

2 **ESSB 6228 - H COMM AMD ADOPTED 03/02/94**

3 By Committee on Natural Resources & Parks

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that it is in the
8 public interest to identify and provide long-term conservation of those
9 productive natural resource lands that are critical to and can be
10 managed economically and practically for long-term commercial
11 production of food, fiber, and minerals. Successful achievement of the
12 natural resource industries' goal set forth in RCW 36.70A.020 requires
13 the conservation of a land base sufficient in size and quality to
14 maintain and enhance those industries and the development and use of
15 land use techniques that discourage uses incompatible to the management
16 of designated lands. The 1994 amendment to RCW 36.70A.030(8) (section
17 2(8) of this act) is intended to clarify legislative intent regarding
18 the designation of forest lands and is not intended to require every
19 county that has already complied with the interim forest land
20 designation requirement of RCW 36.70A.170 to review its actions until
21 the adoption of its comprehensive plans and development regulations as
22 provided in RCW 36.70A.060(3).

23 **Sec. 2.** RCW 36.70A.030 and 1990 1st ex.s. c 17 s 3 are each
24 amended to read as follows:

25 Unless the context clearly requires otherwise, the definitions in
26 this section apply throughout this chapter.

27 (1) "Adopt a comprehensive land use plan" means to enact a new
28 comprehensive land use plan or to update an existing comprehensive land
29 use plan.

30 (2) "Agricultural land" means land primarily devoted to the
31 commercial production of horticultural, viticultural, floricultural,
32 dairy, apiary, vegetable, or animal products or of berries, grain, hay,
33 straw, turf, seed, Christmas trees not subject to the excise tax
34 imposed by RCW 84.33.100 through 84.33.140, finfish in upland

1 hatcheries, or livestock, and that has long-term commercial
2 significance for agricultural production.

3 (3) "City" means any city or town, including a code city.

4 (4) "Comprehensive land use plan," "comprehensive plan," or "plan"
5 means a generalized coordinated land use policy statement of the
6 governing body of a county or city that is adopted pursuant to this
7 chapter.

8 (5) "Critical areas" include the following areas and ecosystems:
9 (a) Wetlands; (b) areas with a critical recharging effect on aquifers
10 used for potable water; (c) fish and wildlife habitat conservation
11 areas; (d) frequently flooded areas; and (e) geologically hazardous
12 areas.

13 (6) "Department" means the department of community, trade, and
14 economic development.

15 (7) "Development regulations" means any controls placed on
16 development or land use activities by a county or city, including, but
17 not limited to, zoning ordinances, official controls, planned unit
18 development ordinances, subdivision ordinances, and binding site plan
19 ordinances.

20 (8) "Forest land" means land primarily (~~((useful for))~~) devoted to
21 growing trees for long-term commercial timber production on land that
22 can be economically and practically managed for such production,
23 including Christmas trees subject to the excise tax imposed under RCW
24 84.33.100 through 84.33.140, (~~((for commercial purposes,))~~) and that has
25 long-term commercial significance (~~((for growing trees commercially))~~).
26 In determining whether forest land is primarily devoted to growing
27 trees for long-term commercial timber production on land that can be
28 economically and practically managed for such production, the following
29 factors shall be considered: (a) The proximity of the land to urban,
30 suburban, and rural settlements; (b) surrounding parcel size and the
31 compatibility and intensity of adjacent and nearby land uses; (c) long-
32 term local economic conditions that affect the ability to manage for
33 timber production; and (d) the availability of public facilities and
34 services conducive to conversion of forest land to other uses.

35 (9) "Geologically hazardous areas" means areas that because of
36 their susceptibility to erosion, sliding, earthquake, or other
37 geological events, are not suited to the siting of commercial,
38 residential, or industrial development consistent with public health or
39 safety concerns.

1 (10) "Long-term commercial significance" includes the growing
2 capacity, productivity, and soil composition of the land for long-term
3 commercial production, in consideration with the land's proximity to
4 population areas, and the possibility of more intense uses of the land.

5 (11) "Minerals" include gravel, sand, and valuable metallic
6 substances.

7 (12) "Public facilities" include streets, roads, highways,
8 sidewalks, street and road lighting systems, traffic signals, domestic
9 water systems, storm and sanitary sewer systems, parks and recreational
10 facilities, and schools.

11 (13) "Public services" include fire protection and suppression, law
12 enforcement, public health, education, recreation, environmental
13 protection, and other governmental services.

14 (14) "Urban growth" refers to growth that makes intensive use of
15 land for the location of buildings, structures, and impermeable
16 surfaces to such a degree as to be incompatible with the primary use of
17 such land for the production of food, other agricultural products, or
18 fiber, or the extraction of mineral resources. When allowed to spread
19 over wide areas, urban growth typically requires urban governmental
20 services. "Characterized by urban growth" refers to land having urban
21 growth located on it, or to land located in relationship to an area
22 with urban growth on it as to be appropriate for urban growth.

23 (15) "Urban growth areas" means those areas designated by a county
24 pursuant to RCW 36.70A.110.

25 (16) "Urban governmental services" include those governmental
26 services historically and typically delivered by cities, and include
27 storm and sanitary sewer systems, domestic water systems, street
28 cleaning services, fire and police protection services, public transit
29 services, and other public utilities associated with urban areas and
30 normally not associated with nonurban areas.

31 (17) "Wetland" or "wetlands" means areas that are inundated or
32 saturated by surface water or ground water at a frequency and duration
33 sufficient to support, and that under normal circumstances do support,
34 a prevalence of vegetation typically adapted for life in saturated soil
35 conditions. Wetlands generally include swamps, marshes, bogs, and
36 similar areas. Wetlands do not include those artificial wetlands
37 intentionally created from nonwetland sites, including, but not limited
38 to, irrigation and drainage ditches, grass-lined swales, canals,
39 detention facilities, wastewater treatment facilities, farm ponds, and

1 landscape amenities. However, wetlands may include those artificial
2 wetlands intentionally created from nonwetland areas created to
3 mitigate conversion of wetlands, if permitted by the county or city."

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