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SENATE BILL 5770

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Fraser and Winsley

Read first time 02/12/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to granting conservation futures rights to  
2 metropolitan park districts; and amending RCW 84.34.210 and 84.34.220.

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

4 **Sec. 1.** RCW 84.34.210 and 1987 c 341 s 2 are each amended to read  
5 as follows:

6 Any county, city, town, metropolitan park district, metropolitan  
7 municipal corporation, nonprofit historic preservation corporation as  
8 defined in RCW 64.04.130, or nonprofit nature conservancy corporation  
9 or association, as such are defined in RCW 84.34.250, may acquire by  
10 purchase, gift, grant, bequest, devise, lease, or otherwise, except by  
11 eminent domain, the fee simple or any lesser interest, development  
12 right, easement, covenant, or other contractual right necessary to  
13 protect, preserve, maintain, improve, restore, limit the future use of,  
14 or otherwise conserve, selected open space land, farm and agricultural  
15 land, and timber land as such are defined in chapter 84.34 RCW for  
16 public use or enjoyment. Among interests that may be so acquired are  
17 mineral rights. Any county, city, town, metropolitan park district,  
18 metropolitan municipal corporation, nonprofit historic preservation  
19 corporation as defined in RCW 64.04.130, or nonprofit nature

1 conservancy corporation or association, as such are defined in RCW  
2 84.34.250, may acquire such property for the purpose of conveying or  
3 leasing the property back to its original owner or other person under  
4 such covenants or other contractual arrangements as will limit the  
5 future use of the property in accordance with the purposes of this 1971  
6 amendatory act.

7 **Sec. 2.** RCW 84.34.220 and 1987 c 341 s 3 are each amended to read  
8 as follows:

9 In accordance with the authority granted in RCW 84.34.210, a  
10 county, city, town, metropolitan park district, metropolitan municipal  
11 corporation, nonprofit historic preservation corporation as defined in  
12 RCW 64.04.130, or nonprofit nature conservancy corporation or  
13 association, as such are defined in RCW 84.34.250, may specifically  
14 purchase or otherwise acquire, except by eminent domain, rights in  
15 perpetuity to future development of any open space land, farm and  
16 agricultural land, and timber land which are so designated under the  
17 provisions of chapter 84.34 RCW and taxed at current use assessment as  
18 provided by that chapter. For the purposes of this 1971 amendatory  
19 act, such developmental rights shall be termed "conservation futures".  
20 The private owner may retain the right to continue any existing open  
21 space use of the land, and to develop any other open space use, but,  
22 under the terms of purchase of conservation futures, the county, city,  
23 town, metropolitan park district, metropolitan municipal corporation,  
24 nonprofit historic preservation corporation as defined in RCW  
25 64.04.130, or nonprofit nature conservancy corporation or association,  
26 as such are defined in RCW 84.34.250, may forbid or restrict building  
27 thereon, or may require that improvements cannot be made without  
28 county, city, town, metropolitan park district, metropolitan municipal  
29 corporation, nonprofit historic preservation corporation as defined in  
30 RCW 64.04.130, or nonprofit nature conservancy corporation or  
31 association, as such are defined in RCW 84.34.250, permission. The  
32 land may be alienated or sold and used as formerly by the new owner,  
33 subject to the terms of the agreement made by the county, city, town,  
34 metropolitan park district, metropolitan municipal corporation,  
35 nonprofit historic preservation corporation as defined in RCW

1 64.04.130, or nonprofit nature conservancy corporation or association,  
2 as such are defined in RCW 84.34.250, with the original owner.

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