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SENATE BILL 5915

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State of Washington

55th Legislature

1997 Regular Session

By Senators Anderson, Hale, Bauer and Stevens

Read first time 02/19/97. Referred to Committee on Government Operations.

1 AN ACT Relating to industrial land banks; amending RCW 36.70A.365;  
2 and repealing RCW 36.70A.367.

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

4 **Sec. 1.** RCW 36.70A.365 and 1995 c 190 s 1 are each amended to read  
5 as follows:

6 A county required or choosing to plan under RCW 36.70A.040 may  
7 establish, in consultation with cities consistent with provisions of  
8 RCW 36.70A.210, a process for reviewing and approving proposals to  
9 authorize siting of specific major industrial developments outside  
10 urban growth areas and may also establish industrial developments and  
11 industrial land banks as permissible urban growth outside of urban  
12 growth areas.

13 (1) "Major industrial development" means a master planned location  
14 for a specific manufacturing, industrial, or commercial business that:  
15 (a) Requires a parcel of land so large that no suitable parcels are  
16 available within an urban growth area; or (b) is a natural resource-  
17 based industry requiring a location near agricultural land, forest  
18 land, or mineral resource land upon which it is dependent. However,  
19 this does not preclude rural resource industries from otherwise

1 locating in rural and resource areas consistent with the rural and  
2 resource land elements of a jurisdiction's comprehensive plan. The  
3 major industrial development shall not be for the purpose of retail  
4 commercial development or multitenant office parks.

5 (2) "Industrial land bank" means a location designated for one or  
6 more manufacturing, industrial, commercial or high-tech businesses,  
7 related office uses, and incidental retail or commercial uses designed  
8 to serve or support the industrial land bank that requires a location  
9 with characteristics such as size or proximity to transportation  
10 facilities, natural resources, or related industries, such that the  
11 county finds there is no suitable location in an existing urban growth  
12 area. Except as otherwise provided in this chapter, the industrial  
13 land bank shall not be for the purpose of retail commercial development  
14 or multitenant office parks. The industrial land bank location must be  
15 characterized by some existing industrial or commercial development or  
16 must be adjacent to an area characterized by such development.

17 (3) In order to designate an industrial land bank, the county must  
18 make findings that: (a) An inventory has been conducted and there is  
19 no suitable location available for the industrial land bank within an  
20 existing urban growth area; (b) the establishment of the industrial  
21 land bank is important to achieving documented economic development  
22 goals, policies, or plans of the county or state; and (c) the necessary  
23 infrastructure to support the industrial land bank is available or can  
24 be provided by public or private sources in a reasonable manner and  
25 time frame. Priority shall be given to sites that are either adjacent  
26 to or in close proximity to an urban growth area, or to lands with  
27 unique characteristics necessary for the industrial land bank, or both.  
28 A county may designate no more than two noncontiguous industrial land  
29 bank locations, but each location may be made up of multiple  
30 development sites.

31 (4) A major industrial development may be approved outside an urban  
32 growth area or a development proposal within an industrial land bank  
33 may be approved in a county planning under this chapter if criteria  
34 including, but not limited to the following, are met:

35 (a) ~~((New))~~ Either adequate infrastructure is provided for ((and/  
36 or)), or applicable impact fees are paid, or both;

37 (b) ~~((Transit-oriented site planning))~~ Transportation impacts are  
38 addressed and traffic demand management programs are implemented where  
39 appropriate;

1 (c) Buffers are provided between the major industrial development  
2 or the industrial land bank and adjacent nonurban areas;

3 (d) Environmental protection including air and water quality has  
4 been addressed and provided for under chapter 43.21C RCW;

5 (e) Development regulations are established to ensure that urban  
6 growth will not occur in adjacent nonurban areas;

7 (f) Provision is made to mitigate adverse impacts on designated  
8 agricultural lands, forest lands, and mineral resource lands;

9 (g) The plan for the major industrial development or development in  
10 the industrial land bank is consistent with the county's development  
11 regulations established for protection of critical areas; and

12 (h) For major industrial developments, an inventory of developable  
13 land has been conducted and the county has determined and entered  
14 findings that land suitable to site the major industrial development is  
15 unavailable within the urban growth area. Priority shall be given to  
16 applications for sites that are adjacent to or in close proximity to  
17 the urban growth area.

18 ~~((+3))~~ (5) Counties planning under RCW 36.70A.040 may designate an  
19 industrial land bank on the land use map during the adoption of the  
20 comprehensive plan or as an amendment to the comprehensive plan. Final  
21 approval of an application for a major industrial development shall be  
22 considered an adopted amendment to the comprehensive plan adopted  
23 pursuant to RCW 36.70A.070 designating the major industrial development  
24 site on the land use map as an urban growth area. Counties planning  
25 under RCW 36.70A.040 may designate an industrial land bank on the land  
26 use map during the adoption of the comprehensive plan or as an  
27 amendment to the final plan. Designation of an industrial land bank or  
28 final approval of an application for a major industrial development  
29 shall not be considered an amendment to the comprehensive plan for the  
30 purposes of RCW 36.70A.130(2) and may be considered at any time.  
31 Necessary utilities and services may be provided to major industrial  
32 developments and to development within industrial land banks.

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

35 NEW SECTION. Sec. 2. RCW 36.70A.367 and 1996 c 167 s 2 are each  
36 repealed.

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