
HOUSE BILL 2261

State of Washington

59th Legislature

2005 Regular Session

By Representative Bailey

Read first time 03/01/2005. Referred to Committee on Local Government.

1 AN ACT Relating to encouraging agricultural activities in counties
2 and cities planning under the growth management act; and amending RCW
3 36.70A.060.

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

5 **Sec. 1.** RCW 36.70A.060 and 1998 c 286 s 5 are each amended to read
6 as follows:

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

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

14 (b) "Agricultural activities" as used in this section has the same
15 meaning as defined in RCW 90.58.065(2).

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

23 (3) Such counties and cities shall review these designations and
24 development regulations when adopting their comprehensive plans under
25 RCW 36.70A.040 and implementing development regulations under RCW
26 36.70A.120 and may alter such designations and development regulations
27 to insure consistency.

28 (4) Forest land and agricultural land located within urban growth
29 areas shall not be designated by a county or city as forest land or
30 agricultural land of long-term commercial significance under RCW
31 36.70A.170 unless the city or county has enacted a program authorizing
32 transfer or purchase of development rights.

--- END ---