



Growth Management Act Rulemaking for Housing and Urban Growth Areas

Project Scope

Scope of the Growth Management Act

Washington adopted the Growth Management Act (GMA) in 1990 to provide a new framework for land use planning and regulating development. The act responded to problems with uncoordinated and unplanned growth, and a lack of common goals in conservation and land use. Problems included increased traffic congestion, pollution, school overcrowding, urban sprawl, and a loss of resource lands and rural character. The GMA contains goals to guide local government planning and specific requirements governing local comprehensive plans and development regulations. The GMA calls on local governments to meet these requirements through a sequence of steps. Cities and counties undertake some steps individually, and some jointly. After adopting initial comprehensive plans and development regulations, local governments must complete periodic updates to those plans and regulations to ensure ongoing compliance with the statute.

Statutory authority for rulemaking

The GMA directs the Department of Commerce (Commerce) to establish a technical and financial assistance program for local governments to support GMA implementation. RCW 36.70A.050 directs Commerce to adopt guidelines for the classification of agricultural, forest, and mineral resource lands, and critical areas. These guidelines are codified in Washington Administrative Code (WAC), under Chapter 365-190 WAC.

RCW 36.70A.190 directs Commerce to adopt by rule “procedural criteria” to help counties and cities create comprehensive plans and development regulations that meet GMA goals and requirements. These rules are codified in Chapter 365-196 WAC. Section 14 of [E2SHB 1110](#), adopted in the 2023 legislative session, authorizes Commerce to establish by rule standards and procedures necessary to implement new housing requirements under the GMA.

The role of GMA rules

The rules advise local governments on how to comply with the GMA. The Growth Management Hearings Board (GMHB) must consider these rules when interpreting the GMA and determining compliance with the statute. Local governments must consider the minimum guidelines in Chapter 365-190 WAC when designating critical areas and resource lands. Local governments may use the procedural criteria in Chapter 365-196 WAC to guide their implementation of the GMA. The primary audiences for the rules are local governments with statutory obligations under the GMA, members of the public, state agencies, the GMHB, Courts, Tribes, or other public entities who participate in the local planning process.

Project background and scope

Commerce is preparing to update administrative rules in Chapter 365-196 WAC to reflect new legislation on housing, permitting, development regulations, urban growth areas, and rural development. Rulemaking will reflect new statutory requirements to support planning for urban growth areas, residential infill, a variety of housing types, and considerations of racially disparate impacts, displacement, and exclusion in local housing policies.

Over the last five years the Legislature passed a variety of housing bills to address the underproduction of housing, streamline the local permitting process, and to require an enhanced approach to planning for housing in local comprehensive plans. The bills create new roles for Commerce as we work with local governments to support the periodic update of local comprehensive plans and development regulations required by RCW 36.70A.130.

[E2SHB 1220](#) and [E2SHB 1110](#), in particular, significantly change the manner in which local governments must plan for housing under the GMA and expands Commerce's role in those planning efforts. Local governments must plan for increased densities and a wider variety of housing types. They must also establish new anti-displacement policies that consider equitable development, investments in affordable housing, and preservation of historical and cultural communities. These are important steps in addressing systemic racism and unjust governmental policies related to housing, economics and infrastructure.

Commerce is also considering recent statutory changes to planning requirements for urban growth areas and rural development as part of this project because these changes have a direct relationship to housing issues, and it will allow for a more holistic review of the WAC. Commerce will consider changes to Chapter 365-196 WAC, and may consider developing new sections in this chapter to improve ease of use of the WAC. The scope of this project is limited to recent GMA legislation. Commerce will undertake a separate rulemaking process to address new requirements to plan for climate change in [E2SHB 1181](#).

Legislation considered in rulemaking

Bills Included in WAC Update	Bill Title	Legislative Session
ESHB 1042	Concerning the use of existing buildings for residential purposes.	2023-24
E2SHB 1110	Increasing middle housing in areas traditionally dedicated to single-family detached housing.	2023-24
E2SHB 1220	Supporting emergency shelters and housing through local planning and development regulations.	2021-22
ESHB 1293	Streamlining development regulations.	2023-24
SHB 1326	Waiving municipal utility connection charges for certain properties.	2023-24
EHB 1337	Expanding housing options by easing barriers to the construction and use of accessory dwelling units.	2023-24
SHB 1377	Concerning affordable housing development on religious organization property.	2019-20
HB 1695	Defining affordable housing for purposes of using surplus public property for public benefit.	2023-24
E2SHB 1923	Increasing urban residential building capacity.	2019-20
SB 5042	Concerning the effective date of certain actions taken under the growth management act.	2021-22
E2SSB 5258	Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.	2023-24
2ESSB 5275	Enhancing opportunity in limited areas of more intense rural development.	2021-22
2SSB 5290	Concerning consolidating local permit review processes.	2023-24
2E2ESSB 5536	Concerning controlled substances, counterfeit substances, and legend drug possession and treatment.	2023-24
ESSB 5593	Concerning urban growth area boundaries.	2021-22
SSB 5818	Promoting housing construction in cities through amendments to and limiting appeals under the state environmental policy act and growth management act.	2021-22
ESSB 6617	Concerning accessory dwelling unit regulation.	2019-20

You can find a summary of the bills on our website: [Summary of Growth Management Act Amendments: 1995-2023](#)

Commerce will release a preliminary draft of proposed changes to the administrative rules for public review and comment in November, 2023. We will consider changes based on the feedback provided, and will host a public hearing on proposed amendments to the WAC in the spring of 2024. Commerce may address statutory changes adopted in the 2024 legislative session as part of this project if those changes relate to the subject of this rulemaking effort. A more detailed schedule is available here: [GMA Housing Rulemaking Schedule.pdf \(wa.gov\)](#)

For additional information, please sign up for project updates on our contact list:

[Housing Rulemaking Contact List \(smartsheet.com\)](#)