

Findings of Fact

- 1. The Pierce County Economic Stimulus Report dated September 15, 2008, recommends that extensions to the expiration date of preliminary plats be considered by the Council.
- 2. The severe downturn in the local, regional, and national housing markets, reduced demand for new housing, tightening credit market, and difficulty obtaining the financing necessary to complete a project, have resulted in a situation where developers of new housing and subdivisions are unable to finalize development proposals in a timely manner.
- 3. The expiration of a development application or approval can have significant financial impacts to a developer and also adversely affects the financial institutions and other investors which have provided financing in support of a development proposal.
- 4. The construction industry is a major employer in Pierce County, accounting for approximately 8.5% of all jobs in Pierce County and construction related activity is a significant tax generator and provides much needed revenue to local governments to finance public safety and other needed public services.
- 5. Pierce County Code provides for opportunities to obtain time extensions for various applications and approvals, however these time extensions are of limited duration and are not of sufficient length to enable extensions beyond the current period of economic slowing.
- 6. Providing for additional extensions of certain development related applications and approvals, including the extension of the vested rights associated with these applications and approvals, may aid the local economy by helping the construction industry to weather the economic downturn while preserving the investments made in the development permitting process and will also help to ensure that the development industry is in a position to respond more quickly once favorable economic conditions return.
- 7. The Council finds that it is in the best interest of citizens of Pierce County and the local economy to temporarily modify the procedures for extending development related applications and approvals.
- 8. The local police power delegated to local governments by Art. XI, Section 11 of the Washington Constitution authorizes interim regulatory controls as have Washington’s courts interpreting various sections of the Revised Code of Washington; See *Matson v. Clark County*, 79 Wn. App. 641, 904 P.2d 317 (1995); *Biggers v. Bainbridge Island*, 162 Wn.2d 683; 169 P.3d 14; 2007; and *Weden v. San Juan County*, 135 Wn.2d 678, 958 P.2d 273 (1998).



- 1 9. The proposed interim regulations are categorical exempt from environmental review
2 under the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(20).
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- 4 10. The Council finds that the severe housing market downturn coupled with the
5 tightening of credit markets has significantly impacted the construction industry and
6 poses a threat to the local economy and the general public health, safety, and
7 welfare due to reductions in construction related taxes and revenues and loss of
8 construction related jobs.
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- 10 11. The Council finds that these conditions require actions to be taken to allow for the
11 extension of certain existing development related applications and approvals that
12 would likely expire due to the inability to obtain financing during the economic
13 downturn.
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- 15 12. The Council finds that this action will benefit the local economy by helping to protect
16 the construction industry from the significant financial losses associated with expired
17 permit applications and permit approvals, including the loss of real estate
18 entitlements, and will better enable the local construction industry to recover as the
19 economy improves.

