

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 18, 1987.

Passed the House April 8, 1987.

Approved by the Governor April 20, 1987.

Filed in Office of Secretary of State April 20, 1987.

CHAPTER 108

[Substitute Senate Bill No. 5892]

LAND SUBDIVISION—BINDING SITE PLAN APPROVAL MODIFIED

AN ACT Relating to the subdivision of land; and amending RCW 58.17.040.

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

Sec. 1. Section 2, chapter 121, Laws of 1983 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;

(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 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;

(6) A division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site; and

(7) A division which is made by subjecting a portion of a parcel or tract of land to chapter 64.32 RCW if a city, town, or county has approved a binding site plan for all of such land.

Passed the Senate March 20, 1987.

Passed the House April 9, 1987.

Approved by the Governor April 20, 1987.

Filed in Office of Secretary of State April 20, 1987.

CHAPTER 109

[Senate Bill No. 5427]

ECOLOGY PROCEDURES SIMPLIFICATION ACT OF 1987

AN ACT Relating to simplifying and clarifying procedures of the department of ecology, local air pollution control authorities, and the pollution control hearings board; amending RCW 43.21B.240, 43.21B.110, 43.27A.190, 70.105.080, 90.14.130, 90.14.190, 90.48.240, 70.105.095, 90.48.144, 70.94.332, 70.94.431, 90.48.350, 70.95.210, 70.107.050, 86.16.110, 18.104.130, 43.20A.140, 43.21.110, 43.21.140, 43.21.160, 43.21.190, 43.21B.140, 43.27A.020, 43.27A.080, 70.94.030, 70.94.053, 70.94.142, 70.94.143, 70.94.151, 70.94.200, 70.94.331, 70.94.350, 70.94.385, 70.94.390, 70.94.395, 70.94.400, 70.94.420, 70.94.425, 70.94.510, 70.94.405, 70.94.410, 86.16.025, 86.16.027, 86.16.030, 86.16.035, 86.16.040, 86.16.060, 86.16.065, 86.16.067, 86.16.070, 86.16.080, 86.16.090, 86.16.130, 86.16.170, 86.18.030, 86.24.020, 90.03.280, 90.03.320, 90.03.030, 90.03.060, 90.03.070, 90.03.100, 90.03.110, 90.03.120, 90.03.130, 90.03.140, 90.03.160, 90.03.170, 90.03.190, 90.03.200, 90.03.210, 90.03.230, 90.03.240, 90.03.250, 90.03.260, 90.03.270, 90.03.290, 90.03.300, 90.03.310, 90.03.330, 90.03.340, 90.03.350, 90.03.360, 90.03.370, 90.03.380, 90.03.390, 90.03.430, 90.03.440, 90.03.470, 90.03.471, 90.14.150, 90.14.180, 90.14.230, 90.22.010, 90.22.040, 90.24.030, 90.44.035, 90.44.050, 90.44.060, 90.44.070, 90.44.080, 90.44.090, 90.44.100, 90.44.110, 90.44.120, 90.44.130, 90.44.180, 90.44.200, 90.44.220, 90.44.230, 90.44.250, 90.48.020, 90.48.030, 90.48.035, 90.48.037, 90.48.080, 90.48.090, 90.48.095, 90.48.100, 90.48.110, 90.48.120, 90.48.142, 90.48.153, 90.48.156, 90.48.165, 90.48.170, 90.48.180, 90.48.190, 90.48.195, 90.48.200, 90.48.250, 90.48.270, 90.48.280, 90.48.285, 90.48.290, 90.48.320, 90.48.330, 90.48.340, 90.48.343, 90.48.345, 90.48.355, 90.48.360, 90.48.365, 90.50.020, 90.50.030, 90.62.080, and 43.83B.335; reenacting and amending RCW 90.24.060; adding new sections to chapter 43.21B RCW; adding new sections to chapter 90.03 RCW; recodifying RCW 43.83B.335; creating new sections; and repealing RCW 18.104.140, 43.21.100, 43.21.120, 43.21.150, 43.21B.120, 43.21B.200, 43.21B.220, 43.27A.200,