

SENATE BILL REPORT

SB 5645

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,
JANUARY 14, 1994**

Brief Description: Restricting property divisions.

SPONSORS: Senators Spanel and Fraser

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Owen and Winsley.

Staff: Rod McAulay (786-7754)

Hearing Dates: February 23, 1993; February 25, 1993; January 14, 1994

BACKGROUND:

The division of a parcel of land into smaller units is regulated by state law and city, town and county ordinances. Generally, the subdivision of land must be reviewed and approved by the local land use control and zoning authority. Certain processes which result in the subdivision of land, however, are exempt from these regulations. They include cemeteries, subdivisions into parcels of five acres or larger, subdivisions into parcels to be leased when no permanent residential structure is to be placed on the parcels, subdivisions subject to binding site plans, divisions made by testamentary provisions or the laws of descent, and others.

SUMMARY:

The exemption from subdivision regulations of divisions of real property made by testamentary provisions or the laws of descent is repealed.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This legislation will prevent improper and unregulated subdivision from occurring. Subdivision by testamentary will has resulted in situations where roads, water systems and sewers have not been provided for and lots have been carved out in the middle of swamps. The exemption permits persons to do on death what they could not do when alive.

TESTIMONY AGAINST:

The bill goes too far. Other statutes protect the public.

TESTIFIED: Mike Redman, WAPA (pro); Bruce Walton, Washington Association of Realtors (con)