

HOUSE BILL REPORT

SHB 1577

As Reported By House Committee On:

Government Reform & Land Use

Title: An act relating to land division.

Brief Description: Revising land division.

Sponsors: House (originally sponsored by Representatives Mulliken, Sheldon, Cairnes, L. Thomas, Reams, Sherstad, Mielke, Smith, Koster, McMorris, Dunn, Thompson, Bush, Pennington, Sheahan and Robertson).

Brief History:

Committee Activity:

Government Reform & Land Use: 2/6/98 [DP2S].

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

Minority Report: Without recommendation. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

Staff: Joan Elgee (786-7135).

Background: In general, when a property owner wishes to divide his or her land, the division of the land must be reviewed by the city, town, or county pursuant to a short subdivision or subdivision ordinance. If the property is going to be divided into four or fewer lots, it is considered a short subdivision. A city or town, but not a county, may by ordinance allow up to nine lot divisions of land to be regulated as short subdivisions.

The legislative body of a city, town, and county must adopt procedures for the summary approval of short subdivisions by administrative personnel. Regular subdivisions must be submitted to the legislative body of the city, town, or county for approval. Written findings must be made that the proposed short subdivision or subdivision makes

appropriate provisions for the public health, safety, and general welfare before the division can be approved.

The approval process for regular subdivisions also requires the filing of a preliminary plat of the proposed subdivision with the legislative body of the city, town, or county. Notice of a public hearing or an administrative review of the preliminary plat must be sent to adjacent landowners as well as published. Any person may comment on the proposed preliminary plat. The legislative body of the city, town, or county has the sole authority to approve final plats.

A short plat containing fewer than four lots may be altered to create up to four lots within the original short plat boundaries.

Summary of Second Substitute Bill: Counties, as well as cities and towns, may allow up to nine lot divisions of land to be regulated as short subdivisions. A short plat may be altered to the maximum allowed under local ordinance.

Second Substitute Bill Compared to Substitute Bill: The first substitute bill provides that up to nine lot divisions of land by counties, cities and towns must be considered under the short subdivision ordinance. The second substitute gives the county the discretion, currently granted to cities and towns, to allow up to nine lot divisions to be treated as short subdivisions. Instead of allowing alteration up to nine lots, the second substitute allows alteration up to the maximum allowed under local ordinance.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Second Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The time periods will be shortened and costs will be kept down. Regular subdivisions take two years, and 26 percent of the cost of building a new home is government regulation. The bill doesn't require greater density; it will just allow the densities needed to be processed more quickly.

Testimony Against: This is top down planning. The discretion of locals would be overridden.

Testified: Jodi Walker, Building Industry Association of Washington (pro); Gary Crounce, Gabriel Homes (pro); Paul Parker, Washington State Association of Counties (pro); and Mike Ryherd, 1,000 Friends of Washington and American Planning Association (con).