

# SENATE BILL REPORT

## SB 5834

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As of January 5, 2024

**Title:** An act relating to urban growth areas.

**Brief Description:** Concerning urban growth areas.

**Sponsors:** Senators Short and Lovelett.

**Brief History:**

**Committee Activity:** Local Government, Land Use & Tribal Affairs: 1/09/24.

**Brief Summary of Bill**

- Authorizes a county to revise its urban growth area (UGA) or areas during its annual review of proposed amendments to its comprehensive plan if the revised UGA meets certain criteria.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

**Staff:** Maggie Douglas (786-7279)

**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. These jurisdictions are sometimes said to be fully planning under 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 be reviewed and, if necessary, revised every ten years to ensure it complies with the GMA. When developing their comprehensive plans, counties and cities must consider various goals set forth in statute.

Urban Growth Areas. Counties that fully plan under the GMA must designate Urban Growth Areas (UGAs), within which urban growth must be encouraged and outside of which growth may occur only if it is not urban in nature. UGAs must contain sufficient areas and densities to accommodate projected urban growth for the succeeding 20-year period. Fully planning counties must review the designated UGAs, patterns of development within the UGAs, and the densities permitted within the incorporated and unincorporated portions of each UGA during the regularly scheduled comprehensive review update cycle.

If, during the jurisdiction's review, the county determines the patterns of development have created pressure in areas that exceed the available and developable lands within the UGA, the county may revise the UGA to accommodate identified patterns of development and future development pressure for the succeeding 20-year period if the revised UGA meets certain criteria, including but not limited to:

- the revised UGA does not result in an increase in the total surface areas of any UGA;
- the areas added to the UGA are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance; and
- less than 15 percent of the areas added to the UGA are critical areas.

**Summary of Bill:** A fully planning county may, as part of its annual review of proposed amendments, updates, or revisions of its comprehensive plan, review its designated UGAs and the patterns of development and densities permitted within each UGA. If, during the county's regularly scheduled annual review, the county determines the patterns of development have created pressure in areas that exceed the available and developable lands within the UGA, the county may revise the UGA to accommodate identified patterns of development and future development pressure for the succeeding 20-year period if:

- the revised UGA does not result in an increase in the total surface areas of the UGA;
- the areas added to the UGA are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;
- less than 15 percent of the areas added to the UGA are critical areas;
- the areas added to the UGA are suitable for urban growth;
- the county's transportation element and capital facility plan element have identified the transportation facilities and public facilities and services needed to serve the UGA and the funding to provide the transportation facilities and public facilities and services;
- the areas removed from the UGA does not include urban growth or urban densities; and
- the revised UGA is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands.

**Appropriation:** None.

**Fiscal Note:** Requested on January 2, 2024.

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

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