

HOUSE BILL REPORT

SSB 6534

As Passed House:

March 3, 2004

Title: An act relating to the siting and designating processes of industrial land banks.

Brief Description: Designating processes and siting of industrial land banks.

Sponsors: By Senate Committee on Land Use & Planning (originally sponsored by Senators Hargrove and Mulliken).

Brief History:

Committee Activity:

Local Government: 2/25/04, 2/26/04 [DP].

Floor Activity:

Passed House: 3/3/04, 96-0.

Brief Summary of Substitute Bill

- Modifies the Growth Management Act provisions for siting master planned locations for major industrial development.
- Establishes a process for reviewing and approving proposals to authorize specific major industrial developments within an approved industrial land bank.
- Defines "industrial land bank."

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 10 members: Representatives Romero, Chair; D. Simpson, Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Clibborn, Ericksen, Mielke, Moeller and Upthegrove.

Staff: Thamas Osborn (786-7129).

Background:

Growth Management Act. The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are

required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA (GMA jurisdictions).

Urban Growth Areas. GMA jurisdictions must designate urban growth areas (UGAs) within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature. The GMA, however, includes exceptions to UGA requirements for new fully contained communities, master planned resorts, and major industrial developments complying with specified criteria.

Comprehensive Land Use Plans. GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. GMA jurisdictions also must adopt development regulations that are consistent with and implement the comprehensive plan.

Comprehensive plans and development regulations are subject to continuing review and evaluation by the adopting county or city. With limited exceptions, amendments to a comprehensive plan may be considered by the governing body of the local jurisdiction no more frequently than once every year. Additionally, GMA jurisdictions must review and, if needed, revise their comprehensive plans and development regulations according to a statutory schedule.

Major Industrial Development Pilot Project. In 1996 the Legislature enacted legislation authorizing a pilot project under which areas for major industrial development could be established outside UGAs for the purpose of expeditiously siting such development. Among other provisions, the pilot project legislation: a) established criteria for siting these developments within designated banks of land; b) provided for amending GMA comprehensive plans to implement these provisions; and c) specified eligibility criteria and termination dates for relevant county authority. The provisions of the original pilot project have been amended several times to modify the applicability criteria and termination dates.

Master Planned Locations Establishment Criteria. Eligible counties may establish up to two master planned locations for major industrial activity within an urban industrial land bank (land bank) located outside UGAs. Among other criteria for establishing major industrial developments within designated land banks, eligible counties must provide for new infrastructure, determine the feasibility of alternate sites, and satisfy specific development regulation requirements. Additionally, when selecting locations for inclusion within a land bank, counties must give priority to locations adjacent to, or in close proximity to, a UGA.

"Major industrial development" is defined as a master planned location suitable for manufacturing or industrial businesses that:

- requires a parcel of land so large that no suitable parcels are available within a UGA;
- is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent; or
- requires a location with characteristics such as proximity to transportation facilities or related industries such that there is no suitable location within a UGA.

Major industrial development may not be for the purpose of retail commercial development or multitenant office parks.

Summary of Bill:

Comprehensive Planning Process -- Locating Industrial Developments in Land Banks. A county must complete a comprehensive planning process before a master planned location for a major industrial development may be included in an industrial land bank. The planning process must ensure that the following criteria are met:

- development regulations are adopted to ensure that urban growth will not occur in adjacent non-urban areas;
- the master plan for the major industrial development is consistent with development regulations adopted for protection of critical areas;
- an inventory of developable land has been conducted;
- provisions are established for determining the availability of alternate sites within UGAs and the long-term annexation feasibility of sites outside UGAs; and
- development regulations are adopted to require, in part, the land bank site to be used primarily for locating industrial and manufacturing businesses.

Development Regulations -- Authorization of Specific Major Industrial Developments. A county must adopt development regulations establishing the criteria that must be met before the siting of a *specific* major industrial development within an approved industrial land bank may be authorized. These criteria must ensure that:

- new infrastructure is provided for and/or applicable impact fees are paid;
- transit-oriented site planning and traffic demand management programs are implemented;
- buffers are provided between the major industrial development and adjacent nonurban areas;
- environmental protection including air and water quality has been addressed and provided for;
- provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands; and
- an interlocal agreement related to infrastructure cost sharing and revenue sharing between the county and interested cities is established.

The approval of specific proposals for siting specific major industrial developments requires no further comprehensive plan amendment.

Industrial Land Banks -- Definition. "Industrial land bank" is defined to mean up to two master planned locations, each consisting of a parcel or parcels of contiguous land, sufficiently large so as not to be readily available within the UGA of a city, or otherwise meeting specified criteria. The definition specifies that the land bank must be suitable for manufacturing, industrial, or commercial businesses and designated by the county through the comprehensive planning process specifically for major industrial use.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The bill is the product of the GMA work group and will facilitate the creation of land banks for the siting of industrial developments. It will make it easier for counties to get industrial facilities constructed. The bill does not create significant changes in the overall process of siting master planned locations for major industrial development; rather, it merely changes the sequence of events. The criteria set forth in the bill are not new and have been part of the statutory scheme for 10 years.

Testimony Against: None.

Persons Testifying: Gerald Steel, citizen; and Scott Merriman, Washington Association of Counties.

Persons Signed In To Testify But Not Testifying: None.