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HOUSE BILL 1193

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State of Washington

63rd Legislature

2013 Regular Session

By Representative Wilcox

Read first time 01/18/13. Referred to Committee on Environment.

1 AN ACT Relating to notifying landowners of applications to  
2 construct wind turbines; adding a new section to chapter 36.01 RCW;  
3 adding a new section to chapter 35.21 RCW; adding a new section to  
4 chapter 35A.21 RCW; and adding a new section to chapter 80.50 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.01 RCW  
7 to read as follows:

8 (1) In addition to other notifications that may be required by law,  
9 the applicant of a permit to construct a wind turbine with an  
10 electrical generating capacity of more than one hundred kilowatts must,  
11 in accordance with applicable requirements or guidelines of the county,  
12 provide notice of the application to adjacent landowners by mailing or  
13 personally serving the notice to the latest recorded real property  
14 owners, as shown by the records of the county assessor, who own  
15 property located within one thousand feet from the base of each  
16 proposed turbine.

17 (2) The notices must include the base height, blade diameter,  
18 electrical generating capacity in kilowatts, and detailed siting  
19 location information for each proposed turbine, including proposed

1 setback distances from adjacent properties. The notices must also  
2 specify which entity or entities, including pertinent contact  
3 information, are responsible for a decision on the application.

4 (3) Notices are not required under this section if the properties  
5 located within one thousand feet from the base of each proposed turbine  
6 are owned by the person or persons who own the property upon which the  
7 proposed turbine or turbines are to be located.

8 (4) Nothing in this section prohibits or otherwise limits counties  
9 from adopting notification requirements for applications to construct  
10 wind turbines that are supplemental to those required by this section.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW  
12 to read as follows:

13 (1) In addition to other notifications that may be required by law,  
14 the applicant of a permit to construct a wind turbine with an  
15 electrical generating capacity of more than one hundred kilowatts must,  
16 in accordance with applicable requirements or guidelines of the city or  
17 town, provide notice of the application to adjacent landowners by  
18 mailing or personally serving the notice to the latest recorded real  
19 property owners, as shown by the records of the county assessor, who  
20 own property located within one thousand feet from the base of each  
21 proposed turbine.

22 (2) The notices must include the base height, blade diameter,  
23 electrical generating capacity in kilowatts, and detailed siting  
24 location information for each proposed turbine, including proposed  
25 setback distances from adjacent properties. The notices must also  
26 specify which entity or entities, including pertinent contact  
27 information, are responsible for a decision on the application.

28 (3) Notices are not required under this section if the properties  
29 located within one thousand feet from the base of each proposed turbine  
30 are owned by the person or persons who own the property upon which the  
31 proposed turbine or turbines are to be located.

32 (4) Nothing in this section prohibits or otherwise limits cities or  
33 towns from adopting notification requirements for applications to  
34 construct wind turbines that are supplemental to those required by this  
35 section.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 35A.21 RCW  
2 to read as follows:

3        (1) In addition to other notifications that may be required by law,  
4 the applicant of a permit to construct a wind turbine with an  
5 electrical generating capacity of more than one hundred kilowatts must,  
6 in accordance with applicable requirements or guidelines of the city,  
7 provide notice of the application to adjacent landowners by mailing or  
8 personally serving the notice to the latest recorded real property  
9 owners, as shown by the records of the county assessor, who own  
10 property located within one thousand feet from the base of each  
11 proposed turbine.

12        (2) The notices must include the base height, blade diameter,  
13 electrical generating capacity in kilowatts, and detailed siting  
14 location information for each proposed turbine, including proposed  
15 setback distances from adjacent properties. The notices must also  
16 specify which entity or entities, including pertinent contact  
17 information, are responsible for a decision on the application.

18        (3) Notices are not required under this section if the properties  
19 located within one thousand feet from the base of each proposed turbine  
20 are owned by the person or persons who own the property upon which the  
21 proposed turbine or turbines are to be located.

22        (4) Nothing in this section prohibits or otherwise limits cities  
23 from adopting notification requirements for applications to construct  
24 wind turbines that are supplemental to those required by this section.

25        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 80.50 RCW  
26 to read as follows:

27        (1) In addition to other notifications that may be required by law,  
28 the applicant of a permit to construct a wind turbine with an  
29 electrical generating capacity of more than one hundred kilowatts must,  
30 in accordance with applicable requirements or guidelines of the county,  
31 city, town, or council, provide notice of the application to adjacent  
32 landowners by mailing or personally serving the notice to the latest  
33 recorded real property owners, as shown by the records of the county  
34 assessor, who own property located within one thousand feet from the  
35 base of each proposed turbine.

36        (2) The notices must include the base height, blade diameter,  
37 electrical generating capacity in kilowatts, and detailed siting

1 location information for each proposed turbine, including proposed  
2 setback distances from adjacent properties. The notices must also  
3 specify which entity or entities, including pertinent contact  
4 information, are responsible for a decision on the application.

5 (3) Notices are not required under this section if the properties  
6 located within one thousand feet from the base of each proposed turbine  
7 are owned by the person or persons who own the property upon which the  
8 proposed turbine or turbines are to be located.

9 (4) Nothing in this section prohibits or otherwise limits a county,  
10 city, town, or council from adopting notification requirements for  
11 applications to construct wind turbines that are supplemental to those  
12 required by this section.

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