

FINAL BILL REPORT

SHB 1935

FULL VETO

Brief Description: Permitting development of inherited property.

Sponsors: By House Committee on Government Reform & Land Use (originally sponsored by Representative Reams).

House Committee on Government Reform & Land Use
Senate Committee on Government Operations

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 subdivision or short subdivision ordinance. A division of land into four or fewer lots is considered a short subdivision, but a city or town may allow a parcel to be divided into a maximum of nine lots under its short subdivision ordinance.

The legislative body of a city, town, and county is required to adopt procedures for the summary approval of short subdivisions. Subdivisions that are not short subdivisions must be submitted to the legislative body of the city, town, or county for approval. The proposed subdivision or short subdivision will be approved only after the applicable administrative official makes written findings that the proposed subdivision or short subdivision appropriately provides for the public health, safety, and general welfare.

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 and must also be 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.

Certain property divisions are exempt from the requirements of plats and subdivisions. Among the exceptions are divisions of land made by a last will and testament.

Summary: Inherited property that is exempt from platting and subdivision requirements may be developed without regard to zoning provisions relating to minimum lot sizes. The property must be developed for a use authorized for that particular piece of property under current zoning laws. The lot created must contain

sufficient area for a single family residence and on-site sewage disposal, with the lot and disposal system submitted for final approval to the legislative body of the municipality within five years of the lot's creation. The people inheriting the property must be immediate family members of the deceased. The number of parcels into which the property may be divided may equal no more than the number of immediate family members who are inheriting the property, not to exceed ten parcels.

Votes on Final Passage:

House 59 36

Senate 30 19 (Senate amended)

House 62 35 (House concurred)