

SENATE BILL REPORT

SB 6127

As of January 23, 1996

Title: An act relating to dedications required for approval of short plats or subdivisions.

Brief Description: Approving short plats or subdivisions.

Sponsors: Senator McCaslin.

Brief History:

Committee Activity: Government Operations: 1/24/96.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Staff: Rod McAulay (786-7754)

Background: The subdivision of parcels of real estate is subject to approval by either the county or the city or town in which the property is located. Jurisdictions may adopt an abbreviated, accelerated review process for divisions into four or fewer parcels, known as "short plats." A jurisdiction may increase the short plat approval process to a maximum of nine parcels. Approval of short plats may be conditioned upon the owner of the entire parcel dedicating portions of the parcel to the county or the city or town for current or future use as a road, bicycle path, pedestrian way, open space, greenbelt, or buffer zone.

There is concern that mandating dedications for open space, greenbelts or buffer zones places an unfair burden on the property owner for uses which should be paid for by the general public. There is also concern that it is unfair to require dedications of roads, bicycle paths and pedestrian ways which will not be constructed at the time the subdivided parcels are sold and are not required for the immediate needs of the subdivision.

Summary of Bill: No city, town or county may condition the approval of a short subdivision or short plat upon the dedication of a portion of the property to be subdivided for the purpose of open space, greenbelt, or buffer zone, or future road, bicycle path or pedestrian way unless the owner is paid the fair market value of those dedicated portions. A future road, bicycle path or pedestrian way is any right of way which is not fully developed at the same time as the subdivided lots are offered for sale.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.