

SENATE BILL REPORT

ESHB 1458

As Reported By Senate Committee On:
State & Local Government, March 28, 2001

Title: An act relating to establishing a timeline for final decisions on land use project permit applications.

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).

Brief History:

Committee Activity: State & Local Government: 3/22/01, 3/28/01 [DPA].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass as amended.

Signed by Senators Patterson, Chair; Gardner, Hale, Horn, Kline, McCaslin, Roach, T. Sheldon and Swecker.

Staff: Diane Smith (786-7410)

Background: In 1995, local governments planning under GMA had to issue their final decision on project permit applications within 120 days from notification to the applicant that the application is complete. If the 120-day time limit could not be met, written notice to the applicant stating the reasons for the delay and an estimated date for a final decision had to be provided. This provision expired on June 30, 2000.

Summary of Amended Bill: The deadlines for the final decision should not exceed 120 days without written findings of the additional time the local government needs for processing. The deadline may be extended by mutual agreement.

Certain counties, those coming under the buildable lands review and evaluation program, and their cities of 20,000 population or more must identify types of applications for which the deadline and requirements for completeness are established. These same counties and cities must also prepare at least two annual performance reports by September 1, 2003. These reports provide specified information about how well the timelines were met for the types of applications. Notice of the reports are given by reasonable methods including web site, if available.

Amended Bill Compared to Original Bill: The striking amendment does not amend the section of law that addresses completeness of project permit applications.

The reporting requirements for the named local governments are reduced to at least two annual performance reports to be completed by September 1, 2003.

Appropriation: None.

Fiscal Note: Requested on March 20, 2001.

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

Testimony For: The 120-day deadline made local staff more accountable and minimized abuses of the system. The clock can be stopped at any time. It offers predictability for these projects. There are no unfunded mandates. Local jurisdictions can extend timelines as necessary. Performance reporting provides valuable data that can be used to draft specific, tailored legislation in the future if needed.

Testimony Against: This is an unfunded mandate to provide data for private parties at government expense. Local control is being ignored.

Testified: John Erwin, John Erwin Remodeling (pro); Jodi Slavik, BIAW (pro); Larry Stout, Realtors (pro); Kristen Sawin, AWB (pro); Bryan Wahl, Realtors (pro); Harry Reinert, King County DDES (con); Carolyn Logue, NFIB (pro); Dave Williams, Assn. of WA Cities (con).