

City/County UGA Expansion Criteria
Discussion Paper

Prepared For:

Skagit Council of Governments
Technical Committee

April 2006

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Executive Summary

The overall goal of the UGA Expansion Criteria project is to define meaningful UGA expansion criteria in a transparent and reasonably easy-to-understand format that all jurisdictions in Skagit County can effectively implement.

This discussion paper compares and contrasts UGA expansion procedures and criteria for several GMA counties in Washington. Its intent is to identify the relative range of procedures and criteria used by selected non-buildable lands and buildable lands counties to expand urban growth boundaries in compliance with the GMA.

The analysis indicates that everybody does it differently. Even with state-mandated planning!

- Some jurisdictions regulate the timing of when UGA expansions are allowed. Some don't.
- Some utilize urban reserve designations to facilitate the orderly future expansion of UGAs. Some don't.
- Some require UGA expansions to be accomplished through a subarea planning process. Some don't.
- Some require joint city/county planning for expansion. Some don't.
- Some require "triggers" or certain levels of urban land consumption to be met before a UGA may be expanded. Some don't.

Skagit County has in place the procedural framework and policy direction to support UGA designation and to support implementation of subarea planning, for example, which may be one means by which to implement more meaningful UGA expansion criteria. However, the challenge here is to try and glean what (if any) particular parts from each of these other counties' approaches to managing UGA expansions best fits Skagit County and its cities.

What the other counties surveyed all do share in common (at least on paper) that could be especially beneficial to Skagit County is:

- Determination of common requirements among jurisdiction's for analyzing existing development capacity within UGAs;
- Demonstrating the ability to provide urban public facilities and services to UGAs in a timely manner; and
- Joint city/county review of proposed UGA expansions prior to county adoption.

GMA Requirements

The requirements for designation of UGAs are found in RCW 36.70A.110. The statute spells out the planning, procedures and criteria required for initial adoption of UGA boundaries. The statute directs the county to designate UGAs in consultation with its cities. The basic tenet of the statute is that UGAs are to be sized consistent with the need to accommodate the 20-year population and employment growth forecast agreed upon by the county and the cities for each UGA and that each UGA can be provided with an adequate level of urban services.

According to RCW 36.70A.130, subsequent UGA boundary modifications can occur no less than once a year and each UGA must be comprehensively reviewed and evaluated by its jurisdiction no more than every seven years. RCW 36.70A.130(3) identifies the planning and procedural requirements for local governments to continually review and evaluate their comprehensive plans. That statute speaks specifically to the required planning and procedures for UGA expansions.¹ RCW 36.70A.130(4) stipulates the “...*schedule for counties and cities to take action to review and, if needed, revise their comprehensive plans...*”. That schedule requires the mandatory review and evaluation to occur “...*on or before December 1, 2005 and every seven years thereafter...*” for jurisdictions in Skagit County.

All UGA expansions or actions taken to amend UGA boundaries must be consistent with both the .110 and .130 sections of the GMA, as applicable.

Growth Management Hearings Boards (hereafter Boards) have also further clarified the statutory requirements for what actions local governments must take in planning for UGA modifications. The Boards have ruled that in sizing or amending a UGA that a county must explicitly “*show its work*” in justifying the UGA modification consistent with the GMA and make that work available to the public so that the public can review and provide comment on the “work” and the proposed UGA modification. The “work” typically includes:

¹ RCW 36.70A.130(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, at least every ten years, its designated urban growth area(s), and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

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

- 1) analysis to indicate the need for the modification (e.g., a shortage of land inside the UGA to accommodate the forecast need, justification of the proposed boundary change as a “map error”, etc.)
- 2) analysis that demonstrates how an adequate level of urban services and public facilities can be maintained; and
- 3) analysis demonstrating how the proposed UGA modification otherwise meets the locational and sizing requirements of RCW 36.70A.110 and/or the review and evaluation requirements of RCW 36.70A.130.

More heavily populated urban counties in the state are subject to the requirements of RCW 36.70A.215, the so-called “buildable lands” statute. This statute clearly identifies additional growth monitoring procedures, land capacity analysis, and other actions required of counties (including consideration of “reasonable measures” to accommodate additional population within existing UGAs) before they can expand UGAs.

UGA Expansion Procedures

Different counties utilize different procedures for amending UGA boundaries. Following is a discussion of how eight selected counties planning under GMA undertake UGA expansions. The eight counties surveyed include:

1. Skagit County
2. Whatcom County
3. Spokane County
4. Thurston County
5. Snohomish County
6. Kitsap County
7. Pierce County
8. Clark County

This analysis will focus on both *procedural* and *substantive* requirements for amending UGA boundaries within the respective jurisdictions, to the extent applicable.

Skagit County

Skagit County and its cities adopted a “Framework Agreement” in 2002 that spells out the *procedural* requirements by which Countywide Planning Policies (CPPs) and other GMA-related intergovernmental coordination actions are developed and adopted. The Framework Agreement established a GMA Committee comprised of a Steering Committee (elected officials) supported by a Technical Advisory Committee (planning staff from the county and the cities).

The Steering Committee is comprised of elected officials from each city and the county. The Framework Agreement specifies that the “*Steering Committee shall develop*

recommendations for CPPs, including UGAs and residential, commercial and industrial allocations...”. The Steering Committee is specifically given the power in the Framework Agreement “to recommend...proposed planning policies, including UGA boundary or allocation adjustments as developed by the Steering Committee”. The Agreement also speaks directly as to how decisions are to be made regarding UGAs:

“Policy decisions concerning the alteration of any UGA boundary, or proposed change to any municipal UGA population or commercial/industrial allocation, shall not take effect until also ratified by both the City whose UGA is affected by the proposed change, and the County. The City whose UGA is affected by the proposed change, or the County, has the discretion to decline to ratify the proposed change, in which event the proposed change shall not take effect. “

Procedural requirements for amendments to the Skagit County Comprehensive Plan/Zoning Map are found in Skagit County Code (SCC) 14.08. These procedural requirements are the same as for general map amendment proposals, with the exception of SCC 14.08.020(2)(b), which establishes an earlier submittal deadline for UGA amendment proposals to allow time for referral to the appropriate city or town for a recommendation.

Substantive requirements for UGA boundary changes are found in the CPPs, the Skagit County Comprehensive Plan (CP), and Skagit County Code. The CPP requirements specify the official twenty-year population and employment forecasts for each UGA but otherwise closely mirror the statutory language regarding compliance with the .110 provisions regarding UGA designation and siting criteria. The Comprehensive Plan contains the following specific requirement for UGA boundary changes (CP, p. 2-8), which mirrors the language of Skagit County Code 14.08.020(5)(b):

Urban Growth Area boundary changes shall be supported by and dependant [sic] on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands and the presence of critical areas.

CP policies 4A-1.1 through 4A-1.9 establish criteria for the original designation of Urban Growth Areas, and have been used by the County for evaluating proposed changes to UGA boundaries, although they are not specifically identified for that purpose.

There are, however, no more specific criteria that proposed UGA amendment applications must meet in order to determine compliance with the above-referenced Comprehensive Plan requirement, found also in SCC 14.08.020(5)(b). Nor is there any additional guidance provided as to timing of proposed UGA boundary changes, especially in relation to their required review by the GMA Steering Committee under the

Framework Agreement. Skagit County is not subject to the buildable lands provisions of the GMA (RCW 36.70A.215).

As the county and the cities began their first cycle of comprehensive plan review and evaluation processes in 2004-2005, required by the .130 statute, several cities proposed UGA boundary changes, including both expansions and contractions. During this time, two earlier 2003 City of Mount Vernon UGA boundary expansions into unincorporated agricultural resource designated land for commercial purposes were ruled non-compliant by the Western Washington Growth Management Hearings Board. It was at this point that the county realized that more effective criteria by which to evaluate proposed UGA modifications were needed to demonstrate compliance with the .110 and .130 portions of the GMA, with its own code requirement at SCC 14.08.020(5)(b), and to avoid future appeals.

Skagit County's approach to UGA expansion is typical among rural counties in Washington in that it allows for significant discretion in the decision-making process but less predictability from a development management standpoint. This approach typically works well in low growth environments but is less efficient when urban growth pressures are high. Urban counties subject to more intense urban growth pressures, on the other hand, are much more likely to adopt prescriptive requirements establishing strict criteria for approval and timing of UGA modification proposals.

Discussion with county staff and city planning staff in Mount Vernon, Burlington and Sedro-Woolley indicated a number of challenges to the current UGA expansion process.

The existing UGA expansion process appears to be *ad hoc*, lacking specific "criteria" for both the cities and the county to determine, much less carry out, their roles. This creates uncertainty about how jurisdictions should go about planning for UGA expansions and certainly leads to unpredictability in ascertaining the probable outcomes of such proposals. There was general agreement that better defined planning roles for the county and the cities are needed.

UGA expansion issues include procedural requirements as well as substantive requirements (e.g., GMA compliance, land capacity analysis, alternatives to UGA expansion, accommodation of commercial vs. residential land needs, etc.). Other issues included adjusting for irregularities in UGA boundaries, the frequency of UGA expansions (e.g., why allow annual changes to what are supposed to be 20-year UGA boundaries?), annexations of existing unincorporated portions of city UGAs in light of proposed new UGA expansion, and collaborative joint city/county planning for UGA expansions.

Many cities and towns in the county have unincorporated Agricultural or Forest Resource designated lands abutting their current UGA boundaries. This creates an inherent conflict between the GMA obligation to accommodate urban growth while conserving productive agricultural and forest lands. From the UGA standpoint, it presents challenges to accommodating the 20-year (and beyond) population and employment growth allocations. It also raises issues about UGA buffers or "holding zones" for future long-

term UGA expansion, accommodating essential public facilities (e.g., roads, schools, etc.), and consideration of “reasonable measures” (other than UGA expansion into resource lands) to accommodate forecast urban growth. From a resource lands perspective, it raises the issue of local discretion under the GMA to designate/de-designate resource lands (e.g., are some resource lands more “significant” or commercially viable than others?), and the potential role of transfer of development rights (TDRs) and purchase of development rights (PDRs) in conserving resource lands.

Whatcom County

Similar to Skagit County, Whatcom County is a non-buildable lands county. Whatcom also has a similar rate of urban growth compared to Skagit County and similar number of cities involved in UGA planning.

Its CPPs also identify guidance for UGA designation that generally mirror the statutory requirements of RCW 36.70A.110. There are no “timing” restrictions on when UGA modification proposals may be considered beyond the statutory limitation identified in RCW 36.70A.130. Whatcom County CPP C.3b. does state that:

“The County and Cities shall develop a consistent approach to calculating the land supply needed within an urban growth area. This approach shall consider limitations imposed by critical area regulations, infrastructure needs, open space, existing uses, local market factors and the ability of the jurisdiction to provide services. It is recognized that the above limitations may vary by jurisdiction, but the method for applying them shall be consistent...”

Whatcom County, though not specifically indicated in the CPPs, typically utilizes subarea plans as the process by which unincorporated UGAs are expanded. The CPPs also include guidance regarding “orderly annexation” of unincorporated portions of municipal UGAs.

Spokane County

Spokane County is a non-buildable lands county and is not subject to the provisions of RCW 36.70A.215.

Spokane County also experiences a significantly greater rate of urban growth than Skagit County but has about the same number of incorporated cities involved in UGA planning.

Spokane County has a Growth Management Steering Committee comprised of county and city elected officials that work to adopt and implement the countywide planning policies. The Spokane County CPPs establish a series of procedural and substantive policies guiding UGA designation and subsequent amendments to those designations. These policies are similar to other counties as they pertain to the factors to be considered in UGA designation and coordinated decision-making with affected jurisdictions.

Several are highlighted below for informational purposes.

Policy Topic 1 (Urban Growth Areas)

4. *Each jurisdiction shall submit UGA boundaries and/or revisions to the existing UGA to the Steering Committee, including:
 - a. *Justification in the form of its land capacity analysis and the ability to provide urban governmental services and public facilities;*
 - b. *The amount of population growth which could be accommodated and the analytical basis by which this growth figure was derived; and*
 - c. *How much unincorporated land is required to accommodate growth, including maps indicating the additional areas.**
5. *The Steering Committee shall analyze each jurisdiction's proposed UGA through the use of a multi-jurisdictional planning team and make recommendations to the Board of County Commissioners for UGA adoption or revision.*
7. *...To Propose an urban growth area designation outside of their existing city limits, municipalities must provide a full range of urban governmental services based on each municipality's capital facilities element of their comprehensive plan.*
8. *Jurisdictions shall provide for new commercial/industrial land uses within UGAs based on methodologies or criteria established by the Steering Committee in cooperation with the Spokane area business community and in conjunction with a citizen participation process.*

Thurston County

Thurston County is a buildable lands county subject to the provisions of RCW 36.70A.215. Thurston County has a similar number of cities involved in UGA planning but has a higher rate of urban growth compared to Skagit County.

Intergovernmental coordination on GMA-related matters is accomplished through the Urban Growth Management Committee of the Thurston Regional Planning Council (TRPC). The TRPC is a long-standing regional coordination body comprised of elected officials from the county and the cities. It also has a dedicated planning staff that performs many GMA-related long-range planning functions, including population and employment growth allocations, GIS mapping, transportation modeling, and land capacity analyses on behalf of its member jurisdictions.

Thurston County CPP 1.1 and 1.2 outline both the substantive and procedural requirements for UGA designation:

- 1.1 *Designate urban growth area boundaries that meet the following criteria:*
- a. *Contain areas characterized by urban growth,*
 - b. *Are served by or are planned to be served by municipal utilities,*
 - c. *Contain vacant land near existing urban areas that is capable of supporting urban development,*
 - d. *Are compatible with the use of designated resource lands and critical areas,*
 - e. *Follow logical boundaries,*
 - f. *Consider citizen preferences, and*
 - g. *Are of sufficient area and densities to permit the urban growth that is projected to occur in the succeeding twenty-year period.*
- 1.2 *Designate and amend urban growth boundaries through the following process:*
- a. *Cities and towns will confer with the county about boundary location or amendment,*
 - b. *Proposed boundaries are presented to the Urban Growth Management Subcommittee of [TRPC], which makes a recommendation directly to the Board of County Commissioners,*
 - c. *Following a public hearing, the Board of County Commissioners designates the boundaries and justifies its decision in writing,*
 - d. *Cities and towns not in agreement with the boundary designation may request mediation through the State Department of Community Development (now CTED) [or appeal to the Western Washington Growth Management Hearings Board], and*
 - e. *At least every 10 years, growth boundaries will be revised based on updated 20-year population projections.*

Thurston County’s CPPs also **require** joint city/county subarea plans for unincorporated portions of municipal UGAs. The CPPs include minimal guidance regarding annexations to accomplish the orderly transfer of contiguous lands within UGAs into adjoining cities and towns.

Snohomish County

Snohomish County is a buildable lands county subject to the provisions of RCW 36.70A.215. It also experiences a significantly greater rate of urban growth than Skagit County and has more cities involved in UGA planning.

Intergovernmental coordination on GMA-related matters is accomplished through Snohomish County Tomorrow (SCT) Steering Committee, the joint county/cities growth management coordinating agency. SCT is comprised of elected officials from the county and the cities. SCT amended the Snohomish County CPPs to make clear the process and criteria required for UGA boundary expansions in order to implement a more effective development management system. Those criteria are incorporated in the context of the county’s buildable lands review and evaluation program. One of the most interesting

aspects of Snohomish’s approach is the requirement that at least 50% of the allocated 20-year population growth for any particular UGA must have been achieved before expansion is allowed (although there are many exceptions to this requirement).

SCT adopted some of the most prescriptive UGA expansion criteria of any county in the state. UGAs may be expanded only under the auspices of CPP UG-14d. This policy requires that no individual UGA boundary may be expanded unless:

- *it meets the requirements of RCW 36.70A.110;*
- *is supported by a land capacity analysis adopted by the county;*
- *includes consultation with appropriate jurisdictions in the UGA (City); and*
- *one of the following **ten** conditions are met*
 1. *The expansion is the result of the most recent buildable lands review and evaluation required by RCW 36.70A.215.*
 2. *The expansion is the result of the review of UGAs at least every ten years to accommodate the succeeding twenty years of projected growth, as required by RCW 36.70A.130(3).*
 3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land.*
 - (a) *Population growth within the UGA (city plus unincorporated UGA combined) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period, as documented in the most recent... Buildable Lands or Growth Monitoring Report.*
 - (b) *An updated residential land capacity analysis conducted by the city and county staff for the UGA confirms the accuracy of the above finding using more recent residential capacity estimates and assumptions, and any new information presented at public hearings by any jurisdiction that confirms or revises the conclusions is considered.*
 4. *For expansion of the boundary of an individual UGA to include additional commercial and industrial land, the county and the city or cities within that UGA document that commercial or industrial land consumption within the UGA (city plus unincorporated UGA combined) since the start of the twenty-year planning period, equals or exceeds fifty percent of the developable commercial or industrial land supply within the UGA at the start of the planning period. In UGAs where this threshold has not yet been reached, the boundary of an individual UGA may be expanded to include additional commercial or industrial land if the*

expansion is based on an assessment that concludes there is a deficiency of larger parcels within that UGA to accommodate the remaining commercial or industrial growth projected for that UGA. Other parcel characteristics determined to be relevant to the assessment of the adequacy of the remaining commercial or industrial land base, as documented in the most recent... Buildable Lands or Growth Monitoring Report..., as they may be confirmed or revised based upon any new information presented at public hearings, may also be considered as a basis for expansion of the boundary of an individual UGA to include additional commercial or industrial land.

5. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest Lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term commercial significance.*
6. *The expansion is necessary to make technical corrections to a UGA boundary to be more consistent with [the CPP] that requires a UGA to have identifiable physical boundaries such as natural features, roads, or special purpose districts, where feasible. Provided that expansions shall not increase total residential or employment capacity of an individual UGA, as reported in the most recent SCT Growth Monitoring Report, by more than 0.5% in any given year.*
7. *The expansion will allow the development of 1) a church, or 2) a school, K-12, including public, private and parochial, provided that the expansion area is adjacent to an existing UGA and will be designated and zoned exclusively for that use and will not add any residential, commercial or industrial capacity to the affected UGA.*
8. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archaeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
9. *The expansion is a response to a declaration [by the County] of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*

10. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent SCT Growth Monitoring Report in the year of expansion.

Snohomish County also utilizes subarea plans as a tool to conduct joint city/county planning for unincorporated UGA expansions.

The Snohomish County approach to managing UGA expansions explicitly identifies all possible UGA expansion rationale and the criteria that must be met to fulfill the particular rationale. This approach makes clear to all parties involved in potential UGA expansions what the expectations are for approval of such proposals. From a development management perspective, this instills a relatively high degree of predictability to the UGA expansion planning process. But it also requires a relatively high degree of sophistication in their development management system. For example, not only are buildable lands analyses required every five years for all cities and the county but annual growth monitoring reports are also required to track individual UGA capacity. Such a system requires a significant commitment of staff and resources to complete and manage this work on an on-going basis.

There could be benefit to Skagit County and its cities from more closely evaluating some of the Snohomish County criteria for UGA expansions (e.g., expansions exclusively for schools, use of TDRs, re-designation of adjacent resource lands prior to UGA expansion, etc.) since some of those issues are now present in Skagit County.

Kitsap County

Kitsap County is a buildable lands county subject to the provisions of RCW 36.70A.215.

Kitsap also experiences a significantly greater rate of urban growth than Skagit County but has fewer incorporated cities.

Intergovernmental coordination on GMA-related matters is accomplished through the Kitsap Regional Coordinating Council (KRCC), the joint county/cities growth management coordinating agency. KRCC is comprised of elected officials from the county and the cities. KRCC adopted CPPs pertaining to implementation of its buildable lands program as well as specific criteria for UGA modifications. In general, the criteria specified for UGA modifications are more specific than those presently adopted in Skagit or Whatcom counties but less prescriptive than those adopted by Snohomish County.

Kitsap County CPP “B.1” identifies how the county and the cities will meet the buildable lands requirements of RCW 36.70A.215, insofar as they pertain to UGAs.²

Kitsap County CPP”B.2”, below, identifies the criteria for individual UGA modifications.

B.2 Process and criteria for establishing, expanding, and adjusting Urban Growth Areas in Kitsap County:

- a. Urban Growth Areas are areas ‘within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature’ (RCW 36.70A.110(1)), except under specific circumstances, as fully contained communities and master planned resorts as authorized by the [GMA].*
- b. Unincorporated UGAs should be associated with an existing or future city.*
- c. All UGAs shall be reflected in County and respective City comprehensive plans.*
- d. Sufficient area must be included in the UGAs to accommodate the adopted 20-year population distribution as adopted by the [KRCC] and consistent with [OFM] projections.*
- e. A jurisdiction may define growth tiers within its UGA [RCW 36.70A.110(3)] to focus public and/or private investment where growth is desired. Utility development and/or expansion may be phased to support efficient and cost-effective growth and to prioritize investments.*

² B.1 Urban Growth Areas—Land Capacity Analysis Program:

Consistent with RCW 36.70A.215, the County and Cities shall ensure that taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their housing and employment growth (derived from population distribution), as adopted in the applicable Countywide Planning Policies and consistent with the 20-year population forecast from [OFM].

- a. The County and the Cities shall maintain a Land Capacity Analysis Program to monitor land supply and trends for residential, commercial, and industrial lands to determine the success of implementation of their respective comprehensive plans. This Program is intended to fulfill the State requirement for a Buildable Lands Program.*
- b. The County and the Cities shall participate in the Land Capacity Analysis using a consistent methodology for review and evaluation.*
- c. The County and the Cities shall develop strategies from the Land Capacity Analysis to efficiently use the available capacity of residential, commercial and industrial uses within UGAs, reducing the need to expand the urban growth boundaries.*
- d. The County and Cities shall establish procedures for resolving inconsistencies in collection and analysis of Land Capacity data. In the event a resolution cannot be achieved, the [KRCC] shall be a forum to review and if possible facilitate any disputes between parties.*

- f. *The County, City, or interested citizens may initiate an amendment to an existing UGA through the comprehensive plan amendment process as authorized by the [GMA].*
- g. *Any jurisdiction seeking to expand its UGA shall achieve densities consistent with the GMA, as interpreted by the Growth Management Hearings Board, and the City's adopted Comprehensive Plan and any inter-local agreement between the City and the County.*
- h. *If an adopted or proposed 20-year projected population distribution may require expansion of its UGA, the respective jurisdiction shall conduct planning and analysis, addressing the following conditions:*
 - (i) *Update and confirm the capacity analysis for land within the existing UGA for residential, commercial, and/or industrial lands, which takes into account all development approved within the overall UGA since the last UGA expansion. This shall be based upon the Buildable Lands Report and future Land Capacity Analyses that follow the guidelines of RCW 36.70A.215, or other analysis determined appropriate for the particular UGA involved. To maximize consistency across jurisdictions, each jurisdiction shall use consistent methodology in calculating capacity.*
 - (ii) *Review the planning and zoning regulations and any incentive programs in place to determine expected densities in the existing UGA consistent with the GMA, as interpreted by the Growth Management Hearings Board, and the jurisdiction's adopted Comprehensive Plan.*
 - (iii) *Data collection and analysis for the capacity analysis should be done cooperatively. The County will be responsible for data describing the unincorporated portion of the UGA, and the City for the incorporated portion.*
- i. *Expansion of UGAs shall direct growth first to areas already characterized by urban growth that have adequate existing public facility and service capabilities to serve development; second to areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided; and third to areas that are adjacent to incorporated cities or established UGAs once the available land meeting the first or second priority has been designated. Areas which have existing public facilities or where public facilities can be reasonably extended and are not currently at urban densities should be considered first within this category.*
- j. *A jurisdiction, as part of its Comprehensive Plan amendments or Subarea Plan process, that proposes an expansion of the UGA shall prepare or update a comparison of potential areas for expansion, including:*

- (i) *Planning and zoning regulations currently in place.*
- (ii) *An evaluation of how a full range of urban-level infrastructure and services would be provided within potential expansion areas, including appropriate capital facility analysis:*

- *Fire*
- *Police*
- *Transportation*
- *Utilities*
- *EMS*
- *Stormwater*
- *Potable Water*
- *Sanitary Sewer*
- *Solid Waste*
- *Parks and Recreation*
- *Schools*

All service providers including special districts and adjacent jurisdictions should be included in the evaluation. Best available infrastructure technology may be used provided that it has been approved by the jurisdiction as part of a broader review of available technology.

- k. *The City and County shall conduct early and continuous public involvement when establishing, expanding, or adjusting UGAs, and shall do so jointly when appropriate. Residents of unincorporated areas should be consulted and actively involved in the process affecting them.*

The Kitsap County CP specifically identifies joint county/city subarea planning as the means by which to implement unincorporated UGA expansions.

Of particular benefit to Skagit County may be Kitsap’s approach to specifying land capacity analysis requirements, capital facility planning for UGA expansions, and, in particular, packaging the overall UGA expansion analysis in a subarea planning process that is also required to examine alternatives to UGA expansion. The “alternatives” could include different geographic areas of potential expansion as well as consideration of “reasonable measures” that could be implemented to accommodate the anticipated growth without having to expand the UGA. The subarea planning approach to UGA expansion also requires additional time, resources, and intergovernmental coordination.

Pierce County

Pierce County is a buildable lands county subject to the provisions of RCW 36.70A.215.

Pierce County also experiences a significantly greater rate of urban growth than Skagit County and has more incorporated cities involved in UGA planning.

Intergovernmental coordination on GMA-related matters is accomplished through the Growth Management Coordinating Committee (GMCC) of the Pierce County Regional Council. The GMCC is comprised of elected officials from the county and the cities.

The Pierce County CPPs establish a series of procedural and substantive policies guiding UGA designation and subsequent amendments to those designations. These policies are similar to other counties, including Skagit, as they pertain to the factors to be considered in UGA designation and coordinated decision-making with affected jurisdictions.

The unique aspect of Pierce County, however, is that its Comprehensive Plan is codified and also includes codified criteria for the expansion of UGAs. The County also utilizes the “urban reserve” designation as a tool to identify and designate areas immediately adjacent to existing UGAs for future UGA expansion. It also indicates specific location and classification criteria for urban reserve lands and criteria for conversion of those lands to UGAs. The UGA expansion criteria are, again, based on compliance with the buildable lands requirements of GMA.

Pierce County Comprehensive Plan, Land Use Element (PCC, Chapter 19A.30):

Section 19A.30.010 (G). LU-UGA Objective 6. Provide criteria and priorities for the expansion of urban growth areas.

1. *Expansions of [UGAs] shall be approved by the [County] through a Comprehensive Plan amendment...only if the following criteria are met:*
 - a. *Residential land capacity within all urban growth areas is evaluated and the need for additional residential land capacity is clearly demonstrated. The results of the Buildable Lands Report required pursuant to RCW 36.70A.215 should indicate any county-wide urban land deficiency.*
 - b. *The supply of land available for employment growth is evaluated and the need for additional commercial/industrial land outside urban growth areas is clearly demonstrated.*
 - c. *The observed development densities are consistent with the density assumptions as documented in the most recent Buildable Lands Report as required by RCW 36.70A.215. If the Buildable Lands Report identifies an inconsistency between the observed and densities, the jurisdiction shall either (1) demonstrate reasonable measures were adopted to rectify the inconsistency, or (2) document updated development data that indicates consistency. If a jurisdiction adopted reasonable measures, documentation shall be submitted that summarizes the monitoring results of the effectiveness of the measures in rectifying density inconsistencies.*
 - d. *Documentation that adequate public facilities and services can be provided within the twenty-year planning horizon is provided.*
2. *The following priorities for expanding 20-year UGA boundaries shall be considered during the Plan amendment process:*
 - a. *All reserve lands adjoining the UGA boundary should be amended into the UGA prior to consideration of [other rural] lands except when the amended area is being reclassified to [commercial or industrial use].*

- b. *Rural Centers [LAMIRDs] may be amended into a UGA when adjacent to Reserve lands being amended into the UGA at the same time.*
- c. *As Reserve lands are amended into the UGA, the County should consider reclassifying other rural lands to Reserve designations to replenish the supply.*

The Pierce County CPPs also **require** joint city/county subarea plans for unincorporated portions of municipal UGAs and establish criteria for the development of such subarea plans. They also identify specific criteria regarding the provision of public facilities and services to and within UGAs.

Clark County

Clark County is a buildable lands county subject to the provisions of RCW 36.70A.215.

Clark County experiences a significantly greater rate of urban growth than Skagit County but has about the same number of incorporated cities involved in UGA planning.

The Clark County CPPs establish basic policies regarding development of comprehensive plans consistent with the requirements of RCW 36.70A.210. Being a buildable lands county, those CPPs include provisions outlining the requirements with RCW 36.70A.215, including that, at a minimum, the county and cities shall review their designated urban growth areas at least every five years.

The CPPs also include intergovernmental cooperation provisions for establishing a Partnership Planning Subcommittee. The Subcommittee facilitates an ongoing coordination program between the county and the cities regarding urban growth areas to participate, review and comment on the proposed plans and implementing regulations of one another as well as joint participation in other UGA planning-related activities.

Clark County's comprehensive plan amendment procedures are codified and contain specific criteria for UGA boundary map changes. Clark County's criteria for UGA expansions are the most forceful of any county reviewed as part of this analysis. Again, from a development management standpoint, they instill a great degree of predictability and stability to urban growth management (but less discretion to local government to alter UGA boundaries). Like Pierce County, Clark County utilizes urban reserve land use designations immediately adjacent to existing UGA boundaries. The urban reserve designated areas (with a 10 acre minimum lot size requirement) are intended for future urban residential and commercial development beyond the initial 20-year forecast need. Clark County also requires that at least 75% of the residential or commercial land capacity within a particular UGA be utilized (with limited exceptions) prior to a UGA expansion to accommodate more land (compared to 50 % in Snohomish County). It goes even further in restricting the timing of UGA expansions to occur only during a periodic review and update to the county comprehensive plan (i.e., a minimum of every five years). It also stipulates that the only UGA expansions to be considered will be those initiated (sponsored) by the county—not solely by private citizens or other agencies.

Finally it includes provisions for requiring covenants to facilitate subsequent annexation of newly expanded unincorporated UGA lands by cities.

The UGA boundary amendment criteria are found at CCC Section 40.560.010(L):

Additional Required Criteria Specific to Urban Growth Area (UGA) Boundary Map Changes.

1. (...)
2. *To allow for a comprehensive review and assessment of cumulative impacts, all UGA boundary review proposals shall be initiated by the county as part of a periodic review and update of the plan.*
3. *The county may change adopted UGA boundaries only when lands designated within such boundaries have been developed as follows:*
 - a. *A UGA expansion of residential or commercial lands may occur only if seventy-five percent (75%) or more of the respective residential or commercial vacant and buildable land base originally designated within the incorporated and unincorporated areas of the particular UGA at the time of the last sub-allocation, including additions through any subsequent expansion, has been consumed through development; or*
 - b. *A UGA expansion of industrial lands may occur if fifty percent (50%) or more of the vacant and buildable prime industrial land base originally designated within the incorporated and unincorporated areas of the particular UGA at the time of the last sub-allocation, including additions through any subsequent expansion, has been consumed through development; or*
 - c. *A UGA expansion of commercial lands otherwise not consistent with the standards of this subsection may be included as part of a larger addition of residential lands consistent with this subsection; provided, that the commercial lands are necessary to serve and fully integrated with the residential addition.*
 - d. *The board of county commissioners may waive the criteria in (a) or (b) above upon finding that:*
 - 1) *The request has been formally reviewed and endorsed by the impacted municipality; and*
 - 2) *The inability to reach the seventy-five (75%) threshold is accounted for by a small number of parcels within the UGA which account for a significant portion of remaining buildable lands and for which it can be clearly demonstrated that they will not develop in the planning horizon of the existing boundary.*

4. *Any expansion to the UGA shall be accompanied by a demonstration that necessary urban services can and will be provided within ten (10) years' time...*
5. *The extent of a UGA boundary expansion shall be that necessary to provide a minimum ten (10) and a maximum twenty (20) year supply of vacant and buildable lands within the UGA...*
6. *Lands brought into the UGA through expansion shall carry an urban holding overlay zoning designation unless the following circumstances exist:*
 - a. *A full range of urban services are immediately available , or planned for within a six (6) year period, with funding sources established; and*
 - b. *In cases of non-industrial lands, annexation or incorporation occurs if immediately feasible geographically, or a covenant relative to annexation is executed.*
7. *In evaluating potential changes to a particular UGA boundary, the county shall consider countywide implications for other UGAs and their [population and employment] sub-allocations.*
8. *The amendment shall address [...the county's adopted growth management indicators...and performance measures...]*
9. *The amendment does not include lands that are designated as natural resource (agricultural, forest, mineral resource) unless such lands are also designated with an urban reserve...overlay.*
10. *The amendment only indicates lands within the urban reserve area.*
11. *(...exceptions...for technical mapping errors and remand orders from the Growth Management Hearings Board...)*
12. *The county shall exercise its best efforts to coordinate UGA boundary change proposals with the affected city(ies), including the preparation of joint staff recommendations where possible. Unless waived by the affected city(ies), such city(ies) shall be given at least sixty (60) days notice of the proposal prior to a county hearing thereon.*

Clark County's provisions for allowing designated agricultural resource lands to be designated as urban reserve areas (and included within UGAs as urban holding zones) was challenged and upheld by the Western Board.

Next Steps

This paper provides a broad review of alternative approaches to UGA expansion under the GMA. The SCOG Technical Committee (city and county planners) will continue to

meet and discuss UGA expansion issues and evaluate whether some of these alternative approaches might work in Skagit County.