

---

**SUBSTITUTE SENATE BILL 6482**

---

**State of Washington**

**55th Legislature**

**1998 Regular Session**

**By** Senate Committee on Government Operations (originally sponsored by Senators Horn, Haugen and McCaslin)

Read first time 02/06/98.

1 AN ACT Relating to time limits for local project review under the  
2 growth management act; amending RCW 36.70B.090; and providing a  
3 contingent expiration date.

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

5 **Sec. 1.** RCW 36.70B.090 and 1995 c 347 s 413 are each amended to  
6 read as follows:

7 (1) Except as otherwise provided in subsection (2) of this section,  
8 a local government planning under RCW 36.70A.040 shall issue its notice  
9 of final decision on a project permit application within one hundred  
10 twenty days after the local government notifies the applicant that the  
11 application is complete, as provided in RCW 36.70B.070. In determining  
12 the number of days that have elapsed after the local government has  
13 notified the applicant that the application is complete, the following  
14 periods shall be excluded:

15 (a)(i) Any period during which the applicant has been requested by  
16 the local government to correct plans, perform required studies, or  
17 provide additional required information. The period shall be  
18 calculated from the date the local government notifies the applicant of  
19 the need for additional information until the earlier of the date the

1 local government determines whether the additional information  
2 satisfies the request for information or fourteen days after the date  
3 the information has been provided to the local government.

4 (ii) If the local government determines that the information  
5 submitted by the applicant under (a)(i) of this subsection is  
6 insufficient, it shall notify the applicant of the deficiencies and the  
7 procedures under (a)(i) of this subsection shall apply as if a new  
8 request for studies had been made;

9 (b) Any period during which an environmental impact statement is  
10 being prepared following a determination of significance pursuant to  
11 chapter 43.21C RCW, if the local government by ordinance or resolution  
12 has established time periods for completion of environmental impact  
13 statements, or if the local government and the applicant in writing  
14 agree to a time period for completion of an environmental impact  
15 statement;

16 (c) Any period for administrative appeals of project permits, if an  
17 open record appeal hearing or a closed record appeal, or both, are  
18 allowed. The local government by ordinance or resolution shall  
19 establish a time period to consider and decide such appeals. The time  
20 period shall not exceed: (i) Ninety days for an open record appeal  
21 hearing; and (ii) sixty days for a closed record appeal. The parties  
22 to an appeal may agree to extend these time periods; ~~((and))~~

23 (d) Any extension of time mutually agreed upon by the applicant and  
24 the local government; and

25 (e) With respect to any application that is subject to the  
26 authority of a community municipal corporation council under RCW  
27 35.14.040, the time between the date of the final decision by the local  
28 government and the date of decision by the community municipal  
29 corporation council, but not to exceed sixty days.

30 (2) The time limits established by subsection (1) of this section  
31 do not apply if a project permit application:

32 (a) Requires an amendment to the comprehensive plan or a  
33 development regulation;

34 (b) Requires approval of a new fully contained community as  
35 provided in RCW 36.70A.350, a master planned resort as provided in RCW  
36 36.70A.360, or the siting of an essential public facility as provided  
37 in RCW 36.70A.200; or

1 (c) Is substantially revised by the applicant, in which case the  
2 time period shall start from the date at which the revised project  
3 application is determined to be complete under RCW 36.70B.070.

4 (3) If the local government is unable to issue its final decision  
5 within the time limits provided for in this section, it shall provide  
6 written notice of this fact to the project applicant. The notice shall  
7 include a statement of reasons why the time limits have not been met  
8 and an estimated date for issuance of the notice of final decision.

9 (4) This section shall apply to project permit applications filed  
10 on or after April 1, 1996.

11 NEW SECTION. **Sec. 2.** The amendment of RCW 36.70B.090 by section  
12 1 of this act continues to be effective so long as RCW 36.70B.090  
13 remains in effect. If RCW 36.70B.090 expires or is repealed, the  
14 amendment by section 1 of this act likewise expires or is repealed.

--- END ---