
SENATE BILL 6145

State of Washington 61st Legislature 2009 Regular Session

By Senators Swecker, Haugen, Prentice, Kastama, and Eide

Read first time 03/30/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to siting major auctioneering activity; amending
2 RCW 43.157.010; and adding a new section to chapter 36.70A RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW
5 to read as follows:

6 (1) In addition to the major industrial development allowed under
7 RCW 36.70A.365 and 36.70A.367, a county planning under RCW 36.70A.040
8 that meets the criteria in subsection (2) of this section may
9 establish, in consultation with cities consistent with RCW 36.70A.210,
10 a process for designating a master planned location for major
11 auctioneering activity outside urban growth areas, and regardless of
12 any underlying landuse designation. Once a master planned location is
13 designated, it shall be considered an urban growth area retained for
14 purposes of promoting major auctioneering activity.

15 (2) This section applies to a county that, at the time the process
16 is established in subsection (1) of this section, has or is adjacent to
17 a county that has an industrial equipment auction yard within fifty
18 miles of the master planned location, and the master planned location

1 is currently and planned to be located within two miles of the
2 Interstate 5 corridor.

3 (3) Designation of a master planned location for major
4 auctioneering activities under subsection (1) of this section is an
5 amendment to the comprehensive plan adopted under RCW 36.70A.070, and
6 the comprehensive plan does not require further amendment. The process
7 established under subsection (1) of this section for designating a
8 master planned location for major auctioneering activity must include,
9 but is not limited to, the following comprehensive plan policy
10 criteria:

11 (a) The master planned location must be located on lands: That
12 consist of an aggregation of land of one hundred fifty or more acres,
13 which is not required to be contiguous; and that are suitable for major
14 auctioneering activity;

15 (b) New infrastructure is provided for;

16 (c) Environmental review of a proposed designation of a master
17 planned location must be at the programmatic level, as long as the
18 environmental review of a proposed designation that is being reviewed
19 concurrent with a proposed major auctioneering activity is at the
20 project level;

21 (d) The site is used no more than eight times per year to conduct
22 major auctioneering activity. The full-time, annual, on-site employees
23 do not exceed sixty persons.

24 The maximum number of members of the public on the site at any one
25 time does not exceed five thousand;

26 (e) Urban growth will not occur in adjacent nonurban areas;

27 (f) Commercial development within a master planned location must be
28 directly related to the major auctioneering activity. Commercial uses
29 other than major auctioneering activity shall not exceed ten percent of
30 the total gross area of the development.

31 (4) Final approval of the designation of a master planned location
32 designated under subsection (3) of this section is subject to appeal
33 under RCW 36.70B.120.

34 (5) RCW 36.70A.365, 36.70A.367, and 36.70A.368 do not apply to the
35 designation of master planned locations or the review and approval of
36 specific major auctioneering activities under this section.

37 (6) "Major auctioneering activity" means the business of conducting
38 auctions by an "auction company," as defined in RCW 18.11.050, for

1 which the goods primarily offered for sale are industrial equipment,
2 and for which the gross annual sales at the master planned location are
3 expected to exceed ten million dollars.

4 **Sec. 2.** RCW 43.157.010 and 2004 c 275 s 63 are each amended to
5 read as follows:

6 (1) For purposes of this chapter and RCW 28A.525.166, 28B.76.210,
7 28C.18.080, 43.21A.350, (~~47.06.030,~~) and 90.58.100 (~~and~~) an
8 industrial project of statewide significance is a border crossing
9 project that involves both private and public investments carried out
10 in conjunction with adjacent states or provinces or a private
11 industrial development with private capital investment in
12 manufacturing, auctioneering, or research and development. To qualify
13 as an industrial project of statewide significance: (a) The project
14 must be completed after January 1, 1997; (b) the applicant must submit
15 an application for designation as an industrial project of statewide
16 significance to the department of community, trade, and economic
17 development; and (c) the project must have:

18 (i) In counties with a population of less than or equal to twenty
19 thousand, a capital investment of twenty million dollars;

20 (ii) In counties with a population of greater than twenty thousand
21 but no more than fifty thousand, a capital investment of fifty million
22 dollars;

23 (iii) In counties with a population of greater than fifty thousand
24 but no more than one hundred thousand, a capital investment of one
25 hundred million dollars;

26 (iv) In counties with a population of greater than one hundred
27 thousand but no more than two hundred thousand, a capital investment of
28 two hundred million dollars;

29 (v) In counties with a population of greater than two hundred
30 thousand but no more than four hundred thousand, a capital investment
31 of four hundred million dollars;

32 (vi) In counties with a population of greater than four hundred
33 thousand but no more than one million, a capital investment of six
34 hundred million dollars;

35 (vii) In counties with a population of greater than one million, a
36 capital investment of one billion dollars;

1 (viii) In counties with fewer than one hundred persons per square
2 mile as determined annually by the office of financial management and
3 published by the department of revenue effective for the period July
4 1st through June 30th, projected full-time employment positions after
5 completion of construction of fifty or greater;

6 (ix) In counties with one hundred or more persons per square mile
7 as determined annually by the office of financial management and
8 published by the department of revenue effective for the period July
9 1st through June 30th, projected full-time employment positions after
10 completion of construction of one hundred or greater; or

11 (x) Been designated by the director of community, trade, and
12 economic development as an industrial project of statewide significance
13 either: (A) Because the county in which the project is to be located
14 is a distressed county and the economic circumstances of the county
15 merit the additional assistance such designation will bring; or (B)
16 because the impact on a region due to the size and complexity of the
17 project merits such designation.

18 (2) The term manufacturing shall have the meaning assigned it in
19 RCW (~~(82.61.010)~~) 82.62.010.

20 (3) The term auctioneering shall have the meaning assigned to major
21 auctioneering activity in section 1 of this act.

22 (4) The term research and development shall have the meaning
23 assigned it in RCW (~~(82.61.010)~~) 82.62.010.

24 (~~(+4)~~) (5) The term applicant means a person applying to the
25 department of community, trade, and economic development for
26 designation of a development project as an industrial project of
27 statewide significance.

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