

Multiple Agency Fiscal Note Summary

Bill Number: 6140 S SB	Title: Intensive rural development
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Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Commerce	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Commerce	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

Estimated Capital Budget Breakout

NONE

Prepared by: Cheri Keller, OFM	Phone: (360) 584-2207	Date Published: Final 2/16/2024
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Individual State Agency Fiscal Note

Bill Number: 6140 S SB	Title: Intensive rural development	Agency: 103-Department of Commerce
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Kellen Wright	Phone: 360-786-7134	Date: 02/10/2024
Agency Preparation: Buck Lucas	Phone: 360-725-3180	Date: 02/16/2024
Agency Approval: Pouth Ing	Phone: 360-725-2715	Date: 02/16/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/16/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 amends RCW 36.70A.070, of the Growth Management Act (GMA), revising the building size standards for retail or food service uses within a limited area of more intense rural development (LAMIRD). For a previously occupied retail or food service use, the bill allows an increase in the size of a replacement building from a maximum 5,000 square feet to 10,000 square feet. For a new use the the section increases the maximum 2,500 square feet to 10,000 square feet. provided the use is categorized as an “essential rural retail service” and is located at least 10 miles from an existing urban growth area (UGA).

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The Department of Commerce (department) assumes no fiscal impact under the proposed legislation. The department will revise local technical guidance for local government to be consistent with the bill, which may be achieved with minimal additional staff time.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Minor amendments to chapter 365-196 WAC to revise existing guidance consistent with this legislation.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6140 S SB

Title: Intensive rural development

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties: Only impacts counties with limited areas of more intensive rural development.
- Special Districts:
- Specific jurisdictions only: Counties that plan under the Growth Management Act with rural elements could amend development regulations for limited areas of more intensive rural development.
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option: Amendments to development regulations for essential rural retail services.
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

None

Part III: Preparation and Approval

Fiscal Note Analyst: Jordan Laramie	Phone: 360-725-5044	Date: 02/15/2024
Leg. Committee Contact: Kellen Wright	Phone: 360-786-7134	Date: 02/10/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 02/15/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/15/2024

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

This proposed legislation would authorize changes to rural development under the Growth Management Act such that essential rural retail services could be sited in food and retail service locations and exceed the existing maximum space requirements under existing statute.

Sec. 1 of this act amends the uses allowed in type I limited areas of more intense rural development (LAMIRD). Counties would be authorized to permit essential rural retail services in a type I LAMIRD that is 10 miles from an existing urban growth area. The footprint of these essential rural retail services can exceed existing maximum retail or food service space, but may not exceed 10,000 square feet.

The effective date of this act would be 90 days after the adjournment of the session in which it is passed.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

This legislation would expand the discretionary capacity of counties within limited areas of more intensive development (LAMIRDs). Because these changes to the rural element of a county's comprehensive plan are a local option, this legislation would have no fiscal impact.

Counties choosing to undertake changes to existing comprehensive plans, capital facility plans and development regulations would incur indeterminate costs. The magnitude of these expenses will depend to a large extent upon how much action the jurisdiction takes differs from the existing framework of plans and development regulations. The number of jurisdictions choosing to take action under these new provisions and the extent of those changes cannot be predicted.

In addition to changes to plans and development regulations, some jurisdictions that elect to take action under these new provisions could incur costs associated with challenges to their actions. In the fiscal note for HB 1233 (2021) the Environmental and Land Use Hearings Office (ELUHO) anticipated an increase in the number of cases of first impression and appeals through changes to LAMIRD statute in 36.70A.070. ELUHO was not able to estimate the number of these first impression cases.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

This legislation would not impact local government revenue.

SOURCES:

Environmental and Land Use Hearings Office, FN HB 1233 (2021)

Local Government Fiscal Note Program, FN HB 1233 (2021)

Senate Bill Analysis, SB 6140 (2024)

Municipal Research and Services Center, Growth Management Act

Municipal Research and Services Center, Rural Land Use Regulation/Development