

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2418

69th Legislature
2026 Regular Session

Passed by the House March 11, 2026
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2026
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2418** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2418

AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

State of Washington

69th Legislature

2026 Regular Session

By House Appropriations (originally sponsored by Representatives Duerr, Zahn, Parshley, Peterson, and Reed)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to permit review processes; amending RCW
2 36.70B.020, 36.70B.070, 36.70B.080, and 36.70B.060; reenacting and
3 amending RCW 36.70B.160; adding a new section to chapter 54.04 RCW;
4 adding a new section to chapter 43.21A RCW; adding a new section to
5 chapter 57.08 RCW; adding a new section to chapter 86.09 RCW; and
6 adding a new section to chapter 43.21C RCW.

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

8 **Sec. 1.** RCW 36.70B.020 and 2025 c 102 s 1 are each amended to
9 read as follows:

10 Unless the context clearly requires otherwise, the definitions in
11 this section apply throughout this chapter.

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

18 (2) "Development regulations" means the controls placed on
19 development or land use activities by a county or city including, but
20 not limited to, zoning ordinances, critical areas ordinances,
21 shoreline master programs, official controls, planned unit

1 development ordinances, subdivision ordinances, and binding site plan
2 ordinances together with any amendments thereto. A development
3 regulation does not include a decision to approve a project permit
4 application, even though the decision may be expressed in a
5 resolution or ordinance of the legislative body of the county or
6 city.

7 (3) "Local government" means a county, city, or town.

8 ~~((3))~~ (4) "Open record hearing" means a hearing, conducted by a
9 single hearing body or officer authorized by the local government to
10 conduct such hearings, that creates the local government's record
11 through testimony and submission of evidence and information, under
12 procedures prescribed by the local government by ordinance or
13 resolution. An open record hearing may be held prior to a local
14 government's decision on a project permit to be known as an "open
15 record predecision hearing." An open record hearing may be held on an
16 appeal, to be known as an "open record appeal hearing," if no open
17 record predecision hearing has been held on the project permit.

18 ~~((4))~~ (5)(a) "Project permit" or "project permit application"
19 means any land use or environmental permit or license required from a
20 local government for a project action, including but not limited to
21 subdivisions, binding site plans, planned unit developments,
22 conditional uses, shoreline substantial development permits, site
23 plan review, permits or approvals required by critical area
24 ordinances, site-specific rezones which do not require a
25 comprehensive plan amendment, but excluding the adoption or amendment
26 of a comprehensive plan, subarea plan, or development regulations
27 except as otherwise specifically included in this subsection.

28 (b) "Project permit" or "project permit application" does not
29 include ~~((building))~~ permits issued based on compliance with state
30 and local building codes, or a special purpose district's or public
31 utility district's determination of service availability, system
32 capacity, infrastructure requirements, or review of proposed water,
33 sewer, or stormwater civil plans.

34 ~~((5))~~ (6) "Public meeting" means an informal meeting, hearing,
35 workshop, or other public gathering of people to obtain comments from
36 the public or other agencies on a proposed project permit prior to
37 the local government's decision. A public meeting may include, but is
38 not limited to, a design review or architectural control board
39 meeting, a special review district or community council meeting, or a
40 scoping meeting on a draft environmental impact statement. A public

1 meeting does not include an open record hearing. The proceedings at a
2 public meeting may be recorded and a report or recommendation may be
3 included in the local government's project permit application file.

4 **Sec. 2.** RCW 36.70B.070 and 2023 c 338 s 6 are each amended to
5 read as follows:

6 (1)(a) Within 28 days after receiving a project permit
7 application, a local government planning pursuant to RCW 36.70A.040
8 shall provide a written determination to the applicant.

9 (b) The written determination must state either:

10 (i) That the application is procedurally complete; or

11 (ii) That the application is procedurally incomplete and that the
12 procedural submission requirements of the local government have not
13 been met. The determination shall outline what is necessary to make
14 the application procedurally complete.

15 (c) The number of days shall be calculated by counting every
16 calendar day.

17 (d) To the extent known by the local government, the local
18 government shall identify other agencies of local, state, or federal
19 governments that may have jurisdiction over some aspect of the
20 application.

21 (2) A project permit application is procedurally complete for
22 purposes of this section when it meets the procedural submission
23 requirements of the local government, as outlined on the project
24 permit application. A determination of procedural completeness is not
25 a substantive review of the application and shall not be conditioned
26 on the adequacy, accuracy, or sufficiency of the information
27 submitted. Additional information or studies may be required or
28 project modifications may be undertaken subsequent to the procedural
29 review of the application by the local government. The determination
30 of completeness shall not preclude the local government from
31 requesting additional information or studies either at the time of
32 the notice of completeness or subsequently if new information is
33 required or substantial changes in the proposed action occur.
34 However, if the procedural submission requirements, as outlined on
35 the project permit application have been provided, the need for
36 additional information or studies may not preclude a completeness
37 determination.

38 (3) The determination of completeness may include or be combined
39 with the following:

1 (a) A preliminary determination of those development regulations
2 that will be used for project mitigation;

3 (b) A preliminary determination of consistency, as provided under
4 RCW 36.70B.040;

5 (c) Other information the local government chooses to include; or

6 (d) The notice of application pursuant to the requirements in RCW
7 36.70B.110.

8 (4)(a) An application shall be deemed procedurally complete on
9 the 29th day after receiving a project permit application under this
10 section if the local government does not provide a written
11 determination to the applicant that the application is procedurally
12 incomplete as provided in subsection (1)(b)(ii) of this section. When
13 the local government does not provide a written determination, they
14 may still seek additional information or studies as provided for in
15 subsection (2) of this section.

16 (b) Within 14 days after an applicant has submitted to a local
17 government additional information identified by the local government
18 as being necessary for a complete application, the local government
19 shall notify the applicant whether the application is complete or
20 what additional information is necessary.

21 (c) The notice of application shall be provided within 14 days
22 after the determination of procedural completeness pursuant to RCW
23 36.70B.110.

24 **Sec. 3.** RCW 36.70B.080 and 2025 c 208 s 5 are each amended to
25 read as follows:

26 (1)(a) Development regulations adopted pursuant to RCW 36.70A.040
27 must establish and implement time periods for local government
28 actions for each type of project permit application and provide
29 timely and predictable procedures to determine whether a completed
30 project permit application meets the requirements of those
31 development regulations. Except for modifications by a jurisdiction
32 provided for in (e) of this subsection, the time periods for local
33 government actions for each type of complete project permit
34 application or project type may not exceed those specified in this
35 section.

36 (b) For project permits submitted after January 1, 2025, the
37 development regulations must, for each type of permit application,
38 specify the contents of a completed project permit application

1 necessary for the complete compliance with the time periods and
2 procedures.

3 (c) A jurisdiction may exclude certain permit types and timelines
4 for processing project permit applications as provided for in RCW
5 36.70B.140.

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

11 (i) For project permits which do not require public notice under
12 RCW 36.70B.110, a local government must issue a final decision within
13 65 days of the determination of completeness under RCW 36.70B.070;

14 (ii) For project permits which require public notice under RCW
15 36.70B.110, a local government must issue a final decision within 100
16 days of the determination of completeness under RCW 36.70B.070; and

17 (iii) For project permits which require public notice under RCW
18 36.70B.110 and a public hearing, a local government must issue a
19 final decision within 170 days of the determination of completeness
20 under RCW 36.70B.070.

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

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

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

1 (i) Any period between the day that the county or city has
2 notified the applicant, in writing, that additional information is
3 required to further process the application, an applicable fee must
4 be paid, or a required notice must be posted, and the day when
5 responsive information is resubmitted by the applicant, the fee is
6 paid, or the notice is posted;

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

13 (iii) Any period that the local government has completed all
14 possible work on the application but must wait for necessary action
15 by a government entity subject to subsection (2) or (3) of this
16 section;

17 (iv) Any period during which a draft or final environmental
18 impact statement is being prepared following a determination of
19 significance under chapter 43.21C RCW;

20 (v) Any period between issuance of a final decision and the
21 expiration of the applicable administrative appeal period; and

22 (vi) Any period after an administrative appeal is filed until the
23 administrative appeal is resolved and any additional time period
24 provided by the administrative appeal has expired.

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

31 (i) If, at any time, an applicant informs the local government,
32 in writing, that the applicant would like to temporarily suspend the
33 review of the project for more than 60 days, or if an applicant is
34 not responsive for more than 60 consecutive days after the county or
35 city has notified the applicant, in writing, that additional
36 information is required to further process the application, an
37 additional 30 days may be added to the time periods for local
38 government action to issue a final decision for each type of project
39 permit that is subject to this chapter. Any written notice from the
40 local government to the applicant that additional information is

1 required to further process the application must include a notice
2 that nonresponsiveness for 60 consecutive days may result in 30 days
3 being added to the time for review. For the purposes of this
4 subsection, "nonresponsiveness" means that an applicant is not making
5 demonstrable progress on providing additional requested information
6 to the local government, or that there is no ongoing communication
7 from the applicant to the local government on the applicant's ability
8 or willingness to provide the additional information.

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

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

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

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

29 (B) 20 percent if the period from the passage of the deadline to
30 the time of the issuance of the final decision exceeded 20 percent of
31 the original time period.

32 (ii) Except as provided in RCW 36.70B.160, the provisions in
33 (~~((1))~~) (1)(i) of this subsection are not applicable to (~~(cities~~
34 ~~and counties)~~) a local government which (~~(have))~~ has implemented at
35 least three of the options in RCW 36.70B.160(1) (a) through (j) at
36 the time an application is deemed procedurally complete.

37 (2)(a) Any government entity other than a local government,
38 special purpose district, or public utility district, that imposes a
39 fee on an applicant for review of a project permit application, or a
40 portion thereof, related to a residential project must complete its

1 review of the project permit application within the time periods
2 established in subsection (1)(d) of this section, unless the
3 applicant agrees in writing to waive the application of the time
4 period for review. Such a waiver may occur at any time prior to the
5 denial of the project permit application or the exhaustion of the
6 time period for review. If an applicant has agreed to waive the
7 application of the time period, then the provisions of this
8 subsection (2) do not apply to the review of the project permit
9 application.

10 (b) The time that a government entity has taken to review a
11 project permit application must be determined as provided for in
12 subsection (1)(g) of this section, and is exclusive of the time that
13 a local government or other entity has taken to conduct its review of
14 its portion of the project permit application.

15 (c) A government entity that does not complete its review within
16 the required time periods must refund or forgo 20 percent of the fee
17 that it collected or would have collected for its review. A
18 government entity that does not collect a fee for its review of a
19 portion of a project permit application is not required to provide
20 any refund under this section.

21 (3)(a) When a local government requires a special purpose
22 district's or public utility district's determination in order to
23 complete review of a residential project permit application including
24 approval of a preliminary plat or other land division, the review
25 must be conducted as provided for in this subsection (3).

26 (b)(i) A special purpose district's or public utility district's
27 review period begins when a local government provides a complete
28 referral to the district. A referral is complete if it includes civil
29 plans and supporting materials based on the district's adopted
30 engineering and design standards in effect on the date of the
31 referral, and when the referral includes all materials required to
32 constitute a complete application under the district's adopted
33 procedures.

34 (ii) Within 15 calendar days of receipt of the referral, the
35 district must notify the local government and applicant in writing if
36 the referral is incomplete and identify the additional information
37 required. If a referral is deemed incomplete, a district has an
38 additional 15 calendar days from the receipt of the requested
39 information to notify the local government and applicant in writing
40 if the referral is still incomplete and identify the additional

1 information required. If the district does not provide notice within
2 15 calendar days of the initial referral or of the submission of
3 additional information, the referral is deemed complete for purposes
4 of this section.

5 (c) (i) For routine infrastructure extensions or connections that
6 do not require specialized engineering analysis or external
7 regulatory approval, the district shall issue its written technical
8 determination in the form of written comments within 45 business days
9 of its receipt of a complete referral. A written response may
10 include:

11 (A) Confirmation of consistency with adopted engineering and
12 design standards;

13 (B) Identification of revisions required to achieve compliance;

14 (C) Conditions of service or infrastructure improvements
15 authorized by law; or

16 (D) Identification of capacity, regulatory, or system limitations
17 that preclude approval.

18 (ii) When a proposal involves complex infrastructure or requires
19 specialized engineering review, regulatory coordination, or third-
20 party technical consultation, the time review period for completing
21 the review or issuing a decision may be extended by up to 60 business
22 days over the time period provided for in (c) (i) of this subsection.
23 If a time period is extended in this way, the district must provide
24 written notice to the local government and applicant identifying the
25 basis for extended review and an estimated time frame for completion.
26 No review period may exceed a total of more than 120 calendar days,
27 exclusive of any excluded periods provided for in (d) of this
28 subsection. Complex infrastructure includes, but is not limited to:

29 (A) Sewage lift stations or pump stations;

30 (B) Mechanical, electrical, hydraulic, or supervisory control and
31 data acquisition systems;

32 (C) Directional drilling, boring, or installation within state or
33 county rights-of-way;

34 (D) Construction of new off-site capital facilities that are not
35 existing or previously approved for construction and that are
36 required to provide system capacity beyond a direct connection to
37 existing infrastructure;

38 (E) System-wide hydraulic or capacity modeling;

39 (F) Projects requiring specialty engineering consultation; and

1 (G) Projects in critical aquifer protection areas, where
2 additional assessment is required.

3 (d)(i) The time periods that a district has been reviewing an
4 application under (c) of this subsection may not include any period
5 in which the district is awaiting:

6 (A) Approval or other authorization from a state or federal
7 agency;

8 (B) Right-of-way permits from the state or a local government;

9 (C) Franchise utility coordination or relocation approval;

10 (D) Final land use conditions, site layout decisions, or building
11 design necessary to complete engineering review; or

12 (E) Any other approvals required by state or federal law that are
13 outside the authority of the district.

14 (ii) The review period also does not include any period in which
15 the district is awaiting revisions from the applicant in response to
16 written review comments from the district. The period excluded under
17 this subsection begins on the date the written comments are
18 transmitted to the applicant and ends on the date the district
19 receives revised materials that are responsive to those comments.
20 After an initial period is excluded under this subsection, subsequent
21 excluded periods are limited to those related to review comments
22 arising from revised materials and may not reopen issues previously
23 resolved unless required for public health, safety, or regulatory
24 compliance.

25 (iii) Nothing in this subsection (3) limits the authority of a
26 district to issue additional comments if revised materials introduce
27 new deficiencies or design changes.

28 (e)(i) If a district does not provide written comments within the
29 time periods established in (c) of this subsection, exclusive of any
30 periods excluded under (d) of this subsection, the district must
31 refund or forgo 20 percent of the fee that it collected or would have
32 collected for its review of the application.

33 (ii) Only that portion of the fee attributable to civil plan or
34 infrastructure review under this section is subject to a refund.

35 (iii) A district's failure to complete review within the
36 applicable time period does not constitute approval of service.

37 (f) Nothing in this subsection (3):

38 (i) Expands or limits the substantive authority of a special
39 purpose district or public utility district;

1 (ii) Authorizes the imposition of requirements not otherwise
2 authorized by law;

3 (iii) Creates a cause of action for damages; or

4 (iv) Requires provision of service that cannot be safely or
5 legally delivered.

6 (g) Districts subject to this section shall provide review
7 performance information to a local government that referred the
8 residential project permit application to the district if the local
9 government is required to create a performance report under
10 subsection (4) of this section. The information must include:

11 (i) The date the referral was received;

12 (ii) The date the referral was deemed complete;

13 (iii) Whether the referral was for an application eligible for an
14 extension of the initial time period as provided for in (c)(ii) of
15 this subsection;

16 (iv) The date that written comments were issued; and

17 (v) Whether a refund was issued under (e) of this subsection.

18 (4)(a) Counties subject to the requirements of RCW 36.70A.215 and
19 the cities within those counties that have populations of at least
20 20,000 must, for each type of permit application, identify the total
21 number of project permit applications for which decisions are issued
22 according to the provisions of this chapter. For each type of project
23 permit application identified, these counties and cities must
24 establish and implement a deadline for issuing a notice of final
25 decision as required by subsection (1) of this section and minimum
26 requirements for applications to be deemed complete under RCW
27 36.70B.070 as required by subsection (1) of this section.

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

32 (i) Permit time periods for certain permit processes in the
33 county or city in relation to those established under this section,
34 including whether the county or city has established shorter time
35 periods than those provided in this section;

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

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

4 (iv) The average number of days from a submittal to a decision
5 being issued for the project permit types listed in (~~subsection~~
6 ~~(2)(b)(ii) of this section [(b)(ii) of this subsection]~~) (b)(ii) of
7 this subsection. This shall be calculated from the day completeness
8 is determined under RCW 36.70B.070 to the date a decision is issued
9 on the application. The number of days shall be calculated by
10 counting every calendar day;

11 (v) The total number of days each project permit application of a
12 type listed in (~~subsection (2)(b)(ii) of this section [(b)(ii) of~~
13 ~~this subsection]~~) (b)(ii) of this subsection was in review with the
14 county or city. This shall be calculated from the day completeness is
15 determined under RCW 36.70B.070 to the date a final decision is
16 issued on the application. The number of days shall be calculated by
17 counting every calendar day. The days the application is in review
18 with the county or city does not include the time periods in
19 subsection (1)(g)(i) through (iii) of this section;

20 (vi) The total number of days that were excluded from the time
21 period calculation under subsection (1)(g)(i) through (iii) of this
22 section for each project permit application of a type listed in
23 (~~subsection (2)(b)(ii) of this section [(b)(ii) of this~~
24 ~~subsection]~~) (b)(ii) of this subsection; and

25 (vii) Any information received from a special purpose district or
26 public utility district under subsection (3)(g) of this section.

27 (c) Counties and cities subject to the requirements of this
28 subsection must:

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

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

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

38 The annual report must also include key metrics and findings from
39 the information collected.

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

4 ~~((3))~~ (5) Nothing in this section prohibits a county or city
5 from extending a deadline for issuing a decision for a specific
6 project permit application for any reasonable and certain period of
7 time specified and mutually agreed upon in writing by the applicant
8 and the local government. If an applicant has agreed to extend the
9 deadline for issuing a decision on a specific project permit
10 application, then the provisions of subsection (1) of this section do
11 not apply to the review of the project permit application. Such an
12 extension may occur at any time prior to the denial of the project
13 permit application or the exhaustion of the time period for review.
14 No local government may require or request an extension of an
15 applicable deadline for issuance of a decision for a specific project
16 permit application as a condition or an option at initial submission
17 of a project permit application.

18 **Sec. 4.** RCW 36.70B.060 and 1995 c 347 s 407 are each amended to
19 read as follows:

20 Not later than ~~((March 31, 1996))~~ June 30, 2027, each local
21 government planning under RCW 36.70A.040 shall establish by ordinance
22 or resolution an integrated and consolidated project permit process
23 that may be included in its development regulations. In addition to
24 the elements required by RCW 36.70B.050, the process shall include
25 the following elements:

26 (1) A determination of completeness to the applicant as required
27 by RCW 36.70B.070;

28 (2)(a) The designation of a permit responsible official for
29 project permit applications related to a residential project. This
30 official has the authority to make all final administrative decisions
31 on project permit applications related to residential projects
32 consistent with the procedural requirements of this chapter. If a
33 local government is also the lead agency responsible for the
34 environmental analysis and procedural requirements under chapter
35 43.21C RCW for the residential project, then the permit responsible
36 official must be designated as the responsible official under that
37 chapter.

38 (b) The local government shall designate, for each project permit
39 application, a single point of contact, which may be a designated

1 official, position, office, or functional unit of the local
2 government and may be identified by a publicly available telephone
3 number or electronic mail address for purposes of applicant
4 communication. The designation may vary by application. The
5 designated official, position, office, or functional unit must
6 coordinate with other departments and with other agencies or
7 government entities with permit review responsibilities as necessary
8 to ensure that a final decision on project permit applications is
9 issued within the applicable timeline under RCW 36.70B.080. The
10 designation of a single point of contact does not confer independent
11 final decision-making authority unless otherwise provided under local
12 ordinance;

13 (3) A notice of application to the public and agencies with
14 jurisdiction as required by RCW 36.70B.110;

15 ~~((3))~~ (4) Except as provided in RCW 36.70B.140, an optional
16 consolidated project permit review process as provided in RCW
17 36.70B.120. The review process shall provide for no more than one
18 consolidated open record hearing and one closed record appeal. If an
19 open record predecision hearing is provided prior to the decision on
20 a project permit, the process shall not allow a subsequent open
21 record appeal hearing;

22 ~~((4))~~ (5) Provision allowing for any public meeting or required
23 open record hearing to be combined with any public meeting or open
24 record hearing that may be held on the project by another local,
25 state, regional, federal, or other agency, in accordance with
26 provisions of RCW ~~((36.70B.090 and))~~ 36.70B.110;

27 ~~((5))~~ (6) A single report stating all the decisions made as of
28 the date of the report on all project permits included in the
29 consolidated permit process that do not require an open record
30 predecision hearing and any recommendations on project permits that
31 do not require an open record predecision hearing. The report shall
32 state any mitigation required or proposed under the development
33 regulations or the agency's authority under RCW 43.21C.060. The
34 report may be the local permit. If a threshold determination other
35 than a determination of significance has not been issued previously
36 by the local government, the report shall include or append this
37 determination;

38 ~~((6))~~ (7) Except for the appeal of a determination of
39 significance as provided in RCW 43.21C.075, if a local government
40 elects to provide an appeal of its threshold determinations or

1 project permit decisions, the local government shall provide for no
2 more than one consolidated open record hearing on such appeal. The
3 local government need not provide for any further appeal and may
4 provide an appeal for some but not all project permit decisions. If
5 an appeal is provided after the open record hearing, it shall be a
6 closed record appeal before a single decision-making body or officer;

7 ~~((7))~~ (8) A notice of decision as required by RCW 36.70B.130
8 and issued within the time period provided in RCW 36.70B.080 ~~((and~~
9 ~~36.70B.090;~~

10 ~~(8) Completion of project review by the local government,~~
11 ~~including environmental review and public review and any appeals to~~
12 ~~the local government, within any applicable time periods under RCW~~
13 ~~36.70B.090)); and~~

14 (9) Any other provisions not inconsistent with the requirements
15 of this chapter or chapter 43.21C RCW.

16 **Sec. 5.** RCW 36.70B.160 and 2023 c 338 s 8 and 2023 c 333 s 2 are
17 each reenacted and amended to read as follows:

18 (1) Each local government is encouraged to adopt further project
19 review and code provisions to provide prompt, coordinated, and
20 objective review and ensure accountability to applicants and the
21 public by:

22 (a) Expediting review for project permit applications for
23 projects that are consistent with adopted development regulations or
24 that include dwelling units that are affordable to low-income or
25 moderate-income households;

26 (b) Imposing reasonable fees, consistent with RCW 82.02.020, on
27 applicants for permits or other governmental approvals to cover the
28 cost to the city, town, county, or other municipal corporation of
29 processing applications, inspecting and reviewing plans, or preparing
30 detailed statements required by chapter 43.21C RCW. The fees imposed
31 may not include a fee for the cost of processing administrative
32 appeals. Nothing in this subsection limits the ability of a county or
33 city to impose a fee for the processing of administrative appeals as
34 otherwise authorized by law;

35 (c) Entering into an interlocal agreement with another
36 jurisdiction to share permitting staff and resources;

37 (d) Maintaining and budgeting for on-call permitting assistance
38 for when permit volumes or staffing levels change rapidly;

1 (e) Having new positions budgeted that are contingent on
2 increased permit revenue;

3 (f) Adopting development regulations which only require public
4 hearings for permit applications that are required to have a public
5 hearing by statute;

6 (g) Adopting development regulations which make preapplication
7 meetings optional rather than a requirement of permit application
8 submittal;

9 (h) Adopting development regulations which make housing types an
10 outright permitted use in all zones where the housing type is
11 permitted;

12 (i) Adopting a program to allow for outside professionals with
13 appropriate professional licenses to certify components of
14 applications consistent with their license; or

15 (j) Meeting with the applicant to attempt to resolve outstanding
16 issues during the review process. The meeting must be scheduled
17 within 14 days of a second request for corrections during permit
18 review. If the meeting cannot resolve the issues and a local
19 government proceeds with a third request for additional information
20 or corrections, the local government must approve or deny the
21 application upon receiving the additional information or corrections.

22 (2)(a) After January 1, 2026, a county or city must adopt
23 additional measures under subsection (1) of this section at the time
24 of its next comprehensive plan update under RCW 36.70A.130 if it
25 meets the following conditions:

26 (i) The county or city has adopted at least three project review
27 and code provisions under subsection (1) of this section more than
28 five years prior; and

29 (ii) The county or city is not meeting the permitting deadlines
30 established in RCW 36.70B.080 at least half of the time over the
31 period since its most recent comprehensive plan update under RCW
32 36.70A.130.

33 (b) A city or county that is required to adopt new measures under
34 (a) of this subsection but fails to do so becomes subject to the
35 provisions of RCW 36.70B.080(1)(1), notwithstanding RCW
36 36.70B.080(1)(1)(ii).

37 (3) Nothing in this chapter is intended or shall be construed to
38 prevent a local government from requiring a preapplication conference
39 or a public meeting by rule, ordinance, or resolution, where
40 otherwise required by applicable state law.

1 (4) Each local government shall adopt procedures to monitor and
2 enforce permit decisions and conditions.

3 (5) Nothing in this chapter modifies any independent statutory
4 authority for a government agency to appeal a project permit issued
5 by a local government.

6 (6) For the purposes of this section:

7 (a) A dwelling unit is affordable if it requires payment of
8 monthly housing costs, including utilities other than telephone, of
9 no more than 30 percent of the family's income.

10 (b) "Dwelling unit" means a residential living unit that provides
11 complete independent living facilities for one or more persons and
12 that includes permanent provisions for living, sleeping, eating,
13 cooking, and sanitation, and that is sold or rented separately from
14 other dwelling units.

15 (c) "Low-income household" means a single person, family, or
16 unrelated persons living together whose adjusted income is less than
17 80 percent of the median family income, adjusted for household size,
18 for the county where the household is located, as reported by the
19 United States department of housing and urban development, or less
20 than 80 percent of the city's median income if the project is located
21 in the city, the city has median income of more than 20 percent above
22 the county median income, and the city has adopted an alternative
23 local median income.

24 (d) "Moderate-income household" means a single person, family, or
25 unrelated persons living together whose adjusted income is at or
26 below 120 percent of the median household income, adjusted for
27 household size, for the county where the household is located, as
28 reported by the United States department of housing and urban
29 development, or less than 120 percent of the city's median income if
30 the project is located in the city, the city has median income of
31 more than 20 percent above the county median income, and the city has
32 adopted an alternative local median income.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 54.04
34 RCW to read as follows:

35 (1) Whenever a public utility district imposes a fee on an
36 applicant for the review of a project permit application related to a
37 residential project, the district must complete its review within the
38 time frames provided for in RCW 36.70B.080(3).

1 (2) If a public utility district does not complete its review
2 within the required time frame, it must refund or forgo 20 percent of
3 the fee that it charged, or would have charged, the applicant for the
4 review. A district that does not collect a fee for its review of a
5 portion of a project permit application is not required to provide
6 any refund under this section.

7 (3) For the purposes of this section, "project permit" has the
8 same meaning as in RCW 36.70B.020.

9 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.21A
10 RCW to read as follows:

11 (1) Whenever the department imposes a fee on an applicant for the
12 review of a project permit application related to a residential
13 project, the department must complete its review within the time
14 frames provided for a local government to issue a final decision in
15 RCW 36.70B.080(1)(d). The time that a project permit application has
16 been under review must be calculated from the date that the
17 department receives the information necessary for it to begin its
18 review until the department has issued its final decision, and
19 excludes any time period that would be excluded from the calculation
20 of the time that a local government has been reviewing an application
21 under RCW 36.70B.080(1)(g).

22 (2) If the department does not complete its review within the
23 required time frame, it must refund or forgo 20 percent of the fee
24 that it charged, or would have charged, the applicant for the review.
25 If the department does not collect a fee for its review of a portion
26 of a project permit application, it is not required to provide any
27 refund under this section.

28 (3) For the purposes of this section, "project permit" has the
29 same meaning as in RCW 36.70B.020.

30 NEW SECTION. **Sec. 8.** A new section is added to chapter 57.08
31 RCW to read as follows:

32 (1) Whenever a district imposes a fee on an applicant for the
33 review of a project permit application related to a residential
34 project, the district must complete its review within the time frames
35 provided for in RCW 36.70B.080(3).

36 (2) If a district does not complete its review within the
37 required time frame, it must refund or forgo 20 percent of the fee
38 that it charged, or would have charged, the applicant for the review.

1 A district that does not collect a fee for its review of a portion of
2 a project permit application is not required to provide any refund
3 under this section.

4 (3) For the purposes of this section, "project permit" has the
5 same meaning as in RCW 36.70B.020.

6 NEW SECTION. **Sec. 9.** A new section is added to chapter 86.09
7 RCW to read as follows:

8 (1) Whenever a district imposes a fee on an applicant for the
9 review of a project permit application related to a residential
10 project, the district must complete its review within the time frames
11 provided for in RCW 36.70B.080(3).

12 (2) If a district does not complete its review within the
13 required time frame, it must refund or forgo 20 percent of the fee
14 that it charged, or would have charged, the applicant for the review.
15 A district that does not collect a fee for its review of a portion of
16 a project permit application is not required to provide any refund
17 under this section.

18 (3) For the purposes of this section, "project permit" has the
19 same meaning as in RCW 36.70B.020.

20 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.21C
21 RCW to read as follows:

22 If a county, city, or town has designated a permit responsible
23 official under RCW 36.70B.060 on a residential project permit
24 application, that official must also be designated as the responsible
25 official when the county, city, or town is the lead agency
26 responsible for complying with the requirements of this chapter
27 related to the application for the residential project.

--- END ---