

# HOUSE BILL REPORT

## HB 2467

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### As Passed Legislature

**Title:** An act relating to industrial developments.

**Brief Description:** Revising the definition of "major industrial development" for the purpose of growth management planning.

**Sponsors:** Representatives Pennington, Morris, Carlson, Boldt and Benton.

**Brief History:**

**Committee Activity:**

Government Operations: 1/24/96, 1/26/96 [DP].

**Floor Activity:**

Passed House: 2/6/96, 84-13.

Senate Amended.

House Concurred.

Passed Legislature.

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### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass. Signed by 13 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Scott, Assistant Ranking Minority Member; Conway; Hargrove; Honeyford; Hymes; Mulliken; Scheuerman; D. Schmidt; Van Luven and Wolfe.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Rust, Ranking Minority Member; and R. Fisher.

**Staff:** Steve Lundin (786-7127).

**Background:** The Growth Management Act was enacted in 1990 and 1991, and established a variety of requirements for certain counties and the cities located in those counties.

1. Urban growth areas.

Among other requirements, each county planning under all requirements of the Growth Management Act must designate urban growth areas within the county, inside of which urban growth shall occur and outside of which urban growth shall not occur.

Every city must be included within an urban growth area. Other areas may be included in urban growth areas if they are already characterized by urban growth or are adjacent to such areas.

Several exceptions are established, which allow urban growth outside of urban growth areas. First, a county may authorize new fully contained communities outside urban growth areas, if certain conditions are met. Second, a county may authorize master planned resorts outside urban growth areas, if certain conditions are met. Third, a county may authorize major industrial developments outside urban growth areas, if certain conditions are met.

## 2. Major industrial developments.

Legislation was enacted in 1995, which allows counties to establish a process for approving major industrial developments outside urban growth areas. The county must consult with cities consistent with the provisions of the county-wide planning policy in establishing this process. A "major industrial development" is defined as a master planned location for a specific manufacturing or industrial business, or a specific commercial business other than retail commercial development or multi-tenant office parks, that

- requires a parcel of land so large that no suitable parcels without critical areas are available within any urban growth area; or
- is a natural-resource-based industry requiring location near agricultural land, forest land, or mineral resource land upon which it is dependent.

A variety of factors must be met before such development may be sited outside an urban growth area, including (a) infrastructure is provided and/or applicable impact fees have been paid, (b) buffers and environmental protection are provided, and (c) development regulations discourage urban growth in adjacent non-urban areas. Priority shall be given to applications for sites adjacent to or in proximity to the urban growth area.

**Summary of Bill:** A pilot project is authorized to designate an urban industrial land bank outside urban growth areas. The pilot project is in addition to the existing major industrial development siting process under the Growth Management Act.

A county may establish the pilot project if the county plans under all the requirements of the Growth Management Act, has a population of greater than 250,000, and is part of a metropolitan area that includes a city in another state with a population greater

than 250,000. The county establishes the pilot project in consultation with cities consistent with its county-wide planning policy.

The urban industrial land bank may consist of no more than two master planned locations for major industrial activity outside urban growth areas. Priority shall be given to locations that are adjacent to or in close proximity to an urban growth area. A master planned location for major industrial developments may be included in the urban industrial land bank if the same criteria are met that are required under the existing major industrial development process in the Growth Management Act. Only manufacturing and industrial businesses that qualify under that major industrial development process may be located in the master planned location.

The pilot project terminates on December 31, 1998, but any location included within the urban industrial land bank at that time remains available for major industrial development under the same criteria.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** This is needed to put people to work. We want clean business. Jobs and the environment are compatible. King County does not include sufficient industrial land within its urban growth area. Don't push urban growth areas out to accommodate industrial growth, but use this approach.

**Testimony Against:** This is the camel's nose under the tent. We just established the major industrial development exception last year, and here we are again expanding it. County people have testified that the annual changes to the Growth Management Act are hard to keep up with. This is more of the same.

**Testified:** Representative Pennington, prime sponsor; Allan Darr, Operating Engineers Local 302; Matt Ryan, Kitsap County; Steven Harenstein and Bob Levin, Clark County Economic Development Council; J. Thomas Bernard, Bernard Development Company; Mike Ryherd, 1,000 Friends; and Scott Merriman, Washington Environmental Council.