
ENGROSSED SUBSTITUTE HOUSE BILL 1458

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Local Government & Housing (originally sponsored by Representatives Edwards, Mulliken, Hatfield, DeBolt, Mielke, Edmonds and Rockefeller)

READ FIRST TIME 02/27/01.

1 AN ACT Relating to establishing a timeline for final decisions
2 on land use project permit applications; and amending RCW
3 36.70B.070 and 36.70B.080.

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

5 **Sec. 1.** RCW 36.70B.070 and 1995 c 347 s 408 are each amended to
6 read as follows:

7 (1) Within twenty-eight days after receiving a project permit
8 application, a local government planning pursuant to RCW
9 36.70A.040 shall mail or provide in person a written determination
10 to the applicant, stating either:

11 (a) That the application is complete; or

12 (b) That the application is incomplete and listing in detail
13 exactly what information is necessary to make the application
14 complete.

15 To the extent known by the local government, the local
16 government shall identify and inform the applicant of other
17 agencies of local, state, or federal governments that may have
18 jurisdiction over some aspect of the application.

1 (2) A project permit application is complete for purposes of
2 this section when it meets the procedural submission requirements
3 ~~((of))~~ identified in the local ((government)) government's
4 development regulations required by RCW 36.70B.080 and is
5 sufficient for continued processing even though additional
6 information may be required or project modifications may be
7 undertaken subsequently. The determination of completeness shall
8 not preclude the local government from requesting additional
9 information or studies either at the time of the notice of
10 completeness or subsequently if new information is required or
11 substantial changes in the proposed action occur.

12 (3) The determination of completeness may include the following
13 as optional information:

14 (a) A preliminary determination of those development
15 regulations that will be used for project mitigation;

16 (b) A preliminary determination of consistency, as provided
17 under RCW 36.70B.040; or

18 (c) Other information the local government chooses to include.

19 (4)(a) An application shall be deemed complete under this
20 section if the local government does not provide a written
21 determination to the applicant that the application is incomplete
22 as provided in subsection (1)(b) of this section.

23 (b) Within fourteen days after an applicant has submitted to a
24 local government additional information identified by the local
25 government as being necessary for a complete application, the
26 local government shall notify the applicant whether the
27 application is complete or list in detail exactly what additional
28 information is necessary.

29 **Sec. 2.** RCW 36.70B.080 and 1995 c 347 s 410 are each amended to
30 read as follows:

31 (1) Development regulations adopted pursuant to RCW 36.70A.040
32 shall establish time periods for local government actions on
33 specific project permit applications, with deadlines for issuing
34 final decisions on specific project permit applications, and
35 provide timely and predictable procedures to determine whether a
36 completed project permit application meets the requirements of
37 those development regulations.

1 ~~((Such))~~ (2) The development regulations identified in
2 subsection (1) of this section shall specify the contents of a
3 completed project permit application necessary for the application
4 of such time periods and procedures. The contents of a completed
5 project permit application may include, but are not limited to,
6 the following:

7 (a) The legal description or the tax parcel number assigned
8 pursuant to RCW 84.40.160 and the street address if available;

9 (b) The property owner's name, address, and telephone number;

10 (c) The business name, address, telephone number of any
11 contractors, and current state contractor registration number;

12 (d) The business name, address, and telephone number of the
13 project permit applicants;

14 (e) Scaled drawings of the site of the proposed project permit;

15 (f) Scaled and dimensional drawings of existing and proposed
16 structures on the site of the proposed project permit;

17 (g) A fully completed environmental checklist, except for
18 project permit applications that either are exempt from the state
19 environmental policy act or for which an environmental checklist
20 under chapter 197-11 WAC is not required; and

21 (h) Any other studies, reports, plans, drawings, or
22 calculations identified by the local government as necessary for
23 continued processing of the specific project permit application.

24 (3) The deadlines for issuing final decisions on specific
25 project permit applications should not exceed one hundred twenty
26 days, unless the local government makes written findings that a
27 specified amount of additional time is needed for complete
28 processing of specific project permit applications.

29 (4)(a) Counties subject to the requirements of RCW 36.70A.215
30 and the cities within those counties that have populations of at
31 least twenty thousand shall identify the types of project permit
32 applications for which decisions are issued according to the
33 provisions of this chapter. For each type of project permit
34 application identified, these counties and cities shall establish
35 a deadline for issuing a notice of final decision as required by
36 subsection (1) of this section and minimum requirements for
37 applications to be deemed complete under RCW 36.70B.070 as
38 required by subsection (2) of this section. Counties and cities

1 subject to the requirements of this subsection also shall prepare
2 quarterly performance reports that include, at a minimum, the
3 following information for each type of project permit application:

4 (i) Total number of complete applications received during the
5 quarter;

6 (ii) Number of complete applications received during the
7 quarter for which a notice of final decision was issued before the
8 deadline established under subsection (1) of this section;

9 (iii) Number of applications received during the quarter for
10 which a notice of final decision was issued after the deadline
11 established under subsection (1) of this section;

12 (iv) Number of applications received during the quarter for
13 which an extension of time was mutually agreed upon by the
14 applicant and the county or city; and

15 (v) Variance of actual performance, excluding applications for
16 which mutually agreed time extensions have occurred, to the
17 deadline established under subsection (1) of this section during
18 the quarter.

19 (b) On a quarterly basis, counties and cities subject to the
20 requirements of this subsection shall provide notice of and access
21 to the quarterly performance reports required by this subsection
22 through the county's or city's web site. If a county or city
23 subject to the requirements of this subsection does not maintain a
24 web site, notice of the report shall be given by reasonable
25 methods, including but not limited to those methods specified in
26 RCW 36.70B.110(4).

27 (5) Nothing in this section prohibits a county or city from
28 extending a deadline for issuing a decision for a specific project
29 permit application for any reasonable period of time mutually
30 agreed upon by the applicant and the local government.

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