
**Technology, Telecommunications
& Energy Committee**

ESSB 6140

Brief Description: Exempting uninhabited electric utility facilities from short plats and subdivision requirements.

Sponsors: Senate Committee on Land Use & Planning (originally sponsored by Senators Morton, Fraser, Mulliken and Winsley).

Brief Summary of Engrossed Substitute Bill

- Creates an additional exception to the state subdivision law for divisions of land into less than three acres that are used or will be used for the purpose of establishing a site for unstaffed public or private electric utility facilities.

Hearing Date: 2/24/04

Staff: Kiki Keizer (786-7109).

Background:

The state subdivision law governs the manner in which cities and counties administer the division of land into parcels for the purpose of sale, lease, or other transfers of ownership. The subdivision law is intended to prevent overcrowding of land, reduce congestion on streets and highways, and provide adequate water, sewerage and other infrastructure to property, among other objectives.

For purposes of the state subdivision law, when the division is of five or more parcels, it is considered a long subdivision, and four or fewer parcels is considered a short subdivision. Property divisions are accomplished by the review and approval of plats which are detailed maps that show the parcel division and such things as streets, parks, and alleys. In some cases, public hearings are required.

Once established, long and short subdivisions are subject to certain requirements. For example, lots created by a short plat cannot be further divided for five years after short plat recording, with limited exceptions.

There are eight exemptions from the requirements of the state subdivision law. They are property divisions for cemeteries and burial plots, certain divisions of five acres or larger, divisions resulting from a will or inheritance, certain divisions for industrial or commercial use, certain divisions by lease where no residential structures other than mobile homes or trailers will be

placed on the land, divisions to adjust boundaries, certain divisions for condominium developments, and divisions to be leased for placement of personal wireless facilities.

Summary of Bill:

An additional exemption to the state subdivision law is established for divisions of land into less than three acres to be used solely for a consumer-owned or investor-owned electric utility facility. "Electric utility facility" is defined as an automated facility that does not require potable water or sewer service and is used for, in connection with, or to facilitate the transmission, distribution, sale, or furnishing of electricity, including electric power substations and switching stations.

The exemption does not apply to an electric utility facility intended for the primary purpose of extending electric service or facilities to an existing customer or customers of another electric utility without that utility's agreement.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.