

## CHAPTER 292

[Substitute House Bill No. 323]

SUBDIVISIONS—INDUSTRIAL, COMMERCIAL LAND—BINDING SITE  
PLANS

AN ACT Relating to boundaries and plats; amending section 2, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.020; and amending section 4, chapter 271, Laws of 1969 ex. sess. as amended by section 2, chapter 134, Laws of 1974 ex. sess. and RCW 58.17.040.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 2, chapter 271, Laws of 1969 ex. sess. and RCW 58-17.020 are each amended to read as follows:

As used in this chapter, unless the context or subject matter clearly requires otherwise, the (~~following~~) words or phrases defined in this section shall have the (~~following~~) indicated 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 presentment 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 chapter and in local regulations adopted pursuant to this chapter.

(6) "Binding site plan" means a drawing to a scale specified by local ordinance which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve

the site plan; and (c) contains provisions making any development be in conformity with the site plan.

(7) "Short subdivision" is the division of land into four or less lots, tracts, parcels, sites or subdivisions for the purpose of sale or lease.

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

((8)) (9) "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.

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

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

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

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

((13)) (14) "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.

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

Sec. 2. Section 4, chapter 271, Laws of 1969 ex. sess. as amended by section 2, chapter 134, Laws of 1974 ex. sess. and RCW 58.17.040 are each amended to read as follows:

The provisions of this chapter shall not apply to:

(1) Cemeteries and other burial plots while used for that purpose;

(2) Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city, town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: PROVIDED, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;

(3) Divisions made by testamentary provisions, or the laws of descent;

(4) Divisions of land into lots or tracts classified for industrial or commercial use when the governing body of the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations: PROVIDED, That when a binding site plan authorizes a sale

or other transfer of ownership of a lot, parcel, or tract, the binding site plan shall be filed for record in the county auditor's office on each lot, parcel, or tract created pursuant to the binding site plan: PROVIDED FURTHER, That the binding site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the lot, parcel, or tract: AND PROVIDED FURTHER, That sale or transfer of such a lot, parcel, or tract in violation of the binding site plan, or without obtaining binding site plan approval, shall be considered a violation of chapter 58.17 RCW and shall be restrained by injunctive action and be illegal as provided in chapter 58.17 RCW; and

(5) A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land (~~and a local government~~) when the governing body of the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations. (~~The term "site plan" means a drawing to a scale specified by local ordinance and which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; and (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan. A site plan approved by a local government body shall not be "binding" under this subsection unless development in conformity to the site plan is enforceable under a local ordinance.~~)

Passed the House March 24, 1981.

Passed the Senate April 21, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

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## CHAPTER 293

[Substitute House Bill No. 320]

### SUBDIVISION APPROVAL

AN ACT Relating to land use; amending section 1, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.010; amending section 2, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.020; amending section 4, chapter 271, Laws of 1969 ex. sess. as amended by section 2, chapter 134, Laws of 1974 ex. sess. and RCW 58.17.040; amending section 7, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.070; amending section 9, chapter 271, Laws of 1969 ex. sess. as amended by section 4, chapter 134, Laws of 1974 ex. sess. and RCW 58.17.090; amending section 10, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.100; amending section 14, chapter 271, Laws of 1969 ex. sess. as amended by section 8, chapter 134, Laws of 1974 ex. sess. and RCW 58.17.140; amending section 15, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.150; amending section 30, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.165; amending section 17, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.170; amending section 18, chapter 271, Laws of 1969 ex. sess. and RCW 58.17.180; adding new sections to chapter 58.17 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington: