

SENATE BILL REPORT

SSB 6597

As Passed Senate, February 12, 1996

Title: An act relating to development regulations for preapplication meetings and reasonable use exceptions.

Brief Description: Adopting development regulations for preapplication and reasonable use exceptions.

Sponsors: Senate Committee on Government Operations (originally sponsored by Senators Haugen, Winsley, Heavey, Sheldon, Hale, Snyder, Wood, McAuliffe, Finkbeiner, Goings, Pelz, Franklin, Loveland, Thibaudeau, Smith, Drew, Kohl, Fraser, Rasmussen, Fairley, Sutherland and Bauer).

Brief History:

Committee Activity: Government Operations: 1/24/96, 2/2/96 [DPS].
Passed Senate, 2/12/96, 49-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6597 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey and Winsley.

Staff: Diane Smith (786-7410)

Background: The presentation of a permit application can be a very involved and expensive process, requiring the services of various professionals such as architects, engineers and planners. Jurisdictions offering a pre-application meeting, including adjacent property owners, have found that community involvement at an early stage can minimize later disagreements and obviate much of the expense of revising plans.

Despite the best preparation and processing of a permit application, there are situations which result in there being no economic use left for a parcel. This is due to the application of development regulations to the parcel.

Jurisdictions planning under the Growth Management Act are not required to remedy this result when the impossibility of using the land is due to an unreasonable restriction on the parcel.

Summary of Bill: Jurisdictions planning under general planning statutes and the Growth Management Act are required to adopt regulations that facilitate preapplication meetings that are optional on the part of the permitting authority, and that provide for a reasonable use exception to the regulations protecting critical areas, and agricultural, forest and mineral resource lands.

Development regulations that establish a preapplication process only for the potential applicant and the local government are not prohibited.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The optional nature of these tools makes them attractive to the applicant. They bring common sense into the decision-making process.

Testimony Against: This type of meeting should occur anytime before a decision but not before application. The preapplication process should exclude the public.

Testified: Numerous people.

House Amendment(s): The reasonable use exception is fundamentally changed. It applies to all development regulations. Its application is mandatory under circumstances delineated in the bill. All counties and cities are required to provide for the exception if they have adopted regulations restricting the use of private property.