

# SENATE BILL REPORT

## SHB 1577

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As Reported By Senate Committee On:  
Government Operations, April 4, 1997

**Title:** An act relating to land division.

**Brief Description:** Revising land division.

**Sponsors:** House Committee on Government Reform & Land Use (originally sponsored by Representatives Mulliken, Sheldon, Cairnes, L. Thomas, Reams, Sherstad, Mielke, Smith, Koster, McMorris, Dunn, Thompson, Bush, Pennington, Sheahan and Robertson).

**Brief History:**

**Committee Activity:** Government Operations: 3/28/97, 4/4/97 [DPA, DNP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** Do pass as amended.

Signed by Senators McCaslin, Chair; Hale, Vice Chair; Anderson, Haugen and Horn.

**Minority Report:** Do not pass.

Signed by Senators Patterson and Swanson.

**Staff:** Eugene Green (786-7405)

**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, or 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 be 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 Amended Bill:** The discretion granted to cities and towns to increase the number of lots to be regulated as short subdivisions is also granted to counties planning under GMA. These counties as well as cities and towns may treat divisions of land into nine or fewer lots (rather than four or fewer lots) as short subdivisions. However, a county can only use this permissive authority within an urban growth area.

**Amended Bill Compared to Substitute Bill:** The House bill redefined all short plats for cities, towns, or counties as a division or redivision of land into nine lots or less.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The Growth Management Act emphasizes density within the urban growth area. This can easily be accommodated within the comprehensive plan. This will lead to more affordable housing within the urban growth area.

**Testimony Against:** This will put further pressure on counties to push the boundary of the urban growth area further out. A nine-lot short plat should be subject to a public hearing. The infrastructure will not be there to handle these enlarged short plats.

**Testified:** Jodi Walker, BIAW (pro); Gary Cronce (pro); Scott Merriman (con).