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

NEW SECTION. Section 1. The purpose of this act is to regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with standards established by the state to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to
facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and schoolgrounds and other public requirements; to provide for proper ingress and egress; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description.

NEW SECTION. Sec. 2. As used in this act, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

(1) "Subdivision" is the division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease and shall include all resubdivision of land.

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

(3) "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentation for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

(4) "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

(5) "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this act and in local regulations adopted pursuant to this act.

[2561]
"Short subdivision" is the division of land into four or less lots, tracts, parcels, sites or subdivisions for the purpose of sale or lease.

"Short plat" is the map or representation of a short subdivision.

"Lot" is a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

"Block" is a group of lots, tracts, or parcels within well defined and fixed boundaries.

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

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

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

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

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

NEW SECTION. Sec. 3. Every subdivision shall comply with the provisions of this act. Every short subdivision as defined in this act shall comply with the provisions of any local regulation as may be adopted pursuant to section 6 of this act.

NEW SECTION. Sec. 4. The provisions of this act shall not apply to:

(1) Cemeteries and other burial plots; while used for that purpose.
(2) Divisions of land into lots or tracts where the smallest lot is twenty acres or more and not containing a dedication of a public right-of-way;

(3) Divisions of land into lots or tracts none of which are smaller than five acres and not containing a dedication unless the governing authority of the city, town or county in which the land is situated shall have by ordinance provided otherwise.

(4) Divisions made by testamentary provisions, the laws of descent, or upon court order.

NEW SECTION. Sec. 5. An assessors plat made in accordance with RCW 58.18.010 need not comply with any of the requirements of this act except sections 24 and 25 of this act.

NEW SECTION. Sec. 6. Unless the legislative body of a city, town or county adopts regulations and procedures, and appoints administrative personnel for the summary approval of short plats and short subdivisions, the provisions of this act shall not apply to short subdivisions. Such regulations may contain wholly different requirements than those governing the approval of preliminary and final plats of subdivisions but shall not require surveys and monuments and a filing of a short plat for record in the office of the county auditor unless there is a dedication: PROVIDED, That such regulations must contain a requirement that land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat: PROVIDED FURTHER, That such regulations are not required to contain a penalty clause as provided in RCW 36.32.120 and may provide for wholly injunctive relief.

NEW SECTION. Sec. 7. A preliminary plat of proposed subdivisions and dedications of land shall be submitted for approval to the legislative body of the city, town, or county within which the plat is situated.

NEW SECTION. Sec. 8. Notice of the filing of a preliminary plat of a proposed subdivision adjacent to or within one mile of the municipal boundaries of a city or town, or which contemplates the use
of any city or town utilities shall be given to the appropriate city or town authorities. Any notice required by this act shall include the hour and location of the hearing and a description of the property to be platted. Notice of the filing of a preliminary plat of a proposed subdivision located in a city or town and adjoining the municipal boundaries thereof shall be given to appropriate county officials. Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway shall be given to the state department of highways.

**NEW SECTION.** Sec. 9. Upon receipt of an application for preliminary plat approval the administrative officer charged by ordinance with responsibility for administration of regulations pertaining to platting and subdivision shall set a date for a public hearing. Notice of such hearing shall be given by publication of at least one notice not less than ten days prior to the hearing in a newspaper of general circulation within the county. Additional notice of such hearing may be given by mail, posting on the property or in any manner local authorities deem necessary to notify adjacent landowners and the public. All hearings shall be public.

**NEW SECTION.** Sec. 10. If a city, town or county has established a planning commission or planning agency in accordance with state law or local charter, such commission or agency shall review all proposed subdivisions and make recommendations thereon to the city, town or county legislative body to assure conformance of the proposed subdivision to the general purposes of the comprehensive plan and to planning standards and specifications as adopted by the city, town or county. Reports of the planning commission or agency shall be advisory only: PROVIDED, That the legislative body of the city, town or county may, by ordinance, assign to such commission or agency, or any department official or group of officials, such administrative functions, powers and duties as may be appropriate, including the holding of hearings, and recommendations for approval or disapproval of preliminary plats of proposed subdivisions.
Such recommendation shall be submitted to the legislative body not later than fourteen days following action by the hearing body. Upon receipt of the recommendation on any preliminary plat the legislative body shall at its next public meeting set the date for the public meeting where it may adopt or reject the recommendations of such hearing body. If, after considering the matter at a public meeting, the legislative body deems a change in the planning commission's or planning agency's recommendation approving or disapproving any preliminary plat is necessary, the change of the recommendation shall not be made until the legislative body shall conduct a public hearing and thereupon adopt its own recommendations and approve or disapprove the preliminary plat. Such public hearing may be held before a committee constituting a majority of the legislative body. If the hearing is before a committee, the committee shall report its recommendations on the matter to the legislative body for final action.

A record of all public meetings and public hearings shall be kept by the appropriate city, town or county authority and shall be open to public inspection.

Sole authority to approve final plats, and to adopt or amend platting ordinances shall reside in the legislative bodies.

NEW SECTION. Sec. 11. The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine if appropriate provisions are made in the subdivision for, but not limited to, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and schoolgrounds, and shall consider all other relevant facts and determine whether the public interest will be served by the subdivision and dedication. If it finds that the plat makes appropriate provisions for the public health, safety and general welfare and for such drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and schoolgrounds and that the public use
and interest will be served by the platting of such subdivision, then
it shall be approved. Dedication of land to any public body shall be
clearly shown on the final plat. The legislative body shall not as a
condition to the approval of any plat require a release from damages
to be procured from other property owners.

NEW SECTION. Sec. 12. The city, town or county legislative
body shall consider the physical characteristics of a proposed sub-
division site and may disapprove a proposed plat because of flood,
inundation, or swamp conditions. Construction of protective improve-
ments may be required as a condition of approval, and such improve-
ments shall be noted on the final plat. No plat shall be approved
by any city, town or county legislative authority covering any land
situated in a flood control zone as provided in chapter 86.16 RCW
without the prior written approval of the department of water re-
sources, state of Washington.

NEW SECTION. Sec. 13. Local regulations may provide that in
lieu of the completion of the actual construction of any improvements
prior to the approval of a final plat, the city, town or county leg-
islative body may accept a bond, in an amount and with surety and
conditions satisfactory to it, or other secure method, providing for
and securing to the municipality the actual construction and instal-
lation of such improvements within a period specified by the city,
town or county legislative body and expressed in the bonds; and the
municipality is hereby granted the power to enforce such bonds by
all appropriate legal and equitable remedies. Such local regulations
may provide that the improvements such as structures, sewers and
water systems shall be designed and certified by or under the super-
vision of a registered civil engineer prior to the acceptance of such
improvements.

NEW SECTION. Sec. 14. Preliminary plats of any proposed sub-
division and dedication shall be approved, disapproved or returned to
the applicant for modification or correction within sixty days from
date of filing thereof unless the applicant consents to an extension
of such time period. Final plats and short plats shall be approved, disapproved or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period. Ordinances may provide for the expiration of approval given to any preliminary plats.

NEW SECTION. Sec. 15. Each and every preliminary plat submitted for final approval of the legislative body shall be accompanied by the following agencies' recommendations for approval or disapproval:

(1) Local health department as to the adequacy of the proposed means of sewage disposal and water supply;

(2) Local planning agency or commission, charged with the responsibility of reviewing plats and subdivisions, as to compliance with all terms of the preliminary approval of the proposed plat subdivision or dedication;

(3) City, town or county engineer.

NEW SECTION. Sec. 16. Each and every plat, or replat, of any property filed for record shall:

(1) Contain a statement of approval from the city, town or county licensed road engineer or by a licensed engineer acting on behalf of the city, town or county as to the survey data, the layout of streets, alleys and other rights of way, design of bridges, sewage and water systems, and other structures;

(2) Be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes showing the original or reestablished corners with descriptions of the same and the actual traverse showing error of closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in five thousand feet.

[2567]
(3) Be acknowledged by the person filing the plat before the auditor of the county in which the land is located, or any other officer who is authorized by law to take acknowledgment of deeds, and a certificate of said acknowledgment shall be enclosed or annexed to such plat and recorded therewith.

(4) Contain a certification from the proper officer or officers in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.

No engineer who is connected in any way with the subdividing and platting of the land for which subdivision approval is sought, shall examine and approve such plats on behalf of any city, town or county.

NEW SECTION. Sec. 17. When the legislative body of the city, town or county finds that the public use and interest will be served by the proposed subdivision, and that said subdivision meets the requirements of this act and any local regulations adopted pursuant thereto, it shall suitably inscribe and execute its written approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance. Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing.

NEW SECTION. Sec. 18. Any decision approving or disapproving any plat shall be reviewable for unlawful, arbitrary, capricious or corrupt action or nonaction by writ of review before the superior court of the county in which such matter is pending. The action may be brought by any property owner in the city, town or county having jurisdiction, who deems himself aggrieved thereby: PROVIDED, That application for a writ of review shall be made to the court within
thirty days from any decision so to be reviewed. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.

NEW SECTION. Sec. 19. The county auditor shall refuse to accept any plat for filing until approval of the plat has been given by the appropriate legislative body. Should a plat or dedication be filed without such approval, the prosecuting attorney of the county in which the plat is filed shall apply for a writ of mandate in the name of and on behalf of the legislative body required to approve same, directing the auditor and assessor to remove from their files or records the unapproved plat, or dedication of record.

NEW SECTION. Sec. 20. Whenever any parcel of land is divided into five or more lots, tracts, or parcels of land and any person, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer, any such lot, tract, or parcel without having a final plat of such subdivision filed for record, the prosecuting attorney shall commence an action to restrain and enjoin further subdivisions or sales, or transfers, or offers of sale or transfer and compel compliance with all provisions of this act. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

NEW SECTION. Sec. 21. No building permit, septic tank permit, or other development permit, shall be issued for any lot, tract, or parcel of land divided in violation of this act or local regulations adopted pursuant thereto unless the authority authorized to issue such permit finds that the public interest will not be adversely affected thereby. The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice. All other purchasers' or transferees' property shall comply with provisions of this act and such purchaser or transferee may recover his damages from any person, firm, corporation or agent including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of this act as well as cost of investigation,
suit and reasonable attorneys' fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming his property to these requirements, rescind the sale or transfer and recover costs of investigation, suit and reasonable attorneys' fees occasioned thereby.

NEW SECTION. Sec. 22. Any person who violates any court order or injunction issued pursuant to this act shall be subject to a fine of not more than five thousand dollars or imprisonment for not more than ninety days or both.

NEW SECTION. Sec. 23. In the enforcement of this act, the prosecuting attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this act from any person engaging in, or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in which the alleged violation occurs. A violation of such assurance shall constitute prima facie proof of a violation of this act.

NEW SECTION. Sec. 24. Permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The local authority shall determine the number and location of permanent control monuments within the plat, if any.

Sec. 25. Section 6, chapter 224, Laws of 1951 and RCW 58.24-.040 are each amended to read as follows:

The agency is further authorized to:

(1) Set up standards of accuracy and methods of procedure.

(2) Compile and publish maps and records from surveys performed under the provisions of this act, and to maintain suitable indexes of surveys to prevent duplication of effort and to cooperate with all agencies of local, state, and federal government to this end;

(3) Compile and maintain records of all surveys performed under the provisions of this act, and assemble and maintain records of all reliable survey monuments and bench marks within the state;

(4) Supervise the sale of maps and such publications as may come into the possession of the division of surveys and maps. Reve-
nue derived from the sale thereof shall revert to the general fund; (and)

(5) Submit, as part of the biennial report of the commissioner of public lands, a report of the accomplishments of the agency;

(6) Permit the temporary removal or destruction of any section, corner or any other land boundary mark or monument by any person, corporation, association, department or subdivision of the state, county or municipality as may be necessary or desirable to accommodate construction upon the mining and other development of any land; PROVIDED, That such section, corner or other land boundary mark or monument shall be referenced to the Washington Coordinate System by a registered professional engineer or land surveyor prior to such removal or destruction, and shall be replaced or a suitable reference monument established by a registered professional engineer or land surveyor within a reasonable time after completion of such construction, mining or other development; AND PROVIDED FURTHER, That the department of natural resources shall adopt and promulgate reasonable rules and regulations under which the agency shall authorize such temporary removal or destruction and require the replacement of such section, corner or other land boundary marks or monuments.

NEW SECTION. Sec. 26. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

NEW SECTION. Sec. 27. In order that there be a degree of uniformity of survey monumentation throughout the cities, towns and counties of the state of Washington, there is hereby created a joint committee composed of six members to be appointed as follows: The Washington State Association of County Commissioners shall appoint two county road engineers; the Association of Washington Cities shall appoint two city engineers; the Land Surveyors Association of Washington shall appoint one member; and the Consulting Engineers Association of Washington shall appoint one member. The joint committee
is directed to cooperate with the department of natural resources to establish recommendations pertaining to requirements of survey, monumentation and plat drawings for subdivisions and dedications throughout the state of Washington. The department of natural resources shall publish such recommendation.

NEW SECTION. Sec. 28. In order that there may be current and readily available information available for the public concerning subdivision regulations, all city, town and county legislative bodies shall submit proposed ordinances and amendments to the state planning and community affairs agency thirty days prior to final adoption for agency review and comparison.

NEW SECTION. Sec. 29. Any city, town or county may, by ordinance, regulate the procedure whereby subdivisions, streets, lots and blocks are named and numbered.

NEW SECTION. Sec. 30. Every final plat or short plat of a subdivision or short subdivision filed for record must contain a certificate giving a full and correct description of the lands divided as they appear on the plat or short plat, including a statement that the subdivision or short subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat or short plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat or short plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.

Every plat and short plat containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate.
An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by local authorities as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes, as a quitclaim deed to the said donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors as aforesaid.

NEW SECTION. Sec. 31. A copy of any plat recorded in the manner provided in this act and certified by the county auditor of the county in which the same is recorded to be a true copy of such record and the whole thereof, shall be received in evidence in all the courts of this state, with like effect as the original.

NEW SECTION. Sec. 32. Any person, firm, corporation, or association or any agent of any person, firm, corporation, or association who violates any provision of this act or any local regulations adopted pursuant thereto relating to the sale, offer for sale, lease, or transfer of any lot, tract or parcel of land, shall be guilty of a gross misdemeanor and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of this act or any local regulation adopted pursuant thereto, shall be deemed a separate and distinct offense.

NEW SECTION. Sec. 33. All ordinances and resolutions enacted at a time prior to the passage of this act by the legislative bodies of cities, towns, and counties and which are in substantial compliance with the provisions of this act, shall be construed as valid and may be further amended to include new provisions and standards as are authorized in general law.

Sec. 34. Section 2, chapter 129, Laws of 1893, as last amended by section 1, chapter 66, Laws of 1963 and RCW 58.08.040 are each amended to read as follows:

Any person filing a plat subsequent to May 31st in any year.
and prior to the date of the collection of taxes, shall deposit with
the county treasurer a sum equal to the product of the county assessor's lastest valuation on the unimproved property in such subdivision multiplied by the current year's millage rate increased by twenty-five percent on the property platted. The treasurer's receipt for said amount shall be taken by the auditor as evidence of the payment of the tax. The treasurer shall appropriate so much of said deposit as will pay the taxes on the said property when the tax rolls are placed in his hands for collection, and in case the sum deposited is in excess of the amount necessary for the payment of the said taxes, the treasurer shall return, to the party depositing, the amount of said excess, taking his receipt therefor, which receipt shall be accepted for its face value on the treasurer's quarterly settlement with the county auditor.

NEW SECTION. Sec. 35. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of this act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 36. The following acts or parts thereof are each hereby repealed:

(1) Section 1, chapter 186, Laws of 1937 and RCW 58.16.010;
(2) Section 2, chapter 186, Laws of 1937, as amended by section 1, chapter 195, Laws of 1951, and RCW 58.16.020;
(3) Section 3, chapter 186, Laws of 1937 and RCW 58.16.030;
(4) Section 4, chapter 186, Laws of 1937, as amended by section 1, chapter 203, Laws of 1951, and RCW 58.16.040;
(5) Section 6, chapter 186, Laws of 1937, as amended by section 1, chapter 245, Laws of 1963, and RCW 58.16.050;
(6) Section 7, chapter 186, Laws of 1937, as last amended by section 1, chapter 299, Laws of 1955, and RCW 58.16.060;
(7) Section 8, chapter 186, Laws of 1937 and RCW 58.16.070;
(8) Section 9, chapter 186, Laws of 1937 and RCW 58.16.080;
(9) Section 10, chapter 186, Laws of 1937, as amended by sec-
section 3, chapter 195, Laws of 1951, and RCW 58.16.090;

(10) Section 11, chapter 166, Laws of 1937, as amended by section 1, chapter 224, Laws of 1951, and RCW 58.16.100: and

(11) Section 5, chapter 186, Laws of 1937 and RCW 58.16.110.

Passed the Senate May 10, 1969
Passed the House May 8, 1969
Approved by the Governor May 23, 1969
Filed in office of Secretary of State May 23, 1969

CHAPTER 272
[Engrossed Senate Bill No. 454]
STATE CAPITOL--IMPROVEMENTS--BONDS

AN ACT Relating to state government; authorizing the state capitol committee to provide for the construction, remodeling and financing of state buildings and parking facilities; providing for the issuance of bonds and refunding bonds; making an appropriation; repealing sections 1 through 10, chapter 151, Laws of 1965 ex.sess., and RCW 79.24.610 through 79.24.628; and declaring an emergency.

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

NEW SECTION. Section 1. The state capitol committee shall provide for the construction, remodeling, and furnishing of capitol office buildings, parking facilities, governor's mansion, and such other buildings and facilities as are determined by the state capitol committee to be necessary to provide space for the legislature by way of offices, committee rooms, hearing rooms, and work rooms, and to provide executive office space and housing for the governor, and to provide executive office space for other elective officials and such other state agencies as may be necessary, and to pay for all costs and expenses in issuing the bonds and to pay interest thereon during construction of the facilities for which the bonds were issued and six months thereafter.

NEW SECTION. Sec. 2. In addition to any authority previously granted, the state capitol committee is authorized and directed to issue coupon or registered revenue bonds of the state in an amount not to exceed fifteen million dollars. The bonds may be sold in such