



CITY OF MEDINA

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Date: January 10, 2022
To: Honorable Mayor and City Council
Via: Stephen R. Burns, Interim City Manager
From: Steven R. Wilcox, Development Services Department Director
Subject: Development Services Department Monthly Report

Permit Activity

Permit activity typically slows this time of year which is where we continue to be. Typically, permit application activity increases in February.

Local design and construction professionals continue to be busy and do not see any changes from 2021 into 2022.

Please see the permit activity reports provided. The permits issued report for December is the last of the year. Permit valuation provides an idea of our activity level. The total permit value for 2021 was \$47,606,926.68. Our 2021 permit value was greater than the previous year 2020 total of \$42,893,158.25. With a consistent approach to permit valuation data collection we have one tool to use for comparison and evaluations.

Permit value is not the sum of the work in Development Services, it is simply one marker of activity which is specific to building permits only. Building construction permit fees are based upon valuation, but the majority of permit fees are fixed and not reflected in permit valuation. Planning, Grading and Drainage, Trees, mechanical, plumbing, gas piping, etc. are examples of permits not included in the permit valuation total. Additionally, our DS staff are involved in many other activities not reflected in permit valuation.

Planning Commission

By Stephanie Keyser

On December 14th, Planning Commission held a public hearing on an amendment to Medina's code regarding permanent supportive and transitional housing. This amendment is to comply with E2SHB 1220, which requires cities to allow transitional or permanent supportive housing in any zoning district that allows residential dwellings; in Medina this is every zoning district. The Commissioners voted unanimously 7-0 to recommend approving the draft code and forwarding the recommendation to Council. The draft has been sent to the Department of Commerce for their 60-day review and the Determination of Nonsignificance was

issued on December 20, 2021. Staff will bring the code to Council for a first discussion in February and for adoption in March.

Code Enforcement

Please see the “Code Enforcement for December” report provided. The report shows much of the monthly code enforcement activity performed by Development Services. December as a whole was slower for Development Services with staff and builders on vacations.

In addition to the items in the report we removed several miscellaneous commercial signs placed in the right of way. We perform many investigations either by complaint, or because of things we notice.

A dog barking complaint shown on the November CE report was resolved through a Notice of Violation, fines paid and an agreement with the property owner regarding additional effort to control the situation.

A matter we were working on since early summer 2021 was resolved in December. An accessory structure under construction was issued a Stop Work Order. Through process the property owner applied for a variance. The Hearing Examiner heard the matter and provided a decision that the structure may remain with modifications as requested by an adjacent neighbor.

In December the Hearing Examiner also approved a proposed solution to a mechanical equipment noise code enforcement matter. New outdoor heat pumps had been installed as part of a new building project. The heat pumps failed the sound testing which meant they were not code compliant. After several months the builder and new property owner presented a solution to the noise issue through construction of an 8’-0 sound barrier wall on the property boundary. The 8’-0 sound barrier was approved by the Hearing Examiner and is now in code conformance review for the structure.

Tree Management Code

Our Tree Code Consultant Tom Early worked through his employer Otak and was with Medina for over 15 years. Tom left his employer and Medina suddenly in early December for a better position. Tom provided qualification, consistency and professionalism to us. Additionally, Tom was qualified as both a Certified Arborist and is a Landscape Architect. The combination of qualifications, and the lack of any conflicts allowed us to use Tom in two roles. Most jurisdictions divide the arborist duties from the review and enforcement meaning there is usually two people. With Tom’s sudden departure we have been searching for assistance with enforcement of our Tree Management Code.

Tom’s former employer Otak is still under contract with us to continue to provide Tree Management Code services to us through 2023. Otak, however does not have

anyone on their staff who is fully qualified to help us. We are currently working an Otak assigned staff member, but we need to do something different.

In early December we issued a targeted RFP to companies known to work with government. Most arborists are actually tree removal companies, so we must be selective. Although Medina has been under contract with Otak since the mid 1990's, they chose to not respond to our RFP. Otak would need to hire two qualified people to fill Tom's position and it is not something they want to do.

Currently, we have two RFP respondents. Within the next two weeks we will have an answer if one of the two companies can help us, or if an additional search is needed. In any case this is a priority and will be taking a significant amount of effort to hire, train and monitor and new Tree Management Code consultant in 2022.

Supplemental Tree Enforcement

This is being resubmitted from Decembers Development Services report for the benefit of new Council members.

A discussion surrounding supplemental trees will be coming to Council in early 2022 as part of the overall Tree Management Code update. Council will be asked to take action on what will be a proposed code amendment. Supplemental trees are those which must be planted as part of a Tree Activity permit. Generally, adding new trees as a code requirement is the result of a math calculation found in the permit application that is related to tree removal on a site. Planning Commission had asked the Council to add review of the enforcement of the 5-year health and viability of supplemental trees to their 2021 Work Plan Calendar and Council agreed.

Our current Tree Management Code Chapter 16.52 has varied references to supplemental trees, but the enforcement is the same. Example: *"The owner of the subject lot shall take necessary measures to ensure that supplemental trees remain healthy and viable for at least five years after inspection by the city and the owner shall be responsible for replacing any supplemental trees that do not remain healthy and viable for the five years after inspection by the city."*

Our current code does not provide for any city enforcement to assure that supplemental trees are healthy and viable for at least five years after planting. Planning Commission would like to improve the enforcement.

Because the impacts that a new enforcement requirement will have, and that the responsibility will be that of the Development Services Department, our staff should be involved in decision making. Good code development should involve those who are responsible for enforcement. Code development should always involve an analysis of impacts.

A first step should be a determination of the level of enforcement that is desired regarding supplemental trees. Whether a comprehensive code is drafted with intent to fully assure the 5-year health and viability of supplemental trees, or if there is a compromise with a view of improving the current code which has no

enforcement provision combined with an overall approach to improving tree code enforcement. Legal, budget, staffing, resident impact, and practicality are considerations as part of a supplemental tree code enforcement amendment.

Permit Tracking and Portal

Resubmitted from December 2021 Development Services staff report, with amendments for the benefit of new Council members.

We are still working with Dude Solutions who is the vendor of our electronic permitting system (“SmartGov”) to try to make the software work properly. It would be much better to have the vendor fix the problems we have had since the portal was first implemented in Medina. In November we met with Dude Solutions technicians to go over several issues.

We are talking to other permit software companies, and exploring the possibility of moving to a new permit tracking system and permit application portal. We have also recently invited our current vendor to fix the problems in their software - or likely see us leave as a client. A decision will be made once we have all information needed and have exhausted options with our current vendor. At this time there is no need for an RFQ.

In December we met with the staff from My Building Permit (MBP) which is a local consortium of jurisdictions sharing a permit application portal system. MBP is a very nice system. Transition to MBP will be expensive and time consuming.

We will be taking a dual approach to this problem. We will continue to press Dude Solutions to correct the problems with their software which makes independent use of our permit portal by applicants impossible. At the same time we will evaluate our software replacement options and start developing a potential transition. The hope is to stay with Dude Solutions and their software “SmartGov” to avoid the cost and difficulty of replacing it.

With the implementation of the new City website in December, Development Services will now be able to allow direct applicant access to the permit portal. The Development Services permit portal access on our new website will need to be modified as finding it is difficult for some users.

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2021-044	INITIAL WARNING	COMPLETED	Rob Kilmer	619 84TH AVE NE	<p>Description: Construction related vehicles parked in ROW</p> <p>Action Taken: Written warning given to project Agent.</p>
CC-2021-045	GENERAL	COMPLETED	Rob Kilmer	847 83RD AVE NE	<p>Description: Tree cutting reported in the vicinity of 1049 84th Ave NE</p> <p>Action Taken: The area was searched until the location of the work was identified as 847 83rd Ave NE. Upon speaking with the homeowners, the scope of work, the pruning of a Leyland cypress hedge, was found to not require a permit.</p>
CC-2021-046	GENERAL	COMPLETED	Rob Kilmer	1407 EVERGREEN POINT RD	<p>Description: Report of construction related vehicle belonging to All Star Pools parked along Evergreen Point Road</p> <p>Action Taken: Spoke with the Project Manager of nearest jobsite to investigate. Reiterated the construction parking rules.</p>
CC-2021-047	STOP WORK ORDER	COMPLETED	Rob Kilmer	619 84TH AVE NE	<p>Description: Construction related vehicles parked in ROW</p> <p>Action Taken: Stop Work Order issued. Project Agent is required to submit a revised CAP plan for approval before the SWO is lifted.</p>
CC-2021-048	FORMAL, WRITTEN WARNING	COMPLETED	Rob Kilmer	7811 NE 10TH ST	<p>Description: Construction related vehicle parked in ROW</p> <p>Action Taken: Formal written notice emailed to project Agent</p>

Monthly Applications Submitted

December 2021

Permit Type	Submitted Date	Permit Number	Total Valuation	Address
ADVANCE DEPOSIT	12/14/2021	DEP00162		2643 76TH AVE NE
ADVANCE DEPOSIT	12/14/2021	DEP00160		7617 NE 24TH ST
ADVANCE DEPOSIT	12/14/2021	DEP00161		8224 OVERLAKE DR W
TOTAL ADVANCE DEPOSIT:	3			
B-FENCE	12/03/2021	B-21-127	\$28,266.00	2053 77TH AVE NE
B-FENCE	12/17/2021	B-21-130	\$3,500.00	607 86TH AVE NE
B-FENCE	12/23/2021	B-21-133		1641 EVERGREEN POINT RD
TOTAL B-FENCE:	3		\$31,766.00	
B-GAS	12/17/2021	G-21-044		3230 78TH PL NE
B-GAS	12/16/2021	G-21-043		8297 OVERLAKE DR W

B-GAS	12/22/2021	G-21-046		2627 78th Ave NE
B-GAS	12/10/2021	G-21-042		3444 EVERGREEN POINT RD
B-GAS	12/21/2021	G-21-045		2604 79th Ave NE
TOTAL B-GAS:	5			
B-MECHANICAL	12/08/2021	M-21-077		402 UPLAND RD
B-MECHANICAL	12/15/2021	M-21-081		8604 NE 7TH ST
B-MECHANICAL	12/22/2021	M-21-086		2627 78th Ave NE
B-MECHANICAL	12/21/2021	M-21-084		1535 79TH PL NE
B-MECHANICAL	12/21/2021	M-21-083		3230 78TH PL NE
B-MECHANICAL	12/16/2021	M-21-082		8426 Overlake Drive West
B-MECHANICAL	12/21/2021	M-21-085	\$37,743.00	2604 79th Ave NE

TOTAL B-MECHANICAL:	7		\$37,743.00	
B-PLUMBING	12/14/2021	P-21-097		1312 76TH AVE NE
B-PLUMBING	12/08/2021	P-21-096		619 84TH AVE NE
TOTAL B-PLUMBING:	2			
B-ROOF	12/13/2021	B-21-129		1017 84th Ave NE
TOTAL B-ROOF:	1			
P-MINOR DEVIATION	12/21/2021	P-21-101		500 86TH AVE NE
TOTAL P-MINOR DEVIATION:	1			
P-NON ADMIN SUBSTANTIAL DEV	12/17/2021	P-21-100		8835 OVERLAKE DR W
TOTAL P-NON ADMIN SUBSTANTIAL DEV:	1			
P-SEPA EXEMPTION	12/15/2021	P-21-098		8751 OVERLAKE DR W
TOTAL P-SEPA EXEMPTION:	1			
P-SEPA THRESHOLD	12/06/2021	P-21-095		3225 EVERGREEN POINT RD

P-SEPA THRESHOLD	12/21/2021	P-21-102		8835 OVERLAKE DR W
TOTAL P-SEPA THRESHOLD:	2			
PW-RIGHT OF WAY	12/20/2021	PW-ROW-21-095		804 84TH AVE NE
PW-RIGHT OF WAY	12/22/2021	PW-ROW-21-099		2604 79TH AVE NE
PW-RIGHT OF WAY	12/23/2021	PW-ROW-21-098		8224 OVERLAKE DR W
PW-RIGHT OF WAY	12/15/2021	PW-ROW-21-093		8224 OVERLAKE DR W
PW-RIGHT OF WAY	12/28/2021	PW-ROW-21-100		444 OVERLAKE DR E
PW-RIGHT OF WAY	12/07/2021	PW-ROW-21-092		2226 79TH AVE NE
TOTAL PW-RIGHT OF WAY:	6			
TREE-WITH BUILDING/DEVELOPMENT	12/23/2021	TREE-21-086		632 Evergreen Point Rd
TOTAL TREE-WITH BUILDING/DEVELOPMENT:	1			
Total # of Permits		33	\$69,509.00	



Monthly Issued Permit Report

December, 2021

Report run on: 01/03/2022 12:01 PM

Construction Value:	December 2021	December 2020	2021 YTM	2020 YTM	Difference
Accessory Structure	-	-	-	-	\$0.00
Addition / Alteration	\$55,914.47	\$64,091.00	\$11,456,165.68	\$3,670,457.25	\$7,785,708.43
Fence / Wall	-	\$23,000.00	\$455,900.00	\$52,000.00	\$403,900.00
New Construction	\$3,930,374.00	-	\$35,696,861.00	\$39,164,701.00	(\$3,467,840.00)
Repair / Replace	-	-	-	\$6,000.00	(\$6,000.00)
Wireless Comm. Facility	-	-	-	-	\$0.00
Total Value:	\$3,986,288.47	\$87,091.00	\$47,608,926.68	\$42,893,158.25	\$4,715,768.43

Permits Issued:	December 2021	December 2020	2021 YTM	2020 YTM	Difference
New Construction	1	-	16	17	(1)
Permit Extension	5	-	40	4	36
Accessory Structure	-	-	-	-	0
Addition / Alteration	1	2	36	11	25
Construction Activity Permit	-	2	24	25	(1)
Demolition	-	-	18	9	9
Fence / Wall	-	1	16	3	13
Grading / Drainage	-	-	23	21	2
Mechanical	4	6	79	86	(7)
Other - Moving	-	-	-	-	0
Plumbing / Gas	6	6	88	69	19
Repair / Replace	-	-	-	1	(1)
Reroof	-	-	-	-	0
Right of Way Use	4	14	90	74	16
Tree Mitigation	1	10	66	69	(3)
Wireless Comm. Facility	-	-	-	-	0
Total Permits:	22	41	496	389	107

Inspections:	December 2021	December 2020	2021 YTM	2020 YTM	Difference
Building	86	73	1,069	778	291
	13	8	357	151	206
Engineering/Other	4	-	65	20	45
Tree	-	1	19	6	13
Total Inspections:	103	82	1,510	955	555