
HOUSE BILL 1449

State of Washington 52nd Legislature 1991 Regular Session

By Representatives R. Johnson, Wilson, Riley, Spanel, Haugen and Roland.

Read first time January 29, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to property divisions; and amending RCW 58.17.040.

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

3 **Sec. 1.** RCW 58.17.040 and 1989 c 43 s 4-123 are each amended to
4 read as follows:

5 The provisions of this chapter shall not apply to:

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

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

1 street and the side lot lines of the lot running perpendicular to such
2 center line;

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

5 ~~(4))~~) Divisions of land into lots or tracts classified for
6 industrial or commercial use when the city, town, or county has
7 approved a binding site plan for the use of the land in accordance with
8 local regulations;

9 (~~(5))~~) (4) A division for the purpose of lease when no residential
10 structure other than mobile homes or travel trailers are permitted to
11 be placed upon the land when the city, town, or county has approved a
12 binding site plan for the use of the land in accordance with local
13 regulations;

14 (~~(6))~~) (5) A division made for the purpose of alteration by
15 adjusting boundary lines, between platted or unplatted lots or both,
16 which does not create any additional lot, tract, parcel, site, or
17 division nor create any lot, tract, parcel, site, or division which
18 contains insufficient area and dimension to meet minimum requirements
19 for width and area for a building site; and

20 (~~(7))~~) (6) Divisions of land into lots or tracts if: (a) The
21 improvements constructed or to be constructed thereon will be included
22 in one or more condominiums or owned by an association or other legal
23 entity in which the owners of units therein or their owners'
24 associations have a membership or other legal or beneficial interest;
25 (b) a city, town, or county has approved a binding site plan for all
26 such land; and (c) the binding site plan contains thereon the following
27 statement: "All development of the land described herein shall be in
28 accordance with the binding site plan, as it may be amended. Upon
29 completion, the improvements on the land shall be included in one or
30 more condominiums or owned by an association or other legal entity in

1 which the owners of units therein or their owners' associations have a
2 membership or other legal or beneficial interest."