

Growth Management Act

This page provides an overview of the Growth Management Act (GMA) in Washington State, including its legal requirements and links to related MRSC pages and other helpful resources.

Overview

The Growth Management Act (GMA) is a series of state statutes, first adopted in 1990, that requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. It is primarily codified under Chapter 36.70A RCW, although it has been amended and added to in several other parts of the RCW.

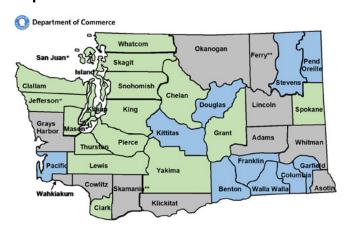
Under RCW 36.70A.020, the GMA establishes a series of 13 goals that should act as the basis of all comprehensive plans. The legislature added the goals and policies of the Shoreline Management Act as the fourteenth GMA goal (RCW 36.70A.480). The shoreline goals may be found at RCW 90.58.020.

GMA Goals (RCW 36.70A.020)

- Concentrated urban growth
 Property
- Sprawl reduction
- Regional transportation
- · Affordable housing
- Economic development
- Permit processing
- Natural resource industries
- Environmental protection
- Early and continuous public participation
- Public facilities and services
- Historic preservation
- Open space and recreation Shoreline management (RCW 36.70A.480)

The Washington State Department of Commerce is the primary state-level contact for GMA-related issues. They provide technical assistance to help local governments comply with the GMA and implement their comprehensive plans effectively.

Who is Required to Plan Under GMA?



Based on the requirements in <u>RCW 36.70A.040</u>, 18 counties, and all the cities and towns within them, are required to "fully plan" under the GMA. An additional 11 counties had originally opted to fully plan, although one county (Ferry County) later opted out under <u>EHB 1224</u> (2014), which gave counties under 20,000 population the option to opt out by December 31, 2015. The 28 "fully planning" counties make up about 95% of the state's population.

The 10 counties that opted to "fully plan" must plan for critical areas and natural resource land only under the GMA.

Natural Resource Lands and Critical Areas

Under the GMA, all cities and counties - even if they are not subject to comprehensive planning - are directed to designate natural resource lands (including those related to forestry, agriculture, fisheries, and mining) and identify steps to preserve them. For more information, see the Department of Commerce's <u>Natural Resource Lands page</u>.

In addition, all cities and counties in Washington are also required to adopt critical areas regulations. As defined in RCW 36.70A.030(5):

"Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

Counties and cities are required to include the best available science in developing policies and development regulations to protect the functions and values of critical areas (RCW 36.70A.172).

For more information, see our page on <u>Critical Areas</u> or the Department of Commerce's page on <u>Critical Areas</u>, including its useful *Critical Areas Handbook*.

Comprehensive Plans

The GMA establishes the primacy of the comprehensive plan. The comprehensive plan is the centerpiece of local planning and articulates a series of goals, objectives, policies, actions, and standards that are intended to guide day-to-day decisions by elected officials and local government staff.

The GMA lays out the following mandatory and optional comprehensive elements:

Mandatory Comp Plan Elements (RCW 36.70A.070)

- Land Use
- Housing
- Capital Facilities Plan
- Utilities
- Rural Development (counties only)
- Transportation
- Ports (mandatory for cities with annual maritime port revenues exceeding \$60 million, <u>RCW</u> 36.70A.085)

Optional Comp Plan Elements

- Economic Development*
- Parks and Recreation*
- Conservation (RCW 36.70A.080)
- Solar Energy (RCW 36.70A.080)
- Recreation (RCW 36.70A.080)
- Subarea Plans (neighborhoods, rural villages, urban growth areas, tribal areas, etc.)
- Ports (optional for cities with annual maritime port revenues of \$20 million to \$60 million, <u>RCW</u> 36.70A.085)

*The elements with an asterix are listed as mandatory in <u>RCW 36.70A.070(7)</u> and (8), but they are actually optional because funds have not been appropriated to help pay for preparing them, per <u>RCW 36.70A.070(9)</u>.

While all of these elements are important, the land use element sets the direction of future growth in a community and is usually depicted as a future land use map. The future land use map, which is policy-oriented, is then implemented in large part by the official zoning map, a regulatory tool.

Comprehensive plans must also address "essential public facilities" that are typically difficult to site, such as airports, educational facilities, transportation facilities, and correctional facilities.

Each Washington city and county must periodically review and, if needed, revise its comprehensive plan and development regulations every eight years to ensure that they comply with the GMA, as per the schedule provided in <u>RCW 36.7OA.13O</u>. Comprehensive plan amendments may be adopted on a more frequent basis (with some communities having established a formal annual amendment process), but no more than once per year.

The GMA places a strong emphasis on implementation, since most goals, objectives, and polices in a comprehensive plan cannot be achieved without strong regulatory and financial support (such as zoning, capital spending, and non-capital spending). Under the GMA, a local agency's <u>development regulations</u> (such as zoning) and <u>capital budget</u> decisions must be made in conformity with its comprehensive plan (<u>RCW 36.70A.120</u>).

For more information, see our page on Comprehensive Planning.

Urban Growth Areas and Accommodating Future Growth

Under the GMA, the state Office of Financial Management (OFM) develops <u>population projections</u> for the state and each county. Each "fully planning" county is then mandated to determine, in consultation with cities, where that growth should be directed to occur. Once these growth projections are adopted, then the county and cities are to use them in their comprehensive planning processes and make sure that their plans can accommodate the projected level of growth (<u>RCW 36.70A.115</u>).

The state's <u>Buildable Lands</u> program has designated the counties of Clark, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom, as being counties that have to collect data about their development trends and undertake "reasonable measures" to show how they will be able to accommodate the expected amount of future development.

Part of a county's long-range planning process involves identifying urban growth areas (UGAs), areas where "urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature" (RCW 36.70A.110). Counties are responsible for designating, expanding, and reducing UGA boundaries, although they are required to consult with the cities in their determinations.

Based on OFM population projections, UGAs and zoning densities within them should be set to permit urban growth that is projected to occur in the county or city over the next 20 years, although they can provide additional capacity to accommodate a "reasonable land market supply factor" (RCW 36.70A.110(2)). There are some limitations on UGAs, including limits in floodplain areas and in national historic reserves.

Areas within the UGA but outside of city or town boundaries should be addressed by the adjacent city and the county through the county-wide planning policies process. Outside of the UGA, cities and town are limited in the actions they can take regarding those areas.

For example, cities are highly limited in their ability to extend utilities and other governmental services outside the UGA. RCW 36.7OA.11O(4) states:

In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

The definitions of "urban" compared to "rural" services are defined in <u>RCW 36.70A.030</u>. Similarly, cities or towns are not allowed to annex areas outside of a UGA.

For more information on UGAs, see the Department of Commerce's <u>Urban Growth Area Guidebook</u> (2012).

The <u>Growth Management Hearings Board</u> resolves disputes concerning comprehensive plans and development regulations adopted under the GMA. The board is made up of seven members from three distinct geographic areas: Eastern Washington, Central Puget Sound, and Western Washington.

Challenges to the GMA are heard by a three-member panel comprised of two members residing in the geographic area of a challenge, with one acting as the presiding officer, and a third member drawn from one of the other regions. Each hearing panel must include an attorney and a former city or county elected official and must "reflect the political composition of the board" (RCW 36.70A.260).

The governor has the authority to impose sanctions on cities, counties, and state agencies that do not comply with the GMA, as determined by the Growth Management Hearings Board (see <u>RCW 36.70A.340 - .345</u>). Sanctions may include withholding or temporarily rescinding the authority to collect portions of one or more of the following:

- Motor vehicle fuel tax
- Transportation improvement account
- Rural arterial trust account
- Sales and use tax
- Liquor profit tax
- Liquor excise tax
- Real estate excise taxes (REET)

The Growth Management Hearings Board website contains numerous resources, including a <u>handbook</u> for practicing before the board and <u>digests of decisions</u>.

Recommended Resources

- Department of Commerce
 - <u>Growth Management Services</u> The go-to resource for guidebooks, grants, training, and other resources to help jurisdictions comply with GMA
 - A Short Course on Local Planning Very helpful online resources and in-person training courses on most
 aspects of local planning in Washington, including a downloadable guidebook and a series of short videos
 including Growth Management topics, laws and guidebooks.
- Office of Financial Management: GMA County Projections Population projections (updated every 5 years) for each county under low, medium, and high levels of growth, as well as population change over the last 10 years. The most recent projections were released in April 2021.
- <u>Futurewise:</u> A <u>Beginner's Guide to the Growth Management Act</u> Provides a relatively concise description of the GMA

Last Modified: January 06, 2022

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