

HOUSE BILL REPORT

HB 1360

As Passed Legislature

Title: An act relating to extending the deadline to designate one or more industrial land banks.

Brief Description: Extending the deadline to designate one or more industrial land banks.

Sponsors: Representatives Wylie and Harris.

Brief History:

Committee Activity:

Local Government: 2/1/13, 2/8/13 [DP].

Floor Activity:

Passed House: 2/12/14, 72-26.

Passed Senate: 3/7/14, 48-0.

Passed Legislature.

Brief Summary of Bill

- Extends the termination date that qualifying counties have to designate industrial land banks for major industrial activity and to adopt conforming regulations.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Takko, Chair; Kochmar, Assistant Ranking Minority Member; Buys, Fitzgibbon, Liias, Springer and Upthegrove.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Ethan Moreno (786-7386).

Background:

Growth Management Act Introduction.

The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA

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establishes land use designation and environmental protection requirements for all Washington counties and cities, and a significantly wider array of planning duties for the 29 counties and the cities within that are obligated by mandate or choice to satisfy all planning requirements of the GMA.

The GMA directs jurisdictions that fully plan under the Act (planning jurisdictions) to adopt internally consistent comprehensive land use plans, which are generalized, coordinated land use policy statements of the governing body. Comprehensive plans, which are the frameworks of county and city planning actions, are implemented through locally adopted development regulations. Except in limited circumstances, comprehensive plan amendments may be considered by the governing body of the planning jurisdiction no more frequently than once per year. Planning jurisdictions are generally required to review and, if needed, revise their comprehensive plans and development regulations according to a recurring eight-year statutory schedule.

The GMA includes numerous requirements relating to the use or development of land in urban and rural areas. Among other planning requirements, counties that fully plan under the GMA (planning counties) must designate urban growth areas (UGAs) or areas within which urban growth must be encouraged and outside of which growth can occur only if it is not urban in nature.

Major Industrial Development —1996 Pilot Project and Subsequent Requirements.

In 1996 the Legislature enacted a pilot project authorizing the establishment of major industrial development locations outside of UGAs for the purpose of expeditiously siting qualifying development. Among other provisions, the pilot project legislation included criteria for siting these developments within designated banks of land, provided for amending comprehensive plans to implement these provisions, and 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 applicable criteria and termination dates.

Currently, planning counties meeting specific population, unemployment, and geographic requirements may, in consultation with cities, establish a process for designating a bank of one or two master planned locations for major industrial activity outside of UGAs. The two-step master planned location siting process requires designation of an industrial land bank (land bank) in the jurisdiction's comprehensive plan, and a subsequent approval of specific major industrial developments through a local master plan process. The designation process for a land bank requires the adoption of development regulations for the review and approval of specific major industrial developments through a master plan process.

Definitions of Principal Terms.

Terms relevant to the siting of land banks and appropriate major industrial development within them are defined in statute.

"*Major industrial development*" means 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 in a UGA.

"*Industrial land bank*" means 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 specific criteria. An industrial 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.

Expiration of Land Bank Designation Authority.

A planning county choosing to identify and approve locations for land banks must take action to designate one or more of these banks and adopt regulations meeting certain requirements on or before the last date to complete the county's next periodic comprehensive plan and development regulations review that occurs before December 31, 2014. The authority of a county to designate a land bank area in its comprehensive plan expires if not acted upon within these time limitations. Once a land bank area has been identified in a county's comprehensive plan, the authority of the county to process a master plan or site projects within an approved master plan does not expire.

Summary of Bill:

A planning county choosing to identify and approve locations for land banks must take action to designate one or more of these banks and adopt regulations meeting certain requirements on or before the last date to complete the county's next periodic comprehensive plan and development regulations review that occurs before December 31, 2016, rather than December 31, 2014.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Clark County has supported legislation to extend the land bank designation timeline for more than a decade. The process of siting large banks of land for industrial development includes safeguards to protect the process and cities. Because of the slowing economy and the course of events, the deadline for allowing the designation of land banks needs to be extended.

The extended deadline will give counties more time to site businesses and industries that provide jobs. Clark County will update its comprehensive plan in 2016, and this bill will allow them to fold land bank designations into that update.

(Opposed) None.

Persons Testifying: Representative Wylie, prime sponsor; and Mike Burgess, Clark County.

Persons Signed In To Testify But Not Testifying: None.