

Executive Summary

The Envision Skagit 2060 Citizens Committee has developed this vision and set of recommendations for what we believe today's Skagit County residents want Skagit County to be like in 2060—and what we should do *now* to help bring that about.

We formulated our recommendations as a group of 12 citizen volunteers, who were selected from a larger pool of applicants by a committee of county commissioners and city and town mayors. Hailing from east of Rockport to Anacortes, we do not formally represent interest groups. The commissioners and mayors sought Citizen Committee members with a broad outlook, readiness to talk through difficult issues, and a diversity of experience (including age—some members can look back on the last 50 years of change, others will likely be here for the next 50).

Over the past ten months, our primary task has been to listen. In addition to meeting with local, regional, and national experts, we hosted community meetings in Edison, Anacortes, La Connor, Concrete, Mount Vernon, Sedro-Woolley, and Burlington. We held additional listening sessions with specific groups, including our agricultural community, our Latino and Spanish-speaking community, and youth from our local schools. The committee also received comments through the project website and from presentations to a wide variety of service and interest groups. In total we heard from well over 400 residents.



What did we hear? Again and again, Skagit residents said they most wanted to preserve diverse agriculture and local food production, access to outdoor recreation opportunities, and the innate value of healthy, functioning ecosystems. These are the elements that define Skagit's character and provide quality of life for us all.

Details 50 years out are inherently uncertain, but one trend that shows no sign of letting up is that our population will grow substantially. From 1960 to 2010, Skagit County's population more than doubled, from 51,000 to almost 120,000. Over the next 50 years, we are likely to grow by another 100,000. (This is less than the State's projection, but consistent with recent experience and with projections by local planners.) Where will this growth go? How can we preserve these deeply expressed values, with the county's population expected to nearly double over the next 50 years?

The essence of our recommendations is to steer new growth into existing cities to avoid development in rural farmland, floodplains, forest lands and wildlife habitat. We cannot continue to sprawl as we have and preserve what the people of Skagit County most value.

While state law requires that the county plan for projected growth, we want to be clear that by planning for growth, we are not attempting to encourage it. There are some 13,000 existing development rights in just the rural, agricultural, and forest zones of Skagit County today, outside of cities and urban areas. We recommend purchasing or **transferring** thousands of these rights, which would dramatically *reduce* the potential for growth that currently exists in these rural areas.

Keeping the big picture in mind, we recommend that the vast majority—90%—of new growth be directed to cities, to protect our farmland and natural systems. We recommend shifting where growth will occur, not creating new development opportunities.

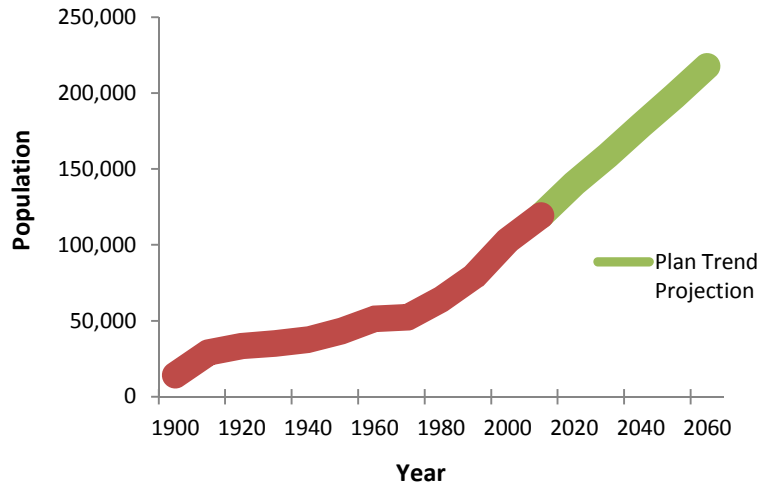
Making our cities more dense raises concerns they might lose their “small town” feel. We are not recommending that existing residential neighborhoods change their character. The greatest opportunity to direct growth into our cities is through creative and imaginative redevelopment of our historic downtowns and existing commercial strips, malls, and big box centers. In these areas, we encourage walkable, mixed-use development, with commercial and retail uses on the ground floor and condominiums and apartments on top, in the range of two to five stories. We have also seen attractive examples of cottage housing, accessory dwelling units and “granny flats” that can add moderate density gracefully in existing neighborhoods.



Credit: Hewitt Architects/Ernst & Associates.

Our citizens need jobs. Our cities and towns also need commercial and industrial growth to help pay for services. Interjurisdictional competition for jobs and tax revenues, however, can lose sight of the broader public interest. We recommend designating 1,600 acres of new industrial land at Bayview Ridge, where it is out of the floodplain, off of farmland, and close to transportation and infrastructure, with tax revenues shared equitably across jurisdictions. We also recommend that Mount Vernon and Burlington ultimately merge into one, because the strengths of each city address the weaknesses of the other. We believe discussion should begin now about city services that can be consolidated logically and efficiently.

Skagit County Population Growth (1900-2060)



In rural and resource areas, we seek to prevent as much future residential and commercial development in the floodplain as possible, through purchases or transfers of existing development rights. We do not support uncompensated down zoning. We recommend doubling funding for the County's successful Farmland Legacy Program. Rural development out of the floodplain should generally be clustered, including moderate expansion of existing villages, such as Alger and Conway Hill. The County should strive for no net loss of land zoned for agriculture. Potential replacement lands should be identified in the near future for rezoning to achieve this standard over time.



When asked what was missing or lacking in this county, Skagit residents consistently identified the need to improve open space and trails. As our cities become denser, this need will become even more important for the health of our communities. We recommend that our open space networks be strengthened and that Skagit County and other local jurisdictions act now to develop and implement a long-range conservation plan for the entire county. We must plan for “green infrastructure”—an interconnected network of natural lands and open space, including trails—as seriously as for any other infrastructure, such as water, sewer, or roads. Determining our most valued open space network now will also indirectly identify where future development should go, which increases predictability and certainty for all sides.

Lastly—although really, this is our very first and perhaps most critical recommendation—we offer a plea to all Skagit residents to work together more collaboratively toward a common vision of the future. We recommend establishing a broad-based regional entity, the Skagit Alliance, to implement a unified approach to growth, development and conservation over the next 50 years. The Skagit Alliance would be comprised of diverse regional leaders from both the public and private sectors, who can rise above the individual silos of a particular jurisdiction or interest group and make decisions that will benefit our region as a whole.

Our recommendations are described in more detail in nine “goal statements.” While our work as a formal committee has ended by issuing these recommendations, that is far from the end of the larger Envision Skagit process. We anticipate a broad community discussion that continues into the fall of 2011 and beyond. Before any law or significant government policy can be changed, we encourage elected officials to hold public listening sessions to take further public comment. A 50-year plan takes time to implement.

The conversation is just starting. It is the people of Skagit County that will make this happen. Please speak up and make your voice heard.

time. Lands to consider for replacement of lost Ag-NRL land are those that have high quality agricultural soils and/or display active agriculture use and are located within a reasonable proximity to existing farm operations (primarily Rural Resource-NRL and Rural Reserve). Affected landowners would be compensated for reduced development potential through purchase of lost development rights. Lands that are not recommended as replacement lands include forested lands that would require clearing, especially in the vicinity of wetlands and streams.

- b. If sea level increases begin to cause significant salinity and drainage impacts to farmland in the Delta such that the costs of those impacts become economically unsustainable for dike and drainage districts and landowners, then develop a proactive plan for returning affected farmland to tidal salt marsh or wetland in areas where the Dike District and landowners deem the costs to be economically unsustainable. Replace the lost farmland under the same “no net loss” policy as above.



2. Urban Growth Areas (UGAs) should not expand into agricultural lands.

This recommendation would restrict UGA expansions into Ag-NRL and lands that may potentially be added to Ag-NRL under Recommendation 1.a). We believe that increasing population within existing UGAs will, in the long term, preserve these lands for agriculture.

3. Maintain, strengthen, and enforce County regulations to protect agriculture.

Skagit County already has some of the nation’s strongest regulations to protect agriculture. The County should continue to set national precedents with its policies and strictly enforce them. Specifically, we recommend the following actions.

- a. Within Ag-NRL:
 - i. Maintain and enforce the current 40-acre minimum lot size;
 - ii. Maintain and enforce current rules restricting land uses to only agriculture and accessory uses, with new residences allowed only when landowners can document three years of continuous farming; and
 - iii. Maintain the maximum development footprint of one acre, located on the parcel edge near a road, for any new residential development in lands zoned Ag-NRL
- b. County regulations should also support the location of a centralized Agricultural Industrial Park where agricultural industrial uses and processing facilities can be located.
- c. County roads that are heavily used by farm vehicles should be marked to give priority to agricultural uses.

4. Maintain, strengthen, and expand non-regulatory programs to support agriculture.

- a. Drawing from a variety of potential funding sources, double the capacity of the Farmland Legacy Program, which purchases development rights through voluntary sales that protect private property rights. Some Ag-NRL lands in the middle Skagit region are not farmed because they are too wet and in close proximity to the Skagit River. These lands should not be included in Farmland Legacy Program purchases, which would preclude opportunities for future habitat restoration.
- b. The County should move forward and implement a county-wide **Transfer of Development Rights (TDR)** program. The program would be interjurisdictional, with development rights being transferred from agricultural and other priority conservation lands to appropriate locations within urban areas. Urban

areas that receive greater density should also receive additional resources to provide adequate infrastructure and amenities to support it. As part of program implementation, a TDR expert should be consulted to evaluate the local situation and develop strategies that consider local obstacles and opportunities. It is crucial that the TDR program be designed to complement rather than undercut the successful Farmland Legacy Program.

- c. Support continued operation and maintenance of the dike and drainage system consistent with current requirements and agreements, including the Tidegate Fish Initiative.

5. Manage stormwater effectively to protect fish, shellfish, and agriculture.

Stormwater from developed areas has profound impacts on salmon habitat, by changing the hydrology and water quality of streams; on shellfish beds, by introducing pollutants that can lead to harvest restrictions to protect human health; and on agriculture, by creating or aggravating drainage problems and by leaving behind pollutants that are taken up by farm soils or crops.

Road projects and urban and rural development should bear the full cost of mitigating these impacts. Stormwater management must, at a minimum, include managing water quantity (e.g., not giving drainage districts more water than they can handle) and water quality (runoff must meet water quality standards per NPDES regulation).

6. Encourage local/regional efforts to support natural resource industries and the ecosystem, forged by those with the greatest on-the-ground knowledge of how to meet the needs of both.

The Citizen Committee does not believe that we in Skagit County must choose between farms and fish. Both are crucial to the heritage of this place. We who live here must find solutions that allow both to flourish into the future.

- a. We support local initiatives to conserve farms and fish together, such as the Tidegate Fish Initiative, which authorizes the conversion of 2,700 acres of delta farmland to salmon habitat in return for regulatory certainty necessary to operate and maintain the dike and drainage system.
- b. We support voluntary programs that allow farmers and foresters to generate additional revenue streams while enhancing sustainability (e.g., certification of forests or farms for sustainable practices, foresters tapping emerging carbon markets that provide an economic incentive to extend harvest rotations, or farmers tapping markets or incentives for clean water by planting filter strips along streams to generate supplemental income to keep their farm operations economically viable). We strongly encourage environmental services that landowners can provide on a rotation basis or which otherwise do not take working farm or forest land out of permanent production. An example is The Nature Conservancy's Farming for Wildlife program, which is working with three farms on the Skagit Delta to experiment with flooding, mowing, and grazing during crop rotations.
- c. Agriculture, particularly food production, should be the primary and preferred use on designated agricultural lands (Ag-NRL). When habitat conservation and restoration projects are proposed on Ag-NRL land, they should be developed and implemented in a collaborative and cooperative manner, involving all affected stakeholders, with the goal of achieving multiple positive outcomes and benefits, including advancement of ecological, agricultural, and, where possible, flood management goals (examples include the Tidegate Fish Initiative and the Fisher Slough restoration project).

7. Seek state, federal or international designation for Skagit Valley as a Cultural and Natural Heritage Site.

The Skagit Valley has some of the most productive agricultural soils in Washington State and the world, an ideal climate for sustainable agriculture, and remains the most intact agricultural landscape in Western Washington.

and other innovative measures, in addition to outright acquisition. When the potential for loss of critical open space to development becomes imminent, immediate public acquisition through purchase should be considered as a necessary course of action.

- e. Skagit County and all local jurisdictions within the Skagit Council of Governments (SCOG) should budget for and manage green infrastructure as prudently as any other civic asset such as water, sewer, or roads.

Protect and Conserve the Skagit River and its Functions

3. **We implore our local and federal elected officials and responsible government agencies to complete the federal General Investigation study of flood hazard management options on the Skagit River, and related local flood hazard management planning. This should be done as soon as possible, using best available science. Included in this effort should be a watershed-based floodplain management plan to help inform land use planning decisions.**

The federal GI study began in 1997. It should provide crucial information for local decision-making, along with the basis for federal cost-sharing to implement recommended flood hazard management actions. Skagit County is not adequately prepared for future flooding. This is a major threat to our community. Further delay is unacceptable.

4. **Purchase and remove rural and urban residences from the Skagit River floodway and other parts of the “functional floodplain” – such as Hamilton and Cape Horn – that experience repeated flood damage.**

There are 447 existing dwellings in the Skagit River floodway. As part of buying out floodway residences, the Skagit community must work to increase the supply of affordable housing so very low-income people have options other than living in the floodway; see recommendations in Goal Statement 7, Housing Variety and Affordability.



Hamilton, 2003

5. **Purchase or transfer development rights from the floodplain outside of UGAs.**

Skagit County should explore ways to eliminate all future residential and commercial development in the floodplain outside of current urban growth boundaries, while providing landowners appropriate compensation for loss of development rights and also providing continued flexibility for farmers to construct barns and other farm-related structures as needed to support farm operations.⁴ This would minimize conflicts for agriculture with other land uses, while protecting the best remaining opportunities for ecological restoration in the Skagit and Samish River watersheds.

Development outside of the floodplain but within the channel migration zone should be allowed to proceed, consistent with federal requirements and other relevant regulations. The County should, however, notify landowners and developers in these areas that they are building at their own risk, and that the county assumes no obligation to protect them from flood damages.

⁴ GIS and Envision analysis indicate there are currently 1,795 unexercised development rights in the floodplain.

Bay supports an important commercial shellfish industry with more than \$3 million in annual sales, a \$1.2 million annual payroll, and more than 40 full time equivalent employees working directly for shellfish farms. It is also a vitally important environmental and recreational asset.

The County has received substantial grant funds to identify specific sources of high concentrations of pollution for prompt and targeted follow up with responsible parties. The County and the Skagit Conservation District also have received substantial funding to provide landowners with technical and financial assistance to clean up problem locations.

11. The County, its government partners, and everyone in the Samish watershed should take advantage of this opportunity to clean up this precious resource and keep it clean for the future.

12. Skagit County and its partners should apply lessons and techniques from the Clean Samish effort to other rivers and bays suffering from non-point source pollution.

Protect Riparian Areas and Other Critical Areas

13. We support the use of a variety of tools, including regulation, incentives, education, and voluntary partnerships to protect critical areas on those rural and resource lands that develop in the future.

We do not have the time or the technical knowledge to become experts in the county's existing regulations that protect critical areas and other environmental features, but we do support the implementation and enforcement of those regulations currently in effect.

14. Heighten protections to maintain the ecological functions and values of riparian areas. The Citizen Committee recognizes the importance of riparian areas (particularly along salmon-bearing streams) for protection and restoration of salmon and other fish species, as important wildlife habitat and wildlife corridors, for the maintenance of water quality and overall watershed function and integrity. To increase protections:

- Strongly enforce existing critical area regulations affecting land clearing, development and other land use and resource management activities;
- Implement strong education programs that help landowners understand and appreciate the ecological functions and values of riparian areas and the most important actions they can take to protect or enhance them;
- **Implement innovative and voluntary land conservation techniques, including conservation easements, transfer and purchase of development rights, and other measures that purchase development rights from or allow their transfer out of the riparian corridor;**
- Implement innovative site development techniques, including conservation development and use of low impact development measures to preserve water quality and reduce water flows;
- Coordinate these site-specific actions with a broader plan for maintaining the integrity and connectivity of important riparian and habitat areas and corridors – the green infrastructure network.
- A similar range of measures can and should be applied to protect wetlands and other critical areas.

Implement Low Impact Development

The Citizen Committee supports expanded voluntary use of Low-Impact Development (LID) techniques in public and private projects, especially in sensitive stream basins and where downstream agriculture would likely benefit. The Committee also supports early amendment of local codes to encourage or require LID where feasible, giving special attention to these same places.

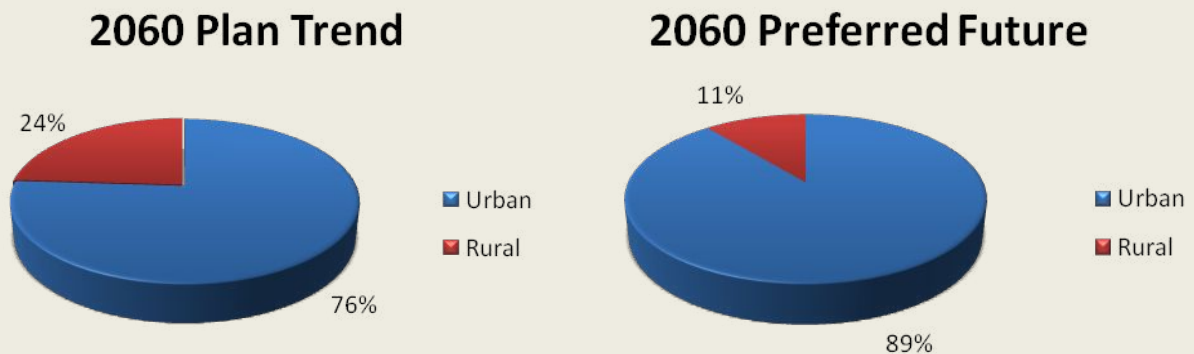
Goal Statement 4: Compact Communities and Conservation Development

In all of our meetings with the public, we heard very strongly that the people of Skagit County want to preserve farmland, the local ecosystem, and their access to the natural world as the county grows. Given even low estimates for the amount of population growth that is likely over the next 50 years, this cannot be accomplished without urban areas becoming, on average, much more compact and dense. With this reality in mind, this is the Citizen Committee’s vision for future development in Skagit County:

- **The predominant growth pattern for the future will be up, not out.**
Along with greater urban densities, our urban areas will feature more amenities including parks, open spaces, and trails; higher quality site development, design and architecture; a wider variety of housing options and a mix of compatible uses allowing people to meet many of their daily needs on foot, by transit, or with short car trips.
- **For the areas outside of our cities and towns – the county’s rural and natural resource lands – we see a less scattered and dispersed development pattern than current plans and trends would allow.**
We fear the current rural development pattern amounts to low-density rural sprawl. In the future, we see development rights transferred or purchased from areas that should be protected– including hazardous and environmentally sensitive areas and natural resource lands. Those rights are transferred to logical and desirable places for development, including existing urban areas, rural clusters, and existing rural villages, situated on high ground, out of harm’s way, away from natural resource lands, with good access to the transportation and transit network and other rural infrastructure. Rural development is well situated and well designed, and zoning rules are enforced.

Distribution of New Population to Urban and Rural Areas based on Envision Modeling

(~100,000 people)



Distribution, Location and Impacts of Future Development

- 1. The County should modify its population distribution goal to direct 90 percent of new population growth to urban areas – mostly cities and towns – and 10 percent to rural areas, instead of the current 80/20 split. Moreover, the County should seek to direct half of the rural 10% to clustered “conservation developments” (see recommendation 9) and/or expanded rural villages in the vicinity of Alger and Conway Hill (see recommendation 10).**

In addition to directing a higher percentage of new population growth to urban areas, the Committee recommends downplaying Bayview Ridge Urban Growth Area as a location for significant new residential development. Instead, that area is ideally suited for future industrial uses, as discussed in more detail in Recommendation #7 below.

The reduced development capacity in rural areas implied by these targets should be achieved through purchase or transfer of development rights. Development rights that are transferred should be sent to urban areas and existing rural villages, or encouraged to develop in small clusters, where they will have less impact on the environment and will be more efficient to serve with transportation and other infrastructure.

There would be practical challenges to transferring thousands of development rights, and purchasing large numbers of rights would not be cheap. However, we do not believe that it is fair or potentially even legal to attempt to achieve this scale of a reduction in rural development rights through uncompensated downzoning.

We discuss these challenges further in Appendix B, Longer-Term Implementation Steps and Financial Implications. Given the regional, national and even international significance of conserving Skagit agriculture and the Skagit ecosystem, we do not see these challenges as insurmountable in the coming 50 years.

Urban Development – Compact Urban Communities

- 2. Existing urban communities in Skagit County should grow up rather than out, become more compact rather than more sprawling, and mix compatible uses to create more complete, walkable communities, rather than continuing to isolate uses in ways that create ever greater reliance on the automobile to meet basic daily needs. The following recommendations are intended to achieve quality urban environments in Skagit County:**

- Higher densities can be achieved gracefully in existing residential neighborhoods through quality infill (e.g., well-designed cottage housing, accessory dwelling units and “granny flats”). However, the greatest potential for bringing more residents into the urban environment is through creative and imaginative redevelopment of our historic downtowns and existing commercial strips, malls and big box centers. In these areas encourage mixed-use development with commercial and retail on the ground floor, and condominiums and apartments on top, in the range of two to five stories.
- Without proper attention, redevelopment might in some cases threaten existing affordable housing units. However, with proactive goals and policies to promote housing affordability and variety (as



Photo: Mike Seidl

would have 5,000 to 5,500 people living in an area currently without established municipal services, in proximity to industrial lands, astride two existing petroleum pipelines, and within a half mile of a runway end at Skagit Regional Airport.

The public would be better served by directing that future population to the cities and towns. The committee recommends that most or all of the proposed additional residential development within the Bayview Ridge UGA be redirected to existing cities and towns, and rezoning 1,600 acres at Bayview Ridge to Light Industrial, as discussed in more detail in Goal Statement 1, Recommendation 4. So doing would also protect the airport from conflicting residential encroachment and make available needed contiguous industrial acreage close to utility and transportation infrastructure and adjacent existing light industrial uses.

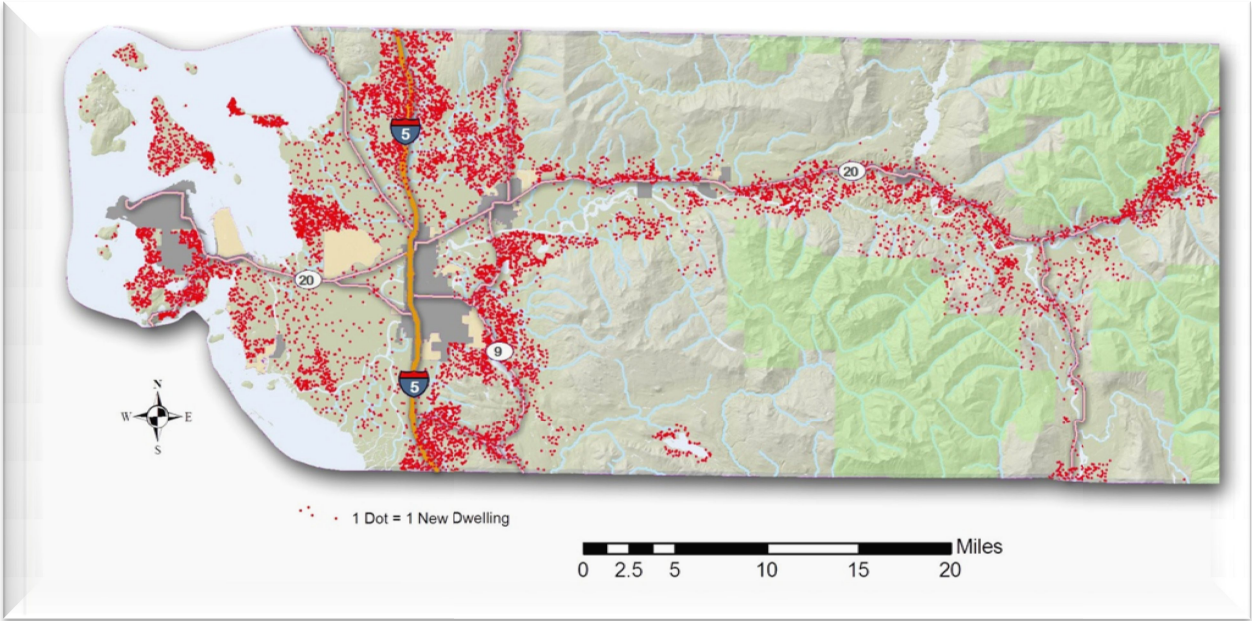
The Rural Landscape and Development

The Committee is concerned about the dispersed pattern of “red dots” in Skagit County rural and resource lands, as reflected in the Envision Plan Trend scenario modeling, representing potential new residences. All told, there are around 13,000 not-yet-exercised development rights in the rural and resource lands. Not all of these are anticipated to be built out by 2060, but under current plans and policies the large majority likely would be. This could have very serious negative impacts on environmental resources, natural resource lands and industries, and rural character. At the same time, we respect and acknowledge private property rights. We do not support uncompensated downzoning.

8. Skagit County should use all available tools to shape future development in rural and resource lands to minimize negative impacts.

Through the use of land use designations and zoning, purchase and transfer of development rights and conservation easements, the County should discourage development where it will cause the most environmental harm, including in the floodway, the functional floodplain (areas that flood frequently and have hydrologic continuity with the floodplain), the channel migration zone (areas that will likely be occupied by river channels over time), the lahar zone (the paths that mudflows from volcanic activity would likely follow), natural resource lands and other areas with very high open space values.

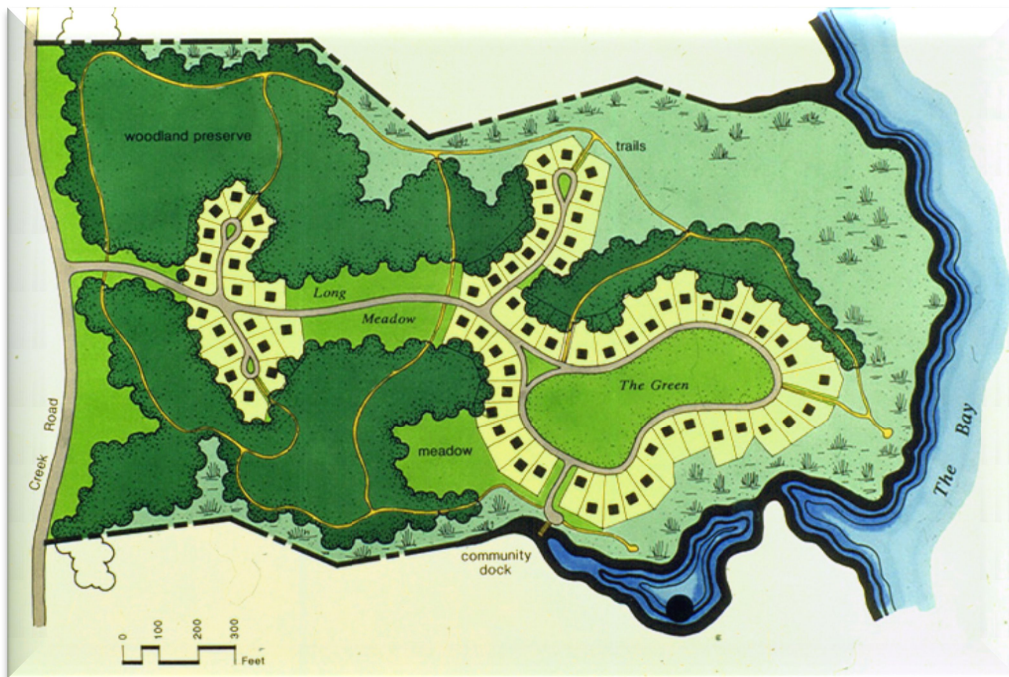
- a. Skagit County should work with other jurisdictions and organizations (including the Skagit Alliance) to develop and implement a successful county-wide transfer of development rights (TDR) program to protect natural resource lands (such as Agriculture and Forest-NRL), environmental resources (including salmon and wildlife habitat) and rural character. In so doing, the County should set a consistent policy for preserving rural character, recognizing that the character of rural Skagit County is not the same everywhere.
- b. Skagit County should consider creating a purchase of development rights program (PDR) to protect the most environmentally sensitive lands, taking care not to undercut the successful Farmland Legacy Program.



Full residential buildout potential based on current rural zoning. Map provided by Skagit County GIS.

Clustering via “Conservation Development”

9. Skagit County should amend its development regulations to enable and require clustering via "conservation development" for rural and natural resource lands. This would involve amending the County’s current CaRD⁷ ordinance to do a better job of protecting a site’s most valuable open space, its natural hydrologic functioning, and any associated natural resource lands.



Credit: Randall Arendt, *Conservation Design for Subdivisions*, Island Press, 1999

⁷ Conservation and Reserve Development.

Conservation development is an approach to development where green space is laid out first, the site's natural hydrologic function is preserved, development lots are typically small and clustered, the majority of the site remains undeveloped, and the site's protected open space connects to the county's broader open space or green infrastructure network. Done well, conservation development also enhances a property's economic value.

We do not know the exact mix of planning, legal, economic, regulatory and incentive tools to make this vision a reality. We do not believe that the County's current CaRD or cluster ordinance is well suited to achieve these goals and this vision. We strongly encourage Skagit County to work with the Skagit Alliance, the Urban Land Institute and other knowledgeable experts, local landowners, land development professionals, conservation organizations and other interested parties to implement this vision through the Skagit County comprehensive plan and development regulations.

Rural Villages

10. The Committee supports moderately increasing densities in Alger and Conway Hill⁸, where expansion of rural villages makes the most sense in terms of transportation and other infrastructure and is least disruptive to natural resource lands, environmental systems and rural character. These existing rural villages should achieve their higher/clustered densities through transfers or purchases of development rights from rural and resource lands only. High quality design guidelines should be developed with the help of community residents so these communities retain their distinct character.

Expansion of these existing rural villages is not currently allowed under the Growth Management Act. However, with appropriate safeguards we believe our proposal would better serve the goals of the Growth Management Act than existing law, and so it is the law that should be amended. Using development rights transferred from rural and resource lands, and with environmentally sensitive water and wastewater service, development in these expanded rural villages would have considerably less impact on natural systems, working lands, and rural character than if it took place where the development rights are currently located. Bringing the multiple affected landowners together to accomplish this would be a challenge, but we believe that with effective public-private coordination the end result can provide greater value to the landowners themselves while also better serving the many public interests involved.

Current residents of the affected communities should, of course, help shape these expansions. In the case of Alger, we also recommend that Skagit County coordinate with the Upper Skagit Tribe, which has interests in development near its casino at the affected I-5 interchange, and with Whatcom County, which has authority over adjacent development across the county line.

Other rural villages exist outside of the floodplain and agricultural lands. Under their existing zoning they may receive some limited additional infill development. These rural villages might be considered at some point in the future for moderate expansion and densification, allowing them to serve as receiving zones for scattered rural development rights.

⁸ The referenced "Conway Hill" area is currently designated Rural Intermediate; the existing Conway Rural Village is located west of I-5, in the floodplain and surrounded by Ag-NRL lands. This proposal envisions a portion of the Conway Hill area – out of the floodplain and Ag-NRL - becoming an "expanded rural village."

11. The Town of Hamilton can and should play a similar role to these expanded Rural Villages, receiving transferred development rights and developing residential and mixed uses (shops, restaurants, services, etc.) at walkable scale and densities. With the recent expansion of Hamilton’s urban growth area north of Highway 20 out of the floodway and floodplain, and the town’s investments in urban infrastructure, Hamilton is a logical location for new development in the middle Skagit region.

Fully Contained Communities

12. The Citizen Committee believes that fully contained communities (FCCs) should be avoided in Skagit County unless they can achieve their urban densities strictly through transfers of development rights from rural or resource lands at a ratio of one-to-one. If this means that FCCs are infeasible in Skagit County for the foreseeable future, we find that an acceptable outcome.

Fully contained communities are different from rural villages as discussed above because under current law they require an urban population allocation and are required to develop at urban densities and with urban services. By definition, they are new urban areas placed on land that was previously rural. If they achieve their density through the creation of new development rights or the transfer of urban population allocations, they therefore add to the total amount of development that could occur outside of existing urban areas. Moreover, that development would be located where there is currently little to no existing infrastructure capable of serving urban densities. We believe that it is far better to locate new urban development within or adjacent to existing urban areas, where infrastructure can be extended cost-effectively and impacts on working lands and natural systems can be minimized.

Given future population increases and the degree to which existing urban areas in Skagit County are located in the floodplain or adjacent to farmland, it is possible that there may come a time when an FCC may offer the opportunity for smaller impacts on natural systems or working lands than an equivalent expansion of an urban area. For now, however, given all of the above as well as concerns that Citizen Committee members have over issues of affordable housing and impacts on transportation, we believe that the standard for considering an FCC should be set very high, including a one-to-one ratio for transferring its development rights from rural and resource lands.

- Maintain existing zoning protections for forest land and look for opportunities to purchase or transfer forest land development rights to retain these lands in active forestry.
- Encourage effective management of stormwater to protect fish, shellfish, and agriculture; and encourage local/regional efforts to support natural resource industries and the ecosystem forged by those with the greatest on-the-ground knowledge of how to meet the needs of both.

Goal Statement 3: Protect, Preserve, and Restore and Environmental Resources and Values . To achieve environmental and economic goals over the next 50 years, we must identify and protect our most valued open space lands and natural and environmental resources, while at the same time determining where future development should go. We have heard powerful evidence from local and national experts that Skagit County’s diverse natural environment and scenic open spaces –increasingly rare attributes across the country – are powerful forces for sustainable economic development.¹³ Our recommendations would protect and enhance these economic assets by:

- Developing and implementing a long-range conservation vision and plan;
- Protecting and conserving the Skagit and Samish rivers, including their floodplains and ecological functions;
- Drawing on a variety of tools, including incentives, voluntary efforts, education and regulation, limit future development in the Skagit and Samish River floodplains outside of existing urban areas; protect and restore fish habitat and salmon runs in the Skagit and Samish rivers and their tributaries; and improve water quality in the Samish River and Samish Bay and other water bodies suffering from non-point source pollution.

Goal Statement 4: Compact Communities and Conservation Development: An essential strategy for protecting the Skagit’s natural environment and natural resource industries – both of which are important long-term economic assets – is to concentrate new growth in more compact urban areas and to limit low-density rural sprawl. Numerous reputable land use experts indicate that powerful economic and demographic forces are creating increasing market demand for just this kind of development – particularly compact, walkable, high-amenity, mixed-use communities and redevelopment of existing strip malls and commercial areas into mixed-use urban centers.¹⁴ Many similar sources have documented that compact development, infill and redevelopment (often called “Smart Growth”) is much less expensive to serve with public infrastructure than more sprawling, dispersed growth patterns.¹⁵ For these reasons, we believe the growth patterns that are best for protecting Skagit County’s scenic quality, natural environment and natural resource industries dovetail well with powerful economic – and economic development – trends of the future.

¹³ Patsy Martin, Port of Skagit County, “Addressing Economic Opportunity,” presentation to the Envision Skagit Citizen Committee. January 6, 2011. Edward T. McMahon, Urban Land Institute, “The Dollars and Sense of Sustainable Development,” presentation for Envision Skagit at the Lincoln Theatre. April 28, 2011.

¹⁴ For instance, see: A.C. Nelson, “Leadership in a New Era,” *Journal of the American Planning Association*, Vol. 72, Issue 4, 2006, pages 393-407. Christopher B. Leinberger, *The Option of Urbanism: Investing in a New American Dream*, Island Press, 2009. National Association of Realtors, *The 2011 Community Preference Survey: What Americans are looking for when deciding where to live*, March 2011.

¹⁵ Terry Moore, Lorelei Juntunen, Tom Soulhas, Whit Perkins, *Evaluation of Fiscal Implications of Growth Management Options in Skagit County, Washington*, ECONorthwest, July 2011 (Draft), pages 31-33.

Conclusion

We have made many bold recommendations. Looking out over 50 years, our choice in Skagit County is either to act boldly or to remain on a path that will incrementally lose the defining features of our landscape. Our agricultural heritage, our connections to nature, and the integrity and productivity of our ecosystems cannot stand up to the forces of growth without some fundamental changes.

Our recommendations are not radical. Even the boldest of them, taken alone, is imminently feasible. But implementing one or just a few of these recommendations will not conserve the best of our landscape over 50 years. As a county and a community we must make progress on the whole range of issues addressed in these recommendations if Skagit County is to become an even better place to live as we grow.

If these recommendations were simply the product of our committee, they probably would not have the power behind them to result in fundamental change. But the recommendations are the result of our reaching out to the wider Skagit community. We firmly believe the vision and recommendations contained in this report are widely shared—and would be even more broadly embraced if other Skagit citizens had the opportunity to join together and engage deeply with the challenges that face our common future, as we have over the past ten months. That is why our two top priorities are also our very first two recommendations: creating a broad-based “Skagit Alliance,” and engaging a broad cross-section of Skagit County’s leaders in a long-range planning exercise, in part to develop recommendations for the formation, structure, and composition of the Skagit Alliance.

The Skagit Alliance would play a key role in many of our recommendations, including:

- Identifying new lands for industrial zoning and creating a program to share revenues from those lands across jurisdictions;
- Developing a long-range, county-wide conservation plan to guide investments in our “green infrastructure”;
- Planning a new, interjurisdictional program to **transfer development rights** from the places we most want to conserve to the places where new growth is most appropriate; and
- Exploring options for state, federal or even international designation for the Skagit Valley as a cultural and natural heritage site.

On these and other recommendations, the Skagit Alliance would not always be in the lead, but without the Alliance we believe that implementation would be less successful, if it happened at all.

We also make a variety of recommendations where action should begin as soon as possible, even without the Skagit Alliance in place, because opportunities will be lost with delay. Urgent actions include:

- Identifying replacement lands for Ag-NRL acreage that is lost to ecological restoration or vested development;
- Conducting a **market analysis for a transfer of development rights program**;
- Initiating a comprehensive study of the water needed to support in-stream and out-of-stream uses in the county over the next 50 years and beyond; and
- Amending Skagit County’s Conservation and Reserve Development (CaRD) ordinance to better enable and in some cases require clustered “conservation development” for rural and natural resource lands.

In all of the above cases, Skagit County would be the lead implementer. Other jurisdictions have roles to play, though, particularly for a comprehensive water study or a **transfer of development rights program**. Moreover,

while development is currently in a lull with the down economy, all jurisdictions, together with landowners and developers, have responsibility for the development that is approved and built. Each new development—based on its location, size, purpose, and design—will help determine whether we are, in fact, living up to the goal of becoming an even better place to live as we grow.

The following table identifies responsible parties and a timeline for all recommendations in this report.

A 50-year plan takes time to implement. However, actions that we take now and over the next few years will have consequences for 50 years and beyond. Our recommendations are far from the last word on what should be done. No laws or major governmental policies will be changed without public comment and discussion. That process will undoubtedly lead to refining and, we expect, improving our recommendations before they are acted on. But act we must.

We appreciate the opportunity to serve on the Envision Skagit Citizen Committee. It has been an extraordinary experience. We look forward to a broad community discussion of our recommendations.



Skagit County Tulip Fields. Photo by Martin Burwash.

Appendix D: Longer-Term Implementation Steps and Financial Implications

By Kirk Johnson, John Lombard, and Mark Personius¹

The Citizen Committee’s recommendations call for a significant shift in future land use development patterns from those sought through the existing countywide planning policies and Skagit County comprehensive plan, and experienced over the last 15 years of planning under the Growth Management Act. More specifically, the recommendations would direct a larger share of new population growth – 90% – into existing urban areas, reduce development in the rural area to 10%, and seek to **transfer or** purchase development rights from the most sensitive lands – including natural resource lands, environmentally sensitive areas, and other open space lands. The Citizen Committee recommends that these changes be accomplished through an **emphasis on financial, voluntary, education and incentive-based mechanisms, rather than through strict regulatory controls.**

Current countywide planning policies which guide county and city and town comprehensive plans call for 80 percent of new population growth to be directed to urban areas – cities, towns, and non-municipal urban growth areas such as the Bayview Ridge urban growth area (UGA) and the Swinomish UGA.² The trend experienced over the last 10 years is that about 70% of new population growth has located in urban areas, with the remaining 30% locating in the rural area (or more **typically**, rural and natural resource lands).

Citizen Committee Recommendations

The Citizen Committee recommends changing the existing framework as follows:

- **Direct 90 percent of new population growth to urban areas .**
At a broad policy level, implementing this recommendation would require changes to the Skagit Countywide Planning Policies through negotiations and agreement among the county, the cities and towns, tribes, and other governing entities. The countywide planning policy amendments would then need to be implemented through amendments to the various jurisdictions’ comprehensive plans and development regulations.
- **Direct only 10% of future population growth to the rural area (lands outside of UGAs, including rural and natural resource lands); cluster half of the rural growth in rural villages and rural cluster developments.**
Under the committee’s recommendations, this goal would primarily be achieved through purchases or **transfers** of rural development rights, as discussed in greater detail below.
- **Discourage new residential and commercial development in the floodplain outside of UGAs .**
There are approximately 1,200 total development rights in the 100-year floodplain. Approximately 438 are on lands designated Ag-NRL, and another 762 in other land use designations. The Committee’s preferred method for eliminating this potential development is through purchase or **transfer** of development rights, the mechanics and cost of which are discussed below.

¹ This appendix, which analyzes the Citizen Committee’s recommendations, was written by project staff and is not a product of the Citizen Committee.

² These policies are sometimes misunderstood as a *mandate to require* that 80 percent of new population growth occur in urban areas. The precise wording is that urban growth areas should be “sized to accommodate” 80 percent of the county’s future population growth, with county, city and town, and tribal comprehensive plans enacting policies to implement this goal. While comprehensive plans and development regulations seek to guide the location of future growth, market forces, personal choice and the supply of existing development rights also play a major role in determining where Skagit County residents choose to live.

Recommended Implementation Mechanisms

The Citizen Committee's recommendations specifically acknowledge development rights that exist under current zoning. The Committee recommends achieving its land use vision through financial mechanisms (development rights purchases), market mechanisms (transfers of development rights), and incentive, voluntary, and education-based measures (including making urban areas highly attractive places to live).

The Committee does not recommend strict regulatory measures to force development to meet the 90/10 ratio for new population growth and other related Committee goals. At the same time, the Committee's recommendations indicate awareness that new regulatory requirements from the state and federal governments may reduce development potential, or increase costs, in rural Skagit County. Some of the measures most likely to affect the potential for or cost of rural development in Skagit County are:

- State-mandated limitations on ground water withdrawals in the Fisher-Carpenter Creek stream basin because low flows in that creek system are below legally agreed-upon levels. Similar restrictions may apply in the future in the East Fork and Upper Nookachamps Creek basins.
- Implementation of new regulations on development within the Skagit and Samish River floodplains. These new regulations are required by a federal "biological opinion" that the Federal Emergency Management Agency's flood insurance program has encouraged floodplain development, causing harm to Puget Sound Chinook salmon and Puget Sound resident orca whales, both of which are protected under the federal Endangered Species Act.
- Pending remapping of the Skagit River's 100-year floodplain by the Federal Emergency Management Agency, which will likely result in significantly higher "base flood elevations" in portions of the floodplain. This will likely lead to higher costs for development due to requirements that such development be elevated to reduce flood damage and risk.

Some of the major mechanisms to implement the Committee's recommendation are as follows:

1. Make cities and towns great places to live.

The more attractive and affordable urban living is, the more people will choose it. Implementing this goal is a major focus of the Committee's recommendations in Goal Statement 2 (Compact Communities) and Goal Statement 7 (Housing Variety and Affordability). A great deal of demographic and economic research points to growing market demand for urban, compact, walkable, mixed-use communities. To the extent these trends currently apply or will develop in Skagit County in the future, they will support achievement of the Committee's vision and recommendations. Additionally, currently high gasoline prices and continued projected increases under "peak oil" scenarios will create an additional economic incentive for Skagit County residents to choose to live in closer-in urban communities over more distant rural communities requiring longer daily commutes.³

2. Create capacity within cities and towns to accommodate 90% of the future growth.

Appropriate UGA sizing is the major mechanism under the current countywide planning policies for achieving the current goal for 80% of new population growth to locate in urban areas. It will remain a key mechanism for implementing the Citizen Committee's goal that 90% of new growth should locate in urban areas. The Committee emphasizes increasing capacity within existing urban boundaries, rather than expanding those boundaries

³ "Peak oil is the point in time when the maximum rate of global petroleum extraction is reached, after which the rate of production enters terminal decline... Optimistic estimations of peak production forecast the global decline will begin by 2020 or later, and assume major investments in alternatives will occur before a crisis, without requiring major changes in the lifestyle of heavily oil-consuming nations....Pessimistic predictions of future oil production operate on the thesis that either the peak has already occurred that oil production is on the cusp of the peak, or that it will occur shortly." Source: *Wikipedia*.

requirements that jurisdictions plan for and accommodate projected growth, and state and federal laws acknowledging and protecting private property rights.

Purchasing, Transferring, and Clustering Rural Development Rights

Absent an embrace of more regulatory measures, the additional major tools for implementing the committee’s recommendations for rural lands are development rights purchases, transfers, and clustering.

The Envision model and subsequent GIS analysis has shown that there are approximately 13,500 existing “development rights” outside of urban areas. This means that under current zoning and land use regulations, there are approximately 13,500 lots that exist or can be created for residential development purposes. These are distributed as follows:

Zoning	Existing Development Rights (estimated)	Comments
Agriculture-Natural Resource Land (NRL)	683	An estimated 438 of the Ag-NRL developments are entirely in the floodplain
Industrial Forest-NRL	402	
Rural Intermediate	1572	
Rural Resource-NRL (RRc-NRL)	1594	The CaRD density bonus accounts for approx. 800 to 1,100 of these RRc-NRL development rights
Rural Reserve (RRv)	7206	The CaRD density bonus accounts for approx. 2,500 – 3,000 of these RRv development rights
Rural Village Residential	1057	
Secondary Forest-NRL	973	

Options for influencing how or where those development rights are exercised include:

4. Development right purchases.

The Committee’s recommendations could require a total purchase of up to 1,200 development rights to preclude residential development in Agriculture-Natural Resource Land (Ag-NRL) and other rural lands in the floodplain. The average market value of one residential development right on Ag-NRL is about \$120,000.⁵ Multiplied by the roughly 438 Ag-NRL floodplain development rights not yet exercised, the cost of purchasing all remaining Ag-NRL development rights in the floodplain would be about \$53 million.⁶

Without a similar estimate for the average cost of a development right on non-Ag-NRL rural land, it is impossible to develop an estimate for the overall cost of purchasing the additional estimated 762 unexercised rural floodplain development rights. As with Ag-NRL development rights, it would likely amount to tens of millions of dollars. The

⁵ Bob Suttles, Northwest Real Estate Valuation, based on work done for the Skagit County Farmland Legacy Program.

⁶ The cost for purchasing the remaining, non-floodplain Ag-NRL development rights would be about \$30 million.

cost of purchasing existing, unexercised commercial and industrial development rights in the rural floodplain areas is also not estimated here.

Obviously these are very sizable amounts. The county currently generates about \$740,000 per year through local property taxes for purchase of Ag-NRL development rights by the Farmland Legacy Program. Additional matching funds are obtained from state, federal, and private sources; those additional funds ranged from about \$225,000 in 2009 to \$995,000 in 2010.

A rough estimate of an additional \$1.5 million is spent per year for other conservation purchases in Skagit County by various governmental and non-governmental organizations.

The Nature Conservancy has suggested there might be support among Skagit County voters, when economic times improve, to generate in the range of \$20 million – \$40 million in local financial support for land conservation purchases over a 10 year period.

State, federal, or international designation of Skagit County as a unique cultural and natural heritage site, as recommended by the Committee, could make the community eligible for additional state, federal or international funds for land conservation purposes.

Additional revenues for conservation purposes may be available from private, state, and federal sources because Skagit County is increasingly becoming recognized in the Puget Sound region and beyond as supporting unique and diverse natural and environmental assets. If markets for environmental services continue to develop, local property owners and land managers may realize new revenue streams for conservation and stewardship activities.

5. Development Right Transfers

In addition to development right purchases, the Committee’s recommendations anticipate requiring a significant number of development right transfers to achieve the goals of 90% urban and 10% rural population growth, and to move potential development out of Secondary Forest-NRL and Rural Resource-NRL lands and into urban areas or expanded rural villages. These transfers would be the result of a countywide (and preferably multi-jurisdictional) transfer of development rights program.⁷

The details of such a program should be developed based on a market analysis, which would examine the supply of development rights to be transferred, the market value of those rights, the market price of increased development rights in areas where the rights would be transferred, and appropriate exchange rates (e.g., allowing a developer in an urban area to build two new units of housing for every one rural development right purchased).

Burlington and Mount Vernon both have existing, small-scale TDR programs. King County has a very successful large-scale program. Montgomery County, Maryland, pioneered TDR programs to protect agricultural land many years ago. A program in Skagit County, however, would need to be tailored to unique local conditions, beginning with a market analysis. One feature that would likely be important for success is the creation of a central TDR “bank,” which can bridge the time gap between a willing buyer and a willing seller, stabilize a market by providing a steady supply of TDR credits, and reduce transaction costs when developers wish to purchase large number of development rights.

⁷ An issue paper on transfer of development rights programs, produced for the Citizen Committee by John Lombard, is fully referenced in Appendix G and is available for review and download on the Envision Skagit website at: www.skagitcounty.net/envisionskagit.

Infill: Development that takes place on vacant or underused parcels within an area that is already characterized by urban or more intensive rural development.

Low-impact development: Development that mimics or retains natural ways of reducing, detaining, and filtering stormwater runoff. Example techniques include, but are not limited to, green roofs, rain gardens, and permeable pavement, as well as broader considerations of site design, such as retaining native trees and soils and locating buildings where they will minimize runoff.

Mixed-use development: A development or group of developments that combine multiple land uses, such as residential, commercial, industrial, office, or institutional.

Non-point source pollution: Pollution that is discharged by multiple parties over a wide land area, not from one specific location. Examples include oil and grease from cars, fertilizers and pesticides from lawns or farms, pet waste, etc.

NRL (Natural Resource Land): Land designated by Skagit County under the Growth Management Act as having long-term commercial significance for natural resource production, including agriculture, forestry, and mining.

Open space: Undeveloped land that provides an array of public benefits, potentially including, but not limited to, natural resource use, recreational opportunities, scenic beauty, and fish and wildlife habitat.

Purchase of development rights: Removing the right to develop a property through purchase, without purchasing other ownership rights attached to the underlying land (e.g., agricultural or forestry use might continue).

Rural Villages: Unincorporated, compact, and predominantly residential rural communities that provide limited commercial and community services, typically including a post office, church, elementary school, fire hall, grocery store, service station, restaurant or other small retail business.

SCOG (Skagit Council of Governments): A voluntary organization of local governments in Skagit County that addresses shared concerns including regional transportation planning. Members include Skagit County, Skagit PUD, Skagit Transit, all cities and towns within the county, the Swinomish Tribal Community, the Samish Indian Nation, and the ports of Anacortes and Skagit County.

Stormwater: runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

Sustainable: Meeting the needs of the present without compromising the ability of future generations to meet their needs.

Tidegate Fish Initiative: An agreement between the Western Washington Agricultural Association, the National Marine Fisheries Service, and the Washington Department of Fish and Wildlife, which authorizes the conversion of 2,700 acres of delta farmland to salmon habitat in return for regulatory certainty necessary to operate and maintain the dike and drainage system.

Transfer of development rights: The removal of development rights from one property in exchange for the right to develop another property more intensively.

UGA (Urban Growth Area): An area where county, city and town comprehensive plans encourage urban growth, outside of which the Growth Management Act does not allow urban growth.