

CERTIFICATION OF ENROLLMENT

SENATE BILL 6014

Chapter 194, Laws of 2007

60th Legislature
2007 Regular Session

RECLAIMED SURFACE COAL MINES--INDUSTRIAL DEVELOPMENT

EFFECTIVE DATE: 07/22/07

Passed by the Senate March 12, 2007
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 10, 2007
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 21, 2007, 11:40 a.m.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6014** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 23, 2007

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6014

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senators Swecker, Haugen, Keiser, Hatfield, Zarelli, Benton, Hewitt, Stevens, Shin, Marr, Rasmussen, Oemig and Sheldon

Read first time 02/14/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to industrial development on reclaimed surface coal
2 mine sites; 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 industrial activity outside urban growth areas on lands formerly used
12 or designated for surface coal mining and supporting uses. Once a
13 master planned location is designated, it shall be considered an urban
14 growth area retained for purposes of promoting major industrial
15 activity.

16 (2) This section applies to a county that, at the time the process
17 is established in subsection (1) of this section, had a surface coal
18 mining operation in excess of three thousand acres that ceased

1 operation after July 1, 2006, and that is located within fifteen miles
2 of the Interstate 5 corridor.

3 (3) Designation of a master planned location for major industrial
4 activities is an amendment to the comprehensive plan adopted under RCW
5 36.70A.070, except that RCW 36.70A.130(2) does not apply so that
6 designation of master planned locations may be considered at any time.
7 The process established under subsection (1) of this section for
8 designating a master planned location for one or more major industrial
9 activities must include, but is not limited to, the following
10 comprehensive plan policy criteria:

11 (a) The master planned location must be located on lands: Formerly
12 used or designated for surface coal mining and supporting uses; that
13 consist of an aggregation of land of one thousand or more acres, which
14 is not required to be contiguous; and that are suitable for
15 manufacturing, industrial, or commercial businesses;

16 (b) New infrastructure is provided for; and

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

22 (4) Approval of a specific major industrial activity proposed for
23 a master planned location designated under this section is through a
24 local master plan process and does not require further comprehensive
25 plan amendment. The process for reviewing and approving a specific
26 major industrial activity proposed for a master planned location
27 designated under this section must include the following criteria in
28 adopted development regulations:

29 (a) The site consists of one hundred or more acres of land formerly
30 used or designated for surface coal mining and supporting uses that has
31 been or will be reclaimed as land suitable for industrial development;

32 (b) Urban growth will not occur in adjacent nonurban areas;

33 (c) Environmental review of a specific proposed major industrial
34 activity must be conducted as required in chapter 43.21C RCW.
35 Environmental review may be processed as a planned action, as long as
36 it meets the requirements of RCW 43.21C.031; and

37 (d) Commercial development within a master planned location must be

1 directly related to manufacturing or industrial uses. Commercial uses
2 shall not exceed ten percent of the total gross floor area of buildings
3 or facilities in the development.

4 (5) Final approval of the designation of a master planned location
5 designated under subsection (3) of this section is subject to appeal
6 under this chapter. Approval of a specific major industrial activity
7 under subsection (4) of this section is subject to appeal under chapter
8 36.70C RCW.

9 (6) RCW 36.70A.365 and 36.70A.367 do not apply to the designation
10 of master planned locations or the review and approval of specific
11 major industrial activities under this section.

Passed by the Senate March 12, 2007.

Passed by the House April 10, 2007.

Approved by the Governor April 21, 2007.

Filed in Office of Secretary of State April 23, 2007.