

# FINAL BILL REPORT

## ESB 5019

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### PARTIAL VETO

C 190 L 95

Synopsis as Enacted

**Brief Description:** Relating to industrial developments.

**Sponsors:** Senator Snyder.

**Senate Committee on Government Operations**

**House Committee on Government Operations**

**Background:** Counties planning under the Growth Management Act (GMA) must designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can only occur if it is not urban in nature. GMA also states that urban growth areas should be located: (1) in areas already characterized by urban growth that have existing public facility and service capacities to serve such development; and (2) in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, urban government services should be provided by cities, and urban government services should not be provided in rural areas.

One of the GMA planning goals, adopted to guide the development and adoption of comprehensive plans and development regulations, is that of economic development. It seeks to encourage economic development throughout the state that is consistent with comprehensive plans, promote economic opportunity, and encourage growth in areas experiencing insufficient economic growth.

Questions have arisen as to whether the GMA allows industrial developments outside urban growth areas.

**Summary:** Counties planning under the GMA may establish, in consultation with cities, a process for authorizing the siting of major industrial developments outside urban growth areas. The siting process must be consistent with countywide planning policies. "Major industrial development" is defined as a master planned location for a specific manufacturing, industrial, or commercial business that: (a) requires a parcel of land devoid of critical areas, and so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-based industry requiring a location near land upon which it is dependent. A major industrial development cannot be for the purpose of commercial shopping development or multi-tenant office parks.

A major industrial development may be approved outside an urban growth area if certain criteria are met. Some of these criteria are: provision of new infrastructure and/or establishment of impact fees; transit planning; buffers; environmental protection; assurance that urban growth will not occur in nonurban areas; mitigation of adverse impacts on natural resource lands; consistency with development regulations for protection of critical areas; an

inventory of developable land has been conducted; and findings that land is unavailable in the urban growth area.

Final approval must be considered an adopted amendment to the comprehensive plan designating the site as an urban growth area. The adopted amendment is not considered an annual amendment to the comprehensive plan and may be considered at any time.

**Votes on Final Passage:**

Senate	47	0	
House	96	0	(House amended)
Senate	39	0	(Senate concurred)

**Effective:** July 23, 1995

**Partial Veto Summary:** The emergency clause was eliminated. The Governor stated that the collaborative process established in the bill will take many months to complete.