

House Local Government Committee Meeting Subdivision Discussion (December 5, 2025)

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1

What is a subdivision?

2

- A subdivision is the process of dividing and developing land to create building lots
- Under current law there are five subdivisions types
 1. Short subdivisions which create four to nine lots depending on whether the land is the urban growth area and in a Growth Management Act fully planning county or city. Short subdivisions are decided administratively by staff
 2. HB 1096, in RCW 58.17.145, created a separate short subdivision process for cities that allows a one-time administratively approved lot split. A total of two lots are created. The Growth Management Act limits off street parking requirements for lot splits.
 3. Long subdivisions which create five to ten or more lots. Typically decided by hearings examiners or the legislatively body of a city or county
 4. Large lot or exempt subdivisions that create lots larger than five acres. No state law provisions, but common in counties
 5. Binding site plans, often used to create commercial or industrial lots and condominiums and usually decided administratively by staff

What do subdivisions address?

3

- Subdivision and lot design
- The precise location and size of the lots created
- Street and road access, sidewalks, and other transportation facilities
- Public facilities and services such as water and sewer service and storm water facilities
- Any encroachments or survey issues
- Are the lots buildable
- Compliance with county or city development regulations
- Vesting the subdivision application to existing policies and regulations during the permitting process

Proposed Subdivision Bill Comments

4

- The proposed bill would make all subdivisions decided administratively, perhaps with a Hearing Examiner option
 - Futurewise can support administrative approval within urban growth areas, but not outside urban growth areas
 - Urban areas have more predictable public services so the potential impacts are more technical
 - Rural areas lack sewers and storm water systems and often rely on permit-exempt wells, this lack of public services can result in greater impacts on neighboring property owners and the environment.
 - Requiring a public hearing and hearing examiner review better addresses these potential adverse impacts outside of urban growth areas
- Under current law, RCW 58.17.155, notice to the Washington State Department of Transportation is required for short subdivision applications that are adjacent to the right-of-way of a state highway. This requirement should be retained for all subdivisions

Proposed Subdivision Bill Comments (cont.)

5

- Currently, RCW 58.17.040(3) exempts lots created through the laws of descent from having to go through the subdivision process
 - The courts have read this exemption as an exemption from the requirement to subdivide the land and that lots created through this exemption must comply with the zoning and development regulation requirement such the minimum lot size in order to be buildable
 - This exemption should be clarified to make this limitation explicit so estates using this provision know the lots need to comply with the development regulations other than subdivision processes to be buildable
- Currently RCW 58.17.040(6) exempts boundary line adjustments from the subdivision process
 - Some developers move their lot boundaries around to put many trees in one lot and then request exemptions to cut the trees because otherwise they cannot build on that lot
 - The exemption should be amended to prevent the creation of hard to build on or unbuildable lots

Proposed Subdivision Bill Comments Overall Evaluation

6

- The principle benefit of the bill is to provide for administrative review and some streamlining of the subdivision statutes
- From a Futurewise perspective it is unclear how much benefit this will be achieve
- With the right mix of retaining vesting requirements and other needed provisions the bill could potentially improve timelines for subdivisions within urban growth areas