



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, April 22, 2024

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**Subject:** Construction Activity Permit and Sign Code Proposal

**Category:** City Business

**Staff Contacts:** Steven R. Wilcox, Development Services Director and Jennifer S. Robertson, City Attorney

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### **Summary**

#### **A. Construction Activity Permit**

The 2024-2025 Council work plan for Development Services includes a task requiring an amendment to the Construction Activity Permit (CAP) ordinance. This amendment is associated with projects located on private lanes or joint use driveways and will require a second notice board be installed which is visible to the general public.

The CAP is a consolidated administrative process which establishes site-specific application of development project construction mitigation requirements. Prescriptive construction mitigation requirements are currently in our Municipal Code. Examples of prescriptive mitigations are work hours, construction parking restrictions, site barrier, site cleanliness, etc. The CAP applies the prescriptive mitigation requirements to the specifics of a particular development project.

The CAP requires public noticing in most instances. When required, the CAP public noticing is intended to inform residents about a permit application for a development project that may impact them. Noticing is in various forms including mailing, hand delivered letter, and site notice board posting. Our CAP code defines when the various types of noticing is required. Anytime a development project, such as a new home or other large project, occurs on a private lane or joint use driveway there is a notice board required to be placed in front of the property for view by neighbors. This same notice board requirement applies to projects facing public streets too.

Many streets in Medina are not public. In addition to public right of way, Medina has many private lanes and joint use driveways that are not open for general public use. Development projects which are proposed on a private lane or a joint use driveway are not easily seen by the general public, if at all, however these projects do send out mailed notices to all properties within 500'. The notice board currently required to be placed in front of a development project on a private lane or joint use driveway may only be seen by those few neighbors who use the private access.

The 2024-2025 Council work plan for Development Services requires an additional notice board be placed such that the general public who would not otherwise enter a private lane or joint use driveway be able to see and read it. CAP Section 16.75.070 E. 2 a. defines the notice board site posting requirements. The proposed CAP Section 16.75.070 E. 2 a. includes a new subsection "v" which adds the required second notice board posting. This second notice board posting will be required at the end of the private lane or joint use driveway where it meets the public right of way. This second notice board will be placed in a visible location within the unimproved portion of the public right of way, as approved by the city.

Because the second notice board will be within the public right of way, our sign code will require an amendment to allow this.

## **B. Signs**

To facilitate the approval of the 2024-2025 Council work plan regarding an additional second CAP notice board posting within unimproved public right of way, an amendment to Medina Municipal Code 16.30.020 Signs is also needed. Currently our sign code prohibits placement of the CAP notice boards within the unimproved public right of way.

MMC 16.30.020.3.f. is proposed which will exempt certain signs that are required by the City. This proposed sign code amendment will allow the second notice board as proposed in A. above.

If Council supports the proposal to add a second notice board for private lane and joint use driveway development projects, and the associated sign code amendment allowing the second notice board to be placed within the unimproved public right of way, the next step is for Council to direct staff to take the matter to the Planning Commission for review of the draft code language, hold a public hearing, and make a recommendation to Council.

Provide input to staff regarding draft amendments to MMC 16.75 and MMC 16.30.020 and provide direction whether these draft amendments should be transmitted to the Planning Commission for review and processing.

This Construction Activity Permit amendment proposal meets and supports Council's priorities 3 and 5.

Council Priorities:

1. Financial Stability and Accountability
2. Quality Infrastructure
3. Efficient and Effective Government
4. Public Safety and Health
5. Neighborhood Character and Community Building

## **Attachments**

- Draft update to MMC 16.75
- Draft update to MMC 16.30.020

**Budget/Fiscal Impact:** If Council sends the draft code to the Planning Commission, that will take staff time to process the amendment.

**Recommendation:** Discussion and direction.

**City Manager Approval:** *Aimee Kellerman* Signed on behalf of Stephen R. Burns

**Proposed Council Motion:** "I move to direct staff to forward the proposed revision to MMC 16.75 and MMC 16.30.020 to the Planning Commission for review and processing."

Time Estimate: 20 minutes