

# Streamline Permitting SB 5290 LUCA

## Study Session

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**Development Services Department**

October 15, 2024



# Direction

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Consider directing staff to prepare the proposed LUCA for public hearing at a future meeting



# Agenda

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1. Background
2. LUCA Overview
3. LUCA Process
4. Direction





# Background

# Continuous Improvement

1. History and Background
2. Customer Experience Program
3. Bellevue Development Committee
4. Permit Streamlining
5. Future Focused



*Customer  
Experience*

Virtual Permit Center

[Book an Appointment](#)



# Senate Bill 5290

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## Introduced in early 2023

- Amends Local Project Review Act (RCW 36.70B)
- Land Use and environmental permits
- Goal to create efficiencies and streamline permitting
- Mandatory permit review timelines
- Penalties requiring refunding of fees

## Signed by Governor May 8, 2023

- Effective summer 2023 and beyond
- Department of Commerce lead role

# Senate Bill 5290

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## Key Components – Procedural and Administrative

- Prohibits site plan review on interior alterations
- Requires clear submittal requirements
- Amends definition of project permit
- Amends requirements for permit application completeness
- Publish performance reports at local and state level



WASHINGTON STATE LEGISLATURE



# Senate Bill 5290

## Key Components – Policy Considerations

- Codify project permit shot clocks
  - **65 days** when a public notice is not required
  - **100 days** when a public notice is required
  - **170 days** when public notice and public hearing required
- Fee refund penalty for not meeting shot clocks
  - ✓ Adopt 3 streamlining measures to avoid refunds
  - ✓ Included in preliminary budget for consideration



WASHINGTON STATE LEGISLATURE





# Permit Timelines

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## Findings

- Resource availability is a key component
- Special circumstances and complexity factors
- Alignment with current process improvement efforts

## Previous Council Direction (June 11)

- Move 4 of 24 permit types to 170-day bucket:
  - Design Reviews
  - Master Development Plans
  - Critical Areas Land Use Permits
  - Shoreline Substantial Development Permits





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# LUCA Overview

# LUCA Overview

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## Codifies Permit Timelines

- **65 days** when a public notice is not required
- **100 days** when a public notice is required, except for:
  - Design Reviews
  - Master Development Plans
  - Critical Areas Land Use Permits
  - Shoreline Substantial Development Permits
- **170 days** when public notice and public hearing required, and adds 4 permit types above



# LUCA Overview

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## Submittal Requirements and Completeness Check

- Notes that submittal requirements shall be posted online
- Clarifies when the review clock begins relative to 28-day completeness check

## Definition: Nonresponsiveness

- Applicant is not showing measurable progress on revisions
- There is no ongoing communication regarding the applicant's ability or intent to provide requested information or make required corrections



# LUCA Overview

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## DSD Director Rulemaking

Binding administrative rules about the codes DSD administers

- Updates to **LUC 20.40.100** – Administration of the Land Use Code
- Clarifies rulemaking authority and outlines when and how the Director may establish rules
- Details procedures, including:
  - Replacing public hearing requirement with an extended notice period and more enhanced noticing requirements
  - Establishing when a project may vest to a rule and how a rule may be appealed

# LUCA Overview

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## Director Rule Examples

- Clarifying implementation of green building incentives
- Detailing single-family FAR calculation
- Explaining building height determination on sloped sites based on building segments



# Outreach & Engagement



Process IV Notice  
Requirements



Project Webpage



Internal work group  
with SMEs



Statewide Digital Permitting  
Workgroup  
Jurisdictions & Bldg Industry



Bellevue  
Development  
Committee

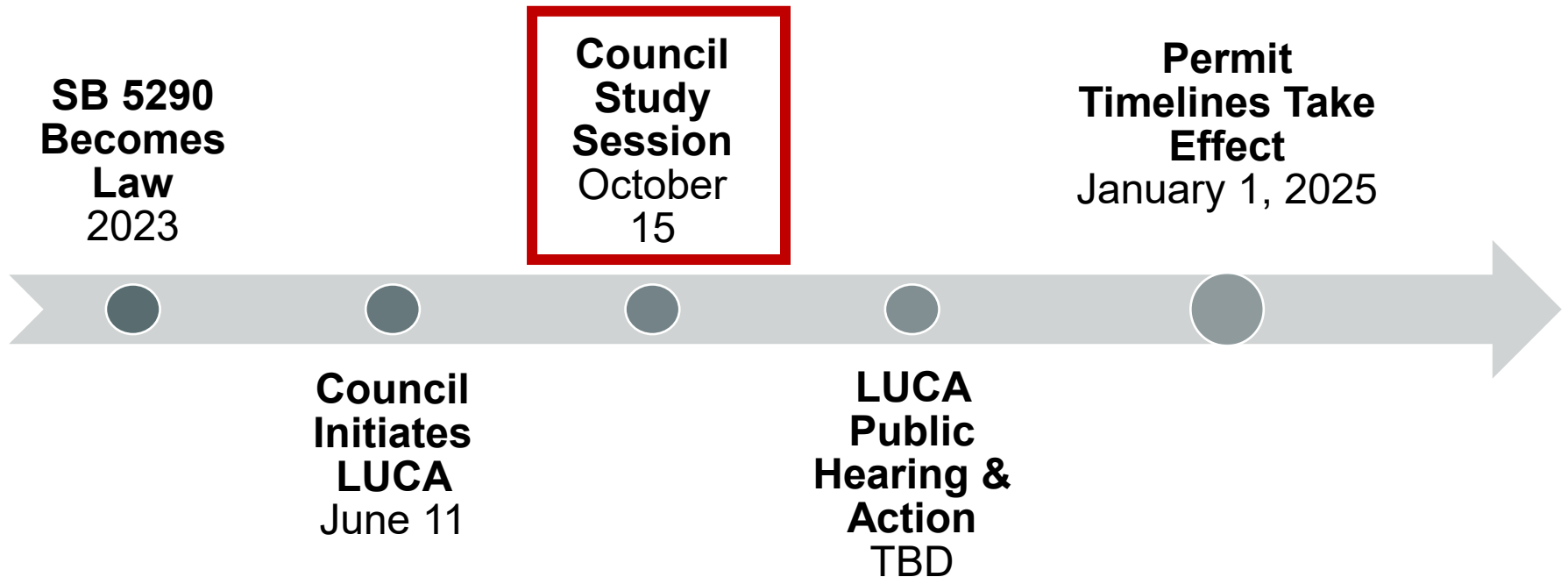


Regional  
Benchmarking  
Cities & Counties



# LUCA Process

## Process IV – City Council Legislative Action





# Direction

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