



Board of County Commissioners
Board Work Session
Wednesday, March 27, 2024
9:00 AM to 12:00 PM
3000 Pacific Avenue SE, Room 110

For public virtual attendance, you may follow along on the [Thurston County YouTube Channel](#).

AGENDA

- I. **Executive Session – RCW 42.30.110 (1)(ii)** ...Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity... – *Service Contract Amendment Request – Approximately 60 minutes – Commissioners' action may follow.*
- II. **2024-25 Comprehensive Plan and Development Code Docket Update: Docket Prioritization – Discussion**
- III. **Community Planning and Economic Development (CPED) Code Compliance Overview – Discussion**
- IV. **Commissioners Items – Discussion**

Disability Accommodations: Room 110 is equipped with an assistive listening system and is wheelchair accessible. To request disability accommodations, call the Reasonable Accommodation Coordinator at least 3 days prior to the meeting at 360-786-5440. Persons with speech or hearing disabilities may call via Washington Relay at 711 or 800-833-6388.



2024-2025 Development Code Docket

For the prioritization briefing on Wednesday, March 27 at 10:00 a.m.

<i>Project Name</i>	<i>Priority Ranking (Out of 12)</i>
Shoreline Master Program - Final Action	1 2 3 4 5 6 7 8 9 10 11 12
Olympia UGA Joint Code Update	1 2 3 4 5 6 7 8 9 10 11 12
Tumwater UGA Joint Code Update	1 2 3 4 5 6 7 8 9 10 11 12
Lacey UGA Joint Code Update	1 2 3 4 5 6 7 8 9 10 11 12
Forest Lands Conversion Code Update	1 2 3 4 5 6 7 8 9 10 11 12
Transfer of Development Rights & Purchase of Development Rights Program	1 2 3 4 5 6 7 8 9 10 11 12
Review SEPA Comment Period Timelines	1 2 3 4 5 6 7 8 9 10 11 12
Permit Review Process Annual Update	1 2 3 4 5 6 7 8 9 10 11 12
Less Restrictive Alternative (LRA) Community Housing Code Update	1 2 3 4 5 6 7 8 9 10 11 12
New Uses & Related Standards Annual Update	1 2 3 4 5 6 7 8 9 10 11 12
Code Clarifications and Corrections Annual Update	1 2 3 4 5 6 7 8 9 10 11 12
Cannabis-Related Code Amendments	1 2 3 4 5 6 7 8 9 10 11 12



2024-2025 Comprehensive Plan Docket

For the prioritization briefing on Wednesday, March 27 at 10:00 a.m.

<i>Project Name</i>	<i>Priority Ranking (Out of 9)</i>								
Capital Improvement Program	1	2	3	4	5	6	7	8	9
Ag Policies & Program Review	1	2	3	4	5	6	7	8	9
Nisqually Subarea Plan	1	2	3	4	5	6	7	8	9
Thurston 2045 Comprehensive Plan Update	1	2	3	4	5	6	7	8	9
BLQ & Wilmovsky - Grand Mound West Land Use and Rezone Amendment	1	2	3	4	5	6	7	8	9
Jackson - Grand Mound East Land Use and Rezone Amendment	1	2	3	4	5	6	7	8	9
BAR Holdings UGA Land Swap, Land Use Amendment, and Rezone	1	2	3	4	5	6	7	8	9
Black Lake Quarry Land Use Amendment, Rezone, and Code Changes	1	2	3	4	5	6	7	8	9
Martin Way Land Use and Rezone Amendment	1	2	3	4	5	6	7	8	9



Community Planning & Economic Development (CPED) Development Services (DS) Division

Title 26 Code Enforcement *March 27, 2024*

Joshua Cummings, CPED Director

Brett Bures, CPED-DS Manager

Sandy Norton, Compliance Supervisor

CPED VALUES

- Transparency, Consistency, & Accountability

CPED MISSION

- Service to the Community



Organization Overview

Sections of the CPED-DS Division:

- **BDC:** Building Development Center – First point of contact for community members interested in developing and learning about their property. The BDC Intakes permit applications, educates on the permitting process, and issues permits
- **Planning:** Reviews development proposals and conducts site visits to ensure alignment with development codes and ordinances
- **Building:** Reviews construction plans to ensure alignment with building codes and ordinances
- **Inspections:** Inspectors conduct building inspections to ensure alignment with building codes and ordinances
- **Compliance:** Responds to complaints about properties which may not be in alignment with codes and ordinances



CPED Compliance

- Code enforcement is regulated by Title 26 to protect public health, private property, quality of life, economic development, and the environment. Title 26 was adopted by the BOCC in 2016.
- With the adoption of Title 26, the direction of code enforcement went from strict code compliance to cooperative compliance
- Enforce Title 26 as it relates to building codes, land use codes, Title 13 (roads & bridges) and portions of Title 15 (stormwater, sewer & water systems, cross-connections) of the Public Works Department codes
- Complaints prioritized based on public health & safety and impact to the environment
- We are complaint driven and attempt to achieve compliance through cooperative compliance
- Cooperative compliance is accomplished through a Voluntary Compliance Agreement (VCA) when a violation cannot be remedied within thirty (30) days



Compliance Action Steps

Step 1: Receive Complaint

Step 2: Mail Contact Letter to Property Owner

- Letter notifies property owner a complaint was received and to contact compliance within 30 days to discuss the matter

Step 3: Investigate Complaint (may occur within timeline of Step 2)

- Property research
- Conduct site visit to determine if violation exist
- Stop Work Notice issued when violation is in progress

Step 4: Notice of Violation

- Issued when a violation is determined
- The notice identifies the violation and how to bring the property into compliance
- Allows 30-day timeline to the bring property into compliance
- 14-day appeal period – Administrative appeals heard by Hearing Examiner
- Work toward cooperative compliance through a VCA



Compliance Action Steps Continued

Step 5: Civil Penalty Notice

- Issued only when other methods of compliance are ineffective
- Penalties begin to be assessed seven (7) days after issuance
- Penalties are assessed a maximum of thirty (30) days per violation
- 14-day appeal period – Administrative appeals heard by Hearing Examiner who determines final assessment
- Work toward cooperative compliance through VCA

Step 6: Refer Case to Prosecuting Attorney Office

- Judgement of Final Civil Penalties Imposed
- Claim of Lien – Based on cost of abatement
- Abatement – Cleanup
- Condemnation – Take possession of the property



Voluntary Compliance Agreement (VCA)

- A VCA is a collaborative written commitment between the county and those responsible for correcting the impacts of the violation in a timely manner. The VCA is not a settlement agreement.

Examples of Established VCA's

- 9801 James Road – Zoning, Unpermitted Structures (Joint Compliance with EH – Solid Waste)
- 12201 State Route 12 (Moon Road) – Living in RV's, Junk Vehicles (Joint Compliance with EH – Solid Waste)
- 12801 Rainier Road – Living in RV's Unpermitted Structures, and Junk Vehicles (Joint Compliance with EH – Solid Waste)
- 7809 Martin Way – Zoning (Land Use and Open Storage)



Past Major Successes

- Carlyon Beach – Title 26 Violation – Owner Remedied
- Single Tree Estates – Title 26 Violation – Collaboration with Homeowner Association
- LP Brown – Title 26 Violation – Condemnation & Collaboration with Olympia School District
- Abatement Fund – Established and adopted by the BOCC in 2021





Carlyon Beach



Single Tree Estates



LP Brown

Current Resources

- Funded for (3) FTE's
 1. Compliance Coordinator (Filled)
 2. Compliance Coordinator (Vacant)
 3. Compliance Supervisor (Filled)
- Cover 722.5 square miles of Thurston County
- 2023 DATA
 - Phone Calls – 3,992
 - Emails – 8,044
 - Complaints – 282
 - Notice of Violations – 55
 - Junk Vehicle Affidavits – 166
 - Voluntary Compliance Agreements – 2
 - Cases Closed - 188



Complaint & Violation Data (2019-2023)

Number of Complaints Received

- 1,307

Top 5 Complaint Types Received Annually

1. Building Violations – 352 Cases

- Examples: structures constructed without permits, additions to existing structures, change of use (garage to ADU)

2. Junk Vehicles – 218 Cases

3. Critical Area Ordinance Violations – 193 Cases

- Example: unpermitted activity in a critical area or buffer

4. Zoning – 181 Cases

- Unpermitted land use activity - Examples: Event Centers and Food Processing in Residential Zones
- Structures within a required yard setback

5. Living in Recreational Vehicles – 173 Cases

Other Complaint Types: Forest Practice, Grading/Clearing, Mobile Homes, Commercial, Gravel Mines, Clearing/Grading, Stormwater Drainage



Current Workload 2024

- Complaints in Compliance Email Line Pending Processing – 100+
- Junk Vehicle Affidavit Requests Pending Processing – 123+
- Phone Calls Pending Response – 19
- Active Violation Cases – 162



Opportunities - 2024

- **Process**

- Ongoing standardization creating efficiency and consistency within compliance

- **Organization**

- Continued coordination between CPED divisions; other county departments and outside agencies; and community members
- Consider additional staffing

- **Tools**

- Ongoing Training
- New Permit Tracking System (Accela)



Conclusion

CPED – DS Compliance will continue to.....

- Provide Service to the Community
- Enforce Title 26 Approved by BOCC in 2016
- Standardize Compliance Processes
- Communicate & Collaborate with Internal & External Staff/Agencies

THANK YOU!

