

SENATE BILL REPORT

SB 5869

As Reported by Senate Committee On:
Local Government, Land Use & Tribal Affairs, January 30, 2024

Title: An act relating to rural fire district stations.

Brief Description: Concerning rural fire district stations.

Sponsors: Senators Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner and Warnick.

Brief History:

Committee Activity: Local Government, Land Use & Tribal Affairs: 1/09/24, 1/30/24 [DPS].

Brief Summary of First Substitute Bill

- Exempts rural fire district stations from the provisions governing plats and subdivisions if the division of land into lots or tracts is less than two acres and is used or to be used for the construction and operation of a rural fire district station.

SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

Majority Report: That Substitute Senate Bill No. 5869 be substituted therefor, and the substitute bill do pass.

Signed by Senators Lovelett, Chair; Salomon, Vice Chair; Torres, Ranking Member; Kauffman and Short.

Staff: Maggie Douglas (786-7279)

Background: Subdivisions and Plats. The state subdivision law governs the manner in which cities and counties administer the division of land into parcels for the purpose of sale, lease, or other transfers of ownership. When the division is of four or fewer parcels, it is

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considered a short subdivision. State law requires cities and counties to establish systems for short subdivisions, but leaves the details largely up to city or county control. Once established, all long and short subdivisions are subject to certain statutory requirements.

Current law allows nine exceptions to the requirements of the state subdivision law:

- property divisions for cemeteries and burial plots;
- certain divisions of five acres or larger;
- divisions resulting from a will or inheritance;
- certain divisions for industrial or commercial use;
- certain divisions by lease where no residential structures other than mobile homes, tiny houses or tiny houses with wheels, or trailers will be placed on the land;
- divisions to adjust boundaries;
- certain divisions for condominium developments;
- divisions for property leases for personal wireless services facilities; and
- divisions for consumer-owned or investor-owned utilities.

Local zoning ordinances reflect the appropriate and allowable uses of land as determined and administered by city and county governments. Proposed subdivisions must conform to local zoning determinations.

Local Fire Protection Services. Counties, cities and towns, airport districts, certain port districts, and fire protection districts are authorized to provide local fire protection services, including fire prevention and suppression services and emergency medical services for the protection of life and property.

Summary of Bill (First Substitute): An additional exception to the state subdivision law is established for divisions of land into lots or tracts of less than two acres used or to be used for the purpose of establishing a site for construction and operation of a rural fire district station, provided the proposed lots or tracts contain sufficient area and dimensions to meet minimum building site width and area requirements, and appropriate provisions are made for potable water supplies and sanitary wastes.

EFFECT OF CHANGES MADE BY LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS COMMITTEE (First Substitute):

- Clarifies the division of land into lots of less than two acres for purposes of the construction and operation of a rural fire district station is exempt from the state subdivision law provided the proposed lots or tracts contain sufficient area and dimensions to meet minimum building site width and area requirements, and appropriate provisions are made for potable water supplies and sanitary wastes.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Local fire districts need to be able to expand fire protection services into areas where there are housing or school districts in order to help meet the need for public safety, protection of property and wildfire protection. This bill allows fire districts to purchase two acres instead of five.

OTHER: This bill would provide local fire districts greater flexibility but it is concerning to have a blanket exemption from RCW 58.17. This chapter includes important provisions regarding lot dimensions, septic capacity, and water capacity. This bill could be improved by adding provisions that maintain the flexibility this bill provides while also including the ability to provide review.

Persons Testifying: PRO: Senator Shelly Short, Prime Sponsor.

OTHER: Paul Jewell, Washington State Association of Counties.

Persons Signed In To Testify But Not Testifying: No one.