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HOUSE BILL 2907

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Bailey, Schindler, Haler, Alexander, Clements, Ahern, Strow, Curtis, Dunn and Chandler

Read first time 01/16/2006. Referred to Committee on Local Government.

1            AN ACT Relating to encouraging ongoing agricultural activities on  
2 agricultural lands; and amending RCW 36.70A.060.

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

4            **Sec. 1.** RCW 36.70A.060 and 2005 c 423 s 3 are each amended to read  
5 as follows:

6            (1)(a) Except as provided in RCW 36.70A.1701, each county that is  
7 required or chooses to plan under RCW 36.70A.040, and each city within  
8 such county, shall adopt development regulations on or before September  
9 1, 1991, to assure the conservation of agricultural, forest, and  
10 mineral resource lands designated under RCW 36.70A.170. Regulations  
11 adopted under this subsection may not prohibit uses legally existing on  
12 any parcel prior to their adoption and shall remain in effect until the  
13 county or city adopts development regulations pursuant to RCW  
14 36.70A.040. Such regulations shall assure that the use of lands  
15 adjacent to agricultural, forest, or mineral resource lands shall not  
16 interfere with the continued use, in the accustomed manner and in  
17 accordance with best management practices, of these designated lands  
18 for the production of food, agricultural products, or timber, or for  
19 the extraction of minerals.

1 (b) Counties and cities shall require that all plats, short plats,  
2 development permits, and building permits issued for development  
3 activities on, or within five hundred feet of, lands designated as  
4 agricultural lands, forest lands, or mineral resource lands, contain a  
5 notice that the subject property is within or near designated  
6 agricultural lands, forest lands, or mineral resource lands on which a  
7 variety of commercial activities may occur that are not compatible with  
8 residential development for certain periods of limited duration. The  
9 notice for mineral resource lands shall also inform that an application  
10 might be made for mining-related activities, including mining,  
11 extraction, washing, crushing, stockpiling, blasting, transporting, and  
12 recycling of minerals.

13 (2) Each county and city shall adopt development regulations that  
14 protect critical areas that are required to be designated under RCW  
15 36.70A.170. For counties and cities that are required or choose to  
16 plan under RCW 36.70A.040, such development regulations shall be  
17 adopted on or before September 1, 1991. For the remainder of the  
18 counties and cities, such development regulations shall be adopted on  
19 or before March 1, 1992.

20 (3) Such counties and cities shall review these designations and  
21 development regulations when adopting their comprehensive plans under  
22 RCW 36.70A.040 and implementing development regulations under RCW  
23 36.70A.120 and may alter such designations and development regulations  
24 to insure consistency.

25 (4) Forest land and agricultural land located within urban growth  
26 areas shall not be designated by a county or city as forest land or  
27 agricultural land of long-term commercial significance under RCW  
28 36.70A.170 unless the city or county has enacted a program authorizing  
29 transfer or purchase of development rights.

30 (5) Regulations adopted under this section may not require  
31 modifications to or otherwise limit ongoing, preexisting agricultural  
32 activities occurring on agricultural lands if the parcel that would  
33 otherwise be subject to regulation under this section:

34 (a) Is ten or fewer acres in size; and

35 (b) Is not a subset of a larger agricultural land area owned by the  
36 same property owner or owners.

1       (6) "Agricultural activities" as used in this section has the same  
2 meaning as defined in RCW 90.58.065(2).

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