

SENATE BILL REPORT

SB 6544

As Reported by Senate Committee On:
Financial Institutions, Housing & Insurance, February 3, 2010

Title: An act relating to time limitation for approval of plats.

Brief Description: Extending the time limitations for approval of plats.

Sponsors: Senators Berkey, Marr, Hobbs, Kilmer and Tom.

Brief History:

Committee Activity: Financial Institutions, Housing & Insurance: 1/26/10, 2/02/10, 2/03/10 [DPS].

SENATE COMMITTEE ON FINANCIAL INSTITUTIONS, HOUSING & INSURANCE

Majority Report: That Substitute Senate Bill No. 6544 be substituted therefor, and the substitute bill do pass.

Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton, Ranking Minority Member; Franklin, McDermott, Parlette and Schoesler.

Staff: Diane Smith (786-7410)

Background: Land may be divided into smaller pieces, assuming the smaller pieces, or lots, comply with local zoning and other land use and development laws. The owner wishing to make this division into smaller lots must first apply for approval of his or her plan, to the local government having jurisdiction over the land.

This is called filing of the preliminary plat. This begins an administrative process that moves toward approval by involving the public and any agencies that have jurisdiction over the land and the land's proposed use. The legislative authority of the city, town, or county having jurisdiction is the entity that approves the preliminary plat, upon the advice of the administrative proceedings and planning commission, among others.

For applications to form five or more lots, the date that the preliminary plat is approved begins a five-year time-period during which the laws applicable to approval of the preliminary plat are the laws that apply to final approval of the plat.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

If the legislative authority finds that the subdivision conforms to all terms of the approval of the preliminary plat, and satisfies all laws in effect at the time of the approval of the preliminary plat, then the legislative authority must inscribe and execute its written approval on the face of the plat. Any lots in the final plat filed for record are valid land uses even if land use law changed during, and up to, the five-year approval process. From the date of final approval of the plat of the subdivision, the subdivision is governed by the terms of approval of the final plat for five more years.

Summary of Bill (Recommended Substitute): The five-year time periods during which the laws applicable to the subdivision remain fixed, are changed to seven-year time periods.

The act expires on December 31, 2014.

EFFECT OF CHANGES MADE BY FINANCIAL INSTITUTIONS, HOUSING & INSURANCE COMMITTEE (Recommended Substitute): The intent section is removed from the recommended substitute. An expiration date is added.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: With the downturn in the economy and the building industry, projects are not coming to fruition within the timeframes originally expected. This bill helps cities not to have to do duplicate work. The Governor has already expanded state permitting two years. Building brings money to the local economy. The bill brings uniformity to the jurisdictions, many of which have adopted this extension at the local level.

OTHER: Last year there was a similar bill with compromises for environmentalists that are not part of the bill this year. There is a reason for the five-year vesting. Laws change for a reason. This bill should be limited to two or three years which is the expected duration of the economic hardships. The intent section should be more neutral.

Persons Testifying: PRO: Scott Hildebrand, MBA-King/Sno; Julie Nichols, BIAW.

OTHER: April Putney, Futurewise.