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**ENGROSSED SENATE BILL 5559**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Lovelett, Nobles, and Trudeau

Read first time 01/28/25. Referred to Committee on Local Government.

1       AN ACT Relating to streamlining the subdivision process inside  
2 urban growth areas; and amending RCW 58.17.020 and 58.17.060.

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

4       **Sec. 1.** RCW 58.17.020 and 2002 c 262 s 1 are each amended to  
5 read as follows:

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

9       (1) "Subdivision" is the division or redivision of land into five  
10 or more lots, tracts, parcels, sites, or divisions for the purpose of  
11 sale, lease, or transfer of ownership, except as provided in  
12 subsection (6) of this section.

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

16       (3) "Dedication" is the deliberate appropriation of land by an  
17 owner for any general and public uses, reserving to himself or  
18 herself no other rights than such as are compatible with the full  
19 exercise and enjoyment of the public uses to which the property has  
20 been devoted. The intention to dedicate shall be evidenced by the  
21 owner by the presentment for filing of a final plat or short plat

1 showing the dedication thereon; and, the acceptance by the public  
2 shall be evidenced by the approval of such plat for filing by the  
3 appropriate governmental unit.

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

7 (4) "Preliminary plat" is a neat and approximate drawing of a  
8 proposed subdivision showing the general layout of streets and  
9 alleys, lots, blocks, and other elements of a subdivision consistent  
10 with the requirements of this chapter. The preliminary plat shall be  
11 the basis for the approval or disapproval of the general layout of a  
12 subdivision.

13 (5) "Final plat" is the final drawing of the subdivision and  
14 dedication prepared for filing for record with the county auditor and  
15 containing all elements and requirements set forth in this chapter  
16 and in local regulations adopted under this chapter.

17 (6) "Short subdivision" is the division or redivision of land  
18 into four or fewer lots, tracts, parcels, sites, or divisions for the  
19 purpose of sale, lease, or transfer of ownership. However, the  
20 legislative authority of any city or town may by local ordinance  
21 increase the number of lots, tracts, or parcels to be regulated as  
22 short subdivisions to a maximum of nine. The legislative authority of  
23 any county planning under RCW 36.70A.040 that has adopted a  
24 comprehensive plan and development regulations in compliance with  
25 chapter 36.70A RCW may by ordinance increase the number of lots,  
26 tracts, or parcels to be regulated as short subdivisions to a maximum  
27 of nine in any urban growth area.

28 (7) "Binding site plan" means a drawing to a scale specified by  
29 local ordinance which: (a) Identifies and shows the areas and  
30 locations of all streets, roads, improvements, utilities, open  
31 spaces, and any other matters specified by local regulations; (b)  
32 contains inscriptions or attachments setting forth such appropriate  
33 limitations and conditions for the use of the land as are established  
34 by the local government body having authority to approve the site  
35 plan; and (c) contains provisions making any development be in  
36 conformity with the site plan.

37 (8) "Short plat" is the map or representation of a short  
38 subdivision.

39 (9) "Lot" is a fractional part of divided lands having fixed  
40 boundaries, being of sufficient area and dimension to meet minimum

1 zoning requirements for width and area. The term shall include tracts  
2 or parcels.

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

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

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

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

12 (14) "Planning commission" means that body as defined in chapter  
13 36.70, 35.63, or 35A.63 RCW as designated by the legislative body to  
14 perform a planning function or that body assigned such duties and  
15 responsibilities under a city or county charter.

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

18 (16) "Parent lot" means a residential lot that is subdivided into  
19 unit lots through the unit lot subdivision process.

20 (17) "Unit lot" means a subdivided lot within a residential  
21 development as created from a parent lot and approved through the  
22 unit lot subdivision process.

23 (18) "Unit lot subdivision" means a subdivision or short  
24 subdivision proposed as part of a development project that meets the  
25 development standards applicable to the parent lot at the time the  
26 application is vested, but which may result in development on one or  
27 more individual unit lots becoming nonconforming as to specified land  
28 use and development standards based on the analysis of the individual  
29 unit lot. By June 30, 2026, all unit lot subdivisions shall require  
30 notification to purchasers of their legal status as further described  
31 in RCW 58.17.060.

32 (19) "Clear and objective design and development standards" means  
33 locally adopted development regulations that involve no personal or  
34 subjective judgment by a public official, and are ascertainable by  
35 reference to measurable written or graphic criteria available and  
36 knowable to both the permit applicant and public official prior to  
37 submittal.

38 **Sec. 2.** RCW 58.17.060 and 2023 c 337 s 11 are each amended to  
39 read as follows:

1 (1) The legislative body of a city, town, or county shall adopt  
2 regulations and procedures, and appoint administrative personnel for  
3 the summary approval of short plats and short subdivisions or  
4 alteration or vacation thereof. When an alteration or vacation  
5 involves a public dedication, the alteration or vacation shall be  
6 processed as provided in RCW 58.17.212 or 58.17.215. Such regulations  
7 shall be adopted by ordinance and shall provide that a short plat and  
8 short subdivision may be approved only if written findings that are  
9 appropriate, as provided in RCW 58.17.110, are made by the  
10 administrative personnel, and may contain wholly different  
11 requirements than those governing the approval of preliminary and  
12 final plats of subdivisions and may require surveys and  
13 monumentations and shall require filing of a short plat, or  
14 alteration or vacation thereof, for record in the office of the  
15 county auditor: PROVIDED, That such regulations must contain a  
16 requirement that land in short subdivisions may not be further  
17 divided in any manner within a period of five years without the  
18 filing of a final plat, except that when the short plat contains  
19 fewer than four parcels, nothing in this section shall prevent the  
20 owner who filed the short plat from filing an alteration within the  
21 five-year period to create up to a total of four lots within the  
22 original short plat boundaries: PROVIDED FURTHER, That such  
23 regulations are not required to contain a penalty clause as provided  
24 in RCW 36.32.120 and may provide for wholly injunctive relief.

25 An ordinance requiring a survey shall require that the survey be  
26 completed and filed with the application for approval of the short  
27 subdivision.

28 (2) Cities, towns, and counties shall include in their short plat  
29 regulations and procedures pursuant to subsection (1) of this section  
30 provisions for considering sidewalks and other planning features that  
31 assure safe walking conditions for students who walk to and from  
32 school.

33 (3) All cities(~~(,)~~) and towns(~~(, and counties shall include in~~  
34 ~~their short plat regulations)~~) located in a county planning under RCW  
35 36.70A.040 shall adopt or enact procedures for unit lot subdivisions  
36 (~~(allowing division of a parent lot into separately owned unit~~  
37 ~~lots)~~). Portions of the parent lot not subdivided for individual unit  
38 lots shall be owned in common by the owners of the individual unit  
39 lots, or by a homeowners' association comprised of the owners of the  
40 individual unit lots.

1 (a) These procedures shall include, at a minimum, the requirement  
2 that prominent informational notes be placed on the unit lot  
3 subdivision's plat, and recorded in the county or counties in which  
4 such land is located, to acknowledge each of the following:

5 (i) Approval of the design and layout of the unit lot's housing  
6 development project was granted based on detailed review of that  
7 specified project, as a whole, on the parent lot, including specific  
8 reference to the applicable permit or file number for that specified  
9 project;

10 (ii) Subsequent subdivision actions, additions, or modifications  
11 to the unit lot housing development project's structures may not  
12 create or increase any nonconformity of the parent lot as a whole,  
13 and shall conform to the approved unit lot housing development  
14 project or to the land use and development standards in effect at the  
15 time of the proposed actions, additions, or modifications;

16 (iii) If a structure or portion of a structure within the unit lot  
17 housing development project has been damaged or destroyed, any  
18 repair, reconstruction, or replacement of any structure shall conform  
19 to the approved unit lot housing development project or to the land  
20 use and development standards in effect at the time the proposed  
21 repair, reconstruction, or replacement project's permit application  
22 becomes vested; and

23 (iv) Additional development or redevelopment of the individual  
24 unit lots may be limited as a result of the application of  
25 development standards to the parent lot.

26 (b) These procedures shall also:

27 (i) Not require any public predecision meeting or hearing, nor  
28 any design review other than administrative design review;

29 (ii) Apply only clear and objective design and development  
30 standards;

31 (iii) Be logically integrated with the application, review, and  
32 approval procedures that apply to the underlying unit lot housing  
33 development project to the greatest extent feasible; and

34 (iv) Be specifically subject to the maximum time period for local  
35 government actions as set forth in RCW 36.70B.080, unless extended  
36 pursuant to project-specific mutual agreement as permitted by RCW  
37 36.70B.080.

38 (c) After the deadlines in (e) of this subsection, no city or  
39 town subject to this section may decline to accept, process, or  
40 approve an application for a unit lot subdivision, consistent with

1 the procedural requirements of (a) and (b) of this subsection, solely  
2 because that city or town has not completed adoption or enactment of  
3 the procedures required under this section.

4 (d) Nothing in this section:

5 (i) Prohibits a city or county from applying public health,  
6 safety, building code, and environmental permitting requirements to a  
7 development project that is subject to or integrated with a unit lot  
8 subdivision process;

9 (ii) Requires a city or county to authorize a development project  
10 or a unit lot subdivision in a location where development is  
11 restricted under other laws, rules, or ordinances, such as in  
12 locations where development is limited as a result of physical  
13 proximity to on-site sewage system infrastructure, critical areas, or  
14 other unsuitable physical characteristics of a property.

15 (e) Cities and towns that are required to submit their next  
16 comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must  
17 adopt or amend by ordinance, and incorporate into their development  
18 regulations, zoning regulations, and other official controls, the  
19 requirements of this section in their next comprehensive plan update.  
20 All other cities and towns must implement the requirements of this  
21 section within two years of the effective date of this section.

22 (f) Nothing in this subsection alters the vesting requirements  
23 set forth in RCW 58.17.033.

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