

SENATE BILL REPORT

SB 5554

As of January 31, 2025

Title: An act relating to historic landmark designations.

Brief Description: Concerning historic landmark designations.

Sponsors: Senators Salomon, Bateman, Goehner and Gildon.

Brief History:

Committee Activity: Local Government: 2/03/25.

Brief Summary of Bill

- Prohibits a city or code city from designating a property as a historic landmark if the property that would be designated as a historic landmark is less than 40 years old or the designation would restrict the use, alteration, or demolition of the property and written consent of the owner of the property has not been obtained.
- Provides that these limitations do not apply if the historic landmark is within a historic district established through a local preservation ordinance.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Karen Epps (786-7424)

Background: The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The GMA directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations, and both the plans and the local regulations are subject to review and revision requirements prescribed in the GMA. When developing their comprehensive plans, counties and cities must consider various goals set forth in statute.

Among its 15 goals, the GMA includes a goal to identify and encourage the preservation of lands, sites, and structures that have historical, cultural, and archaeological significance. Although the GMA does not require the inclusion of a historic preservation or cultural resources element in comprehensive plans, counties and cities planning under the GMA must consider and incorporate the historic preservation goal.

Summary of Bill: No city or code city may designate a property as a historic landmark if:

- the property that would be designated as a historic landmark is less than 40 years old; or
- the designation would restrict the use, alteration, or demolition of the property and written consent of the owner of the property has not been obtained.

A designation made without written consent of the property owner is void unless and until consent is obtained.

Cities and code cities must implement the requirements no later than one year of the bill's effective date. If a city or code city has not adopted or amended ordinances, regulations, or other official controls to implement the requirements, the requirements apply, take effect, and supersede, preempt, and invalidate any conflicting local regulations.

These limitations do not apply if the property that would be designated as a historic landmark is within a historic district established through a local preservation ordinance.

Actions taken to adopt these regulations may not be challenged under the State Environmental Policy Act.

Appropriation: None.

Fiscal Note: Requested on January 30, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.