



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

Date: July 8, 2024
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 and Financial

Please see the permits issued and permits received reports. These two Development Services created reports, combined with data from our Finance Department, allow us to better understand the current state of the Development Services Fund budget.

I received the June 2024 financial statement for Development Services. While I have not yet had time to review the revenue and expenses statement in detail, I do have a summary for you:

Through June 2024 we are at 44.10% of budgeted revenue, and 48.76% of budgeted expenses.

This is actually very good considering the types and volume of activity we have had.

A conservative approach to the 2024 DS Fund revenue forecast seems to have been correct, at least through June. 2023 permit activity looked much like 2024 to this point in the year. 2023 became busy the second half of the year.

Since Covid, permit trends have changed.

T-Mobile Message

Included with this staff report is the full message from Matt Russo of T-Mobile dated June 28, 2024. The letter is addressed to Mayor Rossman and Council.

T-Mobile does not currently have a permit application with the City of Medina.

The text of the letter is self-explanatory and is a follow-up to the T-Mobile public presentation to Council on May 28, 2024.

The reason I am including the T-Mobile letter in this report is that I have found that some residents read these staff reports. I see this as one method of helping to inform residents of issues that they have previously shown interest in, and cellular sites is one of those.

Following the letter, I received a phone call from T-Mobile staff informing me that an application would be submitted to Medina soon. I was told that this future permit application submittal will include the monopine concealment option, and that this will be for the existing cellular site adjacent to Evergreen Point Road near the transit station.

As I know more about a permit application from T-Mobile, I will keep you informed. For now, there are no permit applications from T-Mobile, but I believe that one is imminent.

I will want to know more about how residents feel about the monopine concealment when the time comes for that once we receive the permit application.

Wildland Urban Interface Code

I feel it is important to keep you informed about the Wildland Urban Interface Code adoption process. As currently discussed, the Wildland Urban Interface Code.

The 2021 Wildland Urban Interface Code (WUI) was adopted, then immediately repealed by Washington State. This was a mandated code that Medina adopted, then repealed following the State's action. Eventually, this code will be returning to Medina as a mandate for adoption, but not likely for at least another year.

On June 10, 2024 a State House Local Government Committee met to hear a presentation by the Department of Natural Resources regarding their current work on the WUI code. I attended this meeting virtually. Testimony was allowed and there were three Washington jurisdiction representatives who spoke in response to the DNR presentation.

A summary of this meeting is that Medina is not alone in our concerns regarding the application of the WUI. The "Defensible Area" issue remains a primary concern. The WUI will have a defensible area requirement in it. Defensible area will limit vegetation including trees (outer edge of branches) from being near to buildings by some distance. This is a fire protection matter. The potential impact on Medina is that the WUI could require that new development projects, and certain remodels and additions remove trees, and limit specific types of vegetation near buildings.

Local control of the WUI is a new discussion at the State. It is possible that implementation of the WUI will be at the County level. Any changes that Medina, or other jurisdictions may want to make to the WUI may only occur through approval by the Washington State Building Code based on current discussion.

The WUI may become another pressure on private tree preservation efforts in Medina, as well as private property landscaping. More to come on this as the WUI is re-created by various agencies and interest groups involved. If I see an appropriate opportunity to voice Medina's opinions about the WUI I will do that, but I will want input first. Possibly a letter followed by testimony.

Middle Housing

The first two Middle Housing deliverables with a deadline of June 28, 2024 were completed and sent to the Department of Commerce. Our grant contract with DOC has a Scope of Work and timeline. The timeline includes deliverables and their due dates. In between deliverable due dates are various tasks with their own completion dates.

I had been asked to find a consultant to assist with the Middle Housing project. The closing date for the Middle Housing consultant RFQ is July 12th. The consultant will help lead Medina through the Middle Housing project. My hope is that the consultant is under contract by early August.

SB 5290 – Local Permit Review

Washington State is mandating new permit process be implemented in January 2025. Please see the MRSC document provided titled “2023 Legislative Updates to Modernize and Streamline Local Project Review”.

There will be the need for Planning Commission and Council involvement later this year due to required code amendment(s) that our City Attorney is currently considering.

Here are essentials about the new law with potential impacts on Medina:

- The new law will require Medina to meet new permit processing timelines.
- Failure to meet permit timelines will result in returning portions of fees to applicants.
- Our permit fees may require adjustment.
- There will be new procedures to draft and implement.
- Our staff will need to track permit timing, and may need to submit annual reports to the State.

As with all Washington jurisdictions, Medina has been under State mandated permit timelines since the early 1990’s with rare if any issues. To me, SB 5290 is taking what we already do and adding additional administration.

As more details associated with the impacts on Medina of SB 5290 are better defined I will provide those to you.

There is a grant to establish electronic permitting which does not apply to Medina, but otherwise this is a State unfunded mandate.

Planning Consultant

Medina contracted LDC Corp. at the beginning of 2024 with Kim Mahoney leading our Comprehensive Plan Update. We contracted with LDC primarily because of Kim. Kim left LDC in May and is now working in local government.

LDC has hired a replacement for Kim’s position. This new person is scheduled to start with LDC on July 15th. I have asked for the new person’s resume and for definition on how they will be used to fulfill the terms of our contract.

I will be meeting with LDC's Senior Vice President next week and will keep you informed as I know more.

Shoreline Permit Monitoring

Facet (formerly Watershed) is a company in Kirkland we contracted with in 2023 to perform a Department of Ecology study for us. The study was fully funded by a grant.

The study looked at how Medina has been doing regarding enforcing shorelines "No net loss" restoration laws. Facet sampled the past 10-years of Medina permits and found that we could do better. In addition to the study, Facet created a template for tracking shoreline restoration.

The study and template are based on anticipated Department of Ecology oversight of our shoreline permits. It is expected that within the next few years we will be mandated by DOE to follow new administrative process and the work Facet performed is intended to help us prepare for this.

This is another State unfunded mandate which in itself is manageable, but these compound.

Update: City Council 2024-2025 Development Services Workplan

This is a highlight rather than an in-depth update. If you would like more detail, I can work on that at your request.

Comprehensive Plan

All Elements are now with Department of Commerce and Puget Sound Regional Council for review. We expect to see the reviews completed by September and returned to Medina. Next steps will be defined by our Planning Manager.

Middle Housing Consultant

RFQ closing 7/12/24. DSC meeting the week of July 15th to review submittals. Contract completed by the second week in August.

Our grant agreement with the Department of Commerce outlines the schedule for deliverables. I provided the DOC grant agreement to Council at their request.

Tree Management Code Violations Section

I did not get this onto the second June Planning Commission meeting. Unfortunately, this will now need to wait until September for Planning Commission to see the draft of the proposed new tree code violations.

Because this is an amendment to our development regulations, Council, Planning Commission, SEPA, and Department of Commerce all have a part in this.

Non-Administrative Variance Policy and CAP Amendments

These are going to Planning Commission in September. Process is the same as the tree code violations amendment.