

SENATE BILL REPORT

SB 5121

As of January 29, 2013

Title: An act relating to the effect of zoning ordinances on hobby vehicle restoration.

Brief Description: Concerning the effect of zoning ordinances on hobby vehicle restoration.

Sponsors: Senators Carrell, Benton, Becker, Bailey, Litzow, Roach and Honeyford.

Brief History:

Committee Activity: Governmental Operations: 1/28/13.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Sam Thompson (786-7413)

Background: Cities, towns, and counties may adopt zoning regulations and other land use restrictions that prohibit or restrict activity in particular zones or designated areas.

Summary of Bill: Cities, towns, and counties must not enact, enforce, or maintain land use restrictions, including zoning regulations, that prohibit hobby vehicle restoration. Other regulation of hobby vehicle restoration is not precluded.

Hobby vehicle restoration is defined as restoration of six or fewer vehicles that are at least 30 years old. One may be used for parts salvage. The restorer must have title and be actively working towards restoration. Vehicles must be maintained and stored out of ordinary public view by fencing, trees, shrubbery, or otherwise. An activity qualifies as hobby vehicle restoration when it is an ancillary use of the property.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill appropriately limits local government authority to prohibit older vehicles on property if residents are working to restore the

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vehicles. Historically, some cities have confiscated older vehicles under abatement processes. Thousands of people in Washington enjoy restoring older vehicles in garages.

CON: Cities have technical concerns, including uncertainty as to what constitutes active work toward restoration and whether vehicles in front yards must be accommodated.

OTHER: County officials have questions regarding some provisions but will seek to resolve issues.

Persons Testifying: PRO: Senator Carrell, prime sponsor; Ross Gallagher, citizen.

CON: Carl Schroeder, Assn. of WA Cities.

OTHER: Laura Merrill, WA State Assn. of Counties.