



CITY OF MEDINA

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Date: July 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

Please see the two permit reports provided.

During June we conducted 7 Construction Activity Permit open houses. CAP open houses are associated with projects of \$500,00 and greater. For comparison in 2023:

- January – 0 open houses
- February - 0 open houses
- March – 5 open houses
- April – 1 open house
- May – 4 open houses
- June - 7 open houses

Normally we would expect the first 3-months of a year to be busy with open houses and then again in late spring to early summer.

Our Deputy Building Official has now taken over the Construction Activity Permit process including facilitating open houses.

The June 2023 Issued Permits report shows that our YTM permit valuation exceeds the same time last year. This is good news because permit valuation is directly associated with Fund revenue. Note that the new construction value is down this year compared to 2022, but the alteration numbers in both quantity and value are up significantly in 2023. This seems to confirm the idea that we are in a period where the comfort level in spending the resources to build a new home is less than in the recent past. But, residents still want to improve their property.

Municipal Code Amendments

Provided for Council discussion is a proposal for amendments to our Municipal Code regarding Tree Management Code violations. Fines have been unchanged for many years and have fallen far behind other local jurisdictions. This is a proposal to comprehensively consider our fines, fees, and reimbursements associated with non-permitted tree removals.

Along with an Agenda Bill are two exhibits which provide a comparison of fines in addition to a proposal for a change in fines, fees, and reimbursements.

Washington State Building Code Update

The 2021 Washington State Building Code was scheduled for implementation by all jurisdictions including Medina on July 1, 2023. In early May the State Building Code Council extended the implementation date for an additional 120-days. I expect we will know in September whether the code will be implemented in November, or if there are changes being made that further delay.

In any case we need to wait to hear what the state is doing prior to adoption of this mandatory set of documents.

King County Wastewater Pump Station Maintenance Project

Although we have been very cooperative and attempted to facilitate pump station work, King County has failed to notice us of the dates of their work. I had been asking on a regular basis for several months and was told that because a general contractor had not been hired to do the work that the County did not have a schedule beyond simply "July- August 2023". This was understandable.

In mid-June King County sent me a draft notice for Medina residents which added a project to the scope we had been discussing, and was announcing the closure of 81st. I called a meeting to discuss this, get a change in the notice and talk about how our jurisdictions can work better together.

Because of complications due to a City of Medina project on 81st which could conflict with the County pump station work, our Public Works Director, Ryan Osada will now be working King County staff to coordinate these two projects.

The pump station work is exempt from Medina issued building and construction mitigation permits, but not exempt from a right of way use permit. We have been controlling the public noticing, construction parking, lane closures, work hours, and trucking through the ROW permitting. Almost unbelievably, we still do not have a schedule for start of work or the one-night of work that the County needs for it's pump station work. And, the county now needs to close 81st as well which was not previously disclosed.

I do know that because of the Medina project on 81st that the County now must wait to start their pump station work.

Tree Code Enforcement

Please see the two tree permit activity reports provided. One report reflects development projects and the other non-development activity.

The property at the SE corner of NE 8th and Evergreen Point Road applied for a permit to remove 4-trees. An application to remove more trees had originally been submitted, but it was discovered through a boundary survey that some of the trees along the north property boundary adjacent to NE 8th are joint owned with Medina. The trees under permit application for removal do not require supplemental replacement.

Permit Tracking, Public Portal and Webpage

We continue to participate in exploring a new permit tracking and public portal system. The City of Bellevue is leading this effort with over 30-local jurisdictions participating. Medina is on a 10 members Steering Committee with voting rights.

Depending upon the outcome, Council may see a request for budget to replace our current permit tracking and portal. At this point it may not be until 2025 budgeting.

Our staff are working to create a tab on our Development Services webpage which will have currently active tree removal permits. The concept is that with a simple site notice that is already required by our Municipal Code and with the current notice time period of 10-days we could provide more advanced information to the public about tree removals.

The site notice could include a property contact information, QR Code and webpage address which would show the tree removal permit and the site plan with the trees to be removed.

As mentioned recently by a Council Member, notice without a comment period may have little value. Our Municipal Code does already have some provisions for both tree removal notice site posting and a 10-day waiting period so we are not creating something new. What we are doing is enhancing the current existing system to do something it has not which is to easily provide public information.

We may find that code amendments are needed, but for now we can move forward through administrative changes.

Arborist

Unfortunately, we will be losing Sean Dugan and his company Tree Solutions as our development project arborist. We may be able to retain Sean in a different capacity and have proposed a scope of work.

My hope is that we can retain Sean and Tree Solutions to assist us with the Comprehensive plan update, general Tree Management Code development, and other tree code work involving the Planning Commission.

Andy Crossett who has been working as our non-development arborist will be taking over all tree code enforcement under a new professional services contract.

Advanced Deposits vs. Net Budget Impact

Please see then attached tables for 2021, 2022, and 2023 to date. Cash deposits (AKA Advanced Deposits) are collected for most projects with Grading and Drainage and Tree Activity Permits. Advanced Deposits (AD) are used to pay for consultant costs above permit fees collected.

One relevant thing to consider is that when you view the Development Services Fund you will see large budget numbers for "Landscape Consultant" (AKA arborist) and "Engineering

Consultant” (AKA Grading and Drainage consultant). The financial actuals compared to these two accounts can be deceiving.

The attached is what we use to track AD collected vs invoices. A purpose for this tracking is to help when the time comes to decide if fees need to be adjusted, if AD needs to be adjusted, or if AD use needs to be expanded. I am sharing my data which I find interesting to review.

The footnotes will help understand the table use. One thing you will no doubt observe is the difference between the net amounts in Tree Code Consultant AD and the Engineering Consultant AD. This difference is caused by factors such as differences in consultant cost and permit fees. If most of an invoice is covered by AD, then the permit fee may be too low.

For budgeting the percentage may be more important than the actual costs.

Coming Up

Here is a list of some of the things Development Services is working on that you may not have heard about.

- A substantially revised Professional Services contract.
- WSDOT -520 Administrative Noise Variance. Work in 2024
- T-Mobile request for information about Small Wireless Facility permits for several nodes. This may be something T-Mobile is considering as a option to the 84th and Midland pole in whole or in part.
- Solicit/search for a new hearing examiner.
- 5-professional services contracts are expiring with need to renew or entirely new contracts.
- Code amendment(s) associated with using the public right of way “plantable area”.
- 2021 Fire Code adoption. Reviewing Bellevue’s Fire Code and State Fire Code. Working with the Bellevue Fire Prevention Office (“Fire Marshal’s Office”).
- On-going garbage and other “bin” enforcement.
- Significant public right of way code enforcement action on Upland road associated with tree removal.
- Problematic excavation at a permitted site on 84th Ave NE and NE 12th St.
- Working on draft amendments for the Small Wireless Facility code chapter.
- Several minor Tree Management Code amendments as previously discussed with Council with some potential modifications.
- Several changes to propose the Development Services Fund as part of the 2023 budget process.
- Working with OMW regarding details of permitting for a large Medina property.
- Working with OMW on closing old cash deposits that the city has, but does not own. About \$600k collected over about 12 years.