



REFORMING AND STREAMLINING WASHINGTON STATE SUBDIVISION STATUTES

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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One of the most impactful reforms to increase housing supply in Washington would be to modernize the state's outdated subdivision laws in Chapter 58.17 RCW.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:

- Aligns and modernizes the subdivision statutes with the current practices for subdividing land
- 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

The Legislature adopted the state subdivision statutes codified in RCW 58.17 in 1969 – over five decades ago – and the statutes have not been substantially or comprehensively updated since then. Many regulations governing the development of land and construction of housing are in place today that did not exist in 1969. Those regulations include, among others, the State Environmental Policy Act, critical areas regulations, drainage regulations, and tree retention/replacement ordinances, all of which can apply to applications to subdivide land.

Notably, the Legislature adopted the Growth Management Act (chapter 36.70A RCW – “GMA”) in 1990 to guide planning for growth and development in Washington State. The Legislature subsequently in 1995 adopted the Local Project Review provisions (chapter 36.70B RCW) intending “to establish a mechanism for implementing the provisions of [the GMA] regarding compliance, conformity, and consistency of proposed projects with adopted comprehensive plans and development regulations.”¹ The Legislature recognized in enacting RCW 36.70B that: “[a]s the number of environmental laws and development

¹ Laws of Washington 1995 c 347 s 403.

regulations has increased for land uses and development, so has the number of required land use permits”² and “[t]his regulatory burden has significantly added to the cost and time needed to obtain local and state land use permits.”³

The subdivision statutes as originally adopted envisioned a two-step process. The first step is for approval of a “preliminary plat,” which is defined as a “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.”⁴ The second step is approval and recording of the final plat after required improvements are constructed in accordance with preliminary plat conditions. Over time, however, the preliminary plat process has evolved into something far more complex. The level of detail required today for a preliminary plat is much more extensive. It is more equivalent to what was originally contemplated for a final plat.

Similarly, the subdivision statutes as originally adopted distinguished a “short” plat from a “long” plat, providing for administrative review of the former but not the latter. This distinction was likely based on the assumption that preparing a short plat would require significantly less work than a long plat.. However, in practice the amount of work that is now required for a short plat application —regardless of whether the proposal is for four or nine lots—⁵) does not differ significantly or substantively from what is required of a larger “long plat.” Both applications require, among other things, a property survey, civil engineering for the design of the roads and sidewalks and drainage systems, critical areas study and mitigation plan, traffic analysis, and landscape and tree retention/replacement plan. The breadth of the applicable regulations and scope of reports required to obtain either short plat approval or preliminary plat approval for a “long” plat when the subdivision statutes were enacted was nowhere near as comprehensive as they are today. As a result, arguably there is no longer a justification to distinguish a short plat from a “long” plat.

Requirements for Short and Long Plats Are Essentially the Same

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

This chart shows how submittal requirements for short-plat and long-plat applications are essentially the same. The only difference is the process for how they are approved. Short plats are approved administratively and long plats are not. Infographic credit: Kimley-Horn

The subdivision statutes also call for a uniform statewide system for subdividing land.⁶ The process, however, is not uniform in practice. Many jurisdictions allow concurrent review of construction plan with the review of the preliminary plat, which allows for construction to begin soon after preliminary plat approval. But many jurisdictions do not allow this. Where concurrent review is not allowed construction plans cannot be submitted for review until the preliminary plat is approved. Construction plans review and approval by a local jurisdiction can take four to six months. Without concurrent review of the construction plans during the preliminary plat process the builder cannot begin construction upon or soon after preliminary plat approval. This adds four to six months of time until new homes can be made available to

renters and buyers, delays that can have a significant impact on housing affordability. Moreover, there is also a lack of uniformity across the state as not all local jurisdictions have exercised the authority granted by the Legislature to increase the number of lots that can be created through a short plat from four to nine lots.

Another anomaly of state law is that many large residential projects, such as an apartment complex or townhome project, can be approved administratively through a site plan or binding site plan process, which does not require a public hearing under the statute.⁷ The Legislature did amend the subdivision statutes in 1986 to authorize local jurisdictions to provide administrative review of a preliminary plat application without having to hold a public hearing – the same process that applies to a short plat.⁸ Unfortunately, very few local jurisdictions have used this authority to approve long plats administratively without a public hearing.

A 9-lot short plat in many jurisdictions can be approved administratively, but adding a single lot would require a preliminary plat application even though the submitted requirements and level of detail is nearly identical for both.

² RCW 36.70B.010(1).

³ RCW 36.70B.010(3). More recently in 2023 the Legislature adopted legislation requiring local jurisdictions to provide for “unit lot subdivisions” (through SB 5258 and further revised in 2025 by SB 5559) and “middle housing” (HB 1110). The Legislature in 2024 also adopted SB 5290, establishing firmer time periods in which local jurisdictions must complete review/approval of land use applications. Again, the subdivision statutes have not been substantially updated to reflect any of these legislative enactments.

⁴ See RCW 58.17.020(4).

⁵ 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 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.

⁶ 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.



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 **does not require** a public hearing



CONDOMINIUM

A 10-unit project for either single-family or attached homes **does not require** a public hearing



APARTMENT

A multi-unit apartment complex **does not require** a public hearing



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 subdivisions⁹
- Make pre-application meetings optional
- Require 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

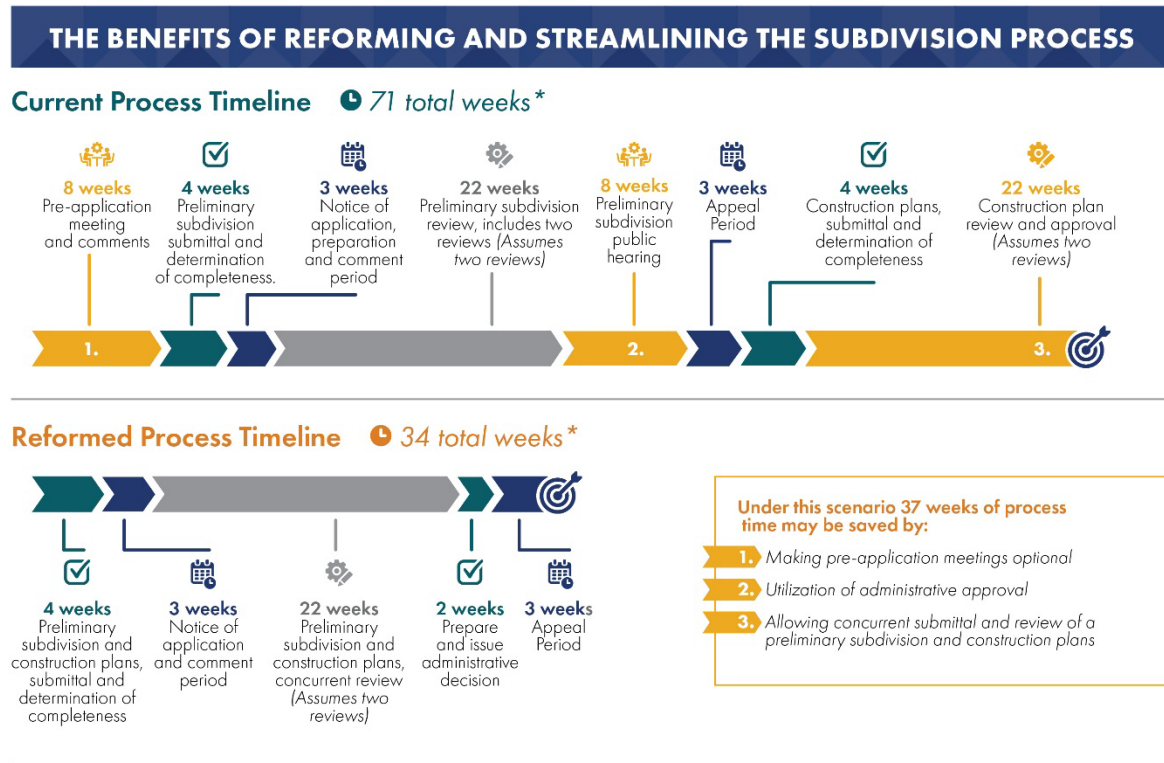
A link to proposed amendments to RCW 58.17 developed by MBAKS is provided below under tools and resources.

⁷ 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.

⁸ See RCW 58.17.095; Laws of Washington 1986 c 233 s 1.

⁹ This would be consistent with what the Legislature authorized, but did not require, local jurisdictions to do when it adopted RCW 58.17.095.

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



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.



Timelines compare the current process under existing state subdivision statutes with a much more streamlined process that could be achieved by updating RCW 58.17². Infographic credit: Kimley-Horn

TOOLS & RESOURCES

<p>MBAKS proposed amendments to RCW 58.17 in 2025 (linked here) but is working with stakeholders on an updated version that can be introduced in 2026.</p>	<p>Link to resource</p>
<p>MBAKS Issue Brief regarding lot splitting</p>	<p>Link to resource</p>
<p>MRSC overview of land subdivision regulations for cities and counties in Washington State</p>	<p>Link to resource</p>

² 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.