

HB 1456 - S AMD 392

By Senator Prentice

1 Beginning on page 2, line 35, after "only." strike all material
2 through "section." on page 3, line 4, and insert "A local government
3 engaged in processing a proposed fully contained community prior to the
4 effective date of this section, including the initiation of any steps
5 required before the preapplication process for such a proposal may
6 begin, shall determine whether the project proponent has undertaken
7 substantial efforts to proceed with such a proposal under existing
8 adopted comprehensive plan policies and development regulations and has
9 expended substantial sums in furtherance of the proposal. If the local
10 government determines that the project proponent has taken substantial
11 steps to proceed with such a proposal under existing adopted
12 comprehensive plan policies and development regulations and has
13 expended substantial sums in furtherance of the proposal, the
14 provisions of RCW 36.70A.350(2)(h) do not apply to that proposal. This
15 determination by a local government is considered a land use decision
16 as defined in RCW 36.70C.020 and may be challenged under the provisions
17 of the land use petition act, chapter 36.70C RCW. However, the court
18 shall review any challenge to such a determination under the arbitrary
19 and capricious standard of review."

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