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HOUSE BILL 2072

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State of Washington

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By Representatives Dunn, Fromhold, Eickmeyer, Jarrett, Mulliken, Ogden and Pennington

Read first time 02/14/2001. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to authorizing a pilot program for designating  
2 industrial land banks outside urban growth areas in certain  
3 circumstances; and amending RCW 36.70A.367.

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

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

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

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

18 (a) New infrastructure is provided for and/or applicable impact  
19 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; and

16 (i) Development regulations require the industrial land bank site  
17 to be used primarily for locating industrial and manufacturing  
18 businesses and specify that the gross floor area of all commercial and  
19 service buildings or facilities locating within the industrial land  
20 bank shall not exceed ten percent of the total gross floor area of  
21 buildings or facilities in the industrial land bank. The commercial  
22 and service businesses operated within the ten percent gross floor area  
23 limit should be supportive of or complementary to the primary  
24 industrial or manufacturing businesses within the industrial land bank.  
25 The commercial and service businesses should be established  
26 concurrently with or subsequent to the industrial or manufacturing  
27 businesses.

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

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

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

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

3 (7) The authority of a county to engage in the process of including  
4 or excluding master planned locations from the urban industrial land  
5 bank shall terminate on December 31, (~~1999~~) 2007. However, any  
6 location included in the urban industrial land bank on or before  
7 December 31, (~~1999~~) 2007, shall remain available for major industrial  
8 development as long as the criteria of subsection (2) of this section  
9 continue to be met. A county that has established or proposes to  
10 establish an industrial land bank pursuant to this section shall review  
11 the need for an industrial land bank within the county, including a  
12 review of the availability of land for industrial and manufacturing  
13 uses within the urban growth area, during the review and evaluation of  
14 comprehensive plans and development regulations required by RCW  
15 36.70A.130.

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

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

29 (a) Has a population greater than two hundred fifty thousand and is  
30 part of a metropolitan area that includes a city in another state with  
31 a population greater than two hundred fifty thousand;

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

34 (c) Has a population greater than forty thousand but less than  
35 seventy-five thousand and has an average level of unemployment for the  
36 preceding three years that exceeds the average state unemployment for  
37 those years by twenty percent; and

38 (i) Is bordered by the Pacific Ocean; or

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

1       (10) Any location included in an industrial land bank pursuant to  
2 section 2, chapter 289, Laws of 1998, section 1, chapter 402, Laws of  
3 1997, and section 2, chapter 167, Laws of 1996 shall remain available  
4 for major industrial development according to this section as long as  
5 the criteria of subsection (2) of this section continue to be  
6 satisfied.

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