

**UGA Modification Criteria
As Approved by the Growth Management Act Steering
Committee and Recommended for Adoption by
Skagit County as Amendments to the
Countywide Planning Policies**

June 27, 2007

Recommended Amendments to the Countywide Planning Policies

Proposed new CPPs are in underline format.

- 1.9 To allow for a comprehensive review and assessment of cumulative impacts, all UGA boundary review proposals shall be considered once every seven (7) years, beginning in the year immediately following completion of the county's GMA-required seven (7) year review and update of the plan, except where boundary adjustments may be allowed more frequently by CPP 1.10.
- 1.10 The county may change adopted UGA boundaries more frequently than the once every seven (7) year cycle required in CPP 1.9 **only** when one or more of the following conditions are met:
1. The boundary adjustment is necessary to make minor technical corrections to a UGA boundary due to a mapping error or to be more consistent with identifiable physical boundaries such as natural features, roads, or special purpose districts. Minor boundary adjustments shall not increase the buildable land development capacity by more than 1 percent within the affected UGA.
 2. The boundary adjustment is the result of an emergency comprehensive plan amendment by the affected jurisdiction in accordance with RCW 36.70A.130(2)(b).
 3. The boundary adjustment is necessary to comply with changes to state or federal laws, regulations or standards.
 4. When required as part of a compliance order from the Western Washington Growth Management Hearings Board or court of higher authority.
 5. The boundary adjustment will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space and will provide separation between urban and rural areas. Provided that the boundary adjustment does not result in a significant increase to population or employment capacity. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the municipality or municipalities 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.
 6. There is less than 50% remaining of the vacant and buildable land base (residential, commercial, or industrial, respectively) that was designated within the incorporated and unincorporated areas of the particular UGA based

on the last residential population and/or commercial/industrial land sub-allocation, or through any subsequent expansion of the UGA boundaries; or

7. The board of county commissioners may waive the requirement in 1.10.6 above upon finding that:
 - a. The request has been formally reviewed and endorsed by the impacted jurisdiction; and
 - b. The inability to reach the fifty percent (50%) threshold is accounted for either by 1) 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 are not likely to develop in the planning horizon of the existing boundary; 2) 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; or 3) other documented local circumstances that relate to the land market factors relevant to UGA expansion or reduction; and/or
 - c. The expansion will allow the development of a school, K-12, public or private, 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.

1.11 All UGA boundary adjustments shall be subject to the following requirements:

1. UGA boundary adjustments shall be consistent with the requirements of the Skagit County Comprehensive Plan.
2. Sufficient land area must be included in the UGAs to accommodate the adopted 20-year population and employment forecast allocation as adopted by the SCOG and consistent with OFM projections. 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.
3. A jurisdiction, as part of its comprehensive plan amendment that proposes an expansion of its UGA to accommodate additional population or employment capacity, shall conduct planning and analysis sufficient to update and confirm the development capacity analysis for buildable 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. Minimum requirements for UGA buildable lands development capacity analyses shall include the following steps:

- a. Define vacant and underutilized (but likely to redevelop) parcels by zone
 - b. Deduct from the gross land capacity by zone—identified in step a. — the following lands not available to accommodate future population or employment:
 - (i) critical areas (and buffers as appropriate)
 - (ii) future roads/rights-of-way needs
 - (iii) future public or quasi-public facilities needs¹
 - (iv) remaining lands likely to be held off-the-market (e.g., market or other factors)²
 - c. Apply the minimum (or average achieved) density or intensity of use in each zone to the remaining net developable acres identified in step b.
 - d. Apply appropriate household size and/or employee land intensity standards to the remaining net buildable acres—identified in step c.— to determine total UGA population or employment capacity.
4. Document consistency of the proposed UGA expansion with Countywide Planning Policy 1.1 and the adopted 20-year population and employment allocation, including identification of any allocated but undesignated forecast population or employment.
 5. Preparation of a comparative evaluation of potential areas for UGA expansion, including: 1) planning and zoning regulations currently in place; 2) 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; and 3) an evaluation of reasonable alternatives, other than expanding the UGA, to accommodate the forecast UGA population or employment allocation. This shall include consideration of development regulation amendments to allow for increased densities and intensities of use in the existing UGA. Consideration of reasonable alternatives to UGA expansion shall be within the discretion afforded to local governments by RCW 36.70A.110 (2) to make choices about accommodating growth.
 6. Document the proposed UGA expansion for consistency with any applicable inter-local agreement between the affected municipality and the county.
 7. 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 adopted Comprehensive Plan.

¹ Not otherwise accounted for in the allocation of commercial/industrial lands in CPP 1.1.

² Not otherwise accounted for in the allocation of commercial/industrial lands in CPP 1.1.

8. 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.
9. In cases of residential lands proposed for inclusion within a UGA, annexation or incorporation should be encouraged to occur if immediately feasible, or an interlocal agreement shall be executed between the municipality and county regarding the timing and conditions of future annexation and provision of urban services.
10. The UGA expansion shall not include areas that are designated as natural resource lands (agricultural, forest, or rural resource) unless:
 - a. the jurisdiction has an adopted transfer of development rights program in place and an agreement with the property owner(s) that will allow for continuation of the natural resource land activities on said lands following UGA designation; or
 - b. said lands have been re-designated to an appropriate non-resource land use designation consistent with the applicable provisions of the Skagit County Comprehensive Plan, Skagit County Code, and RCW 36.70A.
11. The county and cities shall conduct early and continuous public involvement when establishing, expanding, or adjusting UGAs, and shall do so jointly when appropriate. Residents and property owners of unincorporated areas shall be consulted and actively involved in the process affecting them.
12. The county shall exercise its best efforts to coordinate UGA boundary change proposals with the affected municipality(ies), including the preparation of joint staff recommendations where possible. Unless waived by the affected municipality(ies), such municipality(ies) shall be given at least sixty (60) days notice of the proposal prior to a county hearing thereon.