

Permit Procedures Code Update

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Tonight

Future

- Review project objectives
 - Overview of approach and changes
 - Public hearing
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- Final draft code proposal
 - Detailed staff report with comparisons
 - Public hearing + written comment
 - PC recommendations

Why rewrite the Permit Procedures chapter?

- Permit Procedures code chapter (14.06) was written in 2000
- Inconsistencies with RCW Chapter 36.70B
- Various other errors
- Not easily updated (e.g., to insert process improvements)
- 2SSB 5290 (2023) requires changes to meet new timelines
- Necessary to update other chapters (e.g., zoning)

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
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* 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

NEW

Summary:

a new internal process step + optional pre-app step

- complicated review up front
- land use approval
- followed by multiple building permits without re-reviewing land use

Effect:

provides department with ability to skip these reviews for subsequent applications for faster review

Site Plan Review

NEW

- 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.

NEW

2SSB 5290 Implementation

- 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 hearing
170 days
- all review periods are subject to exclusions from shot clock

Types of Review

Application Level (existing)	I (no notice)	I (with notice)	II	III
Type of Review (proposed)	1	2	3	4
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
Comment Period	No	Yes	Yes	Yes
Public Hearing	No	No	Yes (HE)	Yes (HE)
Recommendation By	n/a	n/a	Staff	HE
Decision By	Director	Director	HE	BOCC
Local Appeal (existing)	HE, then BOCC	HE, then BOCC	BOCC	None
Local Appeal (proposed)	HE	HE	BOCC	None

NEW

Notable changes since last draft

- Terms to match RCW 36.70B:
 - decision deadline → review time period
 - development permit → project permit
- Land divisions
 - New table showing review for prelim, final, alteration, vacation
 - No UGA differences
 - Consolidated review type for bigger land divisions to provide for appeal opportunity
- Revised section on application revision
- Moved application expiration to its own section
- Modified some timelines
- Further distinguished applications from permits
- Adjusted procedure for verifying abandonment in 14.16
- Showing edits now to 14.10, 14.16, 14.18
- Modified temporary mobile home from an admin SUP to a permitted use in all zones

NEW

Notable changes since last draft

Table 14.06.150-2 Types of Review for Land Divisions

Type	Number of lots/tracts/parcels	Type of Review			
		Preliminary	Final	Alteration	Vacation
Short subdivision	1-4	1	1	2	2
Long subdivision	5 or more	3	1	4	2
Binding site plan	1-8 (or in an existing development)	2	n/a	1	2
Binding site plan	9 or more	3	n/a	1 (minor)	3



Tonight

Future

- Review project objectives
 - Overview of approach and changes
 - Public hearing
-
- PC deliberations + recommendation (next week)
 - Board review
 - Possible additional comment period
 - Board adoption
 - Effective date—September 1 (?)

More info

**[www.skagitcounty.net/Departments/
PlanningAndPermit/permitupdate.htm](http://www.skagitcounty.net/Departments/PlanningAndPermit/permitupdate.htm)**

www.skagitcounty.net/planningcommission

March 26 Presentation to Planning Commission

May 14 Presentation to Planning Commission