

HOUSE BILL REPORT

HB 2206

As Passed House:
March 10, 2005

Title: An act relating to connection of limited areas of more intensive rural development for recreational or tourist use to existing public facilities.

Brief Description: Changing provisions relating to limited development of rural areas.

Sponsors: By Representatives Haigh and Nixon.

Brief History:

Committee Activity:

Local Government: 3/1/05 [DP].

Floor Activity:

Passed House: 3/10/05, 93-1.

Brief Summary of Bill

- Modifies Growth Management Act provisions for public services and facilities in qualifying limited areas of more intensive rural development.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

Staff: Ethan Moreno (786-7386).

Background:

The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA (GMA jurisdictions).

Comprehensive Land Use Plans

Among numerous planning requirements, GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. Each comprehensive plan must include certain

elements, including land use, housing, and transportation elements. Counties fully planning under the GMA must also include a rural element within their comprehensive plan.

The rural element must specify provisions for lands not designated for urban growth, agriculture, forest, or mineral resources. Such provisions include:

- allowing counties to consider local circumstances when establishing patterns of rural densities and uses;
- permitting specific development, varieties of densities, uses, essential public facilities, and rural government services;
- requiring measures governing rural development, including measures to protect an area's rural character; and
- permitting limited areas of more intensive rural development (LAMIRDs), including necessary public facilities and public services to serve limited areas.

"Public facilities" are defined in the GMA to include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools. "Public services" are similarly defined to include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

Limited Areas of More Intensive Rural Development

Subject to GMA requirements, counties may permit three types of LAMIRDs providing for the following:

- *rural development* - allowing the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas;
- *recreational and tourist uses* - allowing intensification of development on lots containing, or new development of, small-scale recreational or tourists uses; and
- *nonresidential/cottage industry* - allowing intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses.

In addition to other provisions governing LAMIRDs, the GMA specifies that public services and public facilities within the second type of LAMIRD (i.e., recreational and tourist use LAMIRDs), must be limited to those necessary to serve the recreation or tourist use and must be provided in a manner that does not permit low-density sprawl.

Summary of Bill:

Public services and public facilities within the second type of limited areas of more intensive rural development (i.e., recreational and tourist use LAMIRDs), must be limited to those necessary to serve the recreation or tourist use and must be provided in a manner that does not permit low-density sprawl. An example of a permitted public service or facility is a

connection to an existing public facility where the connection serves only the recreational or tourist use and is not available to adjacent nonrecreational or nontourist use parcels.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (In support) Mason County authorized a camp to connect to a sewer system two years ago, but the county is uncertain as to whether such connections may be permitted under current law. This is a clarification bill that would expressly authorize such connections.

(With concerns) Sewer connections in qualifying rural areas for certain purposes are already permitted under current law. Non legislative solutions should be sought to address the concerns of Mason County and the camp operators.

Testimony Against: None.

Persons Testifying: (In support) Representative Haigh, prime sponsor; and Gordon G. Conger, Church of Jesus Christ of Latter Day Saints.

(With concerns) Genesee Adkins, Futurewise.

Persons Signed In To Testify But Not Testifying: None.