

**FINAL BILL REPORT**

**ESSB 5727**

**C 207 L 92**

**SYNOPSIS AS ENACTED**

**Brief Description:** Altering interim zoning by permit-granting agencies.

**SPONSORS:** Senate Committee on Governmental Operations (originally sponsored by Senators Amondson, Vognild, Owen, Stratton, McCaslin, West and Johnson)

**SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS**

**HOUSE COMMITTEE ON LOCAL GOVERNMENT**

**BACKGROUND:**

Various state and local governmental agencies regulate the use of real estate through approval of subdivisions, issuance of building permits, enactment of zoning ordinances and adoption of land use regulations. A governmental agency may place a moratorium on the issuance of permits or the approval of subdivision plats, or enact interim zoning ordinances to: (1) avoid the overtaxing of existing infrastructure; (2) avoid a rush of development in anticipation of more restrictive land use regulations; (3) allow time for the considered development of a master plan; or (4) prevent the despoliation of water or air.

It is felt that the use of moratoria on permits and approvals, and interim zoning ordinances may adversely and unfairly impact economic interests and other state policies. It is felt that their use should be subject to some specific limitations.

**SUMMARY:**

The governing body of a county, city, or town that adopts a moratorium or interim zoning control without holding a public hearing shall hold a public hearing on the matter within at least 60 days after it has adopted the moratorium or interim zoning control. If the governing body does not adopt findings of fact justifying its action before this hearing, it shall adopt findings of fact immediately after the public hearing.

A moratorium or interim zoning control may be effective for no longer than six months, but may be effective for up to one year if a work plan is developed providing for related studies that will take that long. A moratorium or interim zoning control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

A local board of health is subject to the same procedural requirements and limitations when it establishes a moratorium that the governing body of a county, city, or town is under when it establishes a moratorium.

**VOTES ON FINAL PASSAGE:**

Senate	31	9	
House	96	0	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate	45	2	(Senate concurred)

**EFFECTIVE:** June 11, 1992