

FACT SHEET

Urban Growth Area Swaps

Introduction

This document provides guidance for local governments in the application of new legislation adopted in 2022 as Engrossed Substitute Senate Bill (ESSB) 5593. The bill amends the Revised Code of Washington (**RCW**) **36.70A.130** to add the requirement that each county review its urban growth area (UGA), patterns of development, and densities as part of each periodic update of the comprehensive plan. Reviewing patterns of development is a new requirement enacted by ESSB 5593.

More importantly, ESSB 5593 allows changes to the UGA even if it is determined that a revision is not required to accommodate the growth projected to occur in the 20 year planning period. To implement this provision, eight criteria must be met. The first of these criteria is that the revision may not result in an increase in the net area of the UGA. This is sometimes called a “net zero swap”.

The criteria for approving a net zero swap is included in **RCW 36.70A.130(3)(c)** as follows:

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

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



“As with nearly all proposed development standards, the goal is to encourage efficient land use, flexibility and a wide variety of housing types while reducing the potential for negative impacts.”

Bill Vaughan

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- (ii) The areas added to the urban growth area are not or have not been designated as agricultural, forest, or mineral resource lands of long-term commercial significance;
- (iii) Less than 15 percent of the areas added to the urban growth area are critical areas;
- (iv) The areas added to the urban growth area are suitable for urban growth;
- (v) The transportation element and capital facility plan element have identified the transportation facilities, and public facilities and services needed to serve the urban growth area and the funding to provide the transportation facilities and public facilities and services;
- (vi) 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;
- (vii) The areas removed from the urban growth area do not include urban growth or urban densities; and
- (viii) The revised urban growth area is contiguous, does not include holes or gaps, and will not increase pressures to urbanize rural or natural resource lands.

For background, periodic updates to growth management plans are required every ten years. These updates are different than annual amendments in that they require a substantially greater effort and coordination between counties and cities. Some of the requirements include county-wide population projections and allocations, a regional land capacity analysis, regional housing needs analysis and detailed studies of capital facilities. This type of coordinated, regional planning is necessary when considering revisions to urban growth boundaries.

Recommendations

Growth Management Services interprets, based on the plain language of the statute, that net zero swaps should only be considered during mandatory periodic updates, and should not be considered under the annual amendment process. If a county decides to review UGA land swap applications during the annual amendment cycle, we recommend compliance with the eight criteria listed in **RCW 36.70A.130(3)(c)**.

We extend our continued support to local communities in achieving the goals of growth management.