
HOUSE BILL 2671

State of Washington

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By Representatives Walsh, Griffey, Barkis, Ybarra, Steele, Gildon, Boehnke, Smith, Chambers, Hoff, Vick, Goehner, Eslick, Volz, Graham, and Klippert

1 AN ACT Relating to short subdivisions; and amending RCW 58.17.020
2 and 58.17.060.

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

4 **Sec. 1.** RCW 58.17.020 and 2002 c 262 s 1 are each amended to
5 read as follows:

6 As used in this chapter, unless the context or subject matter
7 clearly requires otherwise, the words or phrases defined in this
8 section shall have the indicated meanings.

9 (1) "Subdivision" is the division or redivision of land into five
10 or more lots, tracts, parcels, sites, or divisions for the purpose of
11 sale, lease, or transfer of ownership, except as provided in
12 subsection (6) of this section.

13 (2) "Plat" is a map or representation of a subdivision, showing
14 thereon the division of a tract or parcel of land into lots, blocks,
15 streets and alleys, or other divisions and dedications.

16 (3) "Dedication" is the deliberate appropriation of land by an
17 owner for any general and public uses, reserving to himself or
18 herself no other rights than such as are compatible with the full
19 exercise and enjoyment of the public uses to which the property has
20 been devoted. The intention to dedicate shall be evidenced by the
21 owner by the presentment for filing of a final plat or short plat

1 showing the dedication thereon; and, the acceptance by the public
2 shall be evidenced by the approval of such plat for filing by the
3 appropriate governmental unit.

4 A dedication of an area of less than two acres for use as a
5 public park may include a designation of a name for the park, in
6 honor of a deceased individual of good character.

7 (4) "Preliminary plat" is a neat and approximate drawing of a
8 proposed subdivision showing the general layout of streets and
9 alleys, lots, blocks, and other elements of a subdivision consistent
10 with the requirements of this chapter. The preliminary plat shall be
11 the basis for the approval or disapproval of the general layout of a
12 subdivision.

13 (5) "Final plat" is the final drawing of the subdivision and
14 dedication prepared for filing for record with the county auditor and
15 containing all elements and requirements set forth in this chapter
16 and in local regulations adopted under this chapter.

17 (6) "Short subdivision" is the division or redivision of land
18 into four or fewer lots, tracts, parcels, sites, or divisions for the
19 purpose of sale, lease, or transfer of ownership. However, the
20 legislative authority of any city or town may by local ordinance
21 increase the number of lots, tracts, or parcels to be regulated as
22 short subdivisions to a maximum of (~~nine~~) thirty. The legislative
23 authority of any county planning under RCW 36.70A.040 that has
24 adopted a comprehensive plan and development regulations in
25 compliance with chapter 36.70A RCW may by ordinance increase the
26 number of lots, tracts, or parcels to be regulated as short
27 subdivisions to a maximum of (~~nine~~) thirty in any urban growth
28 area.

29 (7) "Binding site plan" means a drawing to a scale specified by
30 local ordinance which: (a) Identifies and shows the areas and
31 locations of all streets, roads, improvements, utilities, open
32 spaces, and any other matters specified by local regulations; (b)
33 contains inscriptions or attachments setting forth such appropriate
34 limitations and conditions for the use of the land as are established
35 by the local government body having authority to approve the site
36 plan; and (c) contains provisions making any development be in
37 conformity with the site plan.

38 (8) "Short plat" is the map or representation of a short
39 subdivision.

1 (9) "Lot" is a fractional part of divided lands having fixed
2 boundaries, being of sufficient area and dimension to meet minimum
3 zoning requirements for width and area. The term shall include tracts
4 or parcels.

5 (10) "Block" is a group of lots, tracts, or parcels within well
6 defined and fixed boundaries.

7 (11) "County treasurer" shall be as defined in chapter 36.29 RCW
8 or the office or person assigned such duties under a county charter.

9 (12) "County auditor" shall be as defined in chapter 36.22 RCW or
10 the office or person assigned such duties under a county charter.

11 (13) "County road engineer" shall be as defined in chapter 36.40
12 RCW or the office or person assigned such duties under a county
13 charter.

14 (14) "Planning commission" means that body as defined in chapter
15 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to
16 perform a planning function or that body assigned such duties and
17 responsibilities under a city or county charter.

18 (15) "County commissioner" shall be as defined in chapter 36.32
19 RCW or the body assigned such duties under a county charter.

20 **Sec. 2.** RCW 58.17.060 and 1990 1st ex.s. c 17 s 51 are each
21 amended to read as follows:

22 (1) The legislative body of a city, town, or county shall adopt
23 regulations and procedures, and appoint administrative personnel for
24 the summary approval of short plats and short subdivisions or
25 alteration or vacation thereof. When an alteration or vacation
26 involves a public dedication, the alteration or vacation (~~shall~~)
27 must be processed as provided in RCW 58.17.212 or 58.17.215. Such
28 regulations shall be adopted by ordinance and (~~shall~~) must provide
29 that a short plat and short subdivision may be approved only if
30 written findings that are appropriate, as provided in RCW 58.17.110,
31 are made by the administrative personnel, and may contain wholly
32 different requirements than those governing the approval of
33 preliminary and final plats of subdivisions and may require surveys
34 and monumentations and (~~shall~~) must require filing of a short plat,
35 or alteration or vacation thereof, for record in the office of the
36 county auditor: PROVIDED, That such regulations must contain a
37 requirement that land in short subdivisions may not be further
38 divided in any manner within a period of five years without the
39 filing of a final plat, except that when the short plat contains

1 fewer than four parcels, nothing in this section shall prevent the
2 owner who filed the short plat from filing an alteration within the
3 five-year period to create up to a total of four lots within the
4 original short plat boundaries: PROVIDED FURTHER, That such
5 regulations are not required to contain a penalty clause as provided
6 in RCW 36.32.120 and may provide for wholly injunctive relief.

7 An ordinance requiring a survey shall require that the survey be
8 completed and filed with the application for approval of the short
9 subdivision.

10 (2) In addition to the requirements of subsection (1) of this
11 section, approval of short plats and short subdivisions creating ten
12 or more lots are subject to the provisions of RCW 58.17.110, except
13 that such short plats and subdivisions may be reviewed by
14 administrative personnel.

15 (3) Cities, towns, and counties shall include in their short plat
16 regulations and procedures pursuant to subsection (1) of this section
17 provisions for considering sidewalks and other planning features that
18 assure safe walking conditions for students who walk to and from
19 school.

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