

SENATE BILL REPORT

SB 5307

As Passed Senate, March 11, 2003

Title: An act relating to permit timelines.

Brief Description: Requiring local governments to issue project permits in a timely manner.

Sponsors: Senators Mulliken, Finkbeiner, Stevens, McCaslin, Hale and Esser.

Brief History:

Committee Activity: Land Use & Planning: 2/6/03, 2/27/03 [DP, DNP].

Passed Senate: 3/11/03, 33-16.

SENATE COMMITTEE ON LAND USE & PLANNING

Majority Report: Do pass.

Signed by Senators Mulliken, Chair; McCaslin, Morton and T. Sheldon.

Minority Report: Do not pass.

Signed by Senator Kline.

Staff: Tim Watterson (786-7441)

Background: In 1995, the Legislature enacted Chapter 36.70B RCW, including a 120-day maximum time period for local governments subject to the Growth Management Act (GMA) between issuance of the notice of a complete project application and the notice of final decision for an environmental or land use permit. Certain exemptions and time exclusions applied to the overall time limit. This time limit was repealed effective June 30, 2000. Other provisions of Chapter 36.70B remain in effect.

Summary of Bill: The overall 120-day time limit for project permit decisions from GMA local governments is reinstated. All exemptions and time exclusions from the time limit are also reinstated, but a 60-day limit is imposed on local government requests for additional information. If a local government does not issue a final decision within the overall time limit, the project permit is deemed approved. The bill provisions apply to project permit applications filed on or after January 1, 2004. An advisory group on local project review is established to make recommendations to the Legislature concerning local project review procedures, with members appointed by the Legislature according to certain criteria.

Appropriation: None.

Fiscal Note: Requested on February 7, 2003.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This will provide certainty and predictability in permitting. It will provide incentive for local governments to process permits timely, but it may need more legal consequences. Timelines are a positive step, but there are still too many "off-ramps" and "clock stoppers" available within the timelines.

Testimony Against: Timelines will be costly to local governments in staff availability. Large, complex projects must meet the same timelines as small projects, leading to insufficient review and greater costs. An advisory group is a fiscal burden for little benefit.

Testified: Senator Mulliken, prime sponsor; Kristen Sawin, Association of Washington Business (pro); Larry Stout, Washington Association of Realtors (pro); Kris Tefft, BIAW (pro); Carolyn Logue, NFIB (pro); Dave Williams, Association of Washington Cities (con); Scott Merriman, Washington Association of Counties (con).