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**SUBSTITUTE HOUSE BILL 1039**

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**State of Washington                      58th Legislature                      2004 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Simpson, G. and Chase)

READ FIRST TIME 02/09/04.

1            AN ACT Relating to vesting of short subdivisions; and amending RCW  
2 58.17.033.

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

4            **Sec. 1.** RCW 58.17.033 and 1987 c 104 s 2 are each amended to read  
5 as follows:

6            (1) A proposed division of land, as defined in RCW 58.17.020, shall  
7 be considered under the subdivision or short subdivision ordinance, and  
8 zoning or other land use control ordinances, in effect on the land at  
9 the time a fully completed application for preliminary plat approval of  
10 the subdivision, or short plat approval of the short subdivision, has  
11 been submitted to the appropriate county, city, or town official.

12            (2) The requirements for a fully completed application shall be  
13 defined by local ordinance.

14            (3) The limitations imposed by this section shall not restrict  
15 conditions imposed under chapter 43.21C RCW.

16            (4) A short subdivision shall be governed by the terms of approval  
17 of the short subdivision under RCW 58.17.060. Except as provided under  
18 subsection (5) of this section, for a period of five years after short  
19 subdivision approval according to RCW 58.17.060, the statutes,

1 ordinances, and regulations in effect at the time of short subdivision  
2 approval shall govern the short subdivision unless the legislative body  
3 finds that a change in conditions creates a serious threat to the  
4 public health or safety in the short subdivision.

5 (5) Those short subdivisions that obtain short plat approval on or  
6 before the effective date of this act, and which are zoned for single  
7 family homes, are not subject to the five-year limitation set forth in  
8 subsection (4) of this section, or any other time limitation, with  
9 respect to the application of the statutes, ordinances, and regulations  
10 in effect at the time of short plat approval. However, a legislative  
11 body may act to amend the statutes, ordinances, and regulations  
12 applicable to such short subdivisions if it finds that a change in  
13 conditions creates a serious threat to the public health or safety in  
14 the short subdivision.

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