

HOUSE BILL REPORT

HB 1862

As Reported by House Committee On:
Local Government

Title: An act relating to the final approval of subdivisions of land.

Brief Description: Addressing the final approval of subdivisions of land.

Sponsors: Representatives Fitzgibbon and Rodne.

Brief History:

Committee Activity:

Local Government: 2/7/17, 2/15/17 [DPS].

Brief Summary of Substitute Bill

- Authorizes the legislative body of a city, town, or county to delegate, by ordinance, final plat approval to an established planning commission, planning agency, or other authorized administrative personnel.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

Minority Report: Do not pass. Signed by 3 members: Representatives Griffey, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Taylor.

Staff: Desiree Omli (786-7383)

Background:

There is a two-step process for the approval of subdivisions: the approval of the preliminary plat and the final plat. A "preliminary plat" is an approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision. The preliminary plat is the basis for the approval or disapproval of the general layout of a subdivision. A "final plat" is the final drawing of the subdivision which is

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filed and recorded with the county auditor, which meets all statutory requirements and local regulations.

Preliminary Plat Approval.

A preliminary plat of proposed subdivisions of land must be submitted for approval to the legislative body of a city, town, or county where the plat is located. The administrative officer who is responsible for administering subdivision regulations, or the city or county planning commission (commission) or agency (agency) if the city or county established one, receives the application for the preliminary plat and holds a public hearing to review the preliminary plat. The commission or agency must ensure that the preliminary plat conforms with local planning standards and specifications, and makes recommendations to the legislative body.

The legislative body of the city, town, or county sets a future date at their next public hearing to review the commission's or agency's recommendations. The legislative body may adopt, reject, or change the commission's or agency's recommendations and may adopt its own recommendations and approve or disapprove the preliminary plat. The legislative body, however, must make written findings in adopting or rejecting the preliminary plan. With some exceptions, the preliminary plat must be returned to the applicant within 90 days to modify or correct the plan. The legislative body's decision is reviewable by the court.

Final Plat Approval.

The applicant must submit a final plat to the legislative body for approval. The final plat must meet all terms of the preliminary plat as well as statutory requirements. Only the legislative body of the city, town, or county may approve final plats.

Summary of Substitute Bill:

The legislative authority of a city, town, or county may, by ordinance, delegate final plat approval to an established planning commission, planning agency, or other authorized administrative personnel in accordance with state law and local charter.

Substitute Bill Compared to Original Bill:

The substitute bill makes the following references consistent throughout the bill: (1) "legislative bodies;" and (2) "established planning commissions or agencies, or other administrative personnel."

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill provides an option and administrative flexibility for local governments to help speed the final plat approval for full subdivisions, without mandating local governments to delegate this process to their planning commissions. Short plats can already be approved at the final stage administratively. A vast majority of public participation and the discussion over the substantive nature of plats happen at the preliminary plat approval stage. This is when public hearings are held and review under the State Environmental Policy Act is conducted. Final plat approval is simpler and involves more ministerial tasks, and it would ensure that people who want to develop their land can do so through a quicker process, rather than wait months to get on a council's agenda, particularly during busy times of the year such as budget season. This would speed up the redevelopment of land and not reduce the ability of the public to participate in the process since there would still be an opportunity to comment and appeal if necessary. Further, if the planning commission or authorized administrative personnel approved the final plat, there would still be notice requirements.

(Opposed) None.

Persons Testifying: Representative Fitzgibbon, prime sponsor; and Ron Main, Master Builders of King and Snohomish Counties.

Persons Signed In To Testify But Not Testifying: None.