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**SECOND SUBSTITUTE SENATE BILL 5290**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Mullet, Kuderer, Fortunato, Lias, 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; adding new sections to chapter 36.70B RCW; creating a new  
4 section; and providing an effective date.

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

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

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

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

1 administrative approvals, categorically exempt from environmental  
2 review under chapter 43.21C RCW, or for which environmental review  
3 has been completed in connection with other project permits.

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

7 (a) Additional sleeping quarters or bedrooms;

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

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

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

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

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

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

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

30 (i) To achieve permit review within the stated time frame, a  
31 local government must provide consolidated review for building permit  
32 applications. This may include an initial technical peer review of  
33 the application for conformity with the requirements of RCW  
34 36.70B.070 by all departments, divisions, and sections of the local  
35 government with jurisdiction over the project.

36 (ii) A local government may contract with a third-party business  
37 to conduct the consolidated permit review or as additional inspection  
38 staff. Any funds expended for such a contract may be eligible for  
39 reimbursement under this act.

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

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

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

9 (ii) A local government must determine, no later than August 1,  
10 2023, the specific fee structure needed to provide permit review  
11 within the timeline specified in this subsection (1)(b).

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

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

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

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

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

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

36 (1) Subject to the availability of amounts appropriated for this  
37 specific purpose, the department of commerce must convene a digital  
38 permitting process work group to examine potential license and

1 permitting software for local governments to encourage streamlined  
2 and efficient permit review.

3 (2) The department of commerce, in consultation with the  
4 association of Washington cities and Washington state association of  
5 counties, shall appoint members to the work group representing groups  
6 including but not limited to:

- 7 (a) Cities and counties;
- 8 (b) Building industries; and
- 9 (c) Building officials.

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

- 14 (a) Evaluate the existing need for digital permitting systems,  
15 including impacts on existing digital permitting systems that are  
16 already in place;
- 17 (b) Review barriers preventing local jurisdictions from accessing  
18 or adopting digital permitting systems;
- 19 (c) Evaluate the benefits and costs associated with a statewide  
20 permitting software system; and
- 21 (d) Provide budgetary, administrative policy, and legislative  
22 recommendations to increase the adoption of or establish a statewide  
23 system of digital permit review.

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

26 Unless the context clearly requires otherwise, the definitions in  
27 this section apply throughout this chapter.

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

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

35 (3) "Open record hearing" means a hearing, conducted by a single  
36 hearing body or officer authorized by the local government to conduct  
37 such hearings, that creates the local government's record through  
38 testimony and submission of evidence and information, under  
39 procedures prescribed by the local government by ordinance or

1 resolution. An open record hearing may be held prior to a local  
2 government's decision on a project permit to be known as an "open  
3 record predecision hearing." An open record hearing may be held on an  
4 appeal, to be known as an "open record appeal hearing," if no open  
5 record predecision hearing has been held on the project permit.

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

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

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

29 (1) (a) Within (~~twenty-eight~~) 20 days after receiving a project  
30 permit application, a local government pursuant to RCW  
31 36.70A.040 shall (~~mail or~~) provide (~~in person~~) a written  
32 determination to the applicant(~~, stating~~).

33 (b) The written determination must state either:

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

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

1 (c) The number of days shall be calculated by counting five days  
2 per week, excluding holidays.

3 (d) To the extent known by the local government, the local  
4 government shall identify other agencies of local, state, or federal  
5 governments that may have jurisdiction over some aspect of the  
6 application.

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

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

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

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

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

30 (d) The notice of application pursuant to the requirements in RCW  
31 36.70B.110.

32 (4) (a) An application shall be deemed procedurally complete on  
33 the 29th day after receiving a project permit application under this  
34 section if the local government does not provide a written  
35 determination to the applicant that the application is procedurally  
36 incomplete as provided in subsection (1) (b) (ii) of this section. When  
37 the local government does not provide a written determination, they  
38 may still seek additional information or studies as provided for in  
39 subsection (2) of this section.

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

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

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

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

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

26 (~~(2)~~) (c) A jurisdiction may exclude certain permit types and  
27 timelines for processing project permit applications as provided for  
28 in RCW 36.70B.140.

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

	<u>45 days</u>	<u>70 days</u>	<u>120 days</u>
<u>Permits which do not require public notice</u>	<u>X</u>		
<u>Permits which require public notice</u>		<u>X</u>	

Permits which require public notice and a public hearing			X
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(e) A jurisdiction may modify the table in (d) of this subsection to add permit types not identified, change the permit names or types in each category, address how consolidated review time frames may be different than permits submitted individually, and that projects of a certain size or type may be differentiated. Unless otherwise provided for the consolidated review of more than one permit, the time frame for a final decision shall be the longest of the permit timelines identified in (d) of this subsection or as amended by a local government.

(f) If a local government does not adopt an ordinance or resolution modifying the provisions in (d) of this subsection, the timelines in the table shall be applied.

(g) The total number of days the application is in review with the county or city shall be calculated from the day completeness is determined under RCW 36.70B.070 to the date a final decision is issued on the project permit application. The number of days shall be calculated by counting five days per week, excluding holidays. The days the application is in review with the county or city does not include time periods between where the county or city has notified the applicant, in writing, that additional information is required to further process the application and the day when responsive information is resubmitted by the applicant. Time periods shall also be stopped when an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application.

(h) Time periods for local government actions for each type of complete project permit application is stopped when an administrative appeal is filed that extends the time period to issue a final decision.

(i) If, at any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the county or city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for local government action to issue a final decision for each type of project



1 that is subject to this chapter. Any written notice from the local  
2 government to the applicant that additional information is required  
3 to further process the application must include a notice that  
4 nonresponsiveness for 60 consecutive days may result in 30 days being  
5 added to the time for review. For the purposes of this subsection,  
6 "nonresponsiveness" means that an applicant is not making  
7 demonstrable progress on providing additional requested information  
8 to the local government, or that there is no ongoing communication  
9 from the applicant to the local government on the applicant's ability  
10 or willingness to provide the additional information.

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

13 (k) Adopting a resolution or ordinance to implement this  
14 subsection shall not be subject to appeal unless the table in (d) of  
15 this subsection is modified to include a permit type for which more  
16 than 120 days is provided for.

17 (l)(i) When permit time frames provided for in (d) of this  
18 subsection or as amended by a local government for issuing a final  
19 decision are not met, a portion of the permit fee must be refunded to  
20 the applicant as provided in this section. A local government may  
21 provide for the collection of only 80 percent of the fee initially,  
22 and for the collection of the remaining balance if the permitting  
23 time frames are met. The portion of the fee refunded for missing time  
24 frames shall be:

25 (A) 10 percent if the final decision of the project permit  
26 application was made after the applicable deadline but the period  
27 from the passage of the deadline to the time of issuance of the final  
28 decision did not exceed 20 percent of the original time frame; and

29 (B) 20 percent if the period from the passage of the deadline to  
30 the time of the issuance of the final decision exceeded 20 percent of  
31 the original time frame.

32 (ii) Except as provided in RCW 36.70B.160, the provisions in this  
33 subsection (1)(l) are not applicable to cities and counties which  
34 have implemented at least three of the options in RCW 36.70B.160(1)  
35 (a) through (k) at the time an application is deemed procedurally  
36 complete.

37 (2)(a) Counties subject to the requirements of RCW 36.70A.215 and  
38 the cities within those counties that have populations of at least  
39 (~~twenty thousand~~) 20,000 must, for each type of permit application,  
40 identify the total number of project permit applications for which

1 decisions are issued according to the provisions of this chapter. For  
2 each type of project permit application identified, these counties  
3 and cities must establish and implement a deadline for issuing a  
4 notice of final decision as required by subsection (1) of this  
5 section and minimum requirements for applications to be deemed  
6 complete under RCW 36.70B.070 as required by subsection (1) of this  
7 section.

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

13 ~~(i) Total number of complete applications received during the~~  
14 ~~year;~~

15 ~~(ii) Number of complete applications received during the year for~~  
16 ~~which a notice of final decision was issued before the deadline~~  
17 ~~established under this subsection;~~

18 ~~(iii) Number of applications received during the year for which a~~  
19 ~~notice of final decision was issued after the deadline established~~  
20 ~~under this subsection;~~

21 ~~(iv) Number of applications received during the year for which an~~  
22 ~~extension of time was mutually agreed upon by the applicant and the~~  
23 ~~county or city;~~

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

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

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

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

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

38 ~~If a county or city subject to the requirements of this~~  
39 ~~subsection does not maintain a website, notice of the reports must be~~

1 ~~given by reasonable methods, including but not limited to those~~  
2 ~~methods specified in RCW 36.70B.110(4).~~

3 ~~(3))~~ includes information outlining time frames for certain  
4 permit types associated with housing. The information collected is  
5 not intended to demonstrate the total time for a project to receive  
6 construction approval from a city or county. It will, however,  
7 provide:

8 (i) Permit time frames for certain permit processes in counties  
9 and cities in relation to those established under this section;

10 (ii) Ongoing information to those submitting permits, local  
11 governments, and the state regarding permit time frames associated  
12 with permit processes for housing;

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

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

21 (v) The total number of days from a submittal to a decision being  
22 issued. This shall be calculated from the day completeness is  
23 determined under RCW 36.70B.070 to the date a decision is issued on  
24 the application. The number of days shall be calculated by counting  
25 five days per week, excluding holidays;

26 (vi) The total number of days the application was in review with  
27 the county or city. This shall be calculated from the day  
28 completeness is determined under RCW 36.70B.070 to the date a final  
29 decision is issued on the application. The number of days shall be  
30 calculated by counting five days per week, excluding holidays. The  
31 days the application is in review with the county or city does not  
32 include time periods between where the county or city has notified  
33 the applicant, in writing, that additional information is required to  
34 further process the application and when that information is  
35 submitted by the applicant. Time periods shall also be stopped when  
36 an applicant informs the local government, in writing, that they  
37 would like to temporarily suspend review of the project permit  
38 application; and

1 (vii) The total number of days the permit is the responsibility  
2 of the applicant, including days the county or city is waiting for  
3 additional information.

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

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

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

10 (d)(i) No later than July 1st each year, the department of  
11 commerce shall publish a report, which includes the annual  
12 performance report data for each county and city subject to the  
13 requirements of this subsection, and a list of those counties and  
14 cities whose time frames are shorter than established under this  
15 section in order that best practices can be gleaned from those  
16 counties and cities.

17 (ii) The annual report published by the department of commerce  
18 shall also include key metrics and findings from the information  
19 collected.

20 (e) Annual reports must be submitted to the department of  
21 commerce beginning in 2025.

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

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

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

37 (1) Each local government is encouraged to adopt further project  
38 review and code provisions to provide prompt, coordinated review and  
39 ensure accountability to applicants and the public, including

1 expedited review for project permit applications for projects that  
2 are consistent with adopted development regulations (~~and within the~~  
3 ~~capacity of systemwide infrastructure improvements~~) by:

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

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

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

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

19 (e) Having new positions budgeted that are contingent on  
20 increased permit revenue;

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

24 (g) Adopting development regulations which make preapplication  
25 meetings optional rather than a requirement of permit application  
26 submittal;

27 (h) Adopting development regulations which make housing types an  
28 outright permitted use in all zones where the housing type is  
29 permitted;

30 (i) Adopting a program to allow for outside professionals with  
31 appropriate professional licenses to certify components of  
32 applications consistent with their license;

33 (j) Meeting with the applicant to attempt to resolve outstanding  
34 issues during the review process. The meeting must be scheduled  
35 within 14 days of a second request for corrections during permit  
36 review. If the meeting cannot resolve the issues and a local  
37 government proceeds with a third request for additional information  
38 or corrections, the local government must approve or deny the  
39 application upon receiving the additional information or corrections;  
40 or

1 (k) Offering a meeting with the applicant to attempt to resolve  
2 outstanding issues during the review process. The meeting shall be  
3 scheduled within 14 days of a second request for corrections during  
4 permit review. If the meeting cannot resolve the issues and a local  
5 government proceeds with a third request for additional information  
6 or corrections, the local government shall approve or deny the  
7 application.

8 (2) Where measures in subsection (1) of this section have been  
9 taken and permit timelines are not meeting those established in RCW  
10 36.70B.080 at least 50 percent of the time, the city or county shall,  
11 as part of the periodic update established in RCW 36.70A.130, adopt  
12 new measures aimed at reducing permit timelines.

13 ~~((2))~~ (3) Nothing in this chapter is intended or shall be  
14 construed to prevent a local government from requiring a  
15 preapplication conference or a public meeting by rule, ordinance, or  
16 resolution.

17 ~~((3))~~ (4) Each local government shall adopt procedures to  
18 monitor and enforce permit decisions and conditions.

19 ~~((4))~~ (5) Nothing in this chapter modifies any independent  
20 statutory authority for a government agency to appeal a project  
21 permit issued by a local government.

22 (6) Technical assistance from the department of commerce should  
23 focus on local governments that have implemented at least three of  
24 the options in subsection (1) of this section.

25 (7) Technical assistance from the department of commerce must  
26 include guidance to assist local governments in setting appropriate  
27 fee structures to ensure that fees under subsection (1)(b) of this  
28 section are both reasonable and sufficient to recover true costs,  
29 including guidance on appropriate growth factors or other measures to  
30 reflect cost increases over time.

31 NEW SECTION. Sec. 9. The department of commerce shall develop a  
32 template for counties and cities subject to the requirements in RCW  
33 36.70B.080, which will be utilized for reporting data. Counties and  
34 cities subject to the requirements in RCW 36.70B.080 must begin  
35 collecting data consistent with this section in 2024.

1        NEW SECTION.    **Sec. 10.**    Section 7 of this act takes effect  
2    January 1, 2025.

--- **END** ---