

SENATE BILL REPORT

ESB 5019

As Passed Senate, March 9, 1995

Title: An act relating to industrial developments.

Brief Description: Relating to industrial developments.

Sponsors: Senator Snyder.

Brief History:

Committee Activity: Government Operations: 2/28/95, 3/1/95 [DP].
Passed Senate, 3/9/95, 47-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Drew, Hale, Heavey, McCaslin and Winsley.

Staff: Eugene Green (786-7405)

Background: Counties planning under the Growth Management Act (GMA) must designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can only occur if it is not urban in nature. GMA also states that urban growth areas should be located: (1) in areas already characterized by urban growth that have existing public facility and service capacities to serve such development; and (2) in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources. Further, it is appropriate that urban government services should be provided by cities, and urban government services should not be provided in rural areas.

One of the GMA planning goals, adopted to guide the development and adoption of comprehensive plans and development regulations, is that of economic development. It seeks to encourage economic development throughout the state that is consistent with comprehensive plans, promote economic opportunity, and encourage growth in areas experiencing insufficient economic growth.

Questions have arisen as to whether the GMA allows industrial developments outside urban growth areas.

Summary of Bill: Counties planning under the GMA may establish, in consultation with cities, a process for authorizing the siting of major industrial developments outside urban growth areas. The siting process must be consistent with countywide planning policies. "Major industrial development" is defined as a master planned location for a specific manufacturing, industrial, or commercial business that: (a) requires a parcel of land devoid

of critical areas and 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 land upon which it is dependent. A major industrial development cannot be for the purpose of commercial shopping development or multi-tenant office parks.

A major industrial development may be approved outside an urban growth area if certain criteria are met. Some of these criteria are: provision of new infrastructure and establishment of impact fees; transit planning; buffers; environmental protection; assurance that urban growth will not occur in nonurban areas; mitigation of adverse impacts on natural resource lands; consistency with development regulations for protection of critical areas; an inventory of developable land has been conducted; and findings that land is unavailable in the urban growth area.

Final approval must be considered an adopted amendment to the comprehensive plan designating the site as an urban growth area and shall not be considered an annual amendment to the comprehensive plan and may be considered at any time.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This legislation is permissive and may be of help for a future unique development.

Testimony Against: We don't want to see large developments outside the urban growth areas.

Testified: William Stratton; George Sherwin, Quadrant; Paul Parker, AWC; Scott Merriman, Washington Environmental Council.

House Amendment(s): The requirement on infrastructure and impact fees is altered so that either the infrastructure has been provided, or applicable impact fees have been paid, or both, rather than both the infrastructure has been provided and impact fees established.