CERTIFICATION OF ENROLLMENT

# ENGROSSED SENATE BILL 5559

Chapter 271, Laws of 2025

69th Legislature
2025 Regular Session

UNIT LOT SUBDIVISIONS—LOCAL GOVERNMENT PROCEDURES

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 21, 2025
Yeas 48 Nays 0

JOHN LOVICK

**President of the Senate**

Passed by the House April 10, 2025
Yeas 95 Nays 0

LAURIE JINKINS

**Speaker of the House of Representatives**

Approved May 13, 2025 10:37 AM

BOB FERGUSON

**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5559** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

**Secretary**

FILED

May 14, 2025

**Secretary of State**
**State of Washington**

# ENGROSSED SENATE BILL 5559

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

**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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) These procedures shall also:

(i) Not require any public predecision meeting or hearing, nor any design review other than administrative design review, except for those required to comply with state law, including chapter 90.58 RCW. A city must ensure that the community and property owners within 250 feet of the unit lot to be subdivided are provided notice consistent with RCW 36.70B.110 of how to provide written comments to the administrative decision maker, including through notice posted on the closest public sidewalk or roadway;

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

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

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

(c) After the deadlines in (e) of this subsection, no city or town subject to this section may decline to accept, process, or approve an application for a unit lot subdivision, consistent with the procedural requirements of (a) and (b) of this subsection, solely because that city or town has not completed adoption or enactment of the procedures required under this section.

(d) Nothing in this section:

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

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

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

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

Passed by the Senate April 21, 2025.
Passed by the House April 10, 2025.
Approved by the Governor May 13, 2025.
Filed in Office of Secretary of State May 14, 2025.

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