



May 5, 2021

Skagit Land Trust Comment Letter on Skagit Partners FCC Proposal (LR 20-04)

Dear Commissioners,

I am writing on behalf of our 1,500 members to urge you not to docket LR 20-04, submitted by Skagit Partners LLC, to amend the Countywide Planning Policies (CPPs), the Skagit County Comprehensive Plan Policies, and the Skagit County Development Regulations to allow the designation of new Fully Contained Communities (FCCs) in Skagit County.

Skagit Land Trust (SLT) as an organization works to conserve wildlife habitat, natural resource lands, and open space for all generations. We strive to conduct ourselves in an ethical and transparent manner when we have concerns about processes, policies, and regulations that may impact our conservation lands and vision. SLT has strong concerns with the potential impacts of Fully Contained Communities on our natural landscape. We also question the highly unusual process Skagit Partners has requested to help it achieve its goal.

By dispersing growth into the rural landscape, Fully Contained Communities are fundamentally inconsistent with the principles of land conservation and natural resource-based land uses. Skagit Land Trust supports policies that encourage Skagit's vibrant agricultural economy and its unique thriving urban centers, not policies that drain cities of their tax base and place unfunded demands on the County's rural infrastructure. The proposed amendments appear to be an attempted end run by Skagit Partners around the regional growth framework adopted by Skagit County and its partner cities and towns through the 2016 Update to the CPPs and to county and municipal comprehensive plans. If adopted, this would also be an end run around the Growth Management Act Steering Committee, the body established by Skagit County and its partners through the 2002 Framework Agreement¹ to address regional growth planning issues such as adopting 20-year population forecasts and allocations and establishing urban growth areas (UGAs).

Following extensive public engagement by the county and the municipalities, the 2016 Comprehensive Plan Update process reaffirmed a growth framework for Skagit County whereby projected urban population growth was allocated to existing cities and towns and their UGAs, and where new non-municipal urban growth areas and fully contained communities were not contemplated or allowed.

¹ 2002 Framework Agreement among Skagit County, the City of Burlington, the City of Mount Vernon, the City of Anacortes, the City of Sedro-Woolley, and the Town of La Conner.

Skagit Partners may be unhappy with this framework, but asking for the county to change it unilaterally is not appropriate. Under the 2002 Framework Agreement and the Growth Management Act (RCW 36.70A.210), Skagit County does not have the authority to do so. The county cannot by itself amend the recently updated CPPs and urban population allocations or designate new UGAs in the form of Fully Contained Communities. Nor can the county amend its comprehensive plan and development regulations in a manner inconsistent with the regionally adopted CPPs. We believe that any effort to do so is a waste of public time and resources and will ultimately be found noncompliant and will be overturned.

If the Board of County Commissioners has concerns with growth patterns that have occurred since 2016, we think the appropriate recourse is to take those up with the GMA Steering Committee member jurisdictions. Beginning in 2017, the Skagit Council of Governments started publishing a growth management monitoring report that shows whether and how the county as a whole and specific jurisdictions within the county are meeting their adopted growth targets.

If one or more jurisdictions are not meeting those targets and are not taking adequate steps to address those failures, the county can propose amendments to the Countywide Planning Policies to create more specific requirements and potential consequences for non-performing jurisdictions. The county has the option of enlisting the support of the Department of Commerce's Growth Management Division to see if state resources can be applied to help all jurisdictions meet adopted population growth and affordable housing targets.

This approach would respect the regional planning process established by the 2002 Framework Agreement and the growth framework adopted by the county and cities and towns through the 2016 Update.

If those efforts eventually prove unsuccessful, the county could then make the case to the GMA Steering Committee that existing municipal urban growth areas are not adequately meeting urban growth targets and that new options need to be considered. The most logical time to do this reassessment would be during the next periodic update of comprehensive plans, which is required in 2026. We understand that preliminary work through the Skagit Council of Governments focusing on consideration of 2026 – 2046 population growth projections will begin as early as late 2021 or early 2022.

If, as the Skagit Partners submittal suggests, the rural area is seeing more than 20% of the new population growth, that is a problem warranting attention, but through the right channels. The growth framework adopted through the Countywide Planning Policies and in county and municipal comprehensive plans is the appropriate one -- where 80% or more of new residential growth goes to existing cities and towns and their urban growth areas.

Additionally, we do not believe that a growth pattern characterized by allowing fully contained communities is the best one for Skagit County. We note that the King County and Snohomish County Comprehensive Plans prohibit new Fully Contained Communities because of their negative experiences with existing FCCs in those counties. The Puget Sound Regional Council's Vision 2050 document also contains a policy recommending against new FCCs:

MPP-DP-34 Avoid new fully contained communities outside of the designated urban growth area because of their potential to create sprawl and undermine state and regional growth management goals.

The spillover impacts from a new fully contained community at Butler Hill or elsewhere in the county on natural resource lands, open space areas, and wildlife habitat would be extremely detrimental. This type of urban sprawl would also be extremely costly to existing governments, service providers, and taxpayers and would create significant new traffic burdens on county roads, state highways, and Interstate Five.

We urge you to reject the Skagit Partners proposal and to instead increase efforts to work with the cities and towns to accommodate growth. There are numerous methods that can be collaboratively applied in UGAs and through infill, redevelopment, annexation, and encouragement of multi-family development options. There is vast potential for our cities to repurpose their many underutilized commercial spaces which, in time and with creativity, can become thriving new residential and commercial centers.

Skagit Land Trust works hard to ensure that agricultural and forest lands, flood plains and wetlands, open space areas and critical wildlife habitats are conserved. We do not want to see additional sprawl in rural Skagit County.

This is the future that our members and, we believe, the majority of Skagit County residents want, not one characterized by leapfrogging urban sprawl in the form of erroneously named “fully contained communities.”

Thank you for your consideration.

Sincerely,

Molly Doran

Executive Director
Skagit Land Trust
1020 S 3rd
Mount Vernon WA 98273

