



## FINAL APPROVAL OF SUBDIVISIONS OF LAND

### BACKGROUND:

On April 27, 2017, Governor Jay Inslee signed into law Senate Bill 5674, providing a local option to allow administrative approval of the final plat process on long subdivisions. Specifically, the new law allows local jurisdictions to change the final plat approval process for subdivisions from a legislative approval process to one that is administrative, meaning local governments can delegate final plat approval to planning directors or other designated authorities. It is a strictly local option for city and county councils who choose to make the change.

The change brings final long plat approvals into alignment with the approval process for short plats (nine or fewer lots) authorized under RCW 58.17. As with short plats, planning departments currently make final decisions on building permits, variances, administrative conditional use permits, shoreline substantial development permits, binding site plans, and boundary line adjustments, among others. Administrative approvals in land use matters are not unprecedented.

The change is intended to provide significant efficiencies in many jurisdictions where it can take a long time to get a final plat through the legislative process. The new law (Chapter 161, 2017 Laws) becomes effective July 23, 2017.

### SUBDIVISION APPROVAL:

Approval of subdivisions in Washington state involves a two-step process: 1) approval of the preliminary plat, which is a drawing that shows the general layout of a subdivision; and 2) approval of the final plat, including a final drawing of the subdivision prepared for filing with the county auditor that contains all elements and requirements set forth in state statutes and local regulations.

Preliminary plat approvals are made by legislative authorities in counties and cities and include all conditions that must be satisfied before construction begins. By the time a preliminary plat is approved, all building and environmental issues must be resolved.

Final plat approval certifies that all conditions of preliminary plat approval have been satisfied. At the final plat approval stage, the process is essentially administrative. It is not discretionary if all conditions have been met, and that is determined by final inspections of the permit granting agency of the city or county.

### RIGHTS OF APPEAL:

Under this new law, preliminary plat approval remains the sole province of elected councils, often delegated to a professional hearing examiner. It does not change any environmental requirements, nor the public process or ability to appeal. Allowing administrative approval of the final plat process in no way affects any party's appeal rights. Citizens retain all Land Use Petition Act (LUPA) appeal rights under this new law, and preliminary plats may still be appealed to a jurisdiction's legislative authority or hearing examiner.



## BENEFITS OF ALLOWING ADMINISTRATIVE APPROVAL OF THE FINAL PLAT PROCESS:

In larger jurisdictions legislation to approve final plats is often delayed due to more pressing business before city and county councils, such as budget adoption or other major legislation that can consume several weeks. As a result, a final approval can be delayed, sometimes for months, even though a project is ready to go and substantial investments have been made.

Delegating final plat approval to planning directors or other designated authorities could save weeks and even months of delay in getting on council agendas for final approval in what is largely a pro forma action. Eliminating this step will also save staff time associated with preparing the final plat package for council.

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### **Administrative Approval of Final Plats:**

- ✓ Saves Time
  - ✓ Brings Greater Efficiency to Permit Process
  - ✓ Reduces an Unnecessary Cost Pressure on Housing
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Furthermore, allowing administrative approval of final plats will bring greater efficiency to the permit process, which is important for promoting housing affordability. In homebuilding, time is money, and anything that reduces unnecessary delays in the permit process helps to lower another cost pressure on housing.

