
SUBSTITUTE SENATE BILL 5611

State of Washington

69th Legislature

2025 Regular Session

By Senate Local Government (originally sponsored by Senators Salomon, Trudeau, Frame, and Nobles)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to streamlining and clarifying local governments'
2 land use permitting workloads; amending RCW 58.17.035, 58.17.040,
3 64.90.025, and 36.70B.080; reenacting and amending RCW 58.17.040;
4 providing an effective date; and providing an expiration date.

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

6 **Sec. 1.** RCW 58.17.035 and 1987 c 354 s 2 are each amended to
7 read as follows:

8 A city, town, or county may adopt by ordinance procedures for the
9 divisions of land by use of a binding site plan as an alternative to
10 the procedures required by this chapter. The ordinance shall be
11 limited and only apply to one or more of the following: (1) The use
12 of a binding site plan to create or modify divisions for sale or
13 lease of commercially or industrially zoned property as provided in
14 RCW 58.17.040(4); (2) divisions of property for lease as provided for
15 in RCW 58.17.040(5); and (3) divisions of property as provided for in
16 RCW 58.17.040(7). Such ordinance may apply the same or different
17 requirements and procedures to each of the three types of divisions
18 and shall provide for the alteration or vacation of the binding site
19 plan, and may provide for the administrative approval of the binding
20 site plan. For the purposes of this section, commercially zoned

1 property includes property that is zoned to permit or conditionally
2 permit any multifamily residential uses.

3 The ordinance shall provide that after approval of the general
4 binding site plan for industrial or commercial divisions subject to a
5 binding site plan, the approval for improvements and finalization of
6 specific individual commercial or industrial lots shall be done by
7 administrative approval.

8 The binding site plan, after approval, and/or when specific lots
9 are administratively approved, shall be filed with the county auditor
10 with a record of survey. Lots, parcels, or tracts created through the
11 binding site plan procedure shall be legal lots of record. The number
12 of lots, tracts, parcels, sites, or divisions shall not exceed the
13 number of lots allowed by the local zoning ordinances.

14 All provisions, conditions, and requirements of the binding site
15 plan shall be legally enforceable on the purchaser or any other
16 person acquiring a lease or other ownership interest of any lot,
17 parcel, or tract created pursuant to the binding site plan.

18 Any sale, transfer, or lease of any lot, tract, or parcel created
19 pursuant to the binding site plan, that does not conform to the
20 requirements of the binding site plan or without binding site plan
21 approval, shall be considered a violation of chapter 58.17 RCW and
22 shall be restrained by injunctive action and be illegal as provided
23 in chapter 58.17 RCW.

24 **Sec. 2.** RCW 58.17.040 and 2024 c 190 s 2 are each amended to
25 read as follows:

26 The provisions of this chapter shall not apply to:

27 (1) Cemeteries and other burial plots while used for that
28 purpose;

29 (2) Divisions of land into lots or tracts each of which is one-
30 one hundred twenty-eighth of a section of land or larger, or five
31 acres or larger if the land is not capable of description as a
32 fraction of a section of land, unless the governing authority of the
33 city, town, or county in which the land is situated shall have
34 adopted a subdivision ordinance requiring plat approval of such
35 divisions: PROVIDED, That for purposes of computing the size of any
36 lot under this item which borders on a street or road, the lot size
37 shall be expanded to include that area (~~which~~) that would be
38 bounded by the center line of the road or street and the side lot
39 lines of the lot running perpendicular to such center line;

1 (3) Divisions made by testamentary provisions, or the laws of
2 descent;

3 (4) Divisions of land into lots or tracts classified for
4 industrial or commercial use when the city, town, or county has
5 approved a binding site plan for the use of the land in accordance
6 with local regulations. For the purposes of this section,
7 commercially zoned property includes property that is zoned to permit
8 or conditionally permit any multifamily residential uses;

9 (5) A division for the purpose of lease when no residential
10 structure other than mobile homes, tiny houses or tiny houses with
11 wheels as defined in RCW 35.21.686, or travel trailers are permitted
12 to be placed upon the land when the city, town, or county has
13 approved a binding site plan for the use of the land in accordance
14 with local regulations;

15 (6) A division made for the purpose of alteration by adjusting
16 boundary lines, between platted or unplatted lots or both, which does
17 not create any additional lot, tract, parcel, site, or division nor
18 create any lot, tract, parcel, site, or division which contains
19 insufficient area and dimension to meet minimum requirements for
20 width and area for a building site;

21 (7) Divisions of land into lots or tracts if: (a) Such division
22 is the result of subjecting a portion of a parcel or tract of land to
23 either chapter 64.32 or 64.34 RCW subsequent to the recording of a
24 binding site plan for all such land; (b) the improvements constructed
25 or to be constructed thereon are required by the provisions of the
26 binding site plan to be included in one or more condominiums or owned
27 by an association or other legal entity in which the owners of units
28 therein or their owners' associations have a membership or other
29 legal or beneficial interest; (c) a city, town, or county has
30 approved the binding site plan for all such land; (d) such approved
31 binding site plan is recorded in the county or counties in which such
32 land is located; and (e) the binding site plan contains thereon the
33 following statement: "All development and use of the land described
34 herein shall be in accordance with this binding site plan, as it may
35 be amended with the approval of the city, town, or county having
36 jurisdiction over the development of such land, and in accordance
37 with such other governmental permits, approvals, regulations,
38 requirements, and restrictions that may be imposed upon such land and
39 the development and use thereof. Upon completion, the improvements on
40 the land shall be included in one or more condominiums or owned by an

1 association or other legal entity in which the owners of units
2 therein or their owners' associations have a membership or other
3 legal or beneficial interest. This binding site plan shall be binding
4 upon all now or hereafter having any interest in the land described
5 herein." The binding site plan may, but need not, depict or describe
6 the boundaries of the lots or tracts resulting from subjecting a
7 portion of the land to either chapter 64.32 or 64.34 RCW. A site plan
8 shall be deemed to have been approved if the site plan was approved
9 by a city, town, or county: (i) In connection with the final approval
10 of a subdivision plat or planned unit development with respect to all
11 of such land; or (ii) in connection with the issuance of building
12 permits or final certificates of occupancy with respect to all of
13 such land; or (iii) if not approved pursuant to (i) and (ii) of this
14 subsection (7)(e), then pursuant to such other procedures as such
15 city, town, or county may have established for the approval of a
16 binding site plan;

17 (8) A division for the purpose of leasing land for facilities
18 providing personal wireless services while used for that purpose.
19 "Personal wireless services" means any federally licensed personal
20 wireless service. "Facilities" means unstaffed facilities that are
21 used for the transmission or reception, or both, of wireless
22 communication services including, but not necessarily limited to,
23 antenna arrays, transmission cables, equipment shelters, and support
24 structures;

25 (9) A division of land into lots or tracts of less than three
26 acres that is recorded in accordance with chapter 58.09 RCW and is
27 used or to be used for the purpose of establishing a site for
28 construction and operation of consumer-owned or investor-owned
29 electric utility facilities. For purposes of this subsection,
30 "electric utility facilities" means unstaffed facilities, except for
31 the presence of security personnel, that are used for or in
32 connection with or to facilitate the transmission, distribution,
33 sale, or furnishing of electricity including, but not limited to,
34 electric power substations. This subsection does not exempt a
35 division of land from the zoning and permitting laws and regulations
36 of cities, towns, counties, and municipal corporations. Furthermore,
37 this subsection only applies to electric utility facilities that will
38 be placed into service to meet the electrical needs of a utility's
39 existing and new customers. New customers are defined as electric
40 service locations not already in existence as of the date that

1 electric utility facilities subject to the provisions of this
2 subsection are planned and constructed; and

3 (10) A division of land into lots or tracts of less than two
4 acres that is recorded in accordance with chapter 58.09 RCW and is
5 used or to be used for the purpose of establishing a site for
6 construction and operation of a rural fire district station, provided
7 the proposed lots or tracts contain sufficient area and dimensions to
8 meet minimum building site width and area requirements, and
9 appropriate provisions are made for potable water supplies and
10 sanitary wastes.

11 **Sec. 3.** RCW 58.17.040 and 2024 c 321 s 407 and 2024 c 190 s 2
12 are each reenacted and amended to read as follows:

13 The provisions of this chapter shall not apply to:

14 (1) Cemeteries and other burial plots while used for that
15 purpose;

16 (2) Divisions of land into lots or tracts each of which is one-
17 one hundred twenty-eighth of a section of land or larger, or five
18 acres or larger if the land is not capable of description as a
19 fraction of a section of land, unless the governing authority of the
20 city, town, or county in which the land is situated shall have
21 adopted a subdivision ordinance requiring plat approval of such
22 divisions: PROVIDED, That for purposes of computing the size of any
23 lot under this item which borders on a street or road, the lot size
24 shall be expanded to include that area (~~which~~) that would be
25 bounded by the center line of the road or street and the side lot
26 lines of the lot running perpendicular to such center line;

27 (3) Divisions made by testamentary provisions, or the laws of
28 descent;

29 (4) Divisions of land into lots or tracts classified for
30 industrial or commercial use when the city, town, or county has
31 approved a binding site plan for the use of the land in accordance
32 with local regulations. For the purposes of this section,
33 commercially zoned property includes property that is zoned to permit
34 or conditionally permit any multifamily residential uses;

35 (5) A division for the purpose of lease when no residential
36 structure other than mobile homes, tiny houses or tiny houses with
37 wheels as defined in RCW 35.21.686, or travel trailers are permitted
38 to be placed upon the land when the city, town, or county has

1 approved a binding site plan for the use of the land in accordance
2 with local regulations;

3 (6) A division made for the purpose of alteration by adjusting
4 boundary lines, between platted or unplatted lots or both, which does
5 not create any additional lot, tract, parcel, site, or division nor
6 create any lot, tract, parcel, site, or division which contains
7 insufficient area and dimension to meet minimum requirements for
8 width and area for a building site;

9 (7) Divisions of land into lots or tracts if: (a) Such division
10 is the result of subjecting a portion of a parcel or tract of land to
11 chapter 64.90 RCW subsequent to the recording of a binding site plan
12 for all such land; (b) the improvements constructed or to be
13 constructed thereon are required by the provisions of the binding
14 site plan to be included in one or more condominiums, cooperatives,
15 or owned by an association or other legal entity in which the owners
16 of units therein or their owners associations have a membership or
17 other legal or beneficial interest; (c) a city, town, or county has
18 approved the binding site plan for all such land; (d) such approved
19 binding site plan is recorded in the county or counties in which such
20 land is located; and (e) the binding site plan contains thereon the
21 following statement: "All development and use of the land described
22 herein shall be in accordance with this binding site plan, as it may
23 be amended with the approval of the city, town, or county having
24 jurisdiction over the development of such land, and in accordance
25 with such other governmental permits, approvals, regulations,
26 requirements, and restrictions that may be imposed upon such land and
27 the development and use thereof. Upon completion, the improvements on
28 the land shall be included in one or more condominiums, cooperatives,
29 or owned by an association or other legal entity in which the owners
30 of units therein or their owners associations have a membership or
31 other legal or beneficial interest. This binding site plan shall be
32 binding upon all now or hereafter having any interest in the land
33 described herein." The binding site plan may, but need not, depict or
34 describe the boundaries of the lots or tracts resulting from
35 subjecting a portion of the land to chapter 64.90 RCW. A site plan
36 shall be deemed to have been approved if the site plan was approved
37 by a city, town, or county: (i) In connection with the final approval
38 of a subdivision plat or planned unit development with respect to all
39 of such land; or (ii) in connection with the issuance of building
40 permits or final certificates of occupancy with respect to all of

1 such land; or (iii) if not approved pursuant to (i) and (ii) of this
2 subsection (7)(e), then pursuant to such other procedures as such
3 city, town, or county may have established for the approval of a
4 binding site plan;

5 (8) A division for the purpose of leasing land for facilities
6 providing personal wireless services while used for that purpose.
7 "Personal wireless services" means any federally licensed personal
8 wireless service. "Facilities" means unstaffed facilities that are
9 used for the transmission or reception, or both, of wireless
10 communication services including, but not necessarily limited to,
11 antenna arrays, transmission cables, equipment shelters, and support
12 structures;

13 (9) A division of land into lots or tracts of less than three
14 acres that is recorded in accordance with chapter 58.09 RCW and is
15 used or to be used for the purpose of establishing a site for
16 construction and operation of consumer-owned or investor-owned
17 electric utility facilities. For purposes of this subsection,
18 "electric utility facilities" means unstaffed facilities, except for
19 the presence of security personnel, that are used for or in
20 connection with or to facilitate the transmission, distribution,
21 sale, or furnishing of electricity including, but not limited to,
22 electric power substations. This subsection does not exempt a
23 division of land from the zoning and permitting laws and regulations
24 of cities, towns, counties, and municipal corporations. Furthermore,
25 this subsection only applies to electric utility facilities that will
26 be placed into service to meet the electrical needs of a utility's
27 existing and new customers. New customers are defined as electric
28 service locations not already in existence as of the date that
29 electric utility facilities subject to the provisions of this
30 subsection are planned and constructed; and

31 (10) A division of land into lots or tracts of less than two
32 acres that is recorded in accordance with chapter 58.09 RCW and is
33 used or to be used for the purpose of establishing a site for
34 construction and operation of a rural fire district station, provided
35 the proposed lots or tracts contain sufficient area and dimensions to
36 meet minimum building site width and area requirements, and
37 appropriate provisions are made for potable water supplies and
38 sanitary wastes.

1 **Sec. 4.** RCW 64.90.025 and 2019 c 238 s 202 are each amended to
2 read as follows:

3 (1) A building, fire, health, or safety statute, ordinance, or
4 regulation may not impose any requirement upon any structure in a
5 common interest community that it would not impose upon a physically
6 identical development under a different form of ownership.

7 (2) A zoning, subdivision, or other land use statute, ordinance,
8 or regulation may not prohibit the condominium or cooperative form of
9 ownership or impose any requirement upon a condominium or cooperative
10 or miscellaneous community that it would not impose upon a physically
11 identical development under a different form of ownership. Such
12 requirements include, without limitation, any permitting process such
13 as a binding site plan under RCW 58.17.035 or hearing examiner
14 proceeding under RCW 35A.63.170.

15 (3) Chapter 58.17 RCW does not apply to the creation of a
16 condominium or a cooperative. This chapter must not be construed to
17 permit the creation of a condominium or cooperative or miscellaneous
18 community on a lot, tract, or parcel of land that could not be sold
19 or transferred without violating chapter 58.17 RCW.

20 (4) Except as provided in subsections (1), (2), and (3) of this
21 section, this chapter does not invalidate or modify any provision of
22 any building, zoning, subdivision, or other statute, ordinance, rule,
23 or regulation governing the use of real estate.

24 (5) This section does not prohibit a county legislative authority
25 from requiring the review and approval of declarations and amendments
26 to declarations and of termination agreements executed pursuant to
27 RCW 64.90.290(2) by the county assessor solely for the purpose of
28 allocating the assessed value and property taxes. The review by the
29 assessor must be done in a reasonable and timely manner.

30 **Sec. 5.** RCW 36.70B.080 and 2023 c 338 s 7 are each amended to
31 read as follows:

32 (1)(a) Development regulations adopted pursuant to RCW 36.70A.040
33 must establish and implement time periods for local government
34 actions for each type of project permit application and provide
35 timely and predictable procedures to determine whether a completed
36 project permit application meets the requirements of those
37 development regulations. ~~((The))~~ Except for modifications by a
38 jurisdiction provided for in (e) of this subsection, the time periods
39 for local government actions for each type of complete project permit

1 application or project type (~~should~~) may not exceed those specified
2 in this section.

3 (b) For project permits submitted after January 1, 2025, the
4 development regulations must, for each type of permit application,
5 specify the contents of a completed project permit application
6 necessary for the complete compliance with the time periods and
7 procedures.

8 (c) A jurisdiction may exclude certain permit types and timelines
9 for processing project permit applications as provided for in RCW
10 36.70B.140.

11 (d) The time periods for local government action to issue a final
12 decision for each type of complete project permit application or
13 project type subject to this chapter should not exceed the following
14 time periods unless modified by the local government pursuant to this
15 section or RCW 36.70B.140:

16 (i) For project permits which do not require public notice under
17 RCW 36.70B.110, a local government must issue a final decision within
18 65 days of the determination of completeness under RCW 36.70B.070;

19 (ii) For project permits which require public notice under RCW
20 36.70B.110, a local government must issue a final decision within 100
21 days of the determination of completeness under RCW 36.70B.070; and

22 (iii) For project permits which require public notice under RCW
23 36.70B.110 and a public hearing, a local government must issue a
24 final decision within 170 days of the determination of completeness
25 under RCW 36.70B.070.

26 (e) A jurisdiction may modify the provisions in (d) of this
27 subsection to add permit types not identified, change the permit
28 names or types in each category, address how consolidated review time
29 periods may be different than permits submitted individually, and
30 provide for how projects of a certain size or type may be
31 differentiated, including by differentiating between (~~residential~~
32 ~~and nonresidential~~) permits that include a residential land use as a
33 principal use of the land and permits that do not. Unless otherwise
34 provided for the consolidated review of more than one permit, the
35 time period for a final decision shall be the longest of the permit
36 time periods identified in (d) of this subsection or as amended by a
37 local government.

38 (f) If a local government does not adopt an ordinance or
39 resolution modifying the provisions in (d) of this subsection, the
40 time periods in (d) of this subsection apply.

1 (g) The number of days an application is in review with the
2 county or city shall be calculated from the day completeness is
3 determined under RCW 36.70B.070 to the date a final decision is
4 issued on the project permit application. The number of days shall be
5 calculated by counting every calendar day and excluding the following
6 time periods:

7 (i) Any period between the day that the county or city has
8 notified the applicant, in writing, that additional information is
9 required to further process the application and the day when
10 responsive information is resubmitted by the applicant;

11 (ii) Any period after an applicant informs the local government,
12 in writing, that they would like to temporarily suspend review of the
13 project permit application until the time that the applicant notifies
14 the local government, in writing, that they would like to resume the
15 application. A local government may set conditions for the temporary
16 suspension of a permit application; and

17 (iii) Any period after an administrative appeal is filed until
18 the administrative appeal is resolved and any additional time period
19 provided by the administrative appeal has expired.

20 (h) The time periods for a local government to process a permit
21 shall start over if an applicant proposes a change in use that adds
22 or removes commercial or residential elements from the original
23 application that would make the application fail to meet the
24 determination of procedural completeness for the new use, as required
25 by the local government under RCW 36.70B.070.

26 (i) If, at any time, an applicant informs the local government,
27 in writing, that the applicant would like to temporarily suspend the
28 review of the project for more than 60 days, or if an applicant is
29 not responsive for more than 60 consecutive days after the county or
30 city has notified the applicant, in writing, that additional
31 information is required to further process the application, an
32 additional 30 days may be added to the time periods for local
33 government action to issue a final decision for each type of project
34 permit that is subject to this chapter. Any written notice from the
35 local government to the applicant that additional information is
36 required to further process the application must include a notice
37 that nonresponsiveness for 60 consecutive days may result in 30 days
38 being added to the time for review. For the purposes of this
39 subsection, "nonresponsiveness" means that an applicant is not making
40 demonstrable progress on providing additional requested information

1 to the local government, or that there is no ongoing communication
2 from the applicant to the local government on the applicant's ability
3 or willingness to provide the additional information.

4 (j) Annual amendments to the comprehensive plan are not subject
5 to the requirements of this section.

6 (k) A county's or city's adoption of a resolution or ordinance to
7 implement this subsection shall not be subject to appeal under
8 chapter 36.70A RCW unless the resolution or ordinance modifies the
9 time periods provided in (d) of this subsection by providing for a
10 review period of more than 170 days for any project permit.

11 (l)(i) When permit time periods provided for in (d) of this
12 subsection, as may be amended by a local government, and as may be
13 extended as provided for in (i) of this subsection, are not met, a
14 portion of the permit fee must be refunded to the applicant as
15 provided in this subsection. A local government may provide for the
16 collection of only 80 percent of a permit fee initially, and for the
17 collection of the remaining balance if the permitting time periods
18 are met. The portion of the fee refunded for missing time periods
19 shall be:

20 (A) 10 percent if the final decision of the project permit
21 application was made after the applicable deadline but the period
22 from the passage of the deadline to the time of issuance of the final
23 decision did not exceed 20 percent of the original time period; or

24 (B) 20 percent if the period from the passage of the deadline to
25 the time of the issuance of the final decision exceeded 20 percent of
26 the original time period.

27 (ii) Except as provided in RCW 36.70B.160, the provisions in
28 (~~subsection (l)~~)(i) of this (~~section~~) subsection are not
29 applicable to cities and counties which have implemented at least
30 three of the options in RCW 36.70B.160(1) (a) through (j) at the time
31 an application is deemed procedurally complete.

32 (2)(a) Counties subject to the requirements of RCW 36.70A.215 and
33 the cities within those counties that have populations of at least
34 20,000 must, for each type of permit application, identify the total
35 number of project permit applications for which decisions are issued
36 according to the provisions of this chapter. For each type of project
37 permit application identified, these counties and cities must
38 establish and implement a deadline for issuing a notice of final
39 decision as required by subsection (1) of this section and minimum

1 requirements for applications to be deemed complete under RCW
2 36.70B.070 as required by subsection (1) of this section.

3 (b) Counties and cities subject to the requirements of this
4 subsection also must prepare an annual performance report that
5 includes information outlining time periods for certain permit types
6 associated with housing. The report must provide:

7 (i) Permit time periods for certain permit processes in the
8 county or city in relation to those established under this section,
9 including whether the county or city has established shorter time
10 periods than those provided in this section;

11 (ii) The total number of decisions issued during the year for the
12 following permit types: Preliminary subdivisions, final subdivisions,
13 binding site plans, permit processes associated with the approval of
14 multifamily housing, and construction plan review for each of these
15 permit types when submitted separately;

16 (iii) The total number of decisions for each permit type which
17 included consolidated project permit review, such as concurrent
18 review of a rezone or construction plans;

19 (iv) The average number of days from a submittal to a decision
20 being issued for the project permit types listed in subsection
21 ~~((2)(a)(ii))~~ (2)(b)(ii) of this section. This shall be calculated
22 from the day completeness is determined under RCW 36.70B.070 to the
23 date a decision is issued on the application. The number of days
24 shall be calculated by counting every calendar day;

25 (v) The total number of days each project permit application of a
26 type listed in subsection ~~((2)(a)(ii))~~ (2)(b)(ii) of this section
27 was in review with the county or city. This shall be calculated from
28 the day completeness is determined under RCW 36.70B.070 to the date a
29 final decision is issued on the application. The number of days shall
30 be calculated by counting every calendar day. The days the
31 application is in review with the county or city does not include the
32 time periods in subsection ~~((1)(g)(i)-(iii))~~ (1)(g)(i) through (iii)
33 ~~through (iii))~~ of this section;

34 (vi) The total number of days that were excluded from the time
35 period calculation under subsection ~~((1)(g)(i)-(iii))~~ (1)(g)(i) through (iii)
36 ~~through (iii))~~ of this section for each
37 project permit application of a type listed in subsection
38 ~~((2)(a)(ii))~~ (2)(b)(ii) of this section.

39 (c) Counties and cities subject to the requirements of this
40 subsection must:

1 (i) Post the annual performance report through the county's or
2 city's website; and

3 (ii) Submit the annual performance report to the department of
4 commerce by March 1st each year.

5 (d) No later than July 1st each year, the department of commerce
6 shall publish a report which includes the annual performance report
7 data for each county and city subject to the requirements of this
8 subsection and a list of those counties and cities whose time periods
9 are shorter than those provided for in this section.

10 The annual report must also include key metrics and findings from
11 the information collected.

12 (e) The initial annual report required under this subsection must
13 be submitted to the department of commerce by March 1, 2025, and must
14 include information from permitting in 2024.

15 (3) Nothing in this section prohibits a county or city from
16 extending a deadline for issuing a decision for a specific project
17 permit application for any reasonable and certain period of time
18 specified and mutually agreed upon in writing by the applicant and
19 the local government. No local government may require or request an
20 extension of an applicable deadline for issuance of a decision for a
21 specific project permit application as a condition or an option at
22 initial submission of a project permit application.

23 (4) Where a specific project permit application proposes a
24 project action to provide one or more residential housing units
25 within the incorporated areas in an urban growth area designated
26 pursuant to RCW 36.70A.110, and an applicable timeline required under
27 this section elapses without a required decision or mutually agreed
28 extension, no city or county subject to the requirements in this
29 section may deny the project permit, nor approve the project permit
30 with conditions or restrictions that have a substantial adverse
31 impact on the viability of the project action or the degree of
32 affordability of the project action, unless at least one of the
33 following conditions is met:

34 (a) The project permit application has failed to provide all
35 information that the local government requested within the timelines
36 required by this section, or failed to make all corrections required
37 by applicable law that the local government requested within the
38 timelines required by this section;

39 (b) The denial of the project permit, or the approval of the
40 project permit with conditions or restrictions that have a

1 substantial adverse impact on the viability of the project action or
2 the degree of affordability of the project action, is required in
3 order to comply with specific state or federal law;

4 (c) The project permit proposes development or ground disturbance
5 outside an urban growth area, in a critical area, critical area
6 buffer, or the proposed development or ground disturbance is subject
7 to a shoreline master program;

8 (d) The project permit proposes to site a given land use in an
9 area where that land use is subject to a shoreline master program, or
10 where that land use is not allowed by the local jurisdiction's
11 comprehensive plan or its zoning ordinance.

12 NEW SECTION. Sec. 6. Section 2 of this act expires January 1,
13 2028.

14 NEW SECTION. Sec. 7. Section 3 of this act takes effect January
15 1, 2028.

--- END ---