



January 5, 2024

The Honorable Liz Lovelett, Chair, Senate Local Government, Land Use, and Tribal Affairs Committee

The Honorable Nikki Torres, Ranking Minority Member, Senate Local Government, Land Use, and Tribal Affairs Committee

Dear Senators Lovelett, Torres, and members of the Committee

The Washington Chapter of the American Planning Association has reviewed SB 5834 which is before your Committee on January 9, 2024. This bill would amend RCW 36.70A.110, the urban growth areas (UGAs) section of the Growth Management Act, by repeating most, but significantly not all, of the language in RCW 36.70A.130(3)(c).

Each comprehensive plan is subject to the requirements of RCW 36.70A.040 and .070 and the periodic update provisions of RCW 36.70A.130. However, UGAs are creatures of RCW 36.70A.110, not .040, .070, or .130. So, it is appropriate that SB 5834 addresses proposed UGA revisions in RCW 36.70A.110.

We have two suggestions to clarify and strengthen SB 5834. First, an amendment by a county to its comprehensive plan has legal effect only within the unincorporated portions of that county; however, a change to the geographic extent of a UGA is a countywide policy decision with implications for all cities and tribes in a county. Therefore, any decision to revise the UGA should be inclusive of cities and tribes as well as the county. The GMA mechanism to assure collaborative regional decision-making is the countywide planning policies process of RCW 36.70A.210. Therefore, we recommend that SB 5834 clarify that UGA revisions are to be processed under RCW 36.70A.210 by adding the following requirement:


(8)(a) The county's proposed urban growth area revision must also be reviewed and approved as a regional policy decision under RCW 36.70A.210 which may include participation by interested tribes pursuant to RCW 36.70A.040(8).

Second, it is alarming that SB 5834 does not include the language of RCW 36.70A.130(3)(c)(vi), which provides: "The urban growth area is not larger than needed to accommodate the growth planned for the succeeding 20-year planning period and a reasonable land market supply factor."

To omit this requirement would eviscerate the core purpose of UGAs, which is to concentrate future urban development in places "already characterized by urban growth that have adequate existing public facility and service capacities . . ." or ". . . that will be served adequately. . ." RCW 36.70A.110(3). We urge that SB 5834 repeat in RCW 36.70A.110 the important limitation set forth in RCW 36.70A.130(3)(c)(vi).

Please let us know if there any questions we can answer. Thank you for your consideration.

Best regards,

A handwritten signature in cursive script that reads "Chad Eiken". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Chad Eiken, AICP

President, Washington Chapter of the American Planning Association

cc Robin Proebsting, AICP, Chair, APA Washington Legislative Committee