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HOUSE BILL 2563

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State of Washington

52nd Legislature

1992 Regular Session

By Representatives H. Sommers and Haugen; by request of State Treasurer

Read first time 01/22/92. Referred to Committee on Capital Facilities & Financing.

1 AN ACT Relating to leases by the state and municipal corporations  
2 and instrumentalities thereof; amending RCW 58.17.040; and adding a new  
3 section to chapter 58.17 RCW.

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

5 **Sec. 1.** RCW 58.17.040 and 1989 c 43 s 4-123 are each amended to  
6 read as follows:

7 The provisions of this chapter shall not apply to:

8 (1) Cemeteries and other burial plots while used for that purpose;

9 (2) Divisions of land into lots or tracts each of which is one-one  
10 hundred twenty-eighth of a section of land or larger, or five acres or  
11 larger if the land is not capable of description as a fraction of a  
12 section of land, unless the governing authority of the city, town, or  
13 county in which the land is situated shall have adopted a subdivision  
14 ordinance requiring plat approval of such divisions: PROVIDED, That

1 for purposes of computing the size of any lot under this item which  
2 borders on a street or road, the lot size shall be expanded to include  
3 that area which would be bounded by the center line of the road or  
4 street and the side lot lines of the lot running perpendicular to such  
5 center line;

6 (3) Divisions made by testamentary provisions, or the laws of  
7 descent;

8 (4) Divisions of land into lots or tracts classified for industrial  
9 or commercial use when the city, town, or county has approved a binding  
10 site plan for the use of the land in accordance with local regulations;

11 (5) A division for the purpose of lease when no residential  
12 structure other than mobile homes or travel trailers are permitted to  
13 be placed upon the land when the city, town, or county has approved a  
14 binding site plan for the use of the land in accordance with local  
15 regulations;

16 (6) A division made for the purpose of alteration by adjusting  
17 boundary lines, between platted or unplatted lots or both, which does  
18 not create any additional lot, tract, parcel, site, or division nor  
19 create any lot, tract, parcel, site, or division which contains  
20 insufficient area and dimension to meet minimum requirements for width  
21 and area for a building site; (~~and~~)

22 (7) Divisions of land into lots or tracts if: (a) The improvements  
23 constructed or to be constructed thereon will be included in one or  
24 more condominiums or owned by an association or other legal entity in  
25 which the owners of units therein or their owners' associations have a  
26 membership or other legal or beneficial interest; (b) a city, town, or  
27 county has approved a binding site plan for all such land; and (c) the  
28 binding site plan contains thereon the following statement: "All  
29 development of the land described herein shall be in accordance with  
30 the binding site plan, as it may be amended. Upon completion, the

1 improvements on the land shall be included in one or more condominiums  
2 or owned by an association or other legal entity in which the owners of  
3 units therein or their owners' associations have a membership or other  
4 legal or beneficial interest((-))"; and

5 (8) A division for the purpose of lease made by or on behalf of the  
6 state of Washington, its agencies, departments, and instrumentalities,  
7 the state board for community and technical colleges, and state  
8 institutions of higher education in connection with a financing  
9 contract as defined in chapter 39.94 RCW, or by any city or town in  
10 connection with a lease executed under chapter 35.42 RCW or any other  
11 statute, or by any other municipal corporation or instrumentality  
12 thereof authorized by law to enter into leases.

13 NEW SECTION. Sec. 2. A new section is added to chapter 58.17 RCW  
14 to read as follows:

15 This chapter applies to all financing contracts and leases entered  
16 into after July 23, 1989.