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HOUSE BILL 2220

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Simpson and White

Read first time 02/16/09. Referred to Committee on Local Government &amp; Housing.

1       AN ACT Relating to time limitation for approval of plats; amending  
2       RCW 58.17.140 and 58.17.170; and creating a new section.

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

4           NEW SECTION. **Sec. 1.** (1) The legislature finds that active land  
5       use permits are expiring due to a downturn on the state economy.  
6       Considerable cost has been expended by applicants and local  
7       jurisdictions to approve projects. Allowing these projects to expire  
8       would make it difficult for the state to meet its housing needs in the  
9       future and impose considerable staff costs on local governments to  
10      perform work that has already been completed.

11       (2) The legislature further finds that, in the current period of  
12      economic challenge, an extension for plat approvals will contribute to  
13      the overall employment of the state by employing citizens of Washington  
14      as soon as is practicable in the family wage jobs of the land  
15      development and home building industries.

16           **Sec. 2.** RCW 58.17.140 and 1995 c 68 s 1 are each amended to read  
17      as follows:

18           Preliminary plats of any proposed subdivision and dedication shall

1 be approved, disapproved, or returned to the applicant for modification  
2 or correction within ninety days from date of filing thereof unless the  
3 applicant consents to an extension of such time period or the ninety  
4 day limitation is extended to include up to twenty-one days as  
5 specified under RCW 58.17.095(3): PROVIDED, That if an environmental  
6 impact statement is required as provided in RCW 43.21C.030, the ninety  
7 day period shall not include the time spent preparing and circulating  
8 the environmental impact statement by the local government agency.  
9 Final plats and short plats shall be approved, disapproved, or returned  
10 to the applicant within thirty days from the date of filing thereof,  
11 unless the applicant consents to an extension of such time period. A  
12 final plat meeting all requirements of this chapter shall be submitted  
13 to the legislative body of the city, town, or county for approval  
14 within ((five)) seven years of the date of preliminary plat approval.  
15 A final short plat meeting all requirements of this chapter shall be  
16 submitted to the legislative body of the city, town, or county for  
17 approval within four years of the date of preliminary short plat  
18 approval. Nothing contained in this section shall act to prevent any  
19 city, town, or county from adopting by ordinance procedures which would  
20 allow additional extensions of time that may or may not contain  
21 additional or altered conditions and requirements.

22       **Sec. 3.** RCW 58.17.170 and 1981 c 293 s 10 are each amended to read  
23 as follows:

24       When the legislative body of the city, town or county finds that  
25 the subdivision proposed for final plat approval conforms to all terms  
26 of the preliminary plat approval, and that said subdivision meets the  
27 requirements of this chapter, other applicable state laws, and any  
28 local ordinances adopted under this chapter which were in effect at the  
29 time of preliminary plat approval, it shall suitably inscribe and  
30 execute its written approval on the face of the plat. The original of  
31 said final plat shall be filed for record with the county auditor. One  
32 reproducible copy shall be furnished to the city, town or county  
33 engineer. One paper copy shall be filed with the county assessor.  
34 Paper copies shall be provided to such other agencies as may be  
35 required by ordinance. Any lots in a final plat filed for record shall  
36 be a valid land use notwithstanding any change in zoning laws for a  
37 period of five years from the date of filing. A subdivision shall be

1 governed by the terms of approval of the final plat, and the statutes,  
2 ordinances, and regulations in effect at the time of approval under RCW  
3 58.17.150 (1) and (3) for a period of ((five)) seven years after final  
4 plat approval unless the legislative body finds that a change in  
5 conditions creates a serious threat to the public health or safety in  
6 the subdivision.

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