By Representative Pollet

HB 1717 - H COMM AMD
      By Committee on Local Government

1   On page 6, beginning on line 20, strike all of section 2 and
2 insert the following:
3   "**Sec. 2.** RCW 36.70A.085 and 2009 c 514 s 2 are each amended to
4 read as follows:
5   (1) Comprehensive plans of cities that have a marine container
6 port with annual operating revenues in excess of sixty million
7 dollars within their jurisdiction must include a container port
8 element.
9   (2) Comprehensive plans of cities that include all or part of a
10 port district with annual operating revenues in excess of twenty
11 million dollars may include a marine industrial port element. Prior
12 to adopting a marine industrial port element under this subsection
13 (2), the commission of the applicable port district must adopt a
14 resolution in support of the proposed element.
15   (3) Port elements adopted under subsections (1) and (2) of this
16 section must be developed collaboratively between the city, ((and))
17 the applicable port, and the applicable tribe, which shall comply
18 with RCW 36.70A.040(8), and must establish policies and programs that:
19   (a) Define and protect the core areas of port and port-related
20 industrial uses within the city;
21   (b) Provide reasonably efficient access to the core area through
22 freight corridors within the city limits; and
23   (c) Identify and resolve key land use conflicts along the edge
24 of the core area, and minimize and mitigate, to the extent
25 practicable, incompatible uses along the edge of the core area.
26   (4) Port elements adopted under subsections (1) and (2) of this
27 section must be:

(a) Completed and approved by the city according to the schedule specified in RCW 36.70A.130; and

(b) Consistent with the economic development, transportation, and land use elements of the city's comprehensive plan, and consistent with the city's capital facilities plan.

(5) In adopting port elements under subsections (1) and (2) of this section, cities and ports must: Ensure that there is consistency between the port elements and the port comprehensive scheme required under chapters 53.20 and 53.25 RCW; and retain sufficient planning flexibility to secure emerging economic opportunities.

(6) In developing port elements under subsections (1) and (2) of this section, a city may utilize one or more of the following approaches:

(a) Creation of a port overlay district that protects container port uses;

(b) Use of industrial land banks;

(c) Use of buffers and transition zones between incompatible uses;

(d) Use of joint transportation funding agreements;

(e) Use of policies to encourage the retention of valuable warehouse and storage facilities;

(f) Use of limitations on the location or size, or both, of nonindustrial uses in the core area and surrounding areas; and

(g) Use of other approaches by agreement between the city and the port.

(7) The *department of community, trade, and economic development must provide matching grant funds to cities meeting the requirements of subsection (1) of this section to support development of the required container port element.

(8) Any planned improvements identified in port elements adopted under subsections (1) and (2) of this section must be transmitted by the city to the transportation commission for consideration of inclusion in the statewide transportation plan required under RCW 47.01.071."

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2   Correct the title.

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    EFFECT: Removes container port element from list of possible optional elements to be included in a city's comprehensive plan, as well as the requirement for collaboration with a federally recognized Indian tribe in the adoption of such an element. Adds requirement for city collaboration in mandatory comprehensive plan port elements with an applicable tribe in compliance with the collaboration and participation provisions of the bill.

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