

# HOUSE BILL REPORT

## ESB 5915

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### As Passed House-Amended:

April 18, 1997

**Title:** An act relating to industrial land banks.

**Brief Description:** Allowing counties planning under the growth management act to establish industrial land banks as permissible urban growth outside of an urban growth area.

**Sponsors:** Senators Anderson, Hale, Bauer and Stevens.

### Brief History:

#### Committee Activity:

Government Reform & Land Use: 4/2/97, 4/4/97 [DP].

#### Floor Activity:

Passed House-Amended: 4/18/97, 96-0.

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### HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

**Majority Report:** Do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

**Minority Report:** Without recommendation. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

**Staff:** Kimberly Klaiber (786-7156).

**Background:** Under the Growth Management Act (GMA), each county and each city in counties that meet the GMA's requirements adopts a comprehensive plan that includes a list of elements and subjects set forth in the act. Counties and cities must include the following elements and subjects in a comprehensive plan: land use, housing, capital facilities plan, utilities, transportation, provisions designating the five types of critical areas, provisions designating the three types of natural resource lands, the goals and policies of the county's or city's shoreline master program adopted under the Shoreline Management Act, urban growth area designation, and rural element designation. A comprehensive plan also may include other elements and matters.

Counties and cities must also adopt *development regulations* consistent with their comprehensive plan and must designate and protect critical areas, designate and conserve certain natural resource lands, and designate urban growth areas. Among other requirements, each urban growth area must permit urban densities and must include greenbelt and open space areas. An urban growth area may include territory that is located outside of a city only if that territory is already characterized by or is adjacent to an area characterized by urban growth or is designated as a new, fully contained community.

Counties planning under the GMA that have populations greater than 250,000 and that is part of a metropolitan area that includes a city in another state with a population greater than 250,000 may establish a process for designating a bank of no more than two master planned locations for major industrial activity outside urban growth areas.

Major industrial development means a master planned location suitable for manufacturing or industrial businesses that: (a) requires a parcel of land 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 agricultural, forest, or mineral resource land upon which it depends.

The major industrial development is not for retail commercial development or multi-tenant office parks.

A master planned location for major industrial developments outside an urban growth area may be included in the urban industrial land bank for the county if certain criteria, including but not limited to the following, are met:

- Infrastructure or payment of applicable impact fees or both are provided for;
- Traffic demand management programs are implemented;
- Buffers are provided between the development and adjacent nonurban areas;
- Environmental issues are addressed;
- Mitigation of adverse impacts is addressed;
- The plan for development is consistent with the county's development regulations protecting critical areas; and
- An inventory of developable land resulted in a determination that no other land suitable to site the development is available within the urban growth area.

Final approval of a master planned location in an urban industrial land bank is considered an amendment to the comprehensive plan.

**Summary of Bill:** A county required or choosing to plan under the Growth Management Act that has a population greater than two hundred fifty thousand and that is part of a metropolitan area that includes a city in another state with a population greater than two hundred fifty thousand or a county that has a population

greater than one hundred forty thousand and is adjacent to another country may establish a process for designating a bank– of no more than two master planned locations for major industrial activity outside urban growth areas. Major industrial development must be in proximity to transportation facilities or related industries.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The core idea is to give local government a tool to provide additional land for industrial development. It brings jobs to communities where not enough jobs exist. The bill is the product of consensus and is important for economic development. This will attract new industrial development to the state.

**Testimony Against:** There should be a waiting period to see how the Trillium site case study works in order to flesh out the details of the process of land bank designation. There are unsolved policy questions. There should be a higher level of planning and formal coordination among ports, economic development councils, and local governments with respect to siting industrial land banks. The term commercial– as used in the bill is troubling because it contradicts the concept of a land bank. This may allow development where it is not allowed under current law.

**Testified:** Scott Hazlegrove, Association of Washington Business (pro); Sally Feldman, Washington Association of Realtors (pro); Steve Wells, Department of Community, Trade and Economic Development (pro with concerns); Mike Ryherd, 1000 Friends of Washington (concerns); Paul Parker, Washington State Association of Counties (pro); Dave Williams, Association of Washington Cities (pro with concerns); Michael Davolio, American Planning Association (con); Scott Merriman, Washington Environmental Council (con); and Paul Roberts, city of Everett (con).