

SENATE BILL REPORT

EHB 2985

As Reported By Senate Committee On:
State & Local Government, February 24, 2000

Title: An act relating to authorizing hearing examiners to issue final decisions regarding final plats of subdivisions.

Brief Description: Authorizing hearing examiners to issue final decisions regarding final plats of subdivisions.

Sponsors: Representatives Edwards, Fortunato, Scott and Doumit.

Brief History:

Committee Activity: State & Local Government: 2/17/2000, 2/24/2000 [DP, DNP].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Kline and McCaslin.

Minority Report: Do not pass.

Signed by Senators Hale and Horn.

Staff: Diane Smith (786-7410)

Background: Counties and cities possess general authority to adopt comprehensive plans and zoning ordinances and have authority to approve permit applications for proposed developments within their jurisdictions. Provisions regarding the development permit process and local government permit review are specified in planning and project review statutes, and subdivision requirements are specified in the subdivision statutes.

Counties and cities may establish a planning commission and a planning department to make recommendations to the local legislative authority regarding plan and regulation adoption and development permit applications. These can include conditional use, variance, shoreline permit, plat approval, rezones and other types of land use development applications.

The local legislative authority must by ordinance specify the legal effect of the planning commission's or agency's decisions. A hearing examiner's decision may be considered: (1) a recommendation to the local legislative authority; (2) an administrative decision that may be appealed to the local legislative authority; or (3) except for rezones, a final decision of the legislative body.

Summary of Bill: Local legislative authorities are expressly authorized to allow the planning commission or agency to hear and issue decisions on final plat approvals. Local legislative authorities may by ordinance authorize the commission or agency to issue final

decisions for final plat approval. The provision specifying local legislative authorities have sole authority to approve final plats and to adopt or amend platting ordinances is repealed.

The legislative authority of a city, town, or county may, by ordinance, exempt short plats or short subdivisions from short plat requirements when the purpose of a land division is to establish a site solely used for an uninhabited public or private utility or telecommunications facility as long as a record survey is recorded.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This measure streamlines the process, is more convenient, provides accountability and will avoid lawsuits.

Testimony Against: None.

Testified: PRO: Representative Edwards, prime sponsor; Dave Williams, AWC; Doug Levy, City of Everett.