RCW 35.21.995 Historic landmark designation—Limitations.

(1)(a) Except as provided for in subsection (3) of this section, cities must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, preservation ordinances, and other official controls the requirements of subsection (2) of this section for properties that are zoned for residential or mixed use no later than one year after July 27, 2025.

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

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

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

(b) The designation would restrict the use, alteration, or demolition of the property, and the written consent of the owner of the property has not been obtained. Such a designation made through a local preservation ordinance after July 27, 2025, without the written consent of the property owner is void unless and until such consent is obtained. Nothing in chapter 241, Laws of 2025 affects such a designation made through a local preservation ordinance prior to July 27, 2025.

(3) The limitations in subsection (2) of this section 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, or if the nominator has provided written documentation to show that the property nominated to be designated as a historic landmark is more than 125 years old and the city has determined that the property to be designated as a historic landmark is more than 125 years old.

(4) Nothing in this section prevents a city from allowing a property to be nominated as a historic landmark without the consent of the property owner. Except as provided in subsection (3) of this section, such consent must be obtained prior to the nomination being approved and the property being designated as a landmark. [2025 c 241 s 1.]