

SB 5934 -- Redline

Substitute to Bill -- Concerning pollinator habitat.

Deletions ~~struck~~ · Insertions underlined

~~S-4217.2~~ S-3787.1 ~~SUBSTITUTE~~ SENATE BILL 5934 State of Washington 68th Legislature 2024 Regular Session By ~~Senate Local Government, Land Use & Tribal Affairs (originally sponsored by Senators Padden, Van De Wege, Dhingra, Liias, Salomon, and Warnick)~~ Warnick READ Prefiled FIRST 01/02/24. ~~TIME 01/31/24.~~ Read first time 01/08/24.

Referred to Committee on Local Government, Land Use & Tribal Affairs.

amending and RCW adding 64.38.057a and new 64.00.512; section to chapter 36.70B RCW.

~~adding a new section to chapter 35.63 RCW;~~

~~adding a new section to chapter 35A.63 RCW;~~

~~and adding a new section to chapter 36.70 RCW.~~

A new section is added to chapter ~~35.63~~ 36.70B RCW to read as follows:

(1) ~~A~~ If a city may project encourage permit, an applicant commercial of building permit, or a project residential building permit or includes commercial landscaping, building a permit local government must require the applicant to include pollinator at friendly least plants 25 in percent any of landscaped the planted area as pollinator habitat to the extent practicable practicable. -by-

~~(a)~~ (2) Providing A local government must provide the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants the for applicant project of permits; the permit.

~~(b)~~ (3) Providing For information purposes regarding the benefits of pollinators this and section: pollinator habitat;

~~and (c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.~~

~~(2) A city may set restrictions related to beehives, but may not adopt an ordinance banning beehives.~~

~~(3) For the purposes of this section:~~

~~P-~~

~~1 SSB 5934 (a) "Commercial building permit" has the same meaning as defined in RCW 19.27.015.~~

~~(b) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators.~~

~~(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.~~

~~NEW SECTION.~~

~~Sec.~~

~~2-~~

~~A new section is added to chapter 35A.63 RCW to read as follows:~~

~~(1) A code city may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area to the extent practicable by:~~

~~(a) Providing the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants for project permits;~~

~~(b) Providing information regarding the benefits of pollinators and pollinator habitat;~~

~~and (c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.~~

~~(2) A code city may set restrictions related to beehives, but may not adopt an ordinance banning beehives.~~

~~(3) For the purposes of this section:~~

~~(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.~~

~~NEW SECTION.~~

~~Sec.~~

~~3-~~

~~A new section is added to chapter 36.70 RCW to read as follows:~~

~~(1) A county may encourage an applicant of a project permit or commercial building permit to include pollinator friendly plants in any landscaped area to the extent practicable by:~~

~~(a) Providing the list of native forage plants as developed by the department of agriculture in compliance with RCW 39.04.410 to applicants for project permits;~~

~~21 SSB~~ SB 5934 (b)(c) Providing "Residential information building regarding permit" has the benefits same of meaning pollinators as and defined pollinator in habitat; RCW 19.27.015.

~~and (c) Offering incentives, including expedited processing or reduced application fees, for permit applicants that include pollinator habitat as part of the permit application.~~

~~(2) A county may set restrictions related to beehives, but may not adopt an ordinance banning beehives.~~

~~(3) For the purposes of this section:~~

~~(a) "Commercial building permit" has the same meaning as defined in RCW 19.27.015.~~

~~(b) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators.~~

~~(c) "Project permit" has the same meaning as defined in RCW 36.70B.020.~~

~~Sec.~~

~~4.~~

~~RCW 64.38.057 and 2020 c 9 s 2 are each amended to read as follows:~~

~~(1) The governing documents may not prohibit the installation of drought resistant landscaping, pollinator habitat, including beehives compliant with local regulation, or wildfire ignition resistant landscaping.~~

~~However, the governing documents may include reasonable rules regarding the placement and aesthetic appearance of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping, as long as the rules do not render the use of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping unreasonably costly or otherwise effectively infeasible.~~

~~(2) If a property is located within the geographic designation of an order of a drought condition issued by the department of ecology under RCW 43.83B.405, an association may not sanction or impose a fine or assessment against an owner, or resident on the owner's property, for reducing or eliminating the watering of vegetation or lawns for the duration of the drought condition order.~~

~~(3) Nothing in this section may be construed to prohibit or restrict the establishment and maintenance of a fire buffer within the building ignition zone.~~

~~(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.~~

~~P.~~

~~3 SSB 5934 (a) "Building ignition zone" means a building and surrounding area up to two hundred feet from the foundation.~~

~~(b) "Drought resistant landscaping" means the use of any noninvasive vegetation adapted to arid or dry conditions, stone, or landscaping rock.~~

~~(c) "Firewise" means the firewise communities program developed by the national fire protection association, which encourages local solutions for wildfire safety by involving homeowners, community leaders, planners, developers, firefighters, and others in the effort to protect people and property from wildfire risks.~~

~~(d) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators.~~

~~(e) "Wildfire ignition resistant landscaping" includes:~~

~~(i) Any landscaping tools or techniques, or noninvasive vegetation, that do not readily ignite from a flame or other ignition source;~~

~~or (ii) The use of firewise methods to reduce ignition risk in a building ignition zone.~~

~~Sec.~~

~~5.~~

~~RCW 64.90.512 and 2020 c 9 s 4 are each amended to read as follows:~~

~~(1) The declaration of a common interest ownership and any governing documents adopted by an association may not prohibit the installation of drought resistant landscaping, pollinator habitat, including beehives compliant with local regulation, or wildfire ignition resistant landscaping.~~

~~However, the declaration or governing documents may include reasonable rules regarding the placement and aesthetic appearance of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping, as long as the rules do not render the use of drought resistant landscaping, pollinator habitat, or wildfire ignition resistant landscaping unreasonably costly or otherwise effectively infeasible.~~

~~(2) If a property is located within the geographic designation of an order of a drought condition issued by the department of ecology under RCW 43.83B.405, an association may not impose a fine or assessment against an owner, or resident on the owner's property, for reducing or eliminating the watering of vegetation or lawns for the duration of the drought condition order.~~

~~P.~~

~~4 SSB 5934 (3) Nothing in this section may be construed to prohibit or restrict the establishment and maintenance of a fire buffer within the building ignition zone.~~

~~(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.~~

~~(a) "Building ignition zone" means a building and surrounding area up to two hundred feet from the foundation.~~

~~(b) "Drought resistant landscaping" means the use of any noninvasive vegetation adapted to arid or dry conditions, stone, or landscaping rock.~~

~~(c) "Firewise" means the firewise communities program developed by the national fire protection association, which encourages local solutions for wildfire safety by involving homeowners, community leaders, planners, developers, firefighters, and others in the effort to protect people and property from wildfire risks.~~

~~(d) "Pollinator habitat" means an area of land that is or may be developed as habitat beneficial for the feeding, nesting, and reproduction of all pollinators.~~

~~(e) "Wildfire ignition resistant landscaping" includes:~~

~~(i) Any landscaping tools or techniques, or noninvasive vegetation, that do not readily ignite from a flame or other ignition source;~~

~~or (ii) The use of firewise methods to reduce ignition risk in a building ignition zone.~~

~~52 SSB~~ SB 5934