

SENATE BILL REPORT

SB 6534

As Reported By Senate Committee On:
Land Use & Planning, February 5, 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: Senators Hargrove and Mulliken.

Brief History:

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

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: That Substitute Senate Bill No. 6534 be substituted therefor, and the substitute bill do pass.

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

Staff: Andrea McNamara (786-7483)

Background: For a limited time, certain counties meeting specified population, geographic, and unemployment criteria are authorized to designate a bank of no more than two master planned locations outside of an urban growth area (UGA) that is suitable for major industrial development. Major industrial developments include manufacturing or industrial businesses that:

- require a parcel of land so large no suitable parcels are available within the UGA;
- are natural resource-based industries requiring a location near resource land upon which they are dependent; or
- require a location with characteristics such as proximity to transportation facilities or related industries such that there is no suitable location in an UGA. The bank may not be for retail commercial development or multi-tenant office parks.

The following criteria must be met prior to including a master planned location within an industrial land bank:

- provision for new infrastructure or payment of impact fees;
- implementation of transit-oriented site planning and traffic demand management programs;
- buffering between the development and adjacent nonurban areas;
- provision of environmental protection, including air and water quality;
- establishment of development regulations to ensure urban growth will not occur in adjacent nonurban areas;
- mitigation of adverse impacts on resource lands;
- consistency of the development plan with critical areas regulations;

- preparation of an inventory determining land suitable to site the location is unavailable within the UGA;
- establishment of an interlocal agreement regarding infrastructure cost and revenue sharing between the county and interested cities;
- provisions for determining alternative sites within UGAs and the long-term annexation feasibility of sites outside UGAs; and
- establishment of development regulations that limit commercial and service businesses to a maximum of 10 percent of the total gross floor area of facilities within an industrial land bank.

Inclusion of a master planned location within an industrial land bank is considered an amendment to a county's comprehensive plan.

Summary of Substitute Bill: The requirements for including master planned locations within industrial land banks and for siting specific development projects are separated so that designation of master planned locations may occur during the comprehensive planning process before a specific development project has been proposed.

Some of the current criteria for designating a master planned location within an industrial land bank may be delayed until the process for siting specific development projects within a land bank occurs. The following requirements must be met during the process for reviewing and approving proposals to authorize siting of specific major industrial development projects within an approved industrial land bank:

- 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 adjacent nonurban areas;
- environmental protections have been addressed and provided for;
- provision is made to mitigate adverse impacts on designated agricultural, forest, and mineral resource lands; and
- an interlocal agreement related to infrastructure cost and revenue sharing between the county and interested cities is established.

Designating master planned locations within an industrial land bank is considered an adopted amendment to a comprehensive plan, and approval of a specific development project does not require any further amendment to a comprehensive plan.

A definition of "industrial land bank" is added, and counties are authorized to designate two land banks within one county.

Substitute Bill Compared to Original Bill: The substitute makes a number of clarifying changes, including that a master planned location may be designated within an industrial land bank if certain criteria are met during the comprehensive planning process, and that specific development regulations must be adopted to comply with the criteria for siting locations and specific industrial development projects. The substitute also clarifies that an "industrial land bank" means up to two master planned locations, each consisting of a parcel or parcels of contiguous land.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is a consensus product of the GMA Working Group. It provides important improvements and clarifications in the process that will help counties be able to use this tool. It retains the balance that is necessary to protect areas outside of UGAs while still allowing for new economic opportunities.

Testimony Against: None.

Testified: Donald Marcy, NAIOP (pro); Betty Tabbutt, League of Women Voters (pro); Dave Williams, Assoc. WA Cities (pro); Scott Merriman, Assoc. of Counties (pro).