

whole or in part, tuition and services and activities fees subject to the limitations set forth in subsection (2).

(2) The total dollar amount of tuition and fee waivers awarded by any state university, regional university, or state college, shall not exceed four percent, and for the community colleges considered as a whole, such amount shall not exceed three percent of an amount determined by estimating the total collections from tuition and services and activities fees had no such waivers been made and deducting the portion of that total amount which is attributable to the difference between resident and nonresident fees: **PROVIDED**, That at least three-fourths of the dollars waived shall be for needy students who are eligible for resident tuition and fee rates pursuant to RCW 28B.15.012 through 28B.15.015; **PROVIDED FURTHER**, That the remainder of the dollars waived, not to exceed one-fourth of the total, may be applied to other students at the discretion of the board of trustees or regents, except on the basis of participation in intercollegiate athletic programs: **PROVIDED FURTHER**, That the waivers for undergraduate and graduate students of foreign nations under section 2 of this 1986 act are not subject to the limitation under this section.

Passed the Senate March 8, 1986.

Passed the House March 5, 1986.

Approved by the Governor April 3, 1986.

Filed in Office of Secretary of State April 3, 1986.

CHAPTER 233

[Substitute Senate Bill No. 3419]

LAND USE-----ADMINISTRATIVE REVIEW OF PRELIMINARY PLATS

AN ACT Relating to land use controls; amending RCW 58.17.140; adding a new section to chapter 58.17 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. A new section is added to chapter 58.17 RCW to read as follows:

A county, city, or town may adopt an ordinance providing for the administrative review of a preliminary plat without a public hearing by adopting an ordinance providing for such administrative review. The ordinance may specify a threshold number of lots in a subdivision above which a public hearing must be held, and may specify other factors which necessitate the holding of a public hearing. The administrative review process shall include the following minimum conditions:

(1) The notice requirements of RCW 58.17.090 shall be followed, except that the publication shall be made within ten days of the filing of the application. Additionally, at least ten days after the filing of the application

notice both shall be: (a) Posted on or around the land proposed to be subdivided in at least five conspicuous places designed to attract public awareness of the proposal; and (b) mailed to the owner of each lot or parcel of property located within at least three hundred feet of the site. The applicant shall provide the county, city, or town with a list of such property owners and their addresses. The notice shall include notification that no public hearing will be held on the application, except as provided by this section. The notice shall set out the procedures and time limitations for persons to require a public hearing and make comments.

(2) Any person shall have a period of twenty days from the date of the notice to comment upon the proposed preliminary plat. All comments received shall be provided to the applicant. The applicant has seven days from receipt of the comments to respond thereto.

(3) A public hearing on the proposed subdivision shall be held if any person files a request for a hearing with the county, city, or town within twenty-one days of the publishing of such notice. If such a hearing is requested, notice requirements for the public hearing shall be in conformance with RCW 58.17.090, and the ninety-day period for approval or disapproval of the proposed subdivision provided for in RCW 58.17.140 shall commence with the date of the filing of the request for a public hearing. Any hearing ordered under this subsection shall be conducted by the planning commission or hearings officer as required by county or city ordinance.

(4) On its own initiative within twenty-one days of the filing of the request for approval of the subdivision, the governing body, or a designated employee or official, of the county, city, or town, shall be authorized to cause a public hearing to be held on the proposed subdivision within ninety days of the filing of the request for the subdivision.

(5) If the public hearing is waived as provided in this section, the planning commission or planning agency shall complete the review of the proposed preliminary plat and transmit its recommendation to the legislative body as provided in RCW 58.17.100.

Sec. 2. Section 14, chapter 271, Laws of 1969 ex. sess. as last amended by section 3, chapter 121, Laws of 1983 and RCW 58.17.140 are each amended to read as follows:

Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period or the ninety day limitation is extended to include up to twenty-one days as specified under section 1(3) of this 1986 act: PROVIDED, That if an environmental impact statement is required as provided in RCW 43.21C.030, the ninety day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency. 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. A final plat meeting all requirements of this chapter shall be submitted to the legislative body of the city, town, or county for approval within three years of the date of preliminary plat approval: **PROVIDED**, That this three-year time period shall retroactively apply to any preliminary plat pending before a city, town, or county as of July 24, 1983, where the authority to proceed with the filing of a final plat has not lapsed under an applicable city, town, or county ordinance containing a shorter time period that was in effect when the preliminary plat was approved. An applicant who files a written request with the legislative body of the city, town, or county at least thirty days before the expiration of this three-year period shall be granted one one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the three-year period. Nothing contained in this section shall act to prevent any city, town, or county from adopting by ordinance procedures which would allow other extensions of time that may or may not contain additional or altered conditions and requirements.

NEW SECTION. Sec. 3. This act does not affect the provisions of RCW 82.02.020.

Passed the Senate March 8, 1986.

Passed the House March 5, 1986.

Approved by the Governor April 3, 1986.

Filed in Office of Secretary of State April 3, 1986.

CHAPTER 234

[Engrossed Substitute House Bill No. 308]

MUNICIPAL INCORPORATION

AN ACT Relating to municipal incorporation proceedings; amending RCW 35.02.010, 35.02.020, 35.02.030, 35.02.035, 35.02.040, 35.02.070, 35.02.086, 35.02.090, 35.02.100, 35.02.110, 35.02.120, 35.02.130, 35.13.247, 35.13.248, 35.02.140, 35.21.763, 35A.03.160, 35.02.150, 35.02.160, 35.02.170, 35.04.150, 35.04.160, 35.04.170, 35A.14.015, 35A.14.050, 35A.14.140, 35A.29.090, 36.93.170, 36.94.180, and 52.08.025; adding new sections to chapter 35.02 RCW; adding a new section to chapter 35A.03 RCW; recodifying RCW 35.04.150, 35.04.160, 35.04.170, 35.13.247, 35.13.248, 35.21.763, 35A.03.160, and 35.21.764; repealing RCW 35.02.050, 35.02.060, 35.02.080, 35.03.005, 35.03.010, 35.03.020, 35.03.030, 35.03.035, 35.03.040, 35.03.050, 35.04.010, 35.04.020, 35.04.030, 35.04.040, 35.04.050, 35.04.060, 35.04.070, 35.04.080, 35.04.090, 35.04.100, 35.04.110, 35.04.120, 35.04.130, 35.04.140, 35.04.180, 35A.03.010, 35A.03.020, 35A.03.030, 35A.03.035, 35A.03.040, 35A.03.050, 35A.03.060, 35A.03.070, 35A.03.075, 35A.03.080, 35A.03.085, 35A.03.090, 35A.03.100, 35A.03.110, 35A.03.120, 35A.03.130, 35A.03.140, 35A.03.151, 35A.03.152, 35A.03.170, 35A.03.180, 35A.04.010, 35A.04.020, 35A.04.030, 35A.04.040, 35A.04.050, 35A.04.060, 35A.04.070, 35A.04.080, 35A.04.090, 35A.04.100, 35A.04.110, 35A.04.120, 35A.04.130, 35A.04.140, 35A.04.150, 35A.04.160, 35A.04.170, 35A.04.180, and 35A.04.190; and declaring an emergency.

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

NEW SECTION. Sec. 1. A new section is added to chapter 35.02 RCW to read as follows: