

KC DLS — JRT+ Forum
Permitting Division Budget Priorities & Tradeoffs

DRAFT Minutes

JRT+ Attendees *

Coordinator Peter Rimbos (Greater Maple Valley Unincorporated Area Council)

Rural Unincorporated Area

Enumclaw Plateau Community Association (EPCA) — President Tim O'Brien
Enumclaw Plateau Community Association (EPCA) — Member Trip Hart
Four Creeks Unincorporated Area Council (FCUAC) — Vice President Edie Jorgensen
Greater Maple Valley Unincorporated Area Council (GMVUAC) — Chair Steve Hiester
Green River Coalition (GRC) — President Greg Wingard
Green Valley/Lake Holm Association (GV/LHA) — Vice-President Karen Meador
Hollywood Hill Association (HHA) — President Michael Tanksley
Joint Transportation Initiative (JTI) ** — Chair Susan Harvey (GMVUAC)
Soos Creek Area Response (SCAR) — President Jeff Guddat
Soos Creek Area Response (SCAR) — Member Don Huling

Rural Technical Consultants

Growth Management — Ken Konigsmark (ex Board member, Issaquah Alps)
Habitat — Bernie McKinney (EPCA, GRC)
Transportation — Mike Birdsall (GMVUAC, JTI **)

Urban Unincorporated Area

Fairwood Community Group — President, Tom Stafford
West Hill Community Association — Board President, Greg Hunter

* The following *JRT+* organizations and technical consultants were *unable* to attend:

Friends of Sammamish Valley (FoSV)—Executive Director Serena Glover
Skyway Coalition—Executive Director, Rebecca Zapata
Vashon-Maury Island Community Council (V-MCC)—President JC (Chris) Graham
Upper Bear Creek Unincorporated Area Council (UBCUAC)—Chair Nancy Stafford
Environment Rural Technical Consultant—Terry Lavender
Government Policy Rural Technical Consultant—Susan Boundy-Sanders

** JTI is a team of SE KC organizations that address *regional* transportation issues and solutions.

KC DLS Attendees

Leon Richardson, Director, DLS
Jim Chan, Director, DLS Permitting Division
Andrew Kim, Deputy Director, DLS Roads Division
Jillian Scheibeck, DLS Chief Financial Officer
Csenka Favorini-Csorba, DLS Government Relations Officer

Permitting Division Budget Priorities & Tradeoffs

Please note: Herein, where we provide “*quotations*,” they are based on what we believe was stated by participants. All other words are attempts to paraphrase what was discussed as things moved along quite rapidly.

1. Introductions

The Meeting opened at 1:10 PM with Coordinator Peter Rimbos asking each attendee to introduce themselves and their organization in an around-the-table fashion.

2. Purpose and Goals of the Meeting

Peter stated the purpose of the meeting: *“To discuss the DLS Permitting Division’s funding Allocations, Priorities, Trade-offs in a budget-constrained environment.”* Peter stated *“Bernie McKinney will state the questions we have prepared and that are in your handouts.”* Peter also stated *“Jeff Guddat will be our Timekeeper to keep us moving along.”*

3. Permitting Costs

Q1. Is there full cost recovery on permits; if not, what impediments need to be overcome ?

Leon Richardson stated “No” that there is not a full cost recovery on permits.

Jim Chan stated *“fees are based on an estimate.”* We are seeking better quality of permit applications at triage phase, e.g., less coddling of incomplete applications, give only two tries, then kick it out of the system until applicant brings back a fully complete application.

Leon said we are in the process of restructuring the fee structure and will be submitting new proposals to the Executive’s Office. *“We’re getting smarter and smarter.”*

Q2. How do you pay for any compliance programs and/or enforcement actions on Conditional-Use Permits (CUPs) ?

Jim Chan stated fees pay for permitting issues, while enforcement monies come from the General Fund. Inspections are funded by the Permitting fee, while enforcement is complaint driven and paid for through the General Fund.

Leon added there is no proactive code enforcement, only complaints receive a response. Given current budget considerations, there will likely be reductions in code enforcement.

Q3. Do permit holders pay costs of proactive compliance management; or must those costs, by law, come from the General Budget ?

Jim responded that it depends on the permit. Certain types of permits, such as SUPs, CUPs, and TUPs entail compliance monitoring and inspections. These can be built into the permit. However, we don’t have the resources to do many follow-up inspections. Also, due to resource constraints, on most other permits, unless there is a citizen complaint, we don’t do such inspections to document potential violations.

Q4. From the KC-issued “Temporary-Use Permit (TUP) General Information” how do you define “temporary” and “periods of limited duration and /or frequency” ? Please explain: “Temporary uses are limited to 60 event days within a 365 day time period (one occurrence per calendar year),” as this appears contradictory.

Permitting Division Budget Priorities & Tradeoffs

Jim stated TUPs only are issued in circumstances where the underlying zoning does not allow the activity requested. “*Temporary*” means that everything must go back to “*how it was*,” when the activities are completed within the framework of up to 60 days per year.

Peter Rimbos asked how could TUP renewed year after year be called “temporary”?

Jim stated TUP’s can be renewed for four years “*if everything remains the same.*”

Ken Konigsmark expressed concerns regarding event centers in the Rural Area.

Leon and Jim reported we are drafting amendments to the *Temporary-Use Code* and will be submitting same to the Executive’s Office.

Ken asked if the JRT+ could be involved in revision planning.

Leon reported we are receptive to “*community feedback.*”

Bernie said he appreciated them “*redoing the Code.*”

Q5. How are you interpreting SB 5290, “Permit Streamlining,” which addresses housing permits ?

Jim said “*Streamlining will now set the bar until things are close to approval.*”

Leon said it’s “*moving quicker*” and “*we want to move as quickly as we can.*” The overall goal is to have the same standards for all permits and improve the speed and efficiency of permitting

Peter said the SB 5290 legislation [e.g., Section 7. pp. 10 & 11: “*for certain permit types associated with housing....*”] only addresses housing. The Dept. of Commerce says the same thing [e.g., “*certain jurisdictions are required to submit annual permitting performance reports to Commerce regarding housing permit timelines. Reports are only required for Clark, King,...*”]. [Please note these cited passages were not read out at the meeting due to time constraints, but are given here for background and context.] So, for example, we should not be “*streamlining*” mining permits. Also the 8 FTEs allotted to implementing SB 5290 should include the needed enforcement associated with the streamlined permits.

Leon said it only include Permitting’s Full-Time Employees (FTEs).

Code Enforcement (CE)

Q6. What portion of the costs on enforcement actions does the County recover ? How many dollars come in from fines, interest, liens, and corrective action cost recovery and what percentage of same are written off per year ?

Jim said penalties and fees come to us. Regarding percentages, we “*will look into it.*” Fines, interest, and/or liens collected all go into the *Abatement Fund* used to repair/reconstruct problem locations. They do not go into General Fund.

Jillian Scheibeck said the “*Abatement Fund now stands at \$700,000.*” It is a “*backstop.*”

Q7. For the coming year what is the CE budget and the split among FTE/PTE heads, contractors, operating costs, etc. ? It appears there are 6 CE Officers to which the Council has added 4 more to make 10, but you’ve said you are required possibly to cut that in half—would that result in only 5 ?

Leon said the KC Council has authorized added staff; but not provided the funds to support all those positions through the General Fund, which must cover many other departments, etc. Only budgeted for 3 CE Officers. Budget shortfalls are an ongoing issue; we’re trying to explore solutions. The KC Council understands these trade-offs.

Greg Wingard asked “*How much does a CE position cost.*”

Permitting Division Budget Priorities & Tradeoffs

Jillian said “~\$200,000 per year.”

Q8. Based on the 2024 CE Audit are you aware that KC takes far lesser enforcement actions, resulting in far fewer penalties, than either Snohomish or Pierce counties? Why?

Leon said “Yes, I am aware.” KC staffs are “smaller than theirs,” so the number of appeals we can pursue due to limited staff time and incurred costs are low. We are exploring all the tools available to us.

Ken Asked “Should we deal with the KC Council or DLS?”

Leon said such concerns would be “best directed to us,” we are “happy to take feedback,” and we do have “strong relationships with KCC.”

Cross Division/Department Cases

Q9. In complex cases, do funds move among Permitting, CE, and the PAO, e.g., if the PAO fights a case and needs CE expertise, is money transferred back to CE to recover those costs ?

Leon said “No, we don’t receive such monies.” CE pays PAO for services rendered. Legal fees are not recoverable. If we pursue litigation and lose, we are on the hook for those costs and we have no way to recover them, thus it is very difficult to pursue many lawsuits against potential violators.

Q10. Does any of the money that flows into Permitting go elsewhere, e.g., to CE, to the General Budget, to the PAO, etc. ?

Jim said “Money that flows to Permitting stays within Permitting.” and “Nothing is free.”

Leon said he has voiced that the funding model is flawed.

Trip Hart suggested changes are needed in a model that calls for DLS to pay for the PAO to represent their cases in court. DLS has not been given appropriate monies to handle its needs in this regard.

Wrap-Up and Future Discussion

Peter announced “Representatives from councils, associations, groups from nearly every Urban Unincorporated Area and Rural Area are here. We represent your customers and the people to who you provide services.”

Peter thanked everyone for attending, said the meeting went well and he’s looking forward to the next meeting.

Leon said he appreciated the feedback and announced we are interested in “Getting it right as opposed to being right.”

Meeting adjourned at 2:10 PM.