
HOUSE BILL 1700

State of Washington

69th Legislature

2025 Regular Session

By Representatives Volz, Graham, Schmidt, Low, Schmick, Klicker, Dye, Abell, Chase, Connors, Engell, Ormsby, and Hill

Read first time 01/29/25. Referred to Committee on Local Government.

1 AN ACT Relating to the timing of updates for comprehensive plans
2 and development regulations; amending RCW 36.70A.130 and 36.70A.635;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that it has
6 placed additional requirements to be incorporated into comprehensive
7 plans and development regulation updates due at the end of 2026. It
8 further recognizes there is a shortage of qualified planners to do
9 the work and local governments are struggling to accomplish the
10 additional work. Therefore, local governments are being granted a
11 six-month extension for compliance with the upcoming comprehensive
12 plan update.

13 **Sec. 2.** RCW 36.70A.130 and 2024 c 17 s 1 are each amended to
14 read as follows:

15 (1)(a) Each comprehensive land use plan and development
16 regulations shall be subject to continuing review and evaluation by
17 the county or city that adopted them. Except as otherwise provided, a
18 county or city shall take legislative action to review and, if
19 needed, revise its comprehensive land use plan and development
20 regulations to ensure the plan and regulations comply with the

1 requirements of this chapter according to the deadlines in
2 subsections (4) and (5) of this section.

3 (b) (i) A city or town located within a county planning under RCW
4 36.70A.040 may opt out of a full review and revisions of its
5 comprehensive plan established in this section if the city or town
6 meets the following criteria:

7 (A) Has a population fewer than 500;

8 (B) Is not located within 10 miles of a city with a population
9 over 100,000;

10 (C) Experienced a population growth rate of fewer than 10 percent
11 in the preceding 10 years; and

12 (D) Has provided the department with notice of its intent to
13 participate in a partial review and revision of its comprehensive
14 plan.

15 (ii) The department shall review the population growth rate for a
16 city or town participating in the partial review and revision of its
17 comprehensive plan process at least three years before the periodic
18 update is due as outlined in subsection (4) of this section and
19 notify cities of their eligibility.

20 (iii) A city or town that opts out of a full review and revision
21 of its comprehensive plan must update its critical areas regulations
22 and its capital facilities element and its transportation element.

23 (c) Except as otherwise provided, a county or city not planning
24 under RCW 36.70A.040 shall take action to review and, if needed,
25 revise its policies and development regulations regarding critical
26 areas and natural resource lands adopted according to this chapter to
27 ensure these policies and regulations comply with the requirements of
28 this chapter according to the deadlines in subsections (4) and (5) of
29 this section. Legislative action means the adoption of a resolution
30 or ordinance following notice and a public hearing indicating at a
31 minimum, a finding that a review and evaluation has occurred and
32 identifying the revisions made, or that a revision was not needed and
33 the reasons therefor.

34 (d) The review and evaluation required by this subsection shall
35 include, but is not limited to, consideration of critical area
36 ordinances and, if planning under RCW 36.70A.040, an analysis of the
37 population allocated to a city or county from the most recent 10-year
38 population forecast by the office of financial management.

39 (e) Any amendment of or revision to a comprehensive land use plan
40 shall conform to this chapter. Any amendment of or revision to

1 development regulations shall be consistent with and implement the
2 comprehensive plan.

3 (2) (a) Each county and city shall establish and broadly
4 disseminate to the public a public participation program consistent
5 with RCW 36.70A.035 and 36.70A.140 that identifies procedures and
6 schedules whereby updates, proposed amendments, or revisions of the
7 comprehensive plan are considered by the governing body of the county
8 or city no more frequently than once every year. "Updates" means to
9 review and revise, if needed, according to subsection (1) of this
10 section, and the deadlines in subsections (4) and (5) of this section
11 or in accordance with the provisions of subsection (6) of this
12 section. Amendments may be considered more frequently than once per
13 year under the following circumstances:

14 (i) The initial adoption of a subarea plan. Subarea plans adopted
15 under this subsection (2) (a) (i) must clarify, supplement, or
16 implement jurisdiction-wide comprehensive plan policies, and may only
17 be adopted if the cumulative impacts of the proposed plan are
18 addressed by appropriate environmental review under chapter 43.21C
19 RCW;

20 (ii) The development of an initial subarea plan for economic
21 development located outside of the 100 year floodplain in a county
22 that has completed a state-funded pilot project that is based on
23 watershed characterization and local habitat assessment;

24 (iii) The adoption or amendment of a shoreline master program
25 under the procedures set forth in chapter 90.58 RCW;

26 (iv) The amendment of the capital facilities element of a
27 comprehensive plan that occurs concurrently with the adoption or
28 amendment of a county or city budget; or

29 (v) The adoption of comprehensive plan amendments necessary to
30 enact a planned action under RCW 43.21C.440, provided that amendments
31 are considered in accordance with the public participation program
32 established by the county or city under this subsection (2) (a) and
33 all persons who have requested notice of a comprehensive plan update
34 are given notice of the amendments and an opportunity to comment.

35 (b) Except as otherwise provided in (a) of this subsection, all
36 proposals shall be considered by the governing body concurrently so
37 the cumulative effect of the various proposals can be ascertained.
38 However, after appropriate public participation a county or city may
39 adopt amendments or revisions to its comprehensive plan that conform
40 with this chapter whenever an emergency exists or to resolve an

1 appeal of a comprehensive plan filed with the growth management
2 hearings board or with the court.

3 (3) (a) Each county that designates urban growth areas under RCW
4 36.70A.110 shall review, according to the schedules established in
5 subsections (4) and (5) of this section, its designated urban growth
6 area or areas, patterns of development occurring within the urban
7 growth area or areas, and the densities permitted within both the
8 incorporated and unincorporated portions of each urban growth area.
9 In conjunction with this review by the county, each city located
10 within an urban growth area shall review the densities permitted
11 within its boundaries, and the extent to which the urban growth
12 occurring within the county has located within each city and the
13 unincorporated portions of the urban growth areas.

14 (b) The county comprehensive plan designating urban growth areas,
15 and the densities permitted in the urban growth areas by the
16 comprehensive plans of the county and each city located within the
17 urban growth areas, shall be revised to accommodate the urban growth
18 projected to occur in the county for the succeeding 20-year period.
19 The review required by this subsection may be combined with the
20 review and evaluation required by RCW 36.70A.215.

21 (c) If, during the county's review under (a) of this subsection,
22 the county determines revision of the urban growth area is not
23 required to accommodate the urban growth projected to occur in the
24 county for the succeeding 20-year period, but does determine that
25 patterns of development have created pressure in areas that exceed
26 available, developable lands within the urban growth area, the urban
27 growth area or areas may be revised to accommodate identified
28 patterns of development and likely future development pressure for
29 the succeeding 20-year period if the following requirements are met:

30 (i) The revised urban growth area may not result in an increase
31 in the total surface areas of the urban growth area or areas;

32 (ii) The areas added to the urban growth area are not or have not
33 been designated as agricultural, forest, or mineral resource lands of
34 long-term commercial significance;

35 (iii) Less than 15 percent of the areas added to the urban growth
36 area are critical areas;

37 (iv) The areas added to the urban growth areas are suitable for
38 urban growth;

39 (v) The transportation element and capital facility plan element
40 have identified the transportation facilities, and public facilities

1 and services needed to serve the urban growth area and the funding to
2 provide the transportation facilities and public facilities and
3 services;

4 (vi) The urban growth area is not larger than needed to
5 accommodate the growth planned for the succeeding 20-year planning
6 period and a reasonable land market supply factor;

7 (vii) The areas removed from the urban growth area do not include
8 urban growth or urban densities; and

9 (viii) The revised urban growth area is contiguous, does not
10 include holes or gaps, and will not increase pressures to urbanize
11 rural or natural resource lands.

12 (4) Except as otherwise provided in subsections (6) and (8) of
13 this section, counties and cities shall take action to review and, if
14 needed, revise their comprehensive plans and development regulations
15 to ensure the plan and regulations comply with the requirements of
16 this chapter as follows:

17 (a) On or before June 30, 2015, for King, Pierce, and Snohomish
18 counties and the cities within those counties;

19 (b) On or before June 30, 2016, for Clallam, Clark, Island,
20 Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom
21 counties and the cities within those counties;

22 (c) On or before June 30, 2017, for Benton, Chelan, Cowlitz,
23 Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima counties and
24 the cities within those counties; and

25 (d) On or before June 30, 2018, for Adams, Asotin, Columbia,
26 Ferry, Franklin, Garfield, Grant, Grays Harbor, Klickitat, Lincoln,
27 Okanogan, Pacific, Pend Oreille, Stevens, Wahkiakum, Walla Walla, and
28 Whitman counties and the cities within those counties.

29 (5) Except as otherwise provided in subsections (6) and (8) of
30 this section, following the review of comprehensive plans and
31 development regulations required by subsection (4) of this section,
32 counties and cities shall take action to review and, if needed,
33 revise their comprehensive plans and development regulations to
34 ensure the plan and regulations comply with the requirements of this
35 chapter as follows:

36 (a) Except as provided in subsection (10) of this section, on or
37 before December 31, 2024, with the following review and, if needed,
38 revision on or before June 30, 2034, and then every 10 years
39 thereafter, for King, Kitsap, Pierce, and Snohomish counties and the
40 cities within those counties;

1 (b) On or before December 31, 2025, with the following review
2 and, if needed, revision on or before June 30, 2035, and then every
3 10 years thereafter, for Clallam, Clark, Island, Jefferson, Lewis,
4 Mason, San Juan, Skagit, Thurston, and Whatcom counties and the
5 cities within those counties;

6 (c) On or before (~~June 30~~) December 31, 2026, with the
7 following review and, if needed, revision on or before June 30, 2036,
8 and every 10 years thereafter, for Benton, Chelan, Cowlitz, Douglas,
9 Franklin, Kittitas, Skamania, Spokane, Walla Walla, and Yakima
10 counties and the cities within those counties; and

11 (d) On or before June 30, 2027, and every 10 years thereafter,
12 for Adams, Asotin, Columbia, Ferry, Garfield, Grant, Grays Harbor,
13 Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille, Stevens,
14 Wahkiakum, and Whitman counties and the cities within those counties.

15 (6)(a) Nothing in this section precludes a county or city from
16 conducting the review and evaluation required by this section before
17 the deadlines established in subsections (4) and (5) of this section.
18 Counties and cities may begin this process early and may be eligible
19 for grants from the department, subject to available funding, if they
20 elect to do so.

21 (b) A county that is subject to a deadline established in
22 subsection (5)(b) through (d) of this section and meets the following
23 criteria may comply with the requirements of this section at any time
24 within the 24 months following the deadline established in subsection
25 (5) of this section: The county has a population of less than 50,000
26 and has had its population increase by no more than 17 percent in the
27 10 years preceding the deadline established in subsection (5) of this
28 section as of that date.

29 (c) A city that is subject to a deadline established in
30 subsection (5)(b) through (d) of this section and meets the following
31 criteria may comply with the requirements of this section at any time
32 within the 24 months following the deadline established in subsection
33 (5) of this section: The city has a population of no more than 5,000
34 and has had its population increase by the greater of either no more
35 than 100 persons or no more than 17 percent in the 10 years preceding
36 the deadline established in subsection (5) of this section as of that
37 date.

38 (d) State agencies are encouraged to provide technical assistance
39 to the counties and cities in the review of critical area ordinances,
40 comprehensive plans, and development regulations.

1 (7) (a) The requirements imposed on counties and cities under this
2 section shall be considered "requirements of this chapter" under the
3 terms of RCW 36.70A.040(1). Only those counties and cities that meet
4 the following criteria may receive grants, loans, pledges, or
5 financial guarantees under chapter 43.155 or 70A.135 RCW:

6 (i) Complying with the deadlines in this section; or

7 (ii) Demonstrating substantial progress towards compliance with
8 the schedules in this section for development regulations that
9 protect critical areas.

10 (b) A county or city that is fewer than 12 months out of
11 compliance with the schedules in this section for development
12 regulations that protect critical areas is making substantial
13 progress towards compliance. Only those counties and cities in
14 compliance with the schedules in this section may receive preference
15 for grants or loans subject to the provisions of RCW 43.17.250.

16 (8) (a) Except as otherwise provided in (c) of this subsection, if
17 a participating watershed is achieving benchmarks and goals for the
18 protection of critical areas functions and values, the county is not
19 required to update development regulations to protect critical areas
20 as they specifically apply to agricultural activities in that
21 watershed.

22 (b) A county that has made the election under RCW 36.70A.710(1)
23 may only adopt or amend development regulations to protect critical
24 areas as they specifically apply to agricultural activities in a
25 participating watershed if:

26 (i) A work plan has been approved for that watershed in
27 accordance with RCW 36.70A.725;

28 (ii) The local watershed group for that watershed has requested
29 the county to adopt or amend development regulations as part of a
30 work plan developed under RCW 36.70A.720;

31 (iii) The adoption or amendment of the development regulations is
32 necessary to enable the county to respond to an order of the growth
33 management hearings board or court;

34 (iv) The adoption or amendment of development regulations is
35 necessary to address a threat to human health or safety; or

36 (v) Three or more years have elapsed since the receipt of
37 funding.

38 (c) Beginning 10 years from the date of receipt of funding, a
39 county that has made the election under RCW 36.70A.710(1) must review
40 and, if necessary, revise development regulations to protect critical

1 areas as they specifically apply to agricultural activities in a
2 participating watershed in accordance with the review and revision
3 requirements and timeline in subsection (5) of this section. This
4 subsection (8)(c) does not apply to a participating watershed that
5 has determined under RCW 36.70A.720(2)(c)(ii) that the watershed's
6 goals and benchmarks for protection have been met.

7 (9)(a) Counties subject to planning deadlines established in
8 subsection (5) of this section that are required or that choose to
9 plan under RCW 36.70A.040 and that meet either criteria of (a)(i) or
10 (ii) of this subsection, and cities with a population of more than
11 6,000 as of April 1, 2021, within those counties, must provide to the
12 department an implementation progress report detailing the progress
13 they have achieved in implementing their comprehensive plan five
14 years after the review and revision of their comprehensive plan. Once
15 a county meets the criteria in (a)(i) or (ii) of this subsection, the
16 implementation progress report requirements remain in effect
17 thereafter for that county and the cities therein with populations
18 greater than 6,000 as of April 1, 2021, even if the county later no
19 longer meets either or both criteria. A county is subject to the
20 implementation progress report requirement if it meets either of the
21 following criteria on or after April 1, 2021:

22 (i) The county has a population density of at least 100 people
23 per square mile and a population of at least 200,000; or

24 (ii) The county has a population density of at least 75 people
25 per square mile and an annual growth rate of at least 1.75 percent as
26 determined by the office of financial management.

27 (b) The department shall adopt guidelines for indicators,
28 measures, milestones, and criteria for use by counties and cities in
29 the implementation progress report that must cover:

30 (i) The implementation of previously adopted changes to the
31 housing element and any effect those changes have had on housing
32 affordability and availability within the jurisdiction;

33 (ii) Permit processing timelines; and

34 (iii) Progress toward implementing any actions required to
35 achieve reductions to meet greenhouse gas and vehicle miles traveled
36 requirements as provided for in any element of the comprehensive plan
37 under RCW 36.70A.070.

38 (c) If a city or county required to provide an implementation
39 progress report under this subsection (9) has not implemented any
40 specifically identified regulations, zoning and land use changes, or

1 taken other legislative or administrative action necessary to
2 implement any changes in the most recent periodic update in their
3 comprehensive plan by the due date for the implementation progress
4 report, the city or county must identify the need for such action in
5 the implementation progress report. Cities and counties must adopt a
6 work plan to implement any necessary regulations, zoning and land use
7 changes, or take other legislative or administrative action
8 identified in the implementation progress report and complete all
9 work necessary for implementation within two years of submission of
10 the implementation progress report.

11 (10) Any county or city that is required by RCW 36.70A.095 to
12 include in its comprehensive plan a climate change and resiliency
13 element and that is also required by subsection (5)(a) of this
14 section to review and, if necessary, revise its comprehensive plan on
15 or before December 31, 2024, must update its transportation element
16 and incorporate a climate change and resiliency element into its
17 comprehensive plan as part of the first implementation progress
18 report required by subsection (9) of this section if funds are
19 appropriated and distributed by December 31, 2027, as required under
20 RCW 36.70A.070(10).

21 **Sec. 3.** RCW 36.70A.635 and 2024 c 152 s 2 are each amended to
22 read as follows:

23 (1) Except as provided in subsection (4) of this section, any
24 city that is required or chooses to plan under RCW 36.70A.040 must
25 provide by ordinance and incorporate into its development
26 regulations, zoning regulations, and other official controls,
27 authorization for the following:

28 (a) For cities with a population of at least 25,000 but less than
29 75,000 based on office of financial management population estimates:

30 (i) The development of at least two units per lot on all lots
31 zoned predominantly for residential use, unless zoning permitting
32 higher densities or intensities applies;

33 (ii) The development of at least four units per lot on all lots
34 zoned predominantly for residential use, unless zoning permitting
35 higher densities or intensities applies, within one-quarter mile
36 walking distance of a major transit stop; and

37 (iii) The development of at least four units per lot on all lots
38 zoned predominantly for residential use, unless zoning permitting

1 higher densities or intensities applies, if at least one unit is
2 affordable housing.

3 (b) For cities with a population of at least 75,000 based on
4 office of financial management population estimates:

5 (i) The development of at least four units per lot on all lots
6 zoned predominantly for residential use, unless zoning permitting
7 higher densities or intensities applies;

8 (ii) The development of at least six units per lot on all lots
9 zoned predominantly for residential use, unless zoning permitting
10 higher densities or intensities applies, within one-quarter mile
11 walking distance of a major transit stop; and

12 (iii) The development of at least six units per lot on all lots
13 zoned predominantly for residential use, unless zoning permitting
14 higher densities or intensities applies, if at least two units are
15 affordable housing.

16 (c) For cities with a population of less than 25,000, that are
17 within a contiguous urban growth area with the largest city in a
18 county with a population of more than 275,000, based on office of
19 financial management population estimates the development of at least
20 two units per lot on all lots zoned predominantly for residential
21 use, unless zoning permitting higher densities or intensities
22 applies.

23 (2)(a) To qualify for the additional units allowed under
24 subsection (1) of this section, the applicant must commit to renting
25 or selling the required number of units as affordable housing. The
26 units must be maintained as affordable for a term of at least 50
27 years, and the property must satisfy that commitment and all required
28 affordability and income eligibility conditions adopted by the local
29 government under this chapter. A city must require the applicant to
30 record a covenant or deed restriction that ensures the continuing
31 rental of units subject to these affordability requirements
32 consistent with the conditions in chapter 84.14 RCW for a period of
33 no less than 50 years. The covenant or deed restriction must also
34 address criteria and policies to maintain public benefit if the
35 property is converted to a use other than which continues to provide
36 for permanently affordable housing.

37 (b) The units dedicated as affordable must be provided in a range
38 of sizes comparable to other units in the development. To the extent
39 practicable, the number of bedrooms in affordable units must be in
40 the same proportion as the number of bedrooms in units within the

1 entire development. The affordable units must generally be
2 distributed throughout the development and have substantially the
3 same functionality as the other units in the development.

4 (c) If a city has enacted a program under RCW 36.70A.540, the
5 terms of that program govern to the extent they vary from the
6 requirements of this subsection.

7 (3) If a city has enacted a program under RCW 36.70A.540,
8 subsection (1) of this section does not preclude the city from
9 requiring any development, including development described in
10 subsection (1) of this section, to provide affordable housing, either
11 on-site or through an in-lieu payment, nor limit the city's ability
12 to expand such a program or modify its requirements.

13 (4) (a) As an alternative to the density requirements in
14 subsection (1) of this section, a city may implement the density
15 requirements in subsection (1) of this section for at least 75
16 percent of lots in the city that are primarily dedicated to single-
17 family detached housing units.

18 (b) The 25 percent of lots for which the requirements of
19 subsection (1) of this section are not implemented must include but
20 are not limited to:

21 (i) Any areas within the city for which the department has
22 certified an extension of the implementation timelines under RCW
23 36.70A.637 due to the risk of displacement;

24 (ii) Any areas within the city for which the department has
25 certified an extension of the implementation timelines under RCW
26 36.70A.638 due to a lack of infrastructure capacity;

27 (iii) Any lots, parcels, and tracts designated with critical
28 areas or their buffers that are exempt from the density requirements
29 as provided in subsection (8) of this section;

30 (iv) Any portion of a city within a one-mile radius of a
31 commercial airport with at least 9,000,000 annual enplanements that
32 is exempt from the parking requirements under subsection (7)(b) of
33 this section; and

34 (v) Any areas subject to sea level rise, increased flooding,
35 susceptible to wildfires, or geological hazards over the next 100
36 years.

37 (c) Unless identified as at higher risk of displacement under RCW
38 36.70A.070(2)(g), the 25 percent of lots for which the requirements
39 of subsection (1) of this section are not implemented may not
40 include:

1 (i) Any areas for which the exclusion would further racially
2 disparate impacts or result in zoning with a discriminatory effect;

3 (ii) Any areas within one-half mile walking distance of a major
4 transit stop; or

5 (iii) Any areas historically covered by a covenant or deed
6 restriction excluding racial minorities from owning property or
7 living in the area, as known to the city at the time of each
8 comprehensive plan update.

9 (5) A city subject to the requirements of subsection (1)(a) or
10 (b) of this section must allow at least six of the nine types of
11 middle housing to achieve the unit density required in subsection (1)
12 of this section. A city may allow accessory dwelling units to achieve
13 the unit density required in subsection (1) of this section. Cities
14 are not required to allow accessory dwelling units or middle housing
15 types beyond the density requirements in subsection (1) of this
16 section. A city must also allow zero lot line short subdivision where
17 the number of lots created is equal to the unit density required in
18 subsection (1) of this section.

19 (6) Any city subject to the requirements of this section:

20 (a) If applying design review for middle housing, only
21 administrative design review shall be required;

22 (b) Except as provided in (a) of this subsection, shall not
23 require through development regulations any standards for middle
24 housing that are more restrictive than those required for detached
25 single-family residences, but may apply any objective development
26 regulations that are required for detached single-family residences,
27 including, but not limited to, set-back, lot coverage, stormwater,
28 clearing, and tree canopy and retention requirements;

29 (c) Shall apply to middle housing the same development permit and
30 environmental review processes that apply to detached single-family
31 residences, unless otherwise required by state law including, but not
32 limited to, shoreline regulations under chapter 90.58 RCW, building
33 codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW,
34 or electrical codes under chapter 19.28 RCW;

35 (d) Shall not require off-street parking as a condition of
36 permitting development of middle housing within one-half mile walking
37 distance of a major transit stop;

38 (e) Shall not require more than one off-street parking space per
39 unit as a condition of permitting development of middle housing on

1 lots no greater than 6,000 square feet before any zero lot line
2 subdivisions or lot splits;

3 (f) Shall not require more than two off-street parking spaces per
4 unit as a condition of permitting development of middle housing on
5 lots greater than 6,000 square feet before any zero lot line
6 subdivisions or lot splits; and

7 (g) Are not required to achieve the per unit density under
8 chapter 332, Laws of 2023 on lots after subdivision below 1,000
9 square feet unless the city chooses to enact smaller allowable lot
10 sizes.

11 (7) The provisions of subsection (6)(d) through (f) of this
12 section do not apply:

13 (a) If a local government submits to the department an empirical
14 study prepared by a credentialed transportation or land use planning
15 expert that clearly demonstrates, and the department finds and
16 certifies, that the application of the parking limitations of
17 subsection (6)(d) through (f) of this section for middle housing will
18 be significantly less safe for vehicle drivers or passengers,
19 pedestrians, or bicyclists than if the jurisdiction's parking
20 requirements were applied to the same location for the same number of
21 detached houses. The department must develop guidance to assist
22 cities on items to include in the study; or

23 (b) To portions of cities within a one-mile radius of a
24 commercial airport in Washington with at least 9,000,000 annual
25 enplanements.

26 (8) The provisions of this section do not apply to:

27 (a) Portions of a lot, parcel, or tract designated with critical
28 areas designated under RCW 36.70A.170 or their buffers as required by
29 RCW 36.70A.170, except for critical aquifer recharge areas where a
30 single-family detached house is an allowed use provided that any
31 requirements to maintain aquifer recharge are met;

32 (b) Areas designated as sole-source aquifers by the United States
33 environmental protection agency on islands in the Puget Sound;

34 (c) A watershed serving a reservoir for potable water if that
35 watershed is or was listed, as of July 23, 2023, as impaired or
36 threatened under section 303(d) of the federal clean water act (33
37 U.S.C. Sec. 1313(d));

38 (d) Lots that have been designated urban separators by countywide
39 planning policies as of July 23, 2023; or

1 (e) A lot that was created through the splitting of a single
2 residential lot.

3 (9) Nothing in this section prohibits a city from permitting
4 detached single-family residences.

5 (10) Nothing in this section requires a city to issue a building
6 permit if other federal, state, and local requirements for a building
7 permit are not met.

8 (11) A city must comply with the requirements of this section on
9 the latter of:

10 (a) Six months after its next periodic comprehensive plan update
11 required under RCW 36.70A.130 if the city meets the population
12 threshold based on the 2020 office of financial management population
13 data; or

14 (b) 12 months after their next implementation progress report
15 required under RCW 36.70A.130 after a determination by the office of
16 financial management that the city has reached a population threshold
17 established under this section.

18 (12) A city complying with this section and not granted a
19 timeline extension under RCW 36.70A.638 does not have to update its
20 capital facilities plan element required by RCW 36.70A.070(3) to
21 accommodate the increased housing required by chapter 332, Laws of
22 2023 until the first periodic comprehensive plan update required for
23 the city under RCW 36.70A.130(5) that occurs on or after June 30,
24 ((2034)) 2036.

25 (13) Until June 30, 2026, for cities subject to a growth target
26 adopted under RCW 36.70A.210 that limit the maximum residential
27 capacity of the jurisdiction, any additional residential capacity
28 required by this section for lots, parcels, and tracts with critical
29 areas or critical area buffers outside of critical areas or their
30 buffers may not be considered an inconsistency with the countywide
31 planning policies, multicounty planning policies, or growth targets
32 adopted under RCW 36.70A.210.

--- END ---