

1 **ESB 6025** - H AMD TO LG COMM AMD (H4486.1) **1307 WITHDRAWN 3-4-94**
2 By Representative Heavey

3 On page 8, after line 34, insert the following new sections:

4 "NEW SECTION. **Sec. 13.** A new section is added to chapter
5 35.21 RCW to read as follows:

6 (1) Except as otherwise provided in subsection (2) of this
7 section, nothing in this chapter authorizes a city or town that
8 provides water or sewer service outside the corporate boundaries of
9 the city or town to require, as condition of providing water or
10 sewer service, the property owner who has requested water or sewer
11 service to agree to:

12 (a) Lot sizes different from those required by the
13 jurisdiction with zoning authority over the property; or

14 (b) Other development or design requirements not required by
15 the local government with jurisdiction over the property.

16 (2) A city or town may impose conditions not otherwise allowed
17 under subsection (1) of this section if:

18 (a) The conditions are reasonably necessary to the proper
19 functioning of the water or sewer service; or

20 (b) The local government with jurisdiction over the property
21 concurs with the conditions during review pursuant to chapter
22 43.21C RCW, interlocal cooperation agreement under chapter 39.34
23 RCW, or the project approval process.

24 NEW SECTION. **Sec. 14.** A new section is added to chapter
25 35.92 RCW to read as follows:

26 (1) Except as otherwise provided in subsection (2) of this
27 section, nothing in this chapter authorizes a city or town that
28 provides water or sewer service outside the corporate boundaries of
29 the city or town to require, as condition of providing water or
30 sewer service, the property owner who has requested water or sewer
31 service to agree to:

1 (a) Lot sizes different from those required by the
2 jurisdiction with zoning authority over the property; or

3 (b) Other development or design requirements not required by
4 the local government with jurisdiction over the property.

5 (2) A city or town may impose conditions not otherwise allowed
6 under subsection (1) of this section if:

7 (a) The conditions are reasonably necessary to the proper
8 functioning of the water or sewer service; or

9 (b) The local government with jurisdiction over the property
10 concurs with the conditions during review pursuant to chapter
11 43.21C RCW, interlocal cooperation agreement under chapter 39.34
12 RCW, or the project approval process.

13 NEW SECTION. Sec. 15. Sections 13 and 14 of this act shall
14 take effect July 1, 1994.

15 NEW SECTION. Sec. 16. Sections 13 and 14 of this act do not
16 apply to any application for a plat or subdivision under chapter
17 58.17 RCW filed before July 1, 1994. Nothing in sections 13 and 14
18 of this act shall be construed to affect, in any manner whatsoever,
19 the validity or invalidity of any city's or town's regulations or
20 restrictions with respect to plat or subdivision applications filed
21 before July 1, 1994."

EFFECT: With exceptions, provides that cities or towns may not condition their providing sewer or water services outside their boundaries on the property owners' compliance with their development regulations. This rule would not apply to plat or subdivision applications filed before July 1, 1994.