

FINAL BILL REPORT

HB 2811

C 191 L 04

Synopsis as Enacted

Brief Description: Modifying local government permit processing provisions.

Sponsors: By Representatives Jarrett, Upthegrove, Priest, Romero, Shabro, Moeller, Clibborn, Linville, Edwards, Tom, Sullivan and Woods.

House Committee on Local Government
Senate Committee on Land Use & Planning

Background:

The Growth Management Act (GMA) establishes a comprehensive land use planning framework for county and city governments in Washington. Counties and cities meeting specific population and growth criteria are required to comply with the major requirements of the GMA. Counties not meeting these criteria may choose to plan under the GMA. Twenty-nine of 39 counties, and the cities within those 29 counties, are required to or have chosen to comply with the major requirements of the GMA (GMA jurisdictions).

GMA jurisdictions must adopt internally consistent comprehensive land use plans (comprehensive plans), which are generalized, coordinated land use policy statements of the governing body. GMA jurisdictions also must adopt development regulations that are consistent with and implement the comprehensive plan.

Development regulations adopted by GMA jurisdictions must establish time periods for local government actions on specific project permit applications, a term defined by statute to include any land use or environmental permit or license required from a local government for a project action. The adopted development regulations also must provide timely and predictable procedures to determine whether a completed application meets the requirements of those regulations and must specify the contents of a completed project permit application. By statute, the time periods for local government actions on specific complete project permit applications or types should not exceed 120 days.

Counties subject to the "buildable lands" provisions of the GMA (Snohomish, King, Pierce, Kitsap, Thurston, and Clark Counties) and the cities within those counties with populations of at least 20,000 must comply with specific requirements related to project permits, including identifying the types of project permit applications for which decisions are issued, establishing deadlines for issuing final decisions, and establishing minimum requirements for complete applications that are consistent with the statutory 120-day standard.

Expired statutory provisions required these same jurisdictions to prepare at least two annual performance reports according to specified minimum requirements. The reports were required to include the number of complete applications received, the number of complete applications

received during the year for which a notice of final decision was issued before the established deadline, and other information. In addition, these jurisdictions were required to provide notice of and access to the reports through the county's or city's web site or other reasonable methods. The performance reporting and public notification requirements expired on September 1, 2003, and July 1, 2003, respectively.

The Department of Community, Trade, and Economic Development (CTED) provides technical and financial assistance to jurisdictions implementing the GMA. The CTED also adopts procedural criteria to assist counties and cities in adopting comprehensive plans and development regulations that meet the goals and requirements of the GMA.

Summary:

Development regulations adopted according to the Growth Management Act (GMA) must establish and implement time periods for local government actions for each type of project permit application. The time periods for local government actions for each type of complete project permit application should not exceed 120 days and the development regulations must, for each type of permit application, specify the contents of a completed project permit application necessary for complete compliance with the related time periods and procedures.

Counties subject to the "buildable lands" provisions of the GMA and the cities within those counties with populations of at least 20,000 must produce annual reports by project permit application type that comply with specified minimum criteria. The minimum criteria must include the mean processing time and the number standard deviation from the mean.

Jurisdictions subject to the reporting requirements must post electronic facsimiles of the annual performance reports through the county's or city's web site. Web site postings indicating that reports are available by contacting the appropriate department or official do not comply with the specified requirements.

The Department of Community, Trade, and Economic Development (CTED) must work with counties subject to the "buildable lands" provisions of the GMA and certain cities within those counties to review the potential implementation costs of specified reporting requirements. Additionally, the CTED, in cooperation with local governments, must prepare a report summarizing the projected costs, together with recommendations for related state funding assistance, for submission to the Governor and the appropriate committees of the Legislature by January 1, 2005.

Votes on Final Passage:

House 93 0
Senate 45 0 (Senate amended)
House 95 0 (House concurred)

Effective: June 10, 2004