
SUBSTITUTE HOUSE BILL 1379

State of Washington 61st Legislature 2009 Regular Session

By House Local Government & Housing (originally sponsored by Representatives Seaquist, Angel, and Liias)

READ FIRST TIME 02/17/09.

1 AN ACT Relating to moratoria and other interim official controls
2 adopted under the shoreline management act; adding a new section to
3 chapter 90.58 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that cities and
6 counties have moratoria authority granted through constitutional and
7 statutory provisions and that this authority, when properly exercised,
8 is an important aspect of complying with environmental stewardship and
9 protection requirements.

10 Recognizing the fundamental role and value of properly exercised
11 moratoria, the legislature intends to establish new moratoria
12 procedures and to affirm moratoria authority that local governments
13 have and may exercise and when implementing the shoreline management
14 act.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.58 RCW
16 to read as follows:

17 (1) Local governments may adopt moratoria or other interim official
18 controls as necessary and appropriate to implement this chapter.

1 (2)(a) A local government adopting a moratorium or control under
2 this section must:

3 (i) Hold a public hearing on the moratorium or control;

4 (ii) Adopt detailed findings of fact that include, but are not
5 limited to justifications for the proposed or adopted actions and
6 explanations of the desired and likely outcomes;

7 (iii) Notify the department of the moratorium or control
8 immediately after its adoption. The notification must specify the
9 time, place, and date of any public hearing required by this
10 subsection.

11 (b) The public hearing required by this section must be held within
12 sixty days of the adoption of the moratorium or control.

13 (3) A moratorium or control adopted under this section may be
14 effective for up to six months if a detailed work plan for remedying
15 the issues and circumstances necessitating the moratorium or control is
16 developed and made available for public review. A moratorium or
17 control may be renewed for one six-month period if the local government
18 complies with subsection (2)(a) of this section before the renewal.

19 (4) Nothing in this section may be construed to modify county and
20 city moratoria powers conferred outside this chapter.

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