
SUBSTITUTE HOUSE BILL 1935

State of Washington

69th Legislature

2025 Regular Session

By House Local Government (originally sponsored by Representatives Duerr and Reed)

READ FIRST TIME 02/20/25.

1 AN ACT Relating to the definition of project permit and project
2 permit application; and amending RCW 36.70B.020 and 36.70B.140.

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

4 **Sec. 1.** RCW 36.70B.020 and 2023 c 338 s 5 are each amended to
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Closed record appeal" means an administrative appeal on the
9 record to a local government body or officer, including the
10 legislative body, following an open record hearing on a project
11 permit application when the appeal is on the record with no or
12 limited new evidence or information allowed to be submitted and only
13 appeal argument allowed.

14 (2) "Local government" means a county, city, or town.

15 (3) "Open record hearing" means a hearing, conducted by a single
16 hearing body or officer authorized by the local government to conduct
17 such hearings, that creates the local government's record through
18 testimony and submission of evidence and information, under
19 procedures prescribed by the local government by ordinance or
20 resolution. An open record hearing may be held prior to a local
21 government's decision on a project permit to be known as an "open

1 record predecision hearing." An open record hearing may be held on an
2 appeal, to be known as an "open record appeal hearing," if no open
3 record predecision hearing has been held on the project permit.

4 (4) (a) "Project permit" or "project permit application" means any
5 land use or environmental permit or license required from a local
6 government for a project action, including but not limited to
7 subdivisions, binding site plans, planned unit developments,
8 conditional uses, shoreline substantial development permits, site
9 plan review, permits or approvals required by critical area
10 ordinances, site-specific rezones which do not require a
11 comprehensive plan amendment, but excluding the adoption or amendment
12 of a comprehensive plan, subarea plan, or development regulations
13 except as otherwise specifically included in this subsection.

14 (b) "Project permit" or "project permit application" does not
15 include building permits.

16 (5) "Public meeting" means an informal meeting, hearing,
17 workshop, or other public gathering of people to obtain comments from
18 the public or other agencies on a proposed project permit prior to
19 the local government's decision. A public meeting may include, but is
20 not limited to, a design review or architectural control board
21 meeting, a special review district or community council meeting, or a
22 scoping meeting on a draft environmental impact statement. A public
23 meeting does not include an open record hearing. The proceedings at a
24 public meeting may be recorded and a report or recommendation may be
25 included in the local government's project permit application file.

26 **Sec. 2.** RCW 36.70B.140 and 2023 c 338 s 1 are each amended to
27 read as follows:

28 (1) A local government by ordinance or resolution may exclude the
29 following project permits from the provisions of RCW 36.70B.060
30 through (~~(36.70B.090)~~) 36.70B.080 and 36.70B.110 through 36.70B.130:
31 Landmark designations, street vacations, or other approvals relating
32 to the use of public areas or facilities, or other project permits,
33 whether administrative or quasi-judicial, that the local government
34 by ordinance or resolution has determined present special
35 circumstances that warrant a review process or time periods for
36 approval which are different from that provided in RCW 36.70B.060
37 through (~~(36.70B.090)~~) 36.70B.080 and 36.70B.110 through 36.70B.130.

38 (2) A local government by ordinance or resolution also may
39 exclude the following project permits from the provisions of RCW

1 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary
2 adjustments and (~~building and~~) other construction permits, or
3 similar administrative approvals, categorically exempt from
4 environmental review under chapter 43.21C RCW, or for which
5 environmental review has been completed in connection with other
6 project permits.

7 (3) A local government must exclude project permits for interior
8 alterations from site plan review, provided that the interior
9 alterations do not result in the following:

10 (a) Additional sleeping quarters or bedrooms;

11 (b) Nonconformity with federal emergency management agency
12 substantial improvement thresholds; or

13 (c) Increase the total square footage or valuation of the
14 structure thereby requiring upgraded fire access or fire suppression
15 systems.

16 (4) Nothing in this section exempts interior alterations from
17 otherwise applicable building, plumbing, mechanical, or electrical
18 codes.

19 (5) For purposes of this section, "interior alterations" include
20 construction activities that do not modify the existing site layout
21 or its current use and involve no exterior work adding to the
22 building footprint.

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