
HOUSE BILL 2408

State of Washington 61st Legislature 2010 Regular Session

By Representatives Angel, Haler, Schmick, Short, Fagan, McCune, Campbell, Rolfes, Chase, and Warnick

Prefiled 12/07/09. Read first time 01/11/10. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to notifying property owners of proposals to modify
2 zoning requirements; adding a new section to chapter 35.21 RCW; adding
3 a new section to chapter 35A.21 RCW; adding a new section to chapter
4 36.70 RCW; adding a new section to chapter 36.70A RCW; and creating a
5 new section.

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

7 NEW SECTION. **Sec. 1.** The legislature affirms that private
8 property rights are fundamental to the freedoms and protections that
9 Washingtonians enjoy. These citizen-based rights and freedoms, and the
10 liberty they afford, distinguish our great state and nation from other
11 governments. The legislature finds that the authority and spirit
12 embodied in Article I, sections 3 and 7 of the state Constitution serve
13 as the standard by which the legislature must carefully assess its
14 actions pertaining to property rights, due process, and privacy. The
15 legislature further finds that these assessments, and any resulting
16 actions, must: (1) Be based in the informed consent of the governed;
17 (2) protect private property; (3) recognize the true costs of
18 government paid through taxes; and (4) guard against persistent

1 inclinations to erode citizen rights by authorizing unnecessary or
2 intrusive government actions.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
4 to read as follows:

5 Any city or town that is considering a proposal to modify its
6 zoning requirements must ensure that, prior to the adoption of any
7 modification, notice of the proposal is provided by mail to the owners
8 of the real property for which the modification would apply.
9 Notifications required by this section must: (1) Be mailed to the
10 latest recorded real property owners as shown by the records of the
11 county assessor; (2) contain a clear and concise description of the
12 proposal and an explanation of modifications affecting the real
13 property owned by the notification recipient; and (3) contain
14 information, including date, time, and staff contact information, about
15 any public meeting at which the proposal is scheduled to be addressed.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21 RCW
17 to read as follows:

18 Any city that is considering a proposal to modify its zoning
19 requirements must ensure that, prior to the adoption of any
20 modification, notice of the proposal is provided by mail to the owners
21 of the real property for which the modification would apply.
22 Notifications required by this section must: (1) Be mailed to the
23 latest recorded real property owners as shown by the records of the
24 county assessor; (2) contain a clear and concise description of the
25 proposal and an explanation of modifications affecting the real
26 property owned by the notification recipient; and (3) contain
27 information, including date, time, and staff contact information, about
28 any public meeting at which the proposal is scheduled to be addressed.

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

31 Any county that is considering a proposal to modify its zoning
32 requirements must ensure that, prior to the adoption of any
33 modification, notice of the proposal is provided by mail to the owners
34 of the real property for which the modification would apply.
35 Notifications required by this section must: (1) Be mailed to the

1 latest recorded real property owners as shown by the records of the
2 county assessor; (2) contain a clear and concise description of the
3 proposal and an explanation of modifications affecting the real
4 property owned by the notification recipient; and (3) contain
5 information, including date, time, and staff contact information, about
6 any public meeting at which the proposal is scheduled to be addressed.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW
8 to read as follows:

9 Any county, city, or town that is considering a proposal to modify
10 its zoning requirements must ensure that, prior to the adoption of any
11 modification, notice of the proposal is provided by mail to the owners
12 of the real property for which the modification would apply.
13 Notifications required by this section must: (1) Be mailed to the
14 latest recorded real property owners as shown by the records of the
15 county assessor; (2) contain a clear and concise description of the
16 proposal and an explanation of modifications affecting the real
17 property owned by the notification recipient; and (3) contain
18 information, including date, time, and staff contact information, about
19 any public meeting at which the proposal is scheduled to be addressed.

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