
HOUSE BILL 1577

State of Washington

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By Representatives Mulliken, Sheldon, Cairnes, L. Thomas, Reams, Sherstad, Mielke, Smith, Koster, McMorris, Dunn, Thompson, Bush, Pennington, Sheahan and Robertson

Read first time 01/31/97. Referred to Committee on Government Reform & Land Use.

1 AN ACT Relating to land division; and amending RCW 58.17.020 and
2 58.17.060.

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

4 **Sec. 1.** RCW 58.17.020 and 1995 c 32 s 2 are each amended to read
5 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
10 (~~five~~) ten or more lots, tracts, parcels, sites or divisions for the
11 purpose of 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 no other
18 rights than such as are compatible with the full exercise and enjoyment
19 of the public uses to which the property has been devoted. The

1 intention to dedicate shall be evidenced by the owner by the
2 presentment for filing of a final plat or short plat showing the
3 dedication thereon; and, the acceptance by the public shall be
4 evidenced by the approval of such plat for filing by the appropriate
5 governmental unit.

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

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

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

18 (6) "Short subdivision" is the division or redivision of land into
19 (~~four~~) nine or fewer lots, tracts, parcels, sites or divisions for
20 the purpose of sale, lease, or transfer of ownership(~~(:—PROVIDED,~~
21 ~~That))~~). The legislative authority of any city or town ((may)) shall by
22 local ordinance increase the number of lots, tracts, or parcels to be
23 regulated as short subdivisions to (~~a maximum of~~) nine.

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

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

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

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

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

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

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

10 (14) "Planning commission" means that body as defined in chapters
11 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to
12 perform a planning function or that body assigned such duties and
13 responsibilities under a city or county charter.

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

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

18 (1) The legislative body of a city, town, or county shall adopt
19 regulations and procedures, and appoint administrative personnel for
20 the summary approval of short plats and short subdivisions or
21 alteration or vacation thereof. When an alteration or vacation
22 involves a public dedication, the alteration or vacation shall be
23 processed as provided in RCW 58.17.212 or 58.17.215. Such regulations
24 shall be adopted by ordinance and shall provide that a short plat and
25 short subdivision may be approved only if written findings that are
26 appropriate, as provided in RCW 58.17.110, are made by the
27 administrative personnel, and may contain wholly different requirements
28 than those governing the approval of preliminary and final plats of
29 subdivisions and may require surveys and monumentations and shall
30 require filing of a short plat, or alteration or vacation thereof, for
31 record in the office of the county auditor: PROVIDED, That such
32 regulations must contain a requirement that land in short subdivisions
33 may not be further divided in any manner within a period of five years
34 without the filing of a final plat, except that when the short plat
35 contains fewer than (~~four~~) nine parcels, nothing in this section
36 shall prevent the owner who filed the short plat from filing an
37 alteration within the five-year period to create up to a total of
38 (~~four~~) nine lots within the original short plat boundaries: PROVIDED

1 FURTHER, That such regulations are not required to contain a penalty
2 clause as provided in RCW 36.32.120 and may provide for wholly
3 injunctive relief.

4 An ordinance requiring a survey shall require that the survey be
5 completed and filed with the application for approval of the short
6 subdivision.

7 (2) Cities, towns, and counties shall include in their short plat
8 regulations and procedures pursuant to subsection (1) of this section
9 provisions for considering sidewalks and other planning features that
10 assure safe walking conditions for students who walk to and from
11 school.

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