
HOUSE BILL 2727

State of Washington

57th Legislature

2002 Regular Session

By Representative Dunshee

Read first time 01/25/2002. Referred to Committee on Local Government & Housing.

1 AN ACT Relating to sidewalk requirements for subdivisions; and
2 amending RCW 58.17.110.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 58.17.110 and 1995 c 32 s 3 are each amended to read
5 as follows:

6 (1) The city, town, or county legislative body shall inquire into
7 the public use and interest proposed to be served by the establishment
8 of the subdivision and dedication. It shall determine: (a) If
9 appropriate provisions are made for, but not limited to, the public
10 health, safety, and general welfare, for open spaces, drainage ways,
11 streets or roads, alleys, other public ways, transit stops, potable
12 water supplies, sanitary wastes, parks and recreation, playgrounds,
13 schools and schoolgrounds, and shall consider all other relevant facts,
14 including sidewalks and other planning features that assure safe
15 walking conditions for students who ((only)) walk to and from school;
16 and (b) whether the public interest will be served by the subdivision
17 and dedication.

18 (2) A proposed subdivision and dedication shall not be approved
19 unless the city, town, or county legislative body makes written

1 findings that: (a) Appropriate provisions are made for the public
2 health, safety, and general welfare and for such open spaces, drainage
3 ways, streets or roads, alleys, other public ways, transit stops,
4 potable water supplies, sanitary wastes, parks and recreation,
5 playgrounds, schools and schoolgrounds and all other relevant facts,
6 including sidewalks and other planning features that assure safe
7 walking conditions for students who only walk to and from school; and
8 (b) the public use and interest will be served by the platting of such
9 subdivision and dedication. If it finds that the proposed subdivision
10 and dedication make such appropriate provisions and that the public use
11 and interest will be served, then the legislative body shall approve
12 the proposed subdivision and dedication. Dedication of land to any
13 public body, provision of public improvements to serve the subdivision,
14 and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be
15 required as a condition of subdivision approval. Dedications shall be
16 clearly shown on the final plat. No dedication, provision of public
17 improvements, or impact fees imposed under RCW 82.02.050 through
18 82.02.090 shall be allowed that constitutes an unconstitutional taking
19 of private property. The legislative body shall not as a condition to
20 the approval of any subdivision require a release from damages to be
21 procured from other property owners.

22 (3) If the preliminary plat includes a dedication of a public park
23 with an area of less than two acres and the donor has designated that
24 the park be named in honor of a deceased individual of good character,
25 the city, town, or county legislative body must adopt the designated
26 name.

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