



MBAKS Streamlining Local Permitting Processes

Actions Local Governments Must Take Under SB 5290

Prepared by Master Builders Association of King and Snohomish Counties

On May 8, 2023 Governor Jay Inslee signed SB 5290 into law, a bill to reduce permit review timelines and facilitate swifter, more predictable construction. This new law will streamline the permit review process by requiring local governments to adopt and report timelines. To help jurisdictions comply, SB 5290 establishes grant programs and permit processing enhancements. This addresses historically slow permit processes that have elevated housing costs.

This law became effective as of July 23, 2023 and will be implemented in phases.

Key provisions of the new law include:

- **Interior Alterations Exemption:** Under certain conditions, the new law now requires local governments exempt interior alteration permits from site reviews, expediting remodels while maintaining safety.
- **Improve Determination of Completeness:** SB 5290 mandates written decisions for applicants within 28 days. If a local government does not provide written determination to applicant on the 29th day, the application is deemed complete.
- **Establish Permit Review Timelines:** The new law introduces defined review periods, meeting notification requirements based on permit types, and hearing criteria to improve predictability.
- **Enhance Reporting Requirements:** SB 5290 adjusts annual reporting for permit-issuing jurisdictions. Starting in 2024, cities and counties must report process efficiency and transparency.
- **Research Grants for Electronic Permitting:** SB 5290 aims to secure grants for local governments to facilitate the shift towards digital permit systems and streamlined processes.

Support and Tools Provided

To support cities as they transition to more streamlined and expedited permit timelines, SB 5290 authorizes a new consolidated permit review grant program.

The grant program will aid local governments in transitioning from physical permit filing systems to software systems with the ability to handle digital permit applications.

To understand the barriers that jurisdictions are facing, the Department of Commerce will create a work study group to develop a report outlining the software needed to streamline existing review processes.



Learn more about eligibility requirements, timing of funding, and other details about the grant program.

Establishing Reasonable Timelines and Process Improvements

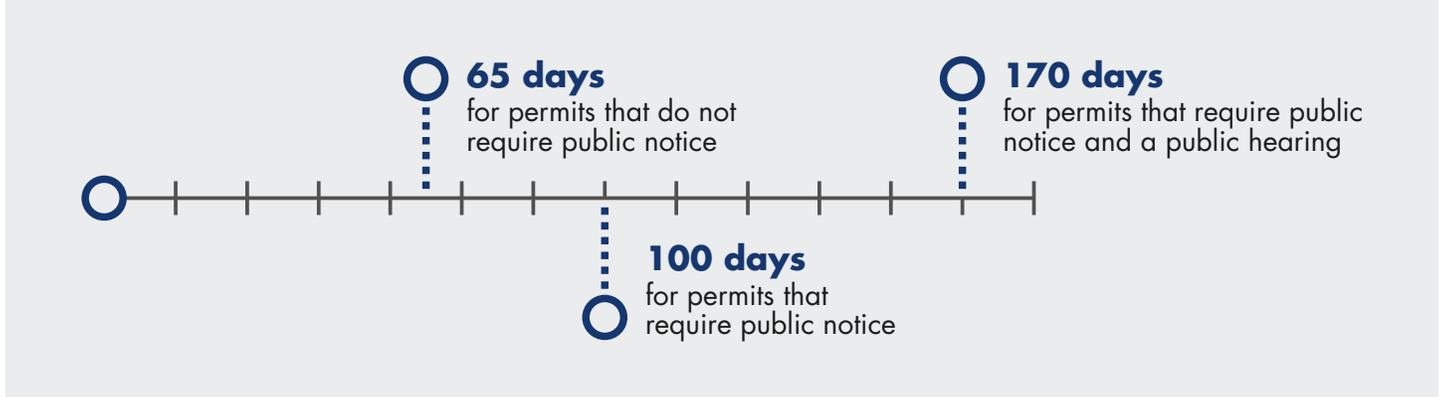
As jurisdictions have the option to adopt their own ordinances and resolutions at any time, MBAKS has developed recommended timelines and process improvements for local governments to consider. Some examples include:

- Enhance predictability and transparency for project applicants by establishing and adhering to clear permit review timelines.
- Publish timely permitting performance reports and make them easily accessible online.
- Simplify the permitting process by identifying opportunities to accept licensed professionals' approvals in place of staff review (e.g., engineering).
- Minimize the use of discretionary language in the code to improve predictability and speed up the review process.



PERMIT TIMELINES AND REFUNDS

Under SB 5290, project permits will be subject to tracking and timeline deadlines. Unless modified by the local government, the following time periods may not be exceeded:



If a jurisdiction is not able to issue a final decision by the established time periods, it will be required to refund a specified portion of the permit fees to the applicant. However, cities and counties that have implemented at least three best practices specified in the new law will not be subject to refunds.

MBAKS TIMELINE RECOMMENDATIONS

Review Type	MBAKS Desired Targeted (Days)
Basic plan setup (review and approval)	7
Preapproved basic plan building permit	7
Pre-app meeting	14
Application completeness	28
Inspections	Same Day
Preliminary plat review*	120
Civil construction plan review (initial review)	28
Civil construction plan review (subsequent reviews – 2 max)	14
Land use review (administrative site plan)	30
Final plat review	14
Critical area review	30
Custom single-family building permits	21

*Preliminary plat review refers to the total time until a hearing date, while other timelines refer to individual review timelines.

Check out the MBAKS' permitting issue brief to learn more.



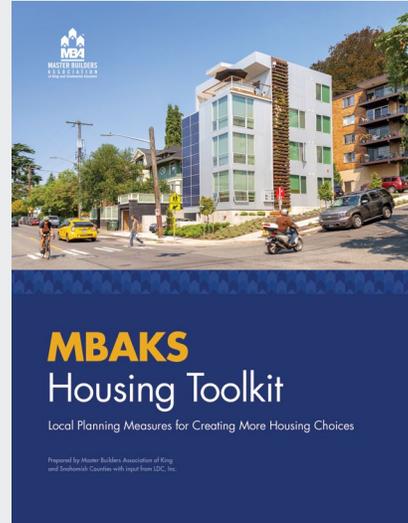
Best Practices

Under SB 5290, local jurisdictions are encouraged to adopt project review and code provisions to assist in streamlining their permitting processes. When three or more of the following best practices are adopted, cities and counties can avoid the requirement to refund a portion of permit fees if they exceed permit timelines.

- Expediting permit application review for compliant projects.
- Establishing interlocal agreements to share permitting staff and resources.
- Budgeting for on-call permitting assistance to handle workload challenges and allocating new positions based on permit revenue growth.
- Making pre-application meetings optional for permit applicants.
- Allowing all housing types as permitted use in all applicable zones.
- Aligning public hearing requirements for permit applications with state law.
- Allowing outside professionals with appropriate licenses to certify components of applications.

MBAKS Housing Toolkit

This toolkit offers local governments a practical guide, outlining code updates and process enhancements to promote greater housing diversity and affordability for our growing region. These tools are adaptable at the local level and don't necessitate state legislative changes. The toolkit incorporates examples of successful tool implementation in various jurisdictions and provides model codes as reference for other cities' existing permit review processes.



View the **MBAKS Housing Toolkit** to learn about local measures for streamlining permitting processes and creating more housing choices.

CONTACT US ➔

We welcome your comments and suggestions on this informational document. Contact abutcher@mbaks.com if you'd like more information and/or to share your ideas and success stories.

335 116th Ave. SE, Bellevue, WA 98004 | 425.451.7920 | mbaks.com