

HOUSE BILL REPORT

SB 5641

As Reported by House Committee On:
Local Government

Title: An act relating to promoting local agriculture through greenhouses.

Brief Description: Promoting local agriculture through greenhouses.

Sponsors: Senators Short and Wilson, L..

Brief History:

Committee Activity:

Local Government: 2/18/22, 2/22/22 [DP].

Brief Summary of Bill

- Provides that the State Building Code does not apply to any temporary growing structures used solely for the production of horticultural plants.
- Establishes that a temporary growing structure is not considered a structure for purposes of the State Building Code.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Pollet, Chair; Duerr, Vice Chair; Goehner, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Berg, Robertson and Senn.

Staff: Elizabeth Allison (786-7129).

Background:

State Building Code.

The State Building Code Council (SBCC) is a state agency that adopts and updates the State Building Code (Code). The Code adopted by the SBCC establishes the minimum building,

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mechanical, fire, plumbing, and energy code requirements applicable to the construction of buildings.

State Building Code Council.

The Code is comprised of model codes published by the International Code Council, including building, residential, and fire codes, adopted by reference in statute, as well as rules developed and adopted by the SBCC. The model codes typically set forth the industry standard. The SBCC reviews updated editions of each model code and standard every three years.

Temporary Growing Structures.

A temporary growing structure is a structure that has sides and a roof covered with polyethylene, polyvinyl, or other similar flexible synthetic material that is used to provide plants with either frost protection or increased heat retention.

The Code does not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing shelter is not considered a building for purposes of the Code.

Summary of Bill:

The Code does not apply to a temporary growing structure used solely for the production of horticultural plants, rather than solely for the commercial production of horticultural plants.

A temporary growing structure is redefined as a structure that has a roof, rather than both sides and a roof, covered with polyethylene, polyvinyl, or other similar flexible synthetic material that is used to provide plants with either frost protection or increased heat retention.

A temporary growing structure is not considered a building or structure for purposes of the Code.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The idea for this bill came from a constituent. Different kinds of greenhouses are becoming popular, and bringing incentives could affect food development and food instability. This bill represents a culmination of what the constituent shared with the committee. This bill incentivizes greenhouses in a regulatory way rather than a monetary way. Counties are on board with this bill. The goal of this bill is to encourage different kinds of greenhouse structures for non-commercial as well as commercial use so individuals, families, and communities may be able to produce food from these structures year-round. The pandemic has been a major cause to students in schools not having access to food, and the first step in addressing this is the encouragement of this kind of greenhouse technology.

There are concerns about the Growth Management Act and Western Washington, as Western Washington only produces 25 percent of the food eaten by its residents. There is an environmental emergency, and this bill helps address that. The intent of this bill is meant for Eastern Washington, but there is support for Western Washington as well to grow their own food.

This bill extends Code exemptions from loop structures to support earth shelter greenhouses and from commercial to non-commercial growing. The bill supports the legislative position that encourages the adoption of low- energy new technologies to address food security issues. The bill would give parity for year- round structures with what are currently seasonal structures. Energy costs will continue to go up over time and earth shelter greenhouses will help address that.

(Opposed) None.

Persons Testifying: Senator Shelly Short, prime sponsor; Scott Simmons, Hall Creek Farms; and John Worthington.

Persons Signed In To Testify But Not Testifying: None.