

HOUSE BILL REPORT

HB 1577

As Reported By House Committee On:

Government Reform & Land Use

Title: An act relating to land division.

Brief Description: Revising land division.

Sponsors: Representatives Mulliken, Sheldon, Cairnes, L. Thomas, Reams, Sherstad, Mielke, Smith, Koster, McMorris, Dunn, Thompson, Bush, Pennington, Sheahan and Robertson.

Brief History:

Committee Activity:

Government Reform & Land Use: 2/12/97, 2/20/97 [DPS].

HOUSE COMMITTEE ON GOVERNMENT REFORM & LAND USE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Sherstad, Vice Chairman; Bush; Mielke; Mulliken and Thompson.

Minority Report: Do not pass. Signed by 4 members: Representatives Romero, Ranking Minority Member; Lantz, Assistant Ranking Minority Member; Fisher and Gardner.

Staff: Joan Elgee (786-7135).

Background: In general, when a property owner wishes to divide his or her land, the division of the land must be reviewed by the city, town, or county pursuant to a short subdivision or subdivision ordinance. If the property is going to be divided into four or fewer lots, it is considered a short subdivision. A city or town may, however, allow a parcel of property to be divided into a maximum of nine lots under its short subdivision ordinance.

The legislative body of a city, town, and county must adopt procedures for the summary approval of short subdivisions by administrative personnel. Regular subdivisions must be submitted to the legislative body of the city, town, or county for approval. Written findings must be made that the proposed short subdivision or subdivision makes appropriate provisions for the public health, safety, and general welfare before the

division can be approved.

The approval process for regular subdivisions also requires the filing of a preliminary plat of the proposed subdivision with the legislative body of the city, town, or county. Notice of a public hearing or an administrative review of the preliminary plat must be sent to adjacent landowners as well as published. Any person may comment on the proposed preliminary plat. The legislative body of the city, town, or county has the sole authority to approve final plats.

A short plat containing fewer than four lots may be altered to create up to four lots within the original short plat boundaries.

Summary of Substitute Bill: The discretion granted to cities and towns to increase the number of lots to be regulated as short subdivisions is removed. Cities, towns, and counties must treat divisions of land into nine or fewer lots as short subdivisions.

A short plat containing fewer than nine lots may be altered to create up to nine lots within the original short plat boundaries.

Substitute Bill Compared to Original Bill: Counties, as well as cities and towns, must treat divisions of land into nine or fewer lots as short subdivisions.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The time periods will be shortened and costs will be kept down. Regular subdivisions take two years, and 26 percent of the cost of building a new home is government regulation. The bill doesn't require greater density; it will just allow the densities needed to be processed more quickly.

Testimony Against: This is top down planning. The discretion of locals would be overridden.

Testified: Jodi Walker, Building Industry Association of Washington (pro); Gary Cronce, Gabriel Homes (pro); Paul Parker, Washington State Association of Counties (pro); and Mike Ryherd, 1000 Friends of Washington and American Planning Association (con).