

COMPREHENSIVE PLAN

APPENDIX 3

**FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA
MANAGEMENT AGREEMENT**

December 30, 1996

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Friday Harbor Unincorporated Urban Growth Area Management Agreement

Section 1. Preface.

This document sets forth an agreement between San Juan County and the Town of Friday Harbor for the management of the unincorporated Friday Harbor Urban Growth Area (UGA) in accordance with RCW 36.115. Both jurisdictions recognize the need for cooperation in land use planning and public service delivery in the unincorporated UGA. The policies and strategies in this agreement are to guide the actions of each jurisdiction. This agreement does not, however, substitute for comprehensive planning by the Town and the County.

Section 2. Purpose.

This agreement is to accomplish the following purposes:

1. To promote communication and participation in planning for the unincorporated UGA;
2. To establish guidelines for orderly growth and development within the unincorporated UGA;
3. To concentrate urban development within the Town of Friday Harbor and the UGA; and
4. To coordinate land use regulation and development services to minimize the public and private costs of development within the unincorporated UGA.

Section 3. Official Maps.

The geographic area designated on Figure 1 to this agreement is the subject of this agreement and is coterminous with the area designated on the Town and County official comprehensive plan maps, respectively. The Town will provide the County with a copy of its official map.

Section 4. General Provisions.

1. The County and the Town will coordinate land use planning and the application of development regulations within the UGA as provided for in this agreement. Nothing shall prevent the County and the Town from establishing other cooperative agreements addressing particular projects, geographic areas, or concerns, which are not subject to this management agreement.
2. Notwithstanding the provisions of this agreement, the ultimate authority for land use and development decisions is retained by the County and the Town within their respective jurisdictions. Neither jurisdiction may assign or defer its decision making authority to the other.

Section 5. Joint Planning.

The County and the Town commit to the Joint Planning Policy adopted by San Juan County (*see Appendix 2*), or as it is jointly amended thereafter.

Section 6. Development Review Procedures.

1. Applications—General. This section applies to all land use and development permit applications, including all building permit, use permit, and land division applications.
2. Applications—Submittal to Town. Land use and development applications for projects located within the existing municipal boundaries of the Town of Friday Harbor shall be submitted to and acted upon by the Town of Friday Harbor according to its adopted regulations and procedures and the applicable provisions of this agreement (*see Section 7, below*).

3. Applications—Submittal to County. Land use and development applications for projects located within the unincorporated area of the Friday Harbor UGA shall be submitted to and acted upon by San Juan County according to its adopted regulations and procedures and the applicable provisions of this agreement (*see Section 7, below*).
4. Notice Requirements.
 - a. The jurisdiction receiving a use or development application involving property located within 1,000 feet of the municipal boundary or within 1,000 feet of the UGA boundary shall give notice to the other as specified below.
 - b. If no notice is required and/or no comment period is provided for a given application type by the applicable, adopted Town or County procedures, then the jurisdiction accepting the application shall provide notice to the other within three working days of finding an application to be complete. It shall then allow up to five working days for comments before action may be taken on the application.
 - c. If the applicable Town or County procedures specify notice requirements and the duration of a comment period, then the jurisdiction accepting the application shall give notice to the other and provide opportunity to comment as provided in the applicable procedures for the type of application involved.
 - d. The County shall notify the Town in writing of any comprehensive plan amendment, development code amendment, and of any other proposals for legislative action which affects land located within 1,000 feet of the municipal boundary or within the unincorporated UGA. Such notice shall be sufficient to allow the Town staff the opportunity to review and comment on such proposals before final action is taken. Likewise, the Town shall notify the County in writing of any comprehensive plan amendment, zoning code amendment, and any other proposals for legislative action which affects land within 1,000 feet of the municipal boundary or within the unincorporated UGA.
 - e. Nothing shall prevent the Town Plan Administrator and County Permit Center Director from agreeing to exempt certain types of developments from interjurisdictional notice requirements. Any such agreement shall be in writing and signed by both administrators.

Section 7. Use and Development Regulations.

The applicable use and development regulations shall be those adopted by the applicable jurisdiction, with the following additional provisions for the unincorporated UGA.

1. Land Uses.
 - a. That portion of the unincorporated UGA containing portions of the San Juan Island airport shall be developed only in accordance with the policies of the Town Comprehensive Plan light industrial, light manufacturing, or public utilities land use designations, provided that Port administrative offices shall be allowed. Residential and general commercial development shall be prohibited. Upon adoption of a revised zoning code implementing the land use element of the Town plan, this agreement shall be modified if necessary and desirable to better specify allowable uses and development standards for this portion of the UGA. Until that time only uses classifiable as light industrial, light manufacturing, airport-related, Port administrative offices, or public utilities, shall be allowed and shall be subject to the standards specified in the San Juan County Code.

- b. That portion of the unincorporated UGA not containing the San Juan Island airport shall be developed only in accordance with standards adopted by the Town for its Single-Family Residential zone.
2. Urban Services. Property within the unincorporated UGA proposed for new development which requires urban services (Town water and sewer facilities) shall be annexed before a land use or building permit is issued. Proposed developments which do not require urban services shall be subject to conditions establishing an enforceable developer extension agreement to pay for Town services upon the annexation of the subject property. County code requirements for on-site water supply, fire flow, sewage disposal and stormwater control facilities shall apply to allowable uses and developments that do not require urban services.
3. Buffers. New development within the unincorporated UGA on property abutting the UGA-County boundary shall provide drought-resistant vegetated buffers sufficient to mitigate significant adverse impacts to land and land uses outside of the unincorporated UGA boundary.
4. Critical Areas/Environmentally Sensitive Areas. Until the unincorporated UGA is annexed the San Juan County code requirements for sensitive areas shall apply.
5. Subdivisions and short subdivisions.
 - a. Subdivision applications shall be reviewed in accordance with the procedures and standards specified in the County Unified Development Code; however, Town improvement standards adopted in the Town of Friday Harbor Municipal Code for street, access, utility, and stormwater control improvements required for subdivisions (including any off-site improvements required) will apply and supersede County standards for such improvements.
 - b. The lease of Port-owned land in the unincorporated UGA for uses that are not airport-related shall be subject to County subdivision procedures unless the County adopts an alternative binding site plan procedure, and to Town subdivision improvement standards (including any off-site improvements required).
 - c. Simple land division procedures will not be allowed. Short subdivision procedures will apply to all land division applications involving fewer than five lots unless the County adopts an alternative binding site plan procedure.
 - d. The subject area includes 73.88 acres, as shown in Figure 1, which includes approximately seven acres of undeveloped land. Maximum coverage of this area with impervious surfaces shall not exceed fifty percent, including all structures, driveways, and parking and other similar use areas.

Section 8. Annexation.

1. Only those areas within the unincorporated UGA may be considered for annexation to the Town.
2. Urban services and capital facilities may be extended to properties within the unincorporated UGA only when those properties are annexed to the Town.
3. Property owners seeking annexation to the Town will be required to include in annexation petitions a full description of proposed development and any phasing plans, and the specific urban services needed.

Section 9. Administration.

The responsibility for administration of this agreement shall rest jointly with the San Juan County Board of Commissioners and the Friday Harbor Town Council, through their respective designees. Within 30 days of the effective date of this agreement the County and Town administrative designees will exchange the names and addresses to be used in official correspondence regarding this agreement. Each jurisdiction is responsible for keeping this contact information current and for directing correspondence consistent with this information.

Section 10. Periodic Review, Amendment, and Termination.

The term of this agreement shall be five years from the effective date and shall automatically be renewed for subsequent five year terms unless one of the following actions is taken:

1. The County and the Town may agree at any time to revise or terminate this agreement. Any such agreement shall be in writing and shall follow at least one joint public hearing by the San Juan County Board of Commissioners and the Friday Harbor Town Council.
2. Either party may notify the other of a desire to revise or terminate this agreement. Such notice shall be in writing and be given no fewer than ninety days prior to the automatic renewal date. Should such notice be given, the County and the Town will begin immediately and in good faith to revise and renew this agreement.
3. The County and the Town may agree to terminate this agreement upon the annexation of the entire unincorporated UGA to the Town.

Section 11. Effective Date and Filing Procedures.

The effective date of this agreement shall be the date it is filed with the County Auditor and with the Town Clerk.

Figure 1

Town of Friday Harbor, Urban Growth Area (UGA)

