
HOUSE BILL 1519

State of Washington

68th Legislature

2023 Regular Session

By Representatives Barkis and Bateman

1 AN ACT Relating to local project review; amending RCW 36.70B.020,
2 36.70B.070, 36.70B.080, 36.70B.140, and 36.70B.160; reenacting and
3 amending RCW 36.70B.110; adding a new section to chapter 36.70B RCW;
4 and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that delays in the
7 processing of permits increases the cost of housing. The legislature
8 also finds that Washington is in a housing crisis for all types of
9 housing. Therefore, it is the intent of the legislature to ensure
10 predictable and consistent permit processes by creating a system of
11 accountability, metrics, and best practices for local governments to
12 follow when reviewing a permit application. The legislature finds
13 that Washington's cities and counties may need assistance and
14 resources for adopting these best practices and ensuring predictable
15 permit timelines, so it is the intent of the legislature to provide
16 assistance and resources for local governments to be successful in
17 processing permits. The legislature acknowledges that permitting is
18 necessary for the health and safety of our communities now and into
19 the future. Furthermore, it is the intent of the legislature to
20 encourage new home construction of all types through permit process

1 improvements, so Washington's builders can build Washington's future
2 neighborhoods safely and more quickly.

3 **Sec. 2.** RCW 36.70B.020 and 1995 c 347 s 402 are each amended to
4 read as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

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

13 (2) "Local government" means a county, city, or town.

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

24 (4) "Project permit" or "project permit application" means any
25 land use or environmental permit or license required from a local
26 government for a project action, including but not limited to
27 ~~((building permits,))~~ subdivisions, binding site plans, planned unit
28 developments, conditional uses, shoreline substantial development
29 permits, site plan review, permits or approvals required by critical
30 area ordinances, or site-specific rezones ~~((authorized by a
31 comprehensive plan or subarea plan, but excluding))~~ that do not
32 require a comprehensive plan amendment. "Project permit" or "project
33 permit application" does not include building permits or the adoption
34 or amendment of a comprehensive plan, subarea plan, or development
35 regulations except as otherwise specifically included in this
36 subsection.

37 (5) "Public meeting" means an informal meeting, hearing,
38 workshop, or other public gathering of people to obtain comments from
39 the public or other agencies on a proposed project permit prior to

1 the local government's decision. A public meeting may include, but is
2 not limited to, a design review or architectural control board
3 meeting, a special review district or community council meeting, or a
4 scoping meeting on a draft environmental impact statement. A public
5 meeting does not include an open record hearing. The proceedings at a
6 public meeting may be recorded and a report or recommendation may be
7 included in the local government's project permit application file.

8 **Sec. 3.** RCW 36.70B.070 and 1995 c 347 s 408 are each amended to
9 read as follows:

10 (1) (a) Within twenty-eight days after receiving a project permit
11 application, a local government planning pursuant to RCW 36.70A.040
12 shall mail, email, or provide in person a written determination to
13 the applicant, stating either:

14 ~~((a))~~ (i) That the application is complete; or

15 ~~((b))~~ (ii) That the application is incomplete ~~((and))~~. The
16 determination must outline what is necessary to make the application
17 procedurally complete.

18 (b) An application must be deemed complete if it meets the
19 procedural submission requirements of the local government, and
20 incomplete if the procedural submission requirements have not been
21 met.

22 (c) The number of days shall be calculated by counting five days
23 per week, excluding holidays. To the extent known by the local
24 government, the local government shall identify other agencies of
25 local, state, or federal governments that may have jurisdiction over
26 some aspect of the application.

27 (2) A project permit application is complete for purposes of this
28 section when it meets the procedural submission requirements of the
29 local government ~~((and is sufficient for continued processing even~~
30 ~~though additional information))~~, as outlined on the project permit
31 application. Additional information or studies may be required or
32 project modifications may be undertaken ~~((subsequently))~~ subsequent
33 to the procedural review of the application by the local government.
34 The determination of completeness shall not preclude the local
35 government from requesting additional information or studies either
36 at the time of the notice of completeness or subsequently if new
37 information is required or substantial changes in the proposed action
38 occur. However, if the procedural submission requirements, as
39 outlined on the project permit application, have been provided, the

1 need for additional information or studies does not preclude a
2 completeness determination.

3 (3) The determination of completeness may include or be combined
4 with the following ((~~as optional information~~)):

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

7 (b) A preliminary determination of consistency, as provided under
8 RCW 36.70B.040; ((~~or~~))

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

10 (d) The notice of application pursuant to the requirements in RCW
11 36.70B.110.

12 (4)(a) An application shall be deemed procedurally complete on
13 the 29th day after a local government has received a project permit
14 application under this section if the local government does not
15 provide a written determination to the applicant that the application
16 is procedurally incomplete as provided in subsection (1)((~~b~~))
17 (a)(ii) of this section. This section does not preclude a local
18 government that has not provided a written determination from seeking
19 additional information or studies under subsection (2) of this
20 section.

21 (b) Within ((~~fourteen~~)) 14 days after an applicant has submitted
22 to a local government additional information identified by the local
23 government as being necessary for a complete application, the local
24 government shall notify the applicant whether the application is
25 complete or what additional information is necessary.

26 (c) The notice of application must be provided within 14 days
27 after the determination of completeness pursuant to RCW 36.70B.110.

28 **Sec. 4.** RCW 36.70B.080 and 2004 c 191 s 2 are each amended to
29 read as follows:

30 (1)(a) Development regulations adopted pursuant to RCW 36.70A.040
31 must establish and implement time periods for local government
32 actions for each type of project permit application and provide
33 timely and predictable procedures to determine whether a completed
34 project permit application meets the requirements of those
35 development regulations. The time periods for local government
36 actions for each type of complete project permit application or
37 project type should not exceed ((~~one hundred twenty days, unless the~~
38 ~~local government makes written findings that a specified amount of~~

1 ~~additional time is needed to process specific complete project permit~~
2 ~~applications or project types))~~ those specified in this section.

3 (b) The development regulations must, for each type of permit
4 application, specify the contents of a completed project permit
5 application necessary for the complete compliance with the time
6 periods and procedures.

7 ~~((2))~~ (c) As provided in RCW 36.70B.140, a jurisdiction may
8 exclude certain project permits from the provisions of this section.

9 (d) For project permits submitted after January 1, 2025, the time
10 periods for local government action to issue a final decision for
11 each type of complete project permit application or project type that
12 is subject to this chapter should not exceed the following time
13 frames unless modified by the local government pursuant to this
14 section or RCW 36.70B.140:

15 (i) For project permits which do not require public notice under
16 RCW 36.70B.110, a local government must issue a final decision within
17 45 days of the determination of completeness under RCW 36.70B.070;

18 (ii) For project permits which require public notice under RCW
19 36.70B.110, a local government must issue a final decision within 70
20 days of the determination of completeness under RCW 36.70B.070; and

21 (iii) For project permits which require public notice under RCW
22 36.70B.110 and a public hearing, a local government must issue a
23 final decision within 120 days of the determination of completeness
24 under RCW 36.70B.070.

25 (e) A jurisdiction may modify the provisions in (d) of this
26 subsection, including by adding permit types not identified, changing
27 the permit time frames for any or each permit type, changing the
28 permit names or types included in each category, addressing how
29 consolidated review time frames may be different than permits
30 submitted individually, and providing for how projects of a certain
31 size or type may be differentiated. Unless otherwise provided for,
32 the time frame for a final decision in the consolidated review of
33 more than one permit shall be the longest of the permit timelines
34 identified in (d) of this subsection or as amended by a local
35 government.

36 (f) If a local government does not adopt an ordinance or
37 resolution modifying the provisions in (d) of this subsection, the
38 timelines in (d) of this subsection apply.

39 (g) The number of days shall be calculated by counting five days
40 per week, excluding holidays. The following time periods are excluded

1 from the calculation of the time that the application is being
2 reviewed:

3 (i) Any period between the day that the county or city has
4 notified the applicant, in writing, that additional information is
5 required to further process the application and the day when
6 responsive information is resubmitted by the applicant;

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 application
10 notifies the local government, in writing, that they would like to
11 resume the application. A local government may set conditions for the
12 temporary suspension of a permit application; and

13 (iii) Any period after an administrative appeal is filed until
14 the administrative appeal is resolved and any additional time period
15 provided by the administrative appeal has expired.

16 (h) A county or city's adoption of a resolution or ordinance to
17 implement the requirements of this section is not subject to appeal
18 under chapter 36.70A RCW, unless the resolution or ordinance modifies
19 the time periods provided in (d) of this subsection by providing for
20 a review period of more than 120 days for any project permit.

21 (2) (a) When permit time frames provided for in subsection (1) (d)
22 of this section, as may be amended by a local government, for issuing
23 a final decision are not met, a portion of the permit fee must be
24 refunded to the applicant as provided for in this subsection (2). A
25 local government may provide for the collection of only 80 percent of
26 the fee initially, and for the collection of the remaining balance if
27 the permitting time frames are met. The portion of the fee refunded
28 for missing time frames shall be:

29 (i) 10 percent if the final decision on the project permit
30 application was made after the applicable deadline but the period
31 from the passage of the deadline to the time of the issuance of the
32 final decision did not exceed 20 percent of the original time frame.

33 (ii) 20 percent if the period from the passage of the deadline to
34 the time of the issuance of the final decision exceeded 20 percent of
35 the original time frame.

36 (b) Except as provided in RCW 36.70B.160, the provisions in (a)
37 of this subsection are not applicable to cities and counties which
38 have implemented at least three of the options in RCW 36.70B.160(1)
39 (a) through (h) at the time an application is deemed procedurally
40 complete.

1 (3)(a) Counties subject to the requirements of RCW 36.70A.215 and
2 the cities within those counties that have populations of at least
3 twenty thousand must, for each type of permit application, identify
4 the total number of project permit applications for which decisions
5 are issued according to the provisions of this chapter. For each type
6 of project permit application identified, these counties and cities
7 must establish and implement a deadline for issuing a notice of final
8 decision as required by subsection (1) of this section and minimum
9 requirements for applications to be deemed complete under RCW
10 36.70B.070 as required by subsection (1) of this section.

11 (b) Counties and cities subject to the requirements of this
12 subsection also must prepare annual performance reports that include,
13 at a minimum, the following information for each type of project
14 permit application identified in accordance with the requirements of
15 (a) of this subsection:

16 (i) Total number of complete applications received during the
17 year;

18 (ii) Number of complete applications received during the year for
19 which a notice of final decision was issued before the deadline
20 established under this subsection;

21 (iii) Number of applications received during the year for which a
22 notice of final decision was issued after the deadline established
23 under this subsection;

24 (iv) Number of applications received during the year for which an
25 extension of time was mutually agreed upon by the applicant and the
26 county or city;

27 (v) Variance of actual performance, excluding applications for
28 which mutually agreed time extensions have occurred, to the deadline
29 established under this subsection during the year; and

30 (vi) The mean processing time and the number standard deviation
31 from the mean.

32 (c) Counties and cities subject to the requirements of this
33 subsection must:

34 (i) Provide notice of and access to the annual performance
35 reports through the county's or city's website; and

36 (ii) Post electronic facsimiles of the annual performance reports
37 through the county's or city's website. Postings on a county's or
38 city's website indicating that the reports are available by
39 contacting the appropriate county or city department or official do
40 not comply with the requirements of this subsection.

1 If a county or city subject to the requirements of this
2 subsection does not maintain a website, notice of the reports must be
3 given by reasonable methods, including but not limited to those
4 methods specified in RCW 36.70B.110(4).

5 ~~((3))~~ (4) Nothing in this section prohibits a county or city
6 from extending a deadline for issuing a decision for a specific
7 project permit application for any reasonable period of time mutually
8 agreed upon by the applicant and the local government.

9 ~~((4) The department of community, trade, and economic
10 development shall work with the counties and cities to review the
11 potential implementation costs of the requirements of subsection (2)
12 of this section. The department, in cooperation with the local
13 governments, shall prepare a report summarizing the projected costs,
14 together with recommendations for state funding assistance for
15 implementation costs, and provide the report to the governor and
16 appropriate committees of the senate and house of representatives by
17 January 1, 2005.))~~

18 **Sec. 5.** RCW 36.70B.140 and 1995 c 347 s 418 are each amended to
19 read as follows:

20 (1) A local government by ordinance or resolution may exclude the
21 following project permits from the provisions of RCW 36.70B.060
22 through ~~((36.70B.090))~~ 36.70B.080 and 36.70B.110 through 36.70B.130:
23 Landmark designations, street vacations, or other approvals relating
24 to the use of public areas or facilities, or other project permits,
25 whether administrative or quasi-judicial, that the local government
26 by ordinance or resolution has determined present special
27 circumstances that warrant a review process or time frames for the
28 issuance of a final decision which are different from that provided
29 in RCW 36.70B.060 through ~~((36.70B.090))~~ 36.70B.080 and 36.70B.110
30 through 36.70B.130.

31 (2) A local government by ordinance or resolution also may
32 exclude the following project permits from the provisions of RCW
33 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary
34 adjustments and building and other construction permits, or similar
35 administrative approvals, categorically exempt from environmental
36 review under chapter 43.21C RCW, or for which environmental review
37 has been completed in connection with other project permits.

1 **Sec. 6.** RCW 36.70B.160 and 1995 c 347 s 420 are each amended to
2 read as follows:

3 (1) Each local government is encouraged to adopt further project
4 review and code provisions to provide prompt, coordinated review and
5 ensure accountability to applicants and the public(~~(, including~~
6 expedited)) by:

7 (a) Expediting review for project permit applications for
8 projects that are consistent with adopted development regulations
9 ((and within the capacity of systemwide infrastructure
10 improvements));

11 (b) Imposing reasonable fees, consistent with RCW 82.02.020, on
12 applicants for permits or other governmental approvals to cover the
13 cost to the city, town, county, or other municipal corporation of
14 processing applications, inspecting and reviewing plans, or preparing
15 detailed statements required by chapter 43.21C RCW. The fees imposed
16 may not include a fee for the cost of processing administrative
17 appeals. Nothing in this subsection limits the ability of a county or
18 city from imposing a fee for the processing of administrative appeals
19 as otherwise authorized by law;

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

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

24 (e) Having new positions budgeted that are contingent on
25 increased permit revenue;

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

29 (g) Adopting development regulations which make preapplication
30 meetings optional rather than a requirement of permit application
31 submittal;

32 (h) Adopting development regulations which make housing types an
33 outright permitted use in all zones where the housing type is
34 permitted;

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

38 (j) Meeting with the applicant to attempt to resolve outstanding
39 issues during the review process. The meeting must be scheduled
40 within 14 days of a second request for corrections during permit

1 review. If the meeting cannot resolve the issues and a local
2 government proceeds with a third request for additional information
3 or corrections, the local government must approve or deny the
4 application upon receiving the additional information or corrections.

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

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

12 (ii) The county or city is not meeting the permitting deadlines
13 established in RCW 36.70B.080 at least half of the time over the
14 period since its most recent comprehensive plan update under RCW
15 36.70A.130.

16 (b) A city or county that is required to adopt new measures under
17 (a) of this subsection but fails to do so becomes subject to the
18 provisions of RCW 36.70B.080(2) (a) (i) and (ii), notwithstanding RCW
19 36.70B.080(2) (b).

20 ~~((2))~~ (3) Nothing in this chapter is intended or shall be
21 construed to prevent a local government from requiring a
22 preapplication conference or a public meeting by rule, ordinance, or
23 resolution.

24 ~~((3))~~ (4) Each local government shall adopt procedures to
25 monitor and enforce permit decisions and conditions.

26 ~~((4))~~ (5) Nothing in this chapter modifies any independent
27 statutory authority for a government agency to appeal a project
28 permit issued by a local government.

29 NEW SECTION. Sec. 7. A new section is added to chapter 36.70B
30 RCW to read as follows:

31 (1) The department of commerce shall develop and provide
32 technical assistance and guidance to counties and cities in setting
33 fee structures under RCW 36.70B.160(1) to ensure that the fees are
34 reasonable and sufficient to recover true costs. The guidance must
35 include information on how to utilize growth factors or other
36 measures to reflect cost increases over time.

37 (2) When providing technical assistance under subsection (1) of
38 this section, the department of commerce must prioritize local

1 governments that have implemented at least three of the options in
2 RCW 36.70B.160(1).

3 **Sec. 8.** RCW 36.70B.110 and 1997 c 396 s 1 and 1997 c 429 s 48
4 are each reenacted and amended to read as follows:

5 (1) Not later than April 1, 1996, a local government planning
6 under RCW 36.70A.040 shall provide a notice of application to the
7 public and the departments and agencies with jurisdiction as provided
8 in this section. If a local government has made a threshold
9 determination under chapter 43.21C RCW concurrently with the notice
10 of application, the notice of application may be combined with the
11 threshold determination and the scoping notice for a determination of
12 significance. Nothing in this section prevents a determination of
13 significance and scoping notice from being issued prior to the notice
14 of application. Nothing in this section or this chapter prevents a
15 lead agency, when it is a project proponent or is funding a project,
16 from conducting its review under chapter 43.21C RCW or from allowing
17 appeals of procedural determinations prior to submitting a project
18 permit.

19 (2) The notice of application shall be provided within
20 (~~fourteen~~) 14 days after the determination of completeness as
21 provided in RCW 36.70B.070 and, except as limited by the provisions
22 of subsection (4)(b) of this section, must include the following in
23 whatever sequence or format the local government deems appropriate:

24 (a) The date of application, the date of the notice of completion
25 for the application, and the date of the notice of application;

26 (b) A description of the proposed project action and a list of
27 the project permits included in the application and, if applicable, a
28 list of any studies requested under RCW 36.70B.070 (~~or 36.70B.090~~);

29 (c) The identification of other permits not included in the
30 application to the extent known by the local government;

31 (d) The identification of existing environmental documents that
32 evaluate the proposed project, and, if not otherwise stated on the
33 document providing the notice of application, such as a city land use
34 bulletin, the location where the application and any studies can be
35 reviewed;

36 (e) A statement of the public comment period, which shall be not
37 less than fourteen nor more than thirty days following the date of
38 notice of application, and statements of the right of any person to
39 comment on the application, receive notice of and participate in any

1 hearings, request a copy of the decision once made, and any appeal
2 rights. A local government may accept public comments at any time
3 prior to the closing of the record of an open record predecision
4 hearing, if any, or, if no open record predecision hearing is
5 provided, prior to the decision on the project permit;

6 (f) The date, time, place, and type of hearing, if applicable and
7 scheduled at the date of notice of the application;

8 (g) A statement of the preliminary determination, if one has been
9 made at the time of notice, of those development regulations that
10 will be used for project mitigation and of consistency as provided in
11 RCW 36.70B.030(2) and 36.70B.040; and

12 (h) Any other information determined appropriate by the local
13 government.

14 (3) If an open record predecision hearing is required for the
15 requested project permits, the notice of application shall be
16 provided at least fifteen days prior to the open record hearing.

17 (4) A local government shall use reasonable methods to give the
18 notice of application to the public and agencies with jurisdiction
19 and may use its existing notice procedures. A local government may
20 use different types of notice for different categories of project
21 permits or types of project actions. If a local government by
22 resolution or ordinance does not specify its method of public notice,
23 the local government shall use the methods provided for in (a) and
24 (b) of this subsection. Examples of reasonable methods to inform the
25 public are:

26 (a) Posting the property for site-specific proposals;

27 (b) Publishing notice, including at least the project location,
28 description, type of permit(s) required, comment period dates, and
29 location where the notice of application required by subsection (2)
30 of this section and the complete application may be reviewed, in the
31 newspaper of general circulation in the general area where the
32 proposal is located or in a local land use newsletter published by
33 the local government;

34 (c) Notifying public or private groups with known interest in a
35 certain proposal or in the type of proposal being considered;

36 (d) Notifying the news media;

37 (e) Placing notices in appropriate regional or neighborhood
38 newspapers or trade journals;

1 (f) Publishing notice in agency newsletters or sending notice to
2 agency mailing lists, either general lists or lists for specific
3 proposals or subject areas; and

4 (g) Mailing to neighboring property owners.

5 (5) A notice of application shall not be required for project
6 permits that are categorically exempt under chapter 43.21C RCW,
7 unless ~~((a public comment period or))~~ an open record predecision
8 hearing is required or an open record appeal hearing is allowed on
9 the project permit decision.

10 (6) A local government shall integrate the permit procedures in
11 this section with environmental review under chapter 43.21C RCW as
12 follows:

13 (a) Except for a threshold determination and except as otherwise
14 expressly allowed in this section, the local government may not issue
15 a decision or a recommendation on a project permit until the
16 expiration of the public comment period on the notice of application.

17 (b) If an open record predecision hearing is required ~~((and the~~
18 ~~local government's threshold determination requires public notice~~
19 ~~under chapter 43.21C RCW)),~~ the local government shall issue its
20 threshold determination at least ~~((fifteen))~~ 15 days prior to the
21 open record predecision hearing.

22 (c) Comments shall be as specific as possible.

23 (d) A local government is not required to provide for
24 administrative appeals of its threshold determination. If provided,
25 an administrative appeal must be filed within 14 days after notice
26 that the determination has been made and is appealable. Except as
27 otherwise expressly provided in this section, the appeal hearing on a
28 threshold determination must be consolidated with any open record
29 hearing on the project permit.

30 (7) ~~((A))~~ At the request of the applicant, a local government may
31 combine any hearing on a project permit with any hearing that may be
32 held by another local, state, regional, federal, or other agency
33 ~~((provided that the))~~ if:

34 (a) The hearing is held within the geographic boundary of the
35 local government~~((. Hearings shall be combined if requested by an~~
36 ~~applicant, as long as the joint hearing can be held within the time~~
37 ~~periods specified in RCW 36.70B.090 or the))~~; and

38 (b) The applicant agrees to the schedule in the event that
39 additional time is needed in order to combine the hearings. All
40 agencies of the state of Washington, including municipal corporations

1 and counties participating in a combined hearing, are hereby
2 authorized to issue joint hearing notices and develop a joint format,
3 select a mutually acceptable hearing body or officer, and take such
4 other actions as may be necessary to hold joint hearings consistent
5 with each of their respective statutory obligations.

6 (8) All state and local agencies shall cooperate to the fullest
7 extent possible with the local government in holding a joint hearing
8 if requested to do so, as long as:

9 (a) The agency is not expressly prohibited by statute from doing
10 so;

11 (b) Sufficient notice of the hearing is given to meet each of the
12 agencies' adopted notice requirements as set forth in statute,
13 ordinance, or rule; and

14 (c) The agency has received the necessary information about the
15 proposed project from the applicant to hold its hearing at the same
16 time as the local government hearing.

17 (9) A local government is not required to provide for
18 administrative appeals. If provided, an administrative appeal of the
19 project decision(~~(, — combined with)~~) and of any environmental
20 ((determinations)) determination issued at the same time as the
21 project decision, shall be filed within (~~(fourteen)~~) 14 days after
22 the notice of the decision or after other notice that the decision
23 has been made and is appealable. The local government shall extend
24 the appeal period for an additional seven days, if state or local
25 rules adopted pursuant to chapter 43.21C RCW allow public comment on
26 a determination of nonsignificance issued as part of the appealable
27 project permit decision.

28 (10) The applicant for a project permit is deemed to be a
29 participant in any comment period, open record hearing, or closed
30 record appeal.

31 (11) Each local government planning under RCW 36.70A.040 shall
32 adopt procedures for administrative interpretation of its development
33 regulations.

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