S-3330.1

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**SENATE BILL 5641**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Short and L. Wilson

AN ACT Relating to promoting local agriculture through greenhouses; amending RCW 19.27.015 and 19.27.065; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature recognizes that both food security and food quality are increasingly threatened by ongoing logistical supply line disruptions and inflation. Access to and affordability of food, in particular fresh fruits and vegetables, is vital to the health and well-being of our citizens. The legislature finds that supporting the growth and development of innovative new low-energy techniques for the year-round production of fresh fruits and vegetables at the local level is a crucial part of solving this need. Local food banks have done tremendous work in providing access to nutrition during the COVID-19 pandemic. The legislature finds that supporting local food banks in providing access to affordable nutrition enhances the health and welfare of our citizens. The legislature seeks to encourage the adoption of these techniques by individual families in order to increase and enhance access and availability to fresh year-round food supplies for themselves and their communities.

**Sec.**  RCW 19.27.015 and 2018 c 207 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Agricultural structure" means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure may not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor may it be a place used by the public.

(2) "City" means a city or town.

(3) "Commercial building permit" means a building permit issued by a city or a county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building not covered by a residential building permit.

(4) "Multifamily residential building" means common wall residential buildings that consist of four or fewer units, that do not exceed two stories in height, that are less than five thousand square feet in area, and that have a one-hour fire-resistive occupancy separation between units.

(5) "Residential building permit" means a building permit issued by a city or a county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building containing only dwelling units used for independent living of one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation, and structures accessory to dwelling units, such as detached garages and storage buildings.

(6) "Temporary growing structure" means a structure that has the ((~~sides and~~)) roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

**Sec.**  RCW 19.27.065 and 1996 c 157 s 2 are each amended to read as follows:

The provisions of this chapter do not apply to temporary growing structures used solely for the ((~~commercial~~)) production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building or structure for purposes of this chapter.

**--- END ---**