
HOUSE BILL 2078

State of Washington 60th Legislature 2007 Regular Session

By Representatives Bailey, Curtis, Schindler, DeBolt, Kretz, Warnick, Hailey, Strow, Chandler, Ericksen, Roach, Newhouse and Kristiansen

Read first time 02/07/2007. 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 2005 c 423 s 3 are each amended to read
6 as follows:

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

1 best management practices, of these designated lands for the production
2 of food, agricultural products, or timber, or for the extraction of
3 minerals.

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

16 (c) "Agricultural activities" as used in this section has the same
17 meaning as defined in RCW 90.58.065(2).

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

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

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

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