
SENATE BILL 6589

State of Washington

54th Legislature

1996 Regular Session

By Senators Drew, Haugen, Hale, Spanel, Sheldon, Goings, Winsley, Finkbeiner, Snyder and Rasmussen

Read first time 01/18/96. Referred to Committee on Government Operations.

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 creating a new section.

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

6 NEW SECTION. **Sec. 1.** The intent of this legislation is to assure
7 that owners of real property are provided with timely and accurate
8 information by cities, towns, and counties with regard to any
9 restrictions on the use of their real estate imposed by the city, town,
10 or county in which the real property is located.

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

13 (1) Upon receipt of a written request for a statement of
14 restrictions submitted by the owner of any single parcel, tract, lot,
15 or block of real property, the city or town in which the real property
16 is located shall provide the owner with a written statement of
17 restrictions. This statement shall include the following information
18 regarding the parcel, tract, lot, or block: (a) The current zoning and

1 any approved variances; (b) any pending zoning changes or variances;
2 and (c) any designation of any portion of the property as agricultural
3 land, forest land, mineral resource land, wetland, an area with a
4 critical recharging effect on aquifers used for potable water, a fish
5 and wildlife habitat conservation area, a frequently flooded area, and
6 as a geological hazardous area.

7 (2) If a city or town fails to provide a complete statement of
8 restrictions as required by subsection (1) of this section within
9 thirty days of receipt of the written request, the requesting owner
10 shall be awarded recovery of all attorneys' fees and costs incurred in
11 any successful application for a writ of mandamus to compel production
12 of a complete statement.

13 (3) For purposes of this section, the term "owner" includes any
14 vested owner or any person holding the buyer's interest under a
15 recorded real estate contract in which the seller is the vested owner.

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

18 (1) Upon receipt of a written request for a statement of
19 restrictions submitted by the owner of any single parcel, tract, lot,
20 or block of real property, the code city in which the real property is
21 located shall provide the owner with a written statement of
22 restrictions. This statement shall include the following information
23 regarding the parcel, tract, lot, or block: (a) The current zoning and
24 any approved variances; (b) any pending zoning changes or variances;
25 and (c) any designation of any portion of the property as agricultural
26 land, forest land, mineral resource land, wetland, an area with a
27 critical recharging effect on aquifers used for potable water, a fish
28 and wildlife habitat conservation area, a frequently flooded area, and
29 as a geological hazardous area.

30 (2) If a code city fails to provide a complete statement of
31 restrictions as required by subsection (1) of this section within
32 thirty days of receipt of the written request, the requesting owner
33 shall be awarded recovery of all attorneys' fees and costs incurred in
34 any successful application for a writ of mandamus to compel production
35 of a complete statement.

36 (3) For purposes of this section, the term "owner" includes any
37 vested owner or any person holding the buyer's interest under a
38 recorded real estate contract in which the seller is the vested owner.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70 RCW
2 to read as follows:

3 (1) Upon receipt of a written request for a statement of
4 restrictions submitted by the owner of any single parcel, tract, lot,
5 or block of real property, the county in which the real property is
6 located shall provide the owner with a written statement of
7 restrictions. This statement shall include the following information
8 regarding the parcel, tract, lot, or block: (a) The current zoning and
9 any approved variances; (b) any pending zoning changes or variances;
10 and (c) any designation of any portion of the property as agricultural
11 land, forest land, mineral resource land, wetland, an area with a
12 critical recharging effect on aquifers used for potable water, a fish
13 and wildlife habitat conservation area, a frequently flooded area, and
14 as a geological hazardous area.

15 (2) If a county fails to provide a complete statement of
16 restrictions as required by subsection (1) of this section within
17 thirty days of receipt of the written request, the requesting owner
18 shall be awarded recovery of all attorneys' fees and costs incurred in
19 any successful application for a writ of mandamus to compel production
20 of a complete statement.

21 (3) For purposes of this section, the term "owner" includes any
22 vested owner or any person holding the buyer's interest under a
23 recorded real estate contract in which the seller is the vested owner.

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