

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 3099**

Chapter 289, Laws of 1998

55th Legislature  
1998 Regular Session

INDUSTRIAL LAND BANK ESTABLISHMENT--AUTHORITY EXPANDED AND  
EXTENDED

EFFECTIVE DATE: 6/11/98

Passed by the House March 10, 1998  
Yeas 97 Nays 1

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate March 6, 1998  
Yeas 31 Nays 15

BRAD OWEN  
**President of the Senate**

Approved April 2, 1998

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 3099** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

April 2, 1998 - 2:29 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 3099**

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AS AMENDED BY THE SENATE

Passed Legislature - 1998 Regular Session

**State of Washington                      55th Legislature                      1998 Regular Session**

**By** House Committee on House Government Reform & Land Use (originally sponsored by Representatives DeBolt, Kessler and Johnson)

Read first time 02/05/98. Referred to Committee on .

1            AN ACT Relating to industrial developments; amending RCW  
2 36.70A.367; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** The legislature finds that to fulfill the  
5 economic development goal of this chapter, it is beneficial to expand  
6 the limited authorization for pilot projects for identifying locations  
7 for major industrial activity in advance of specific proposals by an  
8 applicant. The legislature further finds that land bank availability  
9 may provide economically disadvantaged counties the opportunity to  
10 attract new industrial activity by offering expeditious siting and  
11 therefore promote a community's economic health and vitality. The  
12 purpose of this act is to authorize and evaluate additional pilot  
13 projects for major industrial activity in economically disadvantaged  
14 counties.

15            **Sec. 2.** RCW 36.70A.367 and 1997 c 402 s 1 are each amended to read  
16 as follows:

17            (1) In addition to the major industrial development allowed under  
18 RCW 36.70A.365, a county required or choosing to plan under RCW

1 36.70A.040 that (~~has a population greater than two hundred fifty~~  
2 ~~thousand and that is part of a metropolitan area that includes a city~~  
3 ~~in another state with a population greater than two hundred fifty~~  
4 ~~thousand or a county that has a population greater than one hundred~~  
5 ~~forty thousand and is adjacent to another country)) meets the criteria  
6 in subsection (9) of this section may establish, in consultation with  
7 cities consistent with provisions of RCW 36.70A.210, a process for  
8 designating a bank of no more than two master planned locations for  
9 major industrial activity outside urban growth areas.~~

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

14 (a) New infrastructure is provided for and/or applicable impact  
15 fees are paid;

16 (b) Transit-oriented site planning and traffic demand management  
17 programs are implemented;

18 (c) Buffers are provided between the major industrial development  
19 and adjacent nonurban areas;

20 (d) Environmental protection including air and water quality has  
21 been addressed and provided for;

22 (e) Development regulations are established to ensure that urban  
23 growth will not occur in adjacent nonurban areas;

24 (f) Provision is made to mitigate adverse impacts on designated  
25 agricultural lands, forest lands, and mineral resource lands;

26 (g) The plan for the major industrial development is consistent  
27 with the county's development regulations established for protection of  
28 critical areas; and

29 (h) An inventory of developable land has been conducted as provided  
30 in RCW 36.70A.365.

31 (3) In selecting master planned locations for inclusion in the  
32 urban industrial land bank, priority shall be given to locations that  
33 are adjacent to, or in close proximity to, an urban growth area.

34 (4) Final approval of inclusion of a master planned location in the  
35 urban industrial land bank shall be considered an adopted amendment to  
36 the comprehensive plan adopted pursuant to RCW 36.70A.070, except that  
37 RCW 36.70A.130(2) does not apply so that inclusion or exclusion of  
38 master planned locations may be considered at any time.

1 (5) Once a master planned location has been included in the urban  
2 industrial land bank, manufacturing and industrial businesses that  
3 qualify as major industrial development under RCW 36.70A.365 may be  
4 located there.

5 (6) Nothing in this section may be construed to alter the  
6 requirements for a county to comply with chapter 43.21C RCW.

7 (7) The authority of a county to engage in the process of including  
8 or excluding master planned locations from the urban industrial land  
9 bank shall terminate on December 31, (~~(1998)~~) 1999. However, any  
10 location included in the urban industrial land bank on December 31,  
11 (~~(1998)~~) 1999, shall remain available for major industrial development  
12 as long as the criteria of subsection (2) of this section continue to  
13 be met.

14 (8) For the purposes of this section, "major industrial  
15 development" means a master planned location suitable for manufacturing  
16 or industrial businesses that: (a) Requires a parcel of land so large  
17 that no suitable parcels are available within an urban growth area; or  
18 (b) is a natural resource-based industry requiring a location near  
19 agricultural land, forest land, or mineral resource land upon which it  
20 is dependent; or (c) requires a location with characteristics such as  
21 proximity to transportation facilities or related industries such that  
22 there is no suitable location in an urban growth area. The major  
23 industrial development may not be for the purpose of retail commercial  
24 development or multitenant office parks.

25 (9) This section applies to a county that at the time the process  
26 is established under subsection (1) of this section:

27 (a) Has a population greater than two hundred fifty thousand and is  
28 part of a metropolitan area that includes a city in another state with  
29 a population greater than two hundred fifty thousand;

30 (b) Has a population greater than one hundred forty thousand and is  
31 adjacent to another country; or

32 (c) Has a population greater than forty thousand but less than  
33 seventy-five thousand and has an average level of unemployment for the  
34 preceding three years that exceeds the average state unemployment for  
35 those years by twenty percent; and

36 (i) Is bordered by the Pacific Ocean; or

37 (ii) Is located in the Interstate 5 or Interstate 90 corridor.

Passed the House March 10, 1998.  
Passed the Senate March 6, 1998.  
Approved by the Governor April 2, 1998.  
Filed in Office of Secretary of State April 2, 1998.