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**SENATE BILL 5641**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senator Short

Prefiled 01/04/22.

1 AN ACT Relating to promoting local agriculture through  
2 greenhouses; amending RCW 19.27.015 and 19.27.065; and creating a new  
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that both food  
6 security and food quality are increasingly threatened by ongoing  
7 logistical supply line disruptions and inflation. Access to and  
8 affordability of food, in particular fresh fruits and vegetables, is  
9 vital to the health and well-being of our citizens. The legislature  
10 finds that supporting the growth and development of innovative new  
11 low-energy techniques for the year-round production of fresh fruits  
12 and vegetables at the local level is a crucial part of solving this  
13 need. Local food banks have done tremendous work in providing access  
14 to nutrition during the COVID-19 pandemic. The legislature finds that  
15 supporting local food banks in providing access to affordable  
16 nutrition enhances the health and welfare of our citizens. The  
17 legislature seeks to encourage the adoption of these techniques by  
18 individual families in order to increase and enhance access and  
19 availability to fresh year-round food supplies for themselves and  
20 their communities.

1       **Sec. 2.** RCW 19.27.015 and 2018 c 207 s 1 are each amended to  
2 read as follows:

3       As used in this chapter:

4       (1) "Agricultural structure" means a structure designed and  
5 constructed to house farm implements, hay, grain, poultry, livestock,  
6 or other horticultural products. This structure may not be a place of  
7 human habitation or a place of employment where agricultural products  
8 are processed, treated, or packaged, nor may it be a place used by  
9 the public.

10       (2) "City" means a city or town.

11       (3) "Commercial building permit" means a building permit issued  
12 by a city or a county to construct, enlarge, alter, repair, move,  
13 demolish, or change the occupancy of any building not covered by a  
14 residential building permit.

15       (4) "Multifamily residential building" means common wall  
16 residential buildings that consist of four or fewer units, that do  
17 not exceed two stories in height, that are less than five thousand  
18 square feet in area, and that have a one-hour fire-resistive  
19 occupancy separation between units.

20       (5) "Residential building permit" means a building permit issued  
21 by a city or a county to construct, enlarge, alter, repair, move,  
22 demolish, or change the occupancy of any building containing only  
23 dwelling units used for independent living of one or more persons  
24 including permanent provisions for living, sleeping, eating, cooking,  
25 and sanitation, and structures accessory to dwelling units, such as  
26 detached garages and storage buildings.

27       (6) "Temporary growing structure" means a structure that has the  
28 (~~sides and~~) roof covered with polyethylene, polyvinyl, or similar  
29 flexible synthetic material and is used to provide plants with either  
30 frost protection or increased heat retention.

31       **Sec. 3.** RCW 19.27.065 and 1996 c 157 s 2 are each amended to  
32 read as follows:

33       The provisions of this chapter do not apply to temporary growing  
34 structures used solely for the (~~commercial~~) production of  
35 horticultural plants including ornamental plants, flowers,  
36 vegetables, and fruits. A temporary growing structure is not  
37 considered a building or structure for purposes of this chapter.

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