
SENATE BILL 6664

State of Washington

54th Legislature

1996 Regular Session

By Senator Haugen

Read first time 01/23/96. Referred to Committee on Government Operations.

1 AN ACT Relating to mediation in land-use decisions; adding a new
2 section to chapter 35.63 RCW; adding a new section to chapter 35A.63
3 RCW; adding a new section to chapter 36.70 RCW; adding a new section to
4 chapter 35.22 RCW; and adding a new section to chapter 36.32 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63 RCW
7 to read as follows:

8 Prior to filing an appeal of a final decision by a hearing examiner
9 involving a conditional or special use permit application, the
10 aggrieved party must, within five days after the final decision,
11 initiate formal mediation procedures in an attempt to resolve the
12 parties' differences. The mediation shall be conducted by a trained
13 mediator selected by agreement of the parties. If the parties are
14 unable to agree on a mediator, each party shall nominate a mediator and
15 the mediator shall be selected by lot from among the nominees. The
16 mediation process must be completed within fourteen days from the time
17 the mediator is selected. The mediator shall provide the parties with
18 a written summary of the issues and any agreements reached. The
19 mediation report shall be made available to the governing jurisdiction

1 in any appeal filed. The aggrieved party is responsible for the cost
2 of the mediation.

3 Any time limits for filing of appeals are tolled during the
4 pendency of the mediation process.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63 RCW
6 to read as follows:

7 A final decision by a hearing examiner involving a conditional or
8 special use permit application under this chapter is subject to
9 mediation under section 1 of this act before an appeal may be filed.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70 RCW
11 to read as follows:

12 A final decision by a hearing examiner involving a conditional or
13 special use permit application under this chapter is subject to
14 mediation under section 1 of this act before an appeal may be filed.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.22 RCW
16 to read as follows:

17 A final decision by a hearing examiner involving a conditional or
18 special use permit application under a home-rule charter is subject to
19 mediation under section 1 of this act before an appeal may be filed.

20 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.32 RCW
21 to read as follows:

22 A final decision by a hearing examiner involving a conditional or
23 special use permit application under a home-rule charter is subject to
24 mediation under section 1 of this act before an appeal may be filed.

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