
SUBSTITUTE SENATE BILL 6589

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Drew, Haugen, Hale, Spanel, Sheldon, Goings, Winsley, Finkbeiner, Snyder and Rasmussen)

Read first time 02/02/96.

1 AN ACT Relating to information from cities, towns, and counties
2 regarding restrictions on real estate; adding a new section to chapter
3 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new
4 section to chapter 36.70 RCW; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW
7 to read as follows:

8 (1) A property owner may make a written request for a statement of
9 restrictions applicable to a single parcel, tract, lot, or block of
10 real property to the city or town in which the real property is
11 located.

12 (2) Within thirty days of the receipt of the request, the city or
13 town shall provide the owner, by registered mail, with a statement of
14 restrictions as described in subsection (3) of this section.

15 (3) The statement of restrictions shall include the following:

16 (a) The zoning currently applicable to the real property;

17 (b) Pending zoning changes applicable to the real property;

18 (c) Readily available information regarding designation of any
19 portion of the real property as agricultural land, forest land, mineral

1 resource land, wetland, an area with a critical recharging effect on
2 aquifers used for potable water, a fish and wildlife habitat
3 conservation area, a frequently flooded area, and as a geological
4 hazardous area; and

5 (d) If information regarding the designations listed in (c) of this
6 subsection are not readily available, inform the owner of the procedure
7 by which the owner can obtain that site-specific information from the
8 city or town.

9 (4) If a city or town fails to provide the statement of
10 restrictions within thirty days after receipt of the written request,
11 the owner shall be awarded recovery of all attorneys' fees and costs
12 incurred in any successful application for a writ of mandamus to compel
13 production of a statement.

14 (5) For purposes of this section:

15 (a) "Owner" means any vested owner or any person holding the
16 buyer's interest under a recorded real estate contract in which the
17 seller is the vested owner; and

18 (b) "Real property" means a parcel, tract, lot or block: (i)
19 Containing a single-family residence that is occupied by the owner or
20 a member of his or her family, or rented to another by the owner; or
21 (ii) five acres or less in size.

22 (6) This section does not affect the vesting of permits or
23 development rights.

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

26 (1) A property owner may make a written request for a statement of
27 restrictions applicable to a single parcel, tract, lot, or block of
28 real property to the code city in which the real property is located.

29 (2) Within thirty days of the receipt of the request, the code city
30 shall provide the owner, by registered mail, with a statement of
31 restrictions as described in subsection (3) of this section.

32 (3) The statement of restrictions shall include the following:

33 (a) The zoning currently applicable to the real property;

34 (b) Pending zoning changes applicable to the real property;

35 (c) Readily available information regarding designation of any
36 portion of the real property as agricultural land, forest land, mineral
37 resource land, wetland, an area with a critical recharging effect on
38 aquifers used for potable water, a fish and wildlife habitat

1 conservation area, a frequently flooded area, and as a geological
2 hazardous area; and

3 (d) If information regarding the designations listed in (c) of this
4 subsection are not readily available, inform the owner of the procedure
5 by which the owner can obtain that site-specific information from the
6 code city.

7 (4) If a code city fails to provide the statement of restrictions
8 within thirty days after receipt of the written request, the owner
9 shall be awarded recovery of all attorneys' fees and costs incurred in
10 any successful application for a writ of mandamus to compel production
11 of a statement.

12 (5) For purposes of this section:

13 (a) "Owner" means any vested owner or any person holding the
14 buyer's interest under a recorded real estate contract in which the
15 seller is the vested owner; and

16 (b) "Real property" means a parcel, tract, lot or block: (i)
17 Containing a single-family residence that is occupied by the owner or
18 a member of his or her family, or rented to another by the owner; or
19 (ii) five acres or less in size.

20 (6) This section does not affect the vesting of permits or
21 development rights.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70 RCW
23 to read as follows:

24 (1) A property owner may make a written request for a statement of
25 restrictions applicable to a single parcel, tract, lot, or block of
26 real property located in an unincorporated portion of a county to the
27 county in which the real property is located.

28 (2) Within thirty days of the receipt of the request, the county
29 shall provide the owner, by registered mail, with a statement of
30 restrictions as described in subsection (3) of this section.

31 (3) The statement of restrictions shall include the following:

32 (a) The zoning currently applicable to the real property;

33 (b) Pending zoning changes applicable to the real property;

34 (c) Readily available information regarding designation of any
35 portion of the real property as agricultural land, forest land, mineral
36 resource land, wetland, an area with a critical recharging effect on
37 aquifers used for potable water, a fish and wildlife habitat

1 conservation area, a frequently flooded area, and as a geological
2 hazardous area; and

3 (d) If information regarding the designations listed in (c) of this
4 subsection are not readily available, inform the owner of the procedure
5 by which the owner can obtain that site-specific information from the
6 county.

7 (4) If a county fails to provide the statement of restrictions
8 within thirty days after receipt of the written request, the owner
9 shall be awarded recovery of all attorneys' fees and costs incurred in
10 any successful application for a writ of mandamus to compel production
11 of a statement.

12 (5) For purposes of this section:

13 (a) "Owner" means any vested owner or any person holding the
14 buyer's interest under a recorded real estate contract in which the
15 seller is the vested owner; and

16 (b) "Real property" means a parcel, tract, lot or block: (i)
17 Containing a single-family residence that is occupied by the owner or
18 a member of his or her family, or rented to another by the owner; or
19 (ii) five acres or less in size.

20 (6) This section does not affect the vesting of permits or
21 development rights.

22 NEW SECTION. **Sec. 4.** This act takes effect January 1, 1997.

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