SENATE BILL REPORT
SB 5461

As of February 3, 2025

Title: An act relating to residential development in limited areas of more intensive rural development.

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

Sponsors: Senators Lovelett, Short, Chapman, Nobles and Wilson, J..

Brief History:
Committee Activity: Local Government: 2/03/25.

Brief Summary of Bill

- Establishes that a county may authorize development of four units or six units if at least two units are affordable housing on lots zoned for residential use in limited areas of more intensive rural development.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Karen Epps (786-7424)

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. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

The GMA directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision

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requirements prescribed in the GMA. Comprehensive plans must contain certain elements, such as a land use element, a housing element, and rural element. This element covers rural development and measures to protect the rural character of an area. The rural element can also allow for limited areas of more intensive rural development (LAMIRDs).

Limited Areas of More Intensive Rural Development. Most counties have examples of existing areas of more intensive development built or vested prior to the adoption of the GMA. These existing areas were designated as LAMIRDs as exceptions to the rural element requirement of comprehensive plans while retaining protections for rural character and the operation of resource uses.

Counties must establish logical outer boundaries, based on the boundaries of existing development, to contain more intense development. In establishing the logical outer boundary, the county must address:

- the need to preserve the character of existing natural neighborhoods and communities;
- physical boundaries, such as bodies of water, streets and highways, and landforms 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.

The rural element of county comprehensive plans allows for three types of LAMIRDs. The first type involves infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas. The second involves small-scale recreational or tourist uses. The third involves isolated cottage industries or small-scale businesses that do not serve the rural population but that do provide job opportunities.

Summary of Bill: In LAMIRDs, a county may provide by ordinance and incorporate into its development regulations, zoning regulations, and other official controls, authorization for:

- the development of at least four units per lot on all lots zoned predominantly for residential use; and
- the development of at least six units per lot on all lots zoned predominantly for residential use, if at least two units are affordable housing.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: LAMIRDs are places where people currently live and some of them are seeing pressure due to tourism in rural areas. The bill allows counties to optionally allow fourplexes and sixplexes if two are for affordable housing in LAMIRDs. Addressing affordable housing opportunities in counties is a top priority and the flexibility for LAMIRDs provided in this bill are a welcome addition to the range of tools counties have for enabling and incentivizing affordable housing. LAMIRDs often provide the only affordable and workforce housing in smaller rural communities and this bill will allow more housing to be developed in these communities. Type 1 LAMIRDs are small towns that did not incorporate and some of them have a larger population than their nearby cities. This bill makes it clear that middle housing is appropriate in LAMIRDs. Supporting small town density in LAMIRDs will preserve resource lands and rural character.

OTHER: The bill needs some additional sideboards. There is some concern about the low-income standards for the two additional units. The affordability component will limit development to four units.

Persons Testifying: PRO: Senator Liz Lovelett, Prime Sponsor; Mindy Brooks, Lewis County; Curtis Steinhauer, Washington State Association of Counties'.

OTHER: Bryce Yadon, Futurewise; Morgan Irwin, Association of Washington Business; Andrea Smiley, Building Industry Association of Washington.

Persons Signed In To Testify But Not Testifying: No one.