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HOUSE BILL 1576

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State of Washington

69th Legislature

2025 Regular Session

By Representatives Walen and Barkis

Read first time 01/24/25. Referred to Committee on Local Government.

1 AN ACT Relating to the designation of historic landmarks by  
2 cities; reenacting and amending RCW 43.21C.495; adding a new section  
3 to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21  
6 RCW to read as follows:

7 (1) (a) Except as provided for in subsection (3) of this section,  
8 cities must adopt or amend by ordinance, and incorporate into their  
9 development regulations, zoning regulations, preservation ordinances,  
10 and other official controls the requirements of subsection (2) of  
11 this section for properties that are zoned for residential or mixed  
12 use no later than one year after the effective date of this act.

13 (b) Except as provided in subsection (3) of this section, the  
14 requirements of subsection (2) of this section apply and take effect  
15 in any city that has not adopted or amended ordinances, regulations,  
16 or other official controls as required under this section by the  
17 timeline in (a) of this subsection and supersede, preempt, and  
18 invalidate any conflicting local regulations.

19 (2) No city may designate a property as a historic landmark if:

20 (a) The property that would be designated as a historic landmark  
21 is less than 40 years old; or

1 (b) If the designation would restrict the use, alteration, or  
2 demolition of the property, or the written consent of the owner of  
3 the property has not been obtained. Such a designation made without  
4 the written consent of the property owner is void unless and until  
5 such consent is obtained.

6 (3) The limitations in subsection (2) of this section do not  
7 apply if the property that would be designated as a historic landmark  
8 is within a historic district established through a local  
9 preservation ordinance.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21  
11 RCW to read as follows:

12 (1)(a) Except as provided for in subsection (3) of this section,  
13 code cities must adopt or amend by ordinance, and incorporate into  
14 their development regulations, zoning regulations, preservation  
15 ordinances, and other official controls, the requirements of  
16 subsection (2) of this section for properties that are zoned for  
17 residential or mixed use no later than one year after the effective  
18 date of this act.

19 (b) Except as provided in subsection (3) of this section, the  
20 requirements of subsection (2) of this section apply and take effect  
21 in any code city that has not adopted or amended ordinances,  
22 regulations, or other official controls as required under this  
23 section by the timeline in (a) of this subsection and supersede,  
24 preempt, and invalidate any conflicting local regulations.

25 (2) No code city may designate a property as a historic landmark  
26 if:

27 (a) The property that would be designated as a historic landmark  
28 is less than 40 years old; or

29 (b) If the designation would restrict the use, alteration, or  
30 demolition of the property, or the written consent of the owner of  
31 the property has not been obtained. Such a designation made without  
32 the written consent of the property owner is void unless and until  
33 such consent is obtained.

34 (3) The limitations in subsection (2) of this section do not  
35 apply if the property that would be designated as a historic landmark  
36 is within a historic district established through a local  
37 preservation ordinance.

1       **Sec. 3.** RCW 43.21C.495 and 2023 c 334 s 6 and 2023 c 3 s 8 are  
2 each reenacted and amended to read as follows:

3       (1) Adoption of ordinances, development regulations and  
4 amendments to such regulations, and other nonproject actions taken by  
5 a city to implement: The actions specified in section 2, chapter 246,  
6 Laws of 2022 unless the adoption of such ordinances, development  
7 regulations and amendments to such regulations, or other nonproject  
8 actions has a probable significant adverse impact on fish habitat;  
9 and the increased residential building capacity actions identified in  
10 RCW 36.70A.600(1), with the exception of the action specified in RCW  
11 36.70A.600(1)(f), are not subject to administrative or judicial  
12 appeals under this chapter.

13       (2) Amendments to development regulations and other nonproject  
14 actions taken by a city to implement the requirements under RCW  
15 36.70A.635 pursuant to RCW 36.70A.636(3)(b) are not subject to  
16 administrative or judicial appeals under this chapter.

17       (3) Adoption of ordinances, development regulations and  
18 amendments to such regulations, and other nonproject actions taken by  
19 a city or county consistent with the requirements of RCW 36.70A.680  
20 and 36.70A.681, or such actions taken by a city pursuant to section 1  
21 or 2 of this act, are not subject to administrative or judicial  
22 appeals under this chapter.

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