

SB 5290 (2023) – KEY REQUIREMENTS

# Local Project Review Update

## Background

In 2023, [Senate Bill 5290](#) updated portions of the Local Project Review Act, [RCW 36.70B](#). The intent of the new update is to strengthen and improve project review and permitting for construction and land use project permits, with an emphasis on housing development.

## New Requirements for Local Project Review

Included in these updates are a new series of requirements for local governments and the Department of Commerce. Key requirements are summarized, with effective dates, and provided in the following table. For further updates and requirements, local jurisdictions are encouraged to read Senate Bill 5290 and the new sections in RCW 36.70B.

Commerce will publish a project review guide to serve as a resource to counties and cities planning under the GMA, with an expected publish date of June 30, 2025. A Local Project Review webpage will be available by March 1, 2024, to serve as a landing place for Commerce guidance, grant information and other tools to assist jurisdictions with project permit implementation.



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# Local Jurisdiction Requirements

Bill Section Number and RCW:	Changes	Effective Date
Section 6 RCW 36.70B.070	Clarify determination of completeness procedural requirements – the determination must be based solely on the procedural requirements as outlined on the project permit application.	July 23, 2023
Section 7(1)(a)-(k) RCW 36.70B.080	Revise the existing 120-day time period for project review from the date an application is determined complete. The default time periods listed in the section apply automatically if the local government does not adopt an ordinance setting or changing the time periods.	January 1, 2025
Section 7(1)(l) RCW 36.70B.080	Refund 10-20% of permit fees if the new time periods described in section 7 are not met, unless they have adopted at least 3 measures per section 8. Also, allows a local government to only collect 80% of a permit fee upon application, and the remainder only if time periods are met.	January 1, 2025
Section 7(2) RCW 36.70B.080	Modifies the existing annual performance report requirement for jurisdictions to include data on compliance with the new permit time periods. Applies to counties and cities subject to RCW 36.70A.215 and cities/towns greater than 20,000 population within those counties.	March 1, 2025
Section 8(1) RCW 36.70B.160	Adopt some of 10 listed measures to expedite permit review by the next comprehensive plan update under certain circumstances.	At the next comprehensive plan update after January 1, 2026.
Section 8(2) RCW 36.70B.160	Adopt additional measures to expedite permit review if the local government had adopted at least 3 project review and code measures more than five years earlier, and the local government is not meeting the permit deadlines at least 50% of the time since its most recent comprehensive plan update.	At the next comprehensive plan update after January 1, 2026.

# Commerce Requirements

Bill Section Number and RCW:	Changes	Effective Date
Sections 2 and 3 RCW 36.70B.240 RCW 36.70B.241	Administer two grant programs – Grant 1: consolidated permit review for acceleration of residential building permits; Grant 2: for permitting systems updates from paper to digital platforms.	April 2024
Section 4	Convene a digital permitting work group to report to the legislature and governor on the need for digital permitting systems for local governments; the barriers to adoption of digital permitting systems; the costs/benefits of a statewide permitting software system; and budgetary, administrative, and legislative recommendations to establish a statewide system of digital permit review.	Report to the legislature due by August 1, 2024. The permitting work group will continue to meet and work with Commerce until June 30, 2025.  August 1, 2023 through June 30, 2025
Section 9 RCW 36.70B.245	Provide technical assistance and guidance to local governments regarding the structure of their application and permit fees.	March 2024
Section 11 RCW 36.70B.250	Create a template and guidance for those local governments required by section 7(2) to submit annual performance reports.	March 2024
Section 12	Develop a plan to provide local governments with temporary permit staff for residential housing permit applications. Report due to the legislature December 1, 2023.	December 1, 2023