
HOUSE BILL 1818

State of Washington

69th Legislature

2025 Regular Session

By Representatives Penner, Parshley, Klicker, Nance, Stuebe, Barkis, Barnard, Low, Connors, Walen, Manjarrez, and Leavitt

Read first time 02/04/25. Referred to Committee on Local Government.

1 AN ACT Relating to the administration of plats; amending RCW
2 58.17.010, 58.17.020, 58.17.033, 58.17.035, 58.17.040, 58.17.065,
3 58.17.070, 58.17.080, 58.17.095, 58.17.100, 58.17.110, 58.17.120,
4 58.17.130, 58.17.140, 58.17.150, 58.17.155, 58.17.160, 58.17.165,
5 58.17.170, 58.17.180, 58.17.190, 58.17.195, 58.17.200, 58.17.210,
6 58.17.212, 58.17.215, 58.17.217, 58.17.225, 58.17.240, 58.17.250,
7 58.17.255, 58.17.280, 58.17.310, and 58.17.320; reenacting and
8 amending RCW 58.17.040; adding new sections to chapter 58.17 RCW;
9 creating a new section; repealing RCW 58.17.030, 58.17.060,
10 58.17.090, 58.17.092, 58.17.275, and 58.17.330; providing an
11 effective date; and providing an expiration date.

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

13 NEW SECTION. **Sec. 1.** The legislature finds that the statutes in
14 chapter 58.17 RCW governing the subdivision of land were originally
15 enacted in 1969. The subdivision process as originally enacted has
16 evolved in implementation by local jurisdiction over 50 years such
17 that a preliminary plat has the level of detail of what was
18 previously considered for a final plat. The subdivision statutes have
19 not been comprehensively updated since the adoption of the growth
20 management act, the statutes governing local project review in
21 chapter 36.70B RCW, and the statutes integrating project review under

1 the state environmental policy act and the growth management act. The
2 submittal requirements for a short plat have evolved to become
3 essentially the same as required for a subdivision making the
4 distinction between a short plat and a subdivision obsolete. This act
5 intends to update the statutes governing the division of land to
6 provide a uniform process.

7 **Sec. 2.** RCW 58.17.010 and 1981 c 293 s 1 are each amended to
8 read as follows:

9 The legislature finds that the process by which land is divided
10 is a matter of state concern and should be administered in a uniform
11 manner by cities, towns, and counties throughout the state. The
12 purpose of this chapter is to regulate the ~~((subdivision))~~ division
13 of land, alteration of property boundaries, and to promote the public
14 health, safety, and general welfare in accordance with standards
15 established by the state ~~((to prevent the overcrowding of land;))~~ to
16 lessen congestion in the streets and highways; to promote
17 ~~((effective))~~ efficient use of land; ~~((to promote safe and convenient~~
18 ~~travel by the public on streets and highways;))~~ to provide for
19 adequate light and air; to facilitate adequate provision for water,
20 sewerage, parks and recreation areas, sites for schools and
21 schoolgrounds, and other public requirements; to provide for proper
22 ingress and egress; to provide for the expeditious review and
23 approval of proposed subdivisions which conform to ~~((zoning standards~~
24 ~~and local plans and policies))~~ local comprehensive plans, zoning, and
25 development regulations; to adequately provide for the housing and
26 commercial needs of the ~~((citizens))~~ people of the state; and to
27 require ~~((uniform monumenting of land subdivisions and conveyancing~~
28 ~~by accurate legal description))~~ a uniform process for the division of
29 land, and conveyances with accurate legal descriptions.

30 **Sec. 3.** RCW 58.17.020 and 2002 c 262 s 1 are each amended to
31 read as follows:

32 As used in this chapter, unless the context or subject matter
33 clearly requires otherwise, the words or phrases defined in this
34 section shall have the indicated meanings.

35 (1) "Subdivision" is the division or redivision of land into
36 ~~((five))~~ two or more lots, tracts, parcels, sites, or divisions for
37 the purpose of sale, lease, or transfer of ownership, except as
38 provided in subsection (6) of this section.

1 (2) "Plat" is a map or representation of a subdivision, showing
2 thereon the division of a tract or parcel of land into lots, blocks,
3 streets and alleys, or other divisions and dedications.

4 (3) "Dedication" is the deliberate appropriation of land by an
5 owner for any general and public uses, reserving to himself or
6 herself no other rights than such as are compatible with the full
7 exercise and enjoyment of the public uses to which the property has
8 been (~~devoted~~) dedicated. The intention to dedicate shall be
9 evidenced by the owner (~~by the presentment for filing of~~)
10 presenting a final plat (~~or short plat~~) showing the dedication
11 thereon; and, the acceptance by the public shall be evidenced by the
12 approval of such plat for filing by the appropriate governmental
13 unit.

14 A dedication of an area of less than two acres for use as a
15 public park may include a designation of a name for the park, in
16 honor of a deceased individual of good character.

17 (4) "Preliminary plat" is a neat and approximate drawing of a
18 proposed subdivision showing the general layout of streets and
19 alleys, lots, blocks, tracts, and other elements of a subdivision
20 consistent with the requirements of this chapter. The preliminary
21 plat shall be the basis for the approval or disapproval of the
22 general layout of a subdivision for which a complete application has
23 been submitted for approval on or before June 30, 2026.

24 (5) "Final plat" is the final drawing of the subdivision (~~and~~
25 ~~dedication~~) prepared for filing for record with the county auditor
26 and containing all elements and requirements set forth in this
27 chapter and in local regulations adopted under this chapter.

28 (6) "Short subdivision" is the division or redivision of land
29 into (~~four~~) nine or fewer lots, tracts, parcels, (~~sites, or~~
30 ~~divisions~~) or blocks for the purpose of sale, lease, or transfer of
31 ownership for which a complete application has been submitted for
32 approval on or before June 30, 2026. (~~However, the legislative~~
33 ~~authority of any city or town may by local ordinance increase the~~
34 ~~number of lots, tracts, or parcels to be regulated as short~~
35 ~~subdivisions to a maximum of nine. The legislative authority of any~~
36 ~~county planning under RCW 36.70A.040 that has adopted a comprehensive~~
37 ~~plan and development regulations in compliance with chapter 36.70A~~
38 ~~RCW may by ordinance increase the number of lots, tracts, or parcels~~
39 ~~to be regulated as short subdivisions to a maximum of nine in any~~
40 ~~urban growth area.~~)

1 (7) "Binding site plan" means a drawing to a scale specified by
2 local ordinance which: (a) Identifies and shows the areas and
3 locations of all streets, roads, improvements, utilities, open
4 spaces, and any other matters specified by local development
5 regulations; (b) contains inscriptions or attachments setting forth
6 such appropriate limitations and conditions for the use of the land
7 as are established by the (~~local government body~~) city, town, or
8 county having authority to approve the site plan; and (c) contains
9 provisions making any development be in conformity with the site
10 plan.

11 (8) "Short plat" is the map or representation of a short
12 subdivision for which a complete application is submitted for
13 approval on or before June 30, 2026, and which is submitted for
14 filing with the auditors of the counties in which the short
15 subdivision is located.

16 (9) "Lot" is a fractional part of divided lands having fixed
17 boundaries, being of sufficient area and dimension to meet minimum
18 zoning requirements for width and area. (~~The term shall include~~
19 ~~tracts or parcels.~~)

20 (10) "Block" is a group of lots, tracts, or parcels within well
21 defined and fixed boundaries.

22 (11) "County treasurer" shall be as defined in chapter 36.29 RCW
23 or the office or person assigned such duties under a county charter.

24 (12) "County auditor" shall be as defined in chapter 36.22 RCW or
25 the office or person assigned such duties under a county charter.

26 (13) "County road engineer" shall be as defined in chapter 36.40
27 RCW or the office or person assigned such duties under a county
28 charter.

29 (14) "Planning commission" means that body as defined in chapter
30 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to
31 perform a planning function (~~or that body assigned such duties and~~
32 ~~responsibilities under a city or county charter~~).

33 (15) "County commissioner" shall be as defined in chapter 36.32
34 RCW or the body assigned such duties under a county charter.

35 (16) "Development regulations" has the same meaning as defined in
36 RCW 36.70A.030.

37 **Sec. 4.** RCW 58.17.033 and 1987 c 104 s 2 are each amended to
38 read as follows:

1 (1) Every subdivision of land must comply with the provisions of
2 this chapter.

3 (2) The legislative bodies of cities, towns, and counties have
4 sole authority to enact or amend ordinances governing subdivisions
5 and development regulations adopted pursuant to this chapter. The
6 ordinance may delegate final plat approval to a planning commission
7 or authorized official in accordance with state law or local charter.

8 (3) A proposed division of land~~((, as defined in RCW 58.17.020,))~~
9 shall be considered under the applicable subdivision ~~((or short~~
10 ~~subdivision))~~ ordinance, ((and)) zoning ~~((or other land use control~~
11 ~~ordinances, in effect on the land at the time a fully completed~~
12 ~~application for preliminary plat approval of the subdivision, or~~
13 ~~short plat approval of the short subdivision, has been submitted to~~
14 ~~the appropriate county, city, or town official)), and other~~
15 development regulations in effect at the time an application for plat
16 approval of a subdivision is submitted to the authorized official and
17 is deemed to be complete in accordance with RCW 36.70B.070.

18 ~~((2))~~ (4) The requirements for a fully completed application
19 shall be defined by local ordinance consistent with the requirements
20 of chapter 36.70B RCW. A city, town, or county may not prohibit the
21 submittal of a complete application based on a requirement not
22 expressed in state law or local ordinance. This subsection does not
23 operate to allow for or require any public meeting or other form of
24 community engagement as a prerequisite to submittal of a complete
25 application.

26 ~~((3))~~ (5) The limitations imposed by this section shall not
27 restrict conditions imposed under chapter 43.21C RCW.

28 **Sec. 5.** RCW 58.17.035 and 1987 c 354 s 2 are each amended to
29 read as follows:

30 ~~((A city, town, or county may adopt by ordinance procedures for~~
31 ~~the divisions of land by use of a binding site plan as an alternative~~
32 ~~to the procedures required by this chapter. The ordinance shall be~~
33 ~~limited and only apply to one or more of the following: (1) The use~~
34 ~~of a binding site plan to divisions for sale or lease of commercially~~
35 ~~or industrially zoned property as provided in RCW 58.17.040(4); (2)~~
36 ~~divisions of property for lease as provided for in RCW 58.17.040(5);~~
37 ~~and (3) divisions of property as provided for in RCW 58.17.040(7).~~
38 Such ordinance may apply the same or different requirements and
39 procedures to each of the three types of divisions and shall provide

1 ~~for the alteration or vacation of the binding site plan, and may~~
2 ~~provide for the administrative approval of the binding site plan.~~

3 ~~The ordinance shall provide that after approval of the general~~
4 ~~binding site plan for industrial or commercial divisions subject to a~~
5 ~~binding site plan, the approval for improvements and finalization of~~
6 ~~specific individual commercial or industrial lots shall be done by~~
7 ~~administrative approval.~~

8 ~~The binding site plan, after approval, and/or when specific lots~~
9 ~~are administratively approved, shall be filed with the county auditor~~
10 ~~with a record of survey. Lots, parcels, or tracts created through the~~
11 ~~binding site plan procedure shall be legal lots of record. The number~~
12 ~~of lots, tracts, parcels, sites, or divisions shall not exceed the~~
13 ~~number of lots allowed by the local zoning ordinances.)~~ (1) A city,
14 town, or county may adopt by ordinance procedures for the divisions
15 of land into lots, tracts, or parcels through approval and recording
16 of a binding site plan as an alternate method to the subdivision
17 procedures in this chapter only for the following purposes:

18 (a) Divisions of land for the sale or lease of land zoned for
19 commercial, industrial, or mixed use with residential uses as
20 provided in RCW 58.17.040(4);

21 (b) Divisions of land for lease as provided in RCW 58.17.040(5);
22 and

23 (c) Divisions of land as provided for in RCW 58.17.040(7).

24 (2) A binding site plan ordinance under this section may apply
25 the same or different requirements and procedures to each of the
26 three types of authorized divisions. It must provide for
27 administrative approval of a binding site plan, and must provide
28 processes for altering and vacating a binding site plan.

29 (3) The binding site plan, after approval or when specific lots
30 are administratively approved, must be filed with the county auditor
31 together with a record or survey. Lots, tracts, blocks, or other
32 divisions created through the binding site plan procedure must be
33 legal lots of record upon recording of the binding site plan. The
34 number of lots or tracts may not exceed the number of lots allowed by
35 the local zoning ordinances and development regulations. All
36 development and use of the land described herein must be in
37 accordance with this binding site plan, as it may be amended with the
38 approval of the city, town, or county having jurisdiction of the
39 development of the land, and in accordance with permits, approvals,

1 regulations, requirements, and restrictions that may be imposed upon
2 the land and the development and use thereof.

3 (4) A binding site plan submitted pursuant to RCW 58.17.040(7) is
4 deemed to have been approved if the site plan was approved by a city,
5 town, or county: (a) In connection with the approval of a final plan
6 with respect to all of such land; (b) in connection with the issuance
7 of building permits or final certificates of occupancy with respect
8 to all such land; or (c) if not approved pursuant to (a) or (b) of
9 this subsection, then pursuant to such other procedures as the city,
10 town, or county with jurisdiction may have established for the
11 approval of a binding site plan.

12 (5) All provisions, conditions, and requirements of the binding
13 site plan shall be legally enforceable on the purchaser or any other
14 person acquiring a lease or other ownership interest of any lot((7
15 parcel,)) or tract created pursuant to the binding site plan.

16 ~~((Any sale, transfer, or lease of any lot, tract, or parcel~~
17 ~~created pursuant to the binding site plan, that does not conform to~~
18 ~~the requirements of the binding site plan or without binding site~~
19 ~~plan approval, shall be considered a violation of chapter 58.17 RCW~~
20 ~~and shall be restrained by injunctive action and be illegal as~~
21 ~~provided in chapter 58.17 RCW.)) (6) It is a violation of this
22 chapter, and may be restrained by injunctive action and found illegal
23 as provided in this chapter, to sell, transfer, or lease any lot or
24 tract that is on a binding site plan that has not been approved and
25 recorded or does not conform to the requirements of the binding site
26 plan.~~

27 **Sec. 6.** RCW 58.17.040 and 2024 c 190 s 2 are each amended to
28 read as follows:

29 The provisions of this chapter shall not apply to:

30 (1) ~~((Cemeteries))~~ Divisions of land into cemeteries and other
31 burial plots while used for that purpose;

32 (2) Divisions of land into lots or tracts each of which is one-
33 one hundred twenty-eighth of a section of land or larger, or five
34 acres or larger if the land is not capable of description as a
35 fraction of a section of land, unless the ~~((governing))~~ legislative
36 authority of the city, town, or county in which the land is situated
37 shall have adopted a subdivision ordinance requiring ~~((plat))~~
38 approval of such divisions ~~((: PROVIDED, That for purposes of~~
39 ~~computing the size of any lot under this item which borders on a~~

1 ~~street or road, the lot size shall be expanded to include that area~~
2 ~~which would be bounded by the center line of the road or street and~~
3 ~~the side lot lines of the lot running perpendicular to such center~~
4 ~~line));~~

5 (3) Divisions made by testamentary provisions, or the laws of
6 descent;

7 (4) Divisions of land into lots or tracts classified for
8 industrial, mixed-used development that includes residential use, or
9 commercial use when the city, town, or county has approved a binding
10 site plan pursuant to RCW 58.17.035 for the use of the land in
11 accordance with local codes and development regulations;

12 (5) (~~A division~~) Divisions of land to create lots or tracts for
13 the purpose of lease when no residential structure other than mobile
14 homes, tiny houses or tiny houses with wheels as defined in RCW
15 35.21.686, or travel trailers are permitted to be placed upon the
16 land when the city, town, or county has approved a binding site plan
17 pursuant to RCW 58.17.035 for the use of the land in accordance with
18 local regulations;

19 (6) (~~A division made for the purpose of alteration by adjusting~~
20 ~~boundary lines, between platted or unplatted lots or both, which does~~
21 ~~not create any additional lot, tract, parcel, site, or division nor~~
22 ~~create any lot, tract, parcel, site, or division which contains~~
23 ~~insufficient area and dimension to meet minimum requirements for~~
24 ~~width and area for a building site;)) Any boundary line adjustment
25 that: (a) Alters boundary lines between platted or unplatted lots or
26 tracts; (b) does not create an additional lot or tract; and (c) does
27 not create or result in any lot or tract having insufficient size and
28 dimensions to meet minimum requirements for width and area for a
29 building site as established by applicable development regulations of
30 the city, town, or county;~~

31 (7) Divisions of land into lots or tracts through a binding site
32 plan pursuant to RCW 58.17.035 if: (a) Such division is the result of
33 subjecting a portion of a parcel or tract of land to either chapter
34 64.32 or 64.34 RCW subsequent to the recording of a binding site plan
35 for all such land; (b) the improvements constructed or to be
36 constructed thereon are required by the provisions of the binding
37 site plan to be included in one or more condominiums or owned by an
38 association or other legal entity in which the owners of units
39 therein or their owners' associations have a membership or other
40 legal or beneficial interest; (c) a city, town, or county has

1 approved the binding site plan (~~((for all such land))~~); and (d) such
2 approved binding site plan is recorded in the county or counties in
3 which such land is located; (~~(and (e) the binding site plan contains~~
4 ~~thereon the following statement: "All development and use of the land~~
5 ~~described herein shall be in accordance with this binding site plan,~~
6 ~~as it may be amended with the approval of the city, town, or county~~
7 ~~having jurisdiction over the development of such land, and in~~
8 ~~accordance with such other governmental permits, approvals,~~
9 ~~regulations, requirements, and restrictions that may be imposed upon~~
10 ~~such land and the development and use thereof. Upon completion, the~~
11 ~~improvements on the land shall be included in one or more~~
12 ~~condominiums or owned by an association or other legal entity in~~
13 ~~which the owners of units therein or their owners' associations have~~
14 ~~a membership or other legal or beneficial interest. This binding site~~
15 ~~plan shall be binding upon all now or hereafter having any interest~~
16 ~~in the land described herein." The binding site plan may, but need~~
17 ~~not, depict or describe the boundaries of the lots or tracts~~
18 ~~resulting from subjecting a portion of the land to either chapter~~
19 ~~64.32 or 64.34 RCW. A site plan shall be deemed to have been approved~~
20 ~~if the site plan was approved by a city, town, or county: (i) In~~
21 ~~connection with the final approval of a subdivision plat or planned~~
22 ~~unit development with respect to all of such land; or (ii) in~~
23 ~~connection with the issuance of building permits or final~~
24 ~~certificates of occupancy with respect to all of such land; or (iii)~~
25 ~~if not approved pursuant to (i) and (ii) of this subsection (7) (e),~~
26 ~~then pursuant to such other procedures as such city, town, or county~~
27 ~~may have established for the approval of a binding site plan;))~~)

28 (8) (~~(A division)~~) Divisions of land for the purpose of leasing
29 land for facilities providing personal wireless services while used
30 for that purpose. "Personal wireless services" means any federally
31 licensed personal wireless service. "Facilities" means unstaffed
32 facilities that are used for the transmission or reception, or both,
33 of wireless communication services including, but not necessarily
34 limited to, antenna arrays, transmission cables, equipment shelters,
35 and support structures;

36 (9) (~~(A division)~~) Divisions of land into lots or tracts of less
37 than three acres that is recorded in accordance with chapter 58.09
38 RCW and is used or to be used for the purpose of establishing a site
39 for construction and operation of consumer-owned or investor-owned
40 electric utility facilities. For purposes of this subsection,

1 "electric utility facilities" means unstaffed facilities, except for
2 the presence of security personnel, that are used for or in
3 connection with or to facilitate the transmission, distribution,
4 sale, or furnishing of electricity including, but not limited to,
5 electric power substations. This subsection does not exempt ((a
6 ~~division~~)) divisions of land from the zoning ((and permitting laws))
7 codes and development regulations of cities, towns, counties, and
8 other municipal corporations. Furthermore, this subsection only
9 applies to electric utility facilities that will be placed into
10 service to meet the electrical needs of a utility's existing and new
11 customers. New customers are defined as electric service locations
12 not already in existence as of the date that electric utility
13 facilities subject to the provisions of this subsection are planned
14 and constructed; ((and))

15 (10) A division of land into lots or tracts of less than two
16 acres that is recorded in accordance with chapter 58.09 RCW and is
17 used or to be used for the purpose of establishing a site for
18 construction and operation of a rural fire district station, provided
19 the proposed lots or tracts contain sufficient area and dimensions to
20 meet minimum building site width and area requirements, and
21 appropriate provisions are made for potable water supplies and
22 sanitary wastes; and

23 (11) Divisions of land to split an existing lot or parcel into up
24 to two lots or parcels in accordance with section 37 of this act.

25 **Sec. 7.** RCW 58.17.040 and 2024 c 321 s 407 and 2024 c 190 s 2
26 are each reenacted and amended to read as follows:

27 The provisions of this chapter shall not apply to:

28 (1) ((Cemeteries)) Divisions of land into cemeteries and other
29 burial plots while used for that purpose;

30 (2) Divisions of land into lots or tracts each of which is one-
31 one hundred twenty-eighth of a section of land or larger, or five
32 acres or larger if the land is not capable of description as a
33 fraction of a section of land, unless the ((governing)) legislative
34 authority of the city, town, or county in which the land is situated
35 shall have adopted a subdivision ordinance requiring ((plat))
36 approval of such divisions ((: PROVIDED, That for purposes of
37 computing the size of any lot under this item which borders on a
38 street or road, the lot size shall be expanded to include that area
39 which would be bounded by the center line of the road or street and

1 ~~the side lot lines of the lot running perpendicular to such center~~
2 ~~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, mixed-use development that includes residential use, or
7 commercial use when the city, town, or county has approved a binding
8 site plan pursuant to RCW 58.17.035 for the use of the land in
9 accordance with local codes and development regulations;

10 (5) (~~(A division))~~ Divisions of land to create lots or tracts for
11 the purpose of lease when no residential structure other than mobile
12 homes, tiny houses or tiny houses with wheels as defined in RCW
13 35.21.686, or travel trailers are permitted to be placed upon the
14 land when the city, town, or county has approved a binding site plan
15 pursuant to RCW 58.17.035 for the use of the land in accordance with
16 local regulations;

17 (6) (~~(A division made for the purpose of alteration by adjusting~~
18 ~~boundary lines, between platted or unplatted lots or both, which does~~
19 ~~not create any additional lot, tract, parcel, site, or division nor~~
20 ~~create any lot, tract, parcel, site, or division which contains~~
21 ~~insufficient area and dimension to meet minimum requirements for~~
22 ~~width and area for a building site;)) Any boundary line adjustment
23 that: (a) Alters boundary lines between platted or unplatted lots or
24 tracts; (b) does not create an additional lot or tract; and (c) does
25 not create or result in any lot or tract having insufficient size and
26 dimensions to meet minimum requirements for width and area for a
27 building site as established by applicable development regulations of
28 the city, town, or county;~~

29 (7) Divisions of land into lots or tracts through a binding site
30 plan pursuant to RCW 58.17.035 if: (a) Such division is the result of
31 subjecting a portion of a parcel or tract of land to chapter 64.90
32 RCW subsequent to the recording of a binding site plan for all such
33 land; (b) the improvements constructed or to be constructed thereon
34 are required by the provisions of the binding site plan to be
35 included in one or more condominiums, cooperatives, or owned by an
36 association or other legal entity in which the owners of units
37 therein or their owners associations have a membership or other legal
38 or beneficial interest; (c) a city, town, or county has approved the
39 binding site plan (~~for all such land~~); and (d) such approved
40 binding site plan is recorded in the county or counties in which such

1 land is located; (~~and (e) the binding site plan contains thereon the~~
2 ~~following statement: "All development and use of the land described~~
3 ~~herein shall be in accordance with this binding site plan, as it may~~
4 ~~be amended with the approval of the city, town, or county having~~
5 ~~jurisdiction over the development of such land, and in accordance~~
6 ~~with such other governmental permits, approvals, regulations,~~
7 ~~requirements, and restrictions that may be imposed upon such land and~~
8 ~~the development and use thereof. Upon completion, the improvements on~~
9 ~~the land shall be included in one or more condominiums, cooperatives,~~
10 ~~or owned by an association or other legal entity in which the owners~~
11 ~~of units therein or their owners associations have a membership or~~
12 ~~other legal or beneficial interest. This binding site plan shall be~~
13 ~~binding upon all now or hereafter having any interest in the land~~
14 ~~described herein." The binding site plan may, but need not, depict or~~
15 ~~describe the boundaries of the lots or tracts resulting from~~
16 ~~subjecting a portion of the land to chapter 64.90 RCW. A site plan~~
17 ~~shall be deemed to have been approved if the site plan was approved~~
18 ~~by a city, town, or county: (i) In connection with the final approval~~
19 ~~of a subdivision plat or planned unit development with respect to all~~
20 ~~of such land; or (ii) in connection with the issuance of building~~
21 ~~permits or final certificates of occupancy with respect to all of~~
22 ~~such land; or (iii) if not approved pursuant to (i) and (ii) of this~~
23 ~~subsection (7)(e), then pursuant to such other procedures as such~~
24 ~~city, town, or county may have established for the approval of a~~
25 ~~binding site plan;))~~

26 (8) (~~(A division)~~) Divisions of land for the purpose of leasing
27 land for facilities providing personal wireless services while used
28 for that purpose. "Personal wireless services" means any federally
29 licensed personal wireless service. "Facilities" means unstaffed
30 facilities that are used for the transmission or reception, or both,
31 of wireless communication services including, but not necessarily
32 limited to, antenna arrays, transmission cables, equipment shelters,
33 and support structures;

34 (9) (~~(A division)~~) Divisions of land into lots or tracts of less
35 than three acres that is recorded in accordance with chapter 58.09
36 RCW and is used or to be used for the purpose of establishing a site
37 for construction and operation of consumer-owned or investor-owned
38 electric utility facilities. For purposes of this subsection,
39 "electric utility facilities" means unstaffed facilities, except for
40 the presence of security personnel, that are used for or in

1 connection with or to facilitate the transmission, distribution,
2 sale, or furnishing of electricity including, but not limited to,
3 electric power substations. This subsection does not exempt a
4 division of land from the zoning and permitting laws and regulations
5 of cities, towns, counties, and municipal corporations. Furthermore,
6 this subsection only applies to electric utility facilities that will
7 be placed into service to meet the electrical needs of a utility's
8 existing and new customers. New customers are defined as electric
9 service locations not already in existence as of the date that
10 electric utility facilities subject to the provisions of this
11 subsection are planned and constructed; ~~((and))~~

12 (10) A division of land into lots or tracts of less than two
13 acres that is recorded in accordance with chapter 58.09 RCW and is
14 used or to be used for the purpose of establishing a site for
15 construction and operation of a rural fire district station, provided
16 the proposed lots or tracts contain sufficient area and dimensions to
17 meet minimum building site width and area requirements, and
18 appropriate provisions are made for potable water supplies and
19 sanitary wastes; and

20 (11) Divisions of land to split an existing lot or parcel into up
21 to two lots or parcels in accordance with section 37 of this act.

22 **Sec. 8.** RCW 58.17.065 and 1974 ex.s. c 134 s 12 are each amended
23 to read as follows:

24 Each short plat and short subdivision granted by a city, town, or
25 county pursuant to local regulations after July 1, 1974, and for
26 which a complete application was submitted for approval on or before
27 June 30, 2026, shall be ~~((filed))~~ recorded with the county auditor of
28 the county or counties in which the land is located and shall not be
29 deemed "approved" ~~((until so filed))~~ unless the documents are
30 recorded.

31 **Sec. 9.** RCW 58.17.070 and 1981 c 293 s 4 are each amended to
32 read as follows:

33 ~~((A preliminary plat of proposed subdivisions and dedications of~~
34 ~~land shall be submitted for approval to the legislative body of the~~
35 ~~city, town, or county within which the plat is situated.~~

36 ~~Unless an applicant for preliminary plat approval requests~~
37 ~~otherwise, a preliminary plat shall be processed simultaneously with~~
38 ~~applications for rezones, variances, planned unit developments, site~~

1 ~~plan approvals, and similar quasi-judicial or administrative actions~~
2 ~~to the extent that procedural requirements applicable to these~~
3 ~~actions permit simultaneous processing.)~~ All applications for
4 approval of a proposed plat to subdivide land submitted and deemed to
5 be complete on or after July 1, 2026, must be processed
6 administratively regardless of the number of lots or tracts to be
7 created through such subdivision. A city, town, or county shall adopt
8 an ordinance providing for administrative review of subdivision
9 applications without a requirement for a public hearing except as
10 provided in this section. The administrative review process for
11 subdivision applications must include the following minimum
12 requirements:

13 (1) Applications for approval of plats for proposed subdivisions
14 and dedications of land must be submitted for approval to the city,
15 town, or county within which the land is situated.

16 (2) A city, town, or county may not require an applicant to
17 conduct community outreach or engagement either as a condition
18 precedent for submittal of a subdivision application or as a
19 condition of approval of a subdivision application.

20 (3) A city, town, or county may not preclude an applicant for
21 subdivision approval from submitting construction plans and having
22 those plans reviewed concurrently with a subdivision application.

23 (4) Unless an applicant for subdivision approval requests
24 otherwise, a city, town, or county shall allow and provide for a plat
25 application for a proposed subdivision to be processed concurrently
26 with other applications as specified in RCW 36.70B.120.

27 (5) The permit process and notification requirements and
28 opportunities for public comments regarding plat applications for
29 proposed subdivisions must specify that public notice will be
30 provided for the proposed subdivision consistent with RCW 36.70B.110,
31 except that:

32 (a) Any person has a period of 20 days from the date of the
33 notice to comment upon the proposed preliminary plat, or a period of
34 30 days from the date of the notice for proposed preliminary plats
35 subject to chapter 90.58 RCW. All comments received must be provided
36 to the applicant.

37 (b) The applicant has seven days from receipt of the comments to
38 respond thereto in writing to a designated employee or official of
39 the county, city, or town.

1 (c) The right to file a judicial appeal must be afforded to any
2 person for proposals subject to this section. Judicial appeals must
3 be administered in a manner consistent with the local ordinance.

4 (6) All plat applications for proposed subdivisions must be
5 reviewed and processed administratively.

6 (7) A public hearing may not be required for approval of a plat
7 application for a proposed subdivision. However, a city, town, or
8 county may provide for a public hearing only for plat applications
9 for proposed subdivisions that are located outside of an urban growth
10 area designated pursuant to RCW 36.70A.110.

11 (8) A city, town, or county shall complete its review and render
12 a final decision on a plat application for proposed subdivisions
13 consistent with the applicable time periods adopted by the city,
14 town, or county pursuant to chapter 36.70B RCW. If the applicant for
15 approval of a plat application requests concurrent review of
16 construction plans, the application for construction plan approval is
17 subject to the applicable time periods for such approval and treated
18 separately from the time periods for the related plat application.

19 (9) Following approval and construction of the plat, a final plat
20 must be submitted to the authorized official of the city, town, or
21 county in which the subdivision is located. The final plat must be
22 processed administratively pursuant to RCW 58.17.140(4) and may not
23 be required to provide notice pursuant to RCW 36.70B.110 and may not
24 require a public hearing.

25 **Sec. 10.** RCW 58.17.080 and 1982 c 23 s 1 are each amended to
26 read as follows:

27 ~~Notice of the filing of a ((preliminary plat of a proposed~~
28 ~~subdivision adjacent to or within one mile of the municipal~~
29 ~~boundaries of a city or town, or which contemplates the use of any~~
30 ~~city or town utilities shall be given to the appropriate city or town~~
31 ~~authorities. Any notice required by this chapter shall include the~~
32 ~~hour and location of the hearing and a description of the property to~~
33 ~~be platted. Notice of the filing of a preliminary plat of a proposed~~
34 ~~subdivision located in a city or town and adjoining the municipal~~
35 ~~boundaries thereof shall be given to appropriate county officials.~~
36 ~~Notice of the filing of a preliminary plat of a proposed subdivision~~
37 ~~located adjacent to the right-of-way of a state highway or within two~~
38 ~~miles of the boundary of a state or municipal airport shall be given~~
39 ~~to the secretary of transportation. In the case of notification to~~

1 ~~the secretary of transportation, the secretary shall respond to the~~
2 ~~notifying authority within fifteen days of such notice as to the~~
3 ~~effect that the proposed subdivision will have on the state highway~~
4 ~~or the state or municipal airport)) plat application for approval of~~
5 ~~a proposed subdivision must be provided to affected cities, towns,~~
6 ~~counties, state and local governmental agencies, utility providers,~~
7 ~~and other people and entities as set forth in the regulations adopted~~
8 ~~by a county, city, or town pursuant to chapter 36.70B RCW.~~

9 **Sec. 11.** RCW 58.17.095 and 1986 c 233 s 1 are each amended to
10 read as follows:

11 ~~(1) A county, city, or town ((may adopt an ordinance providing~~
12 ~~for the administrative review of a preliminary plat without a public~~
13 ~~hearing by adopting an ordinance providing for such administrative~~
14 ~~review. The ordinance may specify a threshold number of lots in a~~
15 ~~subdivision above which a public hearing must be held, and may~~
16 ~~specify other factors which necessitate the holding of a public~~
17 ~~hearing. The administrative review process shall include the~~
18 ~~following minimum conditions:~~

19 ~~(1) The notice requirements of RCW 58.17.090 shall be followed,~~
20 ~~except that the publication shall be made within ten days of the~~
21 ~~filing of the application. Additionally, at least ten days after the~~
22 ~~filing of the application notice both shall be: (a) Posted on or~~
23 ~~around the land proposed to be subdivided in at least five~~
24 ~~conspicuous places designed to attract public awareness of the~~
25 ~~proposal; and (b) mailed to the owner of each lot or parcel of~~
26 ~~property located within at least three hundred feet of the site. The~~
27 ~~applicant shall provide the county, city, or town with a list of such~~
28 ~~property owners and their addresses. The notice shall include~~
29 ~~notification that no public hearing will be held on the application,~~
30 ~~except as provided by this section. The notice shall set out the~~
31 ~~procedures and time limitations for persons to require a public~~
32 ~~hearing and make comments.~~

33 ~~(2) Any person shall have a period of twenty days from the date~~
34 ~~of the notice to comment upon the proposed preliminary plat. All~~
35 ~~comments received shall be provided to the applicant. The applicant~~
36 ~~has seven days from receipt of the comments to respond thereto.~~

37 ~~(3) A public hearing on the proposed subdivision shall be held if~~
38 ~~any person files a request for a hearing with the county, city, or~~
39 ~~town within twenty-one days of the publishing of such notice. If such~~

1 ~~a hearing is requested, notice requirements for the public hearing~~
2 ~~shall be in conformance with RCW 58.17.090, and the ninety-day period~~
3 ~~for approval or disapproval of the proposed subdivision provided for~~
4 ~~in RCW 58.17.140 shall commence with the date of the filing of the~~
5 ~~request for a public hearing. Any hearing ordered under this~~
6 ~~subsection shall be conducted by the planning commission or hearings~~
7 ~~officer as required by county or city ordinance.~~

8 ~~(4) On its own initiative within twenty-one days of the filing of~~
9 ~~the request for approval of the subdivision, the governing body, or a~~
10 ~~designated employee or official, of the county, city, or town, shall~~
11 ~~be authorized to cause a public hearing to be held on the proposed~~
12 ~~subdivision within ninety days of the filing of the request for the~~
13 ~~subdivision.~~

14 ~~(5) If the public hearing is waived as provided in this section,~~
15 ~~the planning commission or planning agency shall complete the review~~
16 ~~of the proposed preliminary plat and transmit its recommendation to~~
17 ~~the legislative body as provided in RCW 58.17.100)) must adopt an~~
18 ~~ordinance providing for the administrative review of a preliminary~~
19 ~~plat for which a complete application was submitted and deemed~~
20 ~~complete on or before June 30, 2026, without a public hearing by~~
21 ~~adopting an ordinance providing for such administrative review. The~~
22 ~~ordinance must specify that public notice must be provided consistent~~
23 ~~with RCW 36.70B.110, except that any person has a period of 20 days~~
24 ~~from the date of the notice to comment upon the proposed preliminary~~
25 ~~plat or a period of 30 days from the date of the notice for proposed~~
26 ~~preliminary plats subject to chapter 90.58 RCW.~~

27 ~~(2) All comments received must be provided to the applicant. The~~
28 ~~applicant has seven days from the receipt of the comments to respond~~
29 ~~in writing to the person designated to receive such comments.~~

30 ~~(3) The right to file a judicial appeal must be afforded to any~~
31 ~~person with standing for proposals subject to the provisions of this~~
32 ~~section. Judicial appeals must be administered pursuant to the~~
33 ~~requirements in the adopted local ordinance.~~

34 **Sec. 12.** RCW 58.17.100 and 2017 c 161 s 1 are each amended to
35 read as follows:

36 ~~((If a city, town or county has established a planning commission~~
37 ~~or planning agency in accordance with state law or local charter,~~
38 ~~such commission or agency shall review all preliminary plats and make~~
39 ~~recommendations thereon to the city, town or county legislative body~~

1 ~~to assure conformance of the proposed subdivision to the general~~
2 ~~purposes of the comprehensive plan and to planning standards and~~
3 ~~specifications as adopted by the city, town or county. Reports of the~~
4 ~~planning commission or agency shall be advisory only: PROVIDED, That~~
5 ~~the legislative body of the city, town or county may, by ordinance,~~
6 ~~assign to such commission or agency, or any department official or~~
7 ~~group of officials, such administrative functions, powers and duties~~
8 ~~as may be appropriate, including the holding of hearings, and~~
9 ~~recommendations for approval or disapproval of preliminary plats of~~
10 ~~proposed subdivisions.~~

11 ~~Such recommendation shall be submitted to the legislative body~~
12 ~~not later than fourteen days following action by the hearing body.~~
13 ~~Upon receipt of the recommendation on any preliminary plat the~~
14 ~~legislative body shall at its next public meeting set the date for~~
15 ~~the public meeting where it shall consider the recommendations of the~~
16 ~~hearing body and may adopt or reject the recommendations of such~~
17 ~~hearing body based on the record established at the public hearing.~~
18 ~~If, after considering the matter at a public meeting, the legislative~~
19 ~~body deems a change in the planning commission's or planning agency's~~
20 ~~recommendation approving or disapproving any preliminary plat is~~
21 ~~necessary, the legislative body shall adopt its own recommendations~~
22 ~~and approve or disapprove the preliminary plat.~~

23 ~~Every decision or recommendation made under this section shall be~~
24 ~~in writing and shall include findings of fact and conclusions to~~
25 ~~support the decision or recommendation.~~

26 ~~A record of all public meetings and public hearings shall be kept~~
27 ~~by the appropriate city, town or county authority and shall be open~~
28 ~~to public inspection.~~

29 ~~Sole authority to adopt or amend platting ordinances shall reside~~
30 ~~in the legislative bodies. The legislative authorities of cities,~~
31 ~~towns, and counties may by ordinance delegate final plat approval to~~
32 ~~an established planning commission or agency, or to such other~~
33 ~~administrative personnel in accordance with state law or local~~
34 ~~charter.)) A county, city, or town shall adopt an ordinance providing~~
35 ~~for the administrative review of a final plat for which a complete~~
36 ~~application was submitted and deemed complete on or before June 30,~~
37 ~~2026, without a public hearing. The ordinance must specify that~~
38 ~~public notice must be provided consistent with RCW 36.70B.110.~~

1 **Sec. 13.** RCW 58.17.110 and 2018 c 1 s 104 are each amended to
2 read as follows:

3 (1) The official authorized in an ordinance of a city, town, or
4 county ((legislative body)) to administratively review and approve or
5 disapprove plats for proposed subdivision shall inquire into the
6 public use and interest ((proposed)) to be served by the
7 ((establishment of the)) proposed subdivision and dedication. ((It))
8 The authorized official shall determine((: (a) If appropriate
9 provisions are made for, but not limited to, the public health,
10 safety, and general welfare, for open spaces, drainage ways, streets
11 or roads, alleys, other public ways, transit stops, potable water
12 supplies, sanitary wastes, parks and recreation, playgrounds, schools
13 and schoolgrounds, and shall consider all other relevant facts,
14 including sidewalks and other planning features that assure safe
15 walking conditions for students who only walk to and from school; and
16 (b) whether the public interest will be served by the subdivision and
17 dedication)) whether the proposed plat complies with the applicable
18 comprehensive plan designation, development regulations, and other
19 codes and design standards adopted by the city, town, or county and
20 provides sidewalks and other planning features for safe nonmotorized
21 transportation users. A proposed plat may be subject to conditions of
22 approval necessary for compliance with applicable development
23 regulations, codes, and design standards.

24 (2) (a) A plat for a proposed subdivision and dedication shall
25 ((not)) be approved ((unless the city, town, or county legislative
26 body makes written findings that: (a) Appropriate provisions are made
27 for the public health, safety, and general welfare and for such open
28 spaces, drainage ways, streets or roads, alleys, other public ways,
29 transit stops, potable water supplies, sanitary wastes, parks and
30 recreation, playgrounds, schools and schoolgrounds and all other
31 relevant facts, including sidewalks and other planning features that
32 assure safe walking conditions for students who only walk to and from
33 school; and (b) the public use and interest will be served by the
34 platting of such subdivision and dedication. If it finds that the
35 proposed subdivision and dedication make such appropriate provisions
36 and that the public use and interest will be served, then the
37 legislative body)) if the authorized official makes written findings
38 that it is consistent:

39 (i) With the applicable comprehensive plan designation; and

1 (ii) With the conditions for approval, the subdivision complies
2 with the applicable development regulations, codes, and design
3 standards, and includes sidewalks and other planning features for
4 safe nonmotorized transportation users.

5 (b) Upon making such findings, the authorized official shall
6 approve the plat application for the proposed subdivision and
7 dedication. Dedication of land to any public body, provision of
8 public improvements to serve the subdivision, and/or impact fees
9 imposed under RCW 82.02.050 through 82.02.090 may be required as a
10 condition of ((subdivision)) plat approval. Dedications shall be
11 clearly shown on the final plat. No dedication, provision of public
12 improvements, or impact fees imposed under RCW 82.02.050 through
13 82.02.090 shall be allowed that constitutes an unconstitutional
14 taking of private property. The ((legislative body)) official with
15 authority to approve plats shall not as a condition to the approval
16 ((of any subdivision)) require a release from damages to be procured
17 from other property owners.

18 ~~(3) ((If the preliminary plat includes a dedication of a public~~
19 ~~park with an area of less than two acres and the donor has designated~~
20 ~~that the park be named in honor of a deceased individual of good~~
21 ~~character, the city, town, or county legislative body must adopt the~~
22 ~~designated name.~~

23 ~~(4))~~ If water supply for a proposed subdivision is to be
24 provided by a groundwater withdrawal exempt from permitting under RCW
25 90.44.050, the applicant's compliance with RCW 90.44.050 and with
26 applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW is
27 sufficient in determining appropriate provisions for water supply for
28 either a subdivision((, dedication, or short subdivision)) or
29 dedication, or both under this chapter.

30 **Sec. 14.** RCW 58.17.120 and 1974 ex.s. c 134 s 6 are each amended
31 to read as follows:

32 The ((city, town, or county legislative body)) official with
33 authority to approve plats shall consider the physical
34 characteristics of a proposed subdivision ((site)) and may disapprove
35 or condition approval of a proposed plat ((because of)) based on
36 adopted development regulations and codes addressing flood,
37 inundation, or swamp conditions. Construction of protective
38 improvements may be required as a condition of plat approval, and
39 such improvements shall be noted on the final plat.

1 No plat or final plat shall be approved (~~by any city, town, or~~
2 ~~county legislative authority~~) covering any land situated in a flood
3 control zone as provided in chapter 86.16 RCW without the prior
4 written approval of the department of ecology of the state of
5 Washington.

6 **Sec. 15.** RCW 58.17.130 and 1974 ex.s. c 134 s 7 are each amended
7 to read as follows:

8 Local development regulations shall provide that in lieu of the
9 completion of the actual construction of any (~~required~~)
10 improvements (~~prior to the~~) required to obtain approval of a
11 (~~final~~) plat, the city, town, or county (~~legislative body~~) may
12 accept a bond with a surety, or other secure method, and subject to
13 conditions satisfactory to it, in an amount (~~and with surety and~~
14 ~~conditions satisfactory to it, or other secure method,~~) equal to 125
15 percent of the estimated construction cost providing for and securing
16 to (~~the municipality~~) the actual construction and installation of
17 such improvements within a time period (~~specified~~) as required by
18 the city, town, or county (~~legislative body and expressed in the~~
19 ~~bonds~~). In addition, local development regulations may provide for
20 methods of security, including the posting of a bond securing to the
21 municipality the successful operation of improvements for an
22 appropriate period of (~~time~~) up to two years after final plat
23 approval. The (~~municipality~~) city, town, or county is hereby
24 granted the power to enforce bonds authorized under this section by
25 all appropriate legal and equitable remedies. Such local development
26 regulations may provide that the improvements such as structures,
27 sewers, and water systems shall be designed and certified by or under
28 the supervision of a registered civil engineer prior to the
29 acceptance of such improvements.

30 **Sec. 16.** RCW 58.17.140 and 2013 c 16 s 1 are each amended to
31 read as follows:

32 (1) (~~Preliminary plats of any proposed subdivision and~~
33 ~~dedication shall be approved, disapproved, or returned to the~~
34 ~~applicant for modification or correction within ninety days from date~~
35 ~~of filing thereof unless the applicant consents to an extension of~~
36 ~~such time period or the ninety day limitation is extended to include~~
37 ~~up to twenty-one days as specified under RCW 58.17.095(3): PROVIDED,~~
38 ~~That if~~) If a plat of a proposed subdivision and dedication as

1 submitted does not meet the criteria for approval in RCW 58.17.110,
2 it shall be returned to the applicant for modification or correction
3 within the time period established by the city, town, or county
4 pursuant to chapter 36.70B RCW but in no event later than 30 days
5 from the date of the determination of completeness unless the
6 applicant consents to an extension of the time period.

7 (2) If an environmental impact statement is required as provided
8 in RCW 43.21C.030 for a proposed plat, the ((ninety-day period)) time
9 periods set forth in this subsection and subsection (1) of this
10 section shall not include the time spent preparing and circulating
11 the environmental impact statement by the local government agency.

12 ((+2)) (3) Final plats ((and short plats)) shall be approved,
13 disapproved, or returned to the applicant within ((thirty)) 30 days
14 from the date of filing thereof, unless the applicant consents to an
15 extension of such time period.

16 ((+3) (a) Except as provided by (b) of this subsection, a) (4) (a)
17 A final plat meeting all requirements of this chapter shall be
18 submitted to the ((legislative body)) authorized official of the
19 city, town, or county for approval ((within seven years of the date
20 of preliminary plat approval if the date of preliminary plat approval
21 is on or before December 31, 2014, and)) within five years of the
22 date of ((preliminary)) plat approval if the date of ((preliminary
23 plat approval is on or after January 1, 2015)) the determination of
24 completeness is on or after July 1, 2026. A city, town, or county may
25 not prohibit the submission of an application for approval of a final
26 plat prior to completion of construction for the plat improvements.

27 (b) A final plat or a plat, if its application was submitted and
28 deemed complete after July 1, 2026, meeting all requirements of this
29 chapter shall be submitted to the ((legislative body)) authorized
30 official of the city, town, or county for approval within ((ten))
31 five years of the date of preliminary plat approval ((if the project
32 is not subject to requirements adopted under chapter 90.58 RCW and
33 the date of preliminary plat approval is on or before December 31,
34 2007)) for any plat application that is deemed complete on or before
35 June 30, 2026, and for any plat application submitted on or after
36 July 1, 2026; provided, if an administrative or judicial appeal is
37 filed regarding approval of a preliminary plat or a plat, then the
38 date of approval for commencement of the five-year period may not
39 commence until such appeal is completed and final.

1 ~~((4))~~ (5) Nothing contained in this section shall act to
2 prevent any city, town, or county from adopting by ordinance
3 procedures ~~((which))~~ that would allow for the extensions of the time
4 ~~((that may or may not contain additional or altered conditions and~~
5 ~~requirements))~~ periods in this section in which to submit a final
6 plat for approval. Extensions may contain additional or amended
7 conditions and requirements than what was required for the approval
8 of the plat deemed necessary to comply with applicable development
9 regulations, codes, and design standards.

10 **Sec. 17.** RCW 58.17.150 and 1983 c 121 s 4 are each amended to
11 read as follows:

12 Each approved preliminary plat for which an application was
13 deemed to be complete on or before June 30, 2026, and each plat
14 application with a date of completeness on or after July 1, 2026,
15 that is submitted for final plat approval of the ~~((legislative body))~~
16 authorized official shall be accompanied by ~~((the following~~
17 ~~agencies'))~~ recommendations for approval or disapproval from the
18 following:

19 (1) ~~((Local))~~ The local health department or other agency
20 furnishing sewage disposal and supplying water as to the adequacy of
21 the proposed means of sewage disposal and water supply;

22 (2) ~~((Local))~~ The local planning ~~((agency or commission,))~~
23 department charged with the responsibility of reviewing plats ~~((and))~~
24 of proposed subdivisions~~((,))~~ as to compliance with all ~~((terms))~~
25 conditions of the ~~((preliminary))~~ approval of the ~~((proposed))~~ plat
26 ~~((subdivision))~~ or dedication; and

27 (3) ~~((City))~~ The city, town, or county engineer.

28 Except as provided in RCW 58.17.140, an ~~((agency or person~~
29 ~~issuing a recommendation for subsequent approval under subsections~~
30 ~~(1) and (3) of this section))~~ authorized official issuing a decision
31 on the final plat under this section shall not modify the terms of
32 its ~~((recommendations))~~ decision without the consent of the
33 applicant.

34 **Sec. 18.** RCW 58.17.155 and 1984 c 47 s 1 are each amended to
35 read as follows:

36 ~~((Whenever))~~ The review procedures for subdivision applications
37 adopted by a city, town, or county pursuant to chapter 36.70B RCW to
38 implement this chapter must include a requirement that notice be

1 given, including a legal description and a location map, to the
2 Washington state department of transportation whenever a city, town,
3 or county receives an application for the approval of a (~~short plat~~
4 ~~of a short subdivision~~) plat for the proposed subdivision of land
5 that is (~~located~~) adjacent to the right-of-way of a state
6 highway (~~, the responsible administrator shall give written notice of~~
7 ~~the application, including a legal description of the short~~
8 ~~subdivision and a location map, to the department of~~
9 ~~transportation~~). The department shall, within (~~fourteen~~) the time
10 period proscribed by the local development regulations, but no later
11 than 14 days after receiving the notice, submit to the responsible
12 (~~administrator~~) official who furnished the notice (~~a statement~~
13 ~~with any~~), comments, and information (~~that~~) the department deems
14 to be relevant about the effect of the proposed (~~short~~) subdivision
15 upon the legal access to the state highway, the traffic carrying
16 capacity of the state highway, and the safety of the users of the
17 state highway.

18 **Sec. 19.** RCW 58.17.160 and 1985 c 99 s 1 are each amended to
19 read as follows:

20 (~~Each and every plat,~~) Every final plat or replat (~~,~~) of any
21 (~~property~~) land filed for record shall:

22 (1) Contain a statement of approval from the city, town, or
23 county licensed (~~road~~) engineer or by a licensed engineer acting on
24 behalf of the city, town, or county as to the layout of streets,
25 alleys, and other rights-of-way, design of bridges, sewage and water
26 systems, and other structures;

27 (2) Be accompanied by a complete survey of the section or
28 sections in which the plat or replat is located made to surveying
29 standards adopted by the division of engineering services of the
30 department of natural resources pursuant to RCW 58.24.040 (~~,~~);

31 (3) (~~Be acknowledged by the person filing the plat before the~~)
32 Include properly acknowledged signatures of any owner, lienholder, or
33 beneficiary of a deed of trust for the filing of the plat with the
34 auditor of the county in which the land is located, or any other
35 officer who is authorized by law to take acknowledgment of deeds, and
36 a certificate of said acknowledgment shall be enclosed or annexed to
37 such plat and recorded therewith (~~,~~); and

38 (4) Contain a certification from the (~~proper~~) appropriate
39 officer or officers (~~in charge of~~) in the city, town, or county

1 responsible for tax collections that all taxes and delinquent
2 assessments for which the property may be liable as of the date of
3 certification have been duly paid, satisfied, or discharged.

4 No engineer, who is (~~connected in any way with the subdividing~~
5 ~~and platting of the~~) involved in preparing a plat or materials
6 related thereto for an application to subdivide and plat land for
7 which subdivision approval is sought, shall be authorized to examine
8 and approve such plats on behalf of any city, town, or county.

9 **Sec. 20.** RCW 58.17.165 and 1981 c 293 s 9 are each amended to
10 read as follows:

11 Every final plat (~~or short plat~~) of a subdivision (~~or short~~
12 ~~subdivision~~) filed for record must contain a certificate giving a
13 full and correct description of the lands divided as they appear on
14 the plat (~~or short plat~~), including a statement that the
15 subdivision (~~or short subdivision~~) has been made with the free
16 consent and in accordance with the desires of the owner or owners.

17 If the final plat (~~or short plat~~) is subject to a dedication,
18 the certificate or a separate written instrument shall contain the
19 dedication of all streets and other areas to the public, and
20 individual or individuals, religious society or societies, or to any
21 corporation, public or private as shown on the plat (~~or short plat~~)
22 and a waiver of all claims for damages against any governmental
23 authority which may be occasioned to the adjacent land by the
24 established construction, drainage, and maintenance of said road.
25 (~~Said~~) The certificate or instrument of dedication shall be signed
26 and acknowledged before a notary public by all parties having any
27 ownership interest in the lands subdivided and recorded as part of
28 the final plat.

29 Every final plat (~~and short plat~~) filed for record containing a
30 dedication (~~filed for record~~) must be accompanied by a title report
31 confirming that the title of the lands as described and shown on
32 (~~said~~) the plat is in the name of the owner or owners signing the
33 certificate or instrument of dedication.

34 (~~An offer of~~) A dedication of land for public streets may
35 include a waiver of the right of direct access to any public street
36 from (~~any property, and if the dedication is accepted, any such~~
37 ~~waiver is effective~~) the land proposed for subdivision with such
38 dedication. If accepted, the dedication becomes effective upon
39 recording of the final plat or other certificate or instrument of

1 dedication. Such waiver may be required by local authorities as a
2 condition of approval of the plat for the subdivision. Roads not
3 dedicated to the public must be clearly marked as private roads on
4 the face of the final plat. Any dedication, donation, or grant as
5 shown on the face of the final plat shall be ~~((considered to))~~ deemed
6 to be for all intents and purposes ~~((, as))~~ a quitclaim deed to the
7 said donee or donees, or grantee or grantees for his, her, or their
8 use for the purpose intended by the donors or grantors ~~((as~~
9 ~~aforsaid))~~.

10 **Sec. 21.** RCW 58.17.170 and 2017 c 161 s 2 are each amended to
11 read as follows:

12 (1) When the ~~((legislative body of the city, town, or county, or~~
13 ~~such other agency as authorized by RCW 58.17.100,))~~ authorized
14 official finds that the final plat for the subdivision ~~((proposed for~~
15 ~~final plat approval))~~ conforms to all ~~((terms of the preliminary plat~~
16 ~~approval, and that said subdivision))~~ conditions of approval, and
17 that the final plat meets the requirements of this chapter, other
18 applicable state laws, and any local ordinances adopted under this
19 chapter which were in effect ~~((at the time of preliminary plat~~
20 ~~approval))~~ when the application for approval of the plat for the
21 proposed subdivision was deemed to be complete, it shall suitably
22 inscribe and execute its written approval on the face of the final
23 plat. ~~((The original of said final plat shall be filed for record~~
24 ~~with the county auditor. One reproducible copy shall be furnished to~~
25 ~~the city, town, or county engineer. One paper copy shall be filed~~
26 ~~with the county assessor. Paper copies shall be provided to such~~
27 ~~other agencies as may be required by ordinance.))~~ The final plat must
28 be filed for record consistent with the recording requirements of the
29 county auditor for each county in which the land being subdivided is
30 located. Electronic or paper copies, or both, of the final plat must
31 be provided to the city, town, or county engineer, and to such other
32 agencies as required by ordinance.

33 (2) ~~((a) Except as provided by (b) of this subsection, any))~~ Any
34 lots in a final plat filed for record shall be a valid land use
35 notwithstanding any change in zoning laws for a period of ~~((seven~~
36 ~~years from the date of filing if the date of filing is on or before~~
37 ~~December 31, 2014, and for a period of))~~ five years from the date of
38 filing if the date of filing is on or after January 1, 2015.

1 (~~(b) Any lots in a final plat filed for record shall be a valid~~
2 ~~land use notwithstanding any change in zoning laws for a period of~~
3 ~~ten years from the date of filing if the project is not subject to~~
4 ~~requirements adopted under chapter 90.58 RCW and the date of filing~~
5 ~~is on or before December 31, 2007.)~~)

6 (3) (~~(a) Except as provided by (b) of this subsection, a)~~ A
7 subdivision shall be governed by the terms (~~(of approval)~~) of the
8 final plat approval, and the statutes, ordinances, and regulations in
9 effect at the time of approval under RCW 58.17.150 (1) and (3) (~~(for~~
10 ~~a period of seven years after final plat approval if the date of~~
11 ~~final plat approval is on or before December 31, 2014, and)~~) for a
12 period of five years after final plat approval if the date of final
13 plat approval is on or after January 1, 2015, unless the legislative
14 body finds that a change in conditions creates a serious threat to
15 the public health or safety in the subdivision.

16 (~~(b) A subdivision shall be governed by the terms of approval of~~
17 ~~the final plat, and the statutes, ordinances, and regulations in~~
18 ~~effect at the time of approval under RCW 58.17.150 (1) and (3) for a~~
19 ~~period of ten years after final plat approval if the project is not~~
20 ~~subject to requirements adopted under chapter 90.58 RCW and the date~~
21 ~~of final plat approval is on or before December 31, 2007, unless the~~
22 ~~legislative body finds that a change in conditions creates a serious~~
23 ~~threat to the public health or safety in the subdivision.)~~)

24 **Sec. 22.** RCW 58.17.180 and 1995 c 347 s 717 are each amended to
25 read as follows:

26 Any decision approving or disapproving any plat shall be
27 reviewable under chapter 36.70C RCW; provided, however, that judicial
28 review of a final plat is limited to whether the final plat satisfied
29 all of the terms and conditions of plat approval for the subdivision.

30 **Sec. 23.** RCW 58.17.190 and 2017 c 161 s 3 are each amended to
31 read as follows:

32 The county auditor shall refuse to accept any plat or dedication
33 for filing until approval of the final plat has been given by the
34 (~~(appropriate legislative body, or such other agency as authorized by~~
35 ~~RCW 58.17.100)) authorized official. Should a plat or dedication be
36 filed without such approval, the prosecuting attorney of the county
37 in which the plat is filed shall apply for a writ of mandate in the
38 name of and on behalf of the (~~(legislative body)) authorized official~~)~~

1 required to approve (~~same~~) the plat or dedication, directing the
2 auditor and assessor to remove from their files or records the
3 unapproved plat, or dedication of record.

4 **Sec. 24.** RCW 58.17.195 and 1981 c 293 s 14 are each amended to
5 read as follows:

6 No plat (~~or short plat~~) may be approved unless the city, town,
7 or county makes a formal written finding of fact that the proposed
8 subdivision (~~or proposed short subdivision is in conformity with any
9 applicable zoning ordinance or other land use controls which may
10 exist~~) conforms with the applicable zoning, development regulations,
11 codes, and design standards in effect at the time the application for
12 proposed subdivision is deemed complete as provided in RCW 58.17.033.

13 **Sec. 25.** RCW 58.17.200 and 1969 ex.s. c 271 s 20 are each
14 amended to read as follows:

15 Whenever any parcel of land is divided through a subdivision into
16 (~~five~~) two or more lots, tracts, or parcels of land and any person,
17 firm, or corporation or any agent of any of them sells or transfers,
18 or offers or advertises for sale or transfer, any such lot, tract, or
19 parcel without having a final plat of such subdivision filed for
20 record, the prosecuting attorney shall commence an action to restrain
21 and enjoin further subdivisions or sales, or transfers, or offers of
22 sale or transfer and compel compliance with all provisions of this
23 chapter. The costs of such action shall be taxed against the person,
24 firm, corporation, or agent selling or transferring the property.

25 **Sec. 26.** RCW 58.17.210 and 2010 c 8 s 18005 are each amended to
26 read as follows:

27 (~~No~~) A city, town, or county may not issue any building permit,
28 septic tank permit, or other development permit, (~~shall be issued~~)
29 or approval for any lot, tract, or parcel of land divided in
30 violation of this chapter or local regulations adopted pursuant
31 thereto, unless the authority authorized to issue such permit or
32 approval finds that the public interest will not be adversely
33 affected thereby. The prohibition contained in this section shall not
34 apply to an innocent purchaser for value without actual notice of the
35 violation of this chapter or local regulations. All purchasers' or
36 transferees' property, other than property of an innocent purchaser
37 for value, shall comply with provisions of this chapter and each

1 purchaser or transferee may recover his or her damages from any
2 person, firm, corporation, or agent selling or transferring land in
3 violation of this chapter or local regulations adopted pursuant
4 thereto, including any amount reasonably spent as a result of
5 inability to obtain any development permit or approval and spent to
6 conform to the requirements of this chapter as well as cost of
7 investigation, suit, and reasonable attorneys' fees occasioned
8 thereby. Such purchaser or transferee may as an alternative to
9 conforming his or her property to these requirements, rescind the
10 sale or transfer and recover costs of investigation, suit, and
11 reasonable attorneys' fees occasioned thereby.

12 **Sec. 27.** RCW 58.17.212 and 1987 c 354 s 3 are each amended to
13 read as follows:

14 Whenever any person is interested in the vacation of any recorded
15 final plat for a subdivision or portion thereof, or any area
16 designated or dedicated for public use, that person shall file an
17 application for vacation with ~~((the legislative authority of))~~ the
18 city, town, or county in which the subdivision is located. The
19 application shall set forth the reasons for vacation and shall
20 contain signatures of all parties having an ownership interest in
21 that portion of the subdivision subject to vacation. If the
22 subdivision is subject to restrictive covenants which were ~~((filed at~~
23 ~~the time of the approval))~~ recorded and applicable to the recorded
24 final plat of the subdivision, and the application for vacation would
25 result in the violation of a covenant contained within such
26 restrictive covenants, the application shall ~~((contain))~~ include
27 an agreement signed by all parties subject to the covenants providing
28 that the parties agree to terminate or alter the relevant covenants
29 to accomplish the purpose of the vacation of the subdivision or
30 portion thereof.

31 When the vacation application is specifically for a county road
32 or a city or town street, the procedures for road vacation or street
33 vacation in chapter 36.87 or 35.79 RCW shall be utilized for the road
34 or street vacation. When the application is for the vacation of the
35 entire final plat together with the roads and/or streets shown
36 thereon, the procedure for vacation in this section shall be used,
37 ~~((but vacations of streets may not be made that are prohibited under~~
38 ~~RCW 35.79.030, and))~~ provided that vacations of roads may not be made
39 that are prohibited under RCW 36.87.130.

1 The (~~legislative authority of the~~) city, town, or county shall
2 give notice as provided in RCW 58.17.080 (~~and 58.17.090~~) and shall
3 conduct a public hearing on the application for a vacation if
4 required by local ordinance and may approve or deny the application
5 for vacation of the subdivision (~~after determining~~) based on
6 determining whether the public use and interest (~~to~~) would be
7 served by the vacation of the subdivision. If any portion of the land
8 contained in the subdivision was dedicated to the public for public
9 use or benefit, such land, if not deeded to the city, town, or
10 county, shall be deeded to the city, town, or county unless the
11 (~~legislative~~) city, town, or county authority shall set forth
12 findings that the public use would not be served in retaining title
13 to those lands.

14 Title to the vacated property shall vest with the rightful owner
15 as shown in the county records. If the vacated land is land that was
16 dedicated to the public, for public use other than a road or street,
17 and the (~~legislative~~) authority has found that retaining title to
18 the land is not in the public interest, title thereto shall vest with
19 the person or persons owning the property on each side thereof, as
20 determined by the (~~legislative authority~~) authorized official. When
21 the road or street that is to be vacated was contained wholly within
22 the subdivision and is part of the boundary of the subdivision, title
23 to the vacated road or street shall vest with the owner or owners of
24 property contained within the vacated subdivision.

25 This section shall not be construed as applying to the vacation
26 of any plat of state-granted tidelands or shorelands.

27 **Sec. 28.** RCW 58.17.215 and 1987 c 354 s 4 are each amended to
28 read as follows:

29 When any person with an ownership interest in all or portions of
30 a subdivision is interested in the alteration of any subdivision or
31 the altering of any portion thereof, except as provided in RCW
32 58.17.040(6), that person (~~shall~~) or a duly authorized
33 representative may submit an application to request the alteration to
34 the (~~legislative authority~~) authorized official as governed by the
35 local ordinance of the city, town, or county where the subdivision is
36 located. The application shall (~~contain the signatures of the~~) be
37 signed by a majority of those persons having an ownership interest of
38 lots, tracts, or parcels(~~, sites, or divisions~~) in the subject
39 subdivision (~~or portion~~) that are proposed to be altered; provided,

1 that the application for the alteration of any lots, tracts, or
2 parcels held in common ownership by all lot owners in the subdivision
3 shall be signed by the majority of all such owners. If the
4 subdivision is subject to restrictive covenants (~~which were filed at~~
5 ~~the time of the approval~~) applicable to the final plat of the
6 subdivision, and the application for alteration would result in the
7 violation of a covenant, the application shall contain an agreement
8 signed by all parties subject to the covenants providing that the
9 parties agree to terminate or alter the relevant covenants to
10 accomplish the purpose of the alteration of the subdivision or
11 portion thereof.

12 Upon receipt of an application for alteration, the (~~legislative~~
13 ~~body~~) authorized official shall provide notice of the application to
14 all owners of property within the subdivision, and as provided for in
15 RCW 58.17.080 (~~and 58.17.090. The notice shall either establish a~~
16 ~~date for a public hearing or provide that a hearing may be requested~~
17 ~~by a person receiving notice within fourteen days of receipt of the~~
18 ~~notice.~~

19 ~~The legislative body shall determine~~). The authorized official
20 may deny or approve the application based on its determination
21 whether the proposed alteration would serve the public use and
22 interest (~~in the proposed alteration and may deny or approve the~~
23 ~~application for alteration~~). If any land within the subdivision
24 proposed for alteration is part of an assessment district, any
25 outstanding assessments shall be equitably divided and levied against
26 the remaining lots, parcels, or tracts, or be levied equitably on the
27 lots resulting from the alteration. If any land within the alteration
28 contains a dedication to the general use of persons residing within
29 the subdivision, such land may be altered and divided equitably
30 between the adjacent properties.

31 After approval of the alteration, the (~~legislative body~~)
32 authorized official shall order the applicant to produce a revised
33 drawing of the approved alteration of the final plat (~~or short~~
34 ~~plat~~), which after signature of the (~~legislative authority~~)
35 authorized official, shall be filed with the county auditor to become
36 the lawful plat of the property.

37 This section shall not be construed as applying to the alteration
38 or replatting of any plat of state-granted tidelands or shorelands.

1 **Sec. 29.** RCW 58.17.217 and 1987 c 354 s 7 are each amended to
2 read as follows:

3 Any hearing required by RCW 58.17.212(~~(r)~~) or 58.17.215(~~(r or~~
4 ~~58.17.060)~~) may be administered by a hearings examiner as provided in
5 RCW (~~(58.17.330)~~) 58.17.070.

6 **Sec. 30.** RCW 58.17.225 and 1995 c 32 s 1 are each amended to
7 read as follows:

8 (~~The granting of~~) Following the public hearing with notice to
9 property owners in the affected subdivision, the authorized official
10 of a city, town, or county may, without complying with the
11 requirements of RCW 58.17.215, grant an easement for ingress and
12 egress or utilities over public property that is held as open space
13 (~~pursuant to a subdivision or plat,~~) as part of the final plat
14 where the open space is already used as a utility right-of-way or
15 corridor, where other access is not feasible, and where the granting
16 of the easement will not impair public access or authorize
17 construction of physical barriers of any type(~~, may be authorized~~
18 and exempted from the requirements of RCW 58.17.215 by the county,
19 city, or town legislative authority following a public hearing with
20 notice to the property owners in the affected plat).

21 **Sec. 31.** RCW 58.17.240 and 1974 ex.s. c 134 s 11 are each
22 amended to read as follows:

23 Except for (~~subdivisions excluded under the provisions of~~)
24 those divisions or alterations that are not subject to the
25 requirements of this chapter as provided in RCW 58.17.040, as now or
26 hereafter amended, permanent control monuments shall be established
27 at each and every controlling corner on the boundaries of the
28 (~~parcel of~~) land being subdivided. (~~The local authority~~) A city,
29 town, or county shall determine the number and location of permanent
30 control monuments within the plat, if any.

31 **Sec. 32.** RCW 58.17.250 and 1969 ex.s. c 271 s 26 are each
32 amended to read as follows:

33 The survey of the proposed subdivision and preparation of the
34 plat shall be made by or under the supervision of a registered land
35 surveyor who shall certify on the final plat that it is a true and
36 correct representation of the lands (~~actually~~) surveyed.

1 **Sec. 33.** RCW 58.17.255 and 1987 c 354 s 6 are each amended to
2 read as follows:

3 Whenever a survey of a proposed subdivision (~~(or short~~
4 ~~subdivision))~~ reveals a discrepancy, the discrepancy shall be noted
5 on the face of the final plat (~~(or short plat)~~). Any discrepancy
6 shall be disclosed in a title report prepared by a title insurer and
7 issued after the filing of the final plat or short plat. As used in
8 this section, "discrepancy" means:

- 9 (1) A boundary hiatus;
- 10 (2) (~~(an)~~) An overlapping boundary; or
- 11 (3) (~~(a)~~) A physical appurtenance, which indicates encroachment,
12 lines of possession, or conflict of title.

13 **Sec. 34.** RCW 58.17.280 and 1993 c 486 s 1 are each amended to
14 read as follows:

15 Any city, town, or county shall, by ordinance, regulate the
16 procedure (~~(whereby short subdivisions,)~~) for the naming and
17 numbering of subdivisions, streets, lots, and blocks (~~(are named and~~
18 ~~numbered. A lot numbering system and a house address system, however,~~
19 ~~shall be provided by the municipality for short subdivisions and~~
20 ~~subdivisions and must be clearly shown on the short plat or final~~
21 ~~plat at the time of approval)~~). A city, town, or county shall provide
22 a lot numbering system and system for assigning house addresses for
23 subdivisions and lots created through an administrative lot split
24 with such lot numbers and home addresses clearly shown on the
25 recorded final plat or lot split survey.

26 **Sec. 35.** RCW 58.17.310 and 2009 c 145 s 1 are each amended to
27 read as follows:

28 (1) Whenever a city, town, or county receives an application for
29 the approval (~~(of a plat)~~) of a subdivision that lies in whole or in
30 part in an irrigation district organized pursuant to chapter 87.03
31 RCW, the responsible administrator shall give written notice of the
32 application, including a legal description of the short subdivision
33 and a location map, to the irrigation district. The irrigation
34 district shall, after receiving the notice, submit to the responsible
35 administrator who furnished the notice a statement with any
36 information or conditions for approval that the irrigation district
37 deems to be necessary regarding the proposed division's effect upon
38 the structural integrity, including lateral support, of the

1 irrigation district facilities, other risk exposures, and the safety
2 of the public and irrigation district.

3 (2) In addition to any other requirements imposed by the
4 provisions of this chapter, the legislative authority of any city,
5 town, or county shall not approve a (~~short~~) plat or final plat, as
6 defined in RCW 58.17.020, for any subdivision, (~~short-subdivision,~~)
7 lot, tract, parcel, or site which lies in whole or in part in an
8 irrigation district organized pursuant to chapter 87.03 RCW unless
9 there has been provided an irrigation water right-of-way for each
10 parcel of land in such district. In addition, if the subdivision,
11 (~~short-subdivision,~~) lot, tract, parcel, or site lies within land
12 within the district classified as irrigable, completed irrigation
13 water distribution facilities for such land may be required by the
14 irrigation district by resolution, bylaw, or rule of general
15 applicability as a condition for approval of the (~~short-plat-or~~)
16 final plat by the (~~legislative-authority~~) authorized official of
17 the city, town, or county. Rights-of-way shall be evidenced by the
18 respective plats submitted for final approval to the appropriate
19 (~~legislative-authority~~) authorized official. In addition, if the
20 subdivision, (~~short-subdivision,~~) lot, tract, parcel, or site to be
21 platted is wholly or partially within an irrigation district of (~~two~~
22 ~~hundred-thousand~~) 200,000 acres or more and has been previously
23 platted by the United States bureau of reclamation as a farm unit in
24 the district, the (~~legislative-authority shall not approve for such~~
25 ~~land-a-short~~) plat or final plat as defined in RCW 58.17.020 may not
26 be approved by the city, town, or county without the approval of the
27 irrigation district and the administrator or manager of the project
28 of the bureau of reclamation, or its successor agency, within which
29 that district lies. Compliance with the requirements of this section
30 together with all other applicable provisions of this chapter shall
31 be a prerequisite, within the expressed purpose of this chapter, to
32 any sale, lease, or development of land in this state.

33 **Sec. 36.** RCW 58.17.320 and 1974 ex.s. c 134 s 13 are each
34 amended to read as follows:

35 Whenever land within (~~a-subdivision-granted-final-approval~~) an
36 approved plat or recorded final plat is used in a manner or for a
37 purpose which violates any provision of this chapter, any provision
38 of the local subdivision regulations, or any term or condition of
39 plat approval prescribed for the plat by the local government, then

1 the prosecuting attorney, or the attorney general if the prosecuting
2 attorney shall fail to act, may commence an action to restrain and
3 enjoin such use and compel compliance with the provisions of this
4 chapter or the local regulations, or with such terms or conditions.
5 The costs of such action may be taxed against the violator.

6 NEW SECTION. **Sec. 37.** A new section is added to chapter 58.17
7 RCW to read as follows:

8 (1)(a) Cities that are required to comply with the minimum
9 density requirements under RCW 36.70A.635 must adopt or amend by
10 ordinance, and incorporate into their development regulations, zoning
11 regulations and other official controls consistent with the
12 requirements of subsection (2) of this section, to take effect no
13 later than July 1, 2026.

14 (b) In any city subject to the requirements of this section that
15 has not adopted or amended ordinances, regulations, or other official
16 controls as required under this section, the requirements of this
17 section supersede, preempt, and invalidate any conflicting local
18 development regulations.

19 (2) Through ordinances, development regulations, zoning
20 regulations, and other official controls as required under subsection
21 (1) of this section, cities shall allow within a zone that primarily
22 allows residential uses an administrative lot split to create one new
23 residential lot if the following conditions are met:

24 (a) No more than one new lot is created through an administrative
25 lot split. A lot split is not authorized for properties in zones that
26 primarily allow nonresidential uses such as business, commercial,
27 retail, and industrial;

28 (b) A lot created through an administrative lot split may be
29 further segregated through either: (i) A unit lot subdivision to
30 segregate middle housing units into separate legal parcels subject to
31 the applicable residential density the city is required to allow
32 pursuant to RCW 36.70A.635 or (ii) a subdivision provided the total
33 number of lots in such subdivision does not exceed the density
34 allowed under the applicable zoning;

35 (c) The donor lot and the new lot or lots resulting from the
36 administrative lot split both meet the applicable minimum lot size
37 allowed under RCW 36.70A.635; and

38 (d) The donor lot was not created through the splitting of a
39 single-family residential lot authorized by this section.

1 (3) A city shall establish procedural and substantive standards
2 through which an administrative lot split is reviewed and approved in
3 the same manner as a lot segregation under RCW 58.17.040(2) based
4 upon a lot split survey showing the newly created lot and the
5 remainder of the donor parcel. A lot split must be approved
6 administratively and is not subject to an administrative appeal if
7 the following criteria are met:

8 (a) The lots resulting from the lot split meet the minimum lot
9 size under the city's development regulations;

10 (b) The sewer and water purveyors have issued certificates of
11 availability to serve the newly created lot;

12 (c) Access rights are granted or conveyed as necessary on or
13 before recording of the lot split survey to provide access for the
14 maximum number of dwelling units that could be developed on the newly
15 created lot, provided such access rights may be reduced consistent
16 with a city's adopted codes, regulations, and design standards as
17 applicable through review of a subsequent application for a building
18 permit, unit lot subdivision, or subdivision application, if less
19 than the maximum number of dwelling units is built on the newly
20 created lot; and

21 (d) A proposed lot split may be conditioned upon dedication of
22 right-of-way on the donor lot to the extent such dedication would
23 otherwise be required under applicable codes, regulations, and design
24 standards for the development or subdivision of the donor lot absent
25 an administrative lot split. Similarly, a subsequent application for
26 development of housing units on the newly created lot may be
27 conditioned upon construction of frontage improvements to right-of-
28 way adjacent to either the donor parcel or the newly created lots to
29 the extent such improvements would be required under applicable
30 codes, regulations, and design standards. An administrative lot split
31 is not subject to subdivision requirements other than the requirement
32 for a lot split survey and the requirements of this subsection (3).

33 (4) A city subject to the requirements of this section may not
34 impose a limit on the total number of dwelling units allowed on the
35 new residential lot and the original lot that is less than the number
36 of residential dwelling units allowed by the underlying zoning of the
37 original lot prior to the administrative lot split.

38 (5) Notwithstanding the provisions of this section, a city must
39 deny an application for an administrative lot split if one or both

1 resulting lots would not have sufficient developable land because of
2 the presence of critical areas on the lot.

3 (6) For the purposes of this section, "lot split survey" means
4 the final survey prepared for filing for record with the county
5 auditor and containing all elements and requirements for a lot split
6 set forth in this section and in local regulations adopted under this
7 chapter.

8 NEW SECTION. **Sec. 38.** A new section is added to chapter 58.17
9 RCW to read as follows:

10 Cities, towns, and counties shall adopt ordinances consistent
11 with the requirements of this chapter no later than June 30, 2026.
12 The provisions of this act are enforceable and supersede any
13 conflicting provisions in ordinances, development regulations, or
14 policies of a city, town, or county on July 1, 2026.

15 NEW SECTION. **Sec. 39.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 58.17.030 (Subdivisions to comply with chapter, local
18 regulations) and 1974 ex.s. c 134 s 1 & 1969 ex.s. c 271 s 3;

19 (2) RCW 58.17.060 (Short plats and short subdivisions—Summary
20 approval—Regulations—Requirements) and 2023 c 337 s 11, 1990 1st
21 ex.s. c 17 s 51, 1989 c 330 s 2, 1987 c 354 s 5, 1987 c 92 s 1, 1974
22 ex.s. c 134 s 3, & 1969 ex.s. c 271 s 6;

23 (3) RCW 58.17.090 (Notice of public hearing) and 1995 c 347 s
24 426, 1981 c 293 s 5, 1974 ex.s. c 134 s 4, & 1969 ex.s. c 271 s 9;

25 (4) RCW 58.17.092 (Public notice—Identification of affected
26 property) and 1995 c 347 s 427 & 1988 c 168 s 12;

27 (5) RCW 58.17.275 (Proposals to adopt, amend, or repeal local
28 ordinances—Advance notice) and 1981 c 293 s 13; and

29 (6) RCW 58.17.330 (Hearing examiner system—Adoption authorized—
30 Procedures—Decisions) and 1995 c 347 s 429, 1994 c 257 s 6, & 1977
31 ex.s. c 213 s 4.

32 NEW SECTION. **Sec. 40.** Section 6 of this act expires January 1,
33 2028.

1 NEW SECTION. **Sec. 41.** Section 7 of this act takes effect
2 January 1, 2028.

--- END ---