

Effects:

- Provides that areas added to the UGA are not areas designated as long-term commercial significance, are suitable for urban growth, is contiguous, and do not contain more than 15 percent critical areas.
- Requires jurisdictions' transportation element and capital facility plan elements to identify the transportation facilities, public facilities, and related services needed to serve the UGA.
- Clarifies that the initial effective date of a UGA revision is 60 days after the publication of notice of adoption of the comprehensive plan, development regulations or amendments to the plan revising the urban growth area.

1 AN ACT Relating to urban growth area boundaries; and reenacting  
2 and amending RCW 36.70A.130.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.70A.130 and 2020 c 113 s 1 and 2020 c 20 s 1026  
5 are each reenacted and amended to read as follows:

6 (1)(a) Each comprehensive land use plan and development  
7 regulations shall be subject to continuing review and evaluation by  
8 the county or city that adopted them. Except as otherwise provided, a  
9 county or city shall take legislative action to review and, if  
10 needed, revise its comprehensive land use plan and development  
11 regulations to ensure the plan and regulations comply with the  
12 requirements of this chapter according to the deadlines in  
13 subsections (4) and (5) of this section.

14 (b) Except as otherwise provided, a county or city not planning  
15 under RCW 36.70A.040 shall take action to review and, if needed,  
16 revise its policies and development regulations regarding critical  
17 areas and natural resource lands adopted according to this chapter to  
18 ensure these policies and regulations comply with the requirements of  
19 this chapter according to the deadlines in subsections (4) and (5) of  
20 this section. Legislative action means the adoption of a resolution  
21 or ordinance following notice and a public hearing indicating at a

1 minimum, a finding that a review and evaluation has occurred and  
2 identifying the revisions made, or that a revision was not needed and  
3 the reasons therefor.

4 (c) The review and evaluation required by this subsection shall  
5 include, but is not limited to, consideration of critical area  
6 ordinances and, if planning under RCW 36.70A.040, an analysis of the  
7 population allocated to a city or county from the most recent ten-  
8 year population forecast by the office of financial management.

9 (d) Any amendment of or revision to a comprehensive land use plan  
10 shall conform to this chapter. Any amendment of or revision to  
11 development regulations shall be consistent with and implement the  
12 comprehensive plan.

13 (2)(a) Each county and city shall establish and broadly  
14 disseminate to the public a public participation program consistent  
15 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and  
16 schedules whereby updates, proposed amendments, or revisions of the  
17 comprehensive plan are considered by the governing body of the county  
18 or city no more frequently than once every year. "Updates" means to  
19 review and revise, if needed, according to subsection (1) of this  
20 section, and the deadlines in subsections (4) and (5) of this section  
21 or in accordance with the provisions of subsection (6) of this  
22 section. Amendments may be considered more frequently than once per  
23 year under the following circumstances:

24 (i) The initial adoption of a subarea plan. Subarea plans adopted  
25 under this subsection (2)(a)(i) must clarify, supplement, or  
26 implement jurisdiction-wide comprehensive plan policies, and may only  
27 be adopted if the cumulative impacts of the proposed plan are  
28 addressed by appropriate environmental review under chapter 43.21C  
29 RCW;

30 (ii) The development of an initial subarea plan for economic  
31 development located outside of the one hundred year floodplain in a  
32 county that has completed a state-funded pilot project that is based  
33 on watershed characterization and local habitat assessment;

34 (iii) The adoption or amendment of a shoreline master program  
35 under the procedures set forth in chapter 90.58 RCW;

36 (iv) The amendment of the capital facilities element of a  
37 comprehensive plan that occurs concurrently with the adoption or  
38 amendment of a county or city budget; or

39 (v) The adoption of comprehensive plan amendments necessary to  
40 enact a planned action under RCW 43.21C.440, provided that amendments

1 are considered in accordance with the public participation program  
2 established by the county or city under this subsection (2) (a) and  
3 all persons who have requested notice of a comprehensive plan update  
4 are given notice of the amendments and an opportunity to comment.

5 (b) Except as otherwise provided in (a) of this subsection, all  
6 proposals shall be considered by the governing body concurrently so  
7 the cumulative effect of the various proposals can be ascertained.  
8 However, after appropriate public participation a county or city may  
9 adopt amendments or revisions to its comprehensive plan that conform  
10 with this chapter whenever an emergency exists or to resolve an  
11 appeal of a comprehensive plan filed with the growth management  
12 hearings board or with the court.

13 (3) (a) Each county that designates urban growth areas under RCW  
14 36.70A.110 shall review, according to the schedules established in  
15 subsections (4) and (5) of this section, its designated urban growth  
16 area or areas, patterns of development occurring within the urban  
17 growth area or areas, and the densities permitted within both the  
18 incorporated and unincorporated portions of each urban growth area.  
19 In conjunction with this review by the county, each city located  
20 within an urban growth area shall review the densities permitted  
21 within its boundaries, and the extent to which the urban growth  
22 occurring within the county has located within each city and the  
23 unincorporated portions of the urban growth areas.

24 (b) The county comprehensive plan designating urban growth areas,  
25 and the densities permitted in the urban growth areas by the  
26 comprehensive plans of the county and each city located within the  
27 urban growth areas, shall be revised to accommodate the urban growth  
28 projected to occur in the county for the succeeding twenty-year  
29 period. The review required by this subsection may be combined with  
30 the review and evaluation required by RCW 36.70A.215.

31 (c) If, during the county's review under (a) of this subsection,  
32 the county determines revision of the urban growth area is not  
33 required to accommodate the urban growth projected to occur in the  
34 county for the succeeding 20-year period, but does determine that  
35 patterns of development have created pressure in areas that exceed  
36 available, developable lands within the urban growth area, the urban  
37 growth area or areas may be revised to accommodate identified  
38 patterns of development and likely future development pressure for  
39 the succeeding 20-year period if the following requirements are met:

1 (i) The revised urban growth area may not result in an increase  
2 in the total surface areas of the urban growth area or areas;

3 (ii) The areas added to the urban growth area are not or have not  
4 been designated as agricultural, forest, or mineral resource lands of  
5 long-term commercial significance;

6 (iii) Less than 15 percent of the areas added to the urban growth  
7 area are critical areas;

8 (iv) The areas added to the urban growth areas are suitable for  
9 urban growth;

10 (v) The transportation element and capital facility plan element  
11 have identified the transportation facilities, and public facilities  
12 and services needed to serve the urban growth area and the funding to  
13 provide the transportation facilities and public facilities and  
14 services;

15 (vi) The urban growth area is not larger than needed to  
16 accommodate the growth planned for the succeeding 20-year planning  
17 period and a reasonable land market supply factor;

18 (vii) The areas removed from the urban growth area do not include  
19 urban growth or urban densities; and

20 (viii) The revised urban growth area is contiguous, does not  
21 include holes or gaps, and will not increase pressures to urbanize  
22 rural or natural resource lands.

23 (d) The initial effective date of an urban growth area revision  
24 authorized by (c) of this subsection is 60 days after the date of  
25 publication of notice of adoption of the comprehensive plan,  
26 development regulation, or amendment to the plan or regulation  
27 revising the urban growth area, as provided in RCW 36.70A.290(2).

28 (4) Except as otherwise provided in subsections (6) and (8) of  
29 this section, counties and cities shall take action to review and, if  
30 needed, revise their comprehensive plans and development regulations  
31 to ensure the plan and regulations comply with the requirements of  
32 this chapter as follows:

33 (a) On or before June 30, 2015, for King, Pierce, and Snohomish  
34 counties and the cities within those counties;

35 (b) On or before June 30, 2016, for Clallam, Clark, Island,  
36 Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom  
37 counties and the cities within those counties;

38 (c) On or before June 30, 2017, for Benton, Chelan, Cowlitz,  
39 Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and  
40 the cities within those counties; and

1 (d) On or before June 30, 2018, for Adams, Asotin, Columbia,  
2 Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln,  
3 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and  
4 Whitman counties and the cities within those counties.

5 (5) Except as otherwise provided in subsections (6) and (8) of  
6 this section, following the review of comprehensive plans and  
7 development regulations required by subsection (4) of this section,  
8 counties and cities shall take action to review and, if needed,  
9 revise their comprehensive plans and development regulations to  
10 ensure the plan and regulations comply with the requirements of this  
11 chapter as follows:

12 (a) On or before June 30, 2024, and every eight years thereafter,  
13 for King, Kitsap, Pierce, and Snohomish counties and the cities  
14 within those counties;

15 (b) On or before June 30, 2025, and every eight years thereafter,  
16 for Clallam, Clark, Island, Jefferson, Lewis, Mason, San Juan,  
17 Skagit, Thurston, and Whatcom counties and the cities within those  
18 counties;

19 (c) On or before June 30, 2026, and every eight years thereafter,  
20 for Benton, Chelan, Cowlitz, Douglas, Franklin, Kittitas, Skamania,  
21 Spokane, Walla Walla, and Yakima counties and the cities within those  
22 counties; and

23 (d) On or before June 30, 2027, and every eight years thereafter,  
24 for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor,  
25 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,  
26 Wahkiakum, and Whitman counties and the cities within those counties.

27 (6)(a) Nothing in this section precludes a county or city from  
28 conducting the review and evaluation required by this section before  
29 the deadlines established in subsections (4) and (5) of this section.  
30 Counties and cities may begin this process early and may be eligible  
31 for grants from the department, subject to available funding, if they  
32 elect to do so.

33 (b) A county that is subject to a deadline established in  
34 subsection (5) (~~((a)(ii) through (iv) [(b) through (d)]~~)) (b) through  
35 (d) of this section and meets the following criteria may comply with  
36 the requirements of this section at any time within the twenty-four  
37 months following the deadline established in subsection (5) of this  
38 section: The county has a population of less than fifty thousand and  
39 has had its population increase by no more than seventeen percent in

1 the ten years preceding the deadline established in subsection (5) of  
2 this section as of that date.

3 (c) A city that is subject to a deadline established in  
4 subsection (5) (~~((a)(ii) through (iv) [(b) through (d)])~~) (b) through  
5 (d) of this section and meets the following criteria may comply with  
6 the requirements of this section at any time within the twenty-four  
7 months following the deadline established in subsection (5) of this  
8 section: The city has a population of no more than five thousand and  
9 has had its population increase by the greater of either no more than  
10 one hundred persons or no more than seventeen percent in the ten  
11 years preceding the deadline established in subsection (5) of this  
12 section as of that date.

13 (d) State agencies are encouraged to provide technical assistance  
14 to the counties and cities in the review of critical area ordinances,  
15 comprehensive plans, and development regulations.

16 (7) (a) The requirements imposed on counties and cities under this  
17 section shall be considered "requirements of this chapter" under the  
18 terms of RCW 36.70A.040(1). Only those counties and cities that meet  
19 the following criteria may receive grants, loans, pledges, or  
20 financial guarantees under chapter 43.155 or 70A.135 RCW:

21 (i) Complying with the deadlines in this section; or

22 (ii) Demonstrating substantial progress towards compliance with  
23 the schedules in this section for development regulations that  
24 protect critical areas.

25 (b) A county or city that is fewer than twelve months out of  
26 compliance with the schedules in this section for development  
27 regulations that protect critical areas is making substantial  
28 progress towards compliance. Only those counties and cities in  
29 compliance with the schedules in this section may receive preference  
30 for grants or loans subject to the provisions of RCW 43.17.250.

31 (8) (a) Except as otherwise provided in (c) of this subsection, if  
32 a participating watershed is achieving benchmarks and goals for the  
33 protection of critical areas functions and values, the county is not  
34 required to update development regulations to protect critical areas  
35 as they specifically apply to agricultural activities in that  
36 watershed.

37 (b) A county that has made the election under RCW 36.70A.710(1)  
38 may only adopt or amend development regulations to protect critical  
39 areas as they specifically apply to agricultural activities in a  
40 participating watershed if:

1 (i) A work plan has been approved for that watershed in  
2 accordance with RCW 36.70A.725;

3 (ii) The local watershed group for that watershed has requested  
4 the county to adopt or amend development regulations as part of a  
5 work plan developed under RCW 36.70A.720;

6 (iii) The adoption or amendment of the development regulations is  
7 necessary to enable the county to respond to an order of the growth  
8 management hearings board or court;

9 (iv) The adoption or amendment of development regulations is  
10 necessary to address a threat to human health or safety; or

11 (v) Three or more years have elapsed since the receipt of  
12 funding.

13 (c) Beginning ten years from the date of receipt of funding, a  
14 county that has made the election under RCW 36.70A.710(1) must review  
15 and, if necessary, revise development regulations to protect critical  
16 areas as they specifically apply to agricultural activities in a  
17 participating watershed in accordance with the review and revision  
18 requirements and timeline in subsection (5) of this section. This  
19 subsection (8)(c) does not apply to a participating watershed that  
20 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's  
21 goals and benchmarks for protection have been met.

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