

SENATE BILL REPORT

SB 5699

As of February 17, 2025

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

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

Sponsors: Senators Goehner, Short, Dozier and Gildon.

Brief History:

Committee Activity: Local Government: 2/17/25.

Brief Summary of Bill

- Allows new commercial or industrial development or redevelopment other than retail or food service within the logical outer boundary of limited areas of more intensive rural development when the legislative authority deems it economically necessary.

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 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

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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.

Within a type I LAMIRD, infill, 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. Any development or redevelopment that would change building size, scale, use, or intensity may be allowed if all existing providers of public facilities and public services confirm that there is sufficient capacity to serve any increased demand from the new development or redevelopment.

Any commercial development or redevelopment within a mixed-use area of a type I LAMIRD must be principally designed to serve the existing and projected rural population and meet certain requirements:

- any included retail or food service space must not exceed the footprint of previously occupied space or 5000 square feet, whichever is greater, for the same or similar use, unless the retail space is for an essential rural retail service and the LAMIRD is located at least ten miles from an existing UGA, then the retail space must not exceed the previous footprint or 10,000 square feet, whichever is greater; and
- any included retail or food service space must not exceed 2500 square feet for a new use, unless the new retail space is for an essential rural retail service and the designated limited area is located at least ten miles from an existing urban growth area, then the new retail space must not exceed 10,000 square feet.

Summary of Bill: New commercial or industrial development or redevelopment other than retail or food service may be allowed within the logical outer boundary of a LAMIRD when the legislative authority deems it economically necessary.

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: The Legislature has made changes to LAMIRDs to allow more activity within that area. This bill is about economic development and trying to create opportunities for people to live and work within proximity to their home. This bill will allow small business or industry within a LAMIRD so that people can walk or ride their bike to work, reducing the carbon footprint and controlling growth. This bill is about providing economic benefit and jobs for the people in the LAMIRD. LAMIRDs need to provide options for residents to have access to shopping, personal services, and medical services. LAMIRDs need legislative discretion for its residents. Some LAMIRDs are an hour round-trip away from essential retail rural services such as chiropractic care, dentistry, shopping or a haircut. This bill will provide more flexibility at a local level while still preventing low density sprawl. This bill returns land use decision making to the inherent authority of county legislative bodies as intended under Article 11, Section 11 of the Washington State Constitution.

CON: The current LAMIRD statute provides for development within a certain size, scope, and scale, and be directed towards rural development and this bill does not include restrictions on size or scale. There is concern about having large scale industrial or commercial development in LAMIRDs that does not just serve the rural population but ends up driving or attracting others from urban areas.

Persons Testifying: PRO: Senator Keith Goehner, Prime Sponsor; Sue Lani Madsen, Washington Rural Environmental Network; Shon Smith, Chelan County Board of Commissioners.

CON: Bryce Yadon, Futurewise.

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