
SENATE BILL 5286

State of Washington

56th Legislature

1999 Regular Session

By Senators Swecker and Rasmussen

Read first time 01/19/1999. Referred to Committee on State & Local Government.

1 AN ACT Relating to industrial development in rural counties;
2 amending RCW 36.70A.367; and creating a new section.

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

4 **Sec. 1.** RCW 36.70A.367 and 1998 c 289 s 2 are each amended to read
5 as follows:

6 (1) In addition to the major industrial development allowed under
7 RCW 36.70A.365, a rural county required or choosing to plan under RCW
8 36.70A.040 (~~that meets the criteria in subsection (9) of this~~
9 ~~section~~) may establish, in consultation with cities consistent with
10 provisions of RCW 36.70A.210, a process for designating a bank of no
11 more than two master planned locations for major industrial activity
12 outside urban growth areas.

13 (2) A master planned location for major industrial developments
14 outside an urban growth area may be included in the urban industrial
15 land bank for the county if criteria including, but not limited to, the
16 following are met:

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

1 (b) Transit-oriented site planning and traffic demand management
2 programs are implemented;

3 (c) Buffers are provided between the major industrial development
4 and adjacent nonurban areas;

5 (d) Environmental protection including air and water quality has
6 been addressed and provided for;

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

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

11 (g) The plan for the major industrial development is consistent
12 with the county's development regulations established for protection of
13 critical areas; and

14 (h) An inventory of developable land has been conducted as provided
15 in RCW 36.70A.365.

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

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

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

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

30 ~~(7) ((The authority of a county to engage in the process of
31 including or excluding master planned locations from the urban
32 industrial land bank shall terminate on December 31, 1999. However,
33 any location included in the urban industrial land bank on December 31,
34 1999, shall remain available for major industrial development as long
35 as the criteria of subsection (2) of this section continue to be met.~~

36 ~~(8))~~ For the purposes of this section, "major industrial
37 development" means a master planned location suitable for
38 ~~((manufacturing or industrial businesses))~~ a manufacturing, industrial,
39 commercial, warehouse/distribution, office park, office, resort, or

1 related commercial and retail development that: (a) Requires a parcel
2 of land so large that no suitable parcels are available within an urban
3 growth area; or (b) is a natural resource-based industry requiring a
4 location near agricultural land, forest land, or mineral resource land
5 upon which it is dependent; or (c) requires a location with
6 characteristics such as proximity to transportation facilities or
7 related industries, or distance from densely populated areas, such that
8 there is no suitable location in an urban growth area. ((The major
9 industrial development may not be for the purpose of retail commercial
10 development or multitenant office parks.

11 ~~(9) This section applies to a county that at the time the process
12 is established under subsection (1) of this section:~~

13 ~~(a) Has a population greater than two hundred fifty thousand and is
14 part of a metropolitan area that includes a city in another state with
15 a population greater than two hundred fifty thousand;~~

16 ~~(b) Has a population greater than one hundred forty thousand and is
17 adjacent to another country; or~~

18 ~~(c) Has a population greater than forty thousand but less than
19 seventy-five thousand and has an average level of unemployment for the
20 preceding three years that exceeds the average state unemployment for
21 those years by twenty percent; and~~

22 ~~(i) Is bordered by the Pacific Ocean; or~~

23 ~~(ii) Is located in the Interstate 5 or Interstate 90 corridor.))~~

24 NEW SECTION. **Sec. 2.** Nothing in the 1999 amendments to RCW
25 36.70A.367 contained in section 1 of this act affects the authority of,
26 or any action taken by, a county under RCW 36.70A.367 as it existed
27 prior to the 1999 amendments. Any location included in an urban
28 industrial land bank on the effective date of this act shall remain
29 available for major industrial development as long as the criteria of
30 RCW 36.70A.367(2) continue to be met. However, the authority of a
31 county that is not a rural county to engage in the process of including
32 or excluding master planned locations from an urban industrial land
33 bank terminates on the effective date of this act.

34 NEW SECTION. **Sec. 3.** If any provision of this act or its
35 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

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