
SENATE BILL 6425

State of Washington

59th Legislature

2006 Regular Session

By Senators Rasmussen, Schoesler and Morton

Read first time 01/12/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to encouraging enrollment in conservation programs;
2 and amending RCW 36.70A.060.

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

4 **Sec. 1.** RCW 36.70A.060 and 2005 c 423 s 3 are each amended to read
5 as follows:

6 (1)(a) Except as provided in RCW 36.70A.1701, each county that is
7 required or chooses to plan under RCW 36.70A.040, and each city within
8 such county, shall adopt development regulations on or before September
9 1, 1991, to assure the conservation of agricultural, forest, and
10 mineral resource lands designated under RCW 36.70A.170. Regulations
11 adopted under this subsection may not prohibit uses legally existing on
12 any parcel prior to their adoption and shall remain in effect until the
13 county or city adopts development regulations pursuant to RCW
14 36.70A.040. Such regulations shall assure that the use of lands
15 adjacent to agricultural, forest, or mineral resource lands shall not
16 interfere with the continued use, in the accustomed manner and in
17 accordance with best management practices, of these designated lands
18 for the production of food, agricultural products, or timber, or for
19 the extraction of minerals.

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

13 (2) Each county and city shall adopt development regulations that
14 protect critical areas that are required to be designated under RCW
15 36.70A.170. For counties and cities that are required or choose to
16 plan under RCW 36.70A.040, such development regulations shall be
17 adopted on or before September 1, 1991. For the remainder of the
18 counties and cities, such development regulations shall be adopted on
19 or before March 1, 1992.

20 (3) A county shall not adopt development regulations under this
21 chapter that directly or indirectly preclude a person owning land from
22 being able to qualify for enrollment of a parcel or a portion of any
23 parcel in the conservation reserve enhancement program, or equivalent
24 program that provides for the restoration or enhancement of fish and
25 wildlife habitat or the improvement of water quality.

26 (4) Such counties and cities shall review these designations and
27 development regulations when adopting their comprehensive plans under
28 RCW 36.70A.040 and implementing development regulations under RCW
29 36.70A.120 and may alter such designations and development regulations
30 to insure consistency.

31 ((4)) (5) Forest land and agricultural land located within urban
32 growth areas shall not be designated by a county or city as forest land
33 or agricultural land of long-term commercial significance under RCW
34 36.70A.170 unless the city or county has enacted a program authorizing
35 transfer or purchase of development rights.

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