
HOUSE BILL 2917

State of Washington

59th Legislature

2006 Regular Session

By Representatives P. Sullivan, Kristiansen, Simpson, Linville, Blake and Ericks; by request of Department of Agriculture

Read first time 01/16/2006. Referred to Committee on Local Government.

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, and will not
31 interfere with, the agricultural use of the property and neighboring
32 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 agricultural land to nonagricultural uses. Unless

1 predominately used for regionally produced agricultural products, any
2 new buildings, parking, or supportive uses shall not be located outside
3 the general area already developed for buildings and residential uses.

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

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

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

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

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

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

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