

AGENDA
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, January 30, 2025 - 3:00 PM
Community Rooms

This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382.

CALL TO ORDER/ROLL CALL

DISCUSSION ITEMS

1. **38th Avenue Phase Two, Half-width Improvements – Consideration of High-visibility Thermoplastic (Piano Key) Crosswalk Markings**
Public Works Director Jeff Langhelm
2. **Sewer Utility Extension Agreement - DMA Short Plat**
Public Works Director Jeff Langhelm
3. **Introduction to the 2025 Transportation Impact Fee (TIF) Rate Study**
Public Works Director Jeff Langhelm
4. **Draft Ordinance to Address SB 5290**
Jeff Wilson, Community Development
5. **Park Naming - Gig Harbor Sports Complex Phase 1B**
Parks Manager Jennifer Haro

ADJOURN

PUBLIC COMMENT & DECORUM

Public comment will be not be accepted at this study session.

AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the city clerk at cityclerk@gjgharborwa.gov or (253) 853-7613 at least 24 hours prior to the meeting.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: January 30, 2025

SUBJECT: 38th Avenue Phase Two, Half-width Improvements – Consideration of High-visibility Thermoplastic (Piano Key) Crosswalk Markings

SUBMITTED BY: Senior Engineer Stephanie Seibel

DEPARTMENT: Public Works

PHONE: (253) 853-7626

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: The city's current standard for crosswalks on classified roadways is a stamped and pigmented cement concrete crosswalk installed at all legs of an intersection with a classified roadway.

Per the current WSDOT Design Manual, "decorative crosswalk materials (such as colored pavement or bricks) may cause confusion for visually impaired pedestrians and can create discomfort for wheelchair users."

It has been shown that the transverse type of crosswalk is not as visible to approaching vehicles and has less yielding behavior than the high-visibility ladder, zebra, and bar pair crosswalk markings. The high-visibility markings are preferable to standard parallel markings because they are more visible to approaching vehicles and have been shown to improve yielding behavior. The high-visibility patterns also provide for improved detection and recognition over the transverse crosswalk for people with low vision and cognitive impairments.

The current guidance in the Manual for Uniform Traffic Control Devices (MUTCD) is that "high-visibility crosswalk markings (as shown in the figure above) and warning signs should be installed for all crosswalks at non-intersection locations.

Due to the higher speeds in the corridor, city staff recommends city council consider the use of high-visibility thermoplastic (piano key, also called longitudinal bar) markings for the entirety of the project. If we go in this direction, our consultant team will write a PW Variance because the high-visibility markings are a departure from the current standards. All PW Variance criteria for safety, engineering judgment, and others will have to be met prior to approval.

We are currently in the process of updating our 2018 Public Works Standards. With the update, city staff is considering recommending high-visibility crosswalks on high-speed roads and stamped concrete (supplemented with transverse markings) on low-speed roads.

FISCAL CONSIDERATION: None.

ATTACHMENTS:

1. 2025-01-30_Study Session Memo_Stamped Crosswalks

STRATEGIC PLAN PRIORITY: Strategic Plan Priority 2 - Ensure sustainable future for public services and facilities

Strategic Plan Priority 6 - Provide a safe, healthy, and inclusive community



PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: Mayor and City Council

FROM: Stephanie Seibel, PE, Senior Engineer

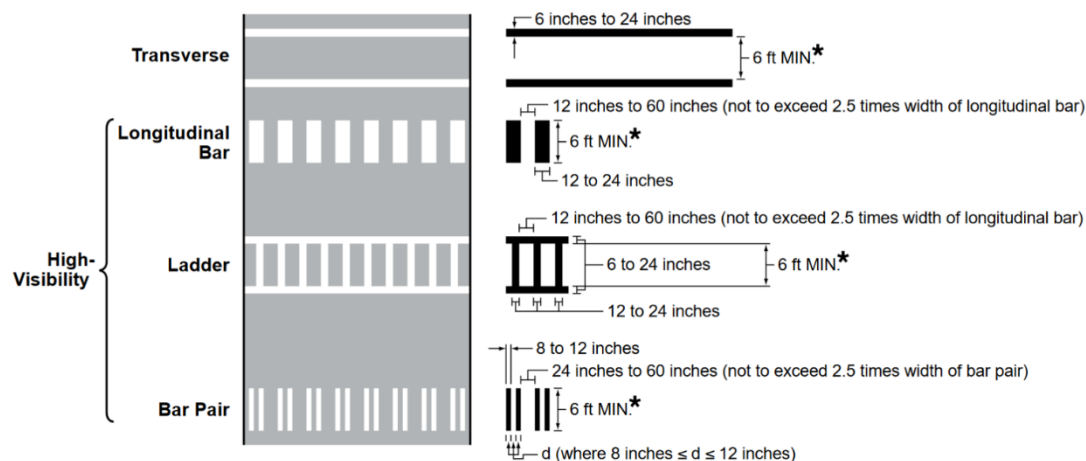
DATE: January 30, 2025

SUBJECT: 38th Avenue Phase Two, Half-width Improvements – Recommendation for high-visibility thermoplastic (piano key) crosswalk markings

The city's current standard for crosswalks on classified roadways is a stamped and pigmented cement concrete crosswalk installed at all legs of an intersection with a classified roadway.

Per the current WSDOT Design Manual "decorative crosswalk materials (such as colored pavement or bricks) may cause confusion for visually impaired pedestrians and can create discomfort for wheelchair users."

It has been shown that the transverse type of crosswalk is not as visible to approaching vehicles and has less yielding behavior than the high-visibility ladder, zebra, and bar pair crosswalk markings. The high-visibility markings are preferable to standard parallel markings because they are more visible to approaching vehicles and have been shown to improve yielding behavior. The high-visibility patterns also provide for improved detection and recognition over the transverse crosswalk for people with low vision and cognitive impairments.



* Minimum crosswalk width shall be 8 feet where the posted speed limit is 40 mph or greater at a non-intersection crosswalk.

The current guidance in the Manual for Uniform Traffic Control Devices (MUTCD) is that “High-visibility crosswalk markings (as shown in the figure above) and warning signs should be installed for all crosswalks at non-intersection locations.

Due to the higher speeds in the corridor, city staff recommends city council consider the use of high-visibility thermoplastic (piano key, also called longitudinal bar) markings for the entirety of the project. If we go in this direction, our consultant team will write a PW Variance because the high-visibility markings are a departure from the current standards. All PW Variance criteria for safety, engineering judgment, and others will have to be met prior to approval.

We are currently in the process of updating our 2018 Public Works Standards. With the update, city staff is considering recommending high-visibility crosswalks on high-speed roads and stamped concrete (supplemented with transverse markings) on low-speed roads.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: January 30, 2025

SUBJECT: Sewer Utility Extension Agreement - DMA Short Plat

SUBMITTED BY: Senior Engineer Stephanie Seibel

DEPARTMENT: Public Works

PHONE: (253) 853-7626

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: The City received a request for a sewer utility extension agreement (UEA) from DMA Ventures, LLC to extend the City's sewer utilities from 46th Avenue NW (Skansie Ave) into the DMA Short Plat located on 46th Avenue. The Plat is located in an area of unincorporated Pierce County that is surrounded on three sides by the city. See the map on the attached draft sewer agreement depicting the location of the parcel. The request is to connect the Plat to the city's existing sewer main in 46th Ave (Skansie Ave) by extending the sewer main into the plat.

The proposed UEA is requesting a total of eight (8) sewer ERU's. The draft sewer agreement is attached for your review.

At the January 30, 2025 City Council Study Session, City staff will discuss the proposed agreement and respond to questions. Staff recommendation is for Council to provide sewer service to the parcel via Resolution at the next City Council meeting.

FISCAL CONSIDERATION: The proposed utility extension agreement requires DMA Ventures, LLC to pay all costs for designing, constructing, and permitting the necessary extension of the city's sewer utility.

Lastly, as prescribed by Chapter 13.32 GHMC and noted in the proposed utility extension agreement, all general facilities charges and monthly services charges for sewer services outside the city limits shall be charged at 1.5 times the in-city rates.

ATTACHMENTS:

1. 2025-01-23_DMA SHORT PLAT SEWER UEA

STRATEGIC PLAN PRIORITY: Strategic Plan Priority 2 - Ensure sustainable future for public services and facilities

AFTER RECORDING RETURN TO:

The City of Gig Harbor
Attn: City Clerk
3510 Grandview Street
Gig Harbor, WA 98335

WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM

Document Title(s) (or transactions contained therein):

Utility Extension, Capacity Agreement and Agreement Waiving Right to Protest LID

Grantor(s) (Last name first, then first name and initials)

DMA Ventures LLC

Grantee(s) (Last name first, then first name and initials)

City of Gig Harbor

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range)

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 21
NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON

EXCEPT MCDUGAL COUNTY ROAD (46TH AVENUE N.W.)

Assessor's Property Tax Parcel or Account Number: 0221071005

Reference Number(s) of Documents assigned or released: _____

**UTILITY EXTENSION, CAPACITY AGREEMENT
AND AGREEMENT WAIVING RIGHT TO PROTEST LID**

THIS AGREEMENT is entered into this _____ day of _____, 20____, between the City of Gig Harbor, Washington, a municipal corporation of the State of Washington (the "City"), and DMA Ventures LLC, a Limited Liability Corporation (the "Owner").

RECITALS

WHEREAS, the Owner is the owner of certain real property located in Pierce County which is legally described as set forth in Exhibit "A" and shown in the location map in Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, the Owner's property is not currently within the City limits; and

WHEREAS, the Owner desires to connect to the City sewer utility system, hereafter referred to as the "utility," and the City is willing to allow connection only upon certain terms and conditions in accordance with Title 13 of the Gig Harbor Municipal Code, as now enacted or hereinafter amended; and

WHEREAS, on January 30, 2025 the City Council held a Council meeting on this Utility Extension Capacity Agreement; NOW, THEREFORE,

FOR AND IN CONSIDERATION of the mutual benefits and conditions hereinafter contained, the parties agree as follows:

TERMS

1. Warranty of Title. The Owner warrants that Owner is the owner of the property described in Exhibit 'A', which is attached hereto and incorporated herein by this reference, and is authorized to enter into this Agreement.

2. Extension Authorized. The City hereby authorizes the Owner to extend service to Owner's property from the existing utility line on 46TH AVE NW (Skansie Ave.) at the following location: 7305 46TH AVE NW.

3. Costs. Owner will pay all costs of designing, engineering and constructing the extension. All construction shall be done to City standards and according to plans approved by the City Engineer. Any and all costs incurred by the City in reviewing plans and inspecting construction shall be paid for by the Owner.

4. Sewer Capacity Commitment. The City agrees to provide to the Owner sewer utility service and hereby reserves to the Owner the right to discharge to the City's sewage system eight (8) ERU's; provided however, that the City retains the authority to temporarily suspend such capacity where necessary to protect public health and safety, or where required to comply with the City's NPDES permit, or any other permits required by any agency with jurisdiction. These capacity rights are allocated only to the Owner's system as herein described. Any modification to this

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system must first be approved by the City. Capacity rights acquired by the Owner pursuant to this Agreement shall not constitute ownership by the Owner of any facilities comprising the City sewage system. The City agrees to reserve to the Owner this capacity as set forth in GHMC 13.34.030.

5. Capacity Commitment Payment.

A. The Owner agrees to pay the City within 30 days of City Council approval of this Agreement and prior to the Mayor's execution of this agreement the sum of \$17,352.00, which is fifteen percent (15%) of the current general facilities charge, to reserve the above specified capacity. This payment shall reserve the specified capacity for a period of up to three years from the date of the Mayor's execution.

B. In the event the Owner has not made connection to the City's utility system by the date set forth above and no extension of the commitment period occurs as outlined below, such capacity commitment shall expire and the Owner shall forfeit one hundred percent (100%) of this capacity commitment payment to cover the City's administrative and related expenses.

C. In the event the Pierce County Boundary Review Board should not approve extension of the City's sewer system prior to the expiration of the commitment period, the Owner shall be entitled to a refund of the capacity commitment payment (without interest), less a five percent (5%) administrative fee.

6. Extension of Commitment Period. The Owner may extend the capacity commitment period for the life of the underlying development application or the underlying development approval upon payment of a capacity commitment payment of 100% of the value of the current general facilities charge. At the time of actual connection, per GHMC 13.34.040(7), if the sewer general facilities charge has increased, the Owner shall pay the difference between what was paid for the capacity commitment payment and the actual cost of the current general facilities charge.

7. Permits; Easements. Owner shall secure and obtain, at Owner's sole cost and expense, any and all necessary permits, easements, approvals, and licenses to construct the extension, including, but not limited to, all necessary easements, excavation permits, street use permits, or other permits required by state, county and city governmental departments including, but not limited to, the Pierce County Public Works Department, Pierce County Environmental Health Department, State Department of Ecology, Pierce County Boundary Review Board, and City of Gig Harbor.

8. Turn Over of Capital Facilities. If the extension of utility service to Owner's property involves the construction of water or sewer main lines, pump stations, wells, and/or other City required capital facilities, the Owner agrees if required by the City to turn over and dedicate such facilities to the City, at no cost, upon the completion of construction and approval and acceptance of the same by the City. As a prerequisite to such turn over and acceptance, the Owner will furnish to the City the following:

A. Record drawings in a form acceptable to the City Engineer;

B. Any necessary easements, permits or licenses for the continued operation, maintenance, repair or reconstruction of such facilities by the City, in a form approved by the City Attorney;

C. A bill of sale in a form approved by the City Attorney; and

D. A bond or other suitable security in a form approved by the City Attorney and in an amount approved by the City Engineer, ensuring that the facilities will remain free from defects in workmanship and materials for a period of two years.

9. General Facilities Charges. The Owner agrees to pay the applicable general facilities charges, in addition to any costs of construction, as a condition of connecting to the City utility system at the rate schedules applicable at the time the Owner physically connects his/her property to the system. Any commitment payment that has not been forfeited shall be applied to the City's general facilities charges. Should the Owner not connect 100% of the Sewer Capacity Commitment, the Capacity Commitment payment shall be credited on a prorated percentage basis to the general facilities charges as they are levied.

10. Service Charges. In addition to the general facilities charges, the Owner agrees to pay for utility service rendered according to the rates for services applicable to properties outside the city limits as such rates exist (which is presently at 150% the rate charged to customers inside city limits) or as they may be hereafter amended or modified.

11. Annexation.

A. Owner understands that annexation of the property described on Exhibit 'A' to the City will result in the following consequences:

- i. Pierce County ordinances, resolutions, rules and regulations will cease to apply to the property upon the effective date of annexation;
- ii. City of Gig Harbor ordinances, resolutions, rules and regulations will apply to the property upon the effective date of annexation;
- iii. Governmental services, such as police, fire and utility service will be provided to the property by the City of Gig Harbor upon the effective date of annexation;
- iv. The property may be required to assume all or any portion of the existing City of Gig Harbor indebtedness, and property tax rates and assessments applicable to the property may be different from those applicable prior to the effective date of annexation;
- v. Zoning and land use regulations applicable to the property after annexation may be different from those applicable to the property prior to annexation; and
- vi. All or any portion of the property may be annexed and the property may be annexed in conjunction with, or at the same time as, other property in the vicinity.

B. With full knowledge and understanding of these consequences of annexation and with full knowledge and understanding of Owner's decision to forego opposition to annexation of the property to the City of Gig Harbor, Owner agrees to sign a petition for annexation to the City of the property described on Exhibit "A" as provided in RCW 35.14.120, as it now exists or as it may hereafter be amended, at such time as the Owner is requested by the City to do so. The Owner also agrees and appoints the Mayor of the City as Owner's attorney-in-fact to execute an annexation petition on Owner's behalf in the event that Owner shall fail or refuse to do so and agrees that such signature shall constitute full authority from the Owner for annexation as if Owner had signed the petition himself. Owner further agrees not to litigate, challenge or in any manner contest, annexation to the City. This Agreement shall be deemed to be continuing, and if Owner's property is not annexed for whatever reason, including a decision by the City not to annex, Owner agrees to sign any and all subsequent petitions for annexations. In the event that any property described on Exhibit 'A' is subdivided into smaller lots, the purchasers of each subdivided lot shall be bound by the provisions of this paragraph.

12. Public Works Standards and Utility Regulations. Owner agrees to comply with all of the requirements of the City's public works standards relating to sewer and utility regulations when developing or redeveloping all or any part of the property described on Exhibit "A", and all other applicable sewerage standards in effect at the time.

13. Liens. The Owner understands and agrees that delinquent payments under this agreement shall constitute a lien upon the above-described property. The lien shall be as provided in RCW 35.67.200, and shall be enforced in accordance with RCW 35.67.220 through RCW 35.67.290, all as now enacted or hereafter amended.

14. Termination for Noncompliance. In the event Owner fails to comply with any term or condition of this Agreement, the City shall have the right, at any time, to enter onto the Owner's property and for that purpose disconnect the sewer, in addition to any other remedies available to the City.

15. Waiver of Right to Protest LID. (If applicable)

A. Owner acknowledges that the entire property legally described in Exhibit 'A' would be specially benefited by the following improvements (specify):

Extension of public sanitary sewer gravity main from 46TH Ave NW (Skansie Ave) into the DMA Ventures, LLC short plat, located at 7305 46TH AVE NW, Gig Harbor, WA 98335.

B. Owner agrees to sign a petition for the formation of an LID or ULID for the specified improvements at such time as one is circulated and Owner hereby appoints the Mayor of the City as his attorney-in-fact to sign such a petition in the event Owner fails or refuses to do so.

C. With full understanding of Owner's right to protest formation of an LID or ULID to construct such improvements pursuant to RCW 35.43.180, Owner agrees to participate in any such LID or ULID and to waive his right to protest formation of the same. Owner shall retain the right to contest the method of calculating any assessment and the amount thereof, and shall further retain the right to appeal the decision of the City Council affirming the final assessment roll to the superior

court. Notwithstanding any other provisions of this Agreement, this waiver of the right to protest shall only be valid for a period of ten (10) years from the date this Agreement is signed by the Owner.

16. Specific Enforcement. In addition to any other remedy provided by law or this Agreement, the terms of this Agreement may be specifically enforced by a court of competent jurisdiction.

17. Covenant. The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties. The Owner, and every purchaser, assignee or transferee of an interest in the Property, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Property, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of the Owner contained in this Agreement, as such duties and obligations pertain to the portion of the Property sold, assigned or transferred to it. All costs of recording this Agreement with the Pierce County Auditor shall be borne by the Owner.

18. Attorney's Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. In any suit or action seeking to enforce any provision of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other remedy provided by law or this agreement. Venue of such action shall lie in Pierce County Superior Court or the U.S. District Court for Western Washington.

19. Notices. Notices and correspondence to the City and Owner shall be sufficiently given if dispatched by pre-paid first-class mail to the addresses of the parties as designated below. Notice to any person who purchases any portion of the Property from the Owner shall be required to be given by the City only for those property purchasers who provide the City with written notice of their address. The parties hereto may, from time to time, advise the other of any new addresses for notice and correspondence.

TO THE CITY:

City Clerk
City of Gig Harbor
3510 Grandview Street
Gig Harbor, WA 98335

TO THE OWNER:

DMA Ventures, LLC
6507 84th Ave Ct W.
University Place, WA 98467

20. Severability and Integration. This Agreement and the Exhibits attached hereto constitute the agreement between the parties on this subject matter, and there are no other understandings, verbal or written, that modify the terms of this Agreement. If any phrase, provision, or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of this Agreement, such invalidity shall not affect the other terms of this Agreement.

DATED this _____ day of _____, 20____.

OWNER:

CITY OF GIG HARBOR

By: _____
Its _____
(Owner, President, Managing Member)

By: _____
Its Mayor

Attest:

City Clerk, Josh Stecker

Approved as to form:
Office of the City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of

Gig Harbor, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

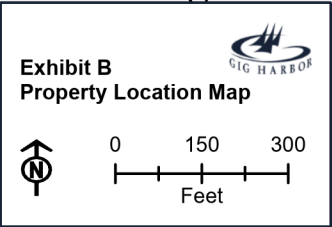
DATED: _____

Printed: _____
Notary Public in and for Washington
Residing at _____
My appointment expires: _____

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST
QUARTER OF THE SOUTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 21 NORTH,
RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE
COUNTY, WASHINGTON

EXCEPT MCDOUGAL COUNTY ROAD (46TH AVENUE N.W.)





**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: January 30, 2025

SUBJECT: Introduction to the 2025 Transportation Impact Fee (TIF) Rate Study

SUBMITTED BY: City Engineer Aaron Hulst, PE

DEPARTMENT: Public Works

PHONE: (253) 853-7620

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: The city is working with our consultant team to develop a new transportation impact fee rate that is informed by the new project list, based on the recent transportation element work done as part of the comprehensive plan update.

This presentation is a high-level introduction to the new TIF rate development process and procedures. It also presents options for developing the maximum allowable TIF rate. A minimum of one more council study session will be held after this meeting.

The final adoption of the new TIF rate and study will be via ordinance and requires a public hearing.

FISCAL CONSIDERATION: N/A

ATTACHMENTS:

1. Impact Fee Update Presentation
-

STRATEGIC PLAN PRIORITY: Strategic Plan Priority 2 - Ensure sustainable future for public services and facilities



Gig Harbor Impact Fee Update

City Council
January 30, 2025

FEHR  PEERS

Agenda



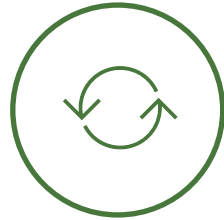
Overview of Impact Fees

What are impact fees, why do we have impact fees, and how are they calculated?



Review of Current Program

What is the current impact fee program in Gig Harbor?



Program Update

What are the key updates we will be making to the program?



Impact Fee Rate Setting

Where should Council set the new impact fee rate?



Agenda



**Overview of
Impact Fees**



**Current Program
Review**



**Program
Update**

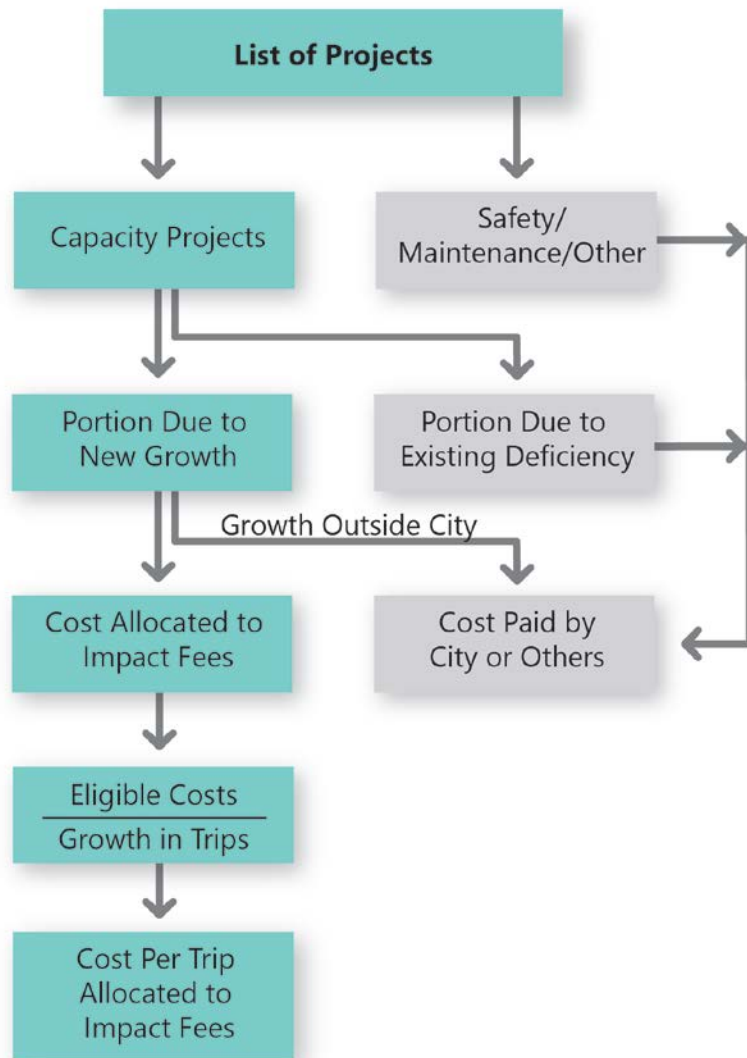


**Impact Fee
Rate Setting**



What are Transportation Impact Fees?

- **One-time charges** paid by new development
- Authorized by **1990 GMA** as funding source for transportation improvements
- Funds improvements that **add capacity** to the transportation network
- Can only be used to fund facilities that serve new growth, **not for existing deficiencies**
- Gig Harbor's existing impact fee is **\$7,577** per new PM Peak Hour Trip End



Traffic Impact Fee
Cost Allocation
Concept

How is an impact fee program developed?

- ✓ Identify roadway projects that are eligible for inclusion in the impact fee program.
- ✓ Identify the portion of those projects' costs that are related to accommodating future growth.
- ✓ Calculate a maximum allowable cost per trip rate by spreading eligible growth-related costs over the growth in trips anticipated over the life of the impact fee program.

Agenda



Overview of
Impact Fees



Review of
Current Program



Program
Update



Impact Fee
Rate Setting



Current Program

- Current Fee = \$7,577
- Calculated by PM peak hour vehicle trip rate
- Distinguishes between improvements for existing deficiencies and new growth
- Annually adjusted based on changes in the Construction Cost Index (CCI)

Traffic Impact Fee Rate Study Update



Prepared for:
City of Gig Harbor

December 2018

SR17-0522

FEHR+PEERS
Improving Communities Since 1985

Impact Fee Eligible Projects Identified in 2018 Plan



Agenda



Overview of
Impact Fees



Review of
Current Program



Program
Update



Impact Fee
Rate Setting

Goals of Impact Fee Update

Update the project list
to reflect the updated
Transportation Element

Update **maximum
allowable impact fee
rate** based on new
project list and cost
estimates

Update TIF rate table to
meet GMA requirements
for special uses that are
**eligible for reduced or
exempted fees**: low-
income housing; ADUs;
and early learning
facilities

Key Updates

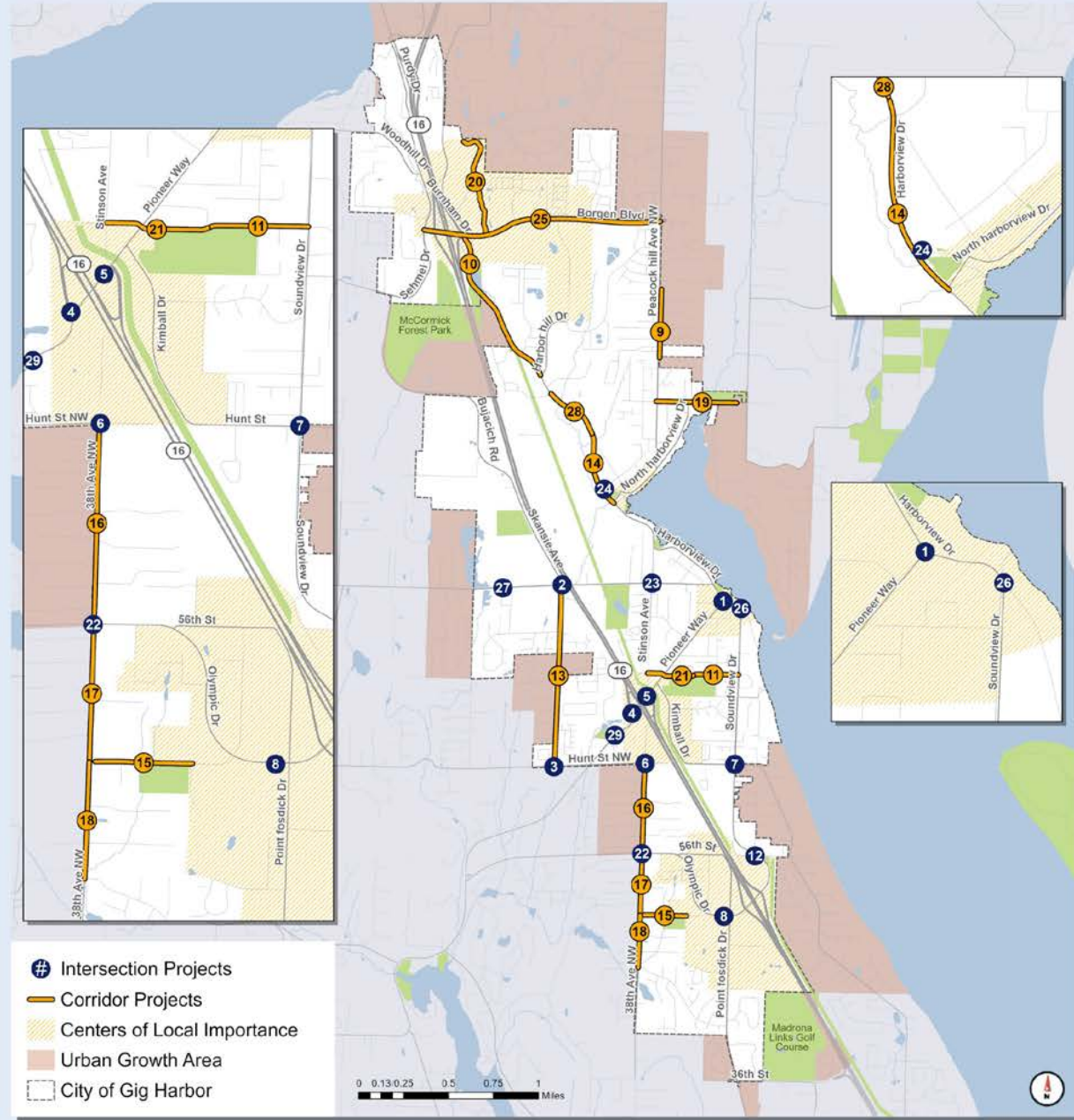
Project List

Growth
Projections

Updates in
State Law

Update Fee
Schedule

Short Term Project List



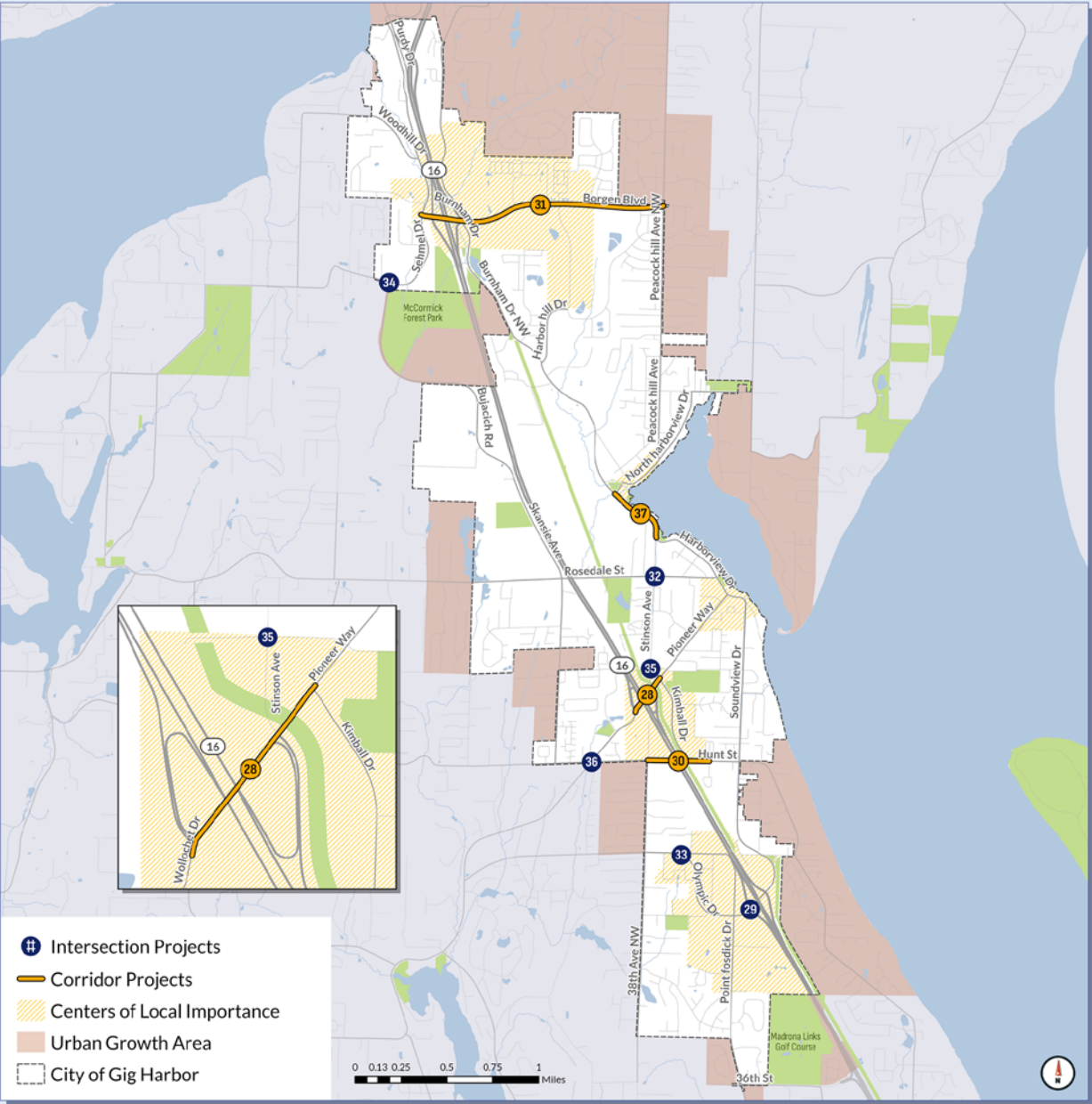
Intersection Projects

Map ID	Project Name	TIP ID
1	Harborview Dr / Pioneer Way Intersection Improvements	11
2	Rosedale St / Skansie Ave Intersection Improvements	22
3	Hunt St / Skansie Ave Intersection Improvements	12
4	Wollochet Dr / SR-16 Eastbound Right Turn Lane	6
5	Wollochet Dr / SR-16 Westbound Right Turn Lane	5
6	Hunt St / 38th Ave Intersection Improvements (Potential Future Roundabout)	13
7	Soundview Dr / Hunt St Intersection Improvements	15
8	Olympic Dr / Point Fosdick Right Turn Lane Extension	7
12	Olympic Dr / Hollycroft St Intersection Improvements	27
22	38th Ave / 56th St Roundabout	
23	Rosedale St / Stinson Ave Roundabout Improvements	
24	Austin St / Harborview Dr Intersection Improvements (Potential Future Roundabout)	
26	Harborview Dr / Soundview Dr Intersection Improvements	
27	Rosedale St / Schoolhouse Rd Intersection Improvements	
29	Wollochet Dr/Wagner Way Intersection Improvements	2

Corridor Projects

Map ID	Project Name	TIP ID
9	Peacock Hill Ave Complete Street Improvements	8
10	Burnham Dr Complete Street Improvements Phase 2	18
11	Grandview St Improvements (Soundview Dr to McDonald Ave)	23
13	Skansie Ave Complete Street Improvements	24
14	Burnham Dr Complete Street Improvements Phase 1B	16
15	50th St Court Complete Street Improvements	14
16	38th Ave Complete Street Improvements Phase 2	4
17	38th Ave Complete Street Improvements Phase 1C	10
18	38th Ave Complete Street Improvements Phase 1B	9
19	Vernhardson St Complete Street Improvements	26
20	Cushman Trail Extension Phase 5A	20
21	Grandview St Improvements (McDonald Ave to Stinson Ave)	
25	Burnham Dr / Borgen Blvd Corridor Study	
28	Burnham Dr Improvements Phase 1A	

Long Term Project List



Intersection Projects

Map ID	Project Name
29	Olympic Drive/SR-16 Intersection Improvements
32	Rosedale Street/Stinson Avenue Roundabout Improvements
33	56th/Olympic Intersection Improvements
34	Sehmel Drive/Bujacich Road Intersection Improvements
35	Stinson Avenue/Grandview Street Intersection Improvements
36	Wollochet Drive/Hunt Street Intersection Improvements

Corridor Projects

Map ID	Project Name
28	Wollochet Drive Interchange Improvements
30	Hunt Street Overcrossing
31	Burnham Drive/Borgen Boulevard Corridor Improvements
37	Harborview Drive Nonmotorized Improvements

Citywide Projects (Not Shown on Map)

Project Name
Citywide Bicycle Lane Network
Citywide Sidewalk Network
Citywide RRFBs and Midblock Crossings

Agenda



Overview of
Impact Fees



Review of
Current Program



Program
Update



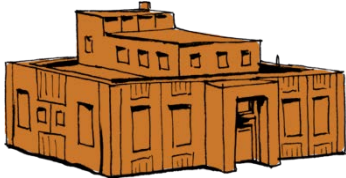
Impact Fee
Rate Setting

A background image showing two people riding bicycles on a paved path. The person in the foreground is wearing a helmet and a high-visibility vest. The background is slightly blurred, showing trees and a utility pole.

Maximum Allowable Impact Fee Rate

- Maximum TIF amount that can be charged based on legal and technical requirements.
- Ensures that new development is not paying more than their fair share into the City's transportation system.
- Transportation Element has many high-cost projects that are TIF eligible. Focusing on short-term projects only results in a maximum allowable rate per PM peak hour trip of **\$10,391.**
- Option to add the Hunt Crossing to the TIF project list, would increase maximum allowable rate to **\$12,647.**

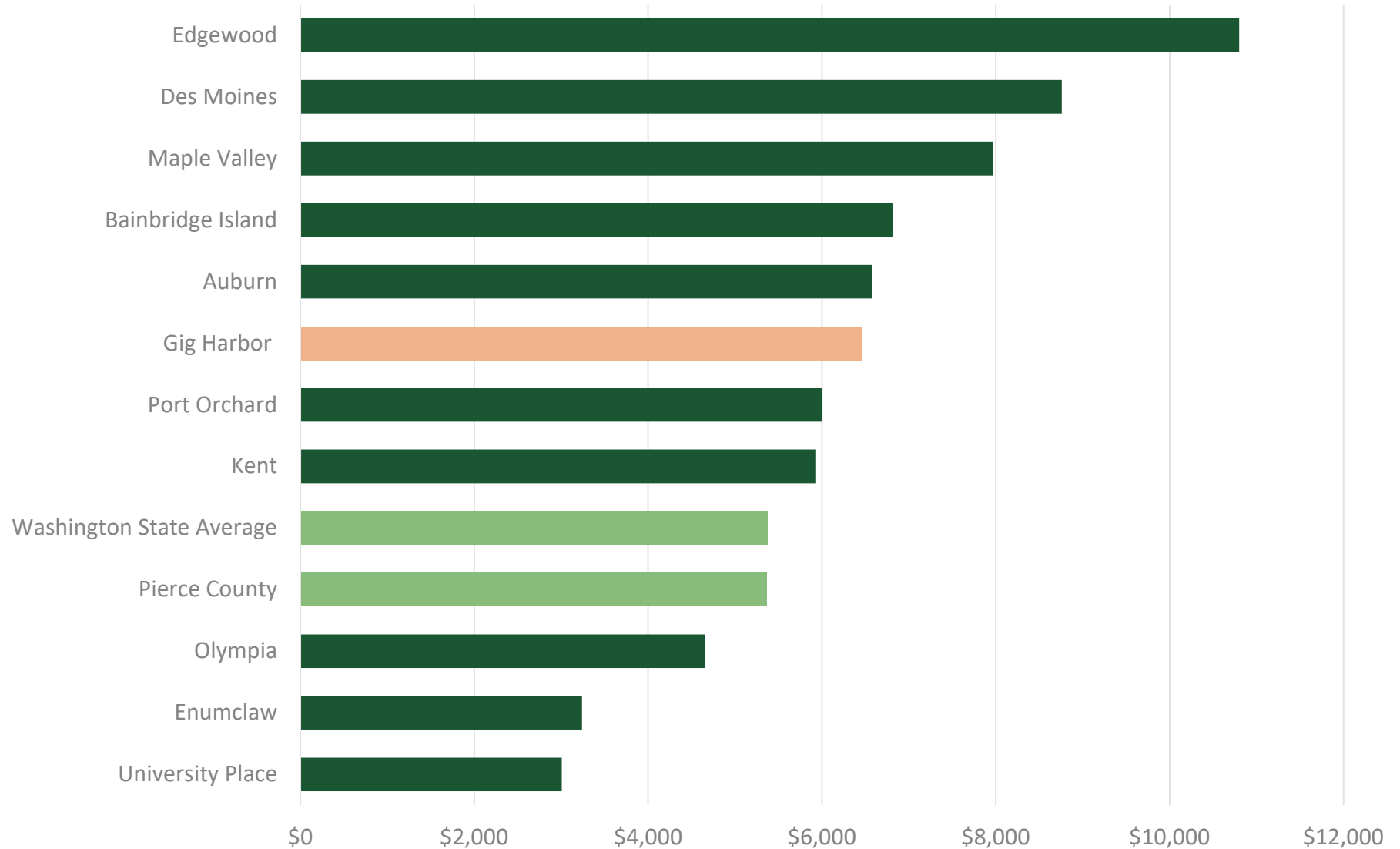
Fees are Based on How Many Vehicle Trips a New Development Will Create

Use	PM Peak Hour Vehicle Trips	\$10,391 Maximum Allowable: Resulting Fee	\$12,647 Maximum Allowable: Resulting Fee
 2,000 SF House	0.94	\$9,767	\$ 11,889
 15,000 SF Medical Office Building	3.93	\$40,835	\$ 49,704
 45,000 SF Grocery Store	8.95	\$92,997	\$113,194

Impact Fee Rate Considerations

- Council has the authority to set the impact fee rate anywhere **at/below the maximum allowable** cost per trip.
- TIF rate can be set lower than the maximum allowable for multiple reasons, including:
 - Larger share of external funding
 - Implementation of fewer projects
 - Balancing the cost to developers

Impact Fee Rates in Peer Communities



**Single-Family
Residential Impact
Fee (2024)**

Next Steps

- ✓ Get Council feedback on preferred approach to setting the impact fee rate
- ✓ Determine upcoming dates for finalizing the TIF approach and TIF adoption
- ✓ Update the TIF Rate Study and fee schedule



A street scene in a small town under a clear blue sky. In the foreground, there are yellow ornamental grasses on the left and dark red petunias in the center. A brick-paved crosswalk leads across the street. On the left, a two-story white building with black window frames and a 'OPEN' sign is visible. A black sedan is parked in front of it. On the right, a brick building with large windows is labeled 'HERITAGE' and has an American flag flying above its entrance. Several cars are parked along the right side of the street. In the distance, a silver SUV is driving towards the camera on a two-lane road with double yellow lines. Power lines and a traffic light are visible overhead.

Questions?



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: January 30, 2025

SUBJECT: Draft Ordinance to Address SB 5290

SUBMITTED BY: Jeff Wilson, Community Development

DEPARTMENT: Community Development

PHONE: (253) 530-7073

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: During the 2023 legislative session, Senate Bill 5290 (background attached) was enacted, introducing more defined permit processing timelines and penalties for non-compliance. Under this bill, permit processing timeframes (limited to city review) were specified as follows: a 60-day processing period for administrative permits; a 100-day period for permits requiring public notice; and a 170-day period for permits requiring a public hearing. Additionally, the bill allows local governments to establish alternative timelines, exceptions, or exclusions to these processing times.

At the December 5, 2024, study session, staff presented recommended timelines for permit processing that were tailored to the specific needs of the city of Gig Harbor. Based on the response at the December 5 meeting, staff has developed the attached draft ordinance to address the requirements of SB 5290. This ordinance describes the proposed amendments several sections in the GHMC to update procedures and timelines for processing permit in accordance with the requirements of SB 5290. In general, the recommended changes are:

- 19.02.003 – an update to our procedures for communicating with applicants with respect to an applications Determination of Completeness.
- 19.02.007 – Specific permit processing timelines for each listed permit type, including exclusions from the processing timelines based on specific circumstances which are beyond the city's ability to control; and a listing of specific actions which are exempted from processing timelines.
- 19.01.007 – Identifying specific permit types which are exempt from processing times. This list include permit types specifically provided for in SB 5290, as well as some local permits which are comparable to those provided for in the statute; together with certain permit types identified by the city for exemption and supports by our special needs/interest.
- 16.05.006 – An amendment to clarify language to process for addressing revisions to an approved preliminary plat which are not defined as "minor" revisions to address inconsistent language.

Adoption of the proposed amendments will establish city permit processing times, a limited list of identified exemptions from processing times, together with limited exclusions from or additions to permit processing times which are within the parameters

established by SB 5290.

Pursuant to SB 5290, the city may also amend our ordinances in the future should it be necessary to make changes to continue to ensure the city is consistent with the intent of SB 5290.

FISCAL CONSIDERATION: N/A

ATTACHMENTS:

1. Draft Ordinance
 2. Senate Bill 5290
 3. Final Bill Report for SB5290
-

STRATEGIC PLAN PRIORITY: Strategic Plan Priority 3 - Maintain small town character and historic preservation while growing responsibly

**CITY OF GIG HARBOR
ORDINANCE NO. ____**

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON AMENDING CHAPTERS 19.01 AND 19.02 OF THE GIG HARBOR MUNICIPAL CODE (GHMC) TO ADDRESS PROJECT PERMIT REVIEW TIMELINES AND REQUIREMENTS; AMENDING CHAPTER 16.05 TO CLARIFY PRELIMINARY PLAT MODIFICATION REQUIREMENTS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Senate Bill (SB) 5290 amends the Local Project Review Act, Chapter 36.70B RCW, with the intent to increase the timeliness and predictability of local project review; and

WHEREAS, SB 5290 amended RCW 36.70B.080 to establish new permit review timelines for project permit applications submitted to GMA-planning jurisdictions after January 1, 2025; and

WHEREAS, pursuant to RCW 36.70B.140, the City may exclude certain project permits from some provisions of RCW 36.70B including those that the City determines present special circumstances that warrant a review process or time periods for approval which are different from that provided in RCW 36.70B; and

WHEREAS, pursuant to RCW 36.70B.140, the City may exclude the other certain project permits from the provisions of RCW 36.70B which have administrative approvals that are categorically exempt from environmental review under chapter 43.21C RCW, or for which environmental review has been completed in connection with other project permits; and

WHEREAS, the Growth Management Act ("GMA") requires cities to identify and protect critical areas. To ensure critical areas are correctly identified and classified, applicants are required to provide technical reports and studies to correctly identify and classify any critical areas on property to be developed and ensure that all development proposals apply the correct mitigation and protection measures. Reports submitted by applicants require technical review and evaluation by subject matter experts which the city does not have on staff but retains under contracts. While the consultants are under contract with the city, timelines undertake thorough and correction evaluation for the preservation of the critical areas in accordance with city and state laws required diligent technical work; and

WHEREAS, many land use permits require hearings and decisions by an independent hearing body (Hearing Examiner). The Hearing Examiner schedules a hearing and issues a decision on certain applications; and

WHEREAS, there are circumstances where the submitted application requires corrections and/or additional information and the applicant is delayed in responding within the provided

time period. During the delayed response time staff resources may be reassigned which results in additional time necessary to reacquaint to the project submittal; and

WHEREAS, the city has a clear interest to protect its future city owned infrastructure by ensuring that project review is thorough and complete and not rushed or limited by project review timelines. Rushed technical review of civil construction permits would likely ultimately cost the city's operating funds in the future to fix construction issues that arose because of inadequate review timeframes; and

WHEREAS, implementing inadequate review timelines for utility infrastructure and transportation infrastructure at the time of civil construction permits would present a detriment to public safety; and

WHEREAS, implementing inadequate review timelines for utility infrastructure and transportation infrastructure at time of civil construction permits would present a detriment critical areas; and

WHEREAS, the majority of engineering construction permits are technical in nature than and require technical review of:

a. Transportation: Complex networks of streets, sidewalks, and other pedestrian facilities that often become city owned. The reviews often include complex vertical curves, complex horizontal curves, ADA technical details, access spacing, sight distance, etc. As transportation review is related to vehicles and pedestrians, public safety would be compromised by imposing inadequate review timelines on transportation components of civil construction permits.

b. Wastewater: Complex networks of structures and pipe systems that most often are proposed to be city owned. Review requires review of technical Autocad drawings in both plan view and profile view. Requires detailed review of pipe type, pipe slopes, manhole invert elevations, technical cross sections, review for potential utility conflicts, consistency with the Ecology Sewer Works Design (Orange Book), review of vertical and horizontal elevations for separation from potable water mains, minimum flows, maximum flows, pipe capacity, maximum pipe slope, minimum pipe slope, pipe anchoring, structure analysis, structure sizing, structure type, structure coating type, etc.

c. Potable Water: Pressurized potable water systems with a complex network of pipes, fittings, hydrants, blow off assemblies, air vac systems, and thrust blocks, that all require detailed technical review at civil construction permit review. Requirements for minimum pressure, maximum pressure, system capacity, safety, water quality testing procedures, and fire flow capacity are typical of construction reviews.

d. Stormwater: The city maintains and NPDES Permit through the Department of Ecology. Department of Ecology Stormwater requirements for western Washington are continuously being updated by ecology. Reviews of stormwater design at civil construction permits is the last chance the city confirms that pollutants and non-detained water is polluting

critical areas such as wetlands, creeks, streams, or waters of the Salish Sea (Puget Sound). Stormwater reviews are increasingly complex and technical in nature. The city reviews technical design components for water quality (treatment), detention (flow control), wetland protection, and temporary erosion and sediment control measures. Reducing the timeline for technical stormwater review during the review of construction permits would be detrimental to critical areas which are regulated locally, at state level, and often federally.

WHEREAS,...; and

WHEREAS,...

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of Findings of Fact. The Gig Harbor City Council hereby adopts the foregoing recitals and incorporates them herein as findings of fact in support of these amendments.

Section 2. GHMC 19.02.003 Amended. GHMC 19.02.003 (C) is hereby amended as follows:

C. *Determination of Completeness.* Within 28 days after receiving a project permit application, the city shall email, mail or personally deliver to the applicant a determination which states either:

1. That the application is complete; or
2. That the application is incomplete and what is necessary to make the application complete.

If an applicant chooses the optional consolidated permit review process set forth in GHMC 19.01.002(B), the determination of completeness shall include all project permits being reviewed through the consolidated permit review process.

Section 3. GHMC 19.02.007 Amended. GHMC 19.02.007 (B) is hereby amended as follows:

B. *Time Period for Decision.* The director shall issue a notice of final decision on a project permit application as follows; ~~within 120 days of the issuance of the determination of completeness pursuant to GHMC 19.02.003~~; provided, that the time period for issuance of a notice of final decision on a preliminary plat shall be 90 days; and 30 days each; for a final plat 30 days, and a short plat 30 days.

1. Type I permits shall be issued within 65 days¹ of the determination of completeness pursuant to GHMC 19.02.003.
 2. Type II permits and Final PRD/PUD decisions shall be issued within 100 days of the determination of completeness pursuant to GHMC 19.02.003.
 3. Type III, Type IIIA and site specific rezone permits shall be issued within 170 days of the determination of completeness pursuant to GHMC 19.02.003.
 4. If an application for a Type I, II, III, of IIIA permit requires more than two review cycles, an additional 45 days shall be added to the timeframes listed above for each subsequent review cycle after the 2nd review.
4. 5. In calculating the time period for decision for issuance of the notice of final decision for a Type I, II, III, of IIIA permit, the following periods shall be excluded:
- a. Any period during which the applicant has been requested by the director to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the director notifies the applicant of the need for additional information until the earlier of the date the director determines that the additional information provided satisfies the request for information, or 14 days after the date the additional information is provided to the city².
 - b. If the director determines that the information submitted is insufficient, the applicant shall be informed of the particular insufficiencies and the procedures set forth in this subsection (B)(1) for calculating the exclusion period shall apply;
 - c. Any period during which an environmental impact statement (EIS) is being prepared pursuant to Chapter 43.21C RCW and GHMC Title 18. The time period for preparation of an EIS shall be governed by GHMC 18.04.140(C);
 - d. Any period for consideration and issuance of a decision for administrative appeals of project permits, which shall be not more than 90 days for open record appeals and 60 days for closed record appeals, unless a longer period is agreed to by the director and the applicant;
 - e. Any period during which third-party review is required, including, but not limited to, biological consultation, certified arborist review. The period shall be calculated from the date the project files are transmitted to the third-party reviewer until the analysis has been completed and received by the director;

¹ All deadlines for final decisions are based on calendar days

f. Any period for consideration and issuance of a decision and order by the Hearing Examiner. The period shall be calculated from the date of submittal of project staff report and supporting material to the Hearing Examiner to receipt of the final Hearing Examiner decision and order to the director;

g. A period equal to the time requested by the applicant for an extension; and

e. h. Any extension of time mutually agreed to in writing by the director and the applicant.

6. The time limits established in this subsection B do not apply if a project permit application:

a. Requires an amendment to the comprehensive plan or a development regulation;

b. Requires siting approval of an essential public facility as provided in RCW 36.70A.200; ~~or~~

c. Requires a zoning map amendment; or

~~e. d.~~ Is substantially revised by the applicant, in which case the time period shall start from the date that a determination of completeness for the revised application is issued by the director pursuant to GHMC 19.02.003 and RCW 36.70B.070.

Section 4. GHMC 19.01.007 Amended. GHMC 19.01.007 (A) is hereby amended as follows:

A. Whenever a permit or approval in the Gig Harbor Municipal Code has been designated as a Type I, II, III or IV permit, the procedures in this title shall be followed in project permit processing. The following permits or approvals are specifically excluded from the procedures set forth in this title:

1. Landmark/Historic Preservation designations;

2. Street and Alley vacations;

3. Special Use Permits;

4. Encroachment/Street Use Permits;

5. Impact fee decisions; ~~and~~

6. Concurrency determinations; ~~;~~

7. Annexations;

8. Project permits for interior alterations from site plan review, provided that the interior alterations do not result in the following:

a) Additional sleeping quarters or bedrooms;

- b) Nonconformity with federal emergency management agency substantial improvement thresholds; or
 - c) Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.
 - d) Nothing in this section exempts interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes.
 - e) For purposes of this section, "interior alterations" include construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint;
- 9. Civil Construction and Grading permits;
 - 10. Building permits not related to other project permits covered by this Title; and
 - 11. Construction and utility permits not related to other project permits covered by this Title.

Section 5. GHMC 16.05.006 Amended. GHMC 16.05.006 (B) is hereby amended as follows:
Revisions which are not classified as minor revisions in subsection A of this section shall be processed as a new preliminary plat applications ~~in accordance with the procedures established under GHMC Title 19 for a Type III project permit application.~~

Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect 5 days after passage and publication as required by law.

APPROVED:

MAYOR, MARY BARBER

ATTEST/AUTHENTICATED:

CITY CLERK, JOSHUA STECKER, CMC

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY:

OGDEN MURPHY WALLACE PLLC

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 2025-__

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5290

Chapter 338, Laws of 2023

68th Legislature
2023 Regular Session

PROJECT PERMITS—LOCAL PROJECT REVIEW—VARIOUS PROVISIONS

EFFECTIVE DATE: July 23, 2023—Except for section 7, which takes
effect January 1, 2025.

Passed by the Senate April 17, 2023
Yeas 47 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 10, 2023
Yeas 98 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved May 8, 2023 1:17 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **SECOND SUBSTITUTE
SENATE BILL 5290** as passed by the
Senate and the House of
Representatives on the dates hereon
set forth.

SARAH BANNISTER

Secretary

FILED

May 10, 2023

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5290

AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Senate Ways & Means (originally sponsored by Senators Mullet, Kuderer, Fortunato, Llias, Nobles, Saldaña, and C. Wilson; by request of Office of the Governor)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to consolidating local permit review processes;
2 amending RCW 36.70B.140, 36.70B.020, 36.70B.070, 36.70B.080, and
3 36.70B.160; reenacting and amending RCW 36.70B.110; adding new
4 sections to chapter 36.70B RCW; creating new sections; and providing
5 an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 36.70B.140 and 1995 c 347 s 418 are each amended to
8 read as follows:

9 (1) A local government by ordinance or resolution may exclude the
10 following project permits from the provisions of RCW 36.70B.060
11 through 36.70B.090 and 36.70B.110 through 36.70B.130: Landmark
12 designations, street vacations, or other approvals relating to the
13 use of public areas or facilities, or other project permits, whether
14 administrative or quasi-judicial, that the local government by
15 ordinance or resolution has determined present special circumstances
16 that warrant a review process or time periods for approval which are
17 different from that provided in RCW 36.70B.060 through 36.70B.090 and
18 36.70B.110 through 36.70B.130.

19 (2) A local government by ordinance or resolution also may
20 exclude the following project permits from the provisions of RCW
21 36.70B.060 and 36.70B.110 through 36.70B.130: Lot line or boundary

adjustments and building and other construction permits, or similar administrative approvals, categorically exempt from environmental review under chapter 43.21C RCW, or for which environmental review has been completed in connection with other project permits.

(3) A local government must exclude project permits for interior alterations from site plan review, provided that the interior alterations do not result in the following:

(a) Additional sleeping quarters or bedrooms;

(b) Nonconformity with federal emergency management agency substantial improvement thresholds; or

(c) Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

(4) Nothing in this section exempts interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes.

(5) For purposes of this section, "interior alterations" include construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint.

NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70B RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the department of commerce must establish a consolidated permit review grant program. The department may award grants to any local government that provides, by ordinance, resolution, or other action, a commitment to the following building permit review consolidation requirements:

(a) Issuing final decisions on residential permit applications within 45 business days or 90 calendar days.

(i) To achieve permit review within the stated time periods, a local government must provide consolidated review for building permit applications. This may include an initial technical peer review of the application for conformity with the requirements of RCW 36.70B.070 by all departments, divisions, and sections of the local government with jurisdiction over the project.

(ii) A local government may contract with a third-party business to conduct the consolidated permit review or as additional inspection

1 staff. Any funds expended for such a contract may be eligible for
2 reimbursement under this act.

3 (iii) Local governments are authorized to use grant funds to
4 contract outside assistance to audit their development regulations to
5 identify and correct barriers to housing development.

6 (b) Establishing an application fee structure that would allow
7 the jurisdiction to continue providing consolidated permit review
8 within 45 business days or 90 calendar days.

9 (i) A local government may consult with local building
10 associations to develop a reasonable fee system.

11 (ii) A local government must determine, no later than July 1,
12 2024, the specific fee structure needed to provide permit review
13 within the time periods specified in this subsection (1)(b).

14 (2) A jurisdiction that is awarded a grant under this section
15 must provide a quarterly report to the department of commerce. The
16 report must include the average and maximum time for permit review
17 during the jurisdiction's participation in the grant program.

18 (3) If a jurisdiction is unable to successfully meet the terms
19 and conditions of the grant, the jurisdiction must enter a 90-day
20 probationary period. If the jurisdiction is not able to meet the
21 requirements of this section by the end of the probationary period,
22 the jurisdiction is no longer eligible to receive grants under this
23 section.

24 (4) For the purposes of this section, "residential permit" means
25 a permit issued by a city or county that satisfies the conditions of
26 RCW 19.27.015(5) and is within the scope of the international
27 residential code, as adopted in accordance with chapter 19.27 RCW.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70B
29 RCW to read as follows:

30 (1) Subject to the availability of funds appropriated for this
31 specific purpose, the department of commerce must establish a grant
32 program for local governments to update their permit review process
33 from paper filing systems to software systems capable of processing
34 digital permit applications, virtual inspections, electronic review,
35 and with capacity for video storage.

36 (2) The department of commerce may only provide a grant under
37 this section to a city if the city allows for the development of at
38 least two units per lot on all lots zoned predominantly for
39 residential use within its jurisdiction.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70B
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the department of commerce must convene a digital
5 permitting process work group to examine potential license and
6 permitting software for local governments to encourage streamlined
7 and efficient permit review.

8 (2) The department of commerce, in consultation with the
9 association of Washington cities and Washington state association of
10 counties, shall appoint members to the work group representing groups
11 including but not limited to:

12 (a) Cities and counties;

13 (b) Building industries; and

14 (c) Building officials.

15 (3) The department of commerce must convene the first meeting of
16 the work group by August 1, 2023. The department must submit a final
17 report to the governor and the appropriate committees of the
18 legislature by August 1, 2024. The final report must:

19 (a) Evaluate the existing need for digital permitting systems,
20 including impacts on existing digital permitting systems that are
21 already in place;

22 (b) Review barriers preventing local jurisdictions from accessing
23 or adopting digital permitting systems;

24 (c) Evaluate the benefits and costs associated with a statewide
25 permitting software system; and

26 (d) Provide budgetary, administrative policy, and legislative
27 recommendations to increase the adoption of or establish a statewide
28 system of digital permit review.

29 **Sec. 5.** RCW 36.70B.020 and 1995 c 347 s 402 are each amended to
30 read as follows:

31 Unless the context clearly requires otherwise, the definitions in
32 this section apply throughout this chapter.

33 (1) "Closed record appeal" means an administrative appeal on the
34 record to a local government body or officer, including the
35 legislative body, following an open record hearing on a project
36 permit application when the appeal is on the record with no or
37 limited new evidence or information allowed to be submitted and only
38 appeal argument allowed.

39 (2) "Local government" means a county, city, or town.

1 (3) "Open record hearing" means a hearing, conducted by a single
2 hearing body or officer authorized by the local government to conduct
3 such hearings, that creates the local government's record through
4 testimony and submission of evidence and information, under
5 procedures prescribed by the local government by ordinance or
6 resolution. An open record hearing may be held prior to a local
7 government's decision on a project permit to be known as an "open
8 record predecision hearing." An open record hearing may be held on an
9 appeal, to be known as an "open record appeal hearing," if no open
10 record predecision hearing has been held on the project permit.

11 (4) "Project permit" or "project permit application" means any
12 land use or environmental permit or license required from a local
13 government for a project action, including but not limited to
14 ~~((building permits,))~~ subdivisions, binding site plans, planned unit
15 developments, conditional uses, shoreline substantial development
16 permits, site plan review, permits or approvals required by critical
17 area ordinances, site-specific rezones ~~((authorized by a~~
18 ~~comprehensive plan or subarea plan))~~ which do not require a
19 comprehensive plan amendment, but excluding the adoption or amendment
20 of a comprehensive plan, subarea plan, or development regulations
21 except as otherwise specifically included in this subsection.

22 (5) "Public meeting" means an informal meeting, hearing,
23 workshop, or other public gathering of people to obtain comments from
24 the public or other agencies on a proposed project permit prior to
25 the local government's decision. A public meeting may include, but is
26 not limited to, a design review or architectural control board
27 meeting, a special review district or community council meeting, or a
28 scoping meeting on a draft environmental impact statement. A public
29 meeting does not include an open record hearing. The proceedings at a
30 public meeting may be recorded and a report or recommendation may be
31 included in the local government's project permit application file.

32 **Sec. 6.** RCW 36.70B.070 and 1995 c 347 s 408 are each amended to
33 read as follows:

34 (1) (a) Within ~~((twenty-eight))~~ 28 days after receiving a project
35 permit application, a local government planning pursuant to RCW
36 36.70A.040 shall ~~((mail or))~~ provide ~~((in person))~~ a written
37 determination to the applicant ~~((, stating))~~.

38 (b) The written determination must state either:

39 ~~((a))~~ (i) That the application is complete; or

1 ~~((b))~~ (ii) That the application is incomplete and that the
2 procedural submission requirements of the local government have not
3 been met. The determination shall outline what is necessary to make
4 the application procedurally complete.

5 (c) The number of days shall be calculated by counting every
6 calendar day.

7 (d) To the extent known by the local government, the local
8 government shall identify other agencies of local, state, or federal
9 governments that may have jurisdiction over some aspect of the
10 application.

11 (2) A project permit application is complete for purposes of this
12 section when it meets the procedural submission requirements of the
13 local government ~~((and is sufficient for continued processing even~~
14 ~~though additional information may be required or project~~
15 ~~modifications may be undertaken subsequently))~~, as outlined on the
16 project permit application. Additional information or studies may be
17 required or project modifications may be undertaken subsequent to the
18 procedural review of the application by the local government. The
19 determination of completeness shall not preclude the local government
20 from requesting additional information or studies either at the time
21 of the notice of completeness or subsequently if new information is
22 required or substantial changes in the proposed action occur.
23 However, if the procedural submission requirements, as outlined on
24 the project permit application have been provided, the need for
25 additional information or studies may not preclude a completeness
26 determination.

27 (3) The determination of completeness may include or be combined
28 with the following ~~((as optional information))~~:

29 (a) A preliminary determination of those development regulations
30 that will be used for project mitigation;

31 (b) A preliminary determination of consistency, as provided under
32 RCW 36.70B.040; ~~((or))~~

33 (c) Other information the local government chooses to include; or

34 (d) The notice of application pursuant to the requirements in RCW
35 36.70B.110.

36 (4)(a) An application shall be deemed procedurally complete on
37 the 29th day after receiving a project permit application under this
38 section if the local government does not provide a written
39 determination to the applicant that the application is procedurally
40 incomplete as provided in subsection (1)(b) (ii) of this section. When

1 the local government does not provide a written determination, they
2 may still seek additional information or studies as provided for in
3 subsection (2) of this section.

4 (b) Within ~~((fourteen))~~ 14 days after an applicant has submitted
5 to a local government additional information identified by the local
6 government as being necessary for a complete application, the local
7 government shall notify the applicant whether the application is
8 complete or what additional information is necessary.

9 (c) The notice of application shall be provided within 14 days
10 after the determination of completeness pursuant to RCW 36.70B.110.

11 **Sec. 7.** RCW 36.70B.080 and 2004 c 191 s 2 are each amended to
12 read as follows:

13 (1)~~(a)~~ Development regulations adopted pursuant to RCW 36.70A.040
14 must establish and implement time periods for local government
15 actions for each type of project permit application and provide
16 timely and predictable procedures to determine whether a completed
17 project permit application meets the requirements of those
18 development regulations. The time periods for local government
19 actions for each type of complete project permit application or
20 project type should not exceed ~~((one hundred twenty days, unless the~~
21 ~~local government makes written findings that a specified amount of~~
22 ~~additional time is needed to process specific complete project permit~~
23 ~~applications or project types))~~ those specified in this section.

24 ~~((The))~~ (b) For project permits submitted after January 1, 2025,
25 the development regulations must, for each type of permit
26 application, specify the contents of a completed project permit
27 application necessary for the complete compliance with the time
28 periods and procedures.

29 ~~((+2))~~ (c) A jurisdiction may exclude certain permit types and
30 timelines for processing project permit applications as provided for
31 in RCW 36.70B.140.

32 (d) The time periods for local government action to issue a final
33 decision for each type of complete project permit application or
34 project type subject to this chapter should not exceed the following
35 time periods unless modified by the local government pursuant to this
36 section or RCW 36.70B.140:

37 (i) For project permits which do not require public notice under
38 RCW 36.70B.110, a local government must issue a final decision within
39 65 days of the determination of completeness under RCW 36.70B.070;

1 (ii) For project permits which require public notice under RCW
2 36.70B.110, a local government must issue a final decision within 100
3 days of the determination of completeness under RCW 36.70B.070; and

4 (iii) For project permits which require public notice under RCW
5 36.70B.110 and a public hearing, a local government must issue a
6 final decision within 170 days of the determination of completeness
7 under RCW 36.70B.070.

8 (e) A jurisdiction may modify the provisions in (d) of this
9 subsection to add permit types not identified, change the permit
10 names or types in each category, address how consolidated review time
11 periods may be different than permits submitted individually, and
12 provide for how projects of a certain size or type may be
13 differentiated, including by differentiating between residential and
14 nonresidential permits. Unless otherwise provided for the
15 consolidated review of more than one permit, the time period for a
16 final decision shall be the longest of the permit time periods
17 identified in (d) of this subsection or as amended by a local
18 government.

19 (f) If a local government does not adopt an ordinance or
20 resolution modifying the provisions in (d) of this subsection, the
21 time periods in (d) of this subsection apply.

22 (g) The number of days an application is in review with the
23 county or city shall be calculated from the day completeness is
24 determined under RCW 36.70B.070 to the date a final decision is
25 issued on the project permit application. The number of days shall be
26 calculated by counting every calendar day and excluding the following
27 time periods:

28 (i) Any period between the day that the county or city has
29 notified the applicant, in writing, that additional information is
30 required to further process the application and the day when
31 responsive information is resubmitted by the applicant;

32 (ii) Any period after an applicant informs the local government,
33 in writing, that they would like to temporarily suspend review of the
34 project permit application until the time that the applicant notifies
35 the local government, in writing, that they would like to resume the
36 application. A local government may set conditions for the temporary
37 suspension of a permit application; and

38 (iii) Any period after an administrative appeal is filed until
39 the administrative appeal is resolved and any additional time period
40 provided by the administrative appeal has expired.

1 (h) The time periods for a local government to process a permit
2 shall start over if an applicant proposes a change in use that adds
3 or removes commercial or residential elements from the original
4 application that would make the application fail to meet the
5 determination of procedural completeness for the new use, as required
6 by the local government under RCW 36.70B.070.

7 (i) If, at any time, an applicant informs the local government,
8 in writing, that the applicant would like to temporarily suspend the
9 review of the project for more than 60 days, or if an applicant is
10 not responsive for more than 60 consecutive days after the county or
11 city has notified the applicant, in writing, that additional
12 information is required to further process the application, an
13 additional 30 days may be added to the time periods for local
14 government action to issue a final decision for each type of project
15 permit that is subject to this chapter. Any written notice from the
16 local government to the applicant that additional information is
17 required to further process the application must include a notice
18 that nonresponsiveness for 60 consecutive days may result in 30 days
19 being added to the time for review. For the purposes of this
20 subsection, "nonresponsiveness" means that an applicant is not making
21 demonstrable progress on providing additional requested information
22 to the local government, or that there is no ongoing communication
23 from the applicant to the local government on the applicant's ability
24 or willingness to provide the additional information.

25 (j) Annual amendments to the comprehensive plan are not subject
26 to the requirements of this section.

27 (k) A county's or city's adoption of a resolution or ordinance to
28 implement this subsection shall not be subject to appeal under
29 chapter 36.70A RCW unless the resolution or ordinance modifies the
30 time periods provided in (d) of this subsection by providing for a
31 review period of more than 170 days for any project permit.

32 (l)(i) When permit time periods provided for in (d) of this
33 subsection, as may be amended by a local government, and as may be
34 extended as provided for in (i) of this subsection, are not met, a
35 portion of the permit fee must be refunded to the applicant as
36 provided in this subsection. A local government may provide for the
37 collection of only 80 percent of a permit fee initially, and for the
38 collection of the remaining balance if the permitting time periods
39 are met. The portion of the fee refunded for missing time periods
40 shall be:

1 (A) 10 percent if the final decision of the project permit
2 application was made after the applicable deadline but the period
3 from the passage of the deadline to the time of issuance of the final
4 decision did not exceed 20 percent of the original time period; or

5 (B) 20 percent if the period from the passage of the deadline to
6 the time of the issuance of the final decision exceeded 20 percent of
7 the original time period.

8 (ii) Except as provided in RCW 36.70B.160, the provisions in
9 subsection (1)(i) of this section are not applicable to cities and
10 counties which have implemented at least three of the options in RCW
11 36.70B.160(1) (a) through (j) at the time an application is deemed
12 procedurally complete.

13 (2)(a) Counties subject to the requirements of RCW 36.70A.215 and
14 the cities within those counties that have populations of at least
15 ((twenty thousand)) 20,000 must, for each type of permit application,
16 identify the total number of project permit applications for which
17 decisions are issued according to the provisions of this chapter. For
18 each type of project permit application identified, these counties
19 and cities must establish and implement a deadline for issuing a
20 notice of final decision as required by subsection (1) of this
21 section and minimum requirements for applications to be deemed
22 complete under RCW 36.70B.070 as required by subsection (1) of this
23 section.

24 (b) Counties and cities subject to the requirements of this
25 subsection also must prepare an annual performance report((s)) that
26 ((include, at a minimum, the following information for each type of
27 project permit application identified in accordance with the
28 requirements of (a) of this subsection:

29 (i) Total number of complete applications received during the
30 year;

31 (ii) Number of complete applications received during the year for
32 which a notice of final decision was issued before the deadline
33 established under this subsection;

34 (iii) Number of applications received during the year for which a
35 notice of final decision was issued after the deadline established
36 under this subsection;

37 (iv) Number of applications received during the year for which an
38 extension of time was mutually agreed upon by the applicant and the
39 county or city;

~~(v) Variance of actual performance, excluding applications for which mutually agreed time extensions have occurred, to the deadline established under this subsection during the year; and~~

~~(vi) The mean processing time and the number standard deviation from the mean.~~

~~(c) Counties and cities subject to the requirements of this subsection must:~~

~~(i) Provide notice of and access to the annual performance reports through the county's or city's website; and~~

~~(ii) Post electronic facsimiles of the annual performance reports through the county's or city's website. Postings on a county's or city's website indicating that the reports are available by contacting the appropriate county or city department or official do not comply with the requirements of this subsection.~~

~~If a county or city subject to the requirements of this subsection does not maintain a website, notice of the reports must be given by reasonable methods, including but not limited to those methods specified in RCW 36.70B.110(4).~~

~~(3))~~ includes information outlining time periods for certain permit types associated with housing. The report must provide:

(i) Permit time periods for certain permit processes in the county or city in relation to those established under this section, including whether the county or city has established shorter time periods than those provided in this section;

(ii) The total number of decisions issued during the year for the following permit types: Preliminary subdivisions, final subdivisions, binding site plans, permit processes associated with the approval of multifamily housing, and construction plan review for each of these permit types when submitted separately;

(iii) The total number of decisions for each permit type which included consolidated project permit review, such as concurrent review of a rezone or construction plans;

(iv) The average number of days from a submittal to a decision being issued for the project permit types listed in subsection (2)(a)(ii) of this section. This shall be calculated from the day completeness is determined under RCW 36.70B.070 to the date a decision is issued on the application. The number of days shall be calculated by counting every calendar day;

(v) The total number of days each project permit application of a type listed in subsection (2)(a)(ii) of this section was in review

1 with the county or city. This shall be calculated from the day
2 completeness is determined under RCW 36.70B.070 to the date a final
3 decision is issued on the application. The number of days shall be
4 calculated by counting every calendar day. The days the application
5 is in review with the county or city does not include the time
6 periods in subsection (1)(g)(i)-(iii) of this section;

7 (vi) The total number of days that were excluded from the time
8 period calculation under subsection (1)(g)(i)-(iii) of this section
9 for each project permit application of a type listed in subsection
10 (2)(a)(ii) of this section.

11 (c) Counties and cities subject to the requirements of this
12 subsection must:

13 (i) Post the annual performance report through the county's or
14 city's website; and

15 (ii) Submit the annual performance report to the department of
16 commerce by March 1st each year.

17 (d) No later than July 1st each year, the department of commerce
18 shall publish a report which includes the annual performance report
19 data for each county and city subject to the requirements of this
20 subsection and a list of those counties and cities whose time periods
21 are shorter than those provided for in this section.

22 The annual report must also include key metrics and findings from
23 the information collected.

24 (e) The initial annual report required under this subsection must
25 be submitted to the department of commerce by March 1, 2025, and must
26 include information from permitting in 2024.

27 (3) Nothing in this section prohibits a county or city from
28 extending a deadline for issuing a decision for a specific project
29 permit application for any reasonable period of time mutually agreed
30 upon by the applicant and the local government.

31 ~~((4) The department of community, trade, and economic~~
32 ~~development shall work with the counties and cities to review the~~
33 ~~potential implementation costs of the requirements of subsection (2)~~
34 ~~of this section. The department, in cooperation with the local~~
35 ~~governments, shall prepare a report summarizing the projected costs,~~
36 ~~together with recommendations for state funding assistance for~~
37 ~~implementation costs, and provide the report to the governor and~~
38 ~~appropriate committees of the senate and house of representatives by~~
39 ~~January 1, 2005.))~~

1 **Sec. 8.** RCW 36.70B.160 and 1995 c 347 s 420 are each amended to
2 read as follows:

3 (1) Each local government is encouraged to adopt further project
4 review and code provisions to provide prompt, coordinated review and
5 ensure accountability to applicants and the public(~~(, including~~
6 ~~expedited review for project permit applications for projects that~~
7 ~~are consistent with adopted development regulations and within the~~
8 ~~capacity of systemwide infrastructure improvements)) by:~~

9 (a) Expediting review for project permit applications for
10 projects that are consistent with adopted development regulations;

11 (b) Imposing reasonable fees, consistent with RCW 82.02.020, on
12 applicants for permits or other governmental approvals to cover the
13 cost to the city, town, county, or other municipal corporation of
14 processing applications, inspecting and reviewing plans, or preparing
15 detailed statements required by chapter 43.21C RCW. The fees imposed
16 may not include a fee for the cost of processing administrative
17 appeals. Nothing in this subsection limits the ability of a county or
18 city to impose a fee for the processing of administrative appeals as
19 otherwise authorized by law;

20 (c) Entering into an interlocal agreement with another
21 jurisdiction to share permitting staff and resources;

22 (d) Maintaining and budgeting for on-call permitting assistance
23 for when permit volumes or staffing levels change rapidly;

24 (e) Having new positions budgeted that are contingent on
25 increased permit revenue;

26 (f) Adopting development regulations which only require public
27 hearings for permit applications that are required to have a public
28 hearing by statute;

29 (g) Adopting development regulations which make preapplication
30 meetings optional rather than a requirement of permit application
31 submittal;

32 (h) Adopting development regulations which make housing types an
33 outright permitted use in all zones where the housing type is
34 permitted;

35 (i) Adopting a program to allow for outside professionals with
36 appropriate professional licenses to certify components of
37 applications consistent with their license; or

38 (j) Meeting with the applicant to attempt to resolve outstanding
39 issues during the review process. The meeting must be scheduled
40 within 14 days of a second request for corrections during permit

1 review. If the meeting cannot resolve the issues and a local
2 government proceeds with a third request for additional information
3 or corrections, the local government must approve or deny the
4 application upon receiving the additional information or corrections.

5 (2) (a) After January 1, 2026, a county or city must adopt
6 additional measures under subsection (1) of this section at the time
7 of its next comprehensive plan update under RCW 36.70A.130 if it
8 meets the following conditions:

9 (i) The county or city has adopted at least three project review
10 and code provisions under subsection (1) of this section more than
11 five years prior; and

12 (ii) The county or city is not meeting the permitting deadlines
13 established in RCW 36.70B.080 at least half of the time over the
14 period since its most recent comprehensive plan update under RCW
15 36.70A.130.

16 (b) A city or county that is required to adopt new measures under
17 (a) of this subsection but fails to do so becomes subject to the
18 provisions of RCW 36.70B.080(1)(1), notwithstanding RCW
19 36.70B.080(1)(1)(ii).

20 ~~((+2))~~ (3) Nothing in this chapter is intended or shall be
21 construed to prevent a local government from requiring a
22 preapplication conference or a public meeting by rule, ordinance, or
23 resolution.

24 ~~((+3))~~ (4) Each local government shall adopt procedures to
25 monitor and enforce permit decisions and conditions.

26 ~~((+4))~~ (5) Nothing in this chapter modifies any independent
27 statutory authority for a government agency to appeal a project
28 permit issued by a local government.

29 NEW SECTION. Sec. 9. A new section is added to chapter 36.70B
30 RCW to read as follows:

31 (1) The department of commerce shall develop and provide
32 technical assistance and guidance to counties and cities in setting
33 fee structures under RCW 36.70B.160(1) to ensure that the fees are
34 reasonable and sufficient to recover true costs. The guidance must
35 include information on how to utilize growth factors or other
36 measures to reflect cost increases over time.

37 (2) When providing technical assistance under subsection (1) of
38 this section, the department of commerce must prioritize local

1 governments that have implemented at least three of the options in
2 RCW 36.70B.160(1).

3 **Sec. 10.** RCW 36.70B.110 and 1997 c 429 s 48 and 1997 c 396 s 1
4 are each reenacted and amended to read as follows:

5 (1) Not later than April 1, 1996, a local government planning
6 under RCW 36.70A.040 shall provide a notice of application to the
7 public and the departments and agencies with jurisdiction as provided
8 in this section. If a local government has made a threshold
9 determination under chapter 43.21C RCW concurrently with the notice
10 of application, the notice of application may be combined with the
11 threshold determination and the scoping notice for a determination of
12 significance. Nothing in this section prevents a determination of
13 significance and scoping notice from being issued prior to the notice
14 of application. Nothing in this section or this chapter prevents a
15 lead agency, when it is a project proponent or is funding a project,
16 from conducting its review under chapter 43.21C RCW or from allowing
17 appeals of procedural determinations prior to submitting a project
18 permit ((application)).

19 (2) The notice of application shall be provided within
20 ((fourteen)) 14 days after the determination of completeness as
21 provided in RCW 36.70B.070 and, except as limited by the provisions
22 of subsection (4)(b) of this section, ((shall)) must include the
23 following in whatever sequence or format the local government deems
24 appropriate:

25 (a) The date of application, the date of the notice of completion
26 for the application, and the date of the notice of application;

27 (b) A description of the proposed project action and a list of
28 the project permits included in the application and, if applicable, a
29 list of any studies requested under RCW 36.70B.070 ((or 36.70B.090));

30 (c) The identification of other permits not included in the
31 application to the extent known by the local government;

32 (d) The identification of existing environmental documents that
33 evaluate the proposed project, and, if not otherwise stated on the
34 document providing the notice of application, such as a city land use
35 bulletin, the location where the application and any studies can be
36 reviewed;

37 (e) A statement of the public comment period, which shall be not
38 less than fourteen nor more than thirty days following the date of
39 notice of application, and statements of the right of any person to

comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. A local government may accept public comments at any time prior to the closing of the record of an open record predecision hearing, if any, or, if no open record predecision hearing is provided, prior to the decision on the project permit;

(f) The date, time, place, and type of hearing, if applicable and scheduled at the date of notice of the application;

(g) A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency as provided in RCW 36.70B.030(2) and 36.70B.040; and

(h) Any other information determined appropriate by the local government.

(3) If an open record predecision hearing is required for the requested project permits, the notice of application shall be provided at least fifteen days prior to the open record hearing.

(4) A local government shall use reasonable methods to give the notice of application to the public and agencies with jurisdiction and may use its existing notice procedures. A local government may use different types of notice for different categories of project permits or types of project actions. If a local government by resolution or ordinance does not specify its method of public notice, the local government shall use the methods provided for in (a) and (b) of this subsection. Examples of reasonable methods to inform the public are:

(a) Posting the property for site-specific proposals;

(b) Publishing notice, including at least the project location, description, type of permit(s) required, comment period dates, and location where the notice of application required by subsection (2) of this section and the complete application may be reviewed, in the newspaper of general circulation in the general area where the proposal is located or in a local land use newsletter published by the local government;

(c) Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;

(d) Notifying the news media;

(e) Placing notices in appropriate regional or neighborhood newspapers or trade journals;

1 (f) Publishing notice in agency newsletters or sending notice to
2 agency mailing lists, either general lists or lists for specific
3 proposals or subject areas; and

4 (g) Mailing to neighboring property owners.

5 (5) A notice of application shall not be required for project
6 permits that are categorically exempt under chapter 43.21C RCW,
7 unless an open record predecision hearing is required or an open
8 record appeal hearing is allowed on the project permit decision.

9 (6) A local government shall integrate the permit procedures in
10 this section with ~~((its))~~ environmental review under chapter 43.21C
11 RCW as follows:

12 (a) Except for a threshold determination and except as otherwise
13 expressly allowed in this section, the local government may not issue
14 a decision or a recommendation on a project permit until the
15 expiration of the public comment period on the notice of application.

16 (b) If an open record predecision hearing is required, the local
17 government shall issue its threshold determination at least fifteen
18 days prior to the open record predecision hearing.

19 (c) Comments shall be as specific as possible.

20 (d) A local government is not required to provide for
21 administrative appeals of its threshold determination. If provided,
22 an administrative appeal ~~((shall))~~ must be filed within fourteen days
23 after notice that the determination has been made and is appealable.
24 Except as otherwise expressly provided in this section, the appeal
25 hearing on a threshold determination ~~((of nonsignificance shall))~~
26 must be consolidated with any open record hearing on the project
27 permit.

28 (7) At the request of the applicant, a local government may
29 combine any hearing on a project permit with any hearing that may be
30 held by another local, state, regional, federal, or other agency, if:

31 (a) The hearing is held within the geographic boundary of the
32 local government; and

33 (b) ~~((The joint hearing can be held within the time periods
34 specified in RCW 36.70B.090 or the))~~ The applicant agrees to the
35 schedule in the event that additional time is needed in order to
36 combine the hearings. All agencies of the state of Washington,
37 including municipal corporations and counties participating in a
38 combined hearing, are hereby authorized to issue joint hearing
39 notices and develop a joint format, select a mutually acceptable
40 hearing body or officer, and take such other actions as may be

1 necessary to hold joint hearings consistent with each of their
2 respective statutory obligations.

3 (8) All state and local agencies shall cooperate to the fullest
4 extent possible with the local government in holding a joint hearing
5 if requested to do so, as long as:

6 (a) The agency is not expressly prohibited by statute from doing
7 so;

8 (b) Sufficient notice of the hearing is given to meet each of the
9 agencies' adopted notice requirements as set forth in statute,
10 ordinance, or rule; and

11 (c) The agency has received the necessary information about the
12 proposed project from the applicant to hold its hearing at the same
13 time as the local government hearing.

14 (9) A local government is not required to provide for
15 administrative appeals. If provided, an administrative appeal of the
16 project decision and of any environmental determination issued at the
17 same time as the project decision, shall be filed within fourteen
18 days after the notice of the decision or after other notice that the
19 decision has been made and is appealable. The local government shall
20 extend the appeal period for an additional seven days, if state or
21 local rules adopted pursuant to chapter 43.21C RCW allow public
22 comment on a determination of nonsignificance issued as part of the
23 appealable project permit decision.

24 (10) The applicant for a project permit is deemed to be a
25 participant in any comment period, open record hearing, or closed
26 record appeal.

27 (11) Each local government planning under RCW 36.70A.040 shall
28 adopt procedures for administrative interpretation of its development
29 regulations.

30 NEW SECTION. **Sec. 11.** The department of commerce shall develop
31 a template for counties and cities subject to the requirements in RCW
32 36.70B.080, which will be utilized for reporting data.

33 NEW SECTION. **Sec. 12.** The department of commerce shall develop
34 a plan to provide local governments with appropriately trained staff
35 to provide temporary support or hard to find expertise for timely
36 processing of residential housing permit applications. The plan shall
37 include consideration of how local governments can be provided with
38 staff that have experience with providing substitute staff support or

1 that possess expertise in permitting policies and regulations in the
2 local government's geographic area or with jurisdictions of the local
3 government's size or population. The plan and a proposal for
4 implementation shall be presented to the legislature by December 1,
5 2023.

6 NEW SECTION. **Sec. 13.** Section 7 of this act takes effect
7 January 1, 2025.

Passed by the Senate April 17, 2023.

Passed by the House April 10, 2023.

Approved by the Governor May 8, 2023.

Filed in Office of Secretary of State May 10, 2023.

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FINAL BILL REPORT

2SSB 5290

C 338 L 23
Synopsis as Enacted

Brief Description: Concerning consolidating local permit review processes.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Mullet, Kuderer, Fortunato, Liias, Nobles, Saldaña and Wilson, C.; by request of Office of the Governor).

Senate Committee on Local Government, Land Use & Tribal Affairs

Senate Committee on Ways & Means

House Committee on Local Government

House Committee on Appropriations

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. The GMA establishes a wide array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA. These jurisdictions are sometimes referred to as fully planning under the GMA.

The GMA directs fully planning jurisdictions to adopt internally consistent comprehensive land use plans. Comprehensive plans are implemented through locally adopted development regulations. Development regulations include zoning ordinances, official controls, subdivision ordinances, and other regulations.

Development regulations must also establish and implement time periods for local governments to take action on each type of project permit application. These time periods should not exceed 120 days unless the local government makes written findings that additional time is needed to process specific types of applications.

Project Permit Process. Before developing land, a developer must obtain permits from the local government allowing the development. These permits can include land use permits, environmental permits, building permits, and others, and are known as project permits. When a county or city planning under the GMA is reviewing a project, its comprehensive

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

plan and development regulations must serve as the basis for the project permit review.

Local governments must issue a determination of completeness of the project permit application within 28 days of submission and must notify other governments and agencies of the application if they have jurisdiction over some aspect of the project. The determination of completeness may include a preliminary determination of the development regulations that will be used for project mitigation or determination of consistency.

If the locality determines the application is incomplete, the locality must notify the applicant what additional information is needed to make the application complete. The local government must notify an applicant whether the application is complete or what additional information is needed within 14 days of resubmission.

A project permit application is determined to be complete when it meets the local procedural submission requirements and is sufficient for continued processing. The determination of completeness does not preclude a request for additional information if new information is required, or substantial project changes occur. A project permit application is deemed complete if the GMA jurisdiction does not provide the determination within the required time period.

Within 14 days of a local government determining a project permit application complete, the locality must provide notice of application to the public and to affected departments. The notice must include a determination, statement of public comment period, and scoping notice under the State Environmental Policy Act (SEPA), if applicable. A public comment period must be at least 14 days but no more than 30 days following the date of notice of application.

If an open record pre-decision meeting is required for the project permit, the local government must issue its notice of application at least 15 days prior to the open record pre-decision hearing. No more than one open record hearing and one closed record appeal may be provided, except for the appeal of a determination provided under SEPA.

A local government must provide a notice of decision that includes a statement of any threshold determination made under SEPA. The notice of action should be issued within the time period specified by the local government for each type of project permit application, and should not exceed 120 days unless the local government makes written findings that a specified amount of additional time is needed to process specific complete project permit applications or project types.

Should a local government deny a project permit application, a local government may, but is not required to, provide for administrative appeals. If provided, an administrative appeal of the project decision, combined with any environmental determinations, shall be filed within 14 days after the notice of the decision has been made and is appealable.

Project Review—Required Elements. A proposed project must be consistent with a local government's development regulations, or in the absence of applicable regulations, the adopted comprehensive plan. Applicable regulations must be determinative of the following:

- type of land use permitted at the site, including uses that may be allowed under certain circumstances;
- density of residential development in urban growth areas; and
- availability and adequacy of public facilities identified in the comprehensive plan or development regulations.

Site Plan Review. A local government may require a binding site plan to be included with any permit application prior to the issuance of construction permits. The site plan may include a description of physical details that relate to the site and the type of use proposed, including landscaping, design, parking location, and other site-specific issues. A site plan provides exact locations, and detail for the type of information appropriately addressed as a part of property division, such as infrastructure, certification, and other requirements of typical subdivisions.

The review of a site plan must include a preapplication conference, conceptual review, public participation meeting, design guidance review, and a final design review and recommendation. A site plan may be subject to review by the local public health district, city engineering department, or the local planning commission.

Annual Performance Report Requirements. Counties located west of the crest of the Cascade mountain range and whose populations were greater than 150,000 in 1996 as determined by the Office of Financial Management, and the cities located within those counties with populations of at least 20,000, must prepare annual performance reports that include, at minimum, the following information:

- total number of complete applications received during the year;
- number of complete applications received during the year for which a notice of final decision was issued before the 120 day deadline;
- number of applications received during the year for which a notice of final decision was issued after the 120 day deadline;
- number of applications received during the year for which an extension of time was mutually agreed upon by the applicant and the county or city;
- variance of actual performance to the 120 day deadline; and
- the mean processing time and the number of standard deviations from the mean.

A county or city required to complete the annual performance report must provide notice of and access to the report on the jurisdiction's website.

Summary: Project Permit Applications—Determination of Completeness. Within 20 business days of receiving a project permit application, a city or county fully planning under the GMA must provide a written determination to the applicant. The written determination

must state either:

- the application is complete; or
- the application is incomplete and that the procedural submission requirements of the local government have not been met, and an outline of what is necessary to make the application procedurally complete.

A project permit application is deemed complete when it meets the procedural submission requirements of the project permit application outlined by the local government. Additional information or studies or project modifications may be required or undertaken subsequent to the procedural review of the application by the local government.

The need for additional information or studies may not preclude a completeness determination if the procedural submission requirements outlined by the project permit application have been provided.

A determination of completeness may include or be combined with:

- a preliminary determination of those development regulations that will be used for project mitigation;
- a preliminary determination of consistency;
- other information the local government chooses to include; or
- the notice of application pursuant to the requirements of the urban growth area under the GMA.

An application shall be deemed procedurally complete on the 29th day after receiving a project permit application if the local government does not provide a written determination to the applicant that the application is procedurally incomplete. When the local government does not provide a written determination, they may still seek additional information or studies. The notice of application shall be provided within 14 days after the determination of completeness.

Project Permit Application Time Periods. Local governments must establish and implement time periods for local government actions for each type of project permit application in their development regulations. The time periods should not exceed the following unless modified by the local government:

- 45 days for permits which do not require public notice;
- 70 days for permits which require public notice; and
- 120 days for permits which require public notice and a public hearing.

A local government may modify the time periods to add permits types not identified, change permit names or types in each category, address how consolidated review time frames may be different than permits submitted individually, and address how projects of a certain size or type may be differentiated.

If a local government does not adopt an ordinance or resolution modifying the time periods

established in this act, then the time periods established in this act must be applied. Adopting a resolution or ordinance to implement the time periods established in this act are not subject to appeal unless the time periods are modified to include a permit type for which more than 120 days is provided for.

The total number of days the application is in review with the local government is calculated from the date a determination of completeness is issued to the date a final decision is issued on the project permit application. The number of days is measured by counting five days per week, excluding holidays. The number of days the application is in review with the local government does not include the following:

- time period between when the local government has notified the applicant that additional information is required and the day when additional information is submitted by the applicant;
- if an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application; and
- if an administrative appeal is filed that extends the time period to issue a final decision.

Project Permit Applications—Exemptions. Project permit applications for interior alterations must be exempted from site plan review under the condition that the interior alterations do not result in additional sleeping quarters, nonconformity with federal emergency management agency substantial improvement thresholds, or increase the total square footage or valuation of the structure, which would all require upgraded fire access or fire suppression systems. Any interior alteration may not modify the existing site layout, current use, or building footprint.

Annual Performance Report. A city or county required to establish an Urban Growth Capacity Report under the GMA must produce an annual performance report that includes information outlining time periods for certain permit types associated with housing. The information collected is intended to provide:

- permit time periods for certain permit processes in counties and cities;
- ongoing information to those submitting permits, local governments, and the state regarding permit time frames associated with permit processes for housing;
- the total number of decisions issued during the year for the following permit types:
 - preliminary subdivisions;
 - final subdivisions;
 - binding site plans;
- permit processes associated with the approval of multifamily housing;
- construction plan review for each of these permit types when submitted separately;
- the total number of decisions for each permit type which included consolidated project permit review; and
- the total number of days from a submittal to a decision being issued, the application was in review with the county or city, and the permit is the responsibility of the applicant.

Beginning in 2024, cities and counties must begin collecting data for producing the annual report. A county or city required to produce an annual report must post the report on the jurisdiction's website and submit the annual report to the Department of Commerce (Commerce) by March 1st.

Commerce must develop a template for jurisdictions to use when reporting data. No later than July 1st each year, Commerce must publish an annual report that includes:

- annual performance report data for each county and city subject to the reporting requirements;
- a list of those counties and cities whose time frames are shorter than established by this act in order to glean best practices from the jurisdictions; and
- key metrics and findings from information and data collected.

Project Review and Code Revisions. Each local government is encouraged to adopt further project review and code provisions to provide prompt, coordinated review for project permit applications. This includes, but is not limited to:

- collecting reasonable fees from an applicant for a permit approval to cover the cost to the jurisdiction processing applications, inspecting and reviewing plans, or preparing detailed statements required by SEPA;
- entering into an interlocal agreement with another jurisdiction to share permitting staff and resources;
- having on-call permitting assistance in place and budgeted for when permit volumes or staffing levels change rapidly;
- having new positions budgeted that are contingent on increased permit revenue; and
- adopting development regulations which:
 1. only require public hearings for permit applications required to have a public hearing by statute;
 2. make preapplication meetings optional rather than a requirement of permit application submittal; and
 3. make housing types an outright permitted use in all zones where the housing type is permitted.

If a local government has taken measures to provide prompt, coordinated review for project permit applications and is not meeting the time periods identified at least 50 percent of the time, the county or city must adopt new measures, as part of its comprehensive plan periodic update, aimed at reducing permit timelines.

Commerce must develop technical assistance that focuses on local governments that have implemented at least three of the project permit review options. Technical assistance must provide guidance to assist local governments in setting appropriate fee structures to ensure that fees are both reasonable and sufficient to recover true costs, including guidance on growth factors or other measures to reflect cost increases over time.

Financial Assistance. Commerce must:

- establish a consolidated permit review grant program for eligible local governments; and
- establish a grant program for local governments to update their permit review process from paper filing systems to software systems capable of processing digital permit applications, virtual inspections, electronic review, and capacity for video storage.

Prior to receiving a consolidated permit review grant, a local government must commit to issuing final permit application decisions within 45 business days or 90 calendar days and establish an application fee structure that would allow the jurisdiction to continue providing consolidated permit review within the same time frame. A local government may use the grant moneys to contract with a third-party business to conduct consolidated permit review, or to provide additional inspection staff. Any jurisdiction awarded moneys under the consolidated permit review grant program must provide a quarterly report to Commerce, detailing the jurisdiction's average and maximum time for permit review during its participation in the grant program.

Digital Permitting Process Work Group. Commerce must convene a Digital Permitting Process Work Group, that includes cities, counties, and building industries, to examine a potential statewide license and permitting software for local governments to encourage streamlined and efficient permit review. The work group must submit a final report to the Legislature by August 1, 2024.

Votes on Final Passage:

Senate	49	0	
House	98	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: July 23, 2023

January 1, 2025 (Section 7)



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: January 30, 2025

SUBJECT: Park Naming - Gig Harbor Sports Complex Phase 1B

SUBMITTED BY: Parks Manager Jennifer Haro

DEPARTMENT: Public Works

PHONE: (253) 853-8253

SUGGESTED MOTION: None.

BACKGROUND INFORMATION: Phase 1B of the Gig Harbor Sports Complex has been under construction since May 2024. There has been internal discussion on what to call the community park portion of the Sports Complex. The YMCA has naming rights to Phase 1A of the Sports Complex. Phase 2 will be called Peninsula Light Fields at Gig Harbor Sports Complex. Staff is seeking pursue the naming of Phase 1B by using the process outlined in Resolution 717. The first step in the process is for council to determine that the park should be named. After that, potential names will be solicited from the public and brought to parks commission for a recommendation to council, with final approval by council.

At the January 30 study session, staff is requesting guidance from council on initiating the naming process as outlined in Resolution 717.

FISCAL CONSIDERATION: N/A

ATTACHMENTS:

1. R-717 - Park Naming

STRATEGIC PLAN PRIORITY: Strategic Plan Priority 2 - Ensure sustainable future for public services and facilities

RESOLUTION NO. 717

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO PARKS AND PUBLIC FACILITIES AND CREATING A POLICY AND PROCEDURE FOR NAMING/RENAMING CITY PARKS AND FACILITIES.

WHEREAS, the City Council may have occasion to name or rename City parks and other facilities; and,

WHEREAS, it is appropriate to establish criteria and procedures for the official naming/renaming of City parks and other facilities; Now, therefore

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1.

A. The naming/renaming of City parks and other City facilities shall be in accordance with the procedures and criteria set forth below. Once adopted, name changes should occur on an exceptional basis only.

B. The following criteria shall be considered:

1. Neighborhood or geographical identification;
2. Natural or geological features;
3. Historical or cultural significance;
4. The articulated preference of residents of the neighborhood surrounding the public facility.
5. Facilities may be named for living persons provided they have made a significant contribution of land or money and the donor stipulates naming of the facility as a condition of the donation or when the individual has made an unusually outstanding public service contribution.

C. The following procedures shall be followed for naming/renaming of City parks and other City facilities (see subsection E below for the procedures to name a park less than two acres in a preliminary plat):

1. If the City Council determines that a City park or other City facility should be named or renamed, the City shall solicit suggestions for names. All suggestions, whether solicited or independently offered, shall be acknowledged and recorded by the City. The City Council may authorize the Park Commission to take public input and make a recommendation. For a park or other City facility in the city's Historic District, the city shall solicit names from the Gig Harbor Peninsula Historical Society. Any recommendations to Council should be ranked by order of preference.

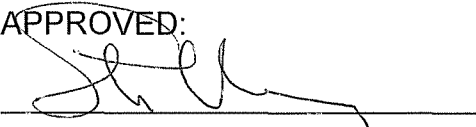
2. Following a review of recommendations, suggestions, and public comments, the City Council shall determine the name for City parks and other City facilities.

D. The provisions of this procedure shall not apply to the application of donor recognition for such minor items as benches, trees, refuse cans, flagpoles, water fountains, or similar items.

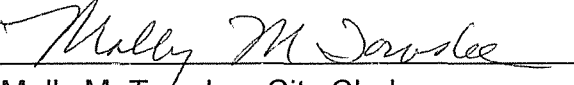
E. Pursuant to RCW 58.17.110(3), if a preliminary plat includes a dedication of a park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the City must adopt the designated name.

RESOLVED by the City Council this 11th day of June, 2007.

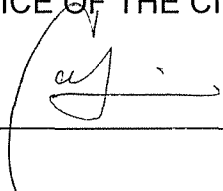
APPROVED:


Steven K. Ekberg, Mayor Pro Tem

ATTEST/AUTHENTICATED:


Molly M. Towslee, City Clerk

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

By: 

Files with the City Clerk: 06/6/07
Passed by the City Council: 06/11/07
Resolution No.: 717