
SENATE BILL 5084

State of Washington

53rd Legislature

1993 Regular Session

By Senator McCaslin

Read first time 01/13/93. Referred to Committee on Government Operations.

1 AN ACT Relating to land use regulations; adding a new section to
2 chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding
3 a new section to chapter 36.70 RCW; and adding a new section to chapter
4 58.17 RCW.

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

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

8 (1) No city, county, board, commission, or hearing examiner acting
9 under this chapter may make modification of zoning requirements or
10 other land use restrictions for any parcel of real estate contingent
11 upon the transfer or dedication of a portion of such parcel of real
12 estate to the public, unless the following requirements are met:

13 (a) The property to be transferred is necessary for a public use
14 identified in an existing comprehensive plan; and

15 (b) The property to be transferred will be actually employed for
16 such public use within twelve months of the date of transfer.

17 (2) Subsection (1) of this section shall apply whether the
18 modification is made by the granting of a conditional use permit,
19 variance, rezone, or otherwise.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63 RCW
2 to read as follows:

3 (1) No city, board, commission, or hearing examiner acting under
4 this chapter may make modification of zoning requirements or other land
5 use restrictions for any parcel of real estate contingent upon the
6 transfer or dedication of a portion of such parcel of real estate to
7 the public, unless the following requirements are met:

8 (a) The property to be transferred is necessary for a public use
9 identified in an existing comprehensive plan; and

10 (b) The property to be transferred will be actually employed for
11 such public use within twelve months of the date of transfer.

12 (2) Subsection (1) of this section shall apply whether the
13 modification is made by the granting of a conditional use permit,
14 variance, rezone, or otherwise.

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

17 (1) No county, board, commission, or hearing examiner acting under
18 this chapter may make modification of zoning requirements or other land
19 use restrictions for any parcel of real estate contingent upon the
20 transfer or dedication of a portion of such parcel of real estate to
21 the public, unless the following requirements are met:

22 (a) The property to be transferred is necessary for a public use
23 identified in an existing comprehensive plan; and

24 (b) The property to be transferred will be actually employed for
25 such public use within twelve months of the date of transfer.

26 (2) Subsection (1) of this section shall apply whether the
27 modification is made by the granting of a conditional use permit,
28 variance, rezone, or otherwise.

29 NEW SECTION. **Sec. 4.** A new section is added to chapter 58.17 RCW
30 to read as follows:

31 No city, county, board, commission, or hearing examiner acting
32 under this chapter may make an approval, modification, or alteration of
33 a subdivision, short subdivision, or binding site plan contingent upon
34 the transfer or dedication of a portion of the affected parcel of real
35 estate to the public, unless the following requirements are met:

36 (1) The property to be transferred is necessary for a public use
37 identified in an existing comprehensive plan; and

1 (2) The property to be transferred will be actually employed for
2 such public use within twelve months of the date of transfer.

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