

Note to Planning Commission

August 11, 2026 Meeting regarding Critical Areas Code

From: Stacey Auger & Jolene Jang

Subject: Revisions to LFPMC Chapters 16.16 & 16.26 — Re-Establishing Environmental Protections, Eliminating Taxpayer Subsidies, and Safeguarding Against Municipal Liability

Fundamental Call to Action: Shifting the Burden of Proof

With Reasonable Economic Use Exception (RUE) permit applications, the Planning Commission and the City must address a foundational question: **Who should bear the burden of proof that a property can be safely developed?** Should it be the neighboring residents who are threatened by the development plan, or the developer applicant and the City?

Currently, and historically in Lake Forest Park, that burden has rested almost entirely on neighboring homeowners and environmental advocates. Residents are forced to spend immense personal time and financial resources to prove the severe harm that will occur if an RUE is approved under proposed plans. Meanwhile, developer applicants are permitted to submit inaccurate answers, omit critical technical data, and gloss over known site hazards.

When the City approves these incomplete or flawed applications, the entire burden again falls on neighbors to prove that municipal codes and state laws have been violated.

CURRENT BURDEN OF PROOF

Developer Submits Inaccurate Checklist & Omits Hazards	City Approves Incomplete Application (Fearing Lawsuits)	Neighbors Bear Cost & Risk (2,000+ hours spent proving harm & code violations)
--	---	--

Consider the human cost of this broken dynamic: one neighboring resident has spent over 2,000 hours researching local hydrology, fluvial morphology, and consulting with numerous geotechnical engineers, scientists, and state agencies—all simply to defend her home from the catastrophic threat of a landslide caused by an unsafe development proposal.

Should citizens be expected to dedicate 2,000 hours of their lives to defend their safety because a builder applicant submitted misinformation, and City authorities approved the application out of fear of being sued by the developer? This dynamic is not only unreasonable; it is profoundly unjust.

When will the laws be followed, and when will citizen safety be prioritized?

The legal and moral responsibility must lie squarely with the developer to provide 100% accurate, comprehensive, and verified site data, and with the City to rigorously review and enforce those

submittals. Our citizens should never have to carry this burden. While municipal codes contain existing penalties and consequences for non-compliance, they are currently left unenforced, leaving residents unprotected and exposing the City to massive legal liability.

Executive Summary: The Real Estate Gambling Loophole

A Reasonable Economic Use Exception (RUE) under LFPMC 16.16.250 was codified as a narrow legal safety valve to prevent unconstitutional takings of private land. However, **over the past nine years, Lake Forest Park has evaluated 8 RUE applications**—many of them triggering intense public concern and widespread neighborhood opposition. For the Mark Garey RUE alone, residents have submitted over **100 pages of detailed public comments**, and community members have produced a **dedicated podcast, website, and educational videos to inform the public and media** about the systemic risks of these proposals.

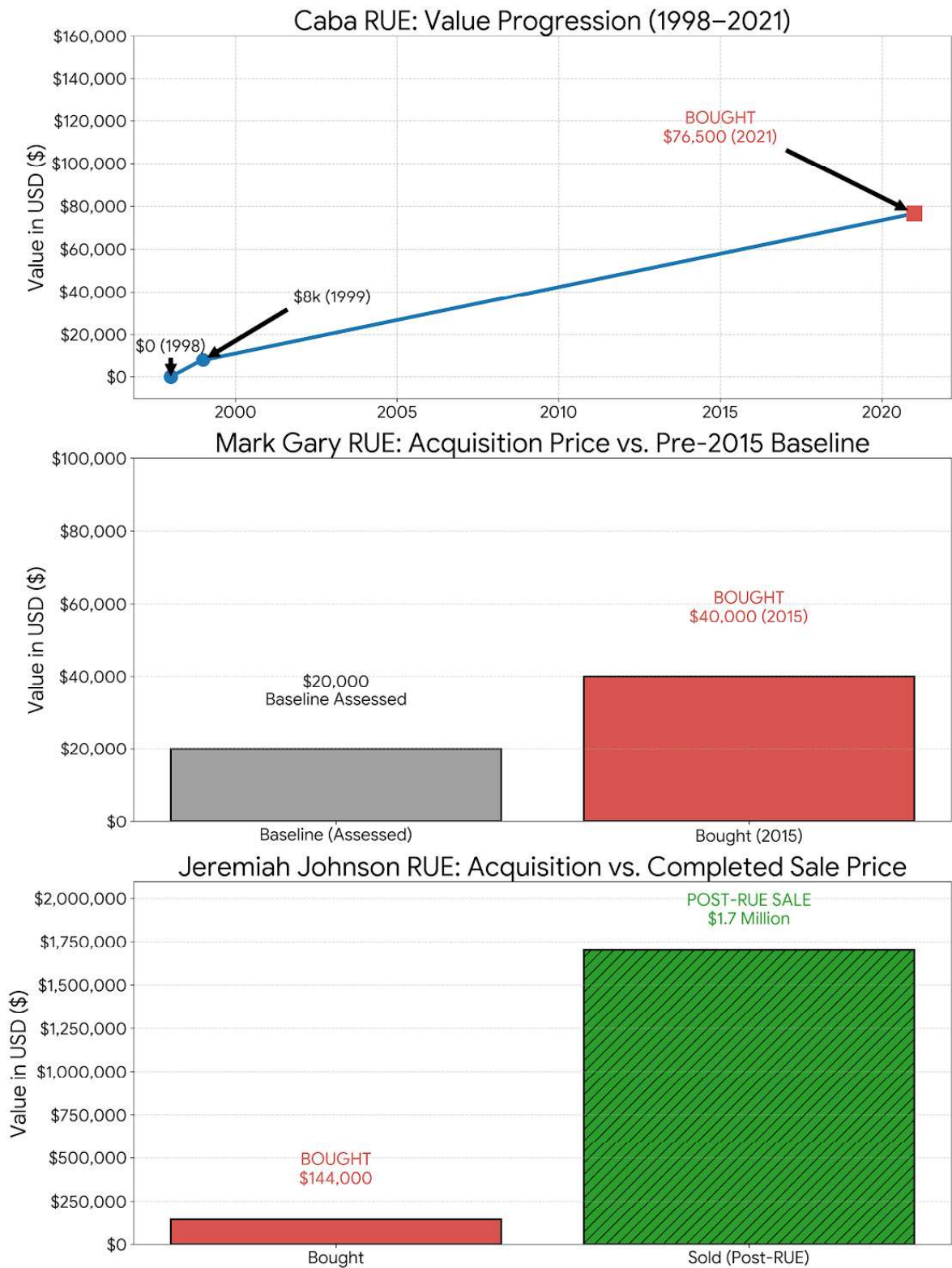
Both the Planning Commission and the City Council recognize that the current RUE process is deeply flawed. While previous efforts were made to update the text of the code, the underlying problem persists because active enforcement of the code is severely lacking. The fundamental goal of code modernization must be to place the legal and financial onus on the applicant, rather than piling administrative costs onto the City or forcing legal burdens onto neighboring residents.

Because the Planning Commission is actively updating Lake Forest Park's Critical Areas Code (LFPMC Chapter 16.16), the City must address how the current process functions in practice: as a **real estate gambling loophole**. Outside parties acquire unbuildable, highly constrained parcels in critical areas at steep discounts, betting that they can pressure the City into granting development exceptions.

When these high-risk developments proceed on fragile slopes and stream buffers, the developer reaps the profits while shifting physical damage onto neighboring properties, financial costs onto taxpayers, and legal liability onto the City.

Here are 3 RUEs bought deemed unbuildable from outside of Lake Forest Park.

Pattern of cheap buys and value jumps on constrained parcels



Under LFPMC 16.16.250, the Hearing Examiner may grant an exception only if the proposed development **does not pose an unreasonable threat** to public health, safety, or welfare, on or off the proposed site. Yet in active local cases, even before an RUE permit has been formally granted, applicant site activities have already **inflicted direct damage on public health, safety, welfare, neighboring residents, and local stream ecosystems.**

Operational Breakdown: Evidence & Case Studies

To demonstrate why immediate code amendments and strict administrative enforcement are required, the operational failures across Lake Forest Park must be examined in three distinct, sequential categories:

- 1. **Direct Property Damage**
- 2. **Systemic Financial Drain**
- 3. **Municipal Legal Liability**

Category 1: Direct Property Damage & Human Impact
DIRECT PROPERTY DAMAGE & HUMAN IMPACT

8 Feet of Active Sewer Main Severed & Covered	
Zero Enforcement Penalties or Identified Operator	
\$30,000 Repair Shifted onto Upstream Neighbors	
3 Households Displaced for Weeks	

A. The Unpermitted Excavator & Broken Sewer Line (Mark Garey RUE)

- **The Excavation Incident:** Unpermitted site activity on the Mark Garey parcel (#4022900497) brought an excavator onto constrained, environmentally sensitive ground. The heavy equipment struck, severed, and covered an 8-foot section of an active sewer main line, and the operator literally covered up the destroyed pipe (video and photographic evidence available).
- **Zero Denial & Zero Consequences:** There was zero denial that Garey's excavator destroyed the sewer main. Yet, no immediate code enforcement penalties, criminal citations, or stop-work fines were imposed on Garey for destroying active municipal utility infrastructure. Despite the work being unpermitted, the City has refused to identify the excavator operator, and public records requests regarding the incident turn up empty.
- **The \$30,000 Shift onto Innocent Neighbors:** The unpermitted excavation occurred in June, and residents began smelling raw sewage during the summer of 2025. However, the

upstream residents who rely on that sewer main were not formally notified by the City or the developer until January 2026—seven months later. Adding insult to injury, those innocent upstream homeowners were instructed that they had to **pay \$30,000** to repair the broken main line, despite having no involvement in operating the excavator that destroyed it.

- **Human Displacement:** The destruction and delayed response surrounding the sewer main forced 3 separate households to endure uncomfortable weeks of adjustment and displaced living, requiring families to seek outside accommodations for basic daily human needs, including showering, toileting, and temporary shelter.

B. Unmitigated Buffer Clear-Cutting & Off-Site Flooding (Johnson RUE)

- **Destruction of Natural Drainage:** Former Planning Commission Chair Maddy Larson documented how unmonitored and unpermitted clear-cutting destroys natural stormwater absorption and soil retention (e.g., the Jeremy Johnson RUE).
- **Downstream Neighborhood Inundation:** During heavy rain events, unmitigated surface runoff pours off disturbed hillside lots directly onto neighboring properties, washing sediment into yards, compromising structural foundations, and flooding downstream homes.

Moving from Physical Damage to Financial Impact

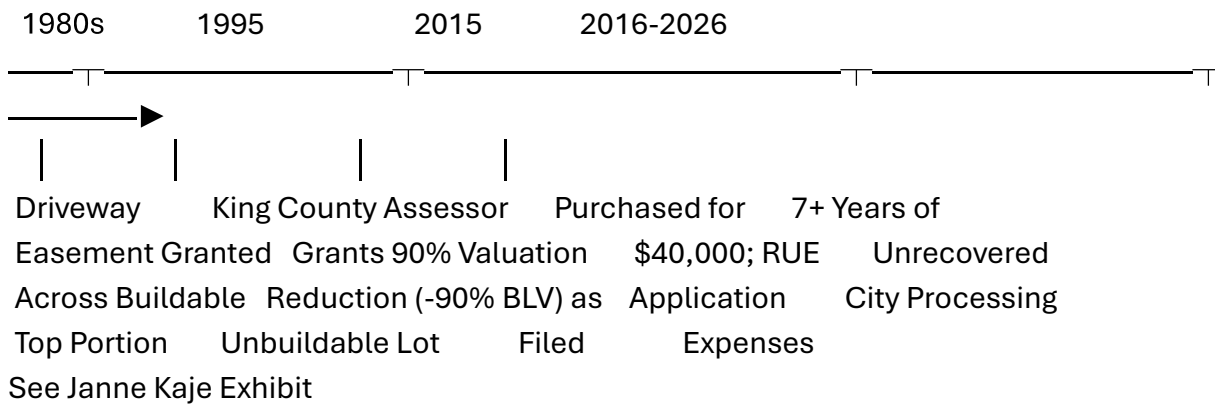
While unmitigated site activity inflicts direct physical damage on adjacent properties, the administrative side of the RUE process creates an equally severe, long-term financial drain on municipal resources and local taxpayers.

Category 2: Systemic Financial & Taxpayer Drain

A. The 30-Year Tax Subsidy & 7-Year Processing Drain (Mark Garey Parcel)

- **Self-Created Hardship & Tax Reduction:** In the 1980s, a previous owner of the Garey parcel granted a perpetual access easement across the flattest, most buildable portion of the lot to an adjacent neighbor. Having rendered the remainder of the lot virtually unbuildable, the owner appealed the property's tax assessment in 1995. The King County Assessor agreed, reducing the parcel's taxable value by 90% due to steep topography, stream constraints, and environmental setbacks.
- **The \$5.2 Million Tax Shift:** For nearly 30 years, this parcel was taxed as unbuildable open space, with assessed land values remaining under \$20,000. Based on tax analysis by Janne Kaje, Lake Forest Park taxpayers effectively subsidized over \$5,200,000 in avoided taxable property value for this single lot—amounting to over \$51,000 in avoided property taxes in 2023 dollars.
- **Unrecovered City Operating Costs:** In 2015, an outside purchaser bought the parcel for \$40,000 and applied for an RUE. The City has spent over seven years processing paperwork, legal inquiries, and SEPA challenges for this single parcel. Because the City does not require full cost recovery or track billable staff hours per file, municipal taxpayers are directly funding a multi-year development processing effort on land long recognized as unbuildable.

GAREY PARCEL HISTORIC TIMELINE



Category 3: Systemic Process Failures & Preliminary Screening Solutions

A. The Missing First Step: Proving Threshold RUE Applicability

- **The Fundamental Flaw in Current City Process:** Currently, the City accepts Reasonable Use Exception (RUE) applications and spends years processing, reviewing, and defending them without first establishing whether the property legally qualifies to receive an RUE in the first place.
- **The New Mandatory Checklist Requirement (Item #1):** Before an applicant can even submit an RUE application or trigger city staff review, the burden of proof must be on the applicant to submit a certified legal title, land-use chain, and historical boundary analysis proving that the parcel is legally eligible for an RUE.
- **The "Defective Property / Illegal Split" Standard (Janne Kaje Framework):**
 - As demonstrated in land-use doctrine and planning analysis by Janne Kaje and Peter Lance, an RUE is legally intended *only* for non-conforming, unbuildable lots that were created lawfully prior to critical area protections.
 - If a parcel was created through an improper, illegal, or defective lot split—or if a larger parcel was deliberately subdivided to create an unbuildable critical area remnant—the property is legally defective.
 - Under settled land-use doctrine, an RUE does not apply to a defective lot resulting from a prior split or self-created hardship. The owner holds no underlying legal right to a variance or RUE.

From: Peter Lance <peter.v.lance@gmail.com>
Sent: Tuesday, March 18, 2025 3:21 PM
To: David Greetham <dgreetham@cityoflfp.gov>
Subject: 2021-RUE-0001. Garey property - an owner created defective property

Dear Hearing Examiner,

This property is a defective property that is part of what was once a fully usable property that was not defective. It is a defective lot that was manufactured and fully understood to be defective when created by the owner during the short plat process.

The reasonable use of this lot was and is still present in the other lots that are part of the original short plat. The other lots have Reasonable Use and have homes upon them. There is no logical reason that the DELIBERATE creation of a faulty, defective lot by the owner or previous owner should create a Reasonable Use Exception. Just because a lot may have lot status does not confer that the lot is buildable or should be eligible for exception from critical areas ordinances.

The title report provided by the applicant is deficient. It does not include potentially key exhibits that are difficult to obtain from King County. The title report should show what the exhibits are for item C3, C4, and C7. These documents are related to steep slopes and the original short plat and amendments. This information should be readily available to all interested parties and easily accessible in the city records.

Thank you,

Peter Lance
206-948-8922
[6501 NE 151st St](#)
[Kenmore, WA 98028](#)

B. Mandatory Two-Step Protocol: Applicant Proof & City Verification

- **Step 1 (Applicant Duty):** The applicant must complete a standardized "RUE Eligibility Checklist" with supporting historical deeds, plat maps, and chain-of-title documentation proving the lot was not created via an improper split or self-created hardship.
- **Step 2 (Mandatory City Verification):** The City Planning Department and City Attorney must formally audit and verify the applicant's submittal before accepting the application as complete, taking intake fees, or scheduling peer reviews.
- **Systemic & Financial Impact:**
 - In the Mark Garey case (2021-RUE-0001), establishing this single threshold check at the beginning would have saved the **City seven years of administrative time, legal costs, staff hours, and taxpayer funds.**
 - It would have spared the surrounding neighbors years of emotional anguish, financial burden, and the nightmare situation of having to spend their own time, energy, and money defending their safety, homes, and hillside stability against an illegal build.

RUE INTAKE & VERIFICATION WORKFLOW

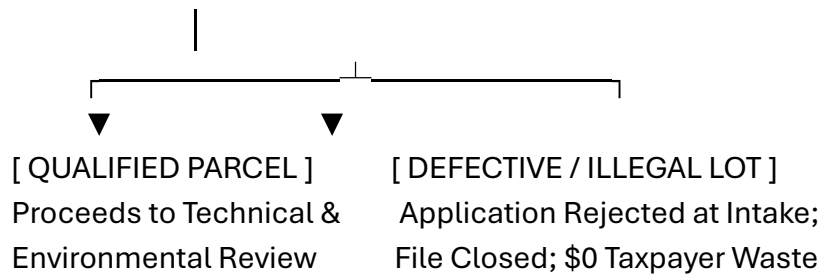
[STEP 1: APPLICANT SUBMITTAL]

Certified RUE Eligibility Checklist + Historical Plat Maps + Chain-of-Title



[STEP 2: MANDATORY CITY VERIFICATION]

Formal Audit by City Planning Department & City Attorney



C. Tripling City Professional Service Fees

- **Untracked Budget Growth:** Professional service fees within the Lake Forest Park city budget have tripled in recent years.
- **Lack of Cost Recovery:** The City currently lacks a transparent accounting system to track how many billable staff, legal, and consultant hours are consumed by individual RUE submittals, leaving taxpayers to absorb massive fee overruns for complex private proposals.

Connecting Financial Drain to Municipal Liability

When financial burdens are combined with weak administrative oversight, the result is a systemic failure of code enforcement that directly exposes the City of Lake Forest Park to catastrophic legal liability.

Category 4: Municipal Legal Liability & Enforcement Failures

A. Breakdown of Stop-Work Order Enforcement (Johnson RUE and other sight by Paula Goode's property)

- **Paper Warnings Without Deterrence:** City Councilmember Paula Goode have formally communicated to the Mayor and City Administration, regarding systemic enforcement failures surrounding Stop-Work Orders (SWOs). Repeated SWO violations occur without meaningful deterrence or consistent consequences, creating a public perception that SWOs are merely advisory rather than enforceable.
- **Uncompensated Staff Workload:** Tracking and responding to repeated SWO violations creates a substantial, uncompensated workload for City staff. Without mandatory daily monetary penalties or developer-funded cost recovery, builders treat administrative SWO notices as a minor cost of doing business while neighboring properties remain exposed to active risks. See Paula Goode Exhibit

Phil and Mayor,

I would like to raise a broader policy concern regarding enforcement of Stop Work Orders, particularly in connection with projects involving Reasonable Use Exceptions (RUEs), environmentally sensitive areas, grading activity, and discretionary development approvals. This has happened at the property next door of me, and also the issue has been raised by Jolene Jang and properties near her.

Over time, I have become increasingly concerned that repeated violations of Stop Work Orders may occur without meaningful deterrence or consistent consequences. When work continues after a Stop Work Order is issued and little visible enforcement follows, it can create the public perception that these orders are largely advisory rather than enforceable.

This is especially important for RUE-related projects, where applicants often receive extraordinary relief or exceptions due to the unique constraints of the property. In my opinion, extraordinary relief should also require extraordinary compliance with permit conditions, environmental protections, and enforcement directives.

I also believe it is important to recognize that repeated violations can create a substantial additional workload for City staff. Stop Work Order enforcement often requires repeated site visits, documentation, inspections, communications, legal coordination, complaint response, and administrative follow-up. Where violations continue after notice, those costs are effectively shifted onto the public and City resources. A structured penalty or cost-recovery framework could help both encourage compliance and partially offset the additional labor and administrative burden placed on staff and the City.

I believe this raises several important governance and policy questions for the City:

- Are the City's current enforcement tools sufficient to ensure compliance once a Stop Work Order is issued?
- Are monetary penalties or daily civil penalties currently available and consistently applied?
- Is there a clear escalation framework for repeated or knowing violations?
- Are enforcement actions tracked in a transparent and consistent manner? (i.e. How many Stop Work Orders were issued in the last 12 months?)
- Should there be enhanced enforcement standards for environmentally sensitive or discretionary projects?

My concern is not anti-development. Rather, it is about maintaining fairness, credibility, and public trust in the City's permitting and enforcement process. If some applicants comply immediately while others continue work without apparent consequence, it creates an uneven playing field and undermines confidence in the integrity of the process.

I would respectfully request support that staff evaluate:

1. The City's current authority regarding Stop Work Order enforcement;
2. Whether existing code provisions provide adequate deterrence;
3. Whether code amendments or administrative procedures should be considered;
4. How neighboring jurisdictions address repeated Stop Work Order violations; and
5. Whether Council should receive a policy discussion or briefing on the issue.

It may also be helpful to review:

- the number of Stop Work Orders issued over the past several years, (what would the revenue be for those and how would it offset the staff labor)
- how many involved continued violations after issuance,
- whether penalties were assessed,
- and whether any repeat patterns exist.

I believe a clear and consistently enforced framework benefits everyone — residents, applicants, contractors, staff, and the City itself.

Thank you for considering this issue.

Paula Goode
Lake Forest Park City Council

- **Clear-Cutting Impact:** As documented in past cases such as the Jeremy Johnson RUE, projects issued a Stop-Work Order continued site work, causing downstream flooding to neighbors. City, state, and federal agencies possessed explicit authority to enforce fines and penalties, but failed to do so.

B. Obsolete Hazard Mapping & Unmapped Lyon Creek

- **Outdated Geohazard Data:** Lake Forest Park evaluates complex RUE applications using landslide, seismic, and steep-slope hazard maps that have not been updated since 2016.

- **The Missing Flood Baseline:** When inquiring about local flood risk layers, the **King County Flood Mapping Administrator confirmed that key reaches of Lyon Creek have never been mapped under the Flood Insurance Study.**
- **Ignored Mandate under LFPMC 16.16.210:** Approving development along an unmapped reach of Lyon Creek makes it impossible for the City to evaluate channel migration or seasonal flooding. Under LFPMC 16.16.210, the City has explicit authority to require current, site-specific technical studies whenever existing maps are incomplete. Approving development without fresh environmental data leaves the City legally vulnerable.

C. Code Integrity: Truthfulness & The "Two Strikes You're Out" Policy

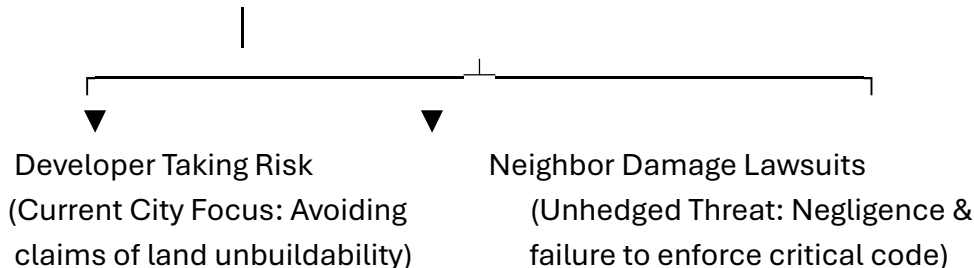
To eliminate the incentive for applicants to submit inaccurate or incomplete environmental data, the municipal code must enforce strict submittal integrity under SEPA guidelines and RCW 9A.72.040 (False Swearing).

- **Mandatory Truthfulness Standard:** All RUE application submittals, geotechnical reports, and SEPA checklists must be submitted under sworn affidavit. **The Garey RUE SEPA checklist violates this code and has inconsistent answers across different documents. The Yamaguchi RUE also has inconsistent answers.**
- **Two Strikes You're Out Mandate:** If an applicant commits two material misrepresentations, omits known critical site hazards, or twice violates an issued Stop-Work Order, the application is automatically voided, all application fees are forfeited, and the applicant faces a mandatory 2-year prohibition on reapplication.

D. Two-Sided Legal Liability Exposure

While municipal risk management focuses on avoiding developer "taking" claims, the City ignores its primary financial exposure: unhedged, two-sided legal liability.

TWO-SIDED MUNICIPAL LIABILITY



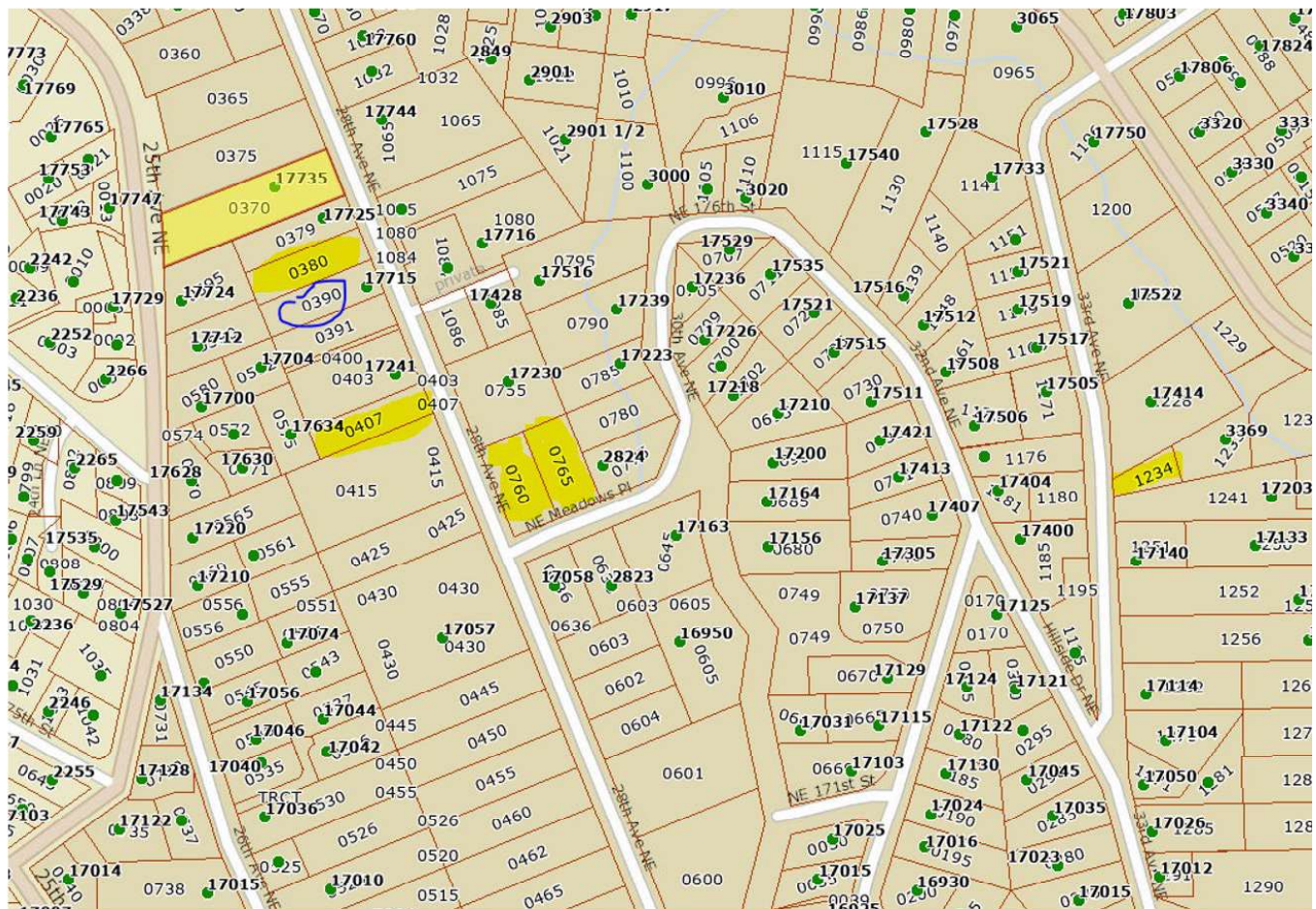
- **Dissolving Developer LLCs:** Real estate developments on constrained lots are often held under single-project LLCs that dissolve upon project completion, leaving neighbors without recourse against the builder.
- **Direct Negligence Lawsuits Against the City:** When the City approves permits on unverified data, ignores active SWO violations, or fails to enforce code after an unpermitted excavator destroys a sewer main, it creates a formal paper trail of known hazards. Affected homeowners will sue the City of Lake Forest Park for negligent permit administration and failure to enforce municipal code, exposing taxpayers to multi-million-dollar judgments.

Take a look at these RUES

Do you see any patterns?

RUE Applications (2020-July 2026)	Facet/DCG Wat Plog	Pace	Acre	Cobalt	Pacland	Approved
1 2018 Ganth (incomplete)						
2 2018 Crane						
3 2019-RUE-0001_2020-RUE-0001 (Matson)	17100/17110 28 th AVE NE	9/10/2019 x		x		
4 2020-CamJ-0005 Jeremiah Johnson						
5 2020-RUE-0002 (Khoa)			x		x	
6 2021-RUE-0001 (Garey)		x	x	x		7 years
7 2023-RUE-0001_20260056 (Caba)				x		3 years thus far
8 20250090 (Yamaguchi)		x				in process

6 out of the 9 RUES are in this neighborhood - Circled in blue is the environmental consultant



In the next letter, we will send more solutions and ways to revise the code to protect LFP.

See Janne Kaje comment

March 16, 2025

Re: Comments to Hearing examiner regarding Garey Reasonable Use Exception

File Number: 2021-RUE-0001

Proponent: Mark Garey

Permit Type: Reasonable Use Exception (Type I – Quasi-Judicial Decision of the Hearing Examiner, per LFPMC Section 16.26.030)

Location of proposal: Parcel # 4022900497

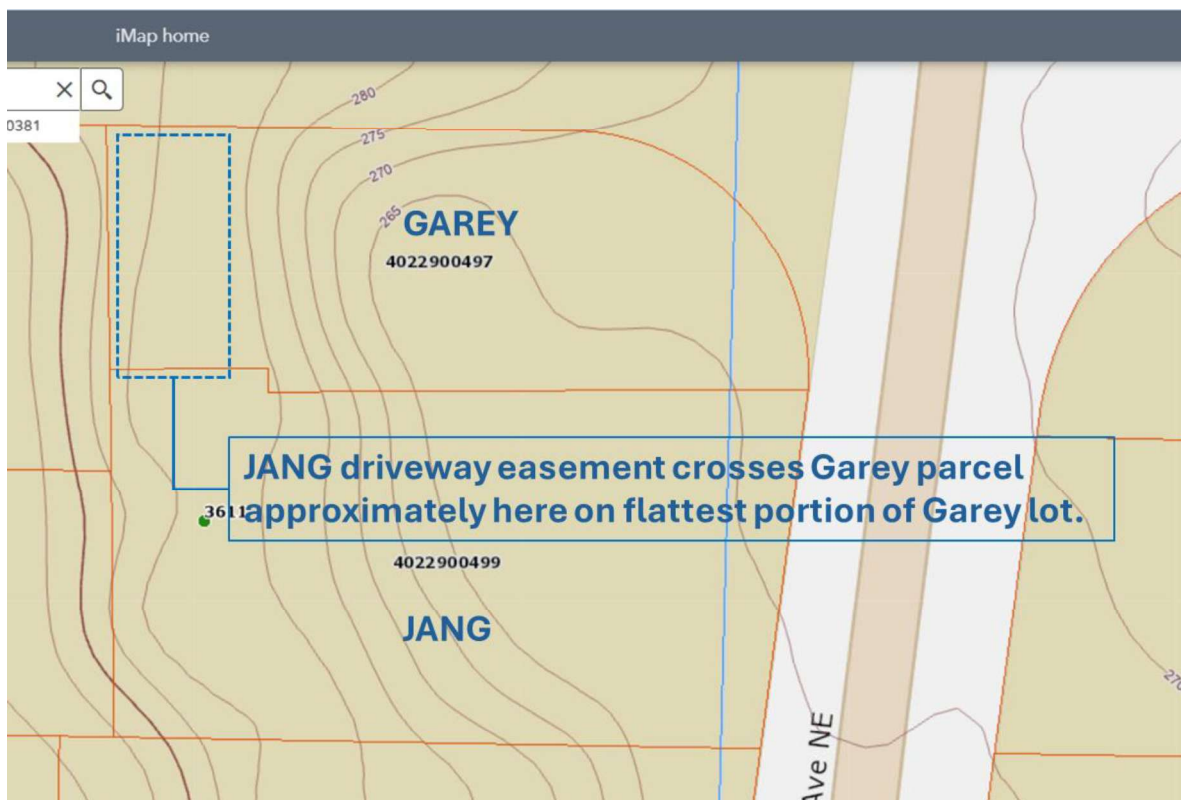
Summary: To grant a Reasonable Use Exception (RUE), the owner should have reasonably expected that development was possible when they purchased the property. The public record shows this is not the case. Based on the history of this property and affirmative actions taken by a previous owner, this property should not be eligible for a RUE. A prior owner of the property exercised their right to reasonable economic use by selling or granting an access easement to a neighboring parcel across the most buildable portion of the lot. That owner then successfully appealed the remaining property valuation and it has been taxed as unbuildable for nearly 30 years. If the property is deemed eligible for RUE, then the current owner should be liable, at minimum, for nearly thirty years of back taxes, totaling roughly \$50,000 in 2023 dollars, before penalties and interest.

Detailed comments: The Garey property has been officially deemed and taxed as unbuildable since at least 1995, and that information was publicly available to the current owner when they purchased the property in 2015. Based on the King County Assessor's tax records, a previous owner appealed the property value in 1995, almost certainly because the lot was deemed unbuildable even under then current environmental regulations and practical site constraints. The assessor agreed and reduced the taxable value from \$48,500 to \$20,000 and that value has hardly changed since then despite significant escalation in land and housing values. In fact, for the tax year 2025, the property is valued at just \$19,000. That is normal with the value of lots deemed unbuildable open space. If the Garey parcel had gone up in parallel with surrounding properties, the land value alone would be around \$300,000. Two adjacent lots of a similar size currently have assessed land values of more than \$330,000. Importantly, the appeal happened at the affirmative initiative of the property owner and that decision must stay with the property despite a change in ownership. The current owner purchased the property in 2015 for \$40,000, with a taxable value that year of \$24,000. In that same year, the land value of a neighboring parcel of similar size was valued at \$126,000. Due diligence by the buyer would have revealed the history of the assessed value and the reasons behind it.

While the specific motivations of a prior landowner are just speculation, the public record shows that a prior owner granted a perpetual easement to the neighboring parcel (current owner, Jang) in 1981. That easement likely took away the most buildable part of their own property.



The image below shows the topography of the parcel, with the driveway easement located on the flattest, most buildable portion of the parcel.



Approximate timeline:

- (1) Garey's predecessor sold a driveway easement to Jang parcel before 1989,
- (2) then successfully appealed the taxes on what was left in 1995, which was now unbuildable as a result of their own action as well as challenging topography,
- (3) sold the property to Garey at a fraction of the cost of comparable-but-buildable parcels, who now wants to build on the lower portion of the lot, next to the creek.

Tax implication: When property values are reduced through appeals or through enrollment in programs like the Public Benefit Rating System or Open Space Taxation, the tax obligation is borne by the remaining taxpayers in each taxing district (e.g., city, county, state, school district, etc.). Thus, if the city were to now reverse course and allow an RUE, the public would have been subsidizing the Garey parcel's tax obligations for nearly 30 years. For example, the Garey tax bill for 2025 is about \$193, while the tax bill for the land only on the neighboring parcel is more than \$3,700. It is fairly straightforward to estimate the tax benefit enjoyed by the property owner(s) since 1995 by comparing the assessed land value of similarly sized parcels. Before adjusting for inflation, I estimate that the owners have avoided tax payments on roughly \$3,700,000 in property value. When adjusted for inflation using the Consumer Price Index for the Seattle area, the avoided taxable value climbs to more than \$5,200,000 in 2023 dollars. At the 2024 property tax rate, that amounts to a bill of more than \$51,000 before interest and potential penalties.

The appeal decision was precipitated by the property owner 28 years ago – a reversal would not only be harmful to the environment, but also unjust to all residents who have carried the tax burden, and to the former owner who would not have received fair market value for the property when selling to Garey in 2015. This property is not the only vacant one in the city to have undergone a property value appeal for environmental and buildability reasons. Ruling here in favor of the landowner will open a giant can of worms.

Janne Kaje, resident, Lake Forest Park

From: Peter Lance <peter.v.lance@gmail.com>

Sent: Tuesday, March 18, 2025 3:21 PM

To: David Greetham <dgreetham@cityoflfp.gov>

Subject: 2021-RUE-0001. Garey property - an owner created defective property

Dear Hearing Examiner,

This property is a defective property that is part of what was once a fully usable property that was not defective. It is a defective lot that was manufactured and fully understood to be defective when created by the owner during the short plat process.

The reasonable use of this lot was and is still present in the other lots that are part of the original short plat. The other lots have Reasonable Use and have homes upon them. There is no logical reason that the DELIBERATE creation of a faulty, defective lot by the owner or previous owner should create a Reasonable Use Exception. Just because a lot may have lot status does not confer that the lot is buildable or should be eligible for exception from critical areas ordinances.

The title report provided by the applicant is deficient. It does not include potentially key exhibits that are difficult to obtain from King County. The title report should show what the exhibits are for item C3, C4, and C7. These documents are related to steep slopes and the original short plat and amendments. This information should be readily available to all interested parties and easily accessible in the city records.

Thank you,

Peter Lance

206-948-8922

[6501 NE 151st St](#)

[Kenmore, WA 98028](#)

Phil and Mayor,

I would like to raise a broader policy concern regarding enforcement of Stop Work Orders, particularly in connection with projects involving Reasonable Use Exceptions (RUEs), environmentally sensitive areas, grading activity, and discretionary development approvals. This has happened at the property next door of me, and also the issue has been raised by Jolene Jang and properties near her.

Over time, I have become increasingly concerned that repeated violations of Stop Work Orders may occur without meaningful deterrence or consistent consequences. When work continues after a Stop Work Order is issued and little visible enforcement follows, it can create the public perception that these orders are largely advisory rather than enforceable.

This is especially important for RUE-related projects, where applicants often receive extraordinary relief or exceptions due to the unique constraints of the property. In my opinion, extraordinary relief should also require extraordinary compliance with permit conditions, environmental protections, and enforcement directives.

I also believe it is important to recognize that repeated violations can create a substantial additional workload for City staff. Stop Work Order enforcement often requires repeated site visits, documentation, inspections, communications, legal coordination, complaint response, and administrative follow-up. Where violations continue after notice, those costs are effectively shifted onto the public and City resources. A structured penalty or cost-recovery framework could help both encourage compliance and partially offset the additional labor and administrative burden placed on staff and the City.

I believe this raises several important governance and policy questions for the City:

- Are the City’s current enforcement tools sufficient to ensure compliance once a Stop Work Order is issued?
- Are monetary penalties or daily civil penalties currently available and consistently applied?
- Is there a clear escalation framework for repeated or knowing violations?
- Are enforcement actions tracked in a transparent and consistent manner? (i.e. How many Stop Work Orders were issued in the last 12 months?)
- Should there be enhanced enforcement standards for environmentally sensitive or discretionary projects?

My concern is not anti-development. Rather, it is about maintaining fairness, credibility, and public trust in the City’s permitting and enforcement process. If some applicants comply immediately while others continue work without apparent consequence, it creates an uneven playing field and undermines confidence in the integrity of the process.

I would respectfully request support that staff evaluate:

1. The City’s current authority regarding Stop Work Order enforcement;
2. Whether existing code provisions provide adequate deterrence;
3. Whether code amendments or administrative procedures should be considered;
4. How neighboring jurisdictions address repeated Stop Work Order violations; and
5. Whether Council should receive a policy discussion or briefing on the issue.

It may also be helpful to review:

- the number of Stop Work Orders issued over the past several years, (what would the revenue be for those and how would it offset the staff labor)
- how many involved continued violations after issuance,
- whether penalties were assessed,
- and whether any repeat patterns exist.

I believe a clear and consistently enforced framework benefits everyone — residents, applicants, contractors, staff, and the City itself.

Thank you for considering this issue.

Paula Goode
Lake Forest Park City Council

6 out of the 9 RUEs are in this neighborhood - [Circled in blue is the environmental consultant](#)

