
Housing Committee

HB 2158

Brief Description: Expanding urban growth area boundaries for residential development.

Sponsors: Representatives Connors, Reeves, Klicker, Barkis, Barnard, Graham and Hutchins.

Brief Summary of Bill

- Requires cities and counties planning under the Growth Management Act to expand their urban growth area (UGA) boundaries to include certain types of parcels.
- Requires parcels to be included in UGA boundaries in situations where the parcels have: a shared boundary with a UGA, a residential development approval, or access or planned access to urban services.
- Requires parcels to be included in UGA boundaries in situations where the parcels: are adjacent to UGA boundary roads and parcels across the road are within a UGA, have residential development approval, or have access or planned access to urban services.
- Requires cities and counties to authorize residential development for these types of parcels at the same density as adjacent parcels and allow buildings on these parcels to use and connect to urban services.

Hearing Date: 1/25/24

Staff: Martha Wehling (786-7067).

Background:

The Growth Management Act and Comprehensive Plans.

The Growth Management Act (GMA) requires that certain counties, and the cities within those

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counties, engage in planning for future population growth. The central part of the planning process is the comprehensive plan. The Legislature has established 15 goals that should act as the basis of all comprehensive plans. Examples of goals include encouraging development in urban areas, reducing sprawl, providing for affordable housing, and protecting property rights. The comprehensive plan must address these goals and set out the policies and standards that are meant to guide the city or county's actions and decisions in the future. These plans are required to be updated every 10 years and must contain certain elements, such as land use, housing, and a capital facilities plan. Each individual element must be satisfied while fitting within the overall comprehensive plan.

Comprehensive Plan Review and Revision.

Each county or city that adopts a comprehensive plan is required to review and, if necessary, revise its plan and development regulations under specified deadlines. Cities or towns meeting specific criteria addressing population size, location, and growth rate may opt out of full review and revision. Those cities or towns that opt out must update their critical area regulations, and their capital facilities and transportation elements.

Actions and the timelines for comprehensive plan review and revision include:

- Three years prior to the periodic update, the Department of Commerce (Commerce) is required to review the population growth rate for a participating city or town and provide eligibility notification to cities.
- No more often than once a year, a city or town is required to create a public participation program identifying the procedures and schedules for updates, proposed amendments, and revisions to the comprehensive plan. Amendments may be considered more than once per year under certain circumstances.
- Between 2024 and 2027, and every 10 years thereafter, each county with designated urban growth areas (UGAs) is required to review the designated areas, patterns of development within the areas, and densities permitted within the incorporated and unincorporated portions of the area. Each city must concurrently review its densities, and the amount of urban growth within the city and the unincorporated portion of the UGA.
- During the UGA review, each county's designation of UGAs and permitted densities must be revised to accommodate the projected growth.
- Five years after review and revision of the comprehensive plan, certain counties and cities must provide the Commerce with a progress report addressing implementation of the comprehensive plan.
 - The report must identify regulations, zoning and land use changes, or other legislative or administrative action necessary to implement the comprehensive plan that have not been implemented, and a work plan to complete the necessary work within two years.
 - Certain counties must update the transportation element and incorporate a climate change and resiliency element into their comprehensive plan revisions in their first implementation report.

Certain counties and cities meeting specific criteria addressing population size and growth may receive two year extensions on the statutory deadlines for comprehensive plan review and

revision.

Urban Growth.

Each county that participates in planning under the GMA was required to designate a UGA. Urban growth makes intensive use of land for buildings, structures, and impermeable surfaces, and is unsuitable for agriculture, natural resource use and management, or for rural uses. Urban growth is encouraged within the UGA, and growth outside of the UGA can only occur if it is not urban. All cities must be included within a county's UGA, and selection of the UGA requires consultation between the county and cities on a specified timeline. The UGAs must be designated in each county's comprehensive plan, and must be reviewed and revised every 10 years in the comprehensive plan process.

The Office of Financial Management prepares population projections for each county, and the county and each city must include sufficient area and density for the growth anticipated in the next 20 years. Cities and counties may consider local circumstances, and have discretion to make choices about how to accommodate growth. The areas included in the UGA must be sufficient for medical, governmental, institutional, commercial, service, retail, and other nonresidential uses. The areas must also include greenbelt and open space areas and permit a range of densities and uses.

A UGA may also be revised in limited circumstances when the revision is not needed to accommodate future growth. If patterns of development have created pressures in areas that exceed the developable land within the UGA, then the UGA can be revised to accommodate those patterns of development, and the likely pressure over the next 20-year period, if the revision will not increase the surface area of the UGA; the areas added to the UGA are not agricultural, mineral resource, or natural resource lands; not more than 15 percent of the added area is designated as critical areas; areas removed from the UGA do not include areas of urban growth or density; the new UGA is contiguous, without gaps, and will not increase pressure to urbanize rural or natural resource lands; and the public facilities, services, and funding for the facilities and services have been identified in the transportation element and capital facilities element of the county's comprehensive plan.

Urban growth location is prioritized. First, urban growth must be located in areas that have adequate existing public facility and service capacities. Second, urban growth must be located in areas that will be served by a combination of existing facilities, and public or privately sourced facilities that will provide additional adequate services. Third, urban growth will be in the remaining portions of the UGAs.

Urban growth should not be extended to or expanded in rural areas except to protect public health and safety and the environment, in those situations when the services are financially supportable at rural densities and do not support urban development. "Urban services" mean public services and public facilities at an intensity historically and typically provided in cities, including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated

with urban, but not rural, areas.

Summary of Bill:

Expansion of Urban Growth Area Boundaries.

A city or county planning under the Growth Management Act (GMA) must expand its urban growth area (UGA) boundaries in its next comprehensive plan update. The UGA boundary must include all parcels that:

- share a common boundary with another parcel, that:
 - shares a common boundary with a UGA boundary;
 - is developed for residential purposes or has been approved for residential development; and
 - has access to urban services or is in an area planned for urban services; or
- are adjacent to a UGA boundary road where parcels on the opposite side of the road:
 - are within the UGA;
 - are developed for residential purposes or have been approved for residential development; and
 - have access to urban services or are in an area planned for urban services.

If a parcel meets either of the above criteria, the city or county must include the parcel in the UGA, authorize residential density at the same density as allowed on the parcels with a shared common boundary or on the opposite side of the road, and allow any buildings that are part of a residential development to use and connect to any available urban services.

Urban growth may be extended to or expanded in rural areas when it is necessary for the residential development of a parcel that meets the above criteria.

Appropriation: None.

Fiscal Note: Requested on January 18, 2024.

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