

MASTER BUILDERS
ASSOCIATION
of King and Snohomish Counties

REFORMING AND STREAMLINING WASHINGTON STATE SUBDIVISION STATUTES

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Prepared by Master Builders Association of King and Snohomish Counties

CONTENTS

OVERVIEW	2
BACKGROUND	2
SUGGESTIONS FOR UPDATING RCW 58.17	4
TOOLS & RESOURCES.....	5

OVERVIEW

One of the most impactful reforms to increase housing supply in Washington would be to modernize the state's outdated subdivision laws in Chapter 58.17 RCW. These statutes govern how land is legally divided into separate lots, tracts, and parcels—a foundational step for housing development. Updating RCW 58.17 is long overdue and would streamline the land division process, lower barriers to new housing, and expand choices for Washingtonians seeking a place to call home.

There are significant benefits to updating RCW 58.17:

- Streamlines the permit process enabling final plats to be recorded more quickly
- Accelerates housing delivery, allowing homes to be built and occupied sooner
- Reduces workload for local planning staff, helping jurisdictions address permit backlogs that are delaying housing production
- Facilitates infill development to meet growing demand, including middle housing
- Promotes homeownership by simplifying subdivision process to create new, buildable lots

BACKGROUND

Washington's subdivision laws (RCW 58.17) were written in 1969 and haven't been fully updated since. At the time, many of today's land-use and environmental regulations didn't exist. Since then, new layers of requirements like the State Environmental Policy Act, critical areas regulations, drainage regulations, and tree retention/replacement ordinances, have been added.

In 1990, the Legislature adopted the Growth Management Act (chapter 36.70A RCW – "GMA") to guide planning for growth and development, followed by the Local Project Review Act in 1995 (chapter 36.70B RCW). The intention of 36.70B was to establish a standardized framework for local governments to process land use and development permits, recognizing that the growing number of regulations was driving up costs and slowing down permits.

When Washington's subdivision laws were first written, land division was meant to be a simple, two-step process. The first step is for "preliminary plat," a basic sketch showing lots, streets, and blocks.¹ The second step is approval of the final plat, recorded after improvements were built. in accordance with preliminary plat conditions. Over time, however, the "preliminary" step has evolved into something far more complex and detailed. It is more equivalent to what was originally contemplated for a final plat.

The law also separates "short plats" (small subdivision) from "Long Plats" (larger ones), with the idea that small projects should be simpler. However, in practice the amount of work that is now required for a short plat application—² does not differ significantly or substantively from what is required of a larger "long plat."

¹ See RCW 58.17.020(4).

² As originally enacted, a short subdivision was defined under RCW 58.17.020(6) as "the division or redivision of land into four or fewer lots, tracts, parcels, ..." and a "subdivision" defined in RCW 58.17.020(1) was a division of land into 5 or more lots. In 1981 the Legislature amended the definition of a short subdivision to allow cities and towns to

But today, both require the same level of work: such as a property survey, engineering designs, critical areas study and mitigation plan, traffic analysis, and tree and landscape plans. Because of the increase in regulations since 1969, there is little practical difference between short and long plats anymore, making the distinction outdated and unnecessary.

Submittal Requirements for Short Plats (SP) and Long Plats (LP): Nearly Identical

The only difference is the process for how they are approved.
Short plats are approved administratively, and long plats are not.

	REQUIREMENTS TODAY	
	SP	LP
SURVEY REQUIRED	✓	✓
PUBLIC NOTICE AND REVIEW BY DEPARTMENTS	✓	✓
POSTING OF PROPERTY	✓	✓
APPROVED ADMINISTRATIVELY	✓	✗
PERMIT CONDITIONS AND FINDINGS	✓	✓
ABILITY TO DISAPPROVE PLAT WHEN CRITICAL AREAS ARE PRESENT	✓	✓
BONDING FOR IMPROVEMENTS	✓	✓
FILING WITH AUDITOR	✓	✓

Washington's subdivision statutes were intended to create a **uniform statewide system** for dividing land.³ In practice, however, the process varies significantly across jurisdictions.

- **Concurrent Review:**
Some jurisdictions allow construction plan review to occur alongside preliminary plat review (concurrently, not consolidated), enabling builders to begin construction soon after preliminary plat approval. Others do not, requiring construction plan review only after the plat is approved—a process that can add **four to six months of delay** before homes can be built. These delays directly increase costs and reduce housing affordability.
- **Short Plats:**
The Legislature authorized local jurisdictions to increase the number of lots that can be created through a short plat from four to nine, but adoption of this reform has been inconsistent, creating further lack of uniformity statewide.
- **Administrative Review:**
While many large projects (such as apartments or townhomes) can be approved administratively without a public hearing, very few jurisdictions have extended this same streamlined process to long plats.⁴ Since 1986, the law has permitted local governments to approve preliminary plats administratively, but most still require a public hearing—adding unnecessary time and cost.⁵

Bottom line: Greater consistency and broader use of administrative and concurrent review authority would reduce delays, improve predictability, and help deliver homes to Washington families faster and at lower cost.

increase the number of lots created through a short plat to a maximum of 9 lots. See Laws of Washington 1981 c 293 s2. In 2002 the Legislature again amended this definition giving counties planning under the GMA authority to increase the number of lots created through a short plat of property within an urban growth area to 9. See Laws of Washington 2002 c 262 s 1. As a result, depending on whether a local jurisdiction has increased the number of lots that can be created through a short subdivision, a “long plat” is not anywhere from 5 to 9 or more lots.

³ See RCW 58.17.010. However, this language was not in RCW 58.17.010 as it was originally enacted but was added through amendments to RCW 58.17 adopted by the Legislature in 1981. See Laws of Washington 1981 c 293 s1.

⁴ The provisions for dividing land through a binding site plan were also not in RCW 58.17 as it was originally enacted but were added by the Legislature in 1981. See Laws of Washington, c 292 s 1 & 2.

⁵ See RCW 58.17.095; Laws of Washington 1986 c 233 s 1.

Differing Requirements for Housing

SINGLE FAMILY HOMES: LONG PLAT

A 10-lot long plat for single-family or attached homes *requires a public hearing*



SINGLE FAMILY HOMES: SHORT PLAT

A 9-lot short plat for single-family or attached homes is *approved administratively*



CONDOMINIUM

A 10-unit project for either single-family or attached homes is *approved administratively*



APARTMENT

A multi-unit apartment complex is *approved administratively*



All the housing types shown here can be approved administratively, except for the “10-lot long plat for single family or attached homes” example shown in the upper left. This development requires a hearing and months of additional process. Meanwhile, a 9-lot short plat and townhome project in condo ownership can be approved administratively. Apartments, a more intense type of development, don’t require public hearings either.

Infographic credit: Kimley-Horn

SUGGESTIONS FOR UPDATING RCW 58.17

MBAKS RECOMMENDS THAT THE WASHINGTON STATE LEGISLATURE UPDATE RCW 58.17 TO SUBSTANTIALLY STREAMLINE THE SUBDIVISION PROCESS:

- Remove the short plat process from RCW 58.17 and provide for administrative review of all subdivisions⁶
- Make pre-application meetings meaningful
- Encourage local jurisdictions to allow construction plans to be submitted and reviewed concurrently with the proposed plat

RCW 58.17 SHOULD ALSO BE UPDATED TO:

- Consolidate permit process procedures for subdivisions with the permit process requirements in RCW 36.70B
- Remove statutory sections and provisions which are outdated or no longer needed

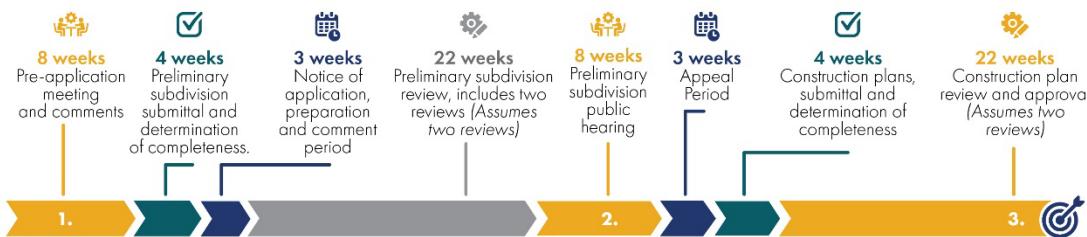
A link to proposed amendments to RCW 58.17 developed by MBAKS is provided below under tools and resources.

These changes could streamline the subdivision process by as much as six to eight months as demonstrated by the following examples.

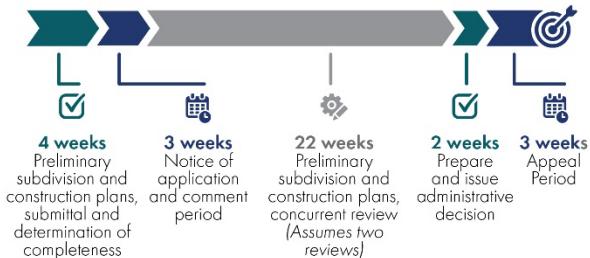
⁶ This would be consistent with what the Legislature authorized, but did not require, local jurisdictions to do when it adopted RCW 58.17.095.

THE BENEFITS OF REFORMING AND STREAMLINING THE SUBDIVISION PROCESS

Current Process Timeline 71 total weeks*



Reformed Process Timeline 34 total weeks*



Under this scenario 37 weeks of process time may be saved by:

1. Making pre-application meetings optional
2. Utilization of administrative approval
3. Allowing concurrent submittal and review of a preliminary subdivision and construction plans

Jurisdiction Review Time

*Only accounts for jurisdictional steps and timeframes. Timeframes to review permit applications vary between jurisdictions and at the same jurisdiction depending on several factors. Some jurisdictions take longer than timeframes shown and some may take less time to process a preliminary subdivision.



Infographic credit: Kimley-Horn

Timelines compare the current process under state subdivision statutes with a much more streamlined process that could be achieved by updating RCW 58.17.⁷ This example shows how reforming the subdivision process can reduce the time it takes to gain preliminary plat approval by more than 50%.

TOOLS & RESOURCES

Proposed amendments to RCW 58.17	Link to resource
MBAKS Issue Brief regarding lot splitting	Link to resource
MRSC overview of land subdivision regulations for cities and counties in Washington State	Link to resource
Reforming and Streamlining the Subdivision Process in Washington State: Presentation	Link to resource

⁷ The timelines show one part of the development process for new housing – gaining preliminary plat approval. They do not include the time spent tying up a property and preparing necessary materials for submittal of a complete application or the time spent doing the land development necessary to record the final plat and then to build homes.