

HOUSE BILL REPORT

SHB 2372

As Passed House:

February 7, 1996

Title: An act relating to the development of inherited property.

Brief Description: Permitting development of inherited property.

Sponsors: By House Committee on Government Operations (originally sponsored by Representatives Morris, Pennington, Chappell, Reams, Grant, Mastin, Smith, Campbell and Mulliken).

Brief History:

Committee Activity:

Government Operations: 1/24/96, 1/31/96 [DPS].

Floor Activity:

Passed House: 2/7/96, 72-25.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Scott, Assistant Ranking Minority Member; Hargrove; Honeyford; Hymes; Mulliken; D. Schmidt and Wolfe.

Minority Report: Without recommendation. Signed by 4 members: Representatives Rust, Ranking Minority Member; Conway; R. Fisher and Scheuerman.

Staff: Bill Lynch (786-7092).

Background: The platting and subdivision laws do not apply to divisions of land made by a will or by the laws of descent. Although the inherited property is legally subdivided, zoning restrictions pertaining to minimum lot sizes may prohibit the development of the inherited property.

Summary of Bill: Inherited property that is exempt from the subdivision and platting requirements may be developed, notwithstanding any zoning provision pertaining to minimum lot sizes, if the property is being developed for a use that is authorized for that property under current zoning laws, the people inheriting the property are immediate family members of the deceased, the number of parcels into which the

property is divided equals the number of immediate family members who inherit the property, and each lot contains sufficient area for a single-family residence and an on-site sewage disposal system as determined by the local health department.

"Immediate family member" is defined to mean a spouse, child, parent, and grandchild.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is important to some families to keep property within a family and to have family members live nearby. Down-zoning of property makes this timely.

Testimony Against: (original bill) Health and safety minimums need to be added.

Testified: Representative Morris, prime sponsor; Matt Ryan, Kitsap County; Mike Ryherd, American Planning Association (concerns); and Roger Lawhead, citizen.