

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5727

Chapter 207, Laws of 1992

52nd Legislature
1992 Regular Session

IMPOSITION OF MORATORIUM OR INTERIM ZONING BY
PERMIT-GRANTING AGENCIES

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 10, 1992
Yeas 45 Nays 2

JOEL PRITCHARD

President of the Senate

Passed by the House March 3, 1992
Yeas 96 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved April 2, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5727** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

April 2, 1992 - 11:55 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5727

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

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

Read first time March 6, 1991.

1 AN ACT Relating to the imposition of moratorium or interim zoning
2 by permit-granting agencies; adding a new section to chapter 35.63 RCW;
3 adding a new section to chapter 35.22 RCW; adding a new section to
4 chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding
5 a new section to chapter 36.32 RCW; adding a new section to chapter
6 36.70A RCW; and adding a new section to chapter 70.05 RCW.

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

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

10 A council or board that adopts a moratorium or interim zoning
11 control, without holding a public hearing on the proposed moratorium or
12 interim zoning control, shall hold a public hearing on the adopted
13 moratorium or interim zoning control within at least sixty days of its
14 adoption, whether or not the council or board received a recommendation
15 on the matter from the commission. If the council or board does not

1 adopt findings of fact justifying its action before this hearing, then
2 the council or board shall do so immediately after this public hearing.
3 A moratorium or interim zoning control adopted under this section may
4 be effective for not longer than six months, but may be effective for
5 up to one year if a work plan is developed for related studies
6 providing for such a longer period. A moratorium or interim zoning
7 control may be renewed for one or more six-month periods if a
8 subsequent public hearing is held and findings of fact are made prior
9 to each renewal.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.22 RCW
11 to read as follows:

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

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

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

1 six-month periods if a subsequent public hearing is held and findings
2 of fact are made prior to each renewal.

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

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

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.32 RCW
24 to read as follows:

25 A charter county that plans under the authority of its charter is
26 subject to the provisions of section 4 of this act.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.70A RCW
2 to read as follows:

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

22 This section does not apply to the designation of critical areas,
23 agricultural lands, forest lands, and mineral resource lands, under RCW
24 36.70A.170, and the conservation of these lands and protection of these
25 areas under RCW 36.70A.060, prior to such actions being taken in a
26 comprehensive plan adopted under RCW 36.70A.070 and implementing
27 development regulations adopted under RCW 36.70A.120, if a public
28 hearing is held on such proposed actions.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 70.05 RCW
2 to read as follows:

3 A local board of health that adopts a moratorium affecting water
4 hookups, sewer hookups, or septic systems without holding a public
5 hearing on the proposed moratorium, shall hold a public hearing on the
6 adopted moratorium within at least sixty days of its adoption. If the
7 board does not adopt findings of fact justifying its action before this
8 hearing, then the board shall do so immediately after this public
9 hearing. A moratorium adopted under this section may be effective for
10 not longer than six months, but may be effective for up to one year if
11 a work plan is developed for related studies providing for such a
12 longer period. A moratorium may be renewed for one or more six-month
13 periods if a subsequent public hearing is held and findings of fact are
14 made prior to each renewal.

Passed the Senate March 10, 1992.

Passed the House March 3, 1992.

Approved by the Governor April 2, 1992.

Filed in Office of Secretary of State April 2, 1992.