

# FINAL BILL REPORT

## ESHB 1458

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Synopsis as Enacted

**Brief Description:** Relating to establishing a timeline for final decisions on project permit applications.

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

**House Committee on Local Government & Housing**  
**Senate Committee on State & Local Government**

### **Background:**

Legislation enacted in 1995 required counties and cities required or choosing to plan under the Growth Management Act (GMA jurisdictions) to establish an integrated and consolidated development permit process for all projects involving two or more permits and to provide for no more than one open record hearing and one closed record appeal. Other jurisdictions may incorporate some or all of the integrated and consolidated development permit process. The 1995 legislation also included provisions regarding determining the completeness of project permit applications.

The 1995 legislation contained some provisions of limited duration:

- 120-day permit period -- A GMA jurisdiction was required to issue a final permit decision within 120 days after the applicant was notified the application is complete, with exemptions for certain types of projects and provisions for time periods not included in the 120-day calculation; and
- Local government liability waiver -- GMA jurisdictions were deemed not liable for damages due to failure to make a final decision within this 120-day period.

Both the 120-day permit period and the local government liability waiver expired on June 30, 2000.

Another provision enacted in the 1995 legislation required local development regulations to include periods for local government actions and provide timely and predictable procedures to determine whether completed project permit applications meet the development regulations' requirements.

The GMA requires six western Washington counties (Snohomish, King, Pierce, Kitsap,

Thurston, and Clark counties) and their cities to establish a monitoring and evaluation program to determine whether their county-wide planning policies are meeting planned residential densities and uses. This "buildable lands" evaluation must be conducted every five years. If the evaluation shows that the densities are not being met, the county and its cities must take measures to increase consistency between what was envisioned and what has occurred.

**Summary:**

Time periods for actions by GMA jurisdictions on project permit applications should not exceed 120 days unless the local government makes written findings that a specified amount of additional time is needed for processing of specific complete project permit applications or project types. This requirement does not preclude local governments and project permit applicants from mutually agreeing to extend the established deadlines for reasonable periods of time.

Counties subject to the buildable lands review and evaluation program (i.e., Snohomish, King, Pierce, Kitsap, Thurston, and Clark counties), and the cities within those counties that have populations of at least 20,000 must identify the types of project permit applications for which decisions are issued and must establish deadlines for issuing final decisions and minimum requirements for complete applications. These jurisdictions also must, through September 1, 2003, prepare at least two annual performance reports including at least the following information for each type of project permit application:

- total number of complete applications received during the year;
- number of complete applications received during the year for which a notice of final decision was issued before the established deadline;
- number of applications received during the year for which a notice of final decision was issued after the established deadline;
- number of applications received during the year for which an extension of time was mutually agreed upon by the applicant and the county or city; and
- variance of actual performance, excluding applications for which mutually agreed time extensions have occurred, to the established deadline.

Until July 1, 2003, counties and cities subject to the performance report requirements must provide notice of and access to the reports through their websites or by reasonable methods if a county or city does not maintain a website.

**Votes on Final Passage:**

House 88 5  
Senate 47 1 (Senate amended)  
House 88 5 (House concurred)

**Effective:** July 22, 2001