

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Legislative	Lish Whitson/425-390-2431	N/A

### **1. BILL SUMMARY**

#### **Legislation Title:**

AN ORDINANCE relating to land use and zoning; updating timelines for City review of land use permits; amending Sections 23.76.005 and 23.76.010 of the Seattle Municipal Code; and amending Resolution 31602 to update the City Council Rules for Quasi-Judicial Proceedings.

#### **Summary and Background of the Legislation:**

This bill adopts the default project permit review timelines of Revised Code of Washington Section 36.70B.080 for certain permit types. RCW 3670B.080 sets the following default timelines:

- For permits that do not require public notice or a public hearing: 65 days
- For permits that require public notice, but not a public hearing: 100 days
- For permits that require both a public notice and a public hearing: 170 days

The bill uses the current categories of project types identified in Chapter 23.76 to apply these deadlines. Type I permits, which do not require public notice or hearing, would have a deadline of 65 days. Type II permits, which do require public notice, but not a public hearing would have a deadline of 100 days. Type III permits, which require both public notice and a hearing would have 170 days.

The bill relies on provisions in RCW 36.70B.140, to set different deadlines for certain types of projects. It maintains the deadline for City review of applications for rezones and other Type IV quasi-judicial actions (300 days for a rezone without an appeal, and 330 days for a rezone with an appeal).

The bill also amends the determination of completeness provisions of Section 23.76.010 to better align with RCW 36.70B.070. Specifically, the City must outline the permit submittal requirements on the permit application. The need for additional information or studies may not preclude a determination of completeness if the permit submittal requirements are met.

Finally, the bill updates the City Council Rules for Quasi-Judicial Actions to clarify that electronic filing of documents is permitted. Because almost all filings are currently made via e-mail and thus are available to all parties almost immediately, the bill updates the rules to shorten timelines for filing responses to seven days. The previous timelines, which allowed ten days for various filings, had assumed that documents would be mailed.

At its September 15 meeting, the City Council's Land Use Committee voted to amend the bill by adopting a substitute version of the bill that included the following changes:

1. Clarifies that if there are multiple land use permits for a project, the longest time period applies;
2. Allows additional time for Type I permits that include public notice requirements or waivers from development standards;
3. Provides additional time for Design Review, SEPA determinations, Major Phase Development permits, and special exception permit decisions;
4. Clarifies that time periods set for Type III decisions apply to SDCI, not the Seattle Hearing Examiner;
5. Provides clarity around suspensions of permit reviews requested by an applicant;
6. States that the permit clock restarts for projects that have been significantly altered by the applicant;
7. Exempts public projects and projects that include historic resources from permit review time periods;
8. Exempts shoreline exceptions, variances and conditional uses from permit review time periods;
9. Clarifies that payment of fees is a required component of a complete master use permit application, and that failure to pay fees will stop the clock on permit review; and
10. Sets a 60 day effective date for the legislation.

## 2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ Yes ☒ No

## 3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☒ Yes ☐ No

Expenditure Change (\$); General Fund	2025	2026 est.	2027 est.	2028 est.	2029 est.
Expenditure Change (\$); Other Funds	2025	2026 est.	2027 est.	2028 est.	2029 est.
		\$46,400			

Revenue Change (\$); General Fund	2025	2026 est.	2027 est.	2028 est.	2029 est.
Revenue Change (\$); Other Funds	2025	2026 est.	2027 est.	2028 est.	2029 est.

Number of Positions	2025	2026 est.	2027 est.	2028 est.	2029 est.
Total FTE Change	2025	2026 est.	2027 est.	2028 est.	2029 est.

Updates to Accela in response to this legislation will be substantive and require new system

features. These will respond to the required time-tracking and adjustment details in the State law. These activities and costs would be absorbed within the department's current budget and staff resources.

- **Add new calendar-day time tracking and listing functionality, to account for time in possession and start/stop actions.**

This is for the purpose of accurate calendar-day timekeeping for the updated time review limits; and dynamic adjustments in review time limits. This will be a new component for time-tracking, while the existing time tracking methods are also retained.

- **Add two report functions specially for this time limit, one to determine any record's current status, and one to allow dynamic monitoring of deadline status for the list of all active projects.**

These would aid reporting and management functions that help prioritize which applications most need timely review.

The total estimated cost for the Accela improvements for this legislation is \$46,400, including approximately 320 hours of work at a rate of \$145 per hour. Implementation will need to occur in a relatively short period of time (requested to be 60 days), to update these systems.

### ***Updates to other materials***

Other updates are also required, such as ensuring written descriptions of what constitutes a complete application, for all permit types. Also, updates to Director's Rules, webpages, and other public materials will likely be necessary.

### ***Additional needs for training, system vetting, and administration***

Because the changes will affect a number of the daily operating and management functions around reviews and project workflows, the changes will necessitate additional levels of vetting and training. Added to that will be any other degrees of changes brought about by process reform efforts that are sought to streamline reviews and improve overall permit review times.

Other spinoff implementation topics could also arise, possibly relating to reviews made by other departments' staff, or relationships to intake processes and post-decision processes.

The updates to materials, training needs, and the follow-on coordination and adjustments to daily permit processing management that are likely to arise are within the existing scope of SDCI's administrative responsibilities.

### 3.d. Other Impacts

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

Decreasing the time to review permits, as required under RCW 36.70B.080 will require increased coordination around permit review between City Departments. The 2025-2026 Adopted Budget included a reorganization of the Seattle Department of Construction and Inspections that was intended to implement a department-wide organizational redesign in 2025. Mayor Harrell has issued an executive order to further improve permit review times and interdepartmental coordination.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

This bill aligns with work already occurring in the Department and other permit review agencies to decrease permit review times and increase Customer Success.

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

The bill codifies State regulations. The City is obligated to meet the deadlines listed in the bill.

### 4. OTHER IMPLICATIONS

- a. Please describe how this legislation may affect any departments besides the originating department.**

The bill codifies permit review deadlines that the City is currently required to meet. Seattle Department of Construction and Inspections is most impacted by these requirements, but many other City Departments review permits, including: Seattle Department of Transportation, Seattle Public Utilities, Seattle City Light, Seattle Fire Department, Seattle Department of Neighborhoods, Seattle Hearing Examiner, and the Seattle City Council.

- b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.**

Not applicable

- c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

Decreasing the amount of time required to review development permits and sticking to timelines in the Code may lower the costs and risks associated with developing in Seattle. Lower costs and risk could help to increase the amount of housing that

gets permitted. If resources are applied, as they have been proposed to be, to helping all applicants, including new applicants, non-English speakers, and others with less experience or resources, including members of vulnerable or historically disadvantaged communities, then the impacts to those groups may be minimal.

In the Race and Social Justice report on the Design Review program, members of historically disadvantaged communities identified that they valued the opportunity to provide input during the permitting process, but did not have the same level of expertise with the program as wealthier and more highly resourced communities. To the extent that meeting the deadlines in the bill results in less time for City staff to educate people new to the permitting process, there could be inequities in how people are able to engage in the process.

**ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

Not applicable

**iii. What is the Language Access Plan for any communications to the public?**

SDCI provides materials on their website in sixteen languages.

**d. Climate Change Implications**

**i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**

Not applicable

**ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

Not applicable.

**e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**

RCW 36.70B.080 includes new requirements for reporting to the State on the City's permit review timelines. These reports will enable the City to track its implementation of the bill and success in meeting the timelines the bill codifies.

## 5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.



**Is a public hearing required?**

- ☒ **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**
- ☐ **If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- ☐ **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

## 6. ATTACHMENTS

### Summary Attachments:

None