

VETO MESSAGE ON HB 2977-S

April 3, 1998

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute House Bill No. 2977 entitled:

"AN ACT Relating to binding site plans;"

SHB 2977 attempts to clarify some confusion created by a recent court decision regarding dual application of the condominium law and the subdivision statute, by confirming that condominiums are to be created pursuant to the condominium statute only.

The bill, however, raises equity and growth management issues. Enactment of this bill could allow for the conversion into condominiums of older developments that have infrastructure below current standards, with no mechanism for local review of sewer, water or transportation effects. If this were to occur, older lot owners, many of whom may be on fixed incomes, would have the burden of upgrading infrastructure.

In addition, the bill raises concerns that local governments will not be allowed to use some zoning and planning codes to implement Growth Management Act goals. Some condominium conversions could lead to very dense developments outside previously established urban growth areas.

I agree that application of the binding site plan laws to condominium developments is very problematic, and the law needs to be clarified. I urge the various stakeholders interested in this bill to work together during the interim to reach consensus on a remedy to the legal problems that have been presented.

For these reasons, I have vetoed Substitute House Bill No. 2977 in its entirety.

Respectfully submitted,  
Gary Locke  
Governor