

SENATE BILL REPORT

SB 6575

As Reported By Senate Committee On:
Agriculture & Rural Economic Development, January 24, 2006

Title: An act relating to accessory uses on agricultural lands.

Brief Description: Identifying accessory uses on agricultural lands.

Sponsors: Senators Rasmussen, Roach, Kastama, Brandland, Berkey, Doumit, Rockefeller, Shin and Franklin; by request of Department of Agriculture.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 1/23/06, 1/24/06 [DPS-GO].

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6575 be substituted therefor, and the substitute bill do pass and be referred to Committee on Government Operations & Elections.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Schoesler, Ranking Minority Member; Delvin, Jacobsen, Morton and Sheldon.

Staff: Bob Lee (786-7404)

Background: The Growth Management Act provides that counties required to or that opt to plan under the act are to designate and protect agricultural lands of long-term commercial significance by the adoption of development regulations by September 1, 1991. These regulations are not to prohibit uses legally existing on any parcel prior to their adoption. Such regulations are to assure that the use of lands adjacent to agricultural lands shall not interfere with the continued use, and in the accustomed manner and in accordance with best management practices, of these designated agricultural lands.

Counties and cities may use innovative zoning techniques in areas designated as agricultural lands of long-term commercial significance to conserve agricultural lands and to encourage the agricultural economy. These techniques include but are not limited to agricultural zoning that limits the density of development and restricts or prohibits nonfarm use of agricultural lands.

In 2004, clarification was passed that agricultural zoning may allow accessory uses that support, promote, or sustain agricultural operations and production. This 2004 statute lists a set of conditions that accessory uses must comply with, including that the activity be agriculturally related.

Summary of Substitute Bill: The 2004 legislation is restructured. Agricultural related activities, including production, storage, distribution, and marketing, continue to be allowed. Nonagricultural related activities, as long as they are compatible in size, scale, and intensity of

the existing agricultural use and will not interfere with the agricultural uses of the property and neighboring properties, may be allowed at the option of the county.

Substitute Bill Compared to Original Bill: The amount of designated agricultural land that a county may allow to be used for accessory uses is not to exceed one acre of crop land.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill will allow rural people to supplement their income by allowing limited accessory uses that are compatible and do not undermine the continued agricultural use of the land.

Testimony Against: The bill does some things that are beneficial but it does not provide adequate parameters to assure the size and scale of accessory uses are limited.

Who Testified: PRO: Lee Faulconer, Department of Agriculture; Eric Johnson, Washington Association of Counties; Ron Wesen, Jay Gordon, Washington State Dairy Federation.

CON: Susie Kyle, citizen; Eugene Butler, citizen.

OTHER: E. L. Johnson, citizen.