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**SENATE BILL 5611**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Salomon and Trudeau

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 time periods for local government  
38 actions for each type of complete project permit application or



1 project type ((~~should~~)) may not exceed those specified in this  
2 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 in an area where such disturbance is not allowed by the  
7 applicable shoreline master program;

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

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