

# FINAL BILL REPORT

## SHB 2977

---

---

### FULL VETO

Synopsis as Enacted

**Brief Description:** Changing provisions that relate to binding site plans.

**Sponsors:** By House Committee on Government Reform & Land Use (originally sponsored by Representatives Sheahan and Appelwick).

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

**Background:** Local governments generally review and approve each subdivision of land. Certain land divisions are exempt from the subdivision review process. Local governments may adopt ordinance procedures for use of binding site plans as an alternative to subdivision for specified land uses.

The Washington Condominium Act governs the creation, alteration, management and termination of condominiums and includes protections for condominium purchasers. Statutory subdivision requirements do not apply to any land division resulting from subjecting a portion of a parcel or tract of land to the condominium statute requirements after an approved binding site plan is recorded. A binding site plan is deemed approved for purposes of the subdivision exemption if approved by a local government:

- in connection with a subdivision or planned unit development approval for the entire parcel or tract;
- in connection with issuance of building permits or certificates of occupancy; or
- pursuant to local binding site plan approval procedures.

The binding site plan must require that all improvements be owned by condominium owners or a condominium owners' association and must contain a statement in the statutorily prescribed form. The binding site plan may depict the boundaries of lots or tracts resulting from subjecting a portion of a parcel or tract of land to the condominium statute requirements.

**Summary:** Provisions regarding the subdivision exemption for condominium developments are revised and clarified. The subdivision statute does not apply to condominium creation, and the condominium statute requirements control over subdivision laws in the event of conflict. The subdivision statute applies only to dividing the land into the portions being made, and not being made, part of the condominium, not to creating the condominium. These provisions apply to all

condominiums created under the condominium statutes regardless of the date of creation.

A binding site plan ordinance may not impose on condominium creation any procedures inconsistent with the subdivision exemptions or create any additional filing or survey requirements.

A binding site plan will be deemed approved for purposes of the subdivision exemption if approved by a local government in connection with a rezone or other land use approval process.

A local government may not require a property owner to depict on the binding site plan the boundaries of lots or tracts resulting from subjecting a portion of a parcel or tract of land to the condominium statute requirements. A condominium binding site plan need not require that all improvements be owned by condominium owners or a condominium owners' association.

**Votes on Final Passage:**

House 96 0

Senate 32 17