

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2091

55th Legislature
1997 Regular Session

Passed by the House April 22, 1997
Yeas 64 Nays 34

**Speaker of the
House of Representatives**

Passed by the Senate April 18, 1997
Yeas 39 Nays 10

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2091** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2091

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington 55th Legislature 1997 Regular Session

By Representatives Cairnes, Gardner, Linville and Reams

Read first time 02/20/97. Referred to Committee on Government Reform & Land Use.

1 AN ACT Relating to industrial land banks; and amending RCW
2 36.70A.367.

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

4 **Sec. 1.** RCW 36.70A.367 and 1996 c 167 s 2 are each amended to read
5 as follows:

6 (1) In addition to the major industrial development allowed under
7 RCW 36.70A.365 and in addition to the authority to establish an urban
8 growth area outside of a city allowed under RCW 36.70A.110, a county
9 required or choosing to plan under RCW 36.70A.040 (~~((that has a~~
10 ~~population greater than two hundred fifty thousand and that is part of~~
11 ~~a metropolitan area that includes a city in another state with a~~
12 ~~population greater than two hundred fifty thousand))~~) may establish, in
13 consultation with cities consistent with procedures and provisions of
14 RCW 36.70A.210, a process for designating (~~((a bank of no more than two~~
15 ~~master planned locations for major industrial activity outside))~~) and
16 determining the allowed uses within industrial land banks. The
17 industrial land banks shall consist of no more than two noncontiguous
18 locations, which may include multiple development sites outside urban
19 growth areas.

1 (2) (~~(A master planned location for major industrial developments~~
2 ~~outside an urban growth area may be included in the urban industrial~~
3 ~~land bank for the county if criteria including, but not limited to, the~~
4 ~~following are met)~~) "Industrial land bank" means a location designated
5 for one or more manufacturing, industrial, commercial, or high-
6 technology businesses, and related office uses. The industrial land
7 bank shall not be for the purpose of retail commercial development or
8 multiple tenant office parks. An industrial land bank may be
9 designated at (a) a unique location or a location with unique physical
10 characteristics, or (b) a location already characterized by, or
11 adjacent to, some existing industrial or commercial development.

12 (3) In order to designate an industrial land bank characterized by
13 a unique location or unique physical characteristics, the county must
14 make findings that: (a) The location of the industrial land bank is
15 unique or is characterized by unique physical characteristics such as
16 size, or proximity to transportation facilities, natural resources, or
17 related industries that support its designation as an industrial land
18 bank; and (b) the necessary infrastructure to support the industrial
19 land bank is available or can be provided by private or public sources
20 in a reasonable manner and time frame.

21 (4) In order to designate an industrial land bank already
22 characterized by some existing industrial or commercial development,
23 the county must make findings that: (a) An inventory has been
24 conducted and there are no suitable locations available for the
25 industrial land bank within existing urban growth areas within the
26 county; (b) the establishment of the industrial land bank is important
27 to achieving documented economic development goals, policies, or plans
28 of the county or state; (c) the necessary infrastructure to support the
29 industrial land bank is available or can be provided by private or
30 public sources in a reasonable manner and time frame; and (d) the
31 industrial land bank location is characterized by some existing
32 industrial or commercial development or is adjacent to an area
33 characterized by such development.

34 (5) Final approval of an industrial land bank shall be through
35 adoption of the comprehensive plan or an adopted amendment to the
36 comprehensive plan, and development regulations that are consistent
37 with and implement the comprehensive plan, except that RCW
38 36.70A.130(2) does not apply so that inclusion or exclusion of
39 industrial land bank locations may be considered at any time.

1 (6) Nothing in this section may be construed to alter the
2 requirements for a county to comply with chapter 43.21C RCW.

3 Once an industrial land bank has been approved, development that
4 qualifies as an allowed use and that the county determines meets the
5 requirements of subsections (7) and (8) of this section may be located
6 there.

7 (7) Development in an industrial land bank characterized by unique
8 location or unique physical characteristics must meet the following:

9 (a) ~~((New))~~ Infrastructure is provided for and/or applicable impact
10 fees are paid;

11 (b) ~~((Transit-oriented site planning))~~ Transportation impacts are
12 mitigated and traffic demand management programs are implemented;

13 (c) Buffers are provided between the ((major)) industrial
14 ((development)) land bank and adjacent nonurban areas;

15 (d) Environmental ((protection)) impacts including impacts to air
16 and water quality ((has)) have been ((addressed and provided for))
17 mitigated in accordance with chapter 43.21C and/or 36.70A RCW;

18 (e) Comprehensive plan policies and development regulations are
19 established to ensure that urban growth will not occur in adjacent
20 nonurban areas;

21 (f) Provision is made to mitigate adverse impacts on designated
22 agricultural lands, forest lands, and mineral resource lands; and

23 (g) ~~((The plan for the major industrial development is consistent~~
24 ~~with the county's development regulations established for protection of~~
25 ~~critical areas; and~~

26 (h) ~~An inventory of developable land has been conducted as provided~~
27 ~~in RCW 36.70A.365.~~

28 ~~(3) In selecting master planned locations for inclusion in the~~
29 ~~urban industrial land bank, priority shall be given to locations that~~
30 ~~are adjacent to, or in close proximity to, an urban growth area.~~

31 ~~(4) Final approval of inclusion of a master planned location in the~~
32 ~~urban industrial land bank shall be considered an adopted amendment to~~
33 ~~the comprehensive plan adopted pursuant to RCW 36.70A.070, except that~~
34 ~~RCW 36.70A.130(2) does not apply so that inclusion or exclusion of~~
35 ~~master planned locations may be considered at any time.~~

36 ~~(5) Once a master planned location has been included in the urban~~
37 ~~industrial land bank, manufacturing and industrial businesses that~~
38 ~~qualify as major industrial development under RCW 36.70A.365 may be~~
39 ~~located there.~~

1 ~~(6) Nothing in this section may be construed to alter the~~
2 ~~requirements for a county to comply with chapter 43.21C RCW.~~

3 ~~(7) The authority of a county to engage in the process of including~~
4 ~~or excluding master planned locations from the urban industrial land~~
5 ~~bank shall terminate on December 31, 1998. However, any location~~
6 ~~included in the urban industrial land bank on December 31, 1998, shall~~
7 ~~remain available for major industrial development as long as the~~
8 ~~criteria of subsection (2) of this section continue to be met.~~

9 ~~(8) For the purposes of this section, "major industrial~~
10 ~~development" means a master planned location suitable for manufacturing~~
11 ~~or industrial businesses that: (a) Requires a parcel of land so large~~
12 ~~that no suitable parcels are available within an urban growth area; or~~
13 ~~(b) is a natural resource based industry requiring a location near~~
14 ~~agricultural land, forest land, or mineral resource land upon which it~~
15 ~~is dependent. The major industrial development may not be for the~~
16 ~~purpose of retail commercial development or multitenant office parks))~~
17 Development relates to the unique location or unique physical
18 characteristics that were the basis for designation of the industrial
19 land bank such as size, or proximity to transportation facilities,
20 natural resources, or related industries.

21 (8) Development in an industrial land bank already characterized by
22 some existing industrial or commercial development must meet the
23 following:

24 (a) Infrastructure is provided for and/or applicable impact fees
25 are paid;

26 (b) Transportation impacts are mitigated and traffic demand
27 management programs are implemented;

28 (c) Buffers are provided between the industrial land bank and
29 adjacent nonurban areas;

30 (d) Environmental impacts including impacts to air and water
31 quality have been mitigated in accordance with chapter 43.21C and/or
32 36.70A RCW;

33 (e) Comprehensive plan policies and development regulations are
34 established to ensure that urban growth will not occur in adjacent
35 nonurban areas; and

36 (f) Provision is made to mitigate adverse impacts on designated
37 agricultural lands, forest lands, and mineral resource lands.

--- END ---