

SENATE BILL REPORT

EHB 2498

As Reported By Senate Committee On:
State & Local Government, February 28, 2002

Title: An act relating to establishing a pilot program authorizing designation of industrial land banks outside urban growth areas under certain circumstances.

Brief Description: Establishing a pilot program authorizing designation of industrial land banks outside urban growth areas under certain circumstances.

Sponsors: Representatives Fromhold, Dunn, Jarrett, Ogden, Lovick, Dunshee, Schmidt, Conway, Linville, Miloscia and Anderson.

Brief History:

Committee Activity: State & Local Government: 2/27/02, 2/28/02 [DPA].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass as amended.

Signed by Senators Gardner, Chair; Hale, Haugen, Horn, Keiser, McCaslin and Swecker.

Staff: Mac Nicholson (786-7445)

Background: Counties must encourage urban growth within urban growth areas (UGAs) and may allow growth outside UGAs if it is not urban in nature. The Growth Management Act (GMA) contains several exceptions to the general prohibition against urban growth outside UGAs, including a provision granting certain counties the authority to designate an industrial land bank outside of a UGA. Two different dates at which the authority was terminated were implemented for different counties, depending on established population, geographic, and unemployment criteria.

For counties with: (a) a population greater than 250,000 and that are part of a metropolitan area that included a city in another state with a population of greater than 250,000; (b) a population greater than 140,000 and that are adjacent to another country; or (c) a population between 40,000 and 75,000 and an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by 20 percent and are bordered by the Pacific Ocean or are located in the I-5 or I-90 corridor; the authority to establish land banks expired December 31, 1999 (Clark, Whatcom, Clallam, Lewis and Grant).

For counties that have a population between 40,000 and 80,000 with an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by 20 percent and is located in the I-5 or I-90 corridor, the authority to establish land banks expires December 31, 2002 (Lewis and Grant).

If an industrial land bank was set aside before the termination date, the county's ability to use it does not expire.

Summary of Amended Bill: The date at which the authority to designate land banks outside of UGAs is extended to December 31, 2007, for counties meeting the following criteria: (a) a population greater than 250,000 and is part of a metropolitan area that included a city in another state with a population greater than 250,000; (b) a population greater than 140,000 and is adjacent to another country; or (c) has a population between 40,000 and 75,000, and has an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by 20 percent, and is bordered by the Pacific Ocean or is located in the I-5 or I-90 corridor (Clark, Whatcom, Clallam, Lewis and Grant).

Several other counties are added to the list of counties eligible to utilize the industrial land bank program, including Benton, Columbia, Franklin, Garfield, Walla Walla and Mason.

The following additional criteria are required of a master planned location for major industrial developments outside a UGA before it may be included in the industrial land bank: an interlocal agreement related to infrastructure cost sharing and revenue sharing between the county and interested cities must be established; provisions must be established for determining the availability of alternate sites within urban growth areas and the long-term annexation feasibility of land sites outside of urban growth areas; and the development regulations must require the industrial land bank site to be used primarily for locating industrial and manufacturing businesses and specify gross floor area limits for commercial and service buildings.

A county that has established or proposes to establish an industrial land bank must review the need for an industrial land bank within the county, including a review of the availability of land for industrial and manufacturing uses within the urban growth area, during the required review and evaluation of comprehensive plans and development regulations.

Amended Bill Compared to Original Bill: Mason County is added to the list of counties eligible to utilize the industrial land bank program.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill allows economically distressed counties to attract industry and improve the economy of the county.

Testimony Against: None.

Testified: Selena Hopkins, WA Assn. of Counties (pro); Sharon Wylie, Clark County (pro); Mark Brown, City of Vancouver (pro).