

Permit Procedures Code Update

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March 14, 2024

Objectives

improve permit processes to expedite permits, including:

- eliminate intensive manual or non-electronic processes;
- consolidate review processes;
- facilitate digital workflows in the County's new permit software;

improve readability and usability, including:

- align terminology with RCW Chapter 36.70B;
- use plain-language drafting techniques;
- use tables and lists that make it easier to see how processes compare to each other;
- delete duplicative code language that could result in inconsistencies in interpretation or administration, and to improve maintainability of the code.

comply with 2SSB 5290 (2023)

Overview

This code update proposal:

- evolves permit “application levels” into “types of review”
 - makes some changes in process and appeal rights
 - replaces long sections with a comprehensive table for easy comparison and amendment
- provides for an optional site plan review process that rolls up multiple other pre-application review processes; and
- creates other new tables
 - permit timelines to implement the requirements of 2SSB 5290
 - permit expirations
- creates escape route for failure of HE to deliver decision;
- other changes for consistency across Title 14.

Plain Language Drafting Techniques

- avoidance of repetition and use of parallel construction;
- conversion of lengthy paragraphs or parallel provisions to lists and tables;
- organization of information logically (generally, sequentially);
- modularization of processes, e.g., legal notices, public comment periods;
- extraction of substantive rules from definitions or procedural provisions;
- elimination of archaic and obsolete language;
- deletion of duplicative language;
- self-documenting code, e.g., that includes references to the statutes that mandate each provision.
- standardization of terminology, e.g., “notice of application”

Types of Review

Application Level (existing)	I (no notice)	I (with notice)	II	III	IV
Type of Review (proposed)	1	2	3	4	n/a
Example Permits in this Category	Building permit BLA Flood Permit Lot cert Final plat*	Admin SUP Admin Variance Prelim short subdivision SEPA threshold	HE SUP HE Variance Prelim long subdivision	BOCC variances Regional EPF Rezones	Final plat*
Comment Period	No	Yes	Yes	Yes	Yes
Public Hearing	No	No	Yes (HE)	Yes (HE)	No
Recommendation By	n/a	n/a	Staff	HE	Staff
Decision By	Director	Director	HE	BOCC	BOCC
Local Appeal (existing)	HE, then BOCC	HE, then BOCC	BOCC	None	None
Local Appeal (proposed)	HE	HE	BOCC	None	

* final plat approval, defined by statute as a non-discretionary decision, would be moved from Application Level 4 to Type of Review 1.

Site Plan Review

- lot of record certification;
- required setbacks;
- ag siting criteria;
- critical area/shoreline boundaries on the parcel;
- septic drain fields;
- well setbacks, sanitary easement, rainwater catchment area;
- whether and what portions of the parcel are subject to flood regulations;
- airport environs overlay restrictions;
- access generally, and fire access;
- wildland-urban interface;
- required title notices.

SB 5290—General Requirements

- clearly indicate the information required for application review;
- exclude interior alterations from site plan review (in most circumstances);
- establish and implement permit processing time limits for each type of project permit application, generally as follows:
 - Permits that do not require public notice 65 days
 - Permits that require public notice 100 days
 - Permits that require public notice and public hearing 170 days
- all review periods are subject to exclusions from shot clock

SB 5290—Fee Refunds

Effective January 1, 2025, County must partially refund fees for an application when the County does not achieve review deadline.

UNLESS County adopts at least 3 measures from list of ten measures.
Recommended:

- Offer meeting with staff when applicant is twice asked for more information, with required decision on app after receiving info.
- Maintain and budget for on-call permitting assistance for when permit volumes or staffing levels change rapidly.
- Adopt development regs making housing types an outright permitted use in all zones where the housing type is permitted.
 - Temporary manufactured home, seasonal worker housing