

SENATE BILL REPORT

SB 5684

As of February 19, 2007

Title: An act relating to growth management planning.

Brief Description: Regarding growth management planning.

Sponsors: Senators Swecker, Roach, Hargrove and Sheldon.

Brief History:

Committee Activity: Government Operations & Elections: 2/20/07.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Mac Nicholson (786-7445)

Background: Under current law, planning counties meeting specific population, unemployment, and geographic requirements may, in consultation with cities, establish a process for designating an industrial land bank outside urban growth areas (UGA).

An "industrial land bank" is one or two master-planned locations, each consisting of a parcel or parcels of contiguous land sufficiently large so as to not be available within the UGA, that is designated by the county through the comprehensive planning process specifically for major industrial use.

A county that has established or proposes to establish an industrial land bank must review the need for a land bank within the county during specific comprehensive plan and development regulation reviews and evaluations mandated under the Growth Management Act (GMA). The review must include a review of the availability of land for industrial and manufacturing uses within the UGA.

A master-planned location for major industrial developments outside a UGA may be included in an industrial land bank if a number of criteria are met through the completion of a comprehensive planning process.

A "major industrial development" (MID) is a master-planned location suitable for manufacturing or industrial business that either: requires a parcel of land so large that no suitable parcels are available within the UGA; is a natural resource-based industry requiring a location near agricultural, forest, or mineral resource land; or requires a location with characteristics such as proximity to transportation facilities or related industries and there is no suitable location inside a UGA. MIDs may not be for the purpose of retail commercial development or multi-tenant office parks.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In selecting master-planned locations for inclusion in the land bank, priority must be given to locations that are adjacent to, or in close proximity to, a UGA. Final approval of inclusion of a master-planned location in an urban industrial land bank is considered an adopted amendment to the comprehensive plan. After a master-planned location has been included in a land bank, manufacturing and industrial businesses that qualify as major industrial development may be located there.

The process for reviewing and approving the siting of specific MIDs in an approved industrial land bank must meet a number of development regulations including the provision of new infrastructure or payment of impact fees; the provision of buffers between MID and adjacent areas; addressing environmental protection; mitigation of adverse impacts; and establishment of an interlocal agreement related to infrastructure cost and revenue sharing between the county and interested cities. Approval of specific MIDs requires no further comprehensive plan amendment.

Nothing in the major industrial development/land bank provisions alters the requirements for a county to comply with the State Environmental Policy Act.

The authority for counties to include or exclude master-planned locations from an industrial land bank terminates in 2007, or terminated in 2002, depending on certain population, unemployment, and geographic characteristics of the county.

Summary of Bill: The process for designating industrial land banks and approving major industrial developments is amended as follows:

A master-planned location for major industrial developments is approved through a two-step process: (1) the county must designate an industrial land bank in the comprehensive plan; and (2) approval of specific major industrial developments through a local master plan process.

The comprehensive plan must identify the maximum size of the industrial land bank and any limitations on major industrial developments based on local limiting factors; however, the plan need not specify a particular parcel or parcels of property nor identify any specific use or user. Final approval of an industrial land bank must be by amendment to the comprehensive plan. Approval of a specific major industrial development within the land bank requires no further amendment of the comprehensive plan.

The environmental review for amendment of the comprehensive plan must be at the programmatic level and include an inventory of developable land, an analysis of the availability of alternative sites within UGAs, and the long-term annexation feasibility of sites outside of UGAs.

The county must adopt development regulations for review and approval of specific MIDs through a master plan process. The master plan process must ensure that, at a minimum, urban growth will not occur in adjacent nonurban areas, development is consistent with critical areas regulations, that a MID is used primarily by industrial and manufacturing businesses, that infrastructure is provided, that buffers are provided and adverse impacts are mitigated, and that a public hearing is held.

The termination dates in existing law are eliminated. The qualifying criteria for counties to use industrial land banks is retained, with the exception that certain counties are no longer required to fall within a certain population threshold.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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