

SENATE BILL REPORT

SB 6409

As Reported By Senate Committee On:
Land Use & Planning, February 5, 2004

Title: An act relating to expanding the eligibility of counties to designate industrial land banks.

Brief Description: Expanding the eligibility of counties to designate industrial land banks.

Sponsors: Senators Mulliken and Stevens.

Brief History:

Committee Activity: Land Use & Planning: 2/2/04, 2/5/04 [DP, DNP].

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: Do pass.

Signed by Senators Mulliken, Chair; Morton, Murray and T. Sheldon.

Minority Report: Do not pass.

Signed by Senator Kline.

Staff: Andrea McNamara (786-7483)

Background: Under the Growth Management Act (GMA), counties must encourage urban growth within urban growth areas (UGAs) and may allow growth outside if it is not urban in nature. The GMA contains several exceptions to the general prohibition against urban growth outside UGAs, one of which grants certain counties the authority to designate an industrial land bank outside of a UGA for up to two master planned locations.

The option to establish industrial land banks was the result of 1995 legislation that intended to provide a more expeditious process for counties to identify locations for major industrial development activity in advance of specific proposals and, thus, facilitate the siting of potential projects. The types of development allowed in industrial land banks are limited to manufacturing or industrial businesses that: (a) require a parcel of land so large that no suitable parcels are available within a UGA; (b) are natural resource based and require location near agriculture, forest, or mineral resource lands; or (c) require proximity to transportation facilities or related industries such that there are no suitable locations within a UGA.

Under current law, counties meeting the following criteria are eligible to designate industrial land banks:

- Counties with populations greater than 250,000 that are part of a metropolitan area that includes a city in another state with a population greater than 250,000;
- Counties with populations greater than 140,000 that are adjacent to another country;
- Counties with population densities of less than 100 persons and are bordered by the Pacific Ocean and by the Hood Canal;

- Counties with populations between 40,000 and 75,000 with average unemployment rates for the preceding three years that exceed the state average by 20 percent or more and are bordered by the Pacific Ocean or the Hood Canal or are located in the I-5 or I-90 corridor;
- Counties east of the Cascades that border another state to the south or are located wholly to the south of I-5 and border the Columbia River to the east; and
- Counties with population densities of less than 100 per square mile that are bordered by the Pacific Ocean and the Hood Canal.

The counties' authority to establish industrial land banks expires on two different dates, either December 31, 2002, or December 31, 2007, depending on the population, geographic, and unemployment criteria for the county.

Summary of Bill: The geographic limitations on which counties can designate industrial land banks are removed, so that all counties planning under the Growth Management Act (GMA) are eligible to participate.

The 2002 and 2007 termination dates that applied to current industrial land bank jurisdictions are removed.

The definition of "major industrial development" is expanded to include those developments that are incompatible with the residential or commercial development within an urban growth area.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: If the Industrial Land Bank program is good for some counties, it should be available to all, because the law already contains the necessary safeguards to protect inappropriate use of land outside of urban growth areas.

Testimony Against: The program should only be available in cases where it has been shown that sufficient land is not available within a county's UGAs to meet the needs of industrial development. The Legislature should make that determination on a case-by-case basis.

Testified: Donald Marcy, Nat'l Assoc. of Industrial & Office Properties (comment); Genessee Adkins, 1000 Friends of WA (con); Scott Merriman, Assoc. of Counties (con).