
HOUSE BILL 1862

State of Washington

65th Legislature

2017 Regular Session

By Representatives Fitzgibbon and Rodne

Read first time 02/01/17. Referred to Committee on Local Government.

1 AN ACT Relating to the final approval of subdivisions of land;
2 and amending RCW 58.17.100, 58.17.170, and 58.17.190.

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

4 **Sec. 1.** RCW 58.17.100 and 1995 c 347 s 428 are each amended to
5 read as follows:

6 If a city, town or county has established a planning commission
7 or planning agency in accordance with state law or local charter,
8 such commission or agency shall review all preliminary plats and make
9 recommendations thereon to the city, town or county legislative body
10 to assure conformance of the proposed subdivision to the general
11 purposes of the comprehensive plan and to planning standards and
12 specifications as adopted by the city, town or county. Reports of the
13 planning commission or agency shall be advisory only: PROVIDED, That
14 the legislative body of the city, town or county may, by ordinance,
15 assign to such commission or agency, or any department official or
16 group of officials, such administrative functions, powers and duties
17 as may be appropriate, including the holding of hearings, and
18 recommendations for approval or disapproval of preliminary plats of
19 proposed subdivisions.

20 Such recommendation shall be submitted to the legislative body
21 not later than fourteen days following action by the hearing body.

1 Upon receipt of the recommendation on any preliminary plat the
2 legislative body shall at its next public meeting set the date for
3 the public meeting where it shall consider the recommendations of the
4 hearing body and may adopt or reject the recommendations of such
5 hearing body based on the record established at the public hearing.
6 If, after considering the matter at a public meeting, the legislative
7 body deems a change in the planning commission's or planning agency's
8 recommendation approving or disapproving any preliminary plat is
9 necessary, the legislative body shall adopt its own recommendations
10 and approve or disapprove the preliminary plat.

11 Every decision or recommendation made under this section shall be
12 in writing and shall include findings of fact and conclusions to
13 support the decision or recommendation.

14 A record of all public meetings and public hearings shall be kept
15 by the appropriate city, town or county authority and shall be open
16 to public inspection.

17 Sole authority to (~~approve final plats, and to~~) adopt or amend
18 platting ordinances shall reside in the legislative bodies. The
19 legislative authorities of cities, towns, and counties may by
20 ordinance delegate final plat approval to an established planning
21 commission or agency, or to such other administrative personnel in
22 accordance with state law or local charter.

23 **Sec. 2.** RCW 58.17.170 and 2013 c 16 s 2 are each amended to read
24 as follows:

25 (1) When the legislative body of the city, town, or county, or
26 such other agency as authorized by RCW 58.17.100, finds that the
27 subdivision proposed for final plat approval conforms to all terms of
28 the preliminary plat approval, and that said subdivision meets the
29 requirements of this chapter, other applicable state laws, and any
30 local ordinances adopted under this chapter which were in effect at
31 the time of preliminary plat approval, it shall suitably inscribe and
32 execute its written approval on the face of the plat. The original of
33 said final plat shall be filed for record with the county auditor.
34 One reproducible copy shall be furnished to the city, town, or county
35 engineer. One paper copy shall be filed with the county assessor.
36 Paper copies shall be provided to such other agencies as may be
37 required by ordinance.

38 (2)(a) Except as provided by (b) of this subsection, any lots in
39 a final plat filed for record shall be a valid land use

1 notwithstanding any change in zoning laws for a period of seven years
2 from the date of filing if the date of filing is on or before
3 December 31, 2014, and for a period of five years from the date of
4 filing if the date of filing is on or after January 1, 2015.

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

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

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

28 **Sec. 3.** RCW 58.17.190 and 1969 ex.s. c 271 s 19 are each amended
29 to read as follows:

30 The county auditor shall refuse to accept any plat for filing
31 until approval of the plat has been given by the appropriate
32 legislative body, or such other agency as authorized by RCW
33 58.17.100. Should a plat or dedication be filed without such
34 approval, the prosecuting attorney of the county in which the plat is
35 filed shall apply for a writ of mandate in the name of and on behalf
36 of the legislative body required to approve same, directing the

1 auditor and assessor to remove from their files or records the
2 unapproved plat, or dedication of record.

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