
HOUSE BILL 2723

State of Washington

55th Legislature

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By Representatives Cairnes, Mulliken, Reams, Sherstad, Thompson, Mielke, Bush and O'Brien

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1 AN ACT Relating to industrial land banks; and amending RCW
2 36.70A.367.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.70A.367 and 1997 c 402 s 1 are each amended to read
5 as follows:

6 (1) In addition to the major industrial development allowed under
7 RCW 36.70A.365 and in addition to the authority to establish an urban
8 growth area outside of a city allowed under RCW 36.70A.110, a county
9 required or choosing to plan under RCW 36.70A.040 (~~(that has a~~
10 ~~population greater than two hundred fifty thousand and that is part of~~
11 ~~a metropolitan area that includes a city in another state with a~~
12 ~~population greater than two hundred fifty thousand or a county that has~~
13 ~~a population greater than one hundred forty thousand and is adjacent to~~
14 ~~another country)) may establish(~~(, in consultation with cities~~
15 ~~consistent with provisions of RCW 36.70A.210,~~) a process for
16 designating (~~(a bank of no more than two master planned locations for~~
17 ~~major industrial activity outside)) and determining the allowed uses
18 within industrial land banks as provided in this section. The
19 industrial land banks shall consist of no more than two noncontiguous~~~~

1 locations, which may include multiple development sites outside urban
2 growth areas. In establishing the size of a bank, a county shall
3 consider the projected population and economic growth of a county,
4 consistent with the other requirements for banks in subsection (3) of
5 this section.

6 (2) ((A master planned location for major industrial developments
7 outside an urban growth area may be included in the urban industrial
8 land bank for the county if criteria including, but not limited to, the
9 following are met)) Prior to designating an industrial land bank, a
10 county shall amend its county-wide planning policy under RCW 36.70A.210
11 to include policies for siting industrial land banks, if the county-
12 wide planning policy does not already contain such provisions. In
13 designating banks, a county shall consult with cities consistent with
14 the procedures and provisions of its county-wide planning policy.

15 (3) An industrial land bank may be designated at:

16 (a) A unique location or a location with unique physical
17 characteristics; or

18 (b) A location already characterized by, or adjacent to, some
19 existing industrial or commercial development.

20 (4)(a) To designate an industrial land bank under subsection (3)(a)
21 of this section, the county must make findings that: (i) The location
22 of the industrial land bank is unique or is characterized by unique
23 physical characteristics such as size, or proximity to transportation
24 facilities, natural resources, or related industries that support its
25 designation as an industrial land bank; and (ii) the necessary
26 infrastructure to support the industrial land bank is available or can
27 be provided by private or public sources in a reasonable manner and
28 time frame.

29 (b) To designate an industrial land bank under subsection (3)(b) of
30 this section, the county must make findings that: (i) An inventory has
31 been conducted and there are no suitable locations available for the
32 industrial land bank within existing urban growth areas within the
33 county; (ii) the establishment of the industrial land bank is important
34 to achieving documented economic development goals, policies, or plans
35 of the county or state; (iii) the necessary infrastructure to support
36 the industrial land bank is available or can be provided by private or
37 public sources in a reasonable manner and time frame; and (iv) the
38 industrial land bank location is characterized by some existing

1 industrial or commercial development or is adjacent to an area
2 characterized by such development.

3 (5) Final approval of an industrial land bank shall be through
4 adoption of the comprehensive plan or an adopted amendment to the
5 comprehensive plan, and development regulations that are consistent
6 with and implement the comprehensive plan, except that RCW
7 36.70A.130(2) does not apply so that inclusion or exclusion of
8 industrial land bank locations may be considered at any time.

9 (6) Nothing in this section may be construed to alter the
10 requirements for a county to comply with chapter 43.21C RCW.

11 (7) Once an industrial land bank has been approved, development
12 that qualifies as an allowed use and that the county determines meets
13 the requirements of (a) and (b) of this subsection may be located
14 there.

15 (a) Development in an industrial land bank designated under
16 subsection (3)(a) of this section must meet the following:

17 ~~((a) New)~~ (i) Infrastructure is provided for and/or applicable
18 impact fees are paid;

19 ~~((b) Transit-oriented site planning)~~ (ii) Transportation impacts
20 are mitigated and traffic demand management programs are implemented;

21 ~~((c))~~ (iii) Buffers are provided between the ~~((major))~~ industrial
22 ~~((development))~~ land bank and adjacent nonurban areas;

23 ~~((d))~~ (iv) Environmental ~~((protection))~~ impacts including impacts
24 to air and water quality ~~((has))~~ have been ~~((addressed and provided~~
25 ~~for))~~ mitigated in accordance with chapter 43.21C RCW and/or this
26 chapter;

27 ~~((e))~~ (v) Comprehensive plan policies and development regulations
28 are established to ensure that urban growth will not occur in adjacent
29 nonurban areas;

30 ~~((f))~~ (vi) Provision is made to mitigate adverse impacts on
31 designated agricultural lands, forest lands, and mineral resource
32 lands;

33 ~~((g) The plan for the major industrial development is consistent~~
34 ~~with the county's development regulations established for protection of~~
35 ~~critical areas; and~~

36 ~~(h) An inventory of developable land has been conducted as provided~~
37 ~~in RCW 36.70A.365.~~

1 ~~(3) In selecting master planned locations for inclusion in the~~
2 ~~urban industrial land bank, priority shall be given to locations that~~
3 ~~are adjacent to, or in close proximity to, an urban growth area.~~

4 ~~(4) Final approval of inclusion of a master planned location in the~~
5 ~~urban industrial land bank shall be considered an adopted amendment to~~
6 ~~the comprehensive plan adopted pursuant to RCW 36.70A.070, except that~~
7 ~~RCW 36.70A.130(2) does not apply so that inclusion or exclusion of~~
8 ~~master planned locations may be considered at any time.~~

9 ~~(5) Once a master planned location has been included in the urban~~
10 ~~industrial land bank, manufacturing and industrial businesses that~~
11 ~~qualify as major industrial development under RCW 36.70A.365 may be~~
12 ~~located there.~~

13 ~~(6) Nothing in this section may be construed to alter the~~
14 ~~requirements for a county to comply with chapter 43.21C RCW.~~

15 ~~(7) The authority of a county to engage in the process of including~~
16 ~~or excluding master planned locations from the urban industrial land~~
17 ~~bank shall terminate on December 31, 1998. However, any location~~
18 ~~included in the urban industrial land bank on December 31, 1998, shall~~
19 ~~remain available for major industrial development as long as the~~
20 ~~criteria of subsection (2) of this section continue to be met.~~

21 ~~(8) For the purposes of this section, "major industrial~~
22 ~~development" means a master planned location suitable for manufacturing~~
23 ~~or industrial businesses that: (a) Requires a parcel of land so large~~
24 ~~that no suitable parcels are available within an urban growth area; or~~
25 ~~(b) is a natural resource based industry requiring a location near~~
26 ~~agricultural land, forest land, or mineral resource land upon which it~~
27 ~~is dependent; or (c) requires a location with characteristics such as~~
28 ~~proximity to transportation facilities or related industries such that~~
29 ~~there is no suitable location in an urban growth area. The major~~
30 ~~industrial development may not be for the purpose of retail commercial~~
31 ~~development or multitenant office parks)) and~~

32 ~~(vii) Development relates to the unique location or unique physical~~
33 ~~characteristics that were the basis for designation of the industrial~~
34 ~~land bank such as size, or proximity to transportation facilities,~~
35 ~~natural resources, or related industries.~~

36 ~~(b) Development in an industrial land bank designated under~~
37 ~~subsection (3)(b) of this section must meet the following:~~

38 ~~(i) Infrastructure is provided for and/or applicable impact fees~~
39 ~~are paid;~~

1 (ii) Transportation impacts are mitigated and traffic demand
2 management programs are implemented;
3 (iii) Buffers are provided between the industrial land bank and
4 adjacent nonurban areas;
5 (iv) Environmental impacts including impacts to air and water
6 quality have been mitigated in accordance with chapter 43.21C RCW
7 and/or this chapter;
8 (v) Comprehensive plan policies and development regulations are
9 established to ensure that urban growth will not occur in adjacent
10 nonurban areas; and
11 (vi) Provision is made to mitigate adverse impacts on designated
12 agricultural lands, forest lands, and mineral resource lands.
13 (8) For the purposes of this section "industrial land bank" means
14 a location designated for one or more manufacturing, industrial,
15 commercial, or high-technology businesses, and related office uses.
16 The industrial land bank shall not be for the purpose of retail
17 commercial development or multiple tenant office parks.

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