

SHB 1081 - S COMM AMD

By Committee on Environment, Water & Energy

ADOPTED AS AMENDED 04/01/2011

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds a growing  
4 interest in small scale renewable energy systems for the provision of  
5 electricity to homes and farms.

6 (2) While many local governments are interested in helping  
7 homeowners and farmers achieve energy self-sufficiency, the legislature  
8 finds that most local governments have little or no experience in  
9 siting and permitting these small scale renewable energy systems.

10 (3) The legislature finds that some small scale renewable energy  
11 systems may not be appropriate for certain locations and may at times  
12 face opposition from neighbors and the community.

13 (4) Therefore, the legislature finds a need for cities and counties  
14 to have technical assistance, model ordinances, and development  
15 regulations to assist them with the siting and permitting of small  
16 scale renewable energy systems.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A RCW  
18 to read as follows:

19 (1) The department, in consultation with the Washington State  
20 University extension energy program and statewide county and city  
21 organizations, must recommend a range of model ordinances, all of which  
22 are to assist cities and counties in siting and permitting small scale  
23 renewable energy systems. The recommendations must take into  
24 consideration the size of an energy system, its generating capacity,  
25 and its appropriateness for small urban, large urban, suburban, and  
26 rural communities.

27 (2) Counties or cities without ordinances to site small scale  
28 renewable energy systems, must adopt the ordinances based upon  
29 recommendations developed by the department. However, any recommended

1 ordinance may be tailored to meet local circumstances as long as the  
2 generating capacity threshold is met. An ordinance adopted under this  
3 subsection may be done concurrently with the scheduled updates provided  
4 in RCW 36.70A.130.

5 (a) A county is not required to adopt ordinances under this section  
6 for any facilities with a generating capacity greater than three and  
7 one-half kilowatts within residential areas.

8 (b) A county is required to adopt ordinances under this section for  
9 wind facilities with a generating capacity greater than three and one-  
10 half kilowatts and not more than five megawatts on agricultural and  
11 forest lands.

12 (c) A city is not required to adopt ordinances under this section  
13 for any facilities with a generating capacity greater than three and  
14 one-half kilowatts.

15 (3) For the purposes of this section, "small scale renewable energy  
16 systems" means: (a) A wind facility with a generating capacity of not  
17 more than five megawatts; and (b) any facility that meets the  
18 definition of a "net metering system" under RCW 80.60.010, except  
19 facilities that use biomass as a fuel.

20 NEW SECTION. **Sec. 3.** By December 31, 2012, the department of  
21 commerce must do the following with its recommendations developed under  
22 section 2 of this act: (1) Report the recommendations to the  
23 appropriate committees of the legislature; and (2) make the  
24 recommendations available for counties, cities, and statewide city and  
25 county organizations."

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26 On page 1, line 1 of the title, after "siting;" strike the  
27 remainder of the title and insert "adding a new section to chapter  
28 36.70A RCW; and creating new sections."

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