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**SENATE BILL 6055**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senator Torres

AN ACT Relating to natural resource-based industrial development; adding a new section to chapter 36.70A RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that agriculture is the oldest, largest, and most essential industry in the world. Washington state, particularly, is home to more than 35,000 farms covering more than 14 million acres of land. Washington's agricultural output contributes more than $15 billion annually to the state's economy. The legislature further finds that rural counties in Washington rely on the economic impact of natural resource-based industries more than Washington's nonrural counties. Rural counties have also not benefited from many of the policies intended to focus development in urban areas. The legislature finds a need to pursue equity for rural areas by focusing natural resource-based development in areas that can foster needed living wage employment. The legislature finds that creating space for natural resource-based development in rural areas where the natural resources are and where there is a dire need for living wage employment would increase equity, reduce poverty, and reduce the environmental impact of development.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

(1) In addition to major industrial developments allowed under RCW 36.70A.365, a rural county required or choosing to plan under RCW 36.70A.040 and that meets the criteria in subsection (4) of this section may establish, in consultation with cities consistent with the provisions of RCW 36.70A.210, a process for designating a land bank of no more than two master planned locations for natural resource-based industrial activity outside urban growth areas.

(2) Natural resource-based industrial developments may be approved through either: Designation of a natural resource-based industrial land bank area in addition to the major industrial area land bank in the comprehensive plan meeting the requirements of subsection (3) of this section; or approval of specific natural resource-based industrial developments through a local master plan process described under subsection (4) of this section.

(3)(a) The comprehensive plan must identify locations suited to natural resource-based industrial development due to proximity to transportation or natural resource assets. The plan must identify the maximum size of the land bank area and any local limiting factors but does not need to specify a particular parcel or parcels of property or identify any specific use or user except as limited by this section.

(b) The environmental review for amendment of the comprehensive plan must be at the programmatic level and, in addition to a threshold determination, must include:

(i) An inventory of developable land as provided in RCW 36.70A.365; and

(ii) An analysis of the availability of alternative sites and the long-term annexation feasibility of sites outside of urban growth areas.

(c) Final approval of a natural resource-based industrial land bank area under this section must be by amendment to the comprehensive plan adopted under RCW 36.70A.070, and the amendment is exempt from the limitation of RCW 36.70A.130(2) and may be considered at any time. Approval of a specific natural resource-based industrial development within the industrial land bank area requires no further amendment of the comprehensive plan.

(4) When a county adopts development regulations for review and approval of specific natural resource-based industrial developments through a local master plan process, the regulations governing the master plan process shall ensure, at a minimum, that:

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

(b) Development is consistent with the county's development regulations adopted for protection of critical areas;

(c) Required infrastructure is identified and provided concurrent with development. Such infrastructure, however, may be phased in with development;

(d) Transit‑oriented site planning and demand management programs are specifically addressed as part of the master plan approval;

(e) Provision is made for addressing environmental protection, including air and water quality, as part of the master plan approval;

(f) The master plan approval includes a requirement that interlocal agreements between the county and service providers, including cities and special purpose districts providing facilities or services to the approved master plan, be in place at the time of master plan approval;

(g) A natural resource-based industrial development is used primarily by natural resource-based and agricultural-based industries, including processing, and that the gross floor area of all commercial and service buildings or facilities locating within the natural resource-based industrial development does not exceed 10 percent of the total gross floor area of buildings or facilities in the development. The intent of this provision for commercial or service use is to meet the needs of employees, clients, customers, vendors, and others having business at the industrial site, to attract and retain a quality workforce, and to further other public objectives, such as trip reduction. These uses may not be promoted to attract additional clientele from the surrounding area. Commercial and service businesses must be established concurrently with or subsequent to the natural resource or agricultural related businesses;

(h) New infrastructure is provided for or applicable impact fees are paid to assure that adequate facilities are provided concurrently with the development. Infrastructure may be achieved in phases as development proceeds;

(i) Buffers are provided between the natural resource-based industrial development and adjacent natural resource-based areas;

(j) Provision is made to mitigate adverse impacts on designated agricultural lands, forestlands, and mineral resource lands; and

(k) An open record public hearing is held before either the planning commission or hearing examiner with notice published at least 30 days before the hearing date and mailed to all property owners within one mile of the site.

(5) This section applies only to rural counties.

(6) For the purposes of this section:

(a) "Natural resource-based industrial development" means a location suitable for natural resource or agricultural related industrial business that: (i) Requires a parcel of land so large that no suitable parcels are available within an urban growth area; (ii) is a natural resource-based industry requiring a location near agricultural land, forestland, or mineral resource land upon which it is dependent; or (iii) requires a location with characteristics such as proximity to transportation facilities or related industries such that there is no suitable location in an urban growth area. The natural resource-based industrial development may not be for the purpose of retail commercial development or multitenant office parks. Natural resource-based industrial development may occur in addition to any other master planned industrial development or industrial land bank locations.

(b) "Rural counties" mean counties with a population density of less than 100 persons per square mile or a county smaller than 225 square miles as determined by the office of financial management pursuant to RCW 43.62.035.

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