and protecting property rights. The comprehensive plan addresses these goals, and sets out the policies and standards that are meant to guide the city or county's actions and decisions in the future. These plans are required to be updated every eight years and must contain certain elements, such as a land use element, a housing element, and a capital facilities

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plan.

One required element of the comprehensive plan that applies only to counties is the rural element. This element covers rural development and measures to protect the rural character of an area. One of the primary goals of the rural element is to protect the rural character of the area. Measures to protect this character include containing or controlling rural development; assuring visual compatibility of development with the surrounding rural area; reducing the conversion of undeveloped land into low-density development; protecting critical areas; and protecting against conflicts with agricultural, forest, and mineral resource lands. The rural element can also allow limited areas of more intensive rural development within existing developed areas.

This more intensive development can occur through infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas. Development or redevelopment, other than that in an industrial area or of an industrial use, must be designed to principally serve the existing and projected rural population. Similarly, any development or redevelopment in terms of building size, scale, use, or intensity must be consistent with the character of the existing area and changes in use of vacant land or a change in use from an existing use must conform to these requirements and to the overall requirements of the rural element of the comprehensive plan.

More intensive development can also occur through the intensification or development of small-scale recreational or tourist uses that rely on a rural setting. These uses cannot include new residential development, and public services and facilities must be limited to those necessary to serve the recreational or tourist use and cannot be provided in a way that permits low-density sprawl. Recreational or tourist uses are not required to principally serve the existing and projected rural population.

Another allowed means of more intensive rural development can occur through the intensification of development on lots containing isolated cottage industries or small-scale businesses that are not designed to principally serve the existing and projected rural population, but which do provide rural job opportunities. The expansion of these small-scale businesses can be allowed as long as they conform to the rural character of the area. Any public services and facilities must be limited to those needed to serve the businesses and cannot be provided in a manner that permits low-density sprawl.

A county must adopt measures to minimize and contain areas of existing intensive rural development, and lands included within those areas must not extend past the logical boundary of the area. An existing area is a clearly identifiable area based on the built environment that was in place at the time that the county became subject to the requirements of the GMA. A county is required to establish the logical outer boundary of existing intensive rural development based on the need to preserve the character of existing communities; on physical boundaries such as bodies of water, streets, and land forms; on the prevention of abnormally irregular boundaries; and on the ability to provide public facilities and services in a way that does not permit low-density sprawl.

**Summary of Bill:**

A limited area of more intensive rural development may be provided for in the rural element of the comprehensive plan as well as in development regulations. Development and redevelopment in terms of building sizes, uses, or intensity must be determined by the county through development regulations consistent with the character of existing areas. New uses are allowed as provided for in local development regulations, as long as the new use conforms to the requirements in the rural element of the comprehensive plan and with requirements for limited areas of more intensive rural development.

When dealing with the intensification of development on lots containing small-scale tourist or recreational uses, residential development may be allowed for the property owner.

A county must adopt measures to minimize and contain areas of existing intensive rural development, and lands included within those areas must not extend past the logical boundary of the area. An existing area is an identifiable area where there is a boundary defined by the local government. The local government may consider multiple factors in setting the boundary, including the existing built environment, physical boundaries, and land forms. A local government may also consider the needs of the surrounding rural community; the proximity of the nearest urban growth area; the need for services in the rural area; and historic growth patterns. Both undeveloped and underdeveloped land may be included with a limited area of more intensive rural development. A local government may connect two geographically separated areas of more intensive rural development if the local government determines that other factors should be considered in setting the boundary of the area. A boundary may be expanded by a local government to connect two limited areas of more intensive rural development, or to primarily serve the needs of the existing rural population.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/19/2021.

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