
SENATE BILL 5022

State of Washington

56th Legislature

1999 Regular Session

By Senators Goings, Hargrove and Rasmussen

Read first time 01/11/1999. Referred to Committee on State & Local Government.

1 AN ACT Relating to the redivision of land within five years of a
2 short subdivision; and amending RCW 58.17.020 and 58.17.060.

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

4 **Sec. 1.** RCW 58.17.020 and 1995 c 32 s 2 are each amended to read
5 as follows:

6 As used in this chapter, unless the context or subject matter
7 clearly requires otherwise, the words or phrases defined in this
8 section shall have the indicated meanings.

9 (1) "Subdivision" is the division or redivision of land into five
10 or more lots, tracts, parcels, sites or divisions for the purpose of
11 sale, lease, or transfer of ownership, except as provided in subsection
12 (6) of this section. "Subdivision" also includes the redivision of
13 land by the filing of a final plat within five years of a short
14 subdivision as provided in RCW 58.17.060.

15 (2) "Plat" is a map or representation of a subdivision, showing
16 thereon the division of a tract or parcel of land into lots, blocks,
17 streets and alleys or other divisions and dedications.

18 (3) "Dedication" is the deliberate appropriation of land by an
19 owner for any general and public uses, reserving to himself no other

1 rights than such as are compatible with the full exercise and enjoyment
2 of the public uses to which the property has been devoted. The
3 intention to dedicate shall be evidenced by the owner by the
4 presentment for filing of a final plat or short plat showing the
5 dedication thereon; and, the acceptance by the public shall be
6 evidenced by the approval of such plat for filing by the appropriate
7 governmental unit.

8 A dedication of an area of less than two acres for use as a public
9 park may include a designation of a name for the park, in honor of a
10 deceased individual of good character.

11 (4) "Preliminary plat" is a neat and approximate drawing of a
12 proposed subdivision showing the general layout of streets and alleys,
13 lots, blocks, and other elements of a subdivision consistent with the
14 requirements of this chapter. The preliminary plat shall be the basis
15 for the approval or disapproval of the general layout of a subdivision.

16 (5) "Final plat" is the final drawing of the subdivision and
17 dedication prepared for filing for record with the county auditor and
18 containing all elements and requirements set forth in this chapter and
19 in local regulations adopted under this chapter.

20 (6) "Short subdivision" is the division or redivision of land into
21 four or fewer lots, tracts, parcels, sites or divisions for the purpose
22 of sale, lease, or transfer of ownership: PROVIDED, That the
23 legislative authority of any city or town may by local ordinance
24 increase the number of lots, tracts, or parcels to be regulated as
25 short subdivisions to a maximum of nine.

26 (7) "Binding site plan" means a drawing to a scale specified by
27 local ordinance which: (a) Identifies and shows the areas and
28 locations of all streets, roads, improvements, utilities, open spaces,
29 and any other matters specified by local regulations; (b) contains
30 inscriptions or attachments setting forth such appropriate limitations
31 and conditions for the use of the land as are established by the local
32 government body having authority to approve the site plan; and (c)
33 contains provisions making any development be in conformity with the
34 site plan.

35 (8) "Short plat" is the map or representation of a short
36 subdivision.

37 (9) "Lot" is a fractional part of divided lands having fixed
38 boundaries, being of sufficient area and dimension to meet minimum

1 zoning requirements for width and area. The term shall include tracts
2 or parcels.

3 (10) "Block" is a group of lots, tracts, or parcels within well
4 defined and fixed boundaries.

5 (11) "County treasurer" shall be as defined in chapter 36.29 RCW or
6 the office or person assigned such duties under a county charter.

7 (12) "County auditor" shall be as defined in chapter 36.22 RCW or
8 the office or person assigned such duties under a county charter.

9 (13) "County road engineer" shall be as defined in chapter 36.40
10 RCW or the office or person assigned such duties under a county
11 charter.

12 (14) "Planning commission" means that body as defined in chapters
13 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to
14 perform a planning function or that body assigned such duties and
15 responsibilities under a city or county charter.

16 (15) "County commissioner" shall be as defined in chapter 36.32 RCW
17 or the body assigned such duties under a county charter.

18 **Sec. 2.** RCW 58.17.060 and 1990 1st ex.s. c 17 s 51 are each
19 amended to read as follows:

20 (1) The legislative body of a city, town, or county shall adopt
21 regulations and procedures, and appoint administrative personnel for
22 the summary approval of short plats and short subdivisions or
23 alteration or vacation thereof. When an alteration or vacation
24 involves a public dedication, the alteration or vacation shall be
25 processed as provided in RCW 58.17.212 or 58.17.215. Such regulations
26 shall be adopted by ordinance and shall provide that a short plat and
27 short subdivision may be approved only if written findings that are
28 appropriate, as provided in RCW 58.17.110, are made by the
29 administrative personnel, and may contain wholly different requirements
30 than those governing the approval of preliminary and final plats of
31 subdivisions and may require surveys and monumentations and shall
32 require filing of a short plat, or alteration or vacation thereof, for
33 record in the office of the county auditor: PROVIDED, That such
34 regulations must contain a requirement that land in short subdivisions
35 may not be further divided in any manner within a period of five years
36 without the filing of a final plat, which may contain a fewer number of
37 parcels than is provided in RCW 58.17.020, except that when the short
38 plat contains fewer than four parcels, nothing in this section shall

1 prevent the owner who filed the short plat from filing an alteration
2 within the five-year period to create up to a total of four lots within
3 the original short plat boundaries: PROVIDED FURTHER, That such
4 regulations are not required to contain a penalty clause as provided in
5 RCW 36.32.120 and may provide for wholly injunctive relief.

6 An ordinance requiring a survey shall require that the survey be
7 completed and filed with the application for approval of the short
8 subdivision.

9 (2) Cities, towns, and counties shall include in their short plat
10 regulations and procedures pursuant to subsection (1) of this section
11 provisions for considering sidewalks and other planning features that
12 assure safe walking conditions for students who walk to and from
13 school.

--- END ---