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**SENATE BILL 5243**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senator Gildon

1 AN ACT Relating to creating efficiency in housing by streamlining  
2 approval of engineered plans; amending RCW 36.70B.030; and adding a  
3 new section to chapter 19.27 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27  
6 RCW to read as follows:

7 Any building permit applications submitted with plans,  
8 computations or specifications prepared, stamped and signed by a  
9 professional engineer or architect, licensed under the laws of the  
10 state of Washington, in the specific discipline as appropriate, shall  
11 be deemed complete by the city or county building department with  
12 authority under RCW 19.27.050. The department may review the  
13 application for general compliance with the zoning or other land use  
14 control ordinances in effect and shall not impose substantial  
15 modifications or conditions on submittals prepared, stamped, and  
16 signed by a licensed architect, landscape architect, soils engineer,  
17 civil engineer, structural engineer, or combination thereof.

18 **Sec. 2.** RCW 36.70B.030 and 1995 c 347 s 404 are each amended to  
19 read as follows:

1 (1) Fundamental land use planning choices made in adopted  
2 comprehensive plans and development regulations shall serve as the  
3 foundation for project review. The review of a proposed project's  
4 consistency with applicable development regulations, or in the  
5 absence of applicable regulations the adopted comprehensive plan,  
6 under RCW 36.70B.040 shall incorporate the determinations under this  
7 section.

8 (2) During project review, a local government or any subsequent  
9 reviewing body shall determine whether the items listed in this  
10 subsection are defined in the development regulations applicable to  
11 the proposed project or, in the absence of applicable regulations the  
12 adopted comprehensive plan. At a minimum, such applicable regulations  
13 or plans shall be determinative of the:

14 (a) Type of land use permitted at the site, including uses that  
15 may be allowed under certain circumstances, such as planned unit  
16 developments and conditional and special uses, if the criteria for  
17 their approval have been satisfied;

18 (b) Density of residential development in urban growth areas; and

19 (c) Availability and adequacy of public facilities identified in  
20 the comprehensive plan, if the plan or development regulations  
21 provide for funding of these facilities as required by chapter 36.70A  
22 RCW.

23 (3) During project review, the local government or any subsequent  
24 reviewing body shall not reexamine alternatives to or hear appeals on  
25 the items identified in subsection (2) of this section, except for  
26 issues of code interpretation. As part of its project review process,  
27 a local government shall provide a procedure for obtaining a code  
28 interpretation as provided in RCW 36.70B.110.

29 (4) Pursuant to RCW 43.21C.240, a local government may determine  
30 that the requirements for environmental analysis and mitigation  
31 measures in development regulations and other applicable laws provide  
32 adequate mitigation for some or all of the project's specific adverse  
33 environmental impacts to which the requirements apply.

34 (5) Nothing in this section limits the authority of a permitting  
35 agency to approve, condition, or deny a project as provided in its  
36 development regulations adopted under chapter 36.70A RCW and in its  
37 policies adopted under RCW 43.21C.060. Project review shall be used  
38 to identify specific project design and conditions relating to the  
39 character of development, such as the details of site plans, curb  
40 cuts, drainage swales, transportation demand management, the payment

1 of impact fees, or other measures to mitigate a proposal's probable  
2 adverse environmental impacts, if applicable.

3 (6) Subsections (1) through (4) of this section apply only to  
4 local governments planning under RCW 36.70A.040.

5 (7) Any building permit applications submitted with plans,  
6 computations or specifications prepared, stamped and signed by a  
7 professional engineer or architect, licensed under the laws of the  
8 state of Washington, in the specific discipline as appropriate, shall  
9 be deemed complete by the city or county building department with  
10 authority under RCW 19.27.050. The department may review the  
11 application for general compliance with the zoning or other land use  
12 control ordinances in effect and shall not impose substantial  
13 modifications or conditions on submittals prepared, stamped, and  
14 signed by a licensed architect, landscape architect, soils engineer,  
15 civil engineer, structural engineer, or combination thereof.

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