

2 **ESSB 5727** - H COMM AMD **ADOPTED 03/03/92**

3 By Committee on Local Government

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63 RCW
8 to read as follows:

9 A council or board that adopts a moratorium or interim zoning
10 control, without holding a public hearing on the proposed moratorium or
11 interim zoning control, shall hold a public hearing on the adopted
12 moratorium or interim zoning control within at least sixty days of its
13 adoption, whether or not the council or board received a recommendation
14 on the matter from the commission. If the council or board does not
15 adopt findings of fact justifying its action before this hearing, then
16 the council or board shall do so immediately after this public hearing.
17 A moratorium or interim zoning control adopted under this section may
18 be effective for not longer than six months, but may be effective for
19 up to one year if a work plan is developed for related studies
20 providing for such a longer period. A moratorium or interim zoning
21 control may be renewed for one or more six-month periods if a
22 subsequent public hearing is held and findings of fact are made prior
23 to each renewal."

24 "NEW SECTION. **Sec. 2.** A new section is added to chapter 35.22 RCW
25 to read as follows:

26 A first class city that plans under the authority of its charter is
27 subject to the provisions of section 1 of this act."

1 "NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.63
2 RCW to read as follows:

3 A legislative body that adopts a moratorium or interim zoning
4 ordinance, without holding a public hearing on the proposed moratorium
5 or interim zoning ordinance, shall hold a public hearing on the adopted
6 moratorium or interim zoning ordinance within at least sixty days of
7 its adoption, whether or not the legislative body received a
8 recommendation on the matter from the planning agency. If the
9 legislative body does not adopt findings of fact justifying its action
10 before this hearing, then the legislative body shall do so immediately
11 after this public hearing. A moratorium or interim zoning ordinance
12 adopted under this section may be effective for not longer than six
13 months, but may be effective for up to one year if a work plan is
14 developed for related studies providing for such a longer period. A
15 moratorium of interim zoning ordinance may be renewed for one or more
16 six-month periods if a subsequent public hearing is held and findings
17 of fact are made prior to each renewal."

18 "NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70 RCW
19 to read as follows:

20 A board that adopts a moratorium, interim zoning map, interim
21 zoning ordinance, or interim official control without holding a public
22 hearing on the proposed moratorium, interim zoning map, interim zoning
23 ordinance, or interim official control, shall hold a public hearing on
24 the adopted moratorium, interim zoning map, interim zoning ordinance,
25 or interim official control within at least sixty days of its adoption,
26 whether or not the board received a recommendation on the matter from
27 the commission or department. If the board does not adopt findings of
28 fact justifying its action before this hearing, then the board shall do
29 so immediately after this public hearing. A moratorium, interim zoning

1 map, interim zoning ordinance, or interim official control adopted
2 under this section may be effective for not longer than six months, but
3 may be effective for up to one year if a work plan is developed for
4 related studies providing for such a longer period. A moratorium,
5 interim zoning map, interim zoning ordinance, or interim official
6 control may be renewed for one or more six-month periods if a
7 subsequent public hearing is held and findings of fact are made prior
8 to each renewal."

9 "NEW SECTION. **Sec. 5.** A new section is added to chapter 36.32 RCW
10 to read as follows:

11 A charter county that plans under the authority of its charter is
12 subject to the provisions of section 4 of this act."

13 "NEW SECTION. **Sec. 6.** A new section is added to chapter 36.70A
14 RCW to read as follows:

15 A county or city governing body that adopts a moratorium, interim
16 zoning map, interim zoning ordinance, or interim official control
17 without holding a public hearing on the proposed moratorium, interim
18 zoning map, interim zoning ordinance, or interim official control,
19 shall hold a public hearing on the adopted moratorium, interim zoning
20 map, interim zoning ordinance, or interim official control within at
21 least sixty days of its adoption, whether or not the governing body
22 received a recommendation on the matter from the planning commission or
23 department. If the governing body does not adopt findings of fact
24 justifying its action before this hearing, then the governing body
25 shall do so immediately after this public hearing. A moratorium,
26 interim zoning map, interim zoning ordinance, or interim official
27 control adopted under this section may be effective for not longer than
28 six months, but may be effective for up to one year if a work plan is

1 developed for related studies providing for such a longer period. A
2 moratorium, interim zoning map, interim zoning ordinance, or interim
3 official control may be renewed for one or more six-month periods if a
4 subsequent public hearing is held and findings of fact are made prior
5 to each renewal.

6 This section does not apply to the designation of critical areas,
7 agricultural lands, forest lands, and mineral resource lands, under RCW
8 36.70A.170, and the conservation of these lands and protection of these
9 areas under RCW 36.70A.060, prior to such actions being taken in a
10 comprehensive plan adopted under RCW 36.70A.070 and implementing
11 development regulations adopted under RCW 36.70A.120, if a public
12 hearing is held on such proposed actions."

13 "NEW SECTION. **Sec. 7.** A new section is added to chapter 70.05 RCW
14 to read as follows:

15 A local board of health that adopts a moratorium affecting water
16 hookups, sewer hookups, or septic systems without holding a public
17 hearing on the proposed moratorium, shall hold a public hearing on the
18 adopted moratorium within at least sixty days of its adoption. If the
19 board does not adopt findings of fact justifying its action before this
20 hearing, then the board shall do so immediately after this public
21 hearing. A moratorium adopted under this section may be effective for
22 not longer than six months, but may be effective for up to one year if
23 a work plan is developed for related studies providing for such a
24 longer period. A moratorium may be renewed for one or more six-month
25 periods if a subsequent public hearing is held and findings of fact are
26 made prior to each renewal."

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4 On page 1, line 2 of the title, after "agencies;" strike the
5 remainder of the title and insert "adding a new section to chapter
6 35.63 RCW; adding a new section to chapter 35.22 RCW; adding a new
7 section to chapter 35A.63 RCW; adding a new section to chapter 36.70
8 RCW; adding a new section to chapter 36.32 RCW; adding a new section to
9 chapter 36.70A RCW; and adding a new section to chapter 70.05 RCW."