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SECOND SUBSTITUTE SENATE BILL 5586

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State of Washington

62nd Legislature

2012 Regular Session

By Senate Government Operations, Tribal Relations & Elections  
(originally sponsored by Senators Carrell and Becker)

READ FIRST TIME 01/20/12.

1 AN ACT Relating to the effect of zoning ordinances on hobby vehicle  
2 restoration; adding a new section to chapter 35.21 RCW; adding a new  
3 section to chapter 35.63 RCW; adding a new section to chapter 35A.63  
4 RCW; adding a new section to chapter 36.70 RCW; and adding a new  
5 section to chapter 36.70A RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW  
8 to read as follows:

9 (1) Except as provided under subsection (3) of this section, a city  
10 or town shall not enact, enforce, or maintain an ordinance, development  
11 regulation, zoning regulation, or official control, policy, or  
12 administrative practice that prohibits hobby vehicle restoration.

13 (2) For the purposes of this section, "hobby vehicle restoration"  
14 means the restoration of six or fewer vehicles that are thirty years or  
15 older of which the person restoring the vehicle has title and is  
16 actively working towards restoration of the vehicle and provided that  
17 the vehicles being restored and used for parts are maintained and  
18 stored by the restorer in a location that is out of ordinary public  
19 view by means of suitable fencing, trees, shrubbery, or otherwise.

1 "Hobby vehicle restoration" includes the use of one of the six vehicles  
2 for the purposes of parts salvage only. An activity qualifies as hobby  
3 vehicle restoration when the restoration of the vehicle or vehicles is  
4 an ancillary use of the property upon which the restoration takes  
5 place.

6 (3) This section does not prohibit a city or town from enacting,  
7 enforcing, or maintaining an ordinance, development regulation, zoning  
8 regulation, or official control, policy, or administrative practice to  
9 otherwise regulate hobby vehicle restoration.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.63 RCW  
11 to read as follows:

12 (1) Except as provided under subsection (3) of this section, a city  
13 shall not enact, enforce, or maintain an ordinance, development  
14 regulation, zoning regulation, or official control, policy, or  
15 administrative practice that prohibits hobby vehicle restoration.

16 (2) For the purposes of this section, "hobby vehicle restoration"  
17 means the restoration of six or fewer vehicles that are thirty years or  
18 older of which the person restoring the vehicle has title and is  
19 actively working towards restoration of the vehicle and provided that  
20 the vehicles being restored and used for parts are maintained and  
21 stored by the restorer in a location that is out of ordinary public  
22 view by means of suitable fencing, trees, shrubbery, or otherwise.  
23 "Hobby vehicle restoration" includes the use of one of the six vehicles  
24 for the purposes of parts salvage only. An activity qualifies as hobby  
25 vehicle restoration when the restoration of the vehicle or vehicles is  
26 an ancillary use of the property upon which the restoration takes  
27 place.

28 (3) This section does not prohibit a city from enacting, enforcing,  
29 or maintaining an ordinance, development regulation, zoning regulation,  
30 or official control, policy, or administrative practice to otherwise  
31 regulate hobby vehicle restoration.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.63 RCW  
33 to read as follows:

34 (1) Except as provided under subsection (3) of this section, a city  
35 shall not enact, enforce, or maintain an ordinance, development

1 regulation, zoning regulation, or official control, policy, or  
2 administrative practice that prohibits hobby vehicle restoration.

3 (2) For the purposes of this section, "hobby vehicle restoration"  
4 means the restoration of six or fewer vehicles that are thirty years or  
5 older of which the person restoring the vehicle has title and is  
6 actively working towards restoration of the vehicle and provided that  
7 the vehicles being restored and used for parts are maintained and  
8 stored by the restorer in a location that is out of ordinary public  
9 view by means of suitable fencing, trees, shrubbery, or otherwise.  
10 "Hobby vehicle restoration" includes the use of one of the six vehicles  
11 for the purposes of parts salvage only. An activity qualifies as hobby  
12 vehicle restoration when the restoration of the vehicle or vehicles is  
13 an ancillary use of the property upon which the restoration takes  
14 place.

15 (3) This section does not prohibit a city from enacting, enforcing,  
16 or maintaining an ordinance, development regulation, zoning regulation,  
17 or official control, policy, or administrative practice to otherwise  
18 regulate hobby vehicle restoration.

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

21 (1) Except as provided under subsection (3) of this section, a  
22 county shall not enact, enforce, or maintain an ordinance, development  
23 regulation, zoning regulation, or official control, policy, or  
24 administrative practice that prohibits hobby vehicle restoration.

25 (2) For the purposes of this section, "hobby vehicle restoration"  
26 means the restoration of six or fewer vehicles that are thirty years or  
27 older of which the person restoring the vehicle has title and is  
28 actively working towards restoration of the vehicle and provided that  
29 the vehicles being restored and used for parts are maintained and  
30 stored by the restorer in a location that is out of ordinary public  
31 view by means of suitable fencing, trees, shrubbery, or otherwise.  
32 "Hobby vehicle restoration" includes the use of one of the six vehicles  
33 for the purposes of parts salvage only. An activity qualifies as hobby  
34 vehicle restoration when the restoration of the vehicle or vehicles is  
35 an ancillary use of the property upon which the restoration takes  
36 place.

1 (3) This section does not prohibit a county from enacting,  
2 enforcing, or maintaining an ordinance, development regulation, zoning  
3 regulation, or official control, policy, or administrative practice to  
4 otherwise regulate hobby vehicle restoration.

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

7 (1) Except as provided under subsection (3) of this section, a  
8 county shall not enact, enforce, or maintain an ordinance, development  
9 regulation, zoning regulation, or official control, policy, or  
10 administrative practice that prohibits hobby vehicle restoration.

11 (2) For the purposes of this section, "hobby vehicle restoration"  
12 means the restoration of six or fewer vehicles that are thirty years or  
13 older of which the person restoring the vehicle has title and is  
14 actively working towards restoration of the vehicle and provided that  
15 the vehicles being restored and used for parts are maintained and  
16 stored by the restorer in a location that is out of ordinary public  
17 view by means of suitable fencing, trees, shrubbery, or otherwise.  
18 "Hobby vehicle restoration" includes the use of one of the six vehicles  
19 for the purposes of parts salvage only. An activity qualifies as hobby  
20 vehicle restoration when the restoration of the vehicle or vehicles is  
21 an ancillary use of the property upon which the restoration takes  
22 place.

23 (3) This section does not prohibit a county from enacting,  
24 enforcing, or maintaining an ordinance, development regulation, zoning  
25 regulation, or official control, policy, or administrative practice to  
26 otherwise regulate hobby vehicle restoration.

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