
Environment & Energy Committee

HB 2536

Brief Description: Updating rural character under the growth management act.

Sponsors: Representatives Maycumber, Chapman, Blake, Walsh, Dent, Van Werven, Graham, Goehner, Mosbrucker, Dufault and Tharinger.

Brief Summary of Bill

- Modifies the definition of "rural character" within the Growth Management Act (GMA) to refer to patterns of land use and development that provide opportunities to support natural growth of families in communities.
- Specifies that rural character includes, but is not limited to, health care and wellness services, services and opportunities for children, and home-based economic opportunities.

Hearing Date: 2/4/20

Staff: Robert Hatfield (786-7117).

Background:

Growth Management Act - Introduction.

The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 29 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

The GMA directs jurisdictions that fully plan under the GMA (planning jurisdictions) to adopt internally consistent comprehensive land-use plans that are generalized, coordinated land-use policy statements of the governing body. Comprehensive plans are implemented through locally adopted development regulations, both of which are subject to review and revision requirements

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prescribed in the GMA. Comprehensive plans under the GMA must contain a number of required elements, including a rural element that must protect the character of rural areas by guiding development in those areas. Counties and cities that plan under the GMA are required to adopt development regulations that assure the conservation of agricultural, forest, and mineral resource lands.

Growth Management Act - Urban Growth Areas.

Counties that fully plan under the GMA must designate Urban Growth Areas (UGAs), areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. Planning jurisdictions must include within their UGAs sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. In addition, cities must include sufficient areas to accommodate the broad range of needs and uses that will accompany the projected urban growth, including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

The GMA provides that, in general, it is not appropriate for urban governmental services, such as public services and public facilities at an intensity historically and typically provided in cities, to be extended to or expanded outside of the UGA into rural areas. Extension or expansion may be permitted in limited circumstances where: (1) it is shown to be necessary to protect basic public health and safety and the environment; and (2) when such services are financially supportable at rural densities and do not permit urban development.

Growth Management Act - 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.

Summary of Bill:

The definition of "rural character" within the Growth Management Act (GMA) is modified to refer to patterns of land use and development that provide opportunities to support natural growth of families in communities to prevent out-migration of people that were born in those communities. Rural character refers to patterns of land use and development that prevent high density development throughout the landscape. Land uses are adaptable with the use of land by

wildlife and for fish and wildlife habitat, farming and farm-related industries, natural resource usage and manufacturing, and tourism. Rural character includes, but is not limited to:

- access to cell phone, broadband, and wireless technology;
- health care and wellness services for humans and animals;
- a variety of services and opportunities for children;
- markets, restaurants, and food services;
- industries to support agricultural tourism and outdoor recreation; and
- home-based economic opportunities that diversify rural economies.

The rural element of the comprehensive plan adopted by a county must include measures that apply to rural development and embody the rural character of the area as established by the county, or by:

- containing or otherwise controlling rural development;
- assuring visual compatibility of rural development with the surrounding rural area;
- reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and
- protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under the GMA.

Appropriation: None.

Fiscal Note: Not requested.

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