



SNO-KING WATERSHED COUNCIL



TRANSMITTED BY E-MAIL

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Subject: Proposed County Code Amendments
SCC 30.71.027 – TYPE 1 Permits
SCC 30.72.085 – TYPE 2 Permits

The Sno-King Watershed Council (SKWC) proposes the subject amendments (Attachment 1) to County Code to prohibit the Director of Planning and Development Services (PDS) from issuing any permits on properties with permits or decisions under appeal, when a timely appeal has been filed, unless subsequently approved by either the Hearing Examiner or County Council.

The August 19, 2020 SKWC letter (Attachment 2) to County Executive Dave Somers describes the problem that arose when PDS issued demolition permits for the Ironwood development, that at the time was under appeal by the SKWC. SKWC, a party of record and appellant of Ironwood, was not notified by PDS that these permits had been issued; we only learned that the permits were issued after demolition was underway from a third-party neighbor, when the demolitions were almost complete.

The Ironwood underlying permit for early land disturbing activity (LDA) and SEPA determination approved by PDS, were subsequently withdrawn after SKWC appealed the project, because PDS had illegally approved a phased SEPA review.

In an August 24, 2020 PDS response letter from Michael McCrary, Deputy Director, PDS, he insinuates that it is up to SKWC to check the PDS website daily, to see if any permits have been issued. Mr. McCrary goes on to state that building demolitions are exempt from SEPA. But, by approving the illegal phased demolition work at Ironwood, PDS removed the opportunity to include the existing homes as a part of Low Impact Development re-design at a lower density, that would have met County development requirements for these properties as currently zoned. PDS's action effectively denied SKWC its right to appeal the Type 2 demolition permit by its failure to notify and affirmed the developer's phased design.