

CERTIFICATION OF ENROLLMENT

SENATE BILL 6237

Chapter 207, Laws of 2004

58th Legislature
2004 Regular Session

AGRICULTURAL USE PRESERVATION

EFFECTIVE DATE: 6/10/04

Passed by the Senate February 12, 2004
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 4, 2004
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 29, 2004.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
SENATE BILL 6237 as passed by the
Senate and the House of
Representatives on the dates
hereon set forth.

MILTON H. DOUMIT JR.

Secretary

FILED

March 29, 2004 - 3:06 p.m.

**Secretary of State
State of Washington**

SENATE BILL 6237

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By Senators Hewitt, Haugen, Mulliken, Rasmussen and Parlette

Read first time 01/15/2004. Referred to Committee on Land Use & Planning.

1 AN ACT Relating to providing nonagricultural commercial and retail
2 uses that support and sustain agricultural operations on designated
3 agricultural lands of long-term significance; and amending RCW
4 36.70A.177.

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

6 **Sec. 1.** RCW 36.70A.177 and 1997 c 429 s 23 are each amended to
7 read as follows:

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

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

17 (a) Agricultural zoning, which limits the density of development
18 and restricts or prohibits nonfarm uses of agricultural land and may

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

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

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

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

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

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

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

19 (ii) Accessory commercial or retail uses shall predominately
20 produce, store, or sell regionally produced agricultural products from
21 one or more producers, products derived from regional agricultural
22 production, agriculturally related experiences, or products produced
23 on-site. Accessory commercial and retail uses shall offer for sale
24 predominantly products or services produced on-site; and

25 (iii) Accessory uses may operate out of existing or new buildings
26 with parking and other supportive uses consistent with the size and
27 scale of existing agricultural buildings on the site but shall not
28 otherwise convert agricultural land to nonagricultural uses.

29 (b) Accessory uses may include compatible commercial or retail uses
30 including, but not limited to:

31 (i) Storage and refrigeration of regional agricultural products;

32 (ii) Production, sales, and marketing of value-added agricultural
33 products derived from regional sources;

34 (iii) Supplemental sources of on-farm income that support and
35 sustain on-farm agricultural operations and production;

36 (iv) Support services that facilitate the production, marketing,
37 and distribution of agricultural products; and

1 (v) Off-farm and on-farm sales and marketing of predominately
2 regional agricultural products and experiences, locally made art and
3 arts and crafts, and ancillary retail sales or service activities.

Passed by the Senate February 12, 2004.

Passed by the House March 4, 2004.

Approved by the Governor March 29, 2004.

Filed in Office of Secretary of State March 29, 2004.