

SENATE BILL REPORT

SB 5586

As of January 17, 2012

Title: An act relating to the effect of zoning ordinances on motor vehicle collection and restoration.

Brief Description: Concerning the effect of zoning ordinances on motor vehicle collection and restoration.

Sponsors: Senators Carrell and Becker.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 2/15/11, 2/21/11 [DPS]; 1/16/12.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5586 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase, Nelson and Roach.

Staff: Sharon Swanson (786-7447)

Background: Residential zoning regulations are promulgated by local governments such as counties, cities, and towns to encourage patterns of residential development that serve community goals with respect to population density, neighborhood development, environmental quality, transportation, land use, and utility systems, among other goals.

Summary of Bill (Proposed Second Substitute): Hobby Vehicle Restoration is defined as the restoration of six or fewer vehicles that are 30 years or older of which the person restoring the vehicle has title and is actively restoring. An additional car may be utilized for parts salvage only. The vehicles must be maintained and stored in a location that is out of ordinary public view by means of suitable fencing, trees, shrubbery, or otherwise. To qualify as hobby vehicle restoration, the restoration of the vehicle must be an ancillary use of the property upon which the restoration takes place. A city or town is not limited from regulating hobby vehicle restoration.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS COMMITTEE (Proposed Second Substitute): The second substitute amends the definition of hobby vehicle restoration to allow for six vehicles instead of four. Additionally, the second substitute requires that the vehicles being restored are maintained and stored in a location that is out of ordinary public view by means of suitable fencing, trees, shrubbery, or otherwise.

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:

Testimony From 2011 Regular Session on Original Bill.

PRO: As a homeowner and a person who restores vehicles, the law should allow me to pursue my hobbies without being ticketed by the county. I don't restore vehicles as a commercial business but as a hobby. I have spent thousands of dollars fighting the county in court to allow me to pursue my hobby. The law needs to be changed to be clear to allow people to have a small number of vehicles on their property for restoration purposes. The current system does not allow for common sense.

CON: This bill blurs the regulation of junk yards. If the landowner or tenant claimed they were engaging in the hobby of collecting motor vehicles, the county would be prohibited from enforcing development regulations adopted by the county council to implement the county's comprehensive plan and citizen developed community plans. County's have the authority to set and enforce their own regulations. This bill does not establish a clear linkage between the hobby and the underlying principal land use.

Testimony From 2012 Regular Session on Proposed Second Substitute Bill.

OTHER: The change to the definition of hobby car restoration from four cars to six cars is new. The substitute bill is more agreeable than the original; Pierce County is not entirely comfortable.

Persons Testifying:

Persons Testifying From 2011 Regular Session on Original Bill.

PRO: Frank Ham, Auto Business Home Owner.

CON: Scott Merriman, Association of Washington Counties.

Persons Testifying From 2012 Regular Session on Proposed Second Substitute Bill.

OTHER: George Walk, Pierce County.