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SENATE BILL 5609

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Rivers and Benton

Read first time 02/05/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to requirements governing and associated with plat  
2 approvals; and amending RCW 58.17.140 and 58.17.170.

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

4 **Sec. 1.** RCW 58.17.140 and 2012 c 92 s 1 are each amended to read  
5 as follows:

6 (1) Preliminary plats of any proposed subdivision and dedication  
7 shall be approved, disapproved, or returned to the applicant for  
8 modification or correction within ninety days from date of filing  
9 thereof unless the applicant consents to an extension of such time  
10 period or the ninety day limitation is extended to include up to  
11 twenty-one days as specified under RCW 58.17.095(3): PROVIDED, That if  
12 an environmental impact statement is required as provided in RCW  
13 43.21C.030, the ninety day period shall not include the time spent  
14 preparing and circulating the environmental impact statement by the  
15 local government agency.

16 (2) Final plats and short plats shall be approved, disapproved, or  
17 returned to the applicant within thirty days from the date of filing  
18 thereof, unless the applicant consents to an extension of such time  
19 period.

1 (3)(a) Except as provided by (b) of this subsection, a final plat  
2 meeting all requirements of this chapter shall be submitted to the  
3 legislative body of the city, town, or county for approval within seven  
4 years of the date of preliminary plat approval if the date of  
5 preliminary plat approval is on or before December 31, 2014, and within  
6 five years of the date of preliminary plat approval if the date of  
7 preliminary plat approval is on or after January 1, 2015.

8 (b) A final plat meeting all requirements of this chapter shall be  
9 submitted to the legislative body of the city for approval within  
10 ((~~nine~~)) ten years of the date of preliminary plat approval if the  
11 project is ((~~within city limits,~~)) not subject to requirements adopted  
12 under chapter 90.58 RCW((~~7~~)) and the date of preliminary plat approval  
13 is on or before December 31, 2007.

14 (4) Nothing contained in this section shall act to prevent any  
15 city, town, or county from adopting by ordinance procedures which would  
16 allow extensions of time that may or may not contain additional or  
17 altered conditions and requirements.

18 **Sec. 2.** RCW 58.17.170 and 2012 c 92 s 2 are each amended to read  
19 as follows:

20 (1) When the legislative body of the city, town or county finds  
21 that the subdivision proposed for final plat approval conforms to all  
22 terms of the preliminary plat approval, and that said subdivision meets  
23 the requirements of this chapter, other applicable state laws, and any  
24 local ordinances adopted under this chapter which were in effect at the  
25 time of preliminary plat approval, it shall suitably inscribe and  
26 execute its written approval on the face of the plat. The original of  
27 said final plat shall be filed for record with the county auditor. One  
28 reproducible copy shall be furnished to the city, town or county  
29 engineer. One paper copy shall be filed with the county assessor.  
30 Paper copies shall be provided to such other agencies as may be  
31 required by ordinance.

32 (2)(a) Except as provided by (b) of this subsection, any lots in a  
33 final plat filed for record shall be a valid land use notwithstanding  
34 any change in zoning laws for a period of seven years from the date of  
35 filing if the date of filing is on or before December 31, 2014, and for  
36 a period of five years from the date of filing if the date of filing is  
37 on or after January 1, 2015.

1 (b) Any lots in a final plat filed for record shall be a valid land  
2 use notwithstanding any change in zoning laws for a period of ((~~nine~~))  
3 ten years from the date of filing if the project is ((~~within city~~  
4 ~~limits,~~)) not subject to requirements adopted under chapter 90.58  
5 RCW((~~7~~)) and the date of filing is on or before December 31, 2007.

6 (3)(a) Except as provided by (b) of this subsection, a subdivision  
7 shall be governed by the terms of approval of the final plat, and the  
8 statutes, ordinances, and regulations in effect at the time of approval  
9 under RCW 58.17.150 (1) and (3) for a period of seven years after final  
10 plat approval if the date of final plat approval is on or before  
11 December 31, 2014, and for a period of five years after final plat  
12 approval if the date of final plat approval is on or after January 1,  
13 2015, unless the legislative body finds that a change in conditions  
14 creates a serious threat to the public health or safety in the  
15 subdivision.

16 (b) A subdivision shall be governed by the terms of approval of the  
17 final plat, and the statutes, ordinances, and regulations in effect at  
18 the time of approval under RCW 58.17.150 (1) and (3) for a period of  
19 ((~~nine~~)) ten years after final plat approval if the project is ((~~within~~  
20 ~~city limits,~~)) not subject to requirements adopted under chapter 90.58  
21 RCW((~~7~~)) and the date of final plat approval is on or before December  
22 31, 2007, unless the legislative body finds that a change in conditions  
23 creates a serious threat to the public health or safety in the  
24 subdivision.

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