



CITY OF LAKE FOREST PARK

CITY COUNCIL

AGENDA COVER SHEET

Meeting Date	December 12, 2024
Originating Department	Community Development
Contact Person	Mark Hofman, Community Development Director
Title	Ordinance 24-1303/Amending Chapter 16.26 of the Lake Forest Park Municipal Code in accordance with amendments to State Law adopted in Senate Bill 5290

Legislative History

- First Presentation November 7, 2024 – Special Meeting
 - Second Presentation December 2, 2024 – Special Meeting
 - Third Presentation December 12, 2024 – Regular Meeting
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Attachments:

1. Ordinance 24-1303
 2. Exhibit A to Ordinance 24-1303
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Executive Summary

The Lake Forest Park Municipal Code (“LFPMC”) currently establishes standard procedures for land use and related decisions to provide an integrated and consolidated permit review process. Local project review processes for cities are governed by Chapter 36.70B RCW. Senate Bill (SB) 5290 was passed during the 2023-2024 legislative session and amended Chapter 36.70B RCW to set new requirements for processing applications. Proposed Ordinance 24-1303 would authorize amendments to Chapter 16.26 LFPMC in accordance with SB 5290.

The amendments include clarifications of what is required for a complete application, what is included in a Notice of Application, and revised deadlines for a final decision to be issued for each type of application. The deadlines range from 65 to 170 days. The proposed Ordinance adopts the deadlines in SB 5290, but these may be modified by the City Council. Staff plans on gathering deadline data for the City Council and providing it for consideration at a later date. SB

5290 also provides that portions of permit fees will be refunded if the deadlines are not met. Refund provisions can be eliminated if a city has adopted at least three of ten designated mitigation measures. The Whereas clauses in the proposed Ordinance explain which mitigation measures the City currently has in place.

Adoption of code amendments is required by January 1, 2025, or the City will, by default, work under the statutory deadlines and refund provisions.

Background

Updates and amendments in SB 5290 are intended to consolidate, streamline and further improve local permit review processes for improved outcomes for applicants, customers, planners, builders and designers. Amendments went into effect in the summer of 2023, except for new permit time period requirements which will go into effect on January 1, 2025. The chart below provides the SB 5290 section and corresponding RCW, a summary of the provisions, and the deadline for adoption:

<p>Section 7(1)(a)-(k) RCW 36.70B.080</p>	<p>Revise the existing 120-day time period for project review from the date an application is determined complete. The default time periods listed in the section apply automatically if the local government does not adopt an ordinance setting or changing the time periods.</p>	<p>January 1, 2025</p>
<p>Section 7(1)(l) RCW 36.70B.080</p>	<p>Refund 10-20% of permit fees if the new time periods described in section 7 are not met, unless they have adopted at least 3 measures per section 8. Also, allows a local government to only collect 80% of a permit fee upon application, and the remainder only if time periods are met.</p>	<p>January 1, 2025</p>

Fiscal & Policy Implications

No fiscal impact is expected from adoption of the ordinance.

Alternatives

<i>Options</i>	<i>Results</i>
<ul style="list-style-type: none"> Approve the Amendments 	<p>Council will authorize amendments to Chapter 16.26 LFP MC</p>
<ul style="list-style-type: none"> No Action 	<p>Council will not authorize amendments to Chapter 16.26 LFP MC and the City will by default adopt the provisions in state statute</p>

Staff Recommendation

Adopt Ordinance 24-1303 amending Chapter 16.26 of the Lake Forest Park Municipal Code in accordance with amendments to State Law adopted in Senate Bill 5290