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**Date:** April 13, 2026  
**To:** Honorable Mayor and City Council  
**Via:** Jeff Swanson, City Manager  
**From:** Steven R. Wilcox, Development Services Department Director  
**Subject:** Development Services Department Monthly Report

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### **Permitting**

Please see the attached March 2026 permit reports. These reports include all permits that Development Services processes for the City of Medina including those for Public Works right of way.

Permit valuation is only an indication of activity. Financial data will provide actual accounting.

We have evaluated operations due to the continued lack of development activity. Please see the Development Services Department Staff Update below.

### **Ordinance 1052 – Interim Official Control**

An Agenda Bill has been provided for your review and use with the public hearing on Ordinance 1052.

There have been conversations between our staff and others who have been asking us about Ordinance 1052, but these are not formal 'comments' on Ordinance 1052. In lieu of giving you email chains I will summarize what we have heard, discussed or been asked about Ordinance 1052:

- Concern that a design for a new development project was underway for several months and Medina staff had been aware of it, but the project did not vest prior to the IOC and is now subject to re-design.
- Several vesting questions.
- Questions about the authority to adopt Ordinance 1052 as an IOC.
- Why was the IOC needed now.
- Concern about IOC impact on Middle Housing regulations.
- Designer question on how to avoid not knowing of an IOC in the future.
- Questions about impacts on structures other than residences such as trams, piers, boat lifts, etc.
- Can't find Ordinance 1052 in the Medina Municipal Code.
- Impacts on Minor Deviations.
- Impacts on interior only projects.

With the acceptance of public testimony on April 13<sup>th</sup> combined with written comments, the Council will have the opportunity to evaluate and consider Interim Official Control Ordinance 1052 as well as their direction to the Planning Commission on this topic. The Council will receive a presentation on the development project impacts topic by our planning consultant on April 27<sup>th</sup>. Also, on April 27<sup>th</sup> the Council will be given an Agenda Bill which defines the development project impacts topic and offers language to direct the work of the Planning

Commission. The development projects impact topic has already been directed to the Planning Commission through Ordinance 1052, but definition of the project by the Council for the Planning Commission is still needed.

Should the Council choose to amend Ordinance 1052, direction to staff would be given on April 27<sup>th</sup>, not on April 13<sup>th</sup>. The April 13<sup>th</sup> public hearing should be a time to listen and learn.

Ordinance 1052 is in some ways similar to a conditional “Stop Work Order” that our Building Official uses on construction sites where it is issued due to an observed problem, then most commonly the Order requires a re-issuance once the matter is better understood. This is normal process.

The Interim Official Control Ordinance 1052 may be viewed as a bridge to a permanent solution. An Interim Official Control is needed during the period that the Planning Commission is working on permanent solutions. The Interim Official Control can be changed at the Council’s direction.

During the Planning Commission process of review, we will conduct at least one public forum. Additionally, we will find ways to include concerned local development professionals in the Planning Commission process. Potentially we could conduct roundtables and also find other creative ways to bring in those who are impacted from the development side of permitting of this. The Planning Commission process is public, and important topics require additional efforts towards inclusion of all ideas and we will do this over the next few months.

Our goal is inclusion to help the Planning Commission ultimately develop the best permanent ordinance as a recommendation for the Council.

Planners will lead the Planning Commission work on the development projects impacts topic. One of my roles will be to assure the Council is kept informed of Planning Commission progress. The Development Services Committee will be a useful tool in this process.

### **Development Projects of Interest**

The Overlake Golf and Country Club submitted a permit application to reconstruct an existing sport court. The permit application is currently under review by our planner. The permit process will allow for public comment.

One focus within the application is sound mitigation due to new pickle ball uses adjacent to residences.

### **Tree Preservation Proposal**

There was a recent question by Council regarding how large trees can be saved. This question needs to be considered under Medina Municipal Code Chapter 16.52 – Tree Management Code. In talking with Medina’s City Arborist Andy Crossett, we discussed a concept to achieve ‘large’ private property tree preservation. The concept would require further development and an approval process, but it appears to be something we could quickly build on with Council direction to do so. Here are some initial thoughts:

- ‘Large’ trees outside of a building envelope that do not need to be removed must be retained.
- Exemptions need clear definition and may include access necessity, hazard evaluation, etc.
- Large trees might be defined as 24” diameter or larger as an example.
- MMC 16.52 is based on calculated tree credits. Large tree preservation rules would need to be separated from the tree credit calculations. Large tree preservation would likely be viewed completely separate from all other trees on a property and be excluded from tree credit calculations. This is an entirely new concept.
- Appeals may be sent to the Hearing Examiner as a non-administrative decision. It is preferred to not have administrative decisions if at all possible.
- The Hearing Examiner would need decision criteria.
- This potential amendment to MMC 16.52 could eliminate Legacy and Landmark trees as separate and distinct designations.

Considering the possibility that the Council may direct a complete or even partial review and amendment of MMC 16.52 in the near future (possibly 2027); I am looking at improvements to our current Tree Management Code that could be carried over into a new code. An amendment to preserve large trees could become a fundamental and permanent part of Medina tree preservation efforts.

Because of the structure of MMC 16.52 this type of amendment is more complicated than it may appear and will require careful staff evaluation and probable direction to the Planning Commission. This would not likely be a minor code amendment and would need Council direction on priority level within the Work Plan.

If the Council would like to pursue this concept then staff could first be directed to produce an Agenda Bill describing the matter with proposed directions such as sending to the Planning Commission calendar.

### **Planning Commission**

Planning Commission did not meet on March 24<sup>th</sup> due to lack of quorum. The agenda for the April 28<sup>th</sup> is essentially the same agenda from March 24<sup>th</sup>.

On May 6<sup>th</sup> there is a training session for the Commissioners. All Commissioners will attend the on-line 6:00-8:00 pm training except one who is excused but will be able to listen to a recording. This is required training that will cover requirements for locally elected officials, including topics outlined in [RCW 42.56.150](#) and [RCW 42.30.205](#). The session will be conducted by our City Attorney, Jennifer Robertson.

We have scheduled two Planning Commission meetings in May due to the missed meeting on March 24<sup>th</sup>. Planning Commission will meet on Tuesday May 19<sup>th</sup> and Wednesday May 27<sup>th</sup>. Depending on how the Work Plan calendaring takes shape we might need to schedule two meetings per month on a more regular basis.

The Council Work Plan is significant and adjustments to priorities will be frequently needed. Council desire to adjust the prioritization, state mandate timing, changes in the Planning Commission calendar, and smaller 'routine' code amendments not seen as priorities are a few reasons an administrative approach to maintaining the Work Plan is most efficient.

My intent is to adjust the priorities within the Work Plan and keep the document updated as needed. Council will receive the Work Plan with my monthly staff report monthly, at which time I will explain changes made and take any direction that Council may have at that time.

On an annual basis, the Council should schedule to thoroughly review the Work Plan for a Study Session or similar.

### **Development Project Sites**

Our staff are involved in assuring that all existing development project sites under Medina issued permits are in compliance with our Municipal Code.

- Our Building Official will be going to each active development site and evaluated for compliance with construction mitigation requirements of Medina Municipal Chapter 16.75 – Construction Activity Permit.

An essential component of CAP compliance involves use of the public right of way. There is no construction parking allowed anywhere outside of private property anywhere in the City of Medina including shoulders. Construction parking must be on site, in a designated area on the north side of NE 12<sup>th</sup>, or at another location on private property or outside of Medina. Short duration loading and unloading is allowed. Use of the right of way is also permitted for large equipment such as cranes or concrete equipment, but only under a Medina issued Right of Way permit.

There are no materials or equipment allowed to be stored outside of private property, including shoulders.

- The City Arborist regularly drops in on development projects to check on tree protection. These site visits are outside of regular called inspections. These drop in inspections are important because tree protection is often removed, moved, or damaged which in turn adversely impacts tree viability. Under the new Tree Management Code violations provisions, we have issued fines of \$1,000 per tree protection violation.
- Medina's Grading and Drainage consulting engineer is currently visiting each development project for evaluation of temporary erosion and sedimentation control (TESC). There have been several correction notices written and sites are coming into compliance.

### **Development Services Department Staff Update**

Medina's Development Services Department has three FTE staff members and several professional consultants under contracts. While development permit applications continue to be very slow, other work such as current and long-range planning, and code enforcement keeps us busy.

With continued slow development activity, our Building Official Rob Kilmer is once again having his duties divided between Development Services Public Works. Public Works needs assistance, and Rob is available and qualified. There is currently not enough work in the Development Service Department to keep the Building Official position busy full-time. The Building Official position became an FTE in 2007 after being contracted previously. Since 2007 the Building Official position has for 8 out of the past 19 years been either split with Public Works or shared through interlocal agreement with the City of Clyde Hill. What is happening now with the Building Official position is normal for Medina and allows us to retain qualified staff through times of less activity.

Rob will be busy with both Development Services and Public Works duties for the foreseeable future as we watch to see what happens with development activity. Code enforcement on all levels is a priority for Development Services and even with sharing Rob with Public Works, it will remain a priority. We appreciate Rob's flexibility and his ability to perform such a wide range of duties for us.

Rebecca Bennett is our Development Services Coordinator. Rebecca is the focal point in the administration of the variety of our department activities. Rebecca has volunteered to begin learning aspects of planning. As our Secretary to the Planning Commission Rebecca is already deeply involved in Medina long-range planning. On a daily basis, Rebecca manages the process of current planning. Rebecca would like to become a planner and she has applied to the University of Washington Graduate School for Fall 2027. We could use a planner in our office and I would like Rebecca to be that person.

### **Attachments:**

March 2026 Permits Received Report  
March 2026 Permit Issued Report  
March 2026 Code Enforcement Report  
March 2026 Tree Permit Activity Report