

HB 2355 A STAFF MEASURE SUMMARY
House Committee On Agriculture and Land Use

Carrier: Rep. Smith DB

Action Date: 04/09/19
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-2-1-0
Yeas: 4 - Helm, Post, Smith DB, Williams
Nays: 2 - Clem, McLain
Exc: 1 - Boshart Davis
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Laura Kentnesse, LPRO Analyst
Meeting Dates: 2/7, 4/9

WHAT THE MEASURE DOES:

Allows a cider business that produces less than 100,000 gallons of cider annually and that does not meet the existing 15-acre minimum orchard size requirement to be established as a permitted use on land zoned for exclusive farm use or mixed farm and forest use if the cider business: owns an on-site orchard of at least one acre, owns a farm tract of at least 20 acres that is used for other farm uses, and owns a dwelling that was constructed on or before January 1, 2020 that is sited on the farm tract.

ISSUES DISCUSSED:

- Agri-tourism cider business opportunities
- Minimum orchard size requirements
- Small, rural farms with diverse crops including apple orchards
- Low-batch, high-quality, unique products
- Permaculture labor-intensive methods

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

In 2017, Senate Bill 677 established a cider business as a permitted use on land zoned for exclusive farm use or mixed farm and forest use. The measure, modeled on the winery statutes, established a 15-acre minimum orchard size for businesses producing less than 100,000 gallons of cider annually, and a 40-acre minimum orchard size for businesses producing at least 100,000 gallons of cider annually. The measure also specified the related uses allowed at such businesses and authorized up to 18 agri-tourism or other commercial events at these locations each calendar year.

House Bill 2355 A would allow a cider business producing less than 100,000 gallons of cider annually and that does not meet the existing 15-acre minimum orchard size requirement to be established as a permitted use on lands zoned for farm use if the cider business: owns an on-site orchard of at least one acre, owns a farm tract of at least 20 acres that is used for other farm uses, and owns a dwelling that was constructed on or before January 1, 2020 that is sited on the farm tract.