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**SUBSTITUTE HOUSE BILL 2917**

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**State of Washington**

**59th Legislature**

**2006 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives P. Sullivan, Kristiansen, Simpson, Linville, Blake and Ericks; by request of Department of Agriculture)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to accessory uses on agricultural lands; and  
2 amending RCW 36.70A.177.

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

4 **Sec. 1.** RCW 36.70A.177 and 2004 c 207 s 1 are each amended to read  
5 as follows:

6 (1) A county or a city may use a variety of innovative zoning  
7 techniques in areas designated as agricultural lands of long-term  
8 commercial significance under RCW 36.70A.170. The innovative zoning  
9 techniques should be designed to conserve agricultural lands and  
10 encourage the agricultural economy. Except as provided in subsection  
11 (3) of this section, a county or city should encourage nonagricultural  
12 uses to be limited to lands with poor soils or otherwise not suitable  
13 for agricultural purposes.

14 (2) Innovative zoning techniques a county or city may consider  
15 include, but are not limited to:

16 (a) Agricultural zoning, which limits the density of development  
17 and restricts or prohibits nonfarm uses of agricultural land and may  
18 allow accessory uses, including nonagricultural related uses, that

1 support, promote, or sustain agricultural operations and production, as  
2 provided in subsection (3) of this section;

3 (b) Cluster zoning, which allows new development on one portion of  
4 the land, leaving the remainder in agricultural or open space uses;

5 (c) Large lot zoning, which establishes as a minimum lot size the  
6 amount of land necessary to achieve a successful farming practice;

7 (d) Quarter/quarter zoning, which permits one residential dwelling  
8 on a one-acre minimum lot for each one-sixteenth of a section of land;  
9 and

10 (e) Sliding scale zoning, which allows the number of lots for  
11 single-family residential purposes with a minimum lot size of one acre  
12 to increase inversely as the size of the total acreage increases.

13 (3)((~~a~~)) Accessory uses allowed under subsection (2)(a) of this  
14 section shall comply with the following:

15 ((~~i~~)) (a) Accessory uses shall be located, designed, and operated  
16 so as not to interfere with natural resource land uses and shall (~~be~~  
17 ~~accessory to the growing of crops or raising of animals~~) comply with  
18 the goals and requirements of this chapter;

19 ((~~ii~~)) (b) Accessory (~~commercial or retail~~) uses (~~shall~~  
20 ~~predominately produce, store, or sell regionally produced~~) may  
21 include:

22 (i) Agricultural activities, including but not limited to the  
23 production, storage, distribution, and marketing of agricultural  
24 products from one or more producers, products derived from (~~regional~~)  
25 agricultural production, agriculturally related experiences, or  
26 products produced on-site(~~. Accessory commercial and retail uses~~  
27 ~~shall offer for sale predominantly products or services produced on-~~  
28 ~~site~~), including support services that facilitate these uses; and

29 ((~~iii~~)) (ii) Nonagricultural related activities as long as they  
30 are compatible in size, scale, and intensity with, will not interfere  
31 with, and will support the continuation of the agricultural use of the  
32 property and neighboring properties; and

33 (c) Accessory uses may operate out of existing or new buildings  
34 with parking and other supportive uses consistent with the size  
35 (~~and~~), scale, and intensity of the existing agricultural use of the  
36 property and the existing buildings on the site but shall not otherwise  
37 convert more than one acre of agricultural land to nonagricultural  
38 uses. Unless predominately used for regionally produced agricultural

1 products, any accessory uses including new buildings, parking, or  
2 supportive uses shall not be located outside the general area already  
3 developed for buildings and residential uses and shall not take more  
4 than one acre of agricultural land out of production.

5 ~~((b) Accessory uses may include compatible commercial or retail~~  
6 ~~uses including, but not limited to:~~

7 ~~(i) Storage and refrigeration of regional agricultural products;~~

8 ~~(ii) Production, sales, and marketing of value added agricultural~~  
9 ~~products derived from regional sources;~~

10 ~~(iii) Supplemental sources of on farm income that support and~~  
11 ~~sustain on farm agricultural operations and production;~~

12 ~~(iv) Support services that facilitate the production, marketing,~~  
13 ~~and distribution of agricultural products; and~~

14 ~~(v) Off farm and on farm sales and marketing of predominately~~  
15 ~~regional agricultural products and experiences, locally made art and~~  
16 ~~arts and crafts, and ancillary retail sales or service activities.))~~

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