



CITY OF MEDINA

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Date: April 10, 2023
To: Honorable Mayor and City Council
Via: Stephen R. Burns, City Manager
From: Steven R. Wilcox, Development Services Department Director
Subject: Development Services Department Monthly Report

Permit Activity

Pending receipt of March financial information, it seems obvious that Development permit activity continues to be slow. "Slow" meaning less than last year at this time and also less than what could be expected as an average.

Permit value is a consistent number calculated for development projects for the purpose of assigning fees. Revenue is a better way to accurately view our activity level and budget health. Permit value through March 2023 is below the same time in 2021 by about 25%.

Permit value shown in the March 2023 Issued Permits report provided reflects not only applications that we received in 2023, but also those still pending issuance from 2022.. Relying on only permit value as a marker for development activity will give incorrect information on a YTD comparison with previous years. But permit value is useful, and in particular as a year end comparison.

Most building permit activity in 2023 to date is associated with small projects. We will be issuing several new home development projects that were received in late 2022. 65% of the permit fee is collected when the permit application is received meaning that while we will be issuing several projects from 2022 only 35% of the permit fee is due that will appear in 2023 as revenue. To date in 2023 we have one new home permit application.

Building inspections performed are also slower this year compared to 2023, but will increase as the 2022 applications are issued.

Planning Commission

By Stephanie Keyser

The April Planning Commission meeting has been canceled in lieu of two meetings in May. At their Special Meeting on May 2nd, they will hold a public hearing on the Draft Housing Action Plan. Their recommendation will be forwarded to Council, who will have a public hearing on the draft in June. At Planning Commission's Regular Meeting on May 23rd, they will begin working on the Housing Chapter of the Comprehensive Plan Update.

T-Mobile Permit Application

A permit application for a new T-Mobile Small Wireless Facility has been accepted as complete. An informational meeting in an open house format will be conducted by T-Mobile at Medina City Hall. T-Mobile representatives will be complying with the minimum requirements of our Municipal Code for noticing.

As of the time of this report T-Mobile has not provided the date of the informational meeting. T-Mobile has between April 13th and April 28th to hold the informational meeting. Unfortunately, this meeting will be in-person only. An on-line option is not required by our code.

Medina will add noticing to our city website beyond what T-Mobile must do as a minimum.

King County Wastewater Pump Station Maintenance Project

Noticing has started for the pump station maintenance project which is scheduled for July 2023.

King County will be providing notice of their July 2023 pump station work, and Medina Public Works staff is making A-frame signs to place on two sides of the 633 81st Ave NE property.

King county has yet to hire a contractor to perform the estimated \$2.5 million project for them. Without a contractor there is no schedule yet.

Once a schedule is created more accurate noticing will happen by the County and by Medina.

2021 Washington State Building Code

The state requires all jurisdictions to implement the 2021 State Building Code on July 1, 2023. Medina can simply implement what the state gives us, or we can amend the code in certain limited areas. It is best to review, amend and update our codes as may be found needed.

Included with this code adoption is the 2021 Wildlife Urban Interface Code (“WUCI”). Medina has areas designated by the WUCI as “Intermix”. Most Intermix areas are along the west side of Evergreen Point Road, but also in areas such as the Overlake Golf & CC. The stated purpose of the WUCI is protection of structures from the spread of wildfires. The WUCI really does not have impact on Medina construction at this point. As typical with state mandates there are often “placeholders” for future amendments and that might be what the WUCI means to jurisdictions such as Medina. The WUCI could easily be viewed the opposite of what the stated intent is now in that wildlands, including west of Evergreen Point Road, could be required to be protected from construction, rather than the opposite.

There are many hundreds of changes from the previous building code(s), but the Energy Code has the most affect on large homes as we see in Medina.

I will provide a more information in a report when this topic is brought to Council for discussion.

State Building Code Council Committee(s)

The State Building Code Council (“SBCC”) anticipates being assigned at least a portion of the work necessary to implement new housing legislation that is still being discussed by our legislature.

I have contacted the SBCC and expressed my interest on being on an implementation committee. The SBCC does not yet know if they will be creating a committee of individuals they select, or if this will be a committee made of organization representatives. But, a decision late in April is anticipated for the direction they will be going with this.

SBCC may have the ability to appoint committee members itself, or organizations such as AWC, the Master Builders Association, Washington Association of Building Officials, Firefighters, etc. may be asked to appoint a representative to serve on the committee.

The value to being on an implementation committee is that Medina would have a direct voice in how the many conflicts observed between the housing legislation drafts and other state mandated laws are resolved. Street parking, fire flow (water availability), construction type and materials, tree codes, etc. would need to be reviewed with recommendations provided to resolve conflicts for the purpose of legislation implementation.

Overlake Golf and Country Club Meeting

I had a very positive meeting with staff from Overlake Golf and Country Club in late March. Several topics relating to OGCC activities and our Municipal Code were discussed.

During the meeting it was mentioned that OGCC may be considering some improvements to their property perimeter. This might be an opportunity for Medina to partner with OGCC on select improvements beneficial to both.

I will be working on two code amendments which will benefit both Medina and OGCC. Our Municipal Code allows for annual permits. Having an annual permit for the regular deliveries of sand that is brought in for maintenance purposes would provide the opportunity to discuss topics such as stormwater system protection, erosion control, truck routes, and street cleanliness. An annual permit for tree removal would involve using an established tree inventory and maintaining that through city review. Inspections would occur on annual permits each time the threshold is met, but a new permit does not need to be reviewed and issued.

Tree Code Enforcement

Regarding the quick code amendments/bullet points that were promised to Council a draft has been produced and work to check concurrency has been underway. We want to be cautious at this moment. The primary model for the code amendments has been the City of Kirkland and their tree code. The City of Kirkland’s code is seen by our arborists as something we could use at least for reference as we discuss amendments to our Medina Tree Management Code.

The Master Builders Association of King and Snohomish Counties (MBAKS) has petitioned the Central Puget Sound Growth Management Hearings Board regarding aspects of Kirkland's tree code adoption. Although I only recently heard about the petition it was filed on May 18, 2022. MBAKS petitioned for "Review of City of Kirkland's Ordinance No. O-4786 re: Tree Removal and Replacement". The current status of the petition is that the parties are working on a settlement with a status report due to the Hearings Board staff on May 2, 2023, although there have already been 5-extensions.

MBAKS participated in the development of Kirkland's recent tree code which is now being petitioned and considered themselves to be a stakeholder in the process making this more interesting. It is advisable at this moment for us to wait until we know more about the appeal before we move forward with amendments that have any similarity to Kirkland tree code provisions.

As usual we have tree code enforcement matters we are working on. Most recently a tree was being removed at 227 Upland Road. This is a tree in the public right of way and appears to be an instance of view improvement. We have a stop order on the tree and someone promptly removed it, however the damage to the tree is done. We do not know who is responsible or the company doing the work. We will continue to investigate.

Please see our arborist's reports for March 2023.

Permit Tracking and Public Portal

We continue to meet with the City of Bellevue and several other jurisdictions on a weekly basis. Decisions are being made associated with fundamentals such as should a new permit system and portal be created by Bellevue, should it be purchased, or some hybrid.

Our staff is on the Steering Committee for this project. We will need to decide if moving forward with this is in Medina's interest by the time the 2024 budget season arrives. Costs for a new permit system have not yet been determined.

Regarding the reason we are involved with this is that there has been a need, and now there is an opportunity. The work that Bellevue is doing may be the best opportunity we will have to replace our existing permit tracking and public permit application portal.