



## MEDINA CITY COUNCIL

Monday, December 12, 2022

**5:00 PM – REGULAR MEETING**

### AGENDA

#### VISION STATEMENT

Medina is a family-friendly, diverse and inclusive community on the shores of Lake Washington. With parks and open spaces, Medina is a quiet and safe small city, with active and highly-engaged residents. Medina honors its heritage while preserving its natural environment and resources for current and future generations.

#### MISSION STATEMENT

Ensure efficient delivery of quality public services, act as responsible stewards of Medina's financial and natural resources, celebrate diversity, leverage local talent, and promote the safety, health, and quality of life of those who live, work, and play in Medina.



# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL REGULAR MEETING

Hybrid - Virtual/In-Person  
Monday, December 12, 2022 – 5:00 PM

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### AGENDA

**MAYOR** | Jessica Rossman

**DEPUTY MAYOR** | Randy Reeves

**COUNCIL MEMBERS** | Cynthia F. Adkins, Jennifer Garone, Harini Gokul, Mac Johnston, Bob Zook

**CITY MANAGER** | Stephen R. Burns

**CITY ATTORNEY** | Scott Missall

**CITY CLERK** | Aimee Kellerman

#### Virtual Meeting Participation

The Medina City Council has moved to hybrid meetings, offering both in-person and online meeting participation. In accordance with the direction from Governor Inslee, masking and social distancing will be optional for those participating in person. Individuals who are participating online and wish to speak live must register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message before 2PM on the day of the December 12 Council meeting. Please reference Public Comments for December 12 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit. The city will also accept written comments. Any written comments must be submitted by 2 PM on the day of the December 12 Council meeting to the City Clerk at [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov).

#### [Join Zoom Meeting](#)

Meeting ID: 832 5227 3105

Passcode: 589036

One tap mobile

+12532158782,,83252273105# US (Tacoma)

#### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Adkins, Garone, Gokul, Johnston, Reeves, Rossman and Zook

#### 2. APPROVAL OF MEETING AGENDA

#### 3. PUBLIC COMMENT PERIOD

Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message **before 2PM** on the day of the December 12 Council

meeting. Please reference Public Comments for December 12 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

**4. PRESENTATIONS**

**4.1** Comprehensive Plan Update - Joint meeting with Planning Commission

Time Limit: 60 minutes

**\*\*10 Minute Break\*\***

**4.2** Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Time Estimate: 10 minutes

**5. CITY MANAGER'S REPORT**

Time Estimate: 15 minutes

Police, Development Services, Finance, Central Services, Public Works, City Attorney

**5.1a** City Manager's Monthly Report

**5.1b** Police Monthly Report

**5.1c** DS Monthly Report

**5.1d** Finance Monthly Report

**5.1e** CS Monthly Report

**5.1f** PW Monthly Report

**6. CONSENT AGENDA**

Time Estimate: 5 minutes

Consent agenda items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Councilmember or City staff requests the Council to remove an item from the consent agenda.

**6.1** November 2022, Check Register

**Recommendation:** Approve.

**Staff Contact:** Ryan Wagner, Finance Director

**6.2** Approved Park Board Meeting Minutes of September 19, 2022

**Recommendation:** Receive and file.

**Staff Contact:** Dawn Nations, Deputy City Clerk

[6.3](#) Approved Planning Commission Meeting Minutes of October 25, 2022

**Recommendation:** Receive and file.

**Staff Contact:** Stephanie Keyser, AICP, Planning Manager

[6.4](#) Draft Meeting Minutes of November 14, 2022

**Recommendation:** Adopt Minutes.

**Staff Contact:** Aimee Kellerman, CMC, City Clerk

7. **LEGISLATIVE HEARING**

None.

8. **PUBLIC HEARING**

[8.1](#) Planning Commission Annual Code Update

**Recommendation:** Approve.

**Staff Contact:** Stephanie Keyser, Planning Manager

Time Estimate: 10 minutes

9. **CITY BUSINESS**

[9.1](#) Letter of Support - Mercer Island Marine Patrol Funding

**Recommendation:** Approve.

**Staff Contact:** Stephen R. Burns, City Manager

Time Estimate: 10 minutes

[9.2](#) Soliciting Permit Recommendations

**Recommendation:** Discussion and direction.

**Staff Contact:** Jeff Sass, Police Chief

Time Estimate: 10 minutes

10. **REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

11. **PUBLIC COMMENT**

Comment period is limited to 10 minutes. Speaker comments limited to one minute per person.

12. **ADJOURNMENT**

Next regular City Council Meeting: January 9, 2023 at 5 PM.

## **ADDITIONAL INFORMATION**

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Medina City Hall.

The agenda items are accessible on the City's website at [www.medina-wa.gov](http://www.medina-wa.gov) on Thursdays or Fridays prior to the Regular City Council Meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

## **UPCOMING MEETINGS**

### ***Tuesday, December 27, 2022 – CANCELLED***

Monday, January 9, 2023 - City Council Meeting (5:00 PM)

### ***Monday, January 16, 2023 - Martin Luther King, Jr. Day - City Hall Closed***

Monday, January 23, 2023 - City Council Meeting (5:00 PM)

Monday, February 13, 2023 - City Council Meeting (5:00 PM)

### ***Monday, February 20, 2023 - President's Day - City Hall Closed***

Monday, February 27, 2023 - City Council Meeting (5:00 PM)

Monday, March 13, 2023 - City Council Meeting (5:00 PM)

Monday, March 27, 2023 - City Council Meeting (5:00 PM)

Monday, April 10, 2023 - City Council Meeting (5:00 PM)

Monday, April 24, 2023 - City Council Meeting (5:00 PM)

Monday, May 8, 2023 - City Council Meeting (5:00 PM)

Monday, May 22, 2023 - City Council Meeting (5:00 PM)

### ***Monday, May 29, 2023 - Memorial Day - CITY HALL CLOSED***

Monday, June 12, 2023 - City Council Meeting (5:00 PM)

Monday, June 26, 2023 - City Council Meeting (5:00 PM)

### ***Tuesday, July 4, 2023 - Independence Day - City Hall Closed***

Monday, July 10, 2023 - City Council Meeting (5:00 PM)

Monday, July 24, 2023 - City Council Meeting (5:00 PM)

Monday, August 14, 2023 - City Council Meeting - ***Dark No Meeting***

Monday, August 28, 2023 - City Council Meeting - ***Dark No Meeting***

### ***Monday, September 4, 2023 - Labor Day - City Hall Closed***

Monday, September 11, 2023 - City Council Meeting (5:00 PM)

Monday, September 25, 2023 - City Council Meeting (5:00 PM)

Monday, October 9, 2023 - City Council Meeting (5:00 PM)

Monday, October 23, 2023 - City Council Meeting (5:00 PM)

### ***Friday, November 10, 2023 - Veterans Day - City Hall Closed***

Monday, November 13, 2023 - City Council Meeting (5:00 PM)

### ***Thursday, November 23, 2023 - Thanksgiving Holiday - City Hall Closed***

### ***Friday, November 24, 2023 - Day After Thanksgiving Holiday - City Hall Closed***

Monday, November 27, 2023 - City Council Meeting (5:00 PM)

Monday, December 11, 2023 - City Council Meeting (5:00 PM)

### ***Monday, December 25, 2023 - Christmas Day - City Hall Closed***

**CERTIFICATION OF POSTING AGENDA**

The agenda for Monday, December 12, 2022 Regular Meeting of the Medina City Council was posted and available for review on Thursday, December 8, 2022 at City Hall of the City of Medina, 501 Evergreen Point Road, Medina, WA 98039. The agenda is also available on the city website at [www.medina-wa.gov](http://www.medina-wa.gov).

**NO ATTACHMENTS FOR AGENDA ITEM 4.1**



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

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**Date:** December 12, 2022

**To:** Honorable Mayor and City Council

**From:** Stephen R. Burns, City Manager

**Subject:** City Manager Report

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1. State Route 520 Expansion Joint – The University of Washington is working on their final report for the testing that was done over the summer – they had positive results. The final report is due to WSDOT by the end of December 2022. Medina staff will also be provided a copy of the report and we will forward to the full Council once received.
2. Bellevue Fire Report – Bellevue Fire Department provided a list of calls they respond to in the City of Medina. Attached is the list of the types of incidents and the number of times they responded to Medina in October and November 2022.

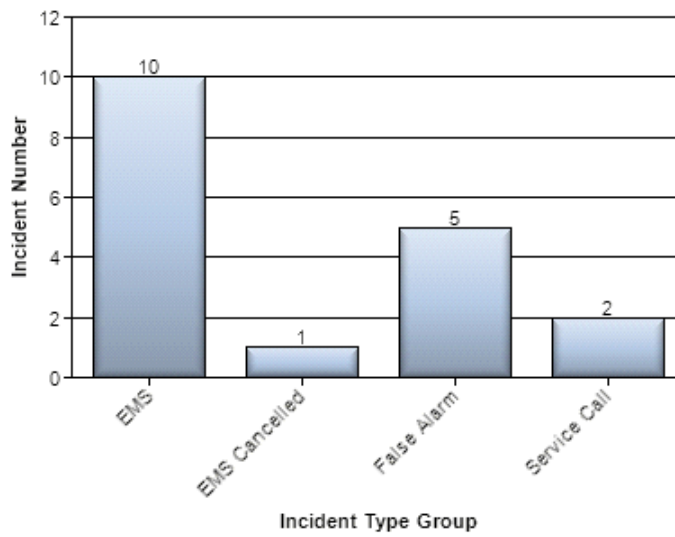


20180807 - Contract Cities Incident Types

Date: Monday, December 5, 2022  
 Time: 5:12:30 PM

Incident Date between 2022-10-01 and 2022-11-01  
 City equal to Medina

Incident Type Group	Incident Count
EMS	10
EMS Cancelled	1
False Alarm	5
Service Call	2

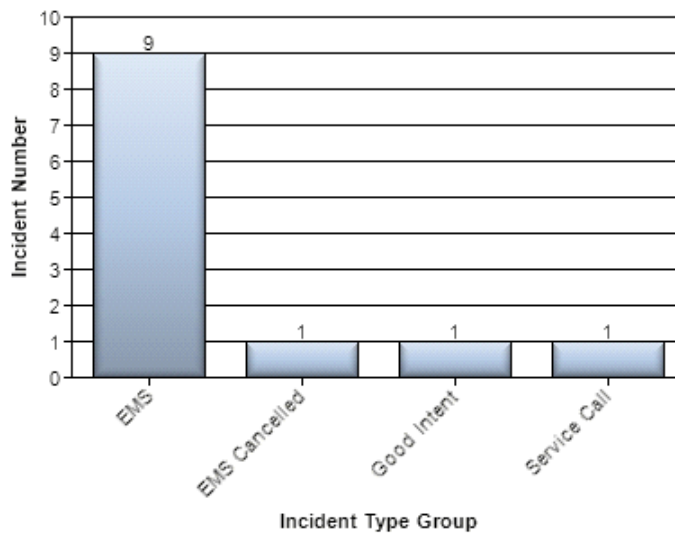


20180807 - Contract Cities Incident Types

Date: Monday, December 5, 2022  
Time: 5:10:17 PM

Incident Date between 2022-11-01 and 2022-12-01  
City equal to Medina

Incident Type Group	Incident Count
EMS	9
EMS Cancelled	1
Good Intent	1
Service Call	1





## MEDINA POLICE DEPARTMENT

**DATE:** December 12, 2022  
**TO:** Stephen R. Burns, City Manager  
**FROM:** Jeffrey R. Sass, Chief of Police  
**RE:** Police Department Update – November 2022

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The following is a summary highlighting some of the Medina Police Department activity in November 2022.

### **Follow up:**

Nothing to report.

### **Thanksgiving:**

There were no issues over Thanksgiving weekend.

### **Winter Weather:**

The first snowfall and icy conditions for the season began on November 29<sup>th</sup> and fortunately there were no dangerous hazards to report. Our officers were ready to coordinate with Public Works if needed to keep the roads plowed and sanded. The focus is always on community health, safety and doing the best for our residents.

### **Marine Patrol:**

Marine Patrol Sergeant Chad Schumacher advised that there was nothing to report for the Marine Patrol. He did want to mention that Argosy Cruises has started their caroling cruises in Lake Washington and Lake Union. If vessel owners follow the Argosy vessels, he would like to remind the vessel owners to give them a buffer because the vessels make wide, slow turns. Also, please dress warm for the occasion.



**MEDINA POLICE DEPARTMENT**  
*Jeff Sass, Chief of Police*  
**MONTHLY SUMMARY**  
**NOVEMBER 2022**



**FELONY CRIMES**

**Fraud** **2022-00004384** **11/02/2022**

The Police Department was contacted for a report of a fraudulent wire transfer from a retirement account. The approximate loss was \$50,000. No suspects at this time.

**Theft** **2022-00004657** **11/27/2022**

A Police Officer observed a vehicle parked in the 7600 block of NE 12<sup>th</sup> St next to a mailbox pergola. The officer observed 2 open mailboxes and conducted a traffic stop. The officer observed mail in the vehicle. The officer impounded the vehicle for a search warrant and charges will be filed.

**MISDEMEANOR CRIMES**

**Trespass** **2022-00004421** **11/05/2022**

A Police Officer was dispatched to the 1800 block of 73<sup>rd</sup> Ave NE for a report of a subject trespassing on the property. The subject was contacted, and a Notice of Trespass letter was issued to the subject.

**Disorderly Conduct** **2022-00004454** **11/09/2022**

A Police Officer was dispatched to the 2600 block of 78<sup>th</sup> Ave NE for a report of a disturbance. The report was received as a verbal altercation with a pedestrian being aggressive and not allowing a female driver to pass, prompting the pedestrian to be charged with disorderly conduct.

**OTHER**

**DUI** **2022-00004661** **11/28/2022**

A Police Officer observed a vehicle parked in the 500 block of Evergreen Point Road. The vehicle's engine was running, and an open alcohol container was observed in the center console along with a sealed alcohol container on the passenger seat. The driver was arrested for DUI physical control. The vehicle was impounded, and charges were filed.



# MEDINA POLICE DEPARTMENT

Jeffrey R. Sass, Chief of Police

City of Medina



## November 2022 - Monthly Report

CRIMES	Current Month	YTD 2022	YTD 2021	Year-End 2021
Burglary	0	10	11	13
Vehicle Prowl	0	4	12	13
Vehicle Theft	0	7	1	2
Theft (mail & all other)	1	8	10	15
ID Theft/Fraud	1	16	9	11
Malicious Mischief (Vandalism)	0	5	6	6
Domestic Violence/Violation of Contact Order	No 0	5	7	10
Disturbance, Harassment & Non-DV Assault	3	16	15	17
<b>TOTAL CRIMES</b>	<b>5</b>	<b>71</b>	<b>71</b>	<b>87</b>

COMMUNITY POLICING	Current Month	YTD 2022	YTD 2021	Year-End 2021
Drug Violations - Referrals to Treatment	0	1	1	1
Community Assists	11	130	106	116
House Watch Checks	20	475	500	548
School Zone	11	201	272	304
Mental Health	3	38	43	49
<b>TOTAL ENFORCEMENT</b>	<b>45</b>	<b>845</b>	<b>922</b>	<b>1018</b>

TRAFFIC	Current Month	YTD 2022	YTD 2021	Year-End 2021
Collisions				
Injury	0	2	0	0
Non-Injury	1	6	16	18
Non-Reportable	0	1	N/A	N/A
Traffic Stops				
Citations/Infractions/Parking	3	237	165	171
Warnings	75	1224	1704	1808
Directed Patrol	1	95	487	488
<b>TOTAL TRAFFIC</b>	<b>80</b>	<b>1565</b>	<b>2372</b>	<b>2485</b>

CALLS FOR SERVICE	Current Month	YTD 2022	YTD 2021	Year-End 2021
Animal Complaints	1	45	31	33
Residential Alarms	26	226	224	242
Missing Person	1	5	9	9
Suspicious Activity/Area Check	15	208	281	304
Medical Call/Assist Fire Department	0	27	40	47
Juvenile (underage party, substance use, etc.)	0	7	11	11
<b>TOTAL SERVICE</b>	<b>43</b>	<b>518</b>	<b>596</b>	<b>646</b>

*\*This report does not include all calls for service handled by Medina Police Officers. It is meant to be an overview of general calls for service within the specified reporting period.*



**MEDINA POLICE DEPARTMENT**  
*Jeff Sass, Chief of Police*  
**MONTHLY SUMMARY**  
**NOVEMBER 2022**

TOWN OF  
**HUNTS POINT**  
*Washington*

**FELONY CRIMES**

**Burglary** **2022-00004432** **11/07/2022**

A Police Officer was dispatched to the 8300 block of Hunts Point Circle for a reported burglary. The home is unoccupied and scheduled for demolition. Entry was made by removing the lockbox on the front door. Several hoses and cords were taken from the residence. No suspects at this time.

**MISDEMEANOR CRIMES**

**Trespass** **2022-00004629** **11/23/2022**

Police were dispatched to a report of a subject trespassing in the 4000 block of Hunts Point Circle. The subject had been previously given a written warning to not return to the property but returned, violating the terms of the trespass warning letter. The subject was arrested for criminal trespass in the second degree, booked into jail and their vehicle was impounded from the area.

**MARINE PATROL**

From Marine Patrol Sergeant Chad Schumacher: We have nothing to report for the Marine Patrol. I would like to mention that Argosy Cruises is starting their caroling cruises this coming weekend and will have cruises throughout the month in Lake Washington and Lake Union. If vessel owners follow the Argosy vessels, we would like to remind the vessel owners to give them a buffer because the vessels make wide, slow turns. Also, please dress warm for the occasion.



# MEDINA POLICE DEPARTMENT

Jeffrey R. Sass, Chief of Police

Town of Hunts Point



## November 2022 - Monthly Report

CRIMES	Current Month	YTD 2022	YTD 2021	Year-End 2021
Burglary	1	1	1	1
Vehicle Prowl	0	0	1	1
Vehicle Theft	0	0	2	2
Theft (mail & all other)	0	4	3	3
ID Theft/Fraud	0	2	1	1
Malicious Mischief (Vandalism)	0	2	1	2
Domestic Violence	0	1	2	2
Disturbance, Harassment & Non-DV Assault	0	4	1	1
<b>TOTAL CRIMES</b>	<b>1</b>	<b>14</b>	<b>12</b>	<b>13</b>

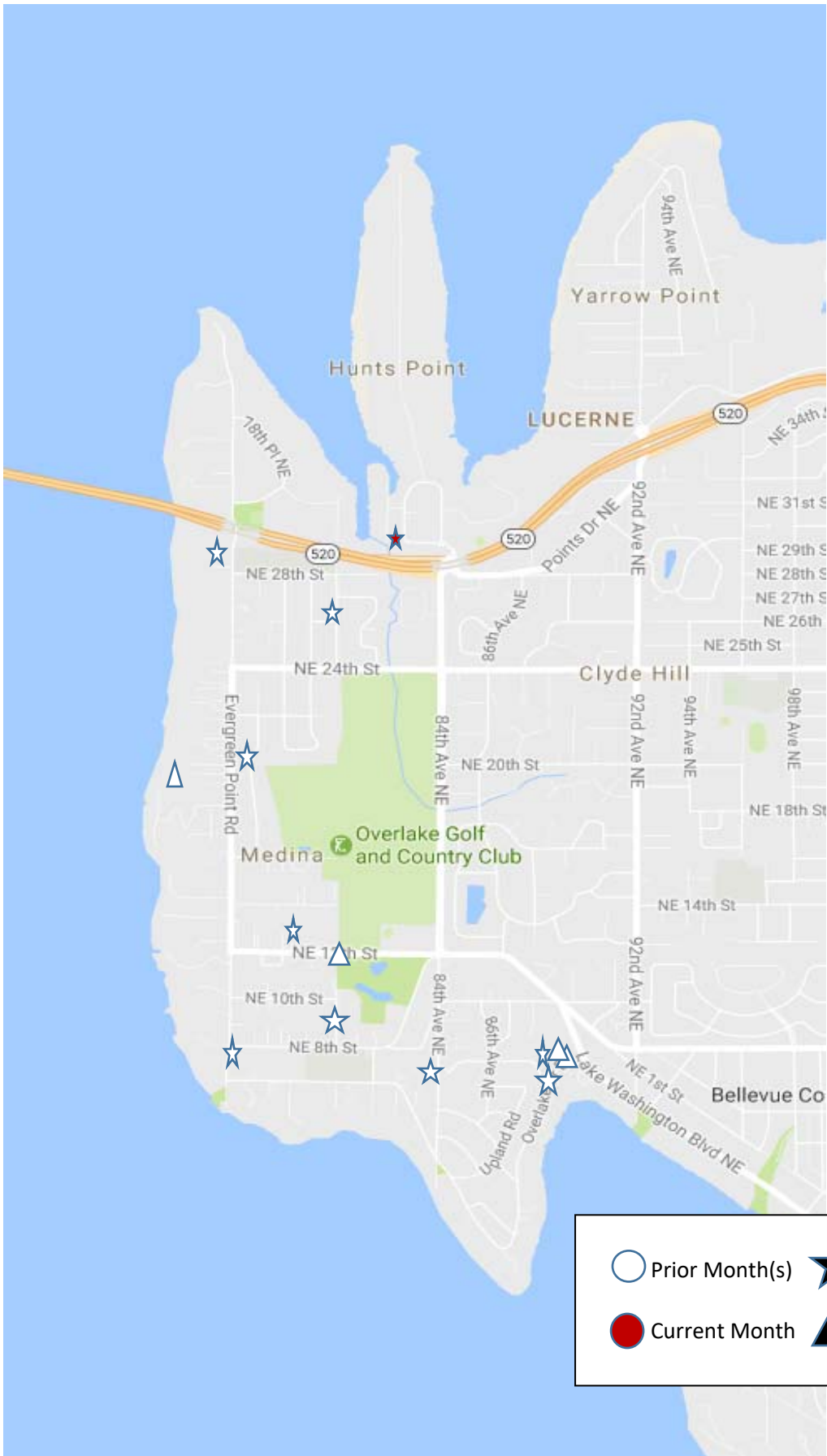
COMMUNITY POLICING	Current Month	YTD 2022	YTD 2021	Year-End 2021
Drug Violations - Referrals to Treatment	0	0	0	0
Community Assists	1	16	10	11
House Watch Checks	4	48	62	66
Mental Health	0	11	5	5
<b>TOTAL ENFORCEMENT</b>	<b>5</b>	<b>75</b>	<b>77</b>	<b>82</b>

TRAFFIC	Current Month	YTD 2022	YTD 2021	Year-End 2021
Collisions				
Injury	0	0	0	0
Non-Injury	0	1	0	1
Non-Reportable	0	1	0	0
Traffic Stops				
Citations/Infractions/Parking	7	79	25	28
Warnings	25	231	178	187
Directed Patrol	0	25	37	38
<b>TOTAL TRAFFIC</b>	<b>32</b>	<b>337</b>	<b>240</b>	<b>254</b>

CALLS FOR SERVICE	Current Month	YTD 2022	YTD 2021	Year-End 2021
Animal Complaints	0	4	5	5
Residential Alarms	1	29	22	24
Missing Person	0	0	0	0
Suspicious Activity/Area Check	5	20	33	33
Medical Call/Assist Fire Department	0	5	2	2
Juvenile (underage party, substance use, etc.)	0	0	1	1
<b>TOTAL SERVICE</b>	<b>6</b>	<b>58</b>	<b>63</b>	<b>65</b>

\*This report does not include all calls for service handled by Medina Police Officers. It is meant to be an overview of general calls for service within the specified reporting period.

# 2022 Burglaries & Vehicle Prowls Medina & Hunts Point







# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

**Date:** December 12, 2022  
**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

I would enjoy talking with you individually about anything in this report. The best way to contact me is at [swilcox@medina-wa.gov](mailto:swilcox@medina-wa.gov). Also 206-235-9137 or 425-233-6409.

## Permit Activity

Please see the two permit activity reports provided. You will notice in the “November 2022 Issued Permits” report that the Total Value of permits issued continued the 2022 trend. November was an exceptionally slow month for permit issuance and our year-to-date permit valuation total is behind 2021 by nearly 28%.

## Development Services Fund

2023 will be a year of evaluation, preparation, and possible action towards changing certain aspects of the Development Services Fund. The DS Fund is new to 2022 and we have learned some positives and negatives through using the fund during the past year. Pending City Manager and Council input and approvals, a goal in the first half of 2023 will be to build the framework for a 2024 DS Fund budget that is sustainable. Currently, we are preparing for a discussion that we hope to have with Council regarding DS Fund concepts sometime in early 2023.

In the previous Development Services Staff Report dated November 14, 2022, a general overview was provided which was titled “Development Services Fund Concepts”. These described concepts are being further developed through research, staff discussions, and consultation with Municipal Research and Services Center (MRSC). A more complete draft of concepts for changes to the DS Fund will eventually need to be reviewed by our City Attorney prior to an initial discussion with Council.

The overall purpose of this new concept discussion is the idea of creating a DS Fund that is independently sustainable through the highs and lows of the local development economy. The DS Fund should not be assumed that it can currently be independent of the General Fund through year-to-year local development activity changes. Considering the recently approved Medina tax levy, a separation of costs and services associated with development activity should be consistently shown, and the DS Fund was established in 2022 with that as a primary motive. However, the DS Fund was not established in a manner which can confirm independence and sustainability over time.

Assuming Council approval, a goal for achieving changes to our DS Fund would be the start of the 2024 budget preparation next summer. I would enjoy speaking with you individually about this prior to what I hope is an early 2023 discussion with the full Council.

### **Planning Commission**

By Stephanie Keyser, Planning Manager

Planning Commission held a public hearing on their annual minor code amendments during their November 15<sup>th</sup> meeting. After discussion, consideration of staff's recommendation, and a review of the record, Planning Commission voted unanimously (7-0) to recommend approval of the minor code amendments. December's Planning Commission meeting has been canceled in lieu of the joint meeting that will be held during the first hour of the December 12<sup>th</sup> Council meeting.

### **Comp Plan**

The first city-wide Comp Plan survey has been released and will be open until January 28, 2023. To ensure we capitalize on receiving as much input as we can, the City is using the following strategies: weekly email and social media reminders will be sent out from now until the survey's close; sandwich boards with a QR code will be placed in the parks and outside of City Hall; hard copies will be mailed to every house in Medina; and hard copies will be available at City Hall to pick up.

Staff continues to work with CREA on finalizing the GMA checklist (this is the first item required by our GMA Grant) and doing a first review of the Comprehensive Plan goals and policies. This is an initial edit by staff to remove policies and goals that have been achieved or are now codified. All new goals and policies will be discussed and agreed upon by Planning Commission and Council. In preparation for the joint PC/CC meeting, the Development Services Committee (DSC) met on Monday, December 5<sup>th</sup> to preview CREA's presentation and related materials.

### **Construction Activity and General Medina Municipal Code Enforcement**

Our staff placed emphasis on garbage/recycle bin enforcement this past month. We have not had many positive results by placing notices on bins. We want to avoid taking formal actions such as issuing citations for leaving bins out, but it remains an option.

Staff has been asked to contact individuals who leave bins in the public right of way on a regular basis, and work with them towards code compliant solutions. All of this takes time so this may be a slow process, but we will continue to be diligent. Bin enforcement is a regular weekly activity for us.

### **Tree Management Code Enforcement**

Please see the two reports by our Tree Management Code consultants. You may notice that our reports are evolving and we are now close to having a template, If you have comments or ideas for improvements please let me know.

At the second Council meeting in January 2023 our two City Arborists will make a joint presentation. The purpose of the presentation is to make you aware of experiences and

thoughts our two new City Arborists now have after using our Tree Management Code for several months. Both of our Arborists have experience with other local jurisdictions which they will use to give you some comparisons.

Andy Crossett is our non-development project arborist consultant. Andy responds to requests from homeowners who want to remove a tree on their property or in the adjacent public right of way. Andy also performs code enforcement and hazardous tree evaluations on non-development projects.

Sean Dugan is our development project arborist consultant. Sean participates in our pre-application process, reviews development site permit applications, performs inspections, performs code enforcement on development sites, and will assist the City with code amendments, the Comprehensive Plan Update and other.

We have two arborist's performing similar, but different tasks for us. When soliciting to find a new arborist following Tom Early's departure last year we were not able to find a person who could perform the entire job description for us. Now, we have two qualified arborist consultants.

#### Tree Infestation Concerns

Recently Andy Crossett was asked by a Medina resident to evaluate a tree for removal. In October, a resident requested an inspection of a legacy-sized Douglas fir on her property. She was concerned about a possible Bark Beetle infestation due to information received by a representative of Evergreen Tree Service which is a local arborist/tree service company. It was claimed that the resident's tree was "infested" and would likely die and fall on her house. It was stated that there is an on-going Bark Beetle "infestation" in Medina. Our City Arborist inspected the tree and found no sign of the beetles. Our Arborist has inspected many Douglas Fir throughout Medina and has found no evidence of a Bark Beetle infestation.

#### **2021 Washington State Building Code**

The 2021 Washington State Building Code ("State Code") was adopted by the state. We will need to implement the 2021 codes on July 1, 2023. The implementation date could change.

Once a comparison of code changes has been prepared we will share that in a staff report. The primary effect of the code change will be in energy efficiency through the Washington State Energy Code. Council will be asked to approve the adoption of the 2021 Washington State Building Code.

## November 2022 Permit Applications Received

Permit Type	Submitted Date	Permit Number	Total Valuation	Address
B-ADD/ALT	11/03/2022	B-22-124	\$2,923.00	3436 EVERGREEN POINT RD
B-ADD/ALT	11/16/2022	B-22-129	\$203,780.00	802 EVERGREEN POINT RD
<b>TOTAL B-ADD/ALT:</b>	<b>2</b>		<b>\$206,703.00</b>	
B-DECK	11/24/2022	B-22-134	\$100,295.00	2005 EVERGREEN POINT RD
<b>TOTAL B-DECK:</b>	<b>1</b>		<b>\$100,295.00</b>	
B-DEM	11/16/2022	D-22-019		8637 NE 6TH ST
B-DEM	11/17/2022	D-22-020		8457 NE 5TH ST
B-DEM	11/17/2022	D-22-021		3605 EVERGREEN POINT RD
<b>TOTAL B-DEM:</b>	<b>3</b>		<b>\$0.00</b>	
B-FENCE	11/05/2022	B-22-125	\$112,000.00	8000 NE 16TH ST
B-FENCE	11/07/2022	B-22-126	\$8,500.00	7617 NE 24TH ST
<b>TOTAL B-FENCE:</b>	<b>2</b>		<b>\$120,500.00</b>	
B-GAS	11/02/2022	G-22-035		850 80TH AVE NE
B-GAS	11/09/2022	G-22-036		2039 77TH AVE NE
B-GAS	11/13/2022	G-22-037		8658 NE 7TH ST
<b>TOTAL B-GAS:</b>	<b>3</b>		<b>\$0.00</b>	

B-GATE	11/22/2022	B-22-132	\$6,400.00	7728 OVERLAKE DR W
<b>TOTAL B-GATE:</b>	<b>1</b>		<b>\$6,400.00</b>	
B-MECHANICAL	11/02/2022	M-22-109		3242 Evergreen Pt Rd
B-MECHANICAL	11/03/2022	M-22-110		850 80TH AVE NE
B-MECHANICAL	11/08/2022	M-22-111		8627 LAKE WASHINGTON BLVD NE
B-MECHANICAL	11/16/2022	M-22-112		2628 82ND AVE NE
B-MECHANICAL	11/29/2022	M-22-113		3448 78TH PL NE
<b>TOTAL B-MECHANICAL:</b>	<b>5</b>		<b>\$0.00</b>	
B-PLUMBING	11/19/2022	P-22-066		1455 EVERGREEN POINT RD
<b>TOTAL B-PLUMBING:</b>	<b>1</b>		<b>\$0.00</b>	
B-RES-SFR	11/15/2022	B-22-127	\$6,300,000.00	3450 EVERGREEN POINT RD
<b>TOTAL B-RES-SFR:</b>	<b>1</b>		<b>\$6,300,000.00</b>	
B-SFR	11/17/2022	B-22-130	\$1,996,748.00	8457 NE 5TH ST
B-SFR	11/01/2022	B-22-123	\$2,923.00	3436 EVERGREEN POINT RD
B-SFR	11/22/2022	B-22-131	\$4,173,950.00	7652 NE 12TH ST
B-SFR	11/16/2022	B-22-128	\$5,000,000.00	8637 NE 6TH ST

B-SFR	11/23/2022	B-22-133	\$6,300,000.00	3450 EVERGREEN POINT RD
<b>TOTAL B-SFR:</b>	<b>5</b>		<b>\$17,473,621.00</b>	
CAP - CONSTRUCTION ACTIVITY PERMIT	11/04/2022	CAP-22-032		2439 78th Ave NE
CAP - CONSTRUCTION ACTIVITY PERMIT	11/18/2022	CAP-22-037		7652 NE 12TH ST
CAP - CONSTRUCTION ACTIVITY PERMIT	11/16/2022	CAP-22-033		8637 NE 6TH ST
CAP - CONSTRUCTION ACTIVITY PERMIT	11/16/2022	CAP-22-034		2420 76TH AVE NE
CAP - CONSTRUCTION ACTIVITY PERMIT	11/17/2022	CAP-22-035		8457 NE 5TH ST
CAP - CONSTRUCTION ACTIVITY PERMIT	11/17/2022	CAP-22-036		3605 EVERGREEN POINT RD
CAP - CONSTRUCTION ACTIVITY PERMIT	11/28/2022	CAP-22-038		802 EVERGREEN POINT RD
<b>TOTAL CAP - CONSTRUCTION ACTIVITY PERMIT:</b>	<b>7</b>		<b>\$0.00</b>	
ENG-GRADING/DRAINAGE	11/18/2022	ENG-GD-22-028		7652 NE 12TH ST
ENG-GRADING/DRAINAGE	11/16/2022	ENG-GD-22-026		8637 NE 6TH ST
ENG-GRADING/DRAINAGE	11/17/2022	ENG-GD-22-027		8457 NE 5TH ST
<b>TOTAL ENG-GRADING/DRAINAGE:</b>	<b>3</b>		<b>\$0.00</b>	
P-ADMIN SPECIAL USE	11/17/2022	P-22-065		8457 NE 5TH ST
<b>TOTAL P-ADMIN SPECIAL USE:</b>	<b>1</b>		<b>\$0.00</b>	

P-MINOR DEVIATION	11/03/2022	P-22-061		8029 NE 28TH ST
<b>TOTAL P-MINOR DEVIATION:</b>	<b>1</b>		<b>\$0.00</b>	
P-NON ADMIN SUBSTANTIAL DEV	11/07/2022	P-22-062		130 OVERLAKE DR E
<b>TOTAL P-NON ADMIN SUBSTANTIAL DEV:</b>	<b>1</b>		<b>\$0.00</b>	
P-SEPA THRESHOLD	11/10/2022	P-22-064		122 OVERLAKE DR E
P-SEPA THRESHOLD	11/07/2022	P-22-063		130 OVERLAKE DR E
<b>TOTAL P-SEPA THRESHOLD:</b>	<b>2</b>		<b>\$0.00</b>	
PW-RIGHT OF WAY	11/10/2022	PW-ROW-22-095		1645 73RD AVE NE
PW-RIGHT OF WAY	11/16/2022	PW-ROW-22-096		1200 EVERGREEN POINT RD
PW-RIGHT OF WAY	11/17/2022	PW-ROW-22-097		8658 NE 7TH ST
PW-RIGHT OF WAY	11/30/2022	PW-ROW-22-098		247 84TH AVE NE
<b>TOTAL PW-RIGHT OF WAY:</b>	<b>4</b>		<b>\$0.00</b>	
TREE-HAZARD EVALUATION	11/15/2022	TREE-22-077		2548 MEDINA CIR
TREE-HAZARD EVALUATION	11/22/2022	TREE-22-081		8718 Overlake Dr W
<b>TOTAL TREE-HAZARD EVALUATION:</b>	<b>2</b>		<b>\$0.00</b>	
TREE-NON ADMIN TREE ACTIVITY PERMIT	11/17/2022	TREE-22-079		8457 NE 5TH ST
<b>TOTAL TREE-NON ADMIN TREE ACTIVITY PERMIT:</b>	<b>1</b>		<b>\$0.00</b>	

TREE-PERFORMANCE	11/04/2022	TREE-22-074		8000 NE 16TH ST
TREE-PERFORMANCE	11/01/2022	TREE-22-073		8233 OVERLAKE DR W
TREE-PERFORMANCE	11/14/2022	TREE-22-076		3340 EVERGREEN POINT RD
<b>TOTAL TREE-PERFORMANCE:</b>	<b>3</b>		<b>\$0.00</b>	
TREE-WITH BUILDING/DEVELOPMENT	11/06/2022	TREE-22-075		922 87TH AVE NE
TREE-WITH BUILDING/DEVELOPMENT	11/18/2022	TREE-22-080		7652 NE 12TH ST
TREE-WITH BUILDING/DEVELOPMENT	11/16/2022	TREE-22-078		8637 NE 6TH ST
<b>TOTAL TREE-WITH BUILDING/DEVELOPMENT:</b>	<b>3</b>		<b>\$0.00</b>	
<b>Total # of Permits</b>	<b>52</b>		<b>\$24,207,519.00</b>	





## November 2022 Issued Permits

Page 1 of 1

Report run on: 12/01/2022 01:30 PM

<b>Construction Value:</b>	<b>November 2022</b>	<b>November 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
Accessory Structure	-	-	\$70,000.00	-	\$70,000.00
Addition / Alteration	\$47,455.28	\$77,932.00	\$3,271,896.32	\$11,400,251.21	(\$8,128,354.89)
Fence / Wall	\$150,500.00	\$11,100.00	\$429,536.00	\$455,900.00	(\$26,364.00)
New Construction	-	-	\$27,948,828.40	\$31,766,487.00	(\$3,817,658.60)
Repair / Replace	-	-	-	-	\$0.00
Wireless Comm. Facility	-	-	\$70,000.00	-	\$70,000.00
<b>Total Value:</b>	<b>\$197,955.28</b>	<b>\$89,032.00</b>	<b>\$31,790,260.72</b>	<b>\$43,622,638.21</b>	<b>(\$11,832,377.49)</b>
<b>Permits Issued:</b>	<b>November 2022</b>	<b>November 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
New Construction	-	-	15	15	0
Permit Extension	3	-	47	35	12
Accessory Structure	-	-	1	-	1
Addition / Alteration	3	3	22	35	(13)
Construction Activity Permit	1	-	23	24	(1)
Demolition	-	-	11	18	(7)
Fence / Wall	3	3	18	16	2
Grading / Drainage	1	-	19	23	(4)
Mechanical	7	4	94	75	19
Other - Moving	-	-	-	-	0
Plumbing / Gas	5	4	69	82	(13)
Repair / Replace	-	-	-	-	0
Reroof	-	-	-	-	0
Right of Way Use	3	4	77	86	(9)
Tree Mitigation	5	9	54	65	(11)
Wireless Comm. Facility	-	-	1	-	1
<b>Total Permits:</b>	<b>31</b>	<b>27</b>	<b>451</b>	<b>474</b>	<b>(23)</b>
<b>Inspections:</b>	<b>November 2022</b>	<b>November 2021</b>	<b>2022 YTM</b>	<b>2021 YTM</b>	<b>Difference</b>
Building	65	122	957	1,003	(46)
Engineering/Other	9	16	219	335	(116)
	3	2	61	61	0
Tree	7	-	67	20	47
<b>Total Inspections:</b>	<b>84</b>	<b>140</b>	<b>1,304</b>	<b>1,419</b>	<b>(115)</b>



## November Code Enforcement Report

Case Number	Case Type	Assigned To	Address	Case Text
CC-2022-190	REFUSE BINS	Rob Kilmer	7800 NE 10TH ST	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-156	GENERAL	Rob Kilmer	7545 NE 28TH PL	<p>Description: Received information about a restriction to the cul-de-sac caused by work vehicles.</p> <p>Action Taken: Spoke with the Nussbaum Group property maintenance superintendent to let them know that the roadway cannot be restricted as it</p>
CC-2022-158	REFUSE BINS	Rob Kilmer	7848 NE 10TH ST	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-160	REFUSE BINS	Rob Kilmer	7844 NE 10TH ST	<p>Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (Garbage and Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-161	REFUSE BINS	Rob Kilmer	7842 NE 10TH ST	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-162	REFUSE BINS	Rob Kilmer	817 82ND AVE NE	<p>Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (Garbage &amp; Recycling).</p> <p>Action Taken: Attached City of Medina reminder notice to bins.</p>
CC-2022-163	REFUSE BINS	Rob Kilmer	3327 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>
CC-2022-164	REFUSE BINS	Rob Kilmer	3450 EVERGREEN POINT RD	<p>Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).</p> <p>Action Taken: Attached City of Medina reminder notice to bin.</p>

CC-2022-165	REFUSE BINS	Rob Kilmer	3230 78TH PL NE	Description: 3 Refuse bins left in Right-of-Way beyond 24-hour period (Garbage, Yard waste, Recycling).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-166	REFUSE BINS	Rob Kilmer	2637 77TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage & Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-167	REFUSE BINS	Rob Kilmer	3226 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-168	REFUSE BINS	Rob Kilmer	2626 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-169	REFUSE BINS	Rob Kilmer	7725 NE 8TH ST	Description: Refuse bins left in Right-of-Way beyond 24-hour period (3 Yard Waste).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-170	SIGN VIOLATION	Rob Kilmer	Corner of 82nd and 84th	Description: Commercial advertising sign (Christmas Lights Install) observed in ROW  Action Taken: Removed sign and notified company regarding sign rules in Medina.
CC-2022-171	FORMAL, WRITTEN WARNING	Rob Kilmer	2058 78TH AVE NE	Description: Second occurrence of bins in ROW  Action Taken: Mailed formal, written warning to homeowner.
CC-2022-172	FORMAL, WRITTEN WARNING	Rob Kilmer	3245 EVERGREEN POINT RD	Description: Second occurrence of 4 bins in ROW  Action Taken: Mailed formal, written warning to homeowner
CC-2022-173	FORMAL, WRITTEN WARNING	Rob Kilmer	3230 78TH PL NE	Description: Second occurrence of bins in ROW  Action Taken: Mailed formal, written warning to homeowner.

CC-2022-174	FORMAL, WRITTEN WARNING	Rob Kilmer	3226 78TH PL NE	Description: Second occurrence of  Action Taken: Mailed formal, written warning to homeowner.
CC-2022-175	REFUSE BINS	Rob Kilmer	3327 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Yard waste & Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-176	REFUSE BINS	Rob Kilmer	3435 EVERGREEN POINT RD	Description: 3 Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste & 2 Recycling).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-177	REFUSE BINS	Rob Kilmer	3239 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-178	REFUSE BINS	Rob Kilmer	3230 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-179	REFUSE BINS	Rob Kilmer	3204 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-180	REFUSE BINS	Rob Kilmer	2633 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-181	REFUSE BINS	Rob Kilmer	2460 76TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-182	REFUSE BINS	Rob Kilmer	2655 78TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.

CC-2022-183	REFUSE BINS	Rob Kilmer	2626 78TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-184	REFUSE BINS	Rob Kilmer	2615 80TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-185	REFUSE BINS	Rob Kilmer	8030 NE 27TH ST	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-186	REFUSE BINS	Rob Kilmer	2519 82ND AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-187	REFUSE BINS	Rob Kilmer	2539 82ND AVE NE	Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (Garbage & Yard Waste).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-188	SIGN VIOLATION	Rob Kilmer	NE 12th & 84th Ave NE	Description: Advertising sign placed in City Right-of-Way  Action Taken: Removed sign and notified owner of Medina Municipal Code rules regarding signs.
CC-2022-189	REFUSE BINS	Rob Kilmer	7749 NE 8TH ST	Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (2 Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-191	REFUSE BINS	Rob Kilmer	7808 NE 10TH ST	Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-192	REFUSE BINS	Rob Kilmer	7848 NE 10TH ST	Description: 2 Refuse bins left in Right-of-Way beyond 24-hour period (2 Recycling).  Action Taken: Attached City of Medina reminder notice to bin.

CC-2022-193	FORMAL, WRITTEN WARNING	Rob Kilmer	2626 78TH AVE NE	Description: Second occurrence of  Action Taken: Mailed formal, written warning to homeowner
CC-2022-194	FORMAL, WRITTEN WARNING	Rob Kilmer	3327 EVERGREEN POINT RD	Description: Second occurrence of bins in ROW  Action Taken: Mailed formal, written warning to homeowner
CC-2022-195	GENERAL	Rob Kilmer	8224 OVERLAKE DR W	Description: Observed structure on property that requires a building permit.  Action Taken: Spoke with property's Agent and will work with them to have an application and review of the structure done.
CC-2022-197	STOP WORK ORDER	Rob Kilmer	7808 NE 12TH ST	Description: Received report of a fence being constructed without a permit.  Action Taken: Visited site, spoke with occupants, workers, and Agent. Informed them that a permit is required before work can continue. Posted Stop Work Order.
CC-2022-198	REFUSE BINS	Rob Kilmer	3241 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-199	REFUSE BINS	Rob Kilmer	3450 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Recycle).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-200	REFUSE BINS	Rob Kilmer	3318 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-201	REFUSE BINS	Rob Kilmer	3239 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-202	REFUSE BINS	Rob Kilmer	3222 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.

CC-2022-203	REFUSE BINS	Rob Kilmer	3225 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-204	REFUSE BINS	Rob Kilmer	7640 NE 32ND ST	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Recycling, Yard Waste).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-205	REFUSE BINS	Rob Kilmer	Corner of 77th & 28th	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste). Owner of bin unknown. White notice attached to bin in photo is from the hauler, requiring the bin to be labeled with an address.  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-206	REFUSE BINS	Rob Kilmer	2519 82ND AVE NE	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste, Recycling, Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-207	REFUSE BINS	Rob Kilmer	8240 NE 26TH ST	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage, Yard Waste, Recycling).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-208	REFUSE BINS	Rob Kilmer	620 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-209	FORMAL, WRITTEN WARNING	Rob Kilmer	3242 Evergreen Point Road	Description: Received complaint regarding work beginning prior to allowed start time.  Action Taken: Issued formal, written warning to jobsite.
CC-2022-212	REFUSE BINS	Rob Kilmer	822 76TH AVE NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-213	REFUSE BINS	Rob Kilmer	1416, 1420, 1428 Evergreen Point Road	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Recycling). Owner of bin could not be determined.  Action Taken: Attached City of Medina reminder notice to bin.

CC-2022-214	REFUSE BINS	Rob Kilmer	3239 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-215	REFUSE BINS	Rob Kilmer	3243 EVERGREEN POINT RD	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-216	REFUSE BINS	Rob Kilmer	3619 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Recycling, Garbage).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-217	REFUSE BINS	Rob Kilmer	3640 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Recycling, Garbage).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-218	REFUSE BINS	Rob Kilmer	3327 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (2 Yard Waste).  Action Taken: Attached City of Medina reminder notice to bins.
CC-2022-219	REFUSE BINS	Rob Kilmer	3337 EVERGREEN POINT RD	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-220	REFUSE BINS	Rob Kilmer	3318 78TH PL NE	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Yard Waste).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-221	REFUSE BINS	Rob Kilmer	3210 78TH PL NE	Description: Refuse bin left in Right-of-Way beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-222	REFUSE BINS	Rob Kilmer	2226 79TH AVE NE	Description: Refuse bins left in Right-of-Way beyond 24-hour period (Recycling, Garbage).  Action Taken: Attached City of Medina reminder notice to bins.



CC-2022-223	REFUSE BINS	Rob Kilmer	2402 80TH AVE NE	Description: Refuse bin left in Right beyond 24-hour period (Garbage).  Action Taken: Attached City of Medina reminder notice to bin.
CC-2022-224	SIGN VIOLATION	Rob Kilmer	NE 12th & 84th Ave NE	Description: Commercial advertising sign (Professional Christmas Lights) displayed in the ROW.  Action Taken: Removed sign and notified company of Medina Municipal Code rules regarding signs.
CC-2022-226	SIGN VIOLATION	Rob Kilmer	7715 NE 22ND ST	Description: Commercial advertising sign (About Grout Tile Specialties) displayed in ROW  Action Taken: Removed sign and contacted company about the sign rules in Medina.
CC-2022-227	TREE INVESTIGATION	Sean Dugan	3244 Evergreen Point Road	Description: Received report of trees being removed without a permit.  Action Taken: Investigated site and put together a report for further code enforcement action.
CC-2022-228	TREE INVESTIGATION	Sean Dugan	1611 EVERGREEN POINT RD	Description: Was asked to review whether the site required a tree permit  Action Taken: Investigated site and reviewed project information.
CC-2022-229	TREE INVESTIGATION	Sean Dugan	619 84TH AVE NE	Description: Performed periodic project inspection  Action Taken: Determined that project was not in compliance with approved permit. Working with project managers to have corrections made.
CC-2022-154	CITATION	Steve Wilcox	3645 EVERGREEN POINT RD	Description: Tree found to have been removed without a permit.  Action Taken: Citation for tree removal issued.
CC-2022-155	CITATION	Steve Wilcox	2036 EVERGREEN POINT RD	Description: Three trees removed without issued tree permit.  Action Taken: Citation process initiated. Citation to be issued once ready.
CC-2022-210	CITATION	Steve Wilcox	3242 Evergreen Point Road	Description: Construction activity prior to allowed work hours.  Action Taken: Notice of Citation issued.

**Development Project Tree Permit Activity Report**  
**November 2022**  
 By Sean Dugan

Development Project - Permitted Tree Removal					
Permit Type	Address	# Trees Removed	Removed Tree Size (inches)	*Supplemental Required	Description
TREE-WITH BUILDING/DEVELOPMENT	3605 EVERGREEN POINT RD	3	8, 9, 22	6	New Single Family Home
Tree Admin-ROW Tree Removal	2439 78th Ave NE	2	8, 16	3	Trees located in the ROW in front of subject property, which is under development
TREE-WITH BUILDING/DEVELOPMENT	2420 76th Ave NE	12	6, 18, 18, 20, 20, 32	0	New Single Family Home
TREE-WITH BUILDING/DEVELOPMENT	2047 Evergreen Point Way	7	11, 37, 33, 21, 24, 28, 41	0	Demo existing residence and builed a new single family home
* Size meets minimum standards outlined in 16.52.100.A.1.					
Code Enforcement					
No permit	3244 Evergreen Point Rd.	2	6+	?	trees removed without a permit; citation under review



Three trees proposed for removal at 3605 Evergreen Point Road.



Trees in front of 2439 78<sup>th</sup> Ave. NE within the ROW proposed for removal.



Trees pruned/removed at 3244 Evergreen Point Road without a permit.

## Non-Development Tree Permit Activity Report November 2022 By Andy Crossett

Non-Development Tree Permit Activity Report					
Permit Type	Address	# Trees Removed	Removed Tree (Size)	Supplemental Required	Description
TREE-RESTORATION	945 88th AVE NE	3	8", 6", 13"	4	Unknown reason for removal.
TREE-RESTORATION	8233 Overlake Dr W	1	16"	2	Homeowner believes it was "past its useful life"
TREE-HAZARD EVALUATION	8718 Overlake Dr W	1	16"	1	Tree is uprooting and leaning on nearby plant material. It will soon completely uproot. Determined to be "high" risk.
TREE-PERFORMANCE	3340 EVERGREEN POINT RD	1	10"	0	Met tree unit requirements. No supplemental trees required.

\*If no picture is found below, either no picture was provided or camera couldn't pick up good image.

945 88<sup>th</sup> Ave NE – 1 Cherry, 1 Hinoki, 1 Apple



8233 Overlake Dr W – 1 Dogwood





# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
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**Date:** December 12, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen Burns, City Manager  
**From:** Ryan Wagner, Finance & HR Director  
**Subject:** November 2022 Financial Reporting

This Reports Includes:

- November AP Check Register Activity Detail
- Updates from Finance Department
- November Financial Reporting and Cash Position Report

Key Items from November 2022:

## Finance Summary

- November YTD financials and cash position report included
- 2021 Financial audit with the State Auditor's Office, getting closer to being finalized
- REVENUE HIGHLIGHTS
  - \$669K in property taxes, 99% collected through November
  - \$170K in sales tax revenue, \$1.71M to date (Slightly under what was budgeted)
  - \$180K in REET Revenue collected in November.
  - \$125K in YTD Investment Earnings
  - Department of Commerce Grant of \$26K Received
- EXPENSE HIGHLIGHTS
  - \$376K Payroll, includes ARPA employee bonuses
  - \$93K for 1<sup>st</sup> installment of Laserfiche implementation
  - \$277K to Kamins Construction
    - \$189K NE 7<sup>th</sup> St overlay
    - \$53K replace storm drain ring and covers
    - \$35K 86<sup>th</sup> and 5<sup>th</sup> paving

## November 2022 Financial Reporting

	NOVEMBER ACTUAL	NOVEMBER YTD ACTUAL	2022 ANNUAL BUDGET	% of Budget Total	REMAINING BUDGET
<b>General Fund</b>					
Property Tax	\$669,077	\$4,131,204	\$4,167,873	99.12%	\$36,669
Sales Tax	\$169,639	\$1,707,871	\$1,958,050	87.22%	\$250,179
Affordable & Sup. Housing	\$1,458	\$9,621	\$0	#DIV/0!	\$9,621
Criminal Justice	\$9,631	\$95,249	\$100,283	94.98%	\$5,034
B & O Tax: Utility & Franchise Fee	\$148,954	\$991,133	\$938,302	105.63%	(\$52,831)
Leasehold Excise Tax	\$910	\$1,696	\$3,042	55.77%	\$1,346
General Government (includes Hunts Point)	\$0	\$365,384	\$459,756	79.47%	\$94,372
Passports, General Licenses & Permits	\$1,016	\$2,562	\$404,492	0.63%	\$401,930
Fines, Penalties, Traffic Infr.	\$1,045	\$17,593	\$15,000	117.29%	(\$2,593)
Misc. Invest. Facility Leases	\$15,027	\$177,593	\$220,746	80.45%	\$43,153
Other Non Revenue, Dispositions	\$10,000	\$64,504	\$3,000	2150.13%	(\$61,504)
<b>General Fund Total</b>	<b>\$1,026,756</b>	<b>\$7,564,411</b>	<b>\$8,270,544</b>	<b>91.46%</b>	<b>\$706,133</b>
<b>Development Services Fund Total</b>	<b>\$77,956</b>	<b>\$1,875,515</b>	<b>\$2,356,895</b>	<b>79.58%</b>	<b>\$481,380.10</b>
Development Services Fund Transfers In from GF	\$0	\$1,000,000	\$1,000,000	100.00%	\$0.00
<b>Street Fund Total</b>	<b>\$37,430</b>	<b>\$421,454</b>	<b>\$520,328</b>	<b>81.00%</b>	<b>\$90,446</b>
Street Fund Transfers In from GF	\$33,461	\$368,066	\$401,527	91.67%	\$200,764
<b>Tree Fund Total</b>	<b>\$0</b>	<b>\$2,310</b>	<b>\$3,075</b>	<b>75.12%</b>	<b>\$765</b>
<b>Capital Fund Total</b>	<b>\$198,595</b>	<b>\$1,979,750</b>	<b>\$2,086,619</b>	<b>94.88%</b>	<b>\$106,869</b>
<b>Levy Stabilization Fund Total</b>	<b>\$41,667</b>	<b>\$458,333</b>	<b>\$500,000</b>	<b>91.67%</b>	<b>\$41,667</b>
Levy Fund Transfers In GF	\$41,667	\$458,333	\$500,000	91.67%	\$41,667
<b>NonRevenue Trust Funds Total</b>	<b>\$923</b>	<b>\$20,281</b>	<b>\$0</b>	<b>#DIV/0!</b>	<b>(\$20,281)</b>
<b>Master Investments Total</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$0</b>	<b>#DIV/0!</b>	<b>(\$250,000)</b>
<b>Total (All Funds)</b>	<b>\$1,383,327</b>	<b>\$12,572,053</b>	<b>\$13,737,461</b>	<b>91.52%</b>	<b>\$1,165,408</b>
Total (All Funds) Transfers In	\$75,127	\$1,826,400	\$1,901,527	96.05%	\$75,127

EXPENDITURES:	NOVEMBER ACTUAL	NOVEMBER YTD ACTUAL	2022 ANNUAL BUDGET	% of Budget Total	REMAINING BUDGET
<b>General Fund</b>					
Legislative	\$4,422	\$14,552	\$39,600	36.75%	\$25,048
Municipal Court	\$4,505	\$49,527	\$59,250	83.59%	\$9,723
Executive	\$22,690	\$271,507	\$317,257	85.58%	\$45,750
Finance	\$30,666	\$482,170	\$575,347	83.81%	\$93,177
Legal	\$24,433	\$212,593	\$311,200	68.31%	\$98,608
Central Services	\$175,029	\$901,232	\$1,116,045	80.75%	\$214,813
Police Operations	\$213,689	\$2,079,855	\$2,975,604	69.90%	\$895,749
Fire & Medical Aid	\$0	\$766,426	\$756,837	101.27%	(\$9,589)
Public Housing, Environmental & Mental Health Fees	\$224	\$17,215	\$46,691	36.87%	\$29,476
Recreational Services	\$0	\$38,086	\$48,500	78.53%	\$10,414
Parks	\$51,595	\$504,566	\$533,392	94.60%	\$28,826
Nonexpenditure	\$1,500	\$11,500	\$0	#DIV/0!	(\$11,500)
<b>General Fund Subtotal</b>	<b>\$528,753</b>	<b>\$5,349,228</b>	<b>\$6,779,723</b>	<b>78.90%</b>	<b>\$1,430,495</b>
General Fund Transfers Out	\$75,127	\$1,826,400	\$1,901,527	96.05%	\$75,127
<b>General Fund Total</b>	<b>\$603,880</b>	<b>\$7,175,628</b>	<b>\$8,681,250</b>	<b>82.66%</b>	<b>\$1,505,622</b>
<b>Development Services Fund Total</b>	<b>\$115,723</b>	<b>\$1,001,011</b>	<b>\$1,179,726</b>	<b>84.85%</b>	<b>\$178,715</b>
<b>City Street Fund Total</b>	<b>\$45,503</b>	<b>\$447,449</b>	<b>\$520,328</b>	<b>85.99%</b>	<b>\$72,879</b>
<b>Tree Fund Total</b>	<b>\$5,957</b>	<b>\$13,696</b>	<b>\$40,000</b>	<b>34.24%</b>	<b>\$26,304</b>
<b>Capital Fund Total</b>	<b>\$282,696</b>	<b>\$1,173,842</b>	<b>\$1,510,000</b>	<b>77.74%</b>	<b>\$336,158</b>
<b>NonRevenue Trust Funds Total</b>	<b>\$85</b>	<b>\$835</b>	<b>\$0</b>	<b>0.00%</b>	<b>(\$835)</b>
<b>Master Investments Total</b>	<b>\$209,246</b>	<b>\$4,960,520</b>	<b>\$0</b>	<b>0.00%</b>	<b>(\$4,960,520)</b>
<b>Total (All Funds)</b>	<b>\$1,263,090</b>	<b>\$14,772,982</b>	<b>\$11,931,304</b>	<b>123.82%</b>	<b>(\$2,841,678)</b>
Total (All Funds) Transfers Out	\$75,127	\$1,826,400	\$1,901,527	96.05%	\$75,127

Updated Fund Balances as of 11/30/2022

Cash and Investment Activity

Fund		Period: 2022 - November						
		Beginning Cash	Beginning Investments	Activity In	Activity Out	Ending Cash	Ending Investments	Ending Balance
001	General Fund	\$3,828,166.89	\$0.00	\$1,026,931.20	\$608,055.21	\$4,247,042.88	\$0.00	\$4,247,042.88
101	City Street Fund	\$57,005.45	\$0.00	\$37,429.94	\$45,503.00	\$48,932.39	\$0.00	\$48,932.39
103	Tree Fund	\$78,894.46	\$0.00	\$1,200.00	\$7,156.50	\$72,937.96	\$0.00	\$72,937.96
302	Contingency Fund	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$250,000.00
303	Levy Stabilization Fund	\$916,666.69	\$0.00	\$41,666.67	\$0.00	\$958,333.36	\$0.00	\$958,333.36
307	Capital Projects Fund	\$5,907,821.78	\$0.00	\$200,240.29	\$284,340.92	\$5,823,721.15	\$0.00	\$5,823,721.15
401	Development Services Fund	\$912,270.76	\$0.00	\$77,956.45	\$111,723.33	\$878,503.88	\$0.00	\$878,503.88
631	NonRevenue Trust Funds	\$18,737.44	\$0.00	\$922.91	\$85.25	\$19,575.10	\$0.00	\$19,575.10
999	Master Investments	(\$11,554,238.69)	\$11,554,238.69	\$0.00	\$209,246.48	(\$11,763,485.17)	\$11,763,485.17	\$0.00

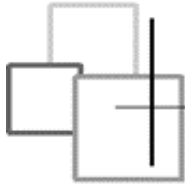
Cash Position Report as of 11/30/2022

<u>2022 Beginning Cash Balance 10/31/2022</u>		<u>2022 Cash Balance, 11/30/2022</u>	
<u>TOTAL CASH &amp; INVESTMENTS</u>		<u>TOTAL CASH &amp; INVESTMENTS</u>	
Period Ending: 10/31/2022		Period Ending: 11/30/2022	
WA ST INV POOL	\$ 7,556,283	WA ST INV POOL	\$ 7,765,530
OTHER INVESTMENTS	4,000,000	OTHER INVESTMENTS*	4,000,000
CHECKING	853,737	CHECKING	1,127,439
	<u>\$ 12,410,020</u>		<u>\$ 12,892,968</u>

\*Bond maturity dates:

\$500K bond (Mar 2020)	3/25/2025
\$1M bond (Aug 2020)	8/5/2024
\$1M bond (June 2022)	12/31/2022
\$1M bond (June 2022)	5/31/2023
\$500K bond (June 2022)	12/31/2025





# Revenue

Starting Account Number: 001-000-000-308-00-01-00 Beginning Fund Balance

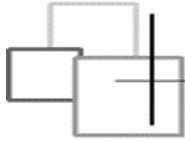
Account Number	Title	Period	Fiscal	Budget	% of Total	Balance
<b>General Fund</b>						
<b>General Property Taxes</b>						
001-000-000-311-10-00-00	General Property Taxes	\$669,076.68	\$4,131,203.73	\$4,167,873.00	99.12%	\$36,669.27
<b>Total General Property Taxes</b>		<b>\$669,076.68</b>	<b>\$4,131,203.73</b>	<b>\$4,167,873.00</b>	<b>99.12%</b>	<b>\$36,669.27</b>
<b>Retail Sales and Use Taxes</b>						
001-000-000-313-11-00-00	Local Retail Sales & Use Tax	\$169,638.65	\$1,707,870.92	\$1,958,050.00	87.22%	\$250,179.08
001-000-000-313-27-00-00	Affordable & Sup. Housing	\$1,458.36	\$9,621.47	\$0.00		(\$9,621.47)
001-000-000-313-71-00-00	Criminal Justice Funding	\$9,631.14	\$95,248.98	\$100,283.00	94.98%	\$5,034.02
<b>Total Retail Sales and Use Taxes</b>		<b>\$180,728.15</b>	<b>\$1,812,741.37</b>	<b>\$2,058,333.00</b>	<b>88.07%</b>	<b>\$245,591.63</b>
<b>Utility Tax</b>						
001-000-000-316-41-00-00	Electric	\$0.00	\$260,933.28	\$242,731.00	107.50%	(\$18,202.28)
001-000-000-316-42-00-00	Gas	\$0.00	\$134,019.53	\$121,352.00	110.44%	(\$12,667.53)
001-000-000-316-43-00-00	Water & Sewer	\$109,963.78	\$271,396.28	\$211,854.00	128.11%	(\$59,542.28)
001-000-000-316-45-00-00	Garbage/Solid Waste	\$0.00	\$46,820.01	\$43,151.00	108.50%	(\$3,669.01)
001-000-000-316-46-00-00	Cable-Television	\$33,634.06	\$106,313.75	\$80,177.00	132.60%	(\$26,136.75)
001-000-000-316-47-00-00	Telephone	\$5,355.89	\$32,131.34	\$40,425.00	79.48%	\$8,293.66
<b>Total Utility Tax</b>		<b>\$148,953.73</b>	<b>\$851,614.19</b>	<b>\$739,690.00</b>	<b>115.13%</b>	<b>(\$111,924.19)</b>
<b>Excise Taxes</b>						
001-000-000-317-20-00-00	Leasehold Excise Tax	\$910.33	\$1,696.48	\$3,042.00	55.77%	\$1,345.52
<b>Total Excise Taxes</b>		<b>\$910.33</b>	<b>\$1,696.48</b>	<b>\$3,042.00</b>	<b>55.77%</b>	<b>\$1,345.52</b>
<b>Franchise Fees</b>						
001-000-000-321-91-00-00	Franchise Fees & Royalties	\$0.00	\$139,518.95	\$198,612.00	70.25%	\$59,093.05
<b>Total Franchise Fees</b>		<b>\$0.00</b>	<b>\$139,518.95</b>	<b>\$198,612.00</b>	<b>70.25%</b>	<b>\$59,093.05</b>
<b>Licenses and Permits</b>						
001-000-000-322-10-00-00	Building Permits	\$0.00	\$165.00	\$0.00		(\$165.00)
001-000-000-322-11-00-00	Building Permit-Technology Fee	\$0.00	\$19.75	\$0.00		(\$19.75)
001-000-000-322-30-00-00	Animal Licenses	\$0.00	\$230.00	\$640.00	35.94%	\$410.00

001-000-000-322-90-00-00	Gun Permits	\$36.00	\$502.00	\$652.00	76.99%	\$150.00
<b>Total Licenses and Permits</b>		<b>\$36.00</b>	<b>\$916.75</b>	<b>\$1,292.00</b>	<b>70.96%</b>	<b>\$375.25</b>
<b>Intergovernmental</b>						
001-000-000-332-92-10-01	Coronavirus Local Fis. Rec. (ARPA)	\$0.00	\$84,000.00	\$84,000.00	100.00%	\$0.00
001-000-000-333-16-00-00	Dept of Justice -Indirect Federal Grant	\$0.00	\$0.00	\$500.00	0.00%	\$500.00
001-000-000-336-06-21-00	Mvet-Criminal Justice-Pop.	\$0.00	\$1,017.40	\$1,167.00	87.18%	\$149.60
001-000-000-336-06-26-00	Criminal Justice-Special	\$0.00	\$3,558.31	\$4,135.00	86.05%	\$576.69
001-000-000-336-06-51-00	DUI/Other Criminal Justice	\$0.00	\$334.39	\$0.00		(\$334.39)
001-000-000-336-06-94-00	Liquor Excise Tax	\$0.00	\$20,645.09	\$21,511.00	95.97%	\$865.91
001-000-000-336-06-95-00	Liquor Control Board Profits	\$0.00	\$16,986.16	\$25,980.00	65.38%	\$8,993.84
<b>Total Intergovernmental</b>		<b>\$0.00</b>	<b>\$126,541.35</b>	<b>\$137,293.00</b>	<b>92.17%</b>	<b>\$10,751.65</b>
<b>Charges for Goods and Services</b>						
001-000-000-341-99-00-00	Passport & Naturalization Fees	\$980.00	\$1,645.00	\$403,200.00	0.41%	\$401,555.00
001-000-000-342-11-00-00	Hunts Point Police Contract	\$0.00	\$238,816.80	\$322,463.00	74.06%	\$83,646.20
001-000-000-342-12-00-00	Hunts Point-Add'l Services	\$0.00	\$26.00	\$0.00		(\$26.00)
001-000-000-345-81-00-00	Zoning and Subdivision	\$0.00	\$0.00	\$0.00		\$0.00
001-000-000-345-89-00-00	Other Planning and Development	\$0.00	\$0.00	\$0.00		\$0.00
<b>Total Charges for Goods and Services</b>		<b>\$980.00</b>	<b>\$240,487.80</b>	<b>\$725,663.00</b>	<b>33.14%</b>	<b>\$485,175.20</b>
<b>Fines and Penalties</b>						
001-000-000-353-10-00-00	Municipal Court-Traffic Infrac	\$744.72	\$15,127.77	\$15,000.00	100.85%	(\$127.77)
<b>Non-Court Fines, Forfeitures and Penalties</b>						
001-000-000-359-90-00-00	Misc. Fines, Penalties, Code Enforcement	\$300.00	\$2,465.00	\$0.00		(\$2,465.00)
<b>Total Non-Court Fines, Forfeitures and Penalties</b>		<b>\$300.00</b>	<b>\$2,465.00</b>	<b>\$0.00</b>		<b>(\$2,465.00)</b>
<b>Total Fines and Penalties</b>		<b>\$1,044.72</b>	<b>\$17,592.77</b>	<b>\$15,000.00</b>	<b>117.29%</b>	<b>(\$2,592.77)</b>
<b>Miscellaneous Revenues</b>						
001-000-000-361-11-00-00	Investment Interest Earnings	\$12,590.24	\$50,753.69	\$6,000.00	845.89%	(\$44,753.69)
001-000-000-361-40-00-00	Sales Interest	\$288.05	\$1,419.15	\$1,997.00	71.06%	\$577.85
001-000-000-362-00-00-10	Rents & Leases	\$0.00	\$23,222.88	\$23,223.00	100.00%	\$0.12
001-000-000-362-00-00-20	Post Office Facility Lease	\$0.00	\$81,132.37	\$88,508.00	91.67%	\$7,375.63
001-000-000-367-11-00-00	Contributions/Donations	\$0.00	\$0.00	\$100,000.00	0.00%	\$100,000.00
001-000-000-369-30-00-10	Confiscated Property-Auction	\$7.47	\$198.65	\$0.00		(\$198.65)
001-000-000-369-91-00-00	Other	\$2,077.53	\$20,087.03	\$30.00	66,956.77%	(\$20,057.03)
001-000-000-369-91-00-05	Other-CC Convenience fees	\$0.00	\$0.00	\$0.00		\$0.00
001-000-000-369-91-00-10	Other-Copies	\$63.30	\$459.21	\$235.00	195.41%	(\$224.21)
001-000-000-369-91-00-15	Other-Fingerprinting	\$0.00	\$240.00	\$590.00	40.68%	\$350.00
001-000-000-369-91-00-35	Other-Notary	\$0.00	\$10.00	\$110.00	9.09%	\$100.00
001-000-000-369-91-00-45	Other-Reports	\$0.00	\$70.50	\$53.00	133.02%	(\$17.50)
<b>Total Miscellaneous Revenues</b>		<b>\$15,026.59</b>	<b>\$177,593.48</b>	<b>\$220,746.00</b>	<b>80.45%</b>	<b>\$43,152.52</b>
<b>Non Revenues</b>						
001-000-000-382-10-00-01	Refundable Deposits - DS (CMP, PGB)	\$10,000.00	\$60,000.00	\$0.00		(\$60,000.00)

001-000-000-382-10-00-02	Refundable DS Adv Deposit	\$0.00	\$0.00	\$0.00		\$0.00
<b>Total Non Revenues</b>		<b>\$10,000.00</b>	<b>\$60,000.00</b>	<b>\$0.00</b>		<b>(\$60,000.00)</b>
<b>Disposition of Capital Assets</b>						
001-000-000-395-10-00-00	Sale Of Equipment/Property	\$0.00	\$4,075.00	\$3,000.00	135.83%	(\$1,075.00)
001-000-000-395-10-00-20	PD Equipment sale/replacement funds	\$0.00	\$429.00	\$0.00		(\$429.00)
<b>Total Disposition of Capital Assets</b>		<b>\$0.00</b>	<b>\$4,504.00</b>	<b>\$3,000.00</b>	<b>150.13%</b>	<b>(\$1,504.00)</b>
<b>Total General Fund</b>		<b>\$1,026,756.20</b>	<b>\$7,564,410.87</b>	<b>\$8,270,544.00</b>	<b>91.46%</b>	<b>\$706,133.13</b>
<b>City Street Fund</b>						
<b>Intergovernmental Revenues</b>						
101-000-000-334-03-60-00	WA DOE Nat'l Pollution Discharge Elim	\$0.00	\$0.00	\$50,000.00	0.00%	\$50,000.00
101-000-000-336-00-71-00	Multimodal Transportation - Cities	\$0.00	\$2,884.67	\$4,402.00	65.53%	\$1,517.33
101-000-000-336-00-87-00	Motor Fuel Tax(unrestricted)	\$3,969.36	\$50,502.55	\$64,399.00	78.42%	\$13,896.45
<b>Total Intergovernmental Revenues</b>		<b>\$3,969.36</b>	<b>\$53,387.22</b>	<b>\$118,801.00</b>	<b>44.94%</b>	<b>\$65,413.78</b>
<b>Transfers-In</b>						
101-000-000-397-00-10-00	Transfer to Street from General Fund	\$0.00	\$301,145.23	\$401,527.00	75.00%	\$100,381.77
101-000-000-397-44-10-00	Transfer to Street from General Fund	\$33,460.58	\$66,921.16	\$0.00		(\$66,921.16)
<b>Total Transfers-In</b>		<b>\$33,460.58</b>	<b>\$368,066.39</b>	<b>\$401,527.00</b>	<b>91.67%</b>	<b>\$33,460.61</b>
<b>Total City Street Fund</b>		<b>\$37,429.94</b>	<b>\$421,453.61</b>	<b>\$520,328.00</b>	<b>81.00%</b>	<b>\$98,874.39</b>
<b>Tree Fund</b>						
103-000-000-345-89-00-00	Tree Replacement fees	\$0.00	\$2,310.00	\$3,075.00	75.12%	\$765.00
<b>Total Tree Fund</b>		<b>\$0.00</b>	<b>\$2,310.00</b>	<b>\$3,075.00</b>	<b>75.12%</b>	<b>\$765.00</b>
<b>Levy Stabilization Fund</b>						
303-000-000-397-00-00-02	Transfer to Levy Stab. Fund from GF	\$41,666.67	\$458,333.36	\$500,000.00	91.67%	\$41,666.64
<b>Total Levy Stabilization Fund</b>		<b>\$41,666.67</b>	<b>\$458,333.36</b>	<b>\$500,000.00</b>	<b>91.67%</b>	<b>\$41,666.64</b>
<b>Capital Projects Fund</b>						
<b>Other Taxes</b>						
307-000-000-318-34-00-00	Real Estate Excise Tax 1	\$89,854.87	\$647,703.78	\$804,850.00	80.48%	\$157,146.22
307-000-000-318-35-00-00	Real Estate Excise Tax 2	\$89,854.87	\$647,703.78	\$804,850.00	80.48%	\$157,146.22
<b>Total Other Taxes</b>		<b>\$179,709.74</b>	<b>\$1,295,407.56</b>	<b>\$1,609,700.00</b>	<b>80.48%</b>	<b>\$314,292.44</b>
307-000-000-332-92-10-01	Coronavirus Local Fis. Rec. (ARPA)	\$0.00	\$375,367.00	\$458,919.00	81.79%	\$83,552.00
307-000-000-334-03-80-00	Transp Imp Board Grant-Sidewalks &	\$0.00	\$36,405.00	\$0.00		(\$36,405.00)
<b>Charges for Goods and Services</b>						
<b>Transportation</b>						
<b>Road/Street Maintenance &amp; Repair Charges</b>						
307-000-000-344-10-02-00	Roads Street CIP Improvements	\$0.00	\$192,356.32	\$0.00		(\$192,356.32)
<b>Total Road/Street Maintenance &amp; Repair Charges</b>		<b>\$0.00</b>	<b>\$192,356.32</b>	<b>\$0.00</b>		<b>(\$192,356.32)</b>

<b>Total Transportation</b>	<b>\$0.00</b>	<b>\$192,356.32</b>	<b>\$0.00</b>	<b>422.95%</b>	<b>(\$192,356.32)</b>
<b>Total Charges for Goods and Services</b>	<b>\$0.00</b>	<b>\$192,356.32</b>	<b>\$0.00</b>		<b>(\$192,356.32)</b>
307-000-000-361-11-00-00	Investment Interest Earnings	\$18,885.35	\$76,130.49	\$18,000.00	422.95%
307-000-000-382-20-00-00	Retainage Deposits	\$0.00	\$4,083.15	\$0.00	(\$4,083.15)
<b>Total Capital Projects Fund</b>		<b>\$198,595.09</b>	<b>\$1,979,749.52</b>	<b>\$2,086,619.00</b>	<b>94.88%</b>
<b>Development Services Fund</b>					
401-000-000-322-10-00-00	Building Permits	\$50,888.13	\$588,136.34	\$967,444.00	60.79%
401-000-000-322-11-00-00	Building Permit - Technology Fee	\$770.25	\$10,558.25	\$11,112.00	95.02%
401-000-000-334-03-10-00	DOE Grant, Shoreline Master Program	\$752.50	\$27,203.75	\$25,000.00	108.82%
401-000-000-336-06-51-00	Misc. Fines, Penalties, Code	\$0.00	\$0.00	\$20,000.00	0.00%
401-000-000-345-81-00-00	Zoning and Subdivision	\$7,600.00	\$42,900.00	\$81,060.00	52.92%
401-000-000-345-89-00-00	Other Planning and Development	\$12,960.29	\$175,376.99	\$214,237.00	81.86%
401-000-000-369-91-00-05	Other-CC Convenience Fees	\$1,885.57	\$15,985.56	\$33,042.00	48.38%
401-000-000-382-10-00-01	Refundable Deposits - DS (CMP, PGB)	\$0.00	\$10,000.00	\$0.00	(\$10,000.00)
401-000-000-382-10-00-02	Refundable DS Advance Deposit	\$3,099.71	\$5,354.01	\$0.00	(\$5,354.01)
401-000-000-395-10-00-00	Proceeds from Sales of Capital Assets	\$0.00	\$0.00	\$5,000.00	0.00%
401-000-000-397-00-30-00	Transfer from GF to DS Fund	\$0.00	\$1,000,000.00	\$1,000,000.00	100.00%
<b>Total Development Services Fund</b>		<b>\$77,956.45</b>	<b>\$1,875,514.90</b>	<b>\$2,356,895.00</b>	<b>79.58%</b>
<b>NonRevenue Trust Funds</b>					
<b>Agency Type Deposits</b>					
<b>State Remittances - Courts</b>					
<b>State Remittances - Emergency And Trauma Services</b>					
631-000-000-386-83-08-00	WA ST Emer Med and Trauma Care	\$30.67	\$817.12	\$0.00	(\$817.12)
631-000-000-386-83-31-00	WA St-Auto Theft Prevention	\$61.56	\$1,637.78	\$0.00	(\$1,637.78)
631-000-000-386-83-32-00	WA St-Traumatic Brain Inj	\$30.92	\$806.71	\$0.00	(\$806.71)
<b>Total State Remittances - Emergency And Trauma Services</b>		<b>\$123.15</b>	<b>\$3,261.61</b>	<b>\$0.00</b>	<b>(\$3,261.61)</b>
<b>Total State Remittances - Courts</b>		<b>\$123.15</b>	<b>\$3,261.61</b>	<b>\$0.00</b>	<b>(\$3,261.61)</b>
<b>State Remittances-Courts</b>					
631-000-000-386-90-02-00	WA St-State Gen Fund 54	\$1.75	\$24.96	\$0.00	(\$24.96)
631-000-000-386-91-00-00	WA St-State Gen Fund 40	\$333.73	\$7,379.86	\$0.00	(\$7,379.86)
631-000-000-386-92-00-20	WA St-State Gen Fund 50	\$198.48	\$4,306.34	\$0.00	(\$4,306.34)
<b>State Remittances - Judicial Information System</b>					
631-000-000-386-97-05-00	WA St-Judicial Info Systems	\$141.41	\$3,758.22	\$0.00	(\$3,758.22)
<b>Total State Remittances - Judicial Information System</b>		<b>\$141.41</b>	<b>\$3,758.22</b>	<b>\$0.00</b>	<b>(\$3,758.22)</b>
631-000-000-386-99-07-00	WA ST Sch Zone Safety	\$3.39	\$53.02	\$0.00	(\$53.02)
<b>Total State Remittances-Courts</b>		<b>\$678.76</b>	<b>\$15,522.40</b>	<b>\$0.00</b>	<b>(\$15,522.40)</b>

<b>Total Agency Type Deposits</b>		<b>\$801.91</b>	<b>\$18,784.01</b>	<b>\$0.00</b>	<b>(\$18,784.01)</b>
631-000-000-389-30-00-01	WA St-Bldg Code Fee	\$58.50	\$624.25	\$0.00	(\$624.25)
631-000-000-389-30-00-88	Dept of Lic-Gun Permit-\$18/21	\$36.00	\$558.00	\$0.00	(\$558.00)
631-000-000-389-30-00-89	WA ST Patrol-Gun-Fbi (\$24)	\$26.50	\$225.25	\$0.00	(\$225.25)
631-000-000-389-90-52-11	WA St-School Zone	\$0.00	\$89.00	\$0.00	(\$89.00)
<b>Total NonRevenue Trust Funds</b>		<b>\$922.91</b>	<b>\$20,280.51</b>	<b>\$0.00</b>	<b>(\$20,280.51)</b>
<b>Master Investments</b>					
<b>Revenue</b>					
<b>Nonrevenues</b>					
999-000-000-389-90-00-00	Investment Sales	\$0.00	\$250,000.00	\$0.00	(\$250,000.00)
<b>Total Nonrevenues</b>		<b>\$0.00</b>	<b>\$250,000.00</b>	<b>\$0.00</b>	<b>(\$250,000.00)</b>
<b>Total Revenue</b>		<b>\$0.00</b>	<b>\$250,000.00</b>	<b>\$0.00</b>	<b>(\$250,000.00)</b>
<b>Total Master Investments</b>		<b>\$0.00</b>	<b>\$250,000.00</b>	<b>\$0.00</b>	<b>(\$250,000.00)</b>
<b>Grand Totals</b>		<b>\$1,383,327.26</b>	<b>\$12,572,052.77</b>	<b>\$13,737,461.00</b>	<b>91.52%</b> <b>\$1,165,408.23</b>



# Expenditure

Starting Account Number: 001-000-000-508-00-01-00 Ending Fund Balance

Account Number	Title	Period	Fiscal	Budget	% of Total	Balance
<b>General Fund</b>						
<b>Legislative Services</b>						
001-000-000-511-60-41-01	Legislative Activities- Regional/Intergovt	\$0.00	\$6,799.00	\$5,600.00	121.41%	(\$1,199.00)
001-000-000-511-60-43-00	Travel & Training	\$4,000.00	\$6,000.00	\$6,000.00	100.00%	\$0.00
001-000-000-511-60-49-00	Miscellaneous	\$422.09	\$622.78	\$2,000.00	31.14%	\$1,377.22
001-000-000-511-60-49-10	Medina Days	\$0.00	\$1,130.00	\$26,000.00	4.35%	\$24,870.00
<b>Total Legislative Services</b>		<b>\$4,422.09</b>	<b>\$14,551.78</b>	<b>\$39,600.00</b>	<b>36.75%</b>	<b>\$25,048.22</b>
<b>Municipal Court</b>						
001-000-000-512-50-40-10	Municipal Court-Traffic/NonTrf	\$505.45	\$13,526.63	\$11,250.00	120.24%	(\$2,276.63)
001-000-000-512-50-41-10	Prosecuting Attorney	\$4,000.00	\$36,000.00	\$48,000.00	75.00%	\$12,000.00
<b>Total Municipal Court</b>		<b>\$4,505.45</b>	<b>\$49,526.63</b>	<b>\$59,250.00</b>	<b>83.59%</b>	<b>\$9,723.37</b>
<b>Executive</b>						
<b>Salaries &amp; Wages</b>						
001-000-000-513-10-11-00	Salaries & Wages	\$17,198.45	\$206,003.40	\$184,908.00	111.41%	(\$21,095.40)
001-000-000-513-10-11-16	ICMA 457 Plan	\$1,155.05	\$2,096.31	\$7,200.00	168.00%	(\$4,896.31)
<b>Total Salaries &amp; Wages</b>		<b>\$18,353.50</b>	<b>\$218,099.71</b>	<b>\$192,108.00</b>	<b>113.53%</b>	<b>(\$25,991.71)</b>
<b>Personnel Benefits</b>						
001-000-000-513-10-21-00	Personnel Benefits	\$836.07	\$20,502.80	\$52,799.00	38.83%	\$32,296.20
001-000-000-513-10-21-50	Auto Allowance	\$500.00	\$2,491.29	\$0.00		(\$2,491.29)
<b>Total Personnel Benefits</b>		<b>\$1,336.07</b>	<b>\$22,994.09</b>	<b>\$52,799.00</b>	<b>43.55%</b>	<b>\$29,804.91</b>
<b>Total Executive</b>						
001-000-000-513-10-41-00	Professional Services	\$3,000.00	\$30,127.96	\$68,000.00	44.31%	\$37,872.04
001-000-000-513-10-43-00	Travel & Training	\$0.00	\$285.00	\$4,000.00	7.13%	\$3,715.00
001-000-000-513-10-49-01	Dues, Subscriptions	\$0.00	\$0.00	\$350.00	0.00%	\$350.00
<b>Total Executive</b>		<b>\$22,689.57</b>	<b>\$271,506.76</b>	<b>\$317,257.00</b>	<b>85.58%</b>	<b>\$45,750.24</b>
<b>Finance Department</b>						
001-000-000-514-20-11-00	Salaries & Wages	\$17,393.28	\$200,918.83	\$242,004.00	83.02%	\$41,085.17
001-000-000-514-20-11-16	ICMA 457 Plan	\$749.99	\$8,463.78	\$11,700.00	72.34%	\$3,236.22
001-000-000-514-20-21-00	Personnel Benefits	\$3,716.06	\$45,230.78	\$76,171.00	59.38%	\$30,940.22
001-000-000-514-20-21-17	Opt-Out Of Medical	\$940.69	\$6,570.68	\$7,917.00	82.99%	\$1,346.32
001-000-000-514-20-41-01	Professional Services	\$0.00	\$9,600.00	\$10,300.00	93.20%	\$700.00

001-000-000-514-20-42-00	Intergvtml Prof Serv-Auditors	\$5,897.88	\$15,038.28	\$25,663.00	58.60%	\$10,624.72
001-000-000-514-20-43-00	Travel & Training	\$30.00	\$677.98	\$2,000.00	33.90%	\$1,322.02
001-000-000-514-20-46-00	Insurance (WCIA)	\$0.00	\$176,975.26	\$176,342.00	100.36%	(\$633.26)
001-000-000-514-20-49-00	Misc-Dues,Subscriptions	\$1,598.47	\$1,921.47	\$250.00	768.59%	(\$1,671.47)
001-000-000-514-20-49-10	Miscellaneous	\$339.79	\$3,915.42	\$11,000.00	35.59%	\$7,084.58
001-000-000-514-40-40-00	Election Services-Voter Regist	\$0.00	\$12,857.33	\$12,000.00	107.14%	(\$857.33)
<b>Total Finance Department</b>		<b>\$30,666.16</b>	<b>\$482,169.81</b>	<b>\$575,347.00</b>	<b>83.81%</b>	<b>\$93,177.19</b>
<b>Legal Department</b>						
001-000-000-515-41-40-00	City Attorney	\$23,857.50	\$199,158.50	\$244,000.00	81.62%	\$44,841.50
001-000-000-515-45-40-00	Special Counsel	\$0.00	\$10,284.00	\$60,000.00	17.14%	\$49,716.00
001-000-000-515-91-40-00	Public Defender	\$575.00	\$3,150.00	\$7,200.00	43.75%	\$4,050.00
<b>Total Legal Department</b>		<b>\$24,432.50</b>	<b>\$212,592.50</b>	<b>\$311,200.00</b>	<b>68.31%</b>	<b>\$98,607.50</b>
<b>Central Services</b>						
<b>Salaries &amp; Wages</b>						
001-000-000-518-10-11-00	Salaries & Wages	\$27,335.49	\$265,742.39	\$279,408.00	95.11%	\$13,665.61
001-000-000-518-10-11-11	Longevity	\$389.95	\$4,247.41	\$4,953.00	85.75%	\$705.59
001-000-000-518-10-11-14	Education	\$149.99	\$1,648.62	\$1,200.00	137.39%	(\$448.62)
001-000-000-518-10-11-16	ICMA 457 Plan	\$250.02	\$2,746.96	\$12,000.00	22.89%	\$9,253.04
001-000-000-518-10-11-17	Opt-Out Medical	\$766.45	\$8,408.24	\$9,215.00	91.25%	\$806.76
<b>Total Salaries &amp; Wages</b>		<b>\$28,891.90</b>	<b>\$282,793.62</b>	<b>\$306,776.00</b>	<b>92.18%</b>	<b>\$23,982.38</b>
<b>Personnel Benefits</b>						
001-000-000-518-10-21-00	Personnel Benefits	\$9,665.26	\$99,809.81	\$107,947.00	92.46%	\$8,137.19
<b>Total Personnel Benefits</b>		<b>\$9,665.26</b>	<b>\$99,809.81</b>	<b>\$107,947.00</b>	<b>92.46%</b>	<b>\$8,137.19</b>
<b>Office and Operating Supplies</b>						
001-000-000-518-10-31-00	Office And Operating Supplies	\$341.68	\$22,248.11	\$27,000.00	82.40%	\$4,751.89
<b>Total Office and Operating Supplies</b>		<b>\$341.68</b>	<b>\$22,248.11</b>	<b>\$27,000.00</b>	<b>82.40%</b>	<b>\$4,751.89</b>
<b>Other Services</b>						
001-000-000-518-10-41-00	Professional Services	\$93,349.18	\$110,215.48	\$129,520.00	85.10%	\$19,304.52
001-000-000-518-10-41-90	Prof Serv-Imaging	\$0.00	\$1,624.00	\$0.00		(\$1,624.00)
001-000-000-518-10-42-00	Postage/Telephone	\$691.90	\$2,997.43	\$9,000.00	33.30%	\$6,002.57
001-000-000-518-10-43-00	Travel & Training	(\$102.75)	\$6,379.44	\$11,000.00	57.99%	\$4,620.56
001-000-000-518-10-44-00	Advertising	\$376.34	\$10,527.78	\$5,000.00	210.56%	(\$5,527.78)
001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste	\$3,103.72	\$22,267.74	\$30,000.00	74.23%	\$7,732.26
001-000-000-518-10-48-00	Repairs & Maint-Equipment	\$0.00	\$0.00	\$500.00	0.00%	\$500.00
001-000-000-518-10-49-10	Miscellaneous	\$0.00	\$1,284.12	\$1,500.00	85.61%	\$215.88
001-000-000-518-10-49-20	Dues, Subscriptions	\$0.00	\$415.00	\$600.00	69.17%	\$185.00
001-000-000-518-10-49-30	Postcard, Public information	\$616.36	\$7,306.51	\$4,000.00	182.66%	(\$3,306.51)
001-000-000-518-10-49-40	Photocopies	\$63.30	\$382.12	\$500.00	76.42%	\$117.88
<b>Total Other Services</b>		<b>\$98,098.05</b>	<b>\$163,399.62</b>	<b>\$191,620.00</b>	<b>85.27%</b>	<b>\$28,220.38</b>

**Building Maintenance**

001-000-000-518-30-45-00	Facility Rental	\$0.00	\$7,036.26	\$10,500.00	67.01%	\$3,463.74
001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg	\$4,675.02	\$68,704.51	\$115,000.00	59.74%	\$46,295.49
<b>Total Building Maintenance</b>		<b>\$4,675.02</b>	<b>\$75,740.77</b>	<b>\$125,500.00</b>	<b>60.35%</b>	<b>\$49,759.23</b>
001-000-000-518-80-31-00	IT HW, SW, Operating Supplies	\$13,233.54	\$17,509.34	\$1,500.00	1,167.29%	(\$16,009.34)
001-000-000-518-80-41-50	Technical Services, Software Services	\$21,156.80	\$168,581.22	\$237,772.00	70.90%	\$69,190.78
001-000-000-518-80-48-00	Repairs & Maint., Annual Software Maint.	\$1,333.74	\$4,201.85	\$14,500.00	28.98%	\$10,298.15
<b>Total Central Services</b>		<b>\$177,395.99</b>	<b>\$834,284.34</b>	<b>\$1,012,615.00</b>	<b>82.39%</b>	<b>\$178,330.66</b>
<b>Police Operations</b>						
<b>Salaries &amp; Wages</b>						
001-000-000-521-20-11-00	Salaries & Wages	\$112,043.99	\$1,062,010.07	\$1,195,655.00	88.82%	\$133,644.93
001-000-000-521-20-11-11	Longevity	\$1,803.75	\$19,383.96	\$22,481.00	86.22%	\$3,097.04
001-000-000-521-20-11-14	Education	\$150.04	\$9,443.20	\$600.00	1,573.87%	(\$8,843.20)
001-000-000-521-20-11-16	ICMA 457 Plan	\$3,676.54	\$37,644.11	\$56,285.00	66.88%	\$18,640.89
001-000-000-521-20-11-17	Opt-Out Of Medical	\$2,754.55	\$29,447.03	\$43,449.00	67.77%	\$14,001.97
001-000-000-521-20-11-18	Night Shift Differential	\$881.02	\$8,379.74	\$15,204.00	55.12%	\$6,824.26
001-000-000-521-20-11-19	2% Physical Fitness Incentive	\$1,884.96	\$9,969.14	\$0.00		(\$9,969.14)
001-000-000-521-20-12-00	Overtime	\$15,110.38	\$115,639.08	\$120,000.00	96.37%	\$4,360.92
001-000-000-521-20-12-01	Merit Pay	\$0.00	\$75,510.26	\$74,632.00	101.18%	(\$878.26)
001-000-000-521-20-13-00	Holiday Pay	\$0.00	\$0.00	\$51,522.00	0.00%	\$51,522.00
<b>Total Salaries &amp; Wages</b>		<b>\$138,305.23</b>	<b>\$1,367,426.59</b>	<b>\$1,579,828.00</b>	<b>86.56%</b>	<b>\$212,401.41</b>
<b>Personnel Benefits</b>						
001-000-000-521-20-21-00	Personnel Benefits	\$34,032.53	\$352,820.67	\$430,469.00	81.96%	\$77,648.33
001-000-000-521-20-21-10	Personnel Benefits-Retirees	\$1,843.58	\$20,899.12	\$51,118.00	40.88%	\$30,218.88
001-000-000-521-20-22-00	Uniforms	\$2,059.17	\$22,386.51	\$7,000.00	319.81%	(\$15,386.51)
001-000-000-521-20-22-01	DOJ Bullet Proof Vest Program	\$0.00	\$0.00	\$1,600.00	0.00%	\$1,600.00
001-000-000-521-20-23-00	Tuition	\$0.00	\$3,016.73	\$7,000.00	43.10%	\$3,983.27
<b>Total Personnel Benefits</b>		<b>\$37,935.28</b>	<b>\$399,123.03</b>	<b>\$497,187.00</b>	<b>80.28%</b>	<b>\$98,063.97</b>
<b>Supplies</b>						
001-000-000-521-20-31-00	Office Supplies	\$1,003.22	\$12,168.16	\$11,000.00	110.62%	(\$1,168.16)
001-000-000-521-20-31-01	IT HW,SW Off Equip <\$5K	\$0.00	\$12,106.48	\$7,000.00	172.95%	(\$5,106.48)
001-000-000-521-20-31-40	Police Operating Supplies	\$538.77	\$5,937.36	\$6,500.00	91.34%	\$562.64
001-000-000-521-20-31-60	Ammo/Range (Targets, etc)	\$1,509.17	\$6,442.90	\$9,000.00	71.59%	\$2,557.10
001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash	\$134.65	\$24,394.63	\$26,000.00	93.83%	\$1,605.37
001-000-000-521-20-35-20	Firearms (Purchase & Repair)	\$0.00	\$649.09	\$1,500.00	43.27%	\$850.91
<b>Total Supplies</b>		<b>\$3,185.81</b>	<b>\$61,698.62</b>	<b>\$61,000.00</b>	<b>101.15%</b>	<b>(\$698.62)</b>
<b>Other Services &amp; Charges</b>						
001-000-000-521-20-41-00	Professional Services	\$3,029.56	\$6,209.74	\$4,000.00	155.24%	(\$2,209.74)
001-000-000-521-20-41-15	Dispatch Services-Norcom Trans	\$0.00	\$65,532.76	\$65,533.00	100.00%	\$0.24
001-000-000-521-20-41-20	Dispatch-EPSCA	\$990.78	\$5,524.29	\$6,500.00	84.99%	\$975.71
001-000-000-521-20-41-40	Marine Patrol Services	\$0.00	\$0.00	\$90,000.00	0.00%	\$90,000.00
001-000-000-521-20-41-41	Bellevue CARE program	\$4,239.00	\$4,239.00	\$28,000.00	15.14%	\$23,761.00



001-000-000-521-20-41-50	Recruitment-Background	\$60.75	\$4,688.60	\$2,500.00	187.54%	(\$2,188.60)
001-000-000-521-20-41-55	Jail Service-Prisoner Board	\$1,172.12	\$1,713.16	\$15,000.00	11.42%	\$13,286.84
001-000-000-521-20-41-60	Prisoner Transport	\$0.00	\$0.00	\$500.00	0.00%	\$500.00
001-000-000-521-20-41-80	Domestic Violence-Kirkland	\$350.78	\$350.78	\$1,000.00	35.08%	\$649.22
001-000-000-521-20-42-00	Communications (phone,Pager)	\$1,875.48	\$16,082.57	\$15,000.00	107.22%	(\$1,082.57)
001-000-000-521-20-43-00	Travel & Training	\$730.00	\$16,750.90	\$10,000.00	167.51%	(\$6,750.90)
001-000-000-521-20-45-00	Equipment-Lease & Rentals	\$557.66	\$1,640.44	\$2,500.00	65.62%	\$859.56
001-000-000-521-20-48-00	Repairs & Maint-Equip & Evidence SW	\$1,577.48	\$14,017.99	\$28,000.00	50.06%	\$13,982.01
001-000-000-521-20-48-10	Repairs & Maint-Automobiles	\$2,750.42	\$12,042.68	\$8,500.00	141.68%	(\$3,542.68)
001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras	\$987.18	\$13,137.89	\$30,000.00	43.79%	\$16,862.11
001-000-000-521-20-49-40	Dues,Subscriptions,Memberships	\$50.00	\$4,122.83	\$5,000.00	82.46%	\$877.17
001-000-000-521-20-49-41	Lexipol Manuals	\$0.00	\$605.55	\$6,000.00	10.09%	\$5,394.45
001-000-000-521-20-49-60	Crime Prevention/Public Educ	\$1,716.42	\$5,914.81	\$5,500.00	107.54%	(\$414.81)
<b>Total Other Services &amp; Charges</b>		<b>\$20,087.63</b>	<b>\$172,573.99</b>	<b>\$323,533.00</b>	<b>53.34%</b>	<b>\$150,959.01</b>
<b>Total Police Operations</b>		<b>\$199,513.95</b>	<b>\$2,000,822.23</b>	<b>\$2,461,548.00</b>	<b>81.28%</b>	<b>\$460,725.77</b>
<b>Fire &amp; Medical Aid Department</b>						
001-000-000-522-20-41-00	Fire Control Services	\$0.00	\$766,425.94	\$756,837.00	101.27%	(\$9,588.94)
<b>Total Fire &amp; Medical Aid Department</b>		<b>\$0.00</b>	<b>\$766,425.94</b>	<b>\$756,837.00</b>	<b>101.27%</b>	<b>(\$9,588.94)</b>
<b>Public Housing Services- ARCH</b>						
001-000-000-551-10-40-00	Public Housing Services - ARCH	\$0.00	\$6,650.00	\$32,109.00	20.71%	\$25,459.00
<b>Total Public Housing Services- ARCH</b>		<b>\$0.00</b>	<b>\$6,650.00</b>	<b>\$32,109.00</b>	<b>20.71%</b>	<b>\$25,459.00</b>
<b>Environmental Services</b>						
001-000-000-553-10-40-00	Land & Water Conservation Resources-	\$0.00	\$0.00	\$4,000.00	0.00%	\$4,000.00
001-000-000-553-70-40-00	Pollution Prevention - Puget Sound Clean	\$0.00	\$9,582.00	\$9,582.00	100.00%	\$0.00
<b>Total Environmental Services</b>		<b>\$0.00</b>	<b>\$9,582.00</b>	<b>\$13,582.00</b>	<b>70.55%</b>	<b>\$4,000.00</b>
<b>Development Services Dept</b>						
<b>Salaries &amp; Wages</b>						
001-000-000-558-60-11-00	Salaries & Wages	\$0.00	\$0.00	\$0.00		\$0.00
<b>Total Salaries &amp; Wages</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>		<b>\$0.00</b>
<b>Supplies</b>						
001-000-000-558-60-32-00	Vehicle Expenses-Gas, Oil, Maint	\$0.00	\$38.78	\$0.00		(\$38.78)
<b>Total Supplies</b>		<b>\$0.00</b>	<b>\$38.78</b>	<b>\$0.00</b>		<b>(\$38.78)</b>
<b>Other Services &amp; Charges</b>						
001-000-000-558-60-42-00	Communications	\$0.00	\$45.97	\$0.00		(\$45.97)
<b>Total Other Services &amp; Charges</b>		<b>\$0.00</b>	<b>\$45.97</b>	<b>\$0.00</b>		<b>(\$45.97)</b>
<b>Total Development Services Dept</b>		<b>\$0.00</b>	<b>\$84.75</b>	<b>\$0.00</b>		<b>(\$84.75)</b>

<b>Mental Health Services - King County</b>						
001-000-000-564-60-40-00	Mental Health Services-KC Substance	\$223.94	\$898.72	\$1,000.00	89.87%	\$101.28
<b>Total Mental Health Services - King County</b>		<b>\$223.94</b>	<b>\$898.72</b>	<b>\$1,000.00</b>	<b>89.87%</b>	<b>\$101.28</b>
<b>Recreational Services</b>						
001-000-000-571-00-10-00	Salaries & Wages - Lifeguards	\$0.00	\$28,713.54	\$35,000.00	82.04%	\$6,286.46
001-000-000-571-00-20-00	Personnel Benefits - Lifeguards	\$0.00	\$3,462.66	\$4,200.00	82.44%	\$737.34
001-000-000-571-00-30-00	Uniforms - Lifeguards	\$0.00	\$1,468.12	\$2,000.00	73.41%	\$531.88
001-000-000-571-00-32-00	Miscellaneous - Lifeguards	\$0.00	\$4,441.42	\$7,300.00	60.84%	\$2,858.58
<b>Total Recreational Services</b>		<b>\$0.00</b>	<b>\$38,085.74</b>	<b>\$48,500.00</b>	<b>78.53%</b>	<b>\$10,414.26</b>
<b>Parks Department</b>						
001-000-000-576-80-10-00	Salaries & Wages	\$3,000.02	\$3,000.02	\$0.00		(\$3,000.02)
001-000-000-576-80-11-00	Salaries & Wages	\$23,455.48	\$270,354.41	\$292,185.00	92.53%	\$21,830.59
001-000-000-576-80-11-11	Longevity	\$521.01	\$5,675.91	\$6,269.00	90.54%	\$593.09
001-000-000-576-80-11-14	Education	\$270.02	\$2,967.91	\$3,840.00	77.29%	\$872.09
001-000-000-576-80-11-16	ICMA 457 Plan	\$900.03	\$9,883.67	\$10,800.00	91.52%	\$916.33
001-000-000-576-80-11-17	Opt-Out Of Medical	\$848.29	\$13,361.06	\$16,323.00	81.85%	\$2,961.94
001-000-000-576-80-12-00	Overtime	\$0.00	\$8,751.20	\$6,472.00	135.22%	(\$2,279.20)
<b>Personnel Benefits</b>						
001-000-000-576-80-21-00	Personnel Benefits	\$9,217.99	\$95,883.95	\$89,103.00	107.61%	(\$6,780.95)
001-000-000-576-80-22-00	Uniforms	\$0.00	\$2,270.06	\$2,000.00	113.50%	(\$270.06)
<b>Total Personnel Benefits</b>		<b>\$9,217.99</b>	<b>\$98,154.01</b>	<b>\$91,103.00</b>	<b>107.74%</b>	<b>(\$7,051.01)</b>
<b>Supplies</b>						
001-000-000-576-80-31-00	Operating Supplies	\$3,238.84	\$32,039.75	\$37,000.00	86.59%	\$4,960.25
001-000-000-576-80-32-00	Vehicle Fuel & Lube	\$0.00	\$2,146.44	\$5,000.00	42.93%	\$2,853.56
<b>Total Supplies</b>		<b>\$3,238.84</b>	<b>\$34,186.19</b>	<b>\$42,000.00</b>	<b>81.40%</b>	<b>\$7,813.81</b>
<b>Other Services &amp; Charges</b>						
001-000-000-576-80-41-00	Professional Services	\$0.00	\$10,741.99	\$15,000.00	71.61%	\$4,258.01
001-000-000-576-80-41-04	Professional Services-Misc	\$0.00	\$5,389.88	\$3,000.00	179.66%	(\$2,389.88)
001-000-000-576-80-42-00	Telephone/postage	\$0.00	\$6,071.21	\$6,500.00	93.40%	\$428.79
001-000-000-576-80-43-00	Travel & Training	\$0.00	\$2,524.19	\$3,000.00	84.14%	\$475.81
001-000-000-576-80-47-00	Utilities	\$8,077.01	\$27,633.31	\$22,000.00	125.61%	(\$5,633.31)
001-000-000-576-80-48-00	Repair & Maint Equipment	\$2,066.30	\$5,031.62	\$7,000.00	71.88%	\$1,968.38
001-000-000-576-80-49-00	Miscellaneous, annual lease	\$0.00	\$500.00	\$600.00	83.33%	\$100.00
001-000-000-576-80-49-01	Misc-Property Tax	\$0.00	\$339.47	\$300.00	113.16%	(\$39.47)
<b>Total Other Services &amp; Charges</b>		<b>\$10,143.31</b>	<b>\$58,231.67</b>	<b>\$57,400.00</b>	<b>101.45%</b>	<b>(\$831.67)</b>
<b>Total Parks Department</b>		<b>\$51,594.99</b>	<b>\$504,566.05</b>	<b>\$526,392.00</b>	<b>95.85%</b>	<b>\$21,825.95</b>
<b>Nonexpenditures</b>						
001-000-000-582-10-00-01	Refund of Deposits - Dev. Svcs.	\$1,500.00	\$11,500.00	\$0.00		(\$11,500.00)
<b>Total Nonexpenditures</b>		<b>\$1,500.00</b>	<b>\$11,500.00</b>	<b>\$0.00</b>		<b>(\$11,500.00)</b>

<b>Capital Expenditures</b>						
001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital Outlay	(\$2,367.00)	\$66,948.05	\$103,430.00	64.73%	\$36,481.95
001-000-000-594-21-64-10	Police HW/SW Equipment >\$5K Capital	\$0.00	\$0.00	\$424,500.00	0.00%	\$424,500.00
001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost	\$10,346.34	\$62,292.07	\$89,556.00	69.56%	\$27,263.93
001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost	\$3,829.02	\$16,741.02	\$0.00		(\$16,741.02)
001-000-000-594-76-30-00	Parks Improvements	\$0.00	\$0.00	\$7,000.00	0.00%	\$7,000.00
	<b>Total Capital Expenditures</b>	<b>\$11,808.36</b>	<b>\$145,981.14</b>	<b>\$624,486.00</b>	<b>23.38%</b>	<b>\$478,504.86</b>
<b>General Operating Transfers</b>						
001-000-000-597-00-00-02	Transfer from GF to Levy Stabl. Fund	\$41,666.67	\$458,333.36	\$500,000.00	91.67%	\$41,666.64
001-000-000-597-00-00-03	Transfer from General to Street	\$33,460.58	\$368,066.39	\$401,527.00	91.67%	\$33,460.61
001-000-000-597-00-30-04	Trans from GF to Dev. Serv. Fund	\$0.00	\$1,000,000.00	\$1,000,000.00	100.00%	\$0.00
	<b>Total General Operating Transfers</b>	<b>\$75,127.25</b>	<b>\$1,826,399.75</b>	<b>\$1,901,527.00</b>	<b>96.05%</b>	<b>\$75,127.25</b>
	<b>Total General Fund</b>	<b>\$607,880.21</b>	<b>\$7,179,628.10</b>	<b>\$8,681,250.00</b>	<b>82.70%</b>	<b>\$1,501,621.90</b>
<b>City Street Fund</b>						
<b>Salaries &amp; Wages</b>						
101-000-000-542-30-11-00	Salaries & Wages	\$17,637.01	\$185,059.01	\$194,791.00	95.00%	\$9,731.99
101-000-000-542-30-11-11	Longevity	\$347.35	\$3,784.04	\$4,179.00	90.55%	\$394.96
101-000-000-542-30-11-14	Education	\$179.95	\$1,978.31	\$2,560.00	77.28%	\$581.69
101-000-000-542-30-11-16	ICMA 457 Plan	\$599.98	\$6,589.22	\$7,200.00	91.52%	\$610.78
101-000-000-542-30-11-17	Opt-Out Of Medical	\$565.52	\$8,907.17	\$10,882.00	81.85%	\$1,974.83
101-000-000-542-30-12-00	Overtime	\$0.00	\$5,833.78	\$4,314.00	135.23%	(\$1,519.78)
	<b>Total Salaries &amp; Wages</b>	<b>\$19,329.81</b>	<b>\$212,151.53</b>	<b>\$223,926.00</b>	<b>94.74%</b>	<b>\$11,774.47</b>
<b>Personnel Benefits</b>						
101-000-000-542-30-21-00	Personnel Benefits	\$6,480.32	\$64,609.75	\$59,402.00	108.77%	(\$5,207.75)
101-000-000-542-30-22-00	Uniforms	\$0.00	\$891.36	\$2,000.00	44.57%	\$1,108.64
	<b>Total Personnel Benefits</b>	<b>\$6,480.32</b>	<b>\$65,501.11</b>	<b>\$61,402.00</b>	<b>106.68%</b>	<b>(\$4,099.11)</b>
<b>Supplies</b>						
101-000-000-542-30-31-00	Operating & Maintenance Supplies	\$889.63	\$5,235.79	\$5,000.00	104.72%	(\$235.79)
101-000-000-542-30-35-00	Small Tools/minor Equipment	\$0.00	\$3,384.33	\$4,000.00	84.61%	\$615.67
	<b>Total Supplies</b>	<b>\$889.63</b>	<b>\$8,620.12</b>	<b>\$9,000.00</b>	<b>95.78%</b>	<b>\$379.88</b>
101-000-000-542-30-41-00	Professional Services	\$7,483.07	\$74,568.47	\$54,000.00	138.09%	(\$20,568.47)
101-000-000-542-30-41-03	NPDES Grant	\$637.86	\$13,384.58	\$50,000.00	26.77%	\$36,615.42
101-000-000-542-30-41-10	Road & Street Maintenance	\$0.00	\$10,800.88	\$10,000.00	108.01%	(\$800.88)
101-000-000-542-30-45-00	Machine/Facility Rental	\$0.00	\$0.00	\$2,000.00	0.00%	\$2,000.00
101-000-000-542-30-47-00	Utility Services	\$52.89	\$792.85	\$1,000.00	79.29%	\$207.15
101-000-000-542-30-48-00	Equipment Maintenance	\$0.00	\$53.78	\$7,000.00	0.77%	\$6,946.22
101-000-000-542-40-41-00	Storm Drain Maintenance	\$2,705.57	\$13,547.98	\$15,000.00	90.32%	\$1,452.02
<b>Traffic And Pedestrian Services</b>						
101-000-000-542-63-41-00	Street Light Utilities	\$1,894.94	\$21,214.99	\$22,000.00	96.43%	\$785.01
101-000-000-542-64-41-00	Traffic Control Devices	\$749.01	\$1,903.15	\$10,000.00	19.03%	\$8,096.85

101-000-000-542-66-41-00	Snow & Ice Removal	\$0.00	\$115.16	\$1,000.00	11.52%	\$884.84
101-000-000-542-67-41-00	Street Cleaning	\$0.00	\$2,223.19	\$25,000.00	8.89%	\$22,776.81
<b>Total Traffic And Pedestrian Services</b>		<b>\$2,643.95</b>	<b>\$25,456.49</b>	<b>\$58,000.00</b>	<b>43.89%</b>	<b>\$32,543.51</b>
<b>Roadside</b>						
101-000-000-542-70-40-00	Street Irrigation Utilities	\$5,279.90	\$14,042.28	\$23,000.00	61.05%	\$8,957.72
<b>Total Roadside</b>		<b>\$5,279.90</b>	<b>\$14,042.28</b>	<b>\$23,000.00</b>	<b>61.05%</b>	<b>\$8,957.72</b>
<b>Capital Expenditures</b>						
101-000-000-594-42-64-00	Street Capital Equipment	\$0.00	\$8,529.21	\$6,000.00	142.15%	(\$2,529.21)
<b>Total Capital Expenditures</b>		<b>\$0.00</b>	<b>\$8,529.21</b>	<b>\$6,000.00</b>	<b>142.15%</b>	<b>(\$2,529.21)</b>
<b>Total City Street Fund</b>		<b>\$45,503.00</b>	<b>\$447,449.28</b>	<b>\$520,328.00</b>	<b>85.99%</b>	<b>\$72,878.72</b>
<b>Tree Fund</b>						
103-000-000-558-60-41-50	Professional Services/Landscape	\$7,156.50	\$8,918.10	\$10,000.00	89.18%	\$1,081.90
103-000-000-558-60-49-10	Miscellaneous-Tree Replacement	(\$1,200.00)	\$4,778.16	\$30,000.00	15.93%	\$25,221.84
<b>Total Tree Fund</b>		<b>\$5,956.50</b>	<b>\$13,696.26</b>	<b>\$40,000.00</b>	<b>34.24%</b>	<b>\$26,303.74</b>
<b>Capital Projects Fund</b>						
307-000-000-582-20-00-00	Refund of Retainage Deposits	\$0.00	\$1,878.15	\$0.00		(\$1,878.15)
307-000-000-594-18-60-00	Building Improvements	\$0.00	\$15,392.64	\$20,000.00	76.96%	\$4,607.36
307-000-000-594-76-63-20	Park Improvements	\$0.00	\$117,291.69	\$100,000.00	117.29%	(\$17,291.69)
307-000-000-595-30-63-01	Street Improvements, Overlays	\$189,672.82	\$587,799.75	\$0.00		(\$587,799.75)
307-000-000-595-30-63-02	Storm Sewer Improvements	\$93,022.90	\$445,243.21	\$1,000,000.00	44.52%	\$554,756.79
307-000-000-595-30-63-10	Sidewalk Improvements	\$0.00	\$6,236.86	\$390,000.00	1.60%	\$383,763.14
<b>Total Capital Projects Fund</b>		<b>\$282,695.72</b>	<b>\$1,173,842.30</b>	<b>\$1,510,000.00</b>	<b>77.74%</b>	<b>\$336,157.70</b>
<b>Development Services Fund</b>						
401-000-000-514-20-46-00	Insurance Allocation (WCIA)	\$0.00	\$32,611.74	\$32,495.00	100.36%	(\$116.74)
401-000-000-515-41-40-00	City Attorney, Dev. Serv.	\$0.00	\$4,927.50	\$55,718.00	8.84%	\$50,790.50
401-000-000-518-80-41-50	Technical Services, Software Services	\$1,956.94	\$21,526.34	\$20,228.00	106.42%	(\$1,298.34)
401-000-000-558-60-11-00	Salaries & Wages	\$41,444.96	\$403,308.88	\$429,065.00	94.00%	\$25,756.12
401-000-000-558-60-11-14	Education	\$300.05	\$3,299.50	\$2,700.00	122.20%	(\$599.50)
401-000-000-558-60-11-16	ICMA 457 Plan	\$1,395.53	\$15,247.80	\$18,000.00	84.71%	\$2,752.20
401-000-000-558-60-11-17	Opt-Out of Medical	\$420.71	\$4,627.29	\$5,061.00	91.43%	\$433.71
401-000-000-558-60-21-00	Personnel Benefits	\$13,115.13	\$134,977.22	\$144,283.00	93.55%	\$9,305.78
401-000-000-558-60-31-00	Operating Supplies	\$104.82	\$741.36	\$4,000.00	18.53%	\$3,258.64
401-000-000-558-60-32-00	Vehicle Expenses - Gas, Oil, Maint.	\$133.86	\$3,522.97	\$3,000.00	117.43%	(\$522.97)
401-000-000-558-60-41-00	Professional Services	\$9,110.00	\$47,500.00	\$90,000.00	52.78%	\$42,500.00
401-000-000-558-60-41-01	Planning Consultant	\$11,303.55	\$56,848.55	\$70,000.00	81.21%	\$13,151.45
401-000-000-558-60-41-02	Hearing Examiner	\$0.00	\$16,020.00	\$3,500.00	457.71%	(\$12,520.00)
401-000-000-558-60-41-06	Building Inspector Contract	\$0.00	\$0.00	\$7,000.00	0.00%	\$7,000.00
401-000-000-558-60-41-07	Engineering Consultant	\$5,292.85	\$72,306.36	\$100,000.00	72.31%	\$27,693.64
401-000-000-558-60-41-08	Sound Testing Consultant	\$2,610.06	\$19,619.40	\$11,000.00	178.36%	(\$8,619.40)
401-000-000-558-60-41-50	Landscape Consultant	\$7,022.50	\$88,161.94	\$60,000.00	146.94%	(\$28,161.94)

401-000-000-558-60-41-55	Shoreline Consultant	\$4,487.50	\$5,691.25	\$5,000.00	113.83%	(\$691.25)
401-000-000-558-60-42-00	Communications	\$381.12	\$2,321.22	\$3,000.00	77.37%	\$678.78
401-000-000-558-60-43-00	Travel & Training	\$60.00	\$2,112.28	\$11,000.00	19.20%	\$8,887.72
401-000-000-558-60-49-00	Dues, Subscriptions, Memberships	\$0.00	\$2,923.95	\$1,300.00	224.92%	(\$1,623.95)
401-000-000-558-60-49-10	Miscellaneous	\$1,927.02	\$18,645.57	\$33,042.00	56.43%	\$14,396.43
401-000-000-582-10-00-01	Refund of PGB/CMP Deposits (DS)	\$12,080.35	\$23,159.15	\$0.00		(\$23,159.15)
401-000-000-594-60-64-00	DS- IT HW/SW >\$5K Capital Outlay	\$2,576.34	\$20,910.71	\$30,334.00	68.93%	\$9,423.29
401-000-000-594-60-64-05	Vehicle	\$0.00	\$0.00	\$40,000.00	0.00%	\$40,000.00
<b>Total Development Services Fund</b>		<b>\$115,723.29</b>	<b>\$1,001,010.98</b>	<b>\$1,179,726.00</b>	<b>84.85%</b>	<b>\$178,715.02</b>
<b>NonRevenue Trust Funds</b>						
<b>Expenditure</b>						
<b>Non-Expenditures</b>						
631-000-000-589-30-01-00	Dept Of Lic-Gun Permit	\$85.25	\$697.25	\$0.00		(\$697.25)
631-000-000-589-30-02-00	WA ST Patrol-Gun-Fbi	\$0.00	\$137.50	\$0.00		(\$137.50)
<b>Total Non-Expenditures</b>		<b>\$85.25</b>	<b>\$834.75</b>	<b>\$0.00</b>		<b>(\$834.75)</b>
<b>Total Expenditure</b>		<b>\$85.25</b>	<b>\$834.75</b>	<b>\$0.00</b>		<b>(\$834.75)</b>
<b>Total NonRevenue Trust Funds</b>		<b>\$85.25</b>	<b>\$834.75</b>	<b>\$0.00</b>		<b>(\$834.75)</b>
<b>Master Investments</b>						
<b>Expenditure</b>						
<b>Nonexpenditures</b>						
999-000-000-589-90-00-00	Investment Purchases	\$209,246.48	\$4,960,520.36	\$0.00		(\$4,960,520.36)
<b>Total Nonexpenditures</b>		<b>\$209,246.48</b>	<b>\$4,960,520.36</b>	<b>\$0.00</b>		<b>(\$4,960,520.36)</b>
<b>Total Expenditure</b>		<b>\$209,246.48</b>	<b>\$4,960,520.36</b>	<b>\$0.00</b>		<b>(\$4,960,520.36)</b>
<b>Total Master Investments</b>		<b>\$209,246.48</b>	<b>\$4,960,520.36</b>	<b>\$0.00</b>		<b>(\$4,960,520.36)</b>
<b>Grand Totals</b>		<b>\$1,267,090.45</b>	<b>\$14,776,982.03</b>	<b>\$11,931,304.00</b>	<b>123.85%</b>	<b>(\$2,845,678.03)</b>



# CITY OF MEDINA

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

**Date:** December 12, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, City Manager  
**From:** Aimee Kellerman, City Clerk  
**Subject:** Central Services Department Monthly Report

## DECEMBER AND JANUARY PUBLIC MEETINGS AND EVENTS

<u>Event</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Annual Argosy Christmas Ships	Dec 22	5:00 pm – 6:30 pm	Medina Beach Park
Christmas Day Observed - <b>City Hall Closed</b>	Dec 26		
New Year’s Day Observed – <b>City Hall Closed</b>	Jan 2		
City Council Meeting	Jan 9	5:00 pm	In-Person/Online
Martin Luther King Jr. Day – <b>City Hall Closed</b>	Jan 16		
Park Board Meeting	Jan 17	5:00 pm	In-Person/Online
Planning Commission Meeting	Jan 24	6:00 pm	In-Person/Online

*Meetings are publicly noticed on the City’s three official notice boards, City website, and via GovDelivery. Occasionally notices require publication in the City’s official newspaper, The Seattle Times. Public meetings scheduled after publication of this report can be found on the City’s website.*

## COMMUNICATION TO OUR COMMUNITY

**E-Notice Program:** During the month of November, the City issued 24 bulletins amounting to a total of 116,286 bulletins delivered to subscribers; approximately 17.9% were opened. See **Attachment 1**.

As of November 30, the city had 13,804 subscribers (change in total subscribers **+190**), with a combined total of 126,619 subscriptions (change in total subscriptions **+3,846**).

## RECORDS REQUESTS

As of November 30, 11 public records requests have been received by Central Services. See **Attachment 2**.

**ATTACHMENT 1**

	<b>Bulletins Developed</b>	<b>Total Recipients</b>	<b>Total Delivered</b>	<b>Unique Email Opens</b>	<b>Unique Email Open</b>	<b>Wireless Recipients</b>
Comparisons:						
November, 2022	24	128,822	116,286	14,221	17.90%	44,131
October, 2022	28	131,830	119,181	15,287	18.10%	41,173
September, 2022	18	71,635	64,845	8,554	18.20%	21,385
August, 2022	13	65,817	60,494	8,916	19.90%	18,579
July, 2022	17	66,926	61,741	8,809	18.5%	16,757
June, 2022	38	170,001	156,176	17,192	15.00%	48,346
May, 2022	21	93,246	86,088	9,650	14.8%	24,298
April, 2022	31	166,938	154,946	17,108	14.70%	45,327
March, 2022	21	108,426	100,766	11,437	15.00%	28,354
February, 2022	17	48,354	44,691	4,260	11.80%	10,350
January, 2022	25	101,589	94,429	10,651	14.20%	23,288
December, 2021	32	193,448	180,037	18,165	13.10%	49,149
November, 2021	27	100,179	93,226	7,593	10.20%	22,569
October, 2021	37	124,366	118,068	9,230	8.60%	21,579
<b>Date Sent</b>	<b>Top 10 Most Read Bulletins During November</b>				<b>Emails Opened</b>	<b>Email Open Rate</b>
11/02/2022 07:36 AM PDT	Community Bulletin - Safety Emphasis - NE 24th Street				1,044	32%
11/08/2022 03:42 PM PST	Community Bulletin - Inclement Weather Preparation				1,045	32%
11/10/2022 02:42 PM PST	Annual Holiday Giving Program to Benefit Childhaven				1,290	16%
11/10/2022 03:52 PM PST	Community Bulletin - Thefts from Mailboxes				1,143	34%
11/16/2022 09:20 AM PST	Annual Holiday Giving Program to Benefit Childhaven				1,170	16%
11/17/2022 11:15 AM PST	Community Bulletin - 84th Avenue NE Traffic Impacts				1,847	20%
11/22/2022 09:30 AM PST	Holiday Closures - Medina City Hall				1,224	17%
11/23/2022 09:25 AM PST	Annual Holiday Giving Program to Benefit Childhaven				1,278	17%
11/25/2022 01:13 PM PST	Community Bulletin - Seattle Marathon - Possible Impact to North Point Area				1,757	21%
11/29/2022 09:36 AM PST	Community Bulletin - Winter Weather				1,636	20%

**ATTACHMENT 2**

501 EVERGREEN POINT ROAD • P.O. BOX 144 • MEDINA, WA 98039-0144  
TELEPHONE (425) 233-6400 • FAX (425) 451-8197 • [www.medina-wa.gov](http://www.medina-wa.gov)

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DATE: December 12, 2022  
TO: Mayor and City Council  
From: Aimee Kellerman, City Clerk  
Subject: November 2022, Public Records Request Tracking

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In November 2022, Central Services staff received **11** new public records requests. These requests required approximately **4 hours** of Central Services staff time and **0 hours** of consulting time with the City Attorney. The overall November cost, which includes staff hourly rate plus benefits and City Attorney fees is approximately **\$230**.

In addition, the police department receives public records requests specific to police business that require records research and information distribution. In November 2022, the Police Department received **17** new records requests. These requests required approximately **16.5 hours** of staff time and **0 hours** of consulting time with the City Attorney. The overall November cost, which includes staff hourly rate plus benefits is approximately **\$1,155**. The requests are from outside law enforcement agencies, insurance carriers, the public and persons involved in the incidents.



Run Date: 12/07/2022 7:17 PM

Assigned Dept	Create Date	Reference No	Request Type	Required Completion Date	Customer Full Name	PRR - Type of Records Requested	Public Record Desired	Assigned Staff
Central Services	11/3/2022	<a href="#">P002559-110322</a>	Public Records Request	12/12/2022	Jim Dwyer	Building	Architectural plan set for home at; 3267 Evergreen Point Road	Dawn Nations
Central Services	11/3/2022	<a href="#">P002560-110322</a>	Public Records Request	11/15/2022	Matt Mamiya	Building	Hello, i'm looking for any building plans, site plans, structural plans or calcs that may be on file for a residence built in 1994. The address is: 2247 Evergreen Point Road Medina, WA Anything you can find is much appreciated! Thanks!	Dawn Nations
Central Services	11/4/2022	<a href="#">P002563-110422</a>	Public Records Request	11/18/2022	Ai Kong	Development Services	Site Survey, building permit or arborist/biology report (anything you can find for development) for 2445 78th Ave NE, Medina. Thank you so much	Dawn Nations
Central Services	11/10/2022	<a href="#">P002566-111022</a>	Public Records Request	11/21/2022	Braden Mineer	Building	Requesting a report of all issued and pending building permits for residential & commercial properties from 10/1/2022 to 10/31/2022. Report to include if possible: permit number, issue date, site addresses, valuation of project, description of work, contractor information and owner name. If a report is unavailable, then copies of the original permits would be more than adequate.	Dawn Nations
Central Services	11/16/2022	<a href="#">P002567-111622</a>	Public Records Request	12/14/2022	Sherri Dunn	Central Services	I would like to request any/all public records you may have on the 520 bridge Noise complaint and how it affects Medina residents and what, if any was the conclusion. I couldn't find much online currently and was hoping you could help with this. Let me know if you need anything from me.	Aimee Kellerman
Central Services	11/18/2022	<a href="#">P002569-111822</a>	Public Records Request	11/29/2022	Gregory Ashley	Development Services	I am looking for proof of a shoreline permit to build a pier at 116 Overlake Dr. E. Parcel # 938970-0015. Thanks. - Greg	Dawn Nations
Central Services	11/23/2022	<a href="#">P002575-112322</a>	Public Records Request	12/2/2022	Mark nelson	Development Services	I am requesting a electronic file of the Soils Report for the previous permit submittal for the property at 543 OVERLAKE DR E MEDINA for Ming Song. I have the Engineering Clearing and Grading Permit #ENG-GD-17-005, but not the Building permit number. If you have any questions, or I need to provide additional information to help you locate it, my contact information is below: Mark Nelson Nelson Architecture, Inc. Email: mark@nelsonarchitecture.net Tel: 206-617-8069	Dawn Nations

Central Services	11/28/2022	<a href="#">P002578-112822</a>	Public Records Request	12/7/2022	Kerry Fitterer	Building	Does the city maintain electronic copies of approved building permit plan sets? We have a prospective client, David & Eva Wasielewski (cc'd), that are considering an interior remodel. We're hoping to locate some as-built drawings. Address is 611 Evergreen Point Road. The home was originally built in 1990 and was renovated in 2000. Let me know if I should reach out directly to the building department. Thank you.	Dawn Nations
Central Services	11/29/2022	<a href="#">P002581-112922</a>	Public Records Request	12/8/2022	Property Manager Ryan Gardner	Building	Building plans for 8905 Groat Point Drive, Medina, WA 98039. This is for investigations into the building envelope. Prefer electronic but if record exists in paper only I can pick up copies. We have a plan set from 2014 but is pretty limited. We are looking for all plans associated with this lot.	Dawn Nations
Central Services	11/29/2022	<a href="#">P002582-112922</a>	Public Records Request	12/8/2022	Alex Morcos	Development Services	Kindly provide me with the latest revisions and submittal for the property under construction at 3436 Evergreen Point RD (the Perkins property) including construction plans AND the most recent "Revision 4" related to the patio and terrace by the lake waterfront.	Dawn Nations
Central Services	11/29/2022	<a href="#">P002583-112922</a>	Public Records Request	12/8/2022	Mr. Brian Wendt	Development Services	I request a copy of any/all permit applications and resulting permits for the removal of dock and the construction of a new dock located at 111 -84 Avenue NE, Medina WA, which is owned by the Simonyi family. Please note the applications may be tied to property located at 8345 Overlake Drive.	Dawn Nations





# CITY OF MEDINA

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

**Date:** December 12, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, City Manager  
**From:** Ryan Osada, Public Works Director  
**Subject:** Public Works Monthly Report

**1. TIB SMALL CITIES GRANT PROGRAM** – This summer, Public Works submitted three applications for funding through TIB’s Small Cities Program. On December 2, 2022, TIB announced the selected projects for FY2024. The City of Medina was awarded funding for all three projects that were submitted. The three projects include sidewalk on 81<sup>st</sup> Ave NE, asphalt overlay Upland Road and citywide cracksealing.



## Transportation Improvement Board December 2022 Selected Projects

12/2/2022

Medina	48	ATP	Medina Elementary School Sidewalks Phase 1 NE 8th St to Overlake Dr W	\$102,800	\$121,050
Medina	48	SCPP	Upland Road Overlay Overlake Drive W to NE 6th St	\$231,660	\$257,400
Medina	48	SCMP	2023 Maintenance Project Multiple Locations	\$83,250	\$92,500

2. **SNOW PREPAREDNESS** – At the November council meeting, a question regarding snow preparedness was asked. The Public Works Department currently owns two plow trucks with one salt/sand attachment. During forecasted snow events public works maintenance is put on-call during the weather timeline. If snow starts to fall and poses safety issues, the Police Department contacts Public Works to dispatch our crew. As for pre-treatment, we partner with Clyde Hill to provide spraying services.



**3. FUTURE AC WATERMAIN REPLACEMENT** – City of Bellevue Engineering recently contacted Medina Public Works regarding their upcoming AC Watermain Replacement Projects for 2024. A site meeting was arranged to review challenges with the NE 18<sup>th</sup> Street corridor to the waterfront area. NE 18<sup>th</sup> Street is a narrow roadway and services 38 properties for ingress egress. Bellevue’s proposed project will limit access to these properties for approximately 4 months. Coordination with residents, police and fire will be critical during construction.



4. **MAINTENANCE** - The public works maintenance crew has been busy with fall cleanup tasks. During the autumn season, they deal with plugged catch basins due to fallen debris in the roadway. This is also when most of the street sweeping and vactoring budget is spent. Lately the rain volumes have been lower than previous years which allows them to clean up prior to potential flooding events.



## 5. PROJECT UPDATES -

**2015 Medina Park Stormwater Pond Imp.** – Dredging is tentatively planned for summer of 2024

**2017 Medina Beach Park Tree Replanting** – Phase III tree planting.

**Medina Park Playground Improvements** – completed

**Post Office Floor Replacement** – Currently soliciting proposals

**Citywide Stormwater System Mapping & Evaluation** – G&O has completed most of the mapping. We are currently working on scoping and mapping the storm infrastructure that is located on several private properties.

**2022 Hazardous Tree Removal** – completed

**NE 12th Street Sidewalk Improvements & Undergrounding** – Finalizing 90% construction drawings. Still waiting for final drawings for luminaire locations. First round of notices was sent to residents along the corridor. *Revised construction schedule Summer 2023.*

**77<sup>th</sup> Ave NE Stormwater Repair** – completed

**TIB\_NE 7th Street Overlay – 84th Ave NE to Overlake Dr** – completed

**77th Ave NE Storm Repair Phase 2 & Phase 3** – completed

**2022 Localized Repair Stormwater** – site added on Overlake Dr E - completed

**2022 City Hall Repairs – Miscellaneous** – Balcony – in review

**77<sup>TH</sup> Ave NE Sidewalk & Curb Ramp Imp.** – reevaluating scope of work

### November 2022 Check Register

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
Una McAlinden	City Council Retreat	Council Retreat Facilitator	\$4,000.00	64205	11/10/2022	001-000-000-511-60-43-00	Travel & Training
			<b>\$4,000.00</b>				
US Bank	Nations CC Statement November 2022	Dinner CC Retreat	\$368.59	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-511-60-49-00	Miscellaneous
US Bank	Nations CC Statement November 2022	Dinner CC Retreat	\$53.50	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-511-60-49-00	Miscellaneous
			<b>\$422.09</b>				
Kirkland Municipal Court	Invoice - #Oct22Med	September 2022 Filing Fees	\$505.45	64188	11/10/2022	001-000-000-512-50-40-10	Municipal Court-Traffic/NonTrf
			<b>\$505.45</b>				
Moberly & Roberts, PLLC	Invoice - #1066	Prosecution Services	\$4,000.00	64192	11/10/2022	001-000-000-512-50-41-10	Prosecuting Attorney
			<b>\$4,000.00</b>				
Sound View Strategies, LLC	Invoice - #2790	Consultant SR520	\$3,000.00	64198	11/10/2022	001-000-000-513-10-41-00	Professional Services
			<b>\$3,000.00</b>				
AWC Employee Benefit Trust	November 2022 JE #2021 Adjusting Entry for AWC Benefits Variance	Adjusting Entry for AWC Benefits Variance	\$0.01	20100967-AWC Variance Adjustment November 2022	11/30/2022	001-000-000-514-20-21-00	Personnel Benefits
			<b>\$0.01</b>				
WA ST Auditor's Office	Invoice - #L150965	2021 Annual Audit Fees	\$5,897.88	64255	11/30/2022	001-000-000-514-20-42-00	Intergvml Prof Serv-Auditors
			<b>\$5,897.88</b>				
US Bank	Wagner CC Statement November 2022	BARS Training	\$30.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-514-20-43-00	Travel & Training
US Bank	Invoice - #4045310	Q1 through Q3 2022 Bank Fees	\$1,598.47	64253	11/30/2022	001-000-000-514-20-49-00	Misc-Dues,Subscriptions
			<b>\$1,628.47</b>				
Navia Benefit Solutions	Invoice - #10525186	Coverage Period 10/1/22-10/31/22	\$50.00	64194	11/10/2022	001-000-000-514-20-49-10	Miscellaneous
Navia Benefit Solutions	Invoice - #10532985	November 2022 Flex Fees	\$50.00	64264	11/30/2022	001-000-000-514-20-49-10	Miscellaneous
			<b>\$100.00</b>				
US Bank	Wagner CC Statement November 2022	Annual Card Fee	\$99.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-514-20-49-10	Miscellaneous
US Bank	November 2022 JE #2023 Adjusting Entry for Bank Statement Variance	Adjusting Entry for Bank Statement Variance	(\$0.01)	20100967-November 2022 Bank Fees	11/30/2022	001-000-000-514-20-49-10	Miscellaneous
US Bank	November 2022 JE #2015 Bank Fees	November 2022 Bank Fees	\$140.80	20100967-November 2022 Bank Fees	11/30/2022	001-000-000-514-20-49-10	Miscellaneous
			<b>\$239.79</b>				
Ogden Murphy Wallace	Invoice - #868197	City Attorney	\$1,422.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869219	City Attorney	\$2,421.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869220	City Attorney	\$252.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869216	City Attorney	\$279.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868189	City Attorney	\$54.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868190	City Attorney	\$3,186.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868196	City Attorney	\$504.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868191	City Attorney	\$2,160.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868195	City Attorney	\$5,290.50	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869222	City Attorney	\$369.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869218	City Attorney	\$999.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869217	City Attorney	\$3,492.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868192	City Attorney	\$36.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868194	City Attorney	\$324.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #868193	City Attorney	\$36.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869221	City Attorney	\$2,628.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869223	City Attorney	\$351.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	Invoice - #869215	City Attorney	\$54.00	64211	11/14/2022	001-000-000-515-41-40-00	City Attorney
			<b>\$23,857.50</b>				
Stewart MacNichols Harmell, Inc., PS	October 2022 Public Defender Services	October 2022 Public Defender Services	\$575.00	64201	11/10/2022	001-000-000-515-91-40-00	Public Defender
			<b>\$575.00</b>				
Staples Business Advantage	Invoice - #3520663877	CH Office Supplies	\$144.14	64200	11/10/2022	001-000-000-518-10-31-00	Office And Operating Supplies
			<b>\$144.14</b>				
Konica Minolta Premier Finance	Invoice - #77983389	PW Copier/Printer	\$96.36	EFT Payment 12/6/2022 12:57:50 PM - 1	11/30/2022	001-000-000-518-10-31-00	Office And Operating Supplies
Konica Minolta Premier Finance	Invoice - #78240698	PW Printer	\$101.18	EFT Payment 12/6/2022 12:57:50 PM - 1	11/30/2022	001-000-000-518-10-31-00	Office And Operating Supplies
			<b>\$197.54</b>				
Pro-shred	Invoice - #57626	CH Shredding Service	\$55.66	64195	11/10/2022	001-000-000-518-10-41-00	Professional Services
			<b>\$55.66</b>				
Laserfiche	Invoice - #144695	Laserfiche Implementation	\$93,182.20	64190	11/10/2022	001-000-000-518-10-41-00	Professional Services
			<b>\$93,182.20</b>				
Pro-shred	Invoice - #58354	CH Shredding Service	\$55.66	64243	11/30/2022	001-000-000-518-10-41-00	Professional Services
Pro-shred	Invoice - #57978	CH Shredding Service	\$55.66	64243	11/30/2022	001-000-000-518-10-41-00	Professional Services
			<b>\$111.32</b>				
Centurylink	For Services from October 7 through November 7, 2022 (CH)	CH CC Terminal	\$348.19	64181	11/10/2022	001-000-000-518-10-42-00	Postage/Telephone
Centurylink	For Services from November 7 to December 7, 2022	CH CC Terminal	\$343.71	64223	11/30/2022	001-000-000-518-10-42-00	Postage/Telephone
			<b>\$691.90</b>				
Fischer, Craig T	Fischer October 2022 Expense Reimbursement	WAPRO Fall Conference	\$60.25	EFT Payment 11/10/2022 1:26:18 PM - 1	11/10/2022	001-000-000-518-10-43-00	Travel & Training
			<b>\$60.25</b>				
US Bank	Nations CC Statement November 2022	WAPRO Training Parking Fee	\$12.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-518-10-43-00	Travel & Training
			<b>\$12.00</b>				
Seattle Times, The	Invoice - #29046	Legal Notice	\$140.49	64246	11/30/2022	001-000-000-518-10-44-00	Advertising
			<b>\$140.49</b>				



Daily Journal of Commerce	Invoice - #3383438	Rescinded Call for Bids Ad	\$31.80	64227	11/30/2022	001-000-000-518-10-44-00	Advertising
Daily Journal of Commerce	Invoice - #3383407	Call for Bids - Police License Plate Audio/Video Contractor	\$204.05	64227	11/30/2022	001-000-000-518-10-44-00	Advertising
			<b>\$235.85</b>				
Bellevue City Treasurer - Water	For Services from August 3 through October 7, 2022 (501 Evergreen Point Rd)	CH Utilities	\$1,678.17	64220	11/30/2022	001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste
			<b>\$1,678.17</b>				
Puget Sound Energy	For Services from September 20 through October 19, 2022 (501 Evergreen Point Rd)	CH Utilities Gas/Electric	\$1,425.55	64244	11/30/2022	001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste
			<b>\$1,425.55</b>				
Spot-On Print & Design	Invoice - #57515	Treecode Update Postcard	\$540.59	64199	11/10/2022	001-000-000-518-10-49-30	Postcard, Public information
Spot-On Print & Design	Invoice - #57644	Stormwater Treatment Letters	\$75.77	64248	11/30/2022	001-000-000-518-10-49-30	Postcard, Public information
			<b>\$616.36</b>				
Wide Format Company, The	Invoice - #138668	PRA Copies	\$63.30	64259	11/30/2022	001-000-000-518-10-49-40	Photocopies
			<b>\$63.30</b>				
Buenavista Services, Inc	Invoice - #10176	Janitorial Services at Park Restrooms	\$1,158.62	64222	11/30/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$1,158.62</b>				
Pacific Power Group, LLC	Invoice - #912253-00	CH Generator Repair	\$1,478.65	64242	11/30/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$1,478.65</b>				
Buenavista Services, Inc	Invoice - #10177	Janitorial Services at Post Office and City Hall	\$2,037.75	64222	11/30/2022	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			<b>\$2,037.75</b>				
TIG Technology Integration Group	Invoice - #5471187	New Server Switches Components	\$2,755.84	64202	11/10/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
TIG Technology Integration Group	Invoice - #5481361	IT Implementation Mimecast (Firewall Protection)	\$6,520.12	64202	11/10/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
			<b>\$9,275.96</b>				
CivicPlus, LLC	Invoice - #242382	Web/Board Management Hosting	\$3,300.00	64182	11/10/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
			<b>\$3,300.00</b>				
SHI International Corp	Invoice - #B15981253	Azure Storage	\$641.06	64197	11/10/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
			<b>\$641.06</b>				
TIG Technology Integration Group	Invoice - #5483449	Duo Subscription	\$16.52	64251	11/30/2022	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
			<b>\$16.52</b>				
SHI International Corp	Invoice - #B15929284	Azure Overages	\$647.58	64197	11/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
SHI International Corp	Invoice - #B15922601	Azure Overages	\$647.85	64197	11/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$1,295.43</b>				
Message Watcher, LLC	Invoice - #50183	Email, Web, SM Archiving	\$248.90	64191	11/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
Message Watcher, LLC	Invoice - #50153	Email, Web, SM Archiving	\$248.90	64191	11/10/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$497.80</b>				
TIG Technology Integration Group	Invoice - #60533	IT Managed Services	\$10,619.78	64251	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$10,619.78</b>				
8X8, Inc.	Invoice - #3602478	CH Phones	\$911.31	64261	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$911.31</b>				
CivicPlus, LLC	Invoice - #246910	Annual Online Code Hosting	\$1,345.00	64224	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$1,345.00</b>				
SHI International Corp	Invoice - #B16118813	Microsoft Select	\$648.11	64247	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$648.11</b>				
Granicus, LLC	Invoice - #158343	Communications Cloud	\$4,748.29	64232	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$4,748.29</b>				
Message Watcher, LLC	Invoice - #50485	November 2022 Service Period	\$251.80	64262	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$251.80</b>				
SHI International Corp	Invoice - #B16189076	Microsoft Select	\$197.74	64247	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
SHI International Corp	Invoice - #B16118646	Microsoft Select	\$641.54	64247	11/30/2022	001-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$839.28</b>				
Brightly Software, Inc. (Formerly Dude Solutions, Inc.)	Invoice - #INV-125854	Annual Connector Maintenance	\$1,333.74	64179	11/10/2022	001-000-000-518-80-48-00	Repairs & Maint., Annual Software Maint.
			<b>\$1,333.74</b>				
Hadland, Chris	October 2022 JE #2014 Month End Payroll - Hadland Wellness Credit Adjusting Entry	April through September 2022 Wellness Credit 2% Reclass	(\$892.26)	20100967-Hadland Wellness Reclass Adjusting Entry	11/30/2022	001-000-000-521-20-11-00	Salaries & Wages
Hadland, Chris	October 2022 JE #2014 Month End Payroll - Hadland Wellness Credit Adjusting Entry	April through September 2022 Wellness Credit 2% Reclass	\$892.26	20100967-Hadland Wellness Reclass Adjusting Entry	11/30/2022	001-000-000-521-20-11-19	2% Physical Fitness Incentive
			<b>\$0.00</b>				
911 Supply Inc	Invoice - #INV-2-23102	Uniform - Hadland	\$181.63	64173	11/10/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-23101	Uniform - Scott	\$242.18	64173	11/10/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-23815	Uniform - Anderson	\$312.66	64218	11/30/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-23913	PD Uniform - Department	\$77.18	64218	11/30/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-23818	Uniform - Hadland and Scott	\$528.40	64218	11/30/2022	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	Invoice - #INV-2-23816	PD Gear for Department Use	\$156.27	64218	11/30/2022	001-000-000-521-20-22-00	Uniforms
			<b>\$1,498.32</b>				
US Bank	Gidlof CC Statement November 2022	PD Uniforms	\$380.31		11/30/2022	001-000-000-521-20-22-00	Uniforms
US Bank	Gidlof CC Statement November 2022	PD Uniforms	\$180.54		11/30/2022	001-000-000-521-20-22-00	Uniforms
			<b>\$560.85</b>				
Staples Business Advantage	Invoice - #3522214262	PD Office Supplies	\$58.02	64200	11/10/2022	001-000-000-521-20-31-00	Office Supplies
Staples Business Advantage	Invoice - #3522214261	PD Office Supplies	\$111.67	64200	11/10/2022	001-000-000-521-20-31-00	Office Supplies
			<b>\$169.69</b>				
US Bank	Gidlof CC Statement November 2022	Screen Protector	\$46.96		11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	Label Maker	\$110.09		11/30/2022	001-000-000-521-20-31-00	Office Supplies

US Bank	Gidlof CC Statement November 2022	Nanuk 909 Hard Case	\$66.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	Glade Plugins	\$32.34	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	Digital Keyboard	\$492.33	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	Fire Extinguisher	\$25.27	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	USB Modem	\$60.54	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-00	Office Supplies
US Bank	Gidlof CC Statement November 2022	PD Tools/Drill	\$153.04	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-40	Police Operating Supplies
US Bank	Gidlof CC Statement November 2022	HSI First Aid	\$385.73	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-31-40	Police Operating Supplies
			<b>\$1,372.30</b>				
San Diego Police Equipment CO	Invoice - #654261	Firearms Ammunition	\$669.65	64196	11/10/2022	001-000-000-521-20-31-60	Ammo/Range (Targets, etc)
			<b>\$669.65</b>				
Dooley Enterprises, Inc.	Invoice - #64208	PD Ammunition	\$839.52	64230	11/30/2022	001-000-000-521-20-31-60	Ammo/Range (Targets, etc)
			<b>\$839.52</b>				
Tiki Car Wash	Invoice - #2228	PD Car Washes	\$101.61	64203	11/10/2022	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			<b>\$101.61</b>				
US Bank	Gidlof CC Statement November 2022	2x Passes	\$33.04	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			<b>\$33.04</b>				
Adonis Photography	Invoice - #386	Department Photos	\$1,950.00	64174	11/10/2022	001-000-000-521-20-41-00	Professional Services
			<b>\$1,950.00</b>				
LexisNexis Risk Management - Account	Invoice - #1011660-20220930	Investigative Tool	\$233.62	64239	11/30/2022	001-000-000-521-20-41-00	Professional Services
			<b>\$233.62</b>				
US Bank	Gidlof CC Statement November 2022	PD Supplies	\$521.88	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-41-00	Professional Services
US Bank	Burns CC Statement November 2022	Upgrade Software Professional Use for PD	\$264.11	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-41-00	Professional Services
US Bank	Gidlof CC Statement November 2022	TCL Lifepics	\$59.95	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-41-00	Professional Services
			<b>\$845.94</b>				
Eastside Public Safety Communications	Invoice - #10959	November 2022 Radio Access Fees	\$495.39	64184	11/10/2022	001-000-000-521-20-41-20	Dispatch-EPSCA
Eastside Public Safety Communications	Invoice - #10930	October 2022 Radio Access Fees	\$495.39	64184	11/10/2022	001-000-000-521-20-41-20	Dispatch-EPSCA
			<b>\$990.78</b>				
Bellevue, City of	Invoice - #43679	Q3 2022 Bellevue CARES Support	\$4,239.00	64176	11/10/2022	001-000-000-521-20-41-41	Bellevue CARE program
			<b>\$4,239.00</b>				
Washington State Patrol	Invoice - #I23002563	Background Checks	\$47.50	64208	11/10/2022	001-000-000-521-20-41-50	Recruitment-Background
			<b>\$47.50</b>				
WA State Patrol	Invoice - #I23001044	Background Checks	\$13.25	64256	11/30/2022	001-000-000-521-20-41-50	Recruitment-Background
			<b>\$13.25</b>				
SCORE	Invoice - #6375	Inmate Housing	\$1,172.12	64245	11/30/2022	001-000-000-521-20-41-55	Jail Service-Prisoner Board
			<b>\$1,172.12</b>				
AutoNation Chrysler, Jeep, Dodge Bellevue	Invoice - #314874	Maintenance Car #28	\$350.78	64219	11/30/2022	001-000-000-521-20-41-80	Domestic Violence-Kirkland
			<b>\$350.78</b>				
Motorola	Invoice - #8281493409	PD Phone	\$705.32	64193	11/10/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
Motorola	Invoice - #8281497222	PD Phones	\$923.61	64193	11/10/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
			<b>\$1,628.93</b>				
Centurylink	For Services from October 17 to November 17, 2022	PD Phone/Fax	\$246.55	64223	11/30/2022	001-000-000-521-20-42-00	Communications (phone,Pager)
			<b>\$246.55</b>				
Washington Law Enforcement Information and Records Association	Invoice - #2092	Records Hearing - Barbara M.	\$85.00	64257	11/30/2022	001-000-000-521-20-43-00	Travel & Training
			<b>\$85.00</b>				
US Bank	Gidlof CC Statement November 2022	Training - Halverson	\$125.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-43-00	Travel & Training
US Bank	Gidlof CC Statement November 2022	Training - Halverson	\$125.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-43-00	Travel & Training
US Bank	Sass CC Statement November 2022	NW Leadership Seminar	\$395.00	EFT Payment 12/6/2022 12:58:54 PM - 1	11/30/2022	001-000-000-521-20-43-00	Travel & Training
			<b>\$645.00</b>				
Konica Minolta Premier Finance	Invoice - #78164931	PD Copier Lease	\$247.88	EFT Payment 12/6/2022 12:57:50 PM - 1	11/30/2022	001-000-000-521-20-45-00	Equipment-Lease & Rentals
Konica Minolta Premier Finance	Invoice - #77848662	PD Copier	\$309.78	EFT Payment 12/6/2022 12:57:50 PM - 1	11/30/2022	001-000-000-521-20-45-00	Equipment-Lease & Rentals
			<b>\$557.66</b>				
Day Wireless Systems	Invoice - #INV751510	Repeater Install at PW	\$1,577.48	64229	11/30/2022	001-000-000-521-20-48-00	Repairs & Maint-Equip & Evidence SW
			<b>\$1,577.48</b>				
AutoNation Chrysler, Jeep, Dodge Bellevue	Invoice - #314574	Maintenance Car #27	\$106.96	64175	11/10/2022	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
			<b>\$106.96</b>				
FCI - Custom Police Vehicles	Invoice - #17731	PD Vehicle Repair/Maintenance Car #27	\$332.46	64231	11/30/2022	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
			<b>\$332.46</b>				
MPH Industries, Inc.	Invoice - #6018965	PD Vehicle Equipment	\$2,311.00	64241	11/30/2022	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
			<b>\$2,311.00</b>				
Comcast	For Services from October 25 to November 24, 2022 (1000 80th Ave NE)	1000 LWB NE Camera	\$312.72	64183	11/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	For Services from November 7 to December 6, 2022 (1000 Lake Wash Blvd NE)	1000 LWB NE Camera	\$245.36	64183	11/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	For Services from November 7 to December 6, 2022 (700 Lake Wash Blvd NE)	700 LWB NE Camera	\$250.87	64183	11/10/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$808.95</b>				
Puget Sound Energy	For Services from September 15 through October 14, 2022 (8300 NE 24th St)	NE 24th St Camera	\$25.09	64244	11/30/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	For Services from September 20 through October 19, 2022 (1050 82nd Ave NE)	82nd Ave NE Camera	\$33.23	64244	11/30/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	For Services from October 14 through November 15, 2022 (8300 NE 24th St)	NE 24th St Camera	\$51.79	64244	11/30/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	For Services from September 21 through October 20, 2022 (8670 NE 10th St)	NE 10th SE Camera	\$32.55	64244	11/30/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras

Puget Sound Energy	For Services from September 21 through October 20, 2022 (740 Overlake Dr E)	ODE Camera	\$35.57	64244	11/30/2022	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			<b>\$178.23</b>				
FBI-Law Enforcement Executive Dev. Assn.	Invoice - #300067465	Membership Dues - Austin Gidlof	\$50.00	64185	11/10/2022	001-000-000-521-20-49-40	Dues,Subscriptions,Memberships
			<b>\$50.00</b>				
Pro-shred	Invoice - #58040	Community Shredding Day (Crime)	\$1,593.00	64195	11/10/2022	001-000-000-521-20-49-60	Crime Prevention/Public Educ
			<b>\$1,593.00</b>				
US Bank	Sass CC Statement November 2022	Medina Market	\$123.42		11/30/2022	001-000-000-521-20-49-60	Crime Prevention/Public Educ
			<b>\$123.42</b>				
King County Treasury	Invoice - #2145455	KC Mental Healthy Passthrough Q3 2022	\$223.94	64238	11/30/2022	001-000-000-564-60-40-00	Mental Health Services-KC Substance
			<b>\$223.94</b>				
Surbeck, Katie	Surbeck Expense Reimbursement Form	Park Board - Bulb Planting	\$107.92	64250	11/30/2022	001-000-000-576-80-31-00	Operating Supplies
			<b>\$107.92</b>				
Home Depot Credit Services	November 2022 Shop Tools	Shop Tools	\$67.94	64234	11/30/2022	001-000-000-576-80-31-00	Operating Supplies
			<b>\$67.94</b>				
US Bank	Crickmore CC Statement November 2022	Walk Behind Blower	\$2,071.81		11/30/2022	001-000-000-576-80-31-00	Operating Supplies
US Bank	Crickmore CC Statement November 2022	Wheelbarrow/Buckets/Rake	\$519.65		11/30/2022	001-000-000-576-80-31-00	Operating Supplies
US Bank	Nations CC Statement November 2022	Holiday tchotchke - Park Board Christmas Ships Event	\$471.52		11/30/2022	001-000-000-576-80-31-00	Operating Supplies
			<b>\$3,062.98</b>				
Puget Sound Energy	For Services from September 21 through October 20, 2022 (84th Ave NE)	View Pt PK Power	\$15.77	64244	11/30/2022	001-000-000-576-80-47-00	Utilities
			<b>\$15.77</b>				
Bellevue City Treasurer - Water	For Services from August 3 through October 7, 2022 (506 Evergreen Point Rd)	Beach Park Irrigation	\$1,700.09	64220	11/30/2022	001-000-000-576-80-47-00	Utilities
			<b>\$1,700.09</b>				
Puget Sound Energy	For Services from September 20 through October 19, 2022 (1000 80th Ave NE)	Medina PK Irrigation	\$589.10	64244	11/30/2022	001-000-000-576-80-47-00	Utilities
			<b>\$589.10</b>				
Bellevue City Treasurer - Water	For Services from August 3 through October 3, 2022 (7801 NE 32nd St)	Fairweather Park Irrigation	\$121.96	64220	11/30/2022	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	For Services from August 23 through October 20, 2022 (8401 Overlake Dr W)	View Pt PK Irrigation	\$889.11	64220	11/30/2022	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	For Services from August 23 through October 20, 2022 (100 84th Ave NE)	View Pt. PK Irrigation	\$78.93	64220	11/30/2022	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	For Services from August 8 through October 7, 2022 (1000 80th Ave NE)	Medina Pk Irrigation	\$4,682.05	64220	11/30/2022	001-000-000-576-80-47-00	Utilities
			<b>\$5,772.05</b>				
Turf Star, Inc.	Invoice - #7250098-00	Toro Workman Drivers Side Door	\$2,066.30	64252	11/30/2022	001-000-000-576-80-48-00	Repair & Maint Equipment
			<b>\$2,066.30</b>				
Buchan, William	CMP-19-007	CMP-19-007 Release of Funds	\$1,500.00	64180	11/10/2022	001-000-000-582-10-00-01	Refund of Deposits - Dev. Svcs.
			<b>\$1,500.00</b>				
TIG Technology Integration Group	Credit Memo #5464944	New PC - Chambers Credit Memo	(\$2,367.00)	64202	11/10/2022	001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital
			<b>(\$2,367.00)</b>				
FCI - Custom Police Vehicles	Invoice - #14670	Lease PD Car #26	\$799.11	64186	11/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14666	Lease PD Car #27	\$715.84	64186	11/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14667	Lease PD Car #28	\$838.65	64186	11/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14669	Principal - Vehicle Lease	\$1,791.86	64186	11/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14668	Lease PD Car #29	\$1,016.21	64186	11/10/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14714	Lease MPD Car #28	\$842.15	64231	11/30/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14715	Lease MPD Car #29	\$1,020.44	64231	11/30/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14716	Lease MPD Car #30 and #31	\$1,800.82	64231	11/30/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14713	Lease MPD Car #27	\$718.82	64231	11/30/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14717	Lease MPD Car #26	\$802.44	64231	11/30/2022	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	Invoice - #14667	Interest PD Vehicle	\$242.43	64186	11/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14666	Interest PD Vehicle	\$223.28	64186	11/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14670	Interest PD Vehicle	\$194.61	64186	11/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14669	Interest PD Vehicle	\$912.94	64186	11/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14668	Interest PD Vehicle	\$352.75	64186	11/10/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14715	Interest PD Vehicle	\$348.52	64231	11/30/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14714	Interest PD Vehicle	\$238.93	64231	11/30/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14713	Interest PD Vehicle	\$220.30	64231	11/30/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14717	Interest PD Vehicle	\$191.28	64231	11/30/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	Invoice - #14716	Interest PD Vehicle	\$903.98	64231	11/30/2022	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
			<b>\$14,175.36</b>				
Issaquah Honda Kubota	Invoice - #584311	Chain Saw Chains & Oil	\$231.77	64236	11/30/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			<b>\$231.77</b>				
US Bank	Crickmore CC Statement November 2022	Dewalt Battery Charger	\$219.10		11/30/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
US Bank	Crickmore CC Statement November 2022	Sidewalk Curb Ramp	\$87.19		11/30/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
US Bank	Crickmore CC Statement November 2022	Battery Jump Starter & Battery Trickle Chargers	\$351.57		11/30/2022	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			<b>\$657.86</b>				
King County Treasury	Invoice - #119322	KC WRIA Cost Share 2nd Payment	\$969.70	64187	11/10/2022	101-000-000-542-30-41-00	Professional Services
			<b>\$969.70</b>				
Gray & Osborne, Inc.	Invoice - #3/Project No. 22547.00	Overlake Dr Bridge Load Ramp Study	\$1,239.58	64233	11/30/2022	101-000-000-542-30-41-00	Professional Services
			<b>\$1,239.58</b>				
Stewart Title Company	Invoice - #553598	Street Easement Docs	\$330.30	64249	11/30/2022	101-000-000-542-30-41-00	Professional Services

Horticultural Elements, Inc.	Invoice - #7037	84th Ave NE Median Maintenance	\$4,943.49	64235	11/30/2022	101-000-000-542-30-41-00	Professional Services
			<b>\$330.30</b>				
			\$4,943.49				
Gray & Osborne, Inc.	Invoice - #5/Project No. 22464.00	NPDES Assistance	\$637.86	64233	11/30/2022	101-000-000-542-30-41-03	NPDES Grant
			<b>\$637.86</b>				
Utilities Underground Location Ctr	Invoice - #2100181	Utility Locate Services	\$52.89	64254	11/30/2022	101-000-000-542-30-47-00	Utility Services
			<b>\$52.89</b>				
Davidson-Macri Sweeping, Inc.	Invoice - #228311	Vector & Setting Service	\$2,705.57	64228	11/30/2022	101-000-000-542-40-41-00	Storm Drain Maintenance
			<b>\$2,705.57</b>				
Puget Sound Energy	For Services from October 1 through November 1, 2022 (80th Ave NE)	Street Light Power	\$12.43	64244	11/30/2022	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	For Services from October 1 through November 1, 2022 (77th Ave NE)	Street Light Power	\$106.33	64244	11/30/2022	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	For Services from October 1 through November 1, 2022 (TIB LED CONVERSION)	Street Light PMR	\$1,746.85	64244	11/30/2022	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	For Services from October 1 through November 1, 2022 (515 Evergreen Point Rd)	Street Light Power	\$29.33	64244	11/30/2022	101-000-000-542-63-41-00	Street Light Utilities
			<b>\$1,894.94</b>				
Zumar Industries, Inc.	Invoice - #41325	Crosswalk Flags	\$454.05	64210	11/10/2022	101-000-000-542-64-41-00	Traffic Control Devices
Zumar Industries, Inc.	Invoice - #41420	PW Supplies/Equipment Materials	\$294.96	64260	11/30/2022	101-000-000-542-64-41-00	Traffic Control Devices
			<b>\$749.01</b>				
Bellevue City Treasurer - Water	For Services from July 28 through September 22, 2022 (CNTR R W OF 84th NE)	84th/24th Irrigation	\$5,210.97	64220	11/30/2022	101-000-000-542-70-40-00	Street Irrigation Utilities
Bellevue City Treasurer - Water	For Services from July 27 through September 28, 2022 (1078 Lake Washington Blvd NE)	Lake WA Blvd Irrigation	\$68.93	64220	11/30/2022	101-000-000-542-70-40-00	Street Irrigation Utilities
			<b>\$5,279.90</b>				
Mike's Tree Care, Inc	August 2022 Tree and Stump Removal Service	Tree and Stump Removal	\$7,156.50	64240	11/30/2022	103-000-000-558-60-41-50	Professional Services/Landscape
			<b>\$7,156.50</b>				
Gray & Osborne, Inc.	Invoice - #6/Project No. 22503.00	2205 LPR System	\$2,960.19	64233	11/30/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$2,960.19</b>				
Kamins Construction Inc	Invoice - #1880	86th & 5th Paving	\$35,470.29	64237	11/30/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
Kamins Construction Inc	Invoice - #PE2	NE 7th St Overlay	\$148,925.23	64237	11/30/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$184,395.52</b>				
Gray & Osborne, Inc.	Invoice - #6/Project No. 22488.01	NE 7th St Overlay	\$3,962.31	64233	11/30/2022	307-000-000-595-30-63-01	Street Improvements, Overlays
			<b>\$3,962.31</b>				
Kamins Construction Inc	Invoice - #1879	Replace Storm Drain Ring and Covers	\$53,397.04	64237	11/30/2022	307-000-000-595-30-63-02	Storm Sewer Improvements
Kamins Construction Inc	Invoice - #PE2	NE 7th Storm Improvements	\$39,625.86	64237	11/30/2022	307-000-000-595-30-63-02	Storm Sewer Improvements
			<b>\$93,022.90</b>				
TIG Technology Integration Group	Invoice - #60533	IT Services	\$1,956.94	64251	11/30/2022	401-000-000-518-80-41-50	Technical Services, Software Services
			<b>\$1,956.94</b>				
Spot-On Print & Design	Invoice - #57521	Business Cards	\$52.41	64248	11/30/2022	401-000-000-558-60-31-00	Operating Supplies
Spot-On Print & Design	Invoice - #57554	Business Cards	\$52.41	64248	11/30/2022	401-000-000-558-60-31-00	Operating Supplies
			<b>\$104.82</b>				
WA ST Dept of Transportation	Invoice - #FB91017004231	Building Inspector Vehicle Fuel	\$133.86	64207	11/10/2022	401-000-000-558-60-32-00	Vehicle Expenses - Gas, Oil, Maint.
			<b>\$133.86</b>				
BlueLine Group LLC, The	Invoice - #24743	Housing Action Plan (covered by Grant)	\$3,500.00	64177	11/10/2022	401-000-000-558-60-41-00	Professional Services
			<b>\$3,500.00</b>				
CWA Consultants	Invoice - #22-464	Building Permit Review Services	\$550.00	64226	11/30/2022	401-000-000-558-60-41-00	Professional Services
CWA Consultants	Invoice - #22-453	Building Permit Review Services	\$3,740.00	64226	11/30/2022	401-000-000-558-60-41-00	Professional Services
CWA Consultants	Invoice - #22-452	Building Permit Review Services	\$880.00	64226	11/30/2022	401-000-000-558-60-41-00	Professional Services
CWA Consultants	Invoice - #22-450	Building Permit Review Services	\$220.00	64226	11/30/2022	401-000-000-558-60-41-00	Professional Services
CWA Consultants	Invoice - #22-451	Building Permit Review Services	\$220.00	64226	11/30/2022	401-000-000-558-60-41-00	Professional Services
			<b>\$5,610.00</b>				
CREA Affiliates, LLC	Invoice - #WMD22107-001	Comprehensive Plan Update 2024	\$11,303.55	64225	11/30/2022	401-000-000-558-60-41-01	Planning Consultant
			<b>\$11,303.55</b>				
Gray & Osborne, Inc.	Invoice - #6/Project No. 22427.05	Grading and Drainage Consultant	\$345.93	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #10/Project No. 21427.26	Grading and Drainage Consultant	\$136.14	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #16/Project No. 19412.73	Grading and Drainage Consultant	\$213.51	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
			<b>\$695.58</b>				
WSP Global Inc	Invoice - #S51704146	Geotechnical Review Services	\$1,495.50	64263	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
			<b>\$1,495.50</b>				
Gray & Osborne, Inc.	Invoice - #7/Project No. 20425.03	Grading and Drainage Consultant	\$202.35	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #11/Project No. 22427.00	Grading and Drainage Consultant	\$331.05	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #9/Project No. 21427.03	Grading and Drainage Consultant	\$136.14	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #19/Project No. 20425.16	Grading and Drainage Consultant	\$427.02	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #12/Project No. 21427.11	Grading and Drainage Consultant	\$205.05	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #9/Project No. 21427.14	Grading and Drainage Consultant	\$625.65	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #3/Project No. 22427.17	Grading and Drainage Consultant	\$206.07	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #11/Project No. 20425.19	Grading and Drainage Consultant	\$703.60	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	Invoice - #1/Project No. 22427.22	Grading and Drainage Consultant	\$264.84	64233	11/30/2022	401-000-000-558-60-41-07	Engineering Consultant
			<b>\$3,101.77</b>				
BRC Acoustics & Audiovisual Design	Invoice - #26913	Sound Test Services	\$2,610.06	64178	11/10/2022	401-000-000-558-60-41-08	Sound Testing Consultant
			<b>\$2,610.06</b>				
Tree Solutions, Inc.	Invoice - #35279	Project No Tree-18-024	\$120.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant

Tree Solutions, Inc.	Invoice - #35296	Project No Tree-21-070	\$200.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35294	Project No Tree-22-006	\$120.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35280	Project No Tree-21-007/21-008	\$400.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35286	Project No Tree-22-050	\$280.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35295	Project No Tree-21-069	\$160.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35300	General	\$1,822.50	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35299	Project No Tree-19-080	\$160.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35281	Project No Tree-14-011	\$400.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35290	Project No Tree-22-049	\$120.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35282	Project No Tree-21-039	\$240.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35292	Project No Tree-21-057	\$40.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35284	Project No Tree-19-063	\$40.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35297	Project No Tree-18-032	\$320.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35283	Project No Tree-22-057	\$360.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35285	Project No Tree-22-027	\$280.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35293	Project No Tree-21-040	\$400.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35298	Project No Tree-20-048	\$120.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35291	Project No Tree-21-016	\$120.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35287	Project No Tree-22-032	\$280.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35289	Project No Tree-22-021	\$280.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
Tree Solutions, Inc.	Invoice - #35288	Project No Tree-22-067	\$760.00	64204	11/10/2022	401-000-000-558-60-41-50	Landscape Consultant
			<b>\$7,022.50</b>				
Watershed Company, The	Invoice - #2022-2598	Shoreline Master Program User Guide	\$2,936.25	64209	11/10/2022	401-000-000-558-60-41-55	Shoreline Consultant
Watershed Company, The	Invoice - #2022-2881	Project 210825 Medina SMP User Guide	\$1,551.25	64258	11/30/2022	401-000-000-558-60-41-55	Shoreline Consultant
			<b>\$4,487.50</b>				
Seattle Times, The	Invoice - #29046	Planning Notice	\$381.12	64246	11/30/2022	401-000-000-558-60-42-00	Communications
			<b>\$381.12</b>				
WA Cities Insurance Authority	Invoice - #15619	Training	\$60.00	64206	11/10/2022	401-000-000-558-60-43-00	Travel & Training
			<b>\$60.00</b>				
US Bank	November 2022 JE #2015 Bank Fees	November 2022 Bank Fees	\$1,927.02	20100967-November 2022 Bank Fees	11/30/2022	401-000-000-558-60-49-10	Miscellaneous
			<b>\$1,927.02</b>				
Lally Consulting, LLC	ENG-GD-22-021	Permit Refund	\$2,080.35	64189	11/10/2022	401-000-000-582-10-00-01	Refund of PGB/CMP Deposits (DS)
			<b>\$2,080.35</b>				
Bangxi Yu	Permit No. PW-ROW-22-046	Refund of Right of Way Permit Bond	\$10,000.00	64172	11/10/2022	401-000-000-582-10-00-01	Refund of PGB/CMP Deposits (DS)
			<b>\$10,000.00</b>				
Bluebeam Inc.	Invoice - #1512782	Annual Subscription	\$2,576.34	64221	11/30/2022	401-000-000-594-60-64-00	DS- IT HW/SW >\$5K Capital Outlay
			<b>\$2,576.34</b>				
WA ST Dept of Licensing	November 2022 CPL Receipts	November 2022 CPL Receipts	\$85.25	20100967-November 2022 CPL Receipts	11/30/2022	631-000-000-589-30-01-00	Dept Of Lic-Gun Permit
			<b>\$85.25</b>				
			<b>\$605,809.53</b>	<b>AP Total</b>			
Payroll	November 2022 Payroll	Payroll	\$19,689.57	Total	11/30/2022	001-000-000-513-10-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$22,800.01	Total	11/30/2022	001-000-000-514-20-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$38,557.16	Total	11/30/2022	001-000-000-518-10-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$174,181.34	Total	11/30/2022	001-000-000-521-20-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$38,212.84	Total	11/30/2022	001-000-000-576-80-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$25,810.13	Total	11/30/2022	101-000-000-542-30-11-00	Salaries, Wages & Benefits
Payroll	November 2022 Payroll	Payroll	\$56,676.38	Total	11/30/2022	401-000-000-558-60-11-00	Salaries, Wages & Benefits
			<b>\$375,927.43</b>	<b>Payroll Total</b>			
			<b>\$981,736.96</b>	<b>Grand Total</b>			



# MEDINA, WASHINGTON

## PARK BOARD MEETING

Virtual/Online

Monday, September 19, 2022 – 5:00 PM

### MINUTES

#### 1. CALL TO ORDER / ROLL CALL

Meeting called to order at 5:00 PM by Chair Sarah Gray and roll call taken by Deputy City Clerk Dawn Nations.

##### PRESENT

Chair Sarah Gray  
 Vice Chair Barbara Moe  
 Board Member Collette McMullen  
 Board Member Gretchen Stengel  
 Board Member Rebecca Johnston  
 Board Member India Fitting-Koh  
 Youth Advisor Will Reeves (on-line 5:13 PM)

##### ABSENT

Board Member Katie Surbeck  
 Emeritus Member Penny Martin

##### STAFF PRESENT

Ryan Osada, Pat Crickmore, Steve Burns, James Martin, Aimee Kellerman, Dawn Nations

#### 2. ANNOUNCEMENTS

None.

#### 3. APPROVAL OF PARK BOARD MINUTES

##### 3.1 Park Board Meeting Minutes of:

- a) May 16, 2022; and
- b) June 20, 2022.

**Recommendation:** Adopt Minutes.

**Staff Contact:** Dawn Nations, Deputy City Clerk

**ACTION:** Motion made by McMullen, Seconded by Moe. Carried 6-0

#### 4. PUBLIC COMMENT

None.

#### 5. PARK BOARD BUSINESS

##### 5.1 Park Board Meeting Time Change Discussion

Chair Sarah Gray gave a brief update. The Board members agreed to keep the meeting time of 5pm that is stated in the bylaws. No vote was needed.

## 5.2 Fall Weeding and Planting Event

The Board discussed the event and agreed to meet at Fairweather Park on November 7, 2022, at 10am.

## 5.3 Medina Park Playground Lighting

**Recommendation:** Discussion and direction.

**Staff Contact:** Ryan Osada, Public Works Director

Ryan Osada gave a brief overview of adding lighting to the playground at Medina Park. This was suggested by a resident. The board members discussed. The board decided due to budget constraints and other issues associated with adding lightning to the park; this was not a project the City should pursue.

## 5.4 Christmas Ships Event Planning

Date: Thursday, December 22, 2022 - Time TBD

Sarah Gray gave brief update. The Board discussed the event and decided to purchase lighted necklaces to give out at the event. The event time will be updated at the next meeting.

## 5.5 Park Use Permit Update

**Recommendation:** Update.

**Staff Contact:** Steve Burns, City Manager

Aimee Kellerman, City Clerk gave a brief update on the proposed changes to the Park Use Permit. The board members discussed and provided feedback. City Staff will continue to research and report back at a future meeting.

## 6. OTHER BUSINESS

None.

## 7. PARK REPORTS

Fairweather & Lid - Stengel reported looks great. Fitting-Koh reported the ivy is an issue.

McMullen reported the weeding around the sign looks great.

Indian Trail – Moe and McMullen reported looks good.

Lake Lane - Moe reported looks great. McMullen reported bushes are coming over onto the dock.

Medina Beach Park - Moe and Gray reported looks good.

Medina Park - Gray reported looks good. Public Works discussed the pond dredging and reported they are researching options.

Viewpoint Park - Moe reported looks good.

## 8. ADJOURNMENT

Meeting adjourned at 6:19 PM.

Minutes taken by:

*Dawn Nations*

Dawn Nations, Deputy City Clerk



# MEDINA, WASHINGTON

## PLANNING COMMISSION MEETING

Hybrid - Virtual/In Person  
 Tuesday, October 25, 2022 – 6:00 PM

### MINUTES

**COMMISSION CHAIR** | Laurel Preston

**COMMISSION VICE-CHAIR** | Shawn Schubring

**COMMISSIONERS** | Laura Bustamante, Li-Tan Hsu, David Langworthy, Mark Nelson,  
 Mike Raskin

**PLANNING MANAGER** | Stephanie Keyser

#### 1. CALL TO ORDER / ROLL CALL

**PRESENT**

Chair Laurel Preston  
 Vice Chair Shawn Schubring  
 Commissioner Laura Bustamante  
 Commissioner David Langworthy  
 Commissioner Mark Nelson  
 Commissioner Mike Raskin

**ABSENT**

Commissioner Li-Tan Hsu

**STAFF**

Bennett, Burns, Keyser, Wilcox

#### 2. APPROVAL OF MEETING AGENDA

By consensus, Planning Commission approved the meeting agenda as presented.

#### 3. APPROVAL OF MINUTES

##### 3.1 Planning Commission Minutes of September 27, 2022

**Recommendation:** Approve Minutes

**Staff Contact:** Rebecca Bennett, Development Services Coordinator

**ACTION:** Motion to amend minutes. (Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Commissioner Langworthy.  
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,  
 Commissioner Langworthy, Commissioner Nelson, Commissioner Raskin



#### 4. ANNOUNCEMENTS

##### 4.1 Staff/Commissioners

Keyser announced that next months Planning Commission Meeting will be a special meeting held on November 15th. There will be a public hearing at this meeting. Keyser announced that the December Planning Commission Meeting will be a joint meeting with council and will be held at 5:00pm on December 12th.

#### 5. AUDIENCE PARTICIPATION

There was no audience participation.

#### 6. DISCUSSION

##### 6.1 Minor Code Clean-Up (2022)

**Recommendation:** N/A

**Staff Contact(s):** Stephanie Keyser, Planning Manager

**Time Estimate:** 60 minutes

Commissioners discussed and asked questions about minor code clean-up

#### 7. ADJOURNMENT

Meeting adjourned at 6:49pm.

**ACTION:** Motion to adjourn.

Motion made by Commissioner Nelson, Seconded by Commissioner Langworthy.  
Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,  
Commissioner Langworthy, Commissioner Nelson, Commissioner Raskin

Meeting Minutes taken by:



Rebecca Bennett



# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL REGULAR MEETING

Hybrid - Virtual/In-Person

Monday, November 14, 2022 – 5:00 PM

### MINUTES

#### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Rossman called the regular meeting to order in the Medina Council Chambers at 5:01 p.m.

#### PRESENT

Mayor Jessica Rossman  
Deputy Mayor Randy Reeves  
Councilmember Cynthia Adkins  
Councilmember Jennifer Garone  
Councilmember Harini Gokul  
Councilmember Mac Johnston  
Councilmember Bob Zook

#### ABSENT

None

#### STAFF PRESENT

Burns, Missall, Wagner, Osada, Wilcox, Sass, Keyser, Nations, and Kellerman

#### 2. APPROVAL OF MEETING AGENDA

**ACTION:** By consensus, the meeting agenda was approved as presented.

#### 3. PUBLIC COMMENT PERIOD

Mayor Rossman opened the public comment period. The following individuals addressed the Council:

Mark Nelson commented on the Medina Green Store use, modifying the holiday hours restrictions in the Medina Municipal Code, and historical use permit.

Steve Burns commented on trash can rules and code enforcement. He also commented new Medina Park rules regarding the on leash and off leash areas and gas-powered leaf blowers.

Mayor Rossman closed the public comment period.

#### 4. **PRESENTATIONS**

- 4.1 Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Director of Public Works Ryan Osada reported that the Christmas Ships event is scheduled for December 22nd arriving at Medina Beach Park at 5:35 p.m. Council asked questions regarding the special events permit/park use update and staff responded. Staff will come back to Council at a future meeting with a presentation update.

Police Chief Jeff Sass gave a brief report on the last Emergency Preparedness drill.

- 4.2 Marine Patrol Update by Mercer Island Marine Patrol Sergeant Chad Schumacher.

Marine Patrol Sergeant Chad Schumacher gave an update marine patrol over the past year and staffing of marine patrol officers.

#### 5. **CITY MANAGER'S REPORT**

Police, Development Services, Finance, Central Services, Public Works, City Attorney

Director of Public Works Ryan Osada gave an update on public works projects in the city.

Police Chief Jeff Sass report on the success of shredder day and coffee with a cop. He also reported that city staff will be bringing a proposal for the new camera system at the December meeting.

Director of Finance and HR Ryan Wagner gave a summary of the city's financials to date.

Director of Development Services Steve Wilcox reported on permitting activities in Development Services.

City Manager Steve Burns reported that he is expecting to get a report from Per Reinhall regarding the expansion joints testing. He will also be meeting with the city's consultant regarding funding for the project.

#### 6. **CONSENT AGENDA**

**ACTION:** Motion Johnston second Zook and carried by 7:0 vote; Council approved the Consent Agenda as presented.

- 6.1 October 2022, Check Register

**Recommendation:** Approve.

**Staff Contact:** Ryan Wagner, Director of Finance and HR

- 6.2 Approved Planning Commission Minutes of September 27, 2022

**Recommendation:** Receive and file.

**Staff Contact:** Stephanie Keyser, AICP, Planning Manager

- 6.3 Draft City Council Meeting Minutes of:

a) October 10, 2022 Regular Meeting; and

b) October 24, 2022 City Council Retreat.

**Recommendation:** Adopt Minutes.

**Staff Contact:** Aimee Kellerman, CMC, City Clerk

## 7. **LEGISLATIVE HEARING**

None.

## 8. **PUBLIC HEARINGS**

### 8.1 2023 Final Budget and Salary Schedule

**Recommendation:** Adopt Ordinance No. 1014.

**Staff Contact:** Ryan Wagner, Director of Finance and HR

Director of Finance and HR Ryan Wagner gave an introduction of the proposed 2023 final budget and salary schedule. He noted minor changes since the last budget hearing. Council asked questions and staff responded.

Mayor Rossman opened the public hearing period. There were no speakers. Mayor Rossman closed the public hearing period.

**ACTION:** Motion Reeves second Johnston and carried by a 7:0 vote; Council adopted Ordinance No. 1014.

### 8.2 2023 Property Tax Levy Resolution

**Recommendation:** Adopt Resolution No. 428.

**Staff Contact:** Ryan Wagner, Director of Finance and HR

Director of Finance and HR Ryan Wagner gave a summary of the 2023 Property Tax Levy resolution. Council discussed, asked questions, and staff responded.

Mayor Rossman opened the public hearing period. There were no speakers. Mayor Rossman closed the public hearing period.

**ACTION:** Motion Zook second Garone and carried by a 7:0 vote; Council adopted Resolution No. 428.

## 9. **CITY BUSINESS**

### 9.1 Ordinance Amending 2022 Budget

**Recommendation:** Adopt Ordinance No. 1015.

**Staff Contact:** Ryan Wagner, Director of Finance and HR and Stephen R. Burns, City Manager

Director of Finance and HR gave a summary of the proposed 2022 budget amendment.

**ACTION:** Motion Reeves second Johnston and carried by a 6:0 (Zook absent) vote; Council adopted Ordinance No. 1015.

### 9.2 Ordinance Amending Medina Municipal Code Section 9.04.040 - Updating All Domestic Violence Protection Orders

**Recommendation:** Adopt Ordinance No. 1016.

**Staff Contacts:** Stephen R. Burns, City Manager and Emily Miner, Assistant City Attorney

City Attorney Scott Missall gave a summary of the proposed code amendments. Council asked questions and staff responded.

**ACTION:** Motion Adkins second Gokul and carried by a 7:0 vote; Council adopted Ordinance No. 1016.

### 9.3 Planning Commission Annual Code Update

**Recommendation:** Discussion and schedule second public hearing on December 12, 2022.

**Staff Contact:** Stephanie Keyser, Planning Manager

Planning Manager Stephanie Keyser gave a presentation on the Planning Commission's annual proposed code amendments. Council asked questions and staff responded.

**ACTION:** Council directed staff to look at and get clarification for the removal on proposed MMC 16.30.020 Signs, specifically General Sign Provisions, proposed section 4 Illumination, subsection (h).

Council also directed staff to removed the Sign Code piece from the Planning Commission Annual Code Update at the December meeting and add as a separate item for further discussion and direction.

### 9.4 Medina City Council 2023 Goals and Priorities

**Recommendation:** Approve.

**Staff Contact:** Stephen R. Burns, City Manager

Mayor Rossman gave a brief review of the action items from the October City Council Retreat.

**ACTION:** Motion Adkins second Reeves and carried by a 7:0 vote; Council approved the Medina City Council Goals and Priorities, which include the following two action items: (1) circulation all previous documentation of undergrounding utilities and (2) legal research of taxing vacant homes (ghost homes).

### 9.5 Gas-Powered Leaf Blowers Follow-Up Brief

**Recommendation:** Discussion and direction.

**Staff Contact:** Stephen R. Burns, City Manager

City Manager Steve Burns gave a presentation on research staff did on gas-powered leaf blowers. Council discussed, asked questions, and staff responded.

**ACTION:** By Consensus, Council directed staff to move forward with the following action items:

Plan 1 - Public awareness, education, outreach and input specific to the current noise code.

Plan 2 - Draft a plan for outreach education specific to gas-powered leaf blowers

**10. REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

Council directed staff to include for future presentations and agenda items to include meeting the city's new arborist, add discussion of the Development Services fund, discussion of storm drainage, and code enforcement.

**11. PUBLIC COMMENT**

Mayor Rossman opened the public comment period. There were no speakers. Mayor Rossman closed the public comment period.

**12. EXECUTIVE SESSION**

The full Council moved into Executive Session at 8:53 p.m. for an estimated time of 10 minutes.

RCW 42.30.110.(1)(i)

To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

Council adjourned the Executive Session back into the regular meeting at 9:03 p.m.

**ACTION:** No action was taken following the Executive Session.

**13. ADJOURNMENT**

By consensus, Council adjourned the regular meeting at 9:03 p.m.



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, December 12, 2022

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**Subject:** Planning Commission Annual Code Update

**Category:** Public Hearing

**Staff Contact:** Stephanie Keyser, Planning Manager

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### **Summary**

***Please note that the Sign Code has been pulled from tonight's amendments and will be brought back to Council for an in-depth, point-by-point presentation in the new year.***

Every year Planning Commission forwards a recommendation to Council for small code amendments intended to: 1) clean-up and clarify the existing code, 2) streamline process for both staff and applicants, and 3) incorporate new legislative requirements. On November 15, 2022, Planning Commission held a public hearing and voted unanimously, (7-0) to recommend approval of the amendments. Staff also recommends approval.

**Attachment(s)**

1. Summary of Amendments
2. Red-lined Draft
3. Clean Draft
4. Ordinance 1017

**Budget/Fiscal Impact:** N/A

**Recommendation:** Approve.

**City Manager Approval:**

A handwritten signature in black ink, appearing to read 'S. Keyser', is written over the City Manager Approval line.

**Proposed Council Motion:** Move to approve Ordinance 1017

**Time Estimate:** 10 minutes



# CITY OF MEDINA

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

## MEMORANDUM

DATE: December 12, 2022  
TO: Medina City Council  
FROM: Stephanie Keyser, Planning Manager  
RE: Annual Code Clean-Up (2022)

The following table summarizes the proposed minor changes to the code. ***Please note, amendments to the Sign Code have been pulled from this proposal.***

Section	Title	Proposed Amendment
MMC 10.08.010	Streets and Roads	Remove house address
MMC 12.44	Street Vacations	Clarifies that costs will be recovered for city staff time even if a petitioner withdraws their street vacation petition ( <i>City Attorney</i> drafted amendment)
MMC 16.12.090	“H” Definitions	Remove housekeeping unit from H definitions
MMC 16.12.200	“S” Definitions	Housekeeping amendments to the S definitions
MMC 16.22.040	Protrusions Into Setback Areas	Cleans up the section and clarifies existing mechanical equipment location and units for nonconforming houses
MMC 16.34.020	Accessory Dwelling Units	Amend ADU section to remove burdensome language
MMC 16.34.040	Accessory Recreational Facilities	Correct a scrivener’s error
MMC 16.52.190	Tree Protection Measures during Development	Clarifies tree protection during development
MMC 16.70.030	Construction Code of Conduct	Repeal Construction Code of Conduct (Clean Up)
MMC 16.71.010	Minor Deviation	Clarify that a structure using a minor deviation application cannot experience substantial destruction
MMC 16.71.040	Level 1 Tailored Construction Mitigation Plan	Repeal Level 1 Tailored Construction Mitigation Plan (Clean Up)
MMC 16.71.050	Administrative Right-of-Way Tree Activity Permit	Clarify permit covers tree and vegetation in the right-of-way
MMC 16.72.080	Level 2 Tailored Construction Mitigation Plan	Repeal Level 2 Tailored Construction Mitigation Plan (Clean Up)



<b>MMC 16.72.090</b>	Nonadministrative Right-of-Way Tree Activity Permit	Clarify permit covers tree and vegetation in the right-of-way
<b>MMC 16.72.100</b>	Nonadministrative Tree Activity Permit	Clarify this permit is for Landmark trees with a DBH of 50 inches or greater, as required in MMC 16.52.160(E)

### Summary of Proposed Amendments

1. MMC 10.08.010 – Streets and Roads. The purpose of this amendment is to remove the referenced street address that identifies the end of the Medina city limits on Lake Washington Blvd. It's not appropriate to have a person's home address as a landmark or identifier in code. Residential addresses do not exist in perpetuity and often change as a result of construction, lot consolidation, or lot separation. This amendment will remove the home address number.
2. MMC 12.44 – Street Vacations. The amendments in this chapter were written by the City Attorney to clarify that if a petitioner withdraws their street vacation petition, or if it is denied, they (the petitioner) are still responsible to reimburse the city for full expenses and costs incurred processing the petition.
3. MMC 16.12.090 – "H" Definitions. The purpose of this amendment is to remove housekeeping unit from the "H" definitions because it is referred in the code as *single* housekeeping unit.
4. MMC 16.12.200 – "S" Definitions. The purpose of these amendments are to clarify "S" definitions.
5. MMC 16.22.040 – Protrusions Into Setback Areas. The purpose of these amendments is to clean up and clarify the section. For mechanical units, the proposal includes an exception where *existing* mechanical units may be replaced by installing a new unit in the same location, regardless of setbacks. This amendment also provides relief for residents of *existing* legally nonconforming houses so that they may place new units in the side setbacks, provided they are 5-feet away from the property line. In both of these circumstances, the units still must pass the required sound test and screening required by code. There would be no new impact to neighbors.
6. MMC 16.34.020 – Accessory Dwelling Units. The purpose of these amendments is to remove the requirement for an accessory dwelling unit (ADU) to have an additional use. An example of an additional use is to have a garage with an ADU on top or to have an ADU with a separated room and access that could just be used as a studio. Staff has found that this additional use requirement creates an unnecessary burden on existing homeowners and is an example where theory (code) and practice (building plans) just don't mesh. It should be stressed that this additional use requirement is **not** a problem with new construction. With new construction, the owners already want to build a detached garage with a mother-in-law suite on top or build a pool house with an apartment. The problem comes with residents who either have an existing structure that they want to convert to an ADU (like an existing detached garage), or they have an existing ADU that they want to expand or remodel and start using again. To meet the intent of the code residents are having to either get creative and reduce the functionality of the space or tack on storage closet appendages that are wasteful of resources.
7. MMC 16.34.040 – Accessory Recreational Facilities. The purpose of this amendment is to correct a scrivener's error.

8. MMC 16.52.190 - Tree Protection Measures during Development. The purpose of this amendment is to clarify tree protection during site development.
9. MMC 16.70.030 – Construction Code of Conduct. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
10. MMC 16.71.010 – Minor Deviation. The purpose of this amendment is to clarify that a structure cannot experience either substantial destruction or reconstruction during to qualify for a minor deviation. This ties a monetary limit to the minor deviation process and aligns it closer to its intent which is for a remodel and not for a completely new house. If a homeowner wanted to go exceed the substantial destruction or reconstruction threshold, they could request that through a nonadministrative variance.
11. MMC 16.71.040 – Level 1 Tailored Construction Mitigation Plan. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
12. MMC 16.71.050 – Administrative Right-of-Way Tree Activity Permit. The purpose of this amendment is to clarify permit covers tree and vegetation in the right-of-way.
13. MMC 16.72.080 – Level 2 Tailored Construction Mitigation Plan. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
14. MMC 16.72.090 – Nonadministrative Right-of-Way Tree Activity Permit. Clarify permit covers tree and vegetation in the right-of-way.
15. MMC 16.72.100 – Nonadministrative Tree Activity Permit. Clarify this permit is for Landmark trees with a DBH of 50 inches or greater, as required in MMC 16.52.160(E).

**Chapter 10.08 – Streets and Roads**

10.08.010 – Functional classification of the City of Medina’s streets and roads.

Applying the definitions as established by the Federal Highway Administration (FHWA), U.S. Department of Transportation, for a minor arterial, collector, and local access transportation route, the following designations are adopted for the City of Medina's streets and roads:

- A. *Minor arterial.*
  - 1. 84th Avenue NE, from NE 12th Street to NE 28th Street.
- B. *Collector.*
  - 1. Evergreen Point Road, from Overlake Drive West to 78th Place NE.
  - 2. Overlake Drive West, from Evergreen Point Road to Groat Point Drive.
  - 3. Overlake Drive East, from Groat Point Drive to Lake Washington Boulevard.
  - 4. NE 12th Street, from Evergreen Point Road to Lake Washington Boulevard.
  - 5. Lake Washington Boulevard, from NE 12th Street to the Medina city limit near **854** Lake Washington Boulevard.
  - 6. NE 24th Street, from Evergreen Point Road to 84th Avenue NE.
- C. *Local access.*
  - 1. All other streets and roads within the City of Medina.

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**Chapter 12.44 – Street Vacations**

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12.44.050. - Petition by owners.

The owners of an interest in real estate abutting upon or underlying public ROW may petition the city council for vacation thereof in accordance with requirements of this chapter.

- A. The petitioner shall apply for a vacation by submitting the following to the city clerk:
  - 1. A vacation petition with supporting affidavits on forms provided by the city.
  - 2. A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the State of Washington.
  - 3. A legal description of the subject property prepared by a licensed surveyor registered in the State of Washington.
  - 4. For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
  - 5. The vacation fees and deposits as established by this chapter and city ordinance.
  - 6. Any additional information or material the city determines is reasonably necessary for the city council to understand, consider and evaluate the requested vacation.

B. The petition shall be filed with the city clerk and shall be signed by owners of more than two-thirds of the property abutting the subject property (based on front footage) or underlying the subject property (based on square footage).

C. The city clerk shall determine the petition's compliance with this chapter. For the purpose of determining the sufficiency of signatures of owners of private property on a petition or a consent to vacate determined by the city council, the following rules shall govern as applicable:

1. The signature of an owner of property shall be as set forth in the King County assessor records and confirmed by a title report.

2. In the case of a property subject to a contract of purchase, the signature of the contract grantor and grantee shall be required.

3. In the case of property ownership by corporation or similar entity, the signature of the officer authorized by the bylaws and resolution of the board of directors evidenced by an excerpt of the bylaws and copy of the resolution, each duly certified by the secretary of the corporation, and granting such authority.

4. In the case of property owned or controlled by an estate, guardian or conservator of a decedent or incompetent, the signature of the duly qualified administrator, executor or guardian accompanied by a duly certified copy of his/her judicial appointment or designation.

D. Each petitioner shall be responsible to reimburse the City for the full expenses and costs incurred by the City to process the petitioner's requested vacation, regardless of the outcome of the City's review and decision thereon or petitioner's withdrawal of the petition. In addition to any other provisions of the MMC or this chapter, the City Manager or designee shall keep account of all administrative time, costs and expenses incurred by City employees, contractors, consultants, legal counsel, appraisers, appointed officers and other individuals acting on behalf of or for the benefit of the City in the course of processing the petition. The City Manager or designee shall periodically compile such time, costs and expenses and invoice the petitioner for payment thereof, which shall be made by petitioner not more than fifteen (15) from the date of the invoice. Upon the City's final decision to grant, deny or otherwise act on the petition, the City Manager or designee shall compile a final invoice for all remaining unpaid time, costs and expenses and shall present such invoice to the petitioner for prompt payment. No vacation shall become final nor be recorded until all invoices have been paid in full by the petitioner. In the event the petitioner does not make timely payment as set forth herein, the City may suspend further review and processing of the petition.

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#### 12.44.080. – Petition fees and costs; compensation.

A. The petition, properly signed, shall be filed with the city clerk and accompanied by payment of the application fee and the estimated appraisal cost as set forth herein, which amounts shall be paid into the general fund of the city to defray the costs and expenses incurred by the city to: appraise the subject property, determine the sufficiency of the petition, evaluate and investigate the petition, and report the facts, circumstances and conclusions concerning the petition to the city council. Fees and costs shall not be returned or refunded to the petitioners regardless of the city council's action on the petition.

B. The amount of the fees and costs due upon filing shall be as follows:

1. The minimum application fee established by the city's then current fee schedule.

2. An appraisal fee deposit of \$2,500.00, which may be adjusted by the city manager up to the amount of the MAI appraisal bid or estimate submitted to the city.

C. In the event that the application fee, and/or the appraisal ~~deposit costs~~ set forth in subsection (B) of this section is insufficient to reimburse the city for all of the city's costs and expenses incurred in relation to the petition, the balance shall be determined and paid by the petitioner in accordance with MMC 12.44.050(D). ~~immediately upon receipt of the city's invoice.~~

D. In the event the vacation is granted by the city council, the petitioner shall immediately pay upon receipt of an invoice the amount required by the city council as compensation for the area being vacated as provided in MMC 12.44.180 and all amounts payable in accordance with MMC 12.44.050(D). A vacation ordinance shall not be effective until such time as the petitioner pays all sums due to the city, including all compensation due to the city for the vacation and all costs and expenses of the city in processing the petition. The city shall not record an approved vacation ordinance until such time as all such compensation, fees, costs and reimbursements are paid in full. If any portion of such amount remains unpaid for 30 days after submittal of a final invoice to the petitioner, the city council shall rescind and vacate the approved vacation ordinance.

E. In the event that the city council initiates a vacation, fees shall not be required unless council directs otherwise.

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## Chapter 16.12 – Definitions

### 16.12.090. "H" definitions.

*Habitat conservation areas* means areas designated as fish and wildlife habitat conservation areas.

*Hardscape* means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to, patios, walkways, steps, and other paved areas on the ground.

*Hazard areas* means areas designated as geologically hazardous areas due to potential for erosion, landslide, seismic activity, or other geologic condition.

*Hazard tree* means a tree designated by the city arborist as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather.

*Hearing body* means the body designated by the city council to preside over an open-record hearing or closed-record appeal.

*Hearing examiner* means the person appointed pursuant to MMC 2.72.020 with the powers and duties prescribed in Chapter 2.72 MMC.

*Height* means a vertical distance measured between two points.

*Home business* means an economic enterprise to make a product or perform a service, or to undertake any activity that requires a business license from the State of Washington, that is conducted or operated pursuant to MMC 16.31.010 within a single family dwelling by the resident occupant or owner thereof, which use or activity shall be clearly incidental and secondary to the residential use of the dwelling, including the use of the dwelling as a business address in a directory or as a business mailing address.

*Horticulture* means the occupation of cultivating plants, especially flowers, fruit, and vegetables.

*Hot tub* means a hydro-massage pool, or tub for recreational or therapeutic use designed for immersion of users, and usually having a filter, heater, and motor-driven blower.

*Household staff* means individuals who spend more than 50 percent of their working time employed at the residence site and in no event work less than 20 hours per week, including caregivers.

~~*Housekeeping unit* means one or more persons living together sharing household responsibilities and activities, which may include sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other. A housekeeping unit does not include larger institutional group living situations such as dormitories, fraternities, sororities, and similar groups where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.~~

*Hydraulic project approval (HPA)* means a permit issued by the State Department of Fish and Wildlife for modifications to waters of the state in accordance with Chapter 75.20 RCW.

*Hydric soil* means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

*Hydrophytic vegetation* means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

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#### 16.12.200. "S" definitions.

*School* means a school operation with 13 or more attendees at any one time, not including immediate family members who reside in the school or employees.

*School operation* means any institution of learning, excluding those offering post-secondary education, offering instruction in the several branches of learning and study required by the Basic Education Code of the State of Washington to be taught in the public, private and parochial school.

*Scrub-shrub wetland* means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata as measured from existing grade.

*Security barrier* means an obstruction, such as fences, walls, vegetation and similar elements that restricts public access.

*Seismic hazard areas* means areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

*Sensitive areas*. See "critical areas."

*SEPA*. See definition of "State Environmental Policy Act (SEPA)."

*Service area* means the vicinity around a wireless communication facility that effectively receives signals from and transmits signals to the facility.

*Setback* means the minimum distance from the property line to where a structure may be built. (See MMC 16.22.030.)

*Setback area* means the area of a lot or building site between the property line and the limits set by the Medina Municipal Code city regulations within which no ~~permanent~~ structure may intrude unless allowed otherwise by law.

*Shorelands or shoreland areas* means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Washington State Shoreline Management Act of 1971 and the City of Medina shoreline master program, Chapters 16.60 through 16.67 MMC.

*Shorelines* means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and
3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

*Shorelines of statewide significance* means those areas defined in RCW 90.58.030 and limited in the City of Medina to Lake Washington.

*Sign* means any medium visible to the public including its structure and component parts which is used or intended to be used out of doors to convey a message to the public or otherwise attract attention to its subject matter, for advertising or any other purposes.

*Sign, A-board* means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

*Sign area* means the area of the face of the sign. When a dimensional sign contains information on two sides of the sign, only one side is counted in determining sign area, except A-board signs where the average area of the two faces shall be used to determine sign area.

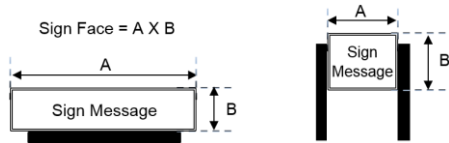
*Sign, banner* means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

*Sign, commercial* means a sign containing commercial content used for identifying a building, use, business or event, or to advertise the sale of goods, products, events or services. This includes real estate and event signs.

*Sign face* means the surface upon, against or through which the letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign is displayed or illustrated, not including the sign support structure, or architectural features of a building.

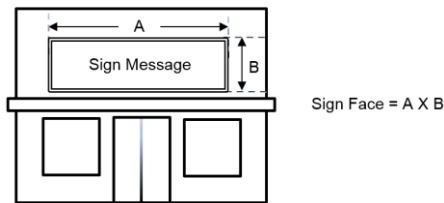
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

**Figure 1**



2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building or fence. See Figure 2.

**Figure 2**



3. In the case of signs consisting of individual letters and/or individual graphic elements painted or affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn using connected straight lines closest to the edge of the letters or separate graphic elements comprising the sign message. See Figure 3.

**Figure 3**



*Sign, freestanding* means a sign attached to a self-supporting structure such as column, poles, or braces placed in or upon the ground.

*Sign height* means the total vertical measurement of a sign including all components of the sign and the sign's support structure.

*Sign, illuminated* means a sign characterized using artificial light, either projecting through its surface (internally or trans-illuminated), or reflecting off its surface (externally illuminated).

*Sign, location identity* means signs that identify address numbers, property owners, and/or geographic areas such as neighborhoods and subdivisions.

*Sign, mounted* means a sign that is applied or affixed to a building, wall or fence.

*Sign, municipal* means a sign erected by the City of Medina, or its authorized representatives, for the safety, convenience or information of its citizens, including, but not



limited to, traffic control signs, legal notices, city entrance signs, and signs announcing public and community events, meetings, and activities.

*Sign, noncommercial* means a sign containing noncommercial content used for identifying a building, use, or event, or to advertise noncommercial matters, excluding municipal signs.

*Sign, off-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is not available on the premises upon which the sign is erected.

*Sign, on-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is erected.

*Sign, permanent* means any sign which is affixed to the ground or to any permanent structure or building, including walls, awnings and fences, in such a manner that it cannot be moved or transported with ease, and which is intended to remain in one location and position for an extended period of time.

*Sign, real estate and events* means a temporary sign that is for the sole purpose of advertising a parcel, tract, lot, site or home for rent, lease or sale; for advertising the sale of a home's household belongings; or which identifies an individual or company performing an active construction project that has obtained building permits under MMC 16.40.010(A) or (B), and which construction activity is visible from a public street right-of-way, including remodels. For purposes of this definition, "construction projects" shall not include routine maintenance of property such as landscaping care.

*Sign support structure* means any structure designed specifically for the support of a sign and which does not form part of the sign proper or of the display.

*Sign, temporary* means a sign displaying either commercial or noncommercial messages which is not permanently affixed to the ground or any permanent structure or building and which is capable of being moved or transported with ease.

*Sign, window* means a sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

*Significant tree* means a tree of at least six-inch DBH size and of a species as identified on the "City of Medina List of Suitable Tree Species" as set forth in Chapter 16.52 MMC.

*Single-family dwelling* means a dwelling unit which is occupied as, or designed or intended for occupancy as, a residence by one family and may include family guests and/or household staff. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling, does not exceed three, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers' home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

*Single-family dwelling, detached* means a separate unconnected single-family dwelling surrounded by open space and yards and which contains one dwelling unit and up to one accessory dwelling unit. A detached single-family dwelling may have detached accessory buildings including, but not limited to, garages, accessory recreational facilities, cabanas and similar residential accessories having no more than one room plus a bathroom and otherwise not designed as an independent residence.

*Single Housekeeping Unit*, means one or more person(s) who jointly have common access to and common use of all living, kitchen, and eating areas within the dwelling unit and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method.

*Soil survey* means the most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

*Spa*. See definition under "hot tub."

*Species* means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

*Species, endangered* means any fish or wildlife species or subspecies that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

*Species of local importance* means those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

*Species, priority* means any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

*Species, threatened* means any fish or wildlife species or subspecies that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

*Sport court* means an area of ground defined by permanent surfacing, equipment and/or fencing for the purpose of playing tennis, badminton, basketball and similar social games.

*State Environmental Policy Act (SEPA)* means environmental review procedures required under Chapter 43.21C RCW, Chapter 197-11 WAC, and Chapter 16.04 MMC.

*Steep slope* means any area with a slope of 40 percent or steeper and with a vertical relief of ten or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

*Stream* means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

*Street* means a right-of-way, opened or unopened, that is intended for motor vehicle travel or for motor vehicle access to abutting property. "Street" includes all the area within the right-of-way, such as roadways, parking strips, and sidewalks. For the purposes of the zoning code, "street" shall not include private lanes.

*Street frontage* means the property line abutting streets.

*Structural coverage* means the area of a lot covered by structures. (See MMC 16.23.030.)

*Structure* means that which is erected, built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Subdivision* means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, accumulative short* means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of five or more lots within a five-year period of the initial short subdivision approval. "Ownership" for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.

*Subdivision, short* means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

~~*Substantial destruction* means to remove more than 60 percent of the existing exterior wall framing of a structure, as measured by the horizontal linear length of all existing exterior walls. Any partial removal of existing framing shall count towards the measurement of horizontal linear length the same as if the entire framing within that horizontal linear length was removed, except partial removal shall not include replacement of windows or doors when no beams or struts are removed. For the purpose of substantial destruction, existing exterior walls shall exclude exterior walls built less than 18 months prior to submittal of a building permit application. damage of any origin that is voluntarily or involuntarily sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 60 percent of the fair market value of the structure before the damage occurred. The calculation of the 18 months shall include to the time after the date the last permit involving construction of a new exterior wall was finalized by the city.~~

*Substantially* means significant in the size or amount and has a noticeable impact on the current situation to a degree that would satisfy a reasonable person as significant.

*Support structures* means the structure to which ~~signs~~, antennas ~~and or~~ other necessary associated hardware are mounted, including, but not limited to, lattice towers, monopoles, utility support structures, and existing nonresidential buildings.

*Swimming pool* means any artificially constructed water-holding device that has a minimum depth of 42 inches and is of sufficient size for swimming, wading, immersion, or therapeutic purposes.

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**Chapter 16.22 – Lot Development Standards**

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16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, ~~excluding~~ except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies.;
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.;
- C. Uncovered decks and patios, provided:
1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
  2. The following setbacks are maintained:
    - a. A minimum 15-foot setback is maintained from the front property line;
    - b. A minimum 10-foot setback is maintained from the rear property line; and
    - c. A minimum side-yard setback equal to one-half the required distance pursuant to Table 16.22.030.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.;
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.;
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.;
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access ~~for elderly and/or disabled persons.~~;
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.;
- I. Improved surface areas for off-street parking provided:
1. The protrusion is limited to the front setback area and a minimum 15-foot setback is maintained from a front property line; and
  2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
  - ~~3. A minimum 15-foot setback is maintained from the front property line;~~
  34. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.;
- J. A chimney provided:
1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area from a side property line;
  2. The maximum horizontal width of the chimney inside the setback area is five feet.;
  - ~~and 3. The chimney does not protrude more than two feet into the setback area;~~
- K. ~~Small-a~~Accessory structures and outdoor mechanical equipment provided:
1. The protrusion is limited to the rear setback area ~~from a rear property line~~ and a minimum 15-foot setback from the rear property line is maintained; and
  2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and

3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
  4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
  5. ~~A minimum 15-foot setback from the rear property line is maintained;~~ For outdoor mechanical equipment, the following shall apply:
    - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
    - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum 5-foot setback is maintained from the side property line; and
  6. All mechanical equipment shall meet the sound requirements set forth in Chapter 8.06 MMC.
- L. Open play structures without roofs or walls provided:
1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
  2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
  3. The play structure does not occupy a footprint greater than 100 square feet.;
  4. ~~A minimum ten-foot setback from the rear property line is maintained;~~
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.;
- N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.;
- O. Low impact development best management practices or treatment best management practices provided:
1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
  2. Best management practices, including associated vegetation, shall be located entirely on private property.
  3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
  4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
  5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
    - a. Rain garden;
    - b. Bioretention;
    - c. Dispersion; and
    - d. Biofiltration treatment.

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## Chapter 16.34 – Accessory Uses

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### 16.34.020. Accessory dwelling units.

This section establishes the development criteria that apply to accessory dwelling units.

- A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.
- B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building ~~containing another permitted accessory use.~~
- ~~C. Accessory dwelling units are prohibited as the only use in a detached accessory building.~~
- ~~CD.~~ Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.
- ~~DE.~~ Development standards.
  - 1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located.;
  - 2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined.;
  - 3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures.;
  - 4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation.;
  - 5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box.;
  - ~~6. The exterior finish of the accessory dwelling unit shall be identical to the residence or accessory structure in which it is contained; and~~
  - ~~67.~~ A certification by City of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.
- ~~EF.~~ There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.
- ~~EG.~~ Garage space may be converted into an accessory dwelling unit only if the number of covered garage spaces eliminated by the conversion is replaced by the same number of covered garage spaces elsewhere on the property.
- ~~GH.~~ An accessory dwelling unit must contain:
  - 1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
  - 2. ~~Kitchen or f~~ Food storage and preparation facilities and a sink.
- ~~H.~~ A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 16.70.070. The application shall include an agreement, in a form approved by the City, by the property owner to

maintain the accessory dwelling unit in compliance with the standards set forth in this section.

LD. After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:

1. The street address and legal description of the property; and
2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.

JK. The registration of the accessory dwelling unit may be canceled pursuant to MMC 16.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

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16.34.040. Accessory recreational facilities.

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C. Development standards.

1. Major recreational facilities shall comply with the development requirements of the zone in which the recreational facility is located, except as provided in subsection (C)(3) of this section.
2. Swimming pools, spas and hot tubs shall have the setback measured from the property line to the outside edge of the structural rim of the vessel (see Figure 16.34.040(C)(2)).
3. Major recreational facilities may protrude into setback areas provided:
  - a. At least a 15-foot setback is maintained from each rear and front property line; and
  - b. At least a ~~ten~~10-foot setback is maintained from each side property line.
4. The height of a swimming pool, hot tub or spa is measured from the lowest point of original grade or finished grade, whichever grade is lower, underneath the perimeter of the facility to the highest point of the structural rim of the vessel. (See Figure 16.34.040(C)(4).)

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**Chapter 16.52 – Tree Management Code**

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16.52.190 – Tree Protection Measures During Construction

A. Tree protection measures shall be implemented and maintained before and during all development ~~construction activities~~ to ensure the preservation of significant trees that are

planned to be retained. Tree protection measures shall be shown on grading and drainage plans, tree protection plans, and construction mitigation plans.

B. Tree protection measures shall include, but are not limited to, the following:

1. Establish tree protection zones and install protective fencing at the drip line or other barriers that are at least four feet in height, except where tree protection zones are remote from areas of land disturbance, and where approved by the director, alternative forms of tree protection may be used in lieu of tree protective fencing; provided, that the critical root zones of protected trees or stands of trees are clearly delineated and protected;
2. Limit grading levels around subject trees to not raise or lower grades within the larger of the following areas:
  - a. The drip line area of the tree; or
  - b. An area around the tree equal to one foot in diameter for each inch of tree diameter measured at DBH;
3. Installation of a tree well, but only where necessary and only with pre-approval of the city;
4. Designation of areas on site for parking, material and equipment storage, construction ingress and egress, and similar designated areas that do not negatively impact significant trees;
5. Locate trenches for utilities that minimize negative effects on the tree root structure with provisions for filling the trenches with a suitable growing medium in the vicinity of the trees;
6. Employ measures to protect critical root systems from smothering and compaction;
7. Implement a tree care program during construction to include watering, fertilizing, pruning and pest control; and
8. Measures for the disposal of potentially harmful items such as excess concrete, polluted water runoff, and other toxic materials.

C. The director may approve deviations to the tree protection measures set forth in subsection (B) of this section if the director determines that the deviation will provide equal or better tree protection than the required tree protection measure.

**Chapter 16.70 – Administrative Approvals**

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~~16.70.030 Construction code of conduct.~~

~~A.—Applicant. Any owner may submit an application for a construction code of conduct.~~

~~B.—Procedures.~~



- ~~1. Construction code of conducts are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the construction code of conduct.~~
- ~~C. *Applicability.* This section applies to where a construction code of conduct is required pursuant to MMC 16.75.010.~~
- ~~D. *Limitations.* The construction code of conduct is a construction mitigation plan prepared by the city that establishes prescriptive measures for reducing construction impacts on neighboring properties and streets. Compliance with the measures set forth in a construction code of conduct are binding on the signatories required in subsection (B)(2) of this section.~~
- ~~E. *Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 as they currently exist or are hereafter amended constitute the criteria for approving a construction code of conduct.~~
- ~~F. *Conditions of approval.* The decision authority may attach to a code of conduct on a case-by-case basis such reasonable mitigation measures as necessary to protect the public health, general welfare and safety from the negative impacts of construction activity.~~

16.70.0430. Substantial development permit exemption.

- A. *Applicant.* Any owner may submit a request for a written exemption from the requirement for a substantial development permit.
- B. *Procedures.* An exemption from a substantial development permit is processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to activities defined as development pursuant to RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, and implements the provisions set forth in WAC 173-27-040 as they currently exist or are hereafter amended.
- D. *Limitations.*
  1. Exemptions are to be construed narrowly and only development that meets the precise terms of one or more of the listed exemptions may be granted an exemption; and
  2. If any part of a proposed development is not eligible for one of the listed exemptions, then an exemption shall not be granted.
- E. *Criteria for approval.*
  1. The development for which the exemption is sought must meet one or more of the conditions set forth in WAC 173-27-040(2); and
  2. The development must comply with and be consistent with the Medina shoreline master program (Chapters 16.60 through 16.67 MMC), Chapter 173-27 WAC (Shoreline Management Permit and Enforcement Procedures), and Chapter 90.58 RCW (Shoreline Management Act).
- F. *Conditions of approval.* The decision authority may attach conditions as necessary to prevent undesirable effects on the shoreline area and carry out the spirit and purpose of

the regulations set forth in the Medina shoreline master program and the Shoreline Management Act.

16.70.0540. Administrative tree activity permit.

- A. *Applicant.* Any owner may submit an application for an administrative tree activity permit.
- B. *Procedures.* Administrative tree activity permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to the activities associated with removing and planting trees set forth in MMC 16.52.160(B).
- D. *Criteria for approval.* The decision authority may approve an administrative tree activity permit only if the requirements set forth in Chapter 16.52 MMC are satisfied.
- E. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- F. *Lapse of approval.*
  - 1. An administrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  - 2. Expiration of the administrative tree activity permit is automatic and notice is not required; and
  - 3. No extension of the time period for the permit is allowed.

16.70.0650. Temporary use permit.

- A. *Applicant.* Any owner may submit an application for a temporary use permit.
- B. *Procedures.* Temporary use permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to those uses authorized as temporary uses pursuant to Chapter 16.35 MMC.
- D. *Limitations.* Only one temporary use permit may be granted within a five-year time period from the date the original temporary use permit is issued, except a second temporary use permit may be granted if:
  - 1. For temporary public facilities:
    - a. In the opinion of the director, a significantly different public facility will occupy the use of the property;
    - b. The second temporary use permit is consistent with the requirements set forth in this chapter; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
  - 2. For temporary wireless communication facilities:
    - a. A complete nonadministrative special use permit application has been submitted to the city;

- b. The extension of time, at the discretion of the director, is necessary to allow for the processing of permits and construction of facilities; and
  - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
- E. *Criteria for approval.* The decision authority may approve a temporary use permit only when the following criteria are satisfied:
- 1. The temporary use will not materially be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity;
  - 2. For a temporary public facility, there is adequate parking within a sufficient proximity to the site for employees, city vehicles and customers;
  - 3. Except in the case of emergencies, the temporary use will not cause noise, light or glare which adversely impacts surrounding uses; and
  - 4. The temporary use shall comply with all codes applicable to development, such as zoning and building codes, except as otherwise provided for in MMC 16.35.040 and 16.35.050.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

16.70.0760. Accessory dwelling unit registration.

- A. *Applicability.* Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 16.34.020 shall apply for an accessory dwelling unit registration.
- B. *Review procedures.* Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 16.80 MMC.
- C. *Approval criteria.* The decision authority may approve an ADU only when the following criteria are met:
- 1. The ADU meets the requirements set forth in MMC ~~2016~~.34.020; and
  - 2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC ~~2016~~.34.020.
- D. *Written agreement.*
- 1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.
  - 2. The contents of the ADU registration form shall include the following:
    - a. The street address and legal description of the property where the accessory dwelling unit is located;
    - b. The written agreement to maintain the ADU as prescribed in subsection (C)(2) of this section; and
    - c. Any other relevant information determined necessary by the decision authority.
  - 3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.

4. The ADU registration may be cancelled under the following conditions:
  - a. The property owner may cancel the ADU registration if:
    - i. The ADU is permanently removed from the property; or
    - ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
    - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
  - b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 16.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
    - i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 16.80.220 for a Type 1 decision;
    - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
    - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.
- E. *Lapse of approval.* Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

#### 16.70.0870. Grading and drainage permit.

- A. *Applicant.* Any owner may submit an application for a grading and drainage permit.
- B. *Procedures.* Grading and drainage permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.43 MMC.
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.43 MMC and other applicable ordinances and regulations, as they currently exist or are hereafter amended, set forth the criteria for approving grading and drainage permits.
- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Grading and drainage permits shall expire as prescribed for building permits in Chapter 16.40 MMC.

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### **Chapter 16.71 – Administrative Discretionary Approvals**

16.71.010. Minor deviation.

- A. *Purpose.* The purpose of a minor deviation is:
1. To allow for minor departures from numeric development standards for remodeling projects; and
  2. To allow flexibility in design while preserving nonconforming conditions with respect to setback requirements and maximum building heights.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard provided:
    - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
    - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses.
  2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
    - a. Matching a nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
    - b. Matching a nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
    - c. The total above-ground bulk of the building located within the nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the nonconforming building height or setback envelope with approval of a minor deviation.
- E. *Limitations.* A minor deviation shall not be approved for the following:
1. Where the structure experienced substantial destruction as defined by MMC 16.12.200.
  2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
  3. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.
- F. *Criteria for approval.* The decision authority may approve a minor deviation only if the following criteria are satisfied:
1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
  3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
  4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the minor deviation is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension

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~~16.71.040. Level 1 tailored construction mitigation plan.~~

- ~~A.—*Purpose.* The purpose of a Level 1 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B.—*Applicant.* Any owner may submit an application for a Level 1 tailored construction mitigation plan.~~
- ~~C.—*Procedures.*~~
- ~~1.— Level 1 tailored construction mitigation plans are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2.— Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 1 tailored construction mitigation plan.~~
- ~~D.—*Applicability.* This section applies to where a Level 1 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E.—*Limitations.* The tailored construction mitigation plan is a construction mitigation plan consisting of both city developed and applicant proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 1 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~

- ~~F. *Criteria for approval.* The criteria for approval of a Level 1 tailored construction mitigation plan are those set forth in MMC 16.75.040, as it currently exists or is hereafter amended.~~
- ~~G. *Conditions of approval.* The decision authority may attach reasonable mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~
- ~~H. *Lapse of approval.* A Level 1 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the Level 1 tailored construction mitigation plan expires.~~

16.71.0540. Administrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of an administrative right-of-way tree activity permit is to authorize removal or pruning of ~~city~~ trees and vegetative cover in the right-of-way consistent with the Chapter 16.52 MMC Medina tree code.
- B. *Applicant.* Only owners enumerated in MMC 16.52.160(C) may submit an application for an administrative right-of-way tree activity permit.
- C. *Procedures.* Administrative right-of-way tree activity permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees as set forth in MMC 16.52.160(C).
- E. *Criteria for approval.* The decision authority may approve an administrative right-of-way tree activity permit only if the following criteria are satisfied:
1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of the city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree;
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*

1. An administrative right-of-way tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
2. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required; and
3. No extension of the time period for the permit is allowed.

16.71.0650. Administrative substantial development permit.

- A. *Purpose.* The purpose of an administrative substantial development permit is to regulate developments and uses of water bodies and associated upland areas to protect human health and the natural environment, but by the scope of the development warrant a less cumbersome approval process.
- B. *Applicant.* Any owner may submit an application for an administrative substantial development permit.
- C. *Procedures.* Administrative substantial development permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities within the meaning of the term "development" as defined in RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
  1. The development is not exempt from a substantial development permit pursuant to WAC 173-27-040 as it currently exists or is hereafter amended; and
  2. The development does not include any dredging waterward of the ordinary high water mark; and
  3. The development does not include grading activity involving more than 500 cubic yards of material within the shoreline jurisdiction, excluding fill material used specifically for fish and wildlife habitat restoration; and
  4. The total cost or fair-market value of the entire proposed development does not exceed \$50,000.00 provided:
    - a. The calculation for total cost or fair-market value shall include all costs, excluding permit fees and taxes, associated with development on the property during a period beginning from the date an application for the administrative substantial development permit is submitted and ending 18 months after the date all permits issued by the city for the property are finalized; and
    - b. Development may not be divided into phases for the purpose of avoiding a higher designation of decision type, except as provided in subsection (D)(4)(a) of this section.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.080, the applicant shall provide the following with an administrative substantial development permit:
  1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;



- c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
  - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
  - e. Identification of the ordinary high water mark:
    - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
    - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source, and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve an administrative substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the requirements of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to an administrative substantial development permit shall be consistent with WAC 173-27-100 as it currently exists or is hereafter amended.
- I. *Lapse of approval.* Administrative substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

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## Chapter 16.72 – Quasi-Judicial Approvals

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### ~~16.72.080. Level 2 tailored construction mitigation plan.~~

- ~~A. *Purpose.* The purpose of a Level 2 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B. *Applicant.* Any owner may submit an application for a Level 2 tailored construction mitigation plan.~~
- ~~C. *Procedures.*~~
- ~~1. Level 2 tailored construction mitigation plans are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 2 tailored construction mitigation plan.~~
- ~~D. *Applicability.* This section applies to where a Level 2 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E. *Limitations.* The Level 2 tailored construction mitigation plan is a construction mitigation plan consisting of both city-developed and applicant-proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 2 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~
- ~~F. *Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 shall serve as the criteria for approving a Level 2 tailored construction mitigation plan.~~
- ~~G. *Conditions of approval.* The decision authority may attach such mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~
- ~~H. *Lapse of approval.* A Level 2 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the construction mitigation plan expire.~~

### 16.72.0980. Nonadministrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with the Chapter 16.52 MMC Medina tree code.
- B. *Applicant.* Any owner, or any public or private agencies with authority to operate within the city right-of-way or their authorized agents who have written authorization to act on their behalf, may submit an application for a nonadministrative right-of-way tree activity permit.
- C. *Procedures.* Nonadministrative right-of-way tree activity permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of city trees in the right-of-way as set forth in MMC 16.52.160(D).
- E. *Criteria for approval.* The decision authority may approve a nonadministrative right-of-way tree activity permit only if the following criteria are satisfied:

1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative right-of-way tree activity permit shall expire within 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.40090. Nonadministrative tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative tree activity permit is to authorize removal of ~~landmark and legacy large significant~~ trees consistent with the Medina tree code.
- B. *Applicant.* Any owner may submit an application for a nonadministrative tree removal permit.
- C. *Procedures.* Nonadministrative tree removal permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to removal of trees as set forth in MMC 16.52.160(D), excluding trees rated as hazard pursuant to MMC 16.52.120.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;

3. The tree removal will have no materially detrimental effects on nearby properties;
  4. The tree has not been granted special protection pursuant to MMC 16.52.080;
  5. All requirements set forth in Chapter 16.52 MMC are satisfied;
  6. All other ordinances, regulations and policies applicable to tree removal are followed.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

#### 16.72.1400. Substantial development permit.

- A. *Purpose.* The purpose of a substantial development permit is to regulate development and uses of water bodies and associated upland areas consistent with the Medina shoreline master program.
- B. *Applicant.* Any owner may submit an application for a substantial development permit.
- C. *Procedures.* Substantial development permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities and uses defined as development pursuant to RCW 90.58.030(3)(a) and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
1. The development does not qualify for an exemption as set forth in MMC 16.70.040;
  2. The development does not qualify for an administrative substantial development permit as set forth in MMC 16.71.060.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a substantial development permit shall include the following:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise

- location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
- ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a substantial development permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* Substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

16.72.1210. Shoreline conditional use permit.

- A. *Purpose.* The purpose of a shoreline conditional use permit is to provide a system within the Medina shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
- B. *Applicant.* Any owner may submit an application for a shoreline conditional use permit.
- C. *Procedures.*

1. Shoreline conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline conditional use permits approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* The following may be permitted if a shoreline conditional use permit is approved:
1. Uses listed as a conditional use in the Medina shoreline master program; or
  2. Uses which are not classified or specifically prohibited in the Medina shoreline master program provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline conditional use permit shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and

6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a shoreline conditional use permit only if the following criteria are satisfied:
1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program;
  2. That the proposed use will not interfere with the normal public use of public shorelines;
  3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program;
  4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
  5. That the public interest suffers no substantial detrimental effect.
- In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100 and amendments thereto.
- I. *Lapse of approval.* A shoreline conditional use permit shall expire as set forth in WAC 173-27-090.

#### 16.72.1320. Shoreline variance.

- A. *Purpose.* The purpose for a shoreline variance is to provide a mechanism strictly limited to granting relief where there are extraordinary circumstances relating to the physical character or configuration of property.
- B. *Applicant.* Any owner may submit an application for a shoreline variance.
- C. *Procedures.*
  1. Shoreline variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline variances approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* Shoreline variances may be granted for relief from specific bulk dimensional or performance standards set forth in the Medina shoreline master program where the requirement of such will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020 and the Medina shoreline master program.

- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline variance shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated or dredged material; and
  6. A site plan that clearly indicates where development may occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.
- F. *Criteria for approval.* The decision authority may approve a shoreline variance only if the following criteria are satisfied:
1. Where the variance is for development landward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes, or significantly interferes with, reasonable use of the property;
    - b. That the hardship described in subsection (F)(1)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot



- shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief; and
  - f. That the public interest will suffer no substantial detrimental effect.
2. Where the variance is for development waterward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes all reasonable use of the property;
    - b. That the hardship described in subsection (F)(2)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
    - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
    - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
    - e. That the variance requested is the minimum necessary to afford relief;
    - f. That the public interest will suffer no substantial detrimental effect; and
    - g. That the public rights of navigation and use of the shorelines will not be adversely affected.
  3. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* A shoreline variance shall expire as set forth in WAC 173-27-090.

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**Chapter 16.80 – Project Permit Review Procedures**

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C. Table 16.80.050(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 16.80.050(C)—Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes
Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	<del>HE</del> PG HE	Yes	Yes	Yes	Yes
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes

Notes:  
 "DOC"—determination of completeness required pursuant to MMC 16.80.100  
 "NOA"—notice of application required pursuant to MMC 16.80.110  
 "NOH"—notice of hearing required pursuant to MMC 16.80.120  
 "NOD"—notice of decision required pursuant to MMC 16.80.200  
 "HE" means the hearing examiner has authority to make the decision  
 "PC" means the Medina planning commission has authority to make the decision  
 "CC" means the city council makes the decision  
<sup>1</sup> The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.  
<sup>2</sup> Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.  
<sup>3</sup> If the hearing examiner's action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.

**Chapter 10.08 – Streets and Roads**

10.08.010 – Functional classification of the City of Medina’s streets and roads.

Applying the definitions as established by the Federal Highway Administration (FHWA), U.S. Department of Transportation, for a minor arterial, collector, and local access transportation route, the following designations are adopted for the City of Medina's streets and roads:

- A. *Minor arterial.*
  - 1. 84th Avenue NE, from NE 12th Street to NE 28th Street.
- B. *Collector.*
  - 1. Evergreen Point Road, from Overlake Drive West to 78th Place NE.
  - 2. Overlake Drive West, from Evergreen Point Road to Groat Point Drive.
  - 3. Overlake Drive East, from Groat Point Drive to Lake Washington Boulevard.
  - 4. NE 12th Street, from Evergreen Point Road to Lake Washington Boulevard.
  - 5. Lake Washington Boulevard, from NE 12th Street to the Medina city limit near Lake Washington Boulevard.
  - 6. NE 24th Street, from Evergreen Point Road to 84th Avenue NE.
- C. *Local access.*
  - 1. All other streets and roads within the City of Medina.

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**Chapter 12.44 – Street Vacations**

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12.44.050. - Petition by owners.

The owners of an interest in real estate abutting upon or underlying public ROW may petition the city council for vacation thereof in accordance with requirements of this chapter.

- A. The petitioner shall apply for a vacation by submitting the following to the city clerk:
  - 1. A vacation petition with supporting affidavits on forms provided by the city.
  - 2. A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the State of Washington.
  - 3. A legal description of the subject property prepared by a licensed surveyor registered in the State of Washington.
  - 4. For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
  - 5. The vacation fees and deposits as established by this chapter and city ordinance.
  - 6. Any additional information or material the city determines is reasonably necessary for the city council to understand, consider and evaluate the requested vacation.

B. The petition shall be filed with the city clerk and shall be signed by owners of more than two-thirds of the property abutting the subject property (based on front footage) or underlying the subject property (based on square footage).

C. The city clerk shall determine the petition's compliance with this chapter. For the purpose of determining the sufficiency of signatures of owners of private property on a petition or a consent to vacate determined by the city council, the following rules shall govern as applicable:

1. The signature of an owner of property shall be as set forth in the King County assessor records and confirmed by a title report.

2. In the case of a property subject to a contract of purchase, the signature of the contract grantor and grantee shall be required.

3. In the case of property ownership by corporation or similar entity, the signature of the officer authorized by the bylaws and resolution of the board of directors evidenced by an excerpt of the bylaws and copy of the resolution, each duly certified by the secretary of the corporation, and granting such authority.

4. In the case of property owned or controlled by an estate, guardian or conservator of a decedent or incompetent, the signature of the duly qualified administrator, executor or guardian accompanied by a duly certified copy of his/her judicial appointment or designation.

D. Each petitioner shall be responsible to reimburse the City for the full expenses and costs incurred by the City to process the petitioner's requested vacation, regardless of the outcome of the City's review and decision thereon or petitioner's withdrawal of the petition. In addition to any other provisions of the MMC or this chapter, the City Manager or designee shall keep account of all administrative time, costs and expenses incurred by City employees, contractors, consultants, legal counsel, appraisers, appointed officers and other individuals acting on behalf of or for the benefit of the City in the course of processing the petition. The City Manager or designee shall periodically compile such time, costs and expenses and invoice the petitioner for payment thereof, which shall be made by petitioner not more than fifteen (15) from the date of the invoice. Upon the City's final decision to grant, deny or otherwise act on the petition, the City Manager or designee shall compile a final invoice for all remaining unpaid time, costs and expenses and shall present such invoice to the petitioner for prompt payment. No vacation shall become final nor be recorded until all invoices have been paid in full by the petitioner. In the event the petitioner does not make timely payment as set forth herein, the City may suspend further review and processing of the petition.

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#### 12.44.080. – Petition fees and costs; compensation.

A. The petition, properly signed, shall be filed with the city clerk and accompanied by payment of the application fee and the estimated appraisal cost as set forth herein, which amounts shall be paid into the general fund of the city to defray the costs and expenses incurred by the city to: appraise the subject property, determine the sufficiency of the petition, evaluate and investigate the petition, and report the facts, circumstances and conclusions concerning the petition to the city council. Fees and costs shall not be returned or refunded to the petitioners regardless of the city council's action on the petition.

B. The amount of the fees and costs due upon filing shall be as follows:

1. The minimum application fee established by the city's then current fee schedule.

2. An appraisal fee deposit of \$2,500.00, which may be adjusted by the city manager up to the amount of the MAI appraisal bid or estimate submitted to the city.

C. In the event that the application fee, and/or the appraisal deposit set forth in subsection (B) of this section is insufficient to reimburse the city for all of the city's costs and expenses incurred in relation to the petition, the balance shall be determined and paid by the petitioner in accordance with MMC 12.44.050(D).

D. In the event the vacation is granted by the city council, the petitioner shall immediately pay upon receipt of an invoice the amount required by the city council as compensation for the area being vacated as provided in MMC 12.44.180 and all amounts payable in accordance with MMC 12.44.050(D). A vacation ordinance shall not be effective until such time as the petitioner pays all sums due to the city, including all compensation due to the city for the vacation and all costs and expenses of the city in processing the petition. The city shall not record an approved vacation ordinance until such time as all such compensation, fees, costs and reimbursements are paid in full. If any portion of such amount remains unpaid for 30 days after submittal of a final invoice to the petitioner, the city council shall rescind and vacate the approved vacation ordinance.

E. In the event that the city council initiates a vacation, fees shall not be required unless council directs otherwise.

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## Chapter 16.12 – Definitions

### 16.12.090. "H" definitions.

*Habitat conservation areas* means areas designated as fish and wildlife habitat conservation areas.

*Hardscape* means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to, patios, walkways, steps, and other paved areas on the ground.

*Hazard areas* means areas designated as geologically hazardous areas due to potential for erosion, landslide, seismic activity, or other geologic condition.

*Hazard tree* means a tree designated by the city arborist as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather.

*Hearing body* means the body designated by the city council to preside over an open-record hearing or closed-record appeal.

*Hearing examiner* means the person appointed pursuant to MMC 2.72.020 with the powers and duties prescribed in Chapter 2.72 MMC.

*Height* means a vertical distance measured between two points.

*Home business* means an economic enterprise to make a product or perform a service, or to undertake any activity that requires a business license from the State of Washington, that is conducted or operated pursuant to MMC 16.31.010 within a single family dwelling by the resident occupant or owner thereof, which use or activity shall be clearly incidental and secondary to the residential use of the dwelling, including the use of the dwelling as a business address in a directory or as a business mailing address.

*Horticulture* means the occupation of cultivating plants, especially flowers, fruit, and vegetables.

*Hot tub* means a hydro-massage pool, or tub for recreational or therapeutic use designed for immersion of users, and usually having a filter, heater, and motor-driven blower.

*Household staff* means individuals who spend more than 50 percent of their working time employed at the residence site and in no event work less than 20 hours per week, including caregivers.

*Hydraulic project approval (HPA)* means a permit issued by the State Department of Fish and Wildlife for modifications to waters of the state in accordance with Chapter 75.20 RCW.

*Hydric soil* means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

*Hydrophytic vegetation* means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

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#### 16.12.200. "S" definitions.

*School* means a school operation with 13 or more attendees at any one time, not including immediate family members who reside in the school or employees.

*School operation* means any institution of learning, excluding those offering post-secondary education, offering instruction in the several branches of learning and study required by the Basic Education Code of the State of Washington to be taught in the public, private and parochial school.

*Scrub-shrub wetland* means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata as measured from existing grade.

*Security barrier* means an obstruction, such as fences, walls, vegetation and similar elements that restricts public access.

*Seismic hazard areas* means areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

*Sensitive areas.* See "critical areas."

*SEPA.* See definition of "State Environmental Policy Act (SEPA)."

*Service area* means the vicinity around a wireless communication facility that effectively receives signals from and transmits signals to the facility.

*Setback* means the minimum distance from the property line to where a structure may be built. (See MMC 16.22.030.)

*Setback area* means the area of a lot or building site between the property line and the limits set by the Medina Municipal Code within which no structure may intrude unless allowed otherwise by law.

*Shorelands or shoreland areas* means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Washington State Shoreline Management Act of 1971 and the City of Medina shoreline master program, Chapters 16.60 through 16.67 MMC.

*Shorelines* means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and
3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

*Shorelines of statewide significance* means those areas defined in RCW 90.58.030 and limited in the City of Medina to Lake Washington.

*Sign* means any medium visible to the public including its structure and component parts which is used or intended to be used out of doors to convey a message to the public or otherwise attract attention to its subject matter, for advertising or any other purposes.

*Sign, A-board* means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

*Sign area* means the area of the face of the sign. When a dimensional sign contains information on two sides of the sign, only one side is counted in determining sign area, except A-board signs where the average area of the two faces shall be used to determine sign area.

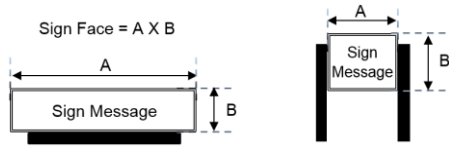
*Sign, banner* means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

*Sign, commercial* means a sign containing commercial content used for identifying a building, use, business or event, or to advertise the sale of goods, products, events or services. This includes real estate and event signs.

*Sign face* means the surface upon, against or through which the letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign is displayed or illustrated, not including the sign support structure, or architectural features of a building.

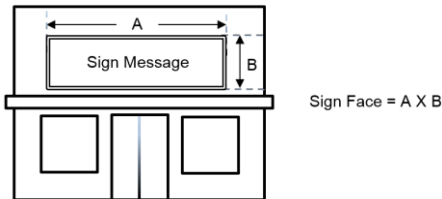
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

**Figure 1**



2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building or fence. See Figure 2.

**Figure 2**



3. In the case of signs consisting of individual letters and/or individual graphic elements painted or affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn using connected straight lines closest to the edge of the letters or separate graphic elements comprising the sign message. See Figure 3.

**Figure 3**



*Sign, freestanding* means a sign attached to a self-supporting structure such as column, poles, or braces placed in or upon the ground.

*Sign height* means the total vertical measurement of a sign including all components of the sign and the sign's support structure.

*Sign, illuminated* means a sign characterized using artificial light, either projecting through its surface (internally or trans-illuminated), or reflecting off its surface (externally illuminated).

*Sign, location identity* means signs that identify address numbers, property owners, and/or geographic areas such as neighborhoods and subdivisions.

*Sign, mounted* means a sign that is applied or affixed to a building, wall or fence.

*Sign, municipal* means a sign erected by the City of Medina, or its authorized representatives, for the safety, convenience or information of its citizens, including, but not limited to, traffic control signs, legal notices, city entrance signs, and signs announcing public and community events, meetings, and activities.



*Sign, noncommercial* means a sign containing noncommercial content used for identifying a building, use, or event, or to advertise noncommercial matters, excluding municipal signs.

*Sign, off-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is not available on the premises upon which the sign is erected.

*Sign, on-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is erected.

*Sign, permanent* means any sign which is affixed to the ground or to any permanent structure or building, including walls, awnings and fences, in such a manner that it cannot be moved or transported with ease, and which is intended to remain in one location and position for an extended period of time.

*Sign, real estate and events* means a temporary sign that is for the sole purpose of advertising a parcel, tract, lot, site or home for rent, lease or sale; for advertising the sale of a home's household belongings; or which identifies an individual or company performing an active construction project that has obtained building permits under MMC 16.40.010(A) or (B), and which construction activity is visible from a public street right-of-way, including remodels. For purposes of this definition, "construction projects" shall not include routine maintenance of property such as landscaping care.

*Sign support structure* means any structure designed specifically for the support of a sign and which does not form part of the sign proper or of the display.

*Sign, temporary* means a sign displaying either commercial or noncommercial messages which is not permanently affixed to the ground or any permanent structure or building and which is capable of being moved or transported with ease.

*Sign, window* means a sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

*Significant tree* means a tree of at least six-inch DBH size and of a species as identified on the "City of Medina List of Suitable Tree Species" as set forth in Chapter 16.52 MMC.

*Single-family dwelling* means a dwelling unit which is occupied as, or designed or intended for occupancy as, a residence by one family and may include family guests and/or household staff. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling, does not exceed three, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers' home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

*Single-family dwelling, detached* means a separate unconnected single-family dwelling surrounded by open space and yards and which contains one dwelling unit and up to one accessory dwelling unit. A detached single-family dwelling may have detached accessory buildings including, but not limited to, garages, accessory recreational facilities, cabanas and similar residential accessories having no more than one room plus a bathroom and otherwise not designed as an independent residence.

*Single Housekeeping Unit*, means one or more person(s) who jointly have common access to and common use of all living, kitchen, and eating areas within the dwelling unit and household activities and responsibilities such as meals, chores, expenses and maintenance of

the premises are shared or carried out according to a household plan or other customary method.

*Soil survey* means the most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

*Spa.* See definition under "hot tub."

*Species* means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

*Species, endangered* means any fish or wildlife species or subspecies that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

*Species of local importance* means those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

*Species, priority* means any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

*Species, threatened* means any fish or wildlife species or subspecies that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

*Sport court* means an area of ground defined by permanent surfacing, equipment and/or fencing for the purpose of playing tennis, badminton, basketball and similar social games.

*State Environmental Policy Act (SEPA)* means environmental review procedures required under Chapter 43.21C RCW, Chapter 197-11 WAC, and Chapter 16.04 MMC.

*Steep slope* means any area with a slope of 40 percent or steeper and with a vertical relief of ten or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

*Stream* means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

*Street* means a right-of-way, opened or unopened, that is intended for motor vehicle travel or for motor vehicle access to abutting property. "Street" includes all the area within the right-of-way, such as roadways, parking strips, and sidewalks. For the purposes of the zoning code, "street" shall not include private lanes.

*Street frontage* means the property line abutting streets.

*Structural coverage* means the area of a lot covered by structures. (See MMC 16.23.030.)

*Structure* means that which is erected, built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Subdivision* means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, accumulative short* means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of five or more lots within a five-year period of the initial short subdivision approval. "Ownership" for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.

*Subdivision, short* means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Substantial destruction* means damage of any origin that is voluntarily or involuntarily sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 60 percent of the fair market value of the structure before the damage occurred.

*Substantially* means significant in the size or amount and has a noticeable impact on the current situation to a degree that would satisfy a reasonable person as significant.

*Support structures* means the structure to which signs, antennas or other necessary associated hardware are mounted, including, but not limited to, lattice towers, monopoles, utility support structures, and existing nonresidential buildings.

*Swimming pool* means any artificially constructed water-holding device that has a minimum depth of 42 inches and is of sufficient size for swimming, wading, immersion, or therapeutic purposes.

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**Chapter 16.22 – Lot Development Standards**

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16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies.
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- C. Uncovered decks and patios, provided:
  - 1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
  - 2. The following setbacks are maintained:
    - a. A minimum 15-foot setback is maintained from the front property line;
    - b. A minimum 10-foot setback is maintained from the rear property line; and

- c. A minimum side-yard setback equal to one-half the required distance pursuant to Table 16.22.030.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access.
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.
- I. Improved surface areas for off-street parking provided:
  - 1. The protrusion is limited to the front setback area and a minimum 15-foot setback is maintained from a front property line; and
  - 2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
  - 3. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.
- J. A chimney provided:
  - 1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area;
  - 2. The maximum horizontal width of the chimney inside the setback area is five feet.
- K. Accessory structures and outdoor mechanical equipment provided:
  - 1. The protrusion is limited to the rear setback area and a minimum 15-foot setback from the rear property line is maintained; and
  - 2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
  - 3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
  - 4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
  - 5. For outdoor mechanical equipment, the following shall apply:
    - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
    - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum 5-foot setback is maintained from the side property line; and
  - 6. All mechanical equipment shall meet the sound requirements set forth in Chapter 8.06 MMC.
- L. Open play structures without roofs or walls provided:

1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
  2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
  3. The play structure does not occupy a footprint greater than 100 square feet.
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.
- N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- O. Low impact development best management practices or treatment best management practices provided:
1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
  2. Best management practices, including associated vegetation, shall be located entirely on private property.
  3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
  4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
  5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
    - a. Rain garden;
    - b. Bioretention;
    - c. Dispersion; and
    - d. Biofiltration treatment.

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**Chapter 16.34 – Accessory Uses**

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**16.34.020. Accessory dwelling units.**

This section establishes the development criteria that apply to accessory dwelling units.

- A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.
- B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building.
- C. Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.
- D. Development standards.

1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located.
  2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined.
  3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures.
  4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation.
  5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box.
  6. A certification by City of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.
- E. There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.
- F. Garage space may be converted into an accessory dwelling unit only if the number of covered garage spaces eliminated by the conversion is replaced by the same number of covered garage spaces elsewhere on the property.
- G. An accessory dwelling unit must contain:
1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
  2. Food storage and preparation facilities and a sink.
- H. A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 16.70.070. The application shall include an agreement, in a form approved by the City, by the property owner to maintain the accessory dwelling unit in compliance with the standards set forth in this section.
- I. After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:
1. The street address and legal description of the property; and
  2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.
- J. The registration of the accessory dwelling unit may be canceled pursuant to MMC 16.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

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16.34.040. Accessory recreational facilities.

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- C. Development standards.

1. Major recreational facilities shall comply with the development requirements of the zone in which the recreational facility is located, except as provided in subsection (C)(3) of this section.
2. Swimming pools, spas and hot tubs shall have the setback measured from the property line to the outside edge of the structural rim of the vessel (see Figure 16.34.040(C)(2)).
3. Major recreational facilities may protrude into setback areas provided:
  - a. At least a 15-foot setback is maintained from each rear and front property line; and
  - b. At least a 10-foot setback is maintained from each side property line.
4. The height of a swimming pool, hot tub or spa is measured from the lowest point of original grade or finished grade, whichever grade is lower, underneath the perimeter of the facility to the highest point of the structural rim of the vessel. (See Figure 16.34.040(C)(4).)

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**Chapter 16.52 – Tree Management Code**

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**16.52.190 – Tree Protection Measures During Construction**

A. Tree protection measures shall be implemented and maintained before and during all development to ensure the preservation of significant trees that are planned to be retained. Tree protection measures shall be shown on grading and drainage plans, tree protection plans, and construction mitigation plans.

B. Tree protection measures shall include, but are not limited to, the following:

1. Establish tree protection zones and install protective fencing at the drip line or other barriers that are at least four feet in height, except where tree protection zones are remote from areas of land disturbance, and where approved by the director, alternative forms of tree protection may be used in lieu of tree protective fencing; provided, that the critical root zones of protected trees or stands of trees are clearly delineated and protected;
2. Limit grading levels around subject trees to not raise or lower grades within the larger of the following areas:
  - a. The drip line area of the tree; or
  - b. An area around the tree equal to one foot in diameter for each inch of tree diameter measured at DBH;
3. Installation of a tree well, but only where necessary and only with pre-approval of the city;

4. Designation of areas on site for parking, material and equipment storage, construction ingress and egress, and similar designated areas that do not negatively impact significant trees;
5. Locate trenches for utilities that minimize negative effects on the tree root structure with provisions for filling the trenches with a suitable growing medium in the vicinity of the trees;
6. Employ measures to protect critical root systems from smothering and compaction;
7. Implement a tree care program during construction to include watering, fertilizing, pruning and pest control; and
8. Measures for the disposal of potentially harmful items such as excess concrete, polluted water runoff, and other toxic materials.

C. The director may approve deviations to the tree protection measures set forth in subsection (B) of this section if the director determines that the deviation will provide equal or better tree protection than the required tree protection measure.

#### Chapter 16.70 – Administrative Approvals

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##### 16.70.030. Substantial development permit exemption.

- A. *Applicant.* Any owner may submit a request for a written exemption from the requirement for a substantial development permit.
- B. *Procedures.* An exemption from a substantial development permit is processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to activities defined as development pursuant to RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, and implements the provisions set forth in WAC 173-27-040 as they currently exist or are hereafter amended.
- D. *Limitations.*
  1. Exemptions are to be construed narrowly and only development that meets the precise terms of one or more of the listed exemptions may be granted an exemption; and
  2. If any part of a proposed development is not eligible for one of the listed exemptions, then an exemption shall not be granted.
- E. *Criteria for approval.*
  1. The development for which the exemption is sought must meet one or more of the conditions set forth in WAC 173-27-040(2); and
  2. The development must comply with and be consistent with the Medina shoreline master program (Chapters 16.60 through 16.67 MMC), Chapter 173-27 WAC (Shoreline Management Permit and Enforcement Procedures), and Chapter 90.58 RCW (Shoreline Management Act).



- F. *Conditions of approval.* The decision authority may attach conditions as necessary to prevent undesirable effects on the shoreline area and carry out the spirit and purpose of the regulations set forth in the Medina shoreline master program and the Shoreline Management Act.

16.70.040. Administrative tree activity permit.

- A. *Applicant.* Any owner may submit an application for an administrative tree activity permit.
- B. *Procedures.* Administrative tree activity permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to the activities associated with removing and planting trees set forth in MMC 16.52.160(B).
- D. *Criteria for approval.* The decision authority may approve an administrative tree activity permit only if the requirements set forth in Chapter 16.52 MMC are satisfied.
- E. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- F. *Lapse of approval.*
1. An administrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.70.050. Temporary use permit.

- A. *Applicant.* Any owner may submit an application for a temporary use permit.
- B. *Procedures.* Temporary use permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to those uses authorized as temporary uses pursuant to Chapter 16.35 MMC.
- D. *Limitations.* Only one temporary use permit may be granted within a five-year time period from the date the original temporary use permit is issued, except a second temporary use permit may be granted if:
1. For temporary public facilities:
    - a. In the opinion of the director, a significantly different public facility will occupy the use of the property;
    - b. The second temporary use permit is consistent with the requirements set forth in this chapter; and
    - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
  2. For temporary wireless communication facilities:

- a. A complete nonadministrative special use permit application has been submitted to the city;
  - b. The extension of time, at the discretion of the director, is necessary to allow for the processing of permits and construction of facilities; and
  - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
- E. *Criteria for approval.* The decision authority may approve a temporary use permit only when the following criteria are satisfied:
1. The temporary use will not materially be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity;
  2. For a temporary public facility, there is adequate parking within a sufficient proximity to the site for employees, city vehicles and customers;
  3. Except in the case of emergencies, the temporary use will not cause noise, light or glare which adversely impacts surrounding uses; and
  4. The temporary use shall comply with all codes applicable to development, such as zoning and building codes, except as otherwise provided for in MMC 16.35.040 and 16.35.050.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

16.70.060. Accessory dwelling unit registration.

- A. *Applicability.* Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 16.34.020 shall apply for an accessory dwelling unit registration.
- B. *Review procedures.* Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 16.80 MMC.
- C. *Approval criteria.* The decision authority may approve an ADU only when the following criteria are met:
1. The ADU meets the requirements set forth in MMC 16.34.020; and
  2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC 16.34.020.
- D. *Written agreement.*
1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.
  2. The contents of the ADU registration form shall include the following:
    - a. The street address and legal description of the property where the accessory dwelling unit is located;
    - b. The written agreement to maintain the ADU as prescribed in subsection (C)(2) of this section; and
    - c. Any other relevant information determined necessary by the decision authority.

3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.
4. The ADU registration may be cancelled under the following conditions:
  - a. The property owner may cancel the ADU registration if:
    - i. The ADU is permanently removed from the property; or
    - ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
    - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
  - b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 16.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
    - i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 16.80.220 for a Type 1 decision;
    - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
    - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.
- E. *Lapse of approval.* Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

16.70.070. Grading and drainage permit.

- A. *Applicant.* Any owner may submit an application for a grading and drainage permit.
- B. *Procedures.* Grading and drainage permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.43 MMC.
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.43 MMC and other applicable ordinances and regulations, as they currently exist or are hereafter amended, set forth the criteria for approving grading and drainage permits.
- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Grading and drainage permits shall expire as prescribed for building permits in Chapter 16.40 MMC.

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## Chapter 16.71 – Administrative Discretionary Approvals

### 16.71.010. Minor deviation.

- A. *Purpose.* The purpose of a minor deviation is:
1. To allow for minor departures from numeric development standards for remodeling projects; and
  2. To allow flexibility in design while preserving nonconforming conditions with respect to setback requirements and maximum building heights.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard provided:
    - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
    - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses.
  2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
    - a. Matching a nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
    - b. Matching a nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
    - c. The total above-ground bulk of the building located within the nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the nonconforming building height or setback envelope with approval of a minor deviation.
- E. *Limitations.* A minor deviation shall not be approved for the following:
1. Where the structure experienced substantial destruction as defined by MMC 16.12.200.
  2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
  3. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.
- F. *Criteria for approval.* The decision authority may approve a minor deviation only if the following criteria are satisfied:

1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
  3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
  4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the minor deviation is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension

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16.71.040. Administrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of an administrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with the Chapter 16.52 MMC .
- B. *Applicant.* Only owners enumerated in MMC 16.52.160(C) may submit an application for an administrative right-of-way tree activity permit.
- C. *Procedures.* Administrative right-of-way tree activity permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees as set forth in MMC 16.52.160(C).
- E. *Criteria for approval.* The decision authority may approve an administrative right-of-way tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;

3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of the city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree;
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An administrative right-of-way tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.71.050. Administrative substantial development permit.

- A. *Purpose.* The purpose of an administrative substantial development permit is to regulate developments and uses of water bodies and associated upland areas to protect human health and the natural environment, but by the scope of the development warrant a less cumbersome approval process.
- B. *Applicant.* Any owner may submit an application for an administrative substantial development permit.
- C. *Procedures.* Administrative substantial development permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities within the meaning of the term "development" as defined in RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
1. The development is not exempt from a substantial development permit pursuant to WAC 173-27-040 as it currently exists or is hereafter amended; and
  2. The development does not include any dredging waterward of the ordinary high water mark; and
  3. The development does not include grading activity involving more than 500 cubic yards of material within the shoreline jurisdiction, excluding fill material used specifically for fish and wildlife habitat restoration; and

4. The total cost or fair-market value of the entire proposed development does not exceed \$50,000.00 provided:
  - a. The calculation for total cost or fair-market value shall include all costs, excluding permit fees and taxes, associated with development on the property during a period beginning from the date an application for the administrative substantial development permit is submitted and ending 18 months after the date all permits issued by the city for the property are finalized; and
  - b. Development may not be divided into phases for the purpose of avoiding a higher designation of decision type, except as provided in subsection (D)(4)(a) of this section.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.080, the applicant shall provide the following with an administrative substantial development permit:
  1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source, and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the shoreline master program for the use.

- F. *Criteria for approval.* The decision authority may approve an administrative substantial development permit only if the following criteria are satisfied:
  1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the requirements of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to an administrative substantial development permit shall be consistent with WAC 173-27-100 as it currently exists or is hereafter amended.
- I. *Lapse of approval.* Administrative substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

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**Chapter 16.72 – Quasi-Judicial Approvals**

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16.72.080. Nonadministrative right-of-way tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with the Chapter 16.52 MMC.
- B. *Applicant.* Any owner, or any public or private agencies with authority to operate within the city right-of-way or their authorized agents who have written authorization to act on their behalf, may submit an application for a nonadministrative right-of-way tree activity permit.
- C. *Procedures.* Nonadministrative right-of-way tree activity permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees in the right-of-way as set forth in MMC 16.52.160(D).
- E. *Criteria for approval.* The decision authority may approve a nonadministrative right-of-way tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;



6. Tree trimming or pruning is done in accordance with the following:
  - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
  - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
  - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
  1. A nonadministrative right-of-way tree activity permit shall expire within 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

16.72.090. Nonadministrative tree activity permit.

- A. *Purpose.* The purpose of a nonadministrative tree activity permit is to authorize removal of landmark and legacy trees consistent with the Medina tree code.
- B. *Applicant.* Any owner may submit an application for a nonadministrative tree removal permit.
- C. *Procedures.* Nonadministrative tree removal permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to removal of trees as set forth in MMC 16.52.160(D), excluding trees rated as hazard pursuant to MMC 16.52.120.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative tree activity permit only if the following criteria are satisfied:
  1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree removal will have no materially detrimental effects on nearby properties;
  4. The tree has not been granted special protection pursuant to MMC 16.52.080;
  5. All requirements set forth in Chapter 16.52 MMC are satisfied;
  6. All other ordinances, regulations and policies applicable to tree removal are followed.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*

1. A nonadministrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
2. Expiration of the nonadministrative tree activity permit is automatic and notice is not required; and
3. No extension of the time period for the permit is allowed.

16.72.100. Substantial development permit.

- A. *Purpose.* The purpose of a substantial development permit is to regulate development and uses of water bodies and associated upland areas consistent with the Medina shoreline master program.
- B. *Applicant.* Any owner may submit an application for a substantial development permit.
- C. *Procedures.* Substantial development permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities and uses defined as development pursuant to RCW 90.58.030(3)(a) and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
  1. The development does not qualify for an exemption as set forth in MMC 16.70.040;
  2. The development does not qualify for an administrative substantial development permit as set forth in MMC 16.71.060.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a substantial development permit shall include the following:
  1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;

- h. The dimensions and locations of all existing and proposed structures and improvements;
  - 2. A landscaping and/or restoration plan, as applicable;
  - 3. Mitigation measures, as applicable;
  - 4. Quantity, source and composition of all fill material that is placed on the site whether temporary or permanent;
  - 5. Quantity, composition and destination of all excavated and/or dredged material; and
  - 6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a substantial development permit only if the following criteria are satisfied:
- 1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  - 2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  - 3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a substantial development permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* Substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

#### 16.72.110. Shoreline conditional use permit.

- A. *Purpose.* The purpose of a shoreline conditional use permit is to provide a system within the Medina shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
- B. *Applicant.* Any owner may submit an application for a shoreline conditional use permit.
- C. *Procedures.*
- 1. Shoreline conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  - 2. Shoreline conditional use permits approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* The following may be permitted if a shoreline conditional use permit is approved:
- 1. Uses listed as a conditional use in the Medina shoreline master program; or

2. Uses which are not classified or specifically prohibited in the Medina shoreline master program provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline conditional use permit shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a shoreline conditional use permit only if the following criteria are satisfied:
1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program;
  2. That the proposed use will not interfere with the normal public use of public shorelines;

3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program;
4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
5. That the public interest suffers no substantial detrimental effect.

In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.

- G. *Conditions of approval.* The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100 and amendments thereto.
- I. *Lapse of approval.* A shoreline conditional use permit shall expire as set forth in WAC 173-27-090.

#### 16.72.120. Shoreline variance.

- A. *Purpose.* The purpose for a shoreline variance is to provide a mechanism strictly limited to granting relief where there are extraordinary circumstances relating to the physical character or configuration of property.
- B. *Applicant.* Any owner may submit an application for a shoreline variance.
- C. *Procedures.*
  1. Shoreline variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline variances approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* Shoreline variances may be granted for relief from specific bulk dimensional or performance standards set forth in the Medina shoreline master program where the requirement of such will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020 and the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline variance shall include the following:
  1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;

- d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
  - e. Identification of the ordinary high water mark:
    - i. This may be an approximate location provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
    - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
  - f. Existing and proposed land contours with minimum two-foot elevation intervals;
  - g. A general description of the character of vegetation found on the site;
  - h. The dimensions and locations of all existing and proposed structures and improvements;
2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated or dredged material; and
  6. A site plan that clearly indicates where development may occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.
- F. *Criteria for approval.* The decision authority may approve a shoreline variance only if the following criteria are satisfied:
1. Where the variance is for development landward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes, or significantly interferes with, reasonable use of the property;
    - b. That the hardship described in subsection (F)(1)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
    - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
    - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
    - e. That the variance requested is the minimum necessary to afford relief; and
    - f. That the public interest will suffer no substantial detrimental effect.

2. Where the variance is for development waterward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes all reasonable use of the property;
    - b. That the hardship described in subsection (F)(2)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
    - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
    - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
    - e. That the variance requested is the minimum necessary to afford relief;
    - f. That the public interest will suffer no substantial detrimental effect; and
    - g. That the public rights of navigation and use of the shorelines will not be adversely affected.
  3. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* A shoreline variance shall expire as set forth in WAC 173-27-090.

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**Chapter 16.80 – Project Permit Review Procedures**

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- C. Table 16.80.050(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 16.80.050(C)—Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes

Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	HE	Yes	Yes	Yes	Yes
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes

## Notes:

"DOC"—determination of completeness required pursuant to MMC 16.80.100

"NOA"—notice of application required pursuant to MMC 16.80.110

"NOH"—notice of hearing required pursuant to MMC 16.80.120

"NOD"—notice of decision required pursuant to MMC 16.80.200

"HE" means the hearing examiner has authority to make the decision

"PC" means the Medina planning commission has authority to make the decision

"CC" means the city council makes the decision

<sup>1</sup> The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.

<sup>2</sup> Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.

<sup>3</sup> If the hearing examiner's action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.



**Ordinance No. 1017**

**MEDINA CITY COUNCIL**

**AN ORDINANCE OF THE CITY OF MEDINA, WASHINGTON RELATING TO LAND USE AND ZONING, CORRECTING TYPOGRAPHICAL ERRORS, CORRECTING SECTION REFERENCES, CLARIFYING REGULATIONS, AND MAKING MINOR AMENDMENTS TO MEDINA MUNICIPAL CODE (MMC) CHAPTER 10.08 (STREETS AND ROADS), MMC CHAPTER 12.44 (STREET VACATIONS), MMC CHAPTER 16.12 (H AND S DEFINITIONS), MMC CHAPTER 16.22 (PROTRUSIONS INTO SETBACKS), MMC CHAPTER 16.34 (ACCESSORY DWELLING UNITS), MMC CHAPTER 16.70 (ADMINISTRATIVE APPROVALS), MMC CHAPTER 16.71 (ADMINISTRATIVE DISCRETIONARY APPROVALS), MMC CHAPTER 16.72 (QUASI-JUDICIAL APPROVALS), MMC CHAPTER 16.80 (PROJECT PERMIT PROCEDURES); PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Title 16 of the Medina Municipal Code (“MMC” or “Code”) contains the City of Medina’s (“City”) unified development code; and

**WHEREAS**, the Growth Management Act requires that development regulations and codes be subject to continuing evaluation and review; and

**WHEREAS**, City staff have identified within MMC Title 16 opportunities for improvements to clarify the format, structure, terminology, and narrative of the development regulations for strategic and timely revisions to further the City’s goals, visions, plans and priorities; and

**WHEREAS**, the City provided a Notice of Intent to Adopt certain code amendments to the Washington State Department of Commerce for expedited review in accordance with RCW 36.70A.106 and MMC 16.81.070 on October 25, 2022; and

**WHEREAS**, the Washington State Department of Commerce approved the City’s request for an expedited review on November 8, 2022; and

**WHEREAS**, a State Environmental Policy Act (SEPA) checklist was prepared and a Determination of Non-Significance (DNS) was issued on October 28, 2022; and

**WHEREAS**, the City published a legal ad in the Seattle Times on October 28, 2022 for a public hearing before the Planning Commission, to solicit and receive public testimony regarding the proposed amendments; and

**WHEREAS**, the Medina Planning Commission reviewed and evaluated the proposed annual amendments over the course of three meetings, including a public hearing on November 15, 2022; and

**WHEREAS**, after considering staff recommendation and reviewing the record, the Planning Commission voted unanimously to recommend approval of the proposed amendments and forwarded their recommendation to City Council; and

**WHEREAS**, the City published a legal notice in the Seattle Times on November 16, 2022, for a public hearing on December 12, 2022 before the City Council to solicit and receive additional public testimony regarding Planning Commission's recommendation on the proposed amendments; and

**WHEREAS**, the City Council finds that based on the recommendation from City staff and Planning Commission, and public testimony that these amendments are consistent with the City's Comprehensive Plan, will enhance the public health, safety and welfare, and advance the public's interest; and

**WHEREAS**, the City Council desires to adopt the amendments as set forth herein.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1. Findings.** The City Council adopts the foregoing recitals as its findings and conclusions concerning the matters described therein, also intending thereby to provide a record of the facts, issues and process involved in its consideration.

**Section 2. Amendment to MMC 10.08.010(B).** The Medina Municipal Code Section MMC 10.08.010(B)(5) is hereby amended as follows:

5. Lake Washington Boulevard, from NE 12th Street to the Medina city limit near ~~854~~ Lake Washington Boulevard.

**Section 3. Amendment to MMC 12.44.050.** The Medina Municipal Code Section MMC 12.44.050 is hereby amended as follows:

**12.44.050. - Petition by owners.**

The owners of an interest in real estate abutting upon or underlying public ROW may petition the city council for vacation thereof in accordance with requirements of this chapter.

A. The petitioner shall apply for a vacation by submitting the following to the city clerk:

1. A vacation petition with supporting affidavits on forms provided by the city.
2. A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the State of Washington.
3. A legal description of the subject property prepared by a licensed surveyor registered in the State of Washington.
4. For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
5. The vacation fees **and deposits** as established by this chapter and city ordinance.
6. Any additional information or material the city determines is reasonably necessary for the city council to understand, consider and evaluate the requested vacation.

B. The petition shall be filed with the city clerk and shall be signed by owners of more than two-thirds of the property abutting the subject property (based on front footage) or underlying the subject property (based on square footage).

C. The city clerk shall determine the petition's compliance with this chapter. For the purpose of determining the sufficiency of signatures of owners of private property on a petition or a consent to vacate determined by the city council, the following rules shall govern as applicable:

1. The signature of an owner of property shall be as set forth in the King County assessor records and confirmed by a title report.
2. In the case of a property subject to a contract of purchase, the signature of the contract grantor and grantee shall be required.
3. In the case of property ownership by corporation or similar entity, the signature of the officer authorized by the bylaws and resolution of the board of directors evidenced by an excerpt of the bylaws and copy of the resolution, each duly certified by the secretary of the corporation, and granting such authority.
4. In the case of property owned or controlled by an estate, guardian or conservator of a decedent or incompetent, the signature of the duly qualified administrator, executor or guardian accompanied by a duly certified copy of his/her judicial appointment or designation.

D. Each petitioner shall be responsible to reimburse the City for the full expenses and costs incurred by the City to process the petitioner's requested vacation, regardless of the outcome of the City's review and decision thereon or petitioner's withdrawal of the petition. In addition to any other provisions of the MMC or this chapter, the City Manager or designee shall keep account of all administrative time, costs and expenses incurred by City employees, contractors, consultants, legal counsel, appraisers, appointed officers and other individuals acting on behalf of or for the benefit of the City in the course of processing the petition. The City Manager or designee shall periodically compile such time, costs and expenses and invoice the petitioner for payment thereof, which shall be made by petitioner not more than fifteen (15) from the date of the invoice. Upon the City's final decision to grant, deny or otherwise act on the petition, the City Manager or designee shall compile a final invoice for all remaining unpaid time, costs and expenses and shall present such invoice to the petitioner for prompt payment. No vacation shall become final nor be recorded until all invoices have been paid in full by the petitioner. In the event the petitioner does not make timely payment as set forth herein, the City may suspend further review and processing of the petition.

**Section 4. Amendment to MMC 12.44.080.** The Medina Municipal Code Section MMC 12.44.080 is hereby amended as follows:

**12.44.080. – Petition fees and costs; compensation.**

A. The petition, properly signed, shall be filed with the city clerk and accompanied by payment of the application fee and the estimated appraisal cost as set forth herein, which amounts shall be paid into the general fund of the city to defray the costs and expenses incurred by the city to: appraise the subject property, determine the sufficiency of the petition, evaluate and investigate the petition, and report the facts, circumstances and conclusions concerning the petition to the city council. Fees and costs shall not be returned or refunded to the petitioners regardless of the city council's action on the petition.

B. The amount of the fees and costs due upon filing shall be as follows:

1. The minimum application fee established by the city's then current fee schedule.
2. An appraisal fee deposit of \$2,500.00, which may be adjusted by the city manager up to the amount of the MAI appraisal bid or estimate submitted to the city.

C. In the event that the application fee, and/or the appraisal ~~deposit costs~~ set forth in subsection (B) of this section is insufficient to reimburse the city for all of the city's costs and expenses incurred in relation to the petition, the balance shall be determined and paid by the petitioner in accordance with MMC 12.44.050(D). ~~immediately upon receipt of the city's invoice.~~

D. In the event the vacation is granted by the city council, the petitioner shall immediately pay upon receipt of an invoice the amount required by the city council as compensation for the area being vacated as provided in MMC 12.44.180 and all amounts payable in accordance with MMC 12.44.050(D). A vacation ordinance shall not be effective until such time as the petitioner pays all sums due to the city, including all compensation due to the city for the vacation and all costs and expenses of the city in processing the petition. The city shall not record an approved vacation ordinance until such time as all such compensation, fees, costs and reimbursements are paid in full. If any portion of such amount remains unpaid for 30 days after submittal of a final invoice to the petitioner, the city council shall rescind and vacate the approved vacation ordinance.

E. In the event that the city council initiates a vacation, fees shall not be required unless council directs otherwise.

**Section 5.** Amendment to MMC 16.12.090. The Medina Municipal Code Section MMC 16.12.090 is hereby amended as follows:

**16.12.090. "H" definitions.**

*Habitat conservation areas* means areas designated as fish and wildlife habitat conservation areas.

*Hardscape* means any inorganic decorative landscape materials, including but not limited to stones, boulders, cobbles, pavers, decorative concrete incorporated into an overall landscape design of the grounds. This definition includes, but is not limited to, patios, walkways, steps, and other paved areas on the ground.

*Hazard areas* means areas designated as geologically hazardous areas due to potential for erosion, landslide, seismic activity, or other geologic condition.

*Hazard tree* means a tree designated by the city arborist as having a high to extreme risk using the International Society of Arborists Tree Risk Assessment Qualification (TRAQ) system. A hazard tree must have a likely or very likely potential to fail and a target that might sustain injury or damage. Hazard trees are created through a variety of circumstances including human influences, disease, and weather.

*Hearing body* means the body designated by the city council to preside over an open-record hearing or closed-record appeal.

*Hearing examiner* means the person appointed pursuant to MMC 2.72.020 with the powers and duties prescribed in Chapter 2.72 MMC.

*Height* means a vertical distance measured between two points.

*Home business* means an economic enterprise to make a product or perform a service, or to undertake any activity that requires a business license from the State of Washington, that is conducted or operated pursuant to MMC 16.31.010 within a single family dwelling by the resident occupant or owner thereof, which use or activity shall be clearly incidental and secondary to the residential use of the dwelling, including the use of the dwelling as a business address in a directory or as a business mailing address.

*Horticulture* means the occupation of cultivating plants, especially flowers, fruit, and vegetables.

*Hot tub* means a hydro-massage pool, or tub for recreational or therapeutic use designed for immersion of users, and usually having a filter, heater, and motor-driven blower.

*Household staff* means individuals who spend more than 50 percent of their working time employed at the residence site and in no event work less than 20 hours per week, including caregivers.

~~*Housekeeping unit* means one or more persons living together sharing household responsibilities and activities, which may include sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other. A housekeeping unit does not include larger institutional group living situations such as dormitories, fraternities, sororities, and similar groups where the common living arrangement or basis for the establishment of the housekeeping unit is temporary.~~

*Hydraulic project approval (HPA)* means a permit issued by the State Department of Fish and Wildlife for modifications to waters of the state in accordance with Chapter 75.20 RCW.

*Hydric soil* means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

*Hydrophytic vegetation* means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the approved federal wetland delineation manual and applicable regional supplements.

**Section 6. Amendment to MMC 16.12.200.** The Medina Municipal Code Section MMC 16.12.200 is hereby amended as follows:

**16.12.200. "S" definitions.**

*School* means a school operation with 13 or more attendees at any one time, not including immediate family members who reside in the school or employees.

*School operation* means any institution of learning, excluding those offering post-secondary education, offering instruction in the several branches of learning and study required by the Basic Education Code of the State of Washington to be taught in the public, private and parochial school.

*Scrub-shrub wetland* means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata as measured from existing grade.

*Security barrier* means an obstruction, such as fences, walls, vegetation and similar elements that restricts public access.

*Seismic hazard areas* means areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

*Sensitive areas.* See "critical areas."

*SEPA*. See definition of "State Environmental Policy Act (SEPA)."

*Service area* means the vicinity around a wireless communication facility that effectively receives signals from and transmits signals to the facility.

*Setback* means the minimum distance from the property line to where a structure may be built. (See MMC 16.22.030.)

*Setback area* means the area of a lot or building site between the property line and the limits set by the Medina Municipal Code city regulations within which no ~~permanent~~ structure may intrude unless allowed otherwise by law.

*Shorelands or shoreland areas* means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark or floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of the Washington State Shoreline Management Act of 1971 and the City of Medina shoreline master program, Chapters 16.60 through 16.67 MMC.

*Shorelines* means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and
3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

*Shorelines of statewide significance* means those areas defined in RCW 90.58.030 and limited in the City of Medina to Lake Washington.

*Sign* means any medium visible to the public including its structure and component parts which is used or intended to be used out of doors to convey a message to the public or otherwise attract attention to its subject matter, for advertising or any other purposes.

*Sign, A-board* means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

*Sign area* means the area of the face of the sign. When a dimensional sign contains information on two sides of the sign, only one side is counted in determining sign area, except A-board signs where the average area of the two faces shall be used to determine sign area.

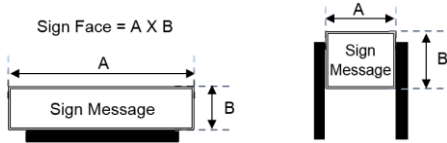
*Sign, banner* means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

*Sign, commercial* means a sign containing commercial content used for identifying a building, use, business or event, or to advertise the sale of goods, products, events or services. This includes real estate and event signs.

*Sign face* means the surface upon, against or through which the letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign is displayed or illustrated, not including the sign support structure, or architectural features of a building.

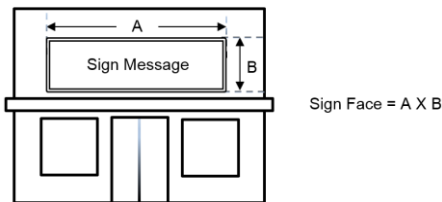
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

**Figure 1**



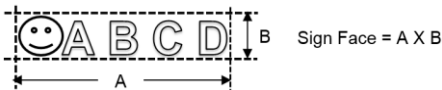
2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building or fence. See Figure 2.

**Figure 2**



3. In the case of signs consisting of individual letters and/or individual graphic elements painted or affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn using connected straight lines closest to the edge of the letters or separate graphic elements comprising the sign message. See Figure 3.

**Figure 3**



*Sign, freestanding* means a sign attached to a self-supporting structure such as column, poles, or braces placed in or upon the ground.

*Sign height* means the total vertical measurement of a sign including all components of the sign and the sign's support structure.

*Sign, illuminated* means a sign characterized using artificial light, either projecting through its surface (internally or trans-illuminated), or reflecting off its surface (externally illuminated).

*Sign, location identity* means signs that identify address numbers, property owners, and/or geographic areas such as neighborhoods and subdivisions.

*Sign, mounted* means a sign that is applied or affixed to a building, wall or fence.

*Sign, municipal* means a sign erected by the City of Medina, or its authorized representatives, for the safety, convenience or information of its citizens, including, but not limited to, traffic control signs, legal notices, city entrance signs, and signs announcing public and community events, meetings, and activities.

*Sign, noncommercial* means a sign containing noncommercial content used for identifying a building, use, or event, or to advertise noncommercial matters, excluding municipal signs.

*Sign, off-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is not available on the premises upon which the sign is erected.

*Sign, on-site* means any sign that advertises or relates to an event, activity, use, good, product, or service that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is erected.

*Sign, permanent* means any sign which is affixed to the ground or to any permanent structure or building, including walls, awnings and fences, in such a manner that it cannot be moved or transported with ease, and which is intended to remain in one location and position for an extended period of time.

*Sign, real estate and events* means a temporary sign that is for the sole purpose of advertising a parcel, tract, lot, site or home for rent, lease or sale; for advertising the sale of a home's household belongings; or which identifies an individual or company performing an active construction project that has obtained building permits under MMC 16.40.010(A) or (B), and which construction activity is visible from a public street right-of-way, including remodels. For purposes of this definition, "construction projects" shall not include routine maintenance of property such as landscaping care.

*Sign support structure* means any structure designed specifically for the support of a sign and which does not form part of the sign proper or of the display.

*Sign, temporary* means a sign displaying either commercial or noncommercial messages which is not permanently affixed to the ground or any permanent structure or building and which is capable of being moved or transported with ease.

*Sign, window* means a sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

*Significant tree* means a tree of at least six-inch DBH size and of a species as identified on the "City of Medina List of Suitable Tree Species" as set forth in Chapter 16.52 MMC.

*Single-family dwelling* means a dwelling unit which is occupied as, or designed or intended for occupancy as, a residence by one family and may include family guests and/or household staff. The owner of the single-family dwelling may provide lodging to persons who are not guests and who are not part of a family provided the total number of persons, including nonfamily persons living in the dwelling, does not exceed three, excluding children with familial status within the meaning of Title 42 United States Code, Section 3602(k). The limitation on the number of nonfamily persons living in the dwelling shall not apply to adult family homes, family day-care providers' home facilities as prescribed by RCW 35A.63.215, and other living arrangements which would violate Title 42 United States Code, Section 3604.

*Single-family dwelling, detached* means a separate unconnected single-family dwelling surrounded by open space and yards and which contains one dwelling unit and up to one accessory dwelling unit. A detached single-family dwelling may have detached accessory buildings including, but not limited to, garages, accessory recreational facilities, cabanas and similar residential accessories having no more than one room plus a bathroom and otherwise not designed as an independent residence.



Single Housekeeping Unit, means one or more person(s) who jointly have common access to and common use of all living, kitchen, and eating areas within the dwelling unit and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method.

*Soil survey* means the most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

*Spa.* See definition under "hot tub."

*Species* means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

*Species, endangered* means any fish or wildlife species or subspecies that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

*Species of local importance* means those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

*Species, priority* means any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

*Species, threatened* means any fish or wildlife species or subspecies that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

*Sport court* means an area of ground defined by permanent surfacing, equipment and/or fencing for the purpose of playing tennis, badminton, basketball and similar social games.

*State Environmental Policy Act (SEPA)* means environmental review procedures required under Chapter 43.21C RCW, Chapter 197-11 WAC, and Chapter 16.04 MMC.

*Steep slope* means any area with a slope of 40 percent or steeper and with a vertical relief of ten or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

*Story* means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof.

*Stream* means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

*Street* means a right-of-way, opened or unopened, that is intended for motor vehicle travel or for motor vehicle access to abutting property. "Street" includes all the area within the right-of-way, such as roadways, parking strips, and sidewalks. For the purposes of the zoning code, "street" shall not include private lanes.

*Street frontage* means the property line abutting streets.

*Structural coverage* means the area of a lot covered by structures. (See MMC 16.23.030.)

*Structure* means that which is erected, built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Subdivision* means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Subdivision, accumulative short* means multiple short subdivisions of contiguous existing lots held under common ownership, which would result in the creation of five or more lots within a five-year period of the initial short subdivision approval. "Ownership" for the purpose of this definition means ownership as established at the date of the initial short subdivision approval.

*Subdivision, short* means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

*Substantial destruction* means ~~to remove more than 60 percent of the existing exterior wall framing of a structure, as measured by the horizontal linear length of all existing exterior walls. Any partial removal of existing framing shall count towards the measurement of horizontal linear length the same as if the entire framing within that horizontal linear length was removed, except partial removal shall not include replacement of windows or doors when no beams or struts are removed. For the purpose of substantial destruction, existing exterior walls shall exclude exterior walls built less than 18 months prior to submittal of a building permit application. damage of any origin that is voluntarily or involuntarily sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 60 percent of the fair market value of the structure before the damage occurred. The calculation of the 18 months shall include to the time after the date the last permit involving construction of a new exterior wall was finalized by the city.~~

*Substantially* means significant in the size or amount and has a noticeable impact on the current situation to a degree that would satisfy a reasonable person as significant.

*Support structures* means the structure to which ~~signs,~~ antennas ~~and or~~ other necessary associated hardware are mounted, including, but not limited to, lattice towers, monopoles, utility support structures, and existing nonresidential buildings.

*Swimming pool* means any artificially constructed water-holding device that has a minimum depth of 42 inches and is of sufficient size for swimming, wading, immersion, or therapeutic purposes.

**Section 7. Amendment to MMC 16.22.040.** The Medina Municipal Code Section MMC 16.22.040 is hereby amended as follows:

**16.22.040. Protrusions into setback areas.**

The following structures may be located within a setback area, ~~excluding except~~ setbacks from Lake Washington, which are subject to Chapter 16.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies.;
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.;

- C. Uncovered decks and patios, provided:
1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
  2. The following setbacks are maintained:
    - a. A minimum 15-foot setback is maintained from the front property line;
    - b. A minimum 10-foot setback is maintained from the rear property line; and
    - c. A minimum side-yard setback equal to one-half the required distance pursuant to Table 16.22.030.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area;
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010;
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade;
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access ~~for elderly and/or disabled persons;~~
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface;
- I. Improved surface areas for off-street parking provided:
1. The protrusion is limited to the front setback area and a minimum 15-setback is maintained from a front property line; and
  2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
  - ~~3. A minimum 15-foot setback is maintained from the front property line;~~
  - ~~34.~~ The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower;
- J. A chimney provided:
1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area from a side property line;
  2. The maximum horizontal width of the chimney inside the setback area is five feet; and 3. The chimney does not protrude more than two feet into the setback area;
- K. ~~Small-a-A~~ accessory structures and outdoor mechanical equipment provided:
1. The protrusion is limited to the rear setback area from a rear property line and a minimum 15-foot setback from the rear property line is maintained; and
  2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
  3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
  4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
  5. ~~A minimum 15-foot setback from the rear property line is maintained;~~ For outdoor mechanical equipment, the following shall apply:
    - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;

b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum 5-foot setback is maintained from the side property line; and  
6. All mechanical equipment shall meet the sound requirements set forth in Chapter 8.06 MMC.

- L. Open play structures without roofs or walls provided:
1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
  2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
  3. The play structure does not occupy a footprint greater than 100 square feet.;
  - ~~4. A minimum ten-foot setback from the rear property line is maintained;~~
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.;
- N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.;
- O. Low impact development best management practices or treatment best management practices provided:
1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
  2. Best management practices, including associated vegetation, shall be located entirely on private property.
  3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
  4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
  5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
    - a. Rain garden;
    - b. Bioretention;
    - c. Dispersion; and
    - d. Biofiltration treatment.

**Section 8. Amendment to MMC 16.34.020.** The Medina Municipal Code Section MMC 16.34.020 is hereby amended as follows:

**16.34.020. Accessory dwelling units.**

This section establishes the development criteria that apply to accessory dwelling units.

- A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.
- B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building ~~containing another permitted accessory use.~~
- ~~C. Accessory dwelling units are prohibited as the only use in a detached accessory building.~~

- CD.** Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.
- DE.** Development standards.
1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located.;
  2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined.;
  3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures.;
  4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation.;
  5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box.;
  - ~~6. The exterior finish of the accessory dwelling unit shall be identical to the residence or accessory structure in which it is contained; and~~
  - ~~67.~~ A certification by City of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.
- EF.** There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.
- FG.** Garage space may be converted into an accessory dwelling unit only if the number of covered garage spaces eliminated by the conversion is replaced by the same number of covered garage spaces elsewhere on the property.
- GH.** An accessory dwelling unit must contain:
1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
  2. ~~Kitchen or f~~ Food storage and preparation facilities and a sink.
- H.** A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 16.70.070. The application shall include an agreement in a form approved by the City, by the property owner to maintain the accessory dwelling unit in compliance with the standards set forth in this section.
- IJ.** After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:
1. The street address and legal description of the property; and
  2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.
- JK.** The registration of the accessory dwelling unit may be canceled pursuant to MMC 16.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

**Section 9. Amendment to MMC 16.34.040(C).** The Medina Municipal Code Section MMC 16.34.040(C)(3) is hereby amended as follows:

3. Major recreational facilities may protrude into setback areas provided:

- a. At least a 15-foot setback is maintained from each rear and front property line; and
- b. At least a ~~ten~~10-foot setback is maintained from each side property line.

**Section 10.** Amendment to MMC 16.52.190(A). The Medina Municipal Code Section MMC 16.52.190(A) is hereby amended as follows:

A. Tree protection measures shall be implemented and maintained before and during all development construction activities to ensure the preservation of significant trees that are planned to be retained. Tree protection measures shall be shown on grading and drainage plans, tree protection plans, and construction mitigation plans.

**Section 11.** Amendment to MMC 16.70. The Medina Municipal Code Section MMC 16.70 is hereby amended as follows:

## CHAPTER 16.70 – ADMINISTRATIVE APPROVALS

### 16.70.010. Building permit.

- A. *Applicant.* Any owner may submit an application for a building permit.
- B. *Procedures.* Building permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.40 MMC (Building Codes).
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.40 MMC and other applicable ordinances and regulations as they currently exist or are hereafter amended set forth the criteria for approving building permits.
- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Building permits shall expire as prescribed in Chapter 16.40 MMC.

### 16.70.020. Right-of-way permit.

- A. *Applicant.* Any owner may submit an application for a right-of-way permit.
- B. *Procedures.* Right-of-way permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.*
  - 1. This section applies to uses and activities within the city rights-of-way as prescribed in MMC Title 12 (Streets, Sidewalks and Public Places) requiring a right-of-way permit; and
  - 2. The decision authority may waive the requirement for a right-of-way permit for work performed by employees of the city, or by any contractor of the city performing work for and on behalf of the city.
- D. *Criteria for approval.* The codes and standards referenced in Chapters 12.04 through 12.12 MMC, and Chapter 12.28 MMC, and other applicable ordinances and regulations as they

currently exist or are hereafter amended set forth the criteria for approving right-of-way permits.

- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Expiration.* A right-of-way permit shall expire after 12 months from the date of issuance of the permit or upon expiration of a building permit associated with the right-of-way work, whichever occurs later.

#### ~~16.70.030 Construction code of conduct.~~

~~A. *Applicant.* Any owner may submit an application for a construction code of conduct.~~

~~B. *Procedures.*~~

- ~~1. Construction code of conducts are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
- ~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the construction code of conduct.~~

~~C. *Applicability.* This section applies to where a construction code of conduct is required pursuant to MMC 16.75.040.~~

~~D. *Limitations.* The construction code of conduct is a construction mitigation plan prepared by the city that establishes prescriptive measures for reducing construction impacts on neighboring properties and streets. Compliance with the measures set forth in a construction code of conduct are binding on the signatories required in subsection (B)(2) of this section.~~

~~E. *Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 as they currently exist or are hereafter amended constitute the criteria for approving a construction code of conduct.~~

~~F. *Conditions of approval.* The decision authority may attach to a code of conduct on a case-by-case basis such reasonable mitigation measures as necessary to protect the public health, general welfare and safety from the negative impacts of construction activity.~~

#### **16.70.0430. Substantial development permit exemption.**

- A. *Applicant.* Any owner may submit a request for a written exemption from the requirement for a substantial development permit.
- B. *Procedures.* An exemption from a substantial development permit is processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to activities defined as development pursuant to RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, and implements the provisions set forth in WAC 173-27-040 as they currently exist or are hereafter amended.
- D. *Limitations.*
  1. Exemptions are to be construed narrowly and only development that meets the precise terms of one or more of the listed exemptions may be granted an exemption; and
  2. If any part of a proposed development is not eligible for one of the listed exemptions, then an exemption shall not be granted.

- E. *Criteria for approval.*
1. The development for which the exemption is sought must meet one or more of the conditions set forth in WAC 173-27-040(2); and
  2. The development must comply with and be consistent with the Medina shoreline master program (Chapters 16.60 through 16.67 MMC), Chapter 173-27 WAC (Shoreline Management Permit and Enforcement Procedures), and Chapter 90.58 RCW (Shoreline Management Act).
- F. *Conditions of approval.* The decision authority may attach conditions as necessary to prevent undesirable effects on the shoreline area and carry out the spirit and purpose of the regulations set forth in the Medina shoreline master program and the Shoreline Management Act.

**16.70.0540. Administrative tree activity permit.**

- A. *Applicant.* Any owner may submit an application for an administrative tree activity permit.
- B. *Procedures.* Administrative tree activity permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to the activities associated with removing and planting trees set forth in MMC 16.52.160(B).
- D. *Criteria for approval.* The decision authority may approve an administrative tree activity permit only if the requirements set forth in Chapter 16.52 MMC are satisfied.
- E. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- F. *Lapse of approval.*
1. An administrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

**16.70.0650. Temporary use permit.**

- A. *Applicant.* Any owner may submit an application for a temporary use permit.
- B. *Procedures.* Temporary use permits are processed as a Type 1 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section shall apply to those uses authorized as temporary uses pursuant to Chapter 16.35 MMC.
- D. *Limitations.* Only one temporary use permit may be granted within a five-year time period from the date the original temporary use permit is issued, except a second temporary use permit may be granted if:
1. For temporary public facilities:
    - a. In the opinion of the director, a significantly different public facility will occupy the use of the property;
    - b. The second temporary use permit is consistent with the requirements set forth in this chapter; and



- c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
- 2. For temporary wireless communication facilities:
  - a. A complete nonadministrative special use permit application has been submitted to the city;
  - b. The extension of time, at the discretion of the director, is necessary to allow for the processing of permits and construction of facilities; and
  - c. No additional temporary use permit is approved for at least five years following approval of the second temporary use permit.
- E. *Criteria for approval.* The decision authority may approve a temporary use permit only when the following criteria are satisfied:
  - 1. The temporary use will not materially be detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity;
  - 2. For a temporary public facility, there is adequate parking within a sufficient proximity to the site for employees, city vehicles and customers;
  - 3. Except in the case of emergencies, the temporary use will not cause noise, light or glare which adversely impacts surrounding uses; and
  - 4. The temporary use shall comply with all codes applicable to development, such as zoning and building codes, except as otherwise provided for in MMC 16.35.040 and 16.35.050.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

#### **16.70.0760. Accessory dwelling unit registration.**

- A. *Applicability.* Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 16.34.020 shall apply for an accessory dwelling unit registration.
- B. *Review procedures.* Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 16.80 MMC.
- C. *Approval criteria.* The decision authority may approve an ADU only when the following criteria are met:
  - 1. The ADU meets the requirements set forth in MMC ~~2016~~.34.020; and
  - 2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC ~~2016~~.34.020.
- D. *Written agreement.*
  - 1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.
  - 2. The contents of the ADU registration form shall include the following:
    - a. The street address and legal description of the property where the accessory dwelling unit is located;
    - b. The written agreement to maintain the ADU as prescribed in subsection (C)(2) of this section; and
    - c. Any other relevant information determined necessary by the decision authority.

3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.
  4. The ADU registration may be cancelled under the following conditions:
    - a. The property owner may cancel the ADU registration if:
      - i. The ADU is permanently removed from the property; or
      - ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
      - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
    - b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 16.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
      - i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 16.80.220 for a Type 1 decision;
      - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
      - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.
- E. *Lapse of approval.* Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

#### **16.70.0870. Grading and drainage permit.**

- A. *Applicant.* Any owner may submit an application for a grading and drainage permit.
- B. *Procedures.* Grading and drainage permits are processed as a Type 1 decision, unless a SEPA threshold determination is required in which case the application is processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- C. *Applicability.* This section applies to all permits required under Chapter 16.43 MMC.
- D. *Criteria for approval.* The codes and standards referenced in Chapter 16.43 MMC and other applicable ordinances and regulations, as they currently exist or are hereafter amended, set forth the criteria for approving grading and drainage permits.
- E. *Conditions of approval.* The decision authority may attach such conditions as reasonably necessary to safeguard the public health, general welfare, and safety.
- F. *Lapse of approval.* Grading and drainage permits shall expire as prescribed for building permits in Chapter 16.40 MMC.

**Section 12. Amendment to MMC 16.71.** The Medina Municipal Code Section MMC 16.71 is hereby amended as follows:

#### **CHAPTER 16.71 – ADMINISTRATIVE DISCRETIONARY APPROVALS**

**16.71.010. Minor deviation.**

- A. *Purpose.* The purpose of a minor deviation is:
1. To allow for minor departures from numeric development standards for remodeling projects; and
  2. To allow flexibility in design while preserving nonconforming conditions with respect to setback requirements and maximum building heights.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard provided:
    - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
    - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses.
  2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
    - a. Matching a nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
    - b. Matching a nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
    - c. The total above-ground bulk of the building located within the nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the nonconforming building height or setback envelope with approval of a minor deviation.
- E. *Limitations.* A minor deviation shall not be approved for the following:
1. Where the structure experienced substantial destruction as defined by MMC 16.12.200.
  2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
  - ~~3~~2. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.
- F. *Criteria for approval.* The decision authority may approve a minor deviation only if the following criteria are satisfied:
1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
  4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the minor deviation is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

**16.71.020. Administrative variance.**

- A. *Purpose.* The purpose of administrative variances is to allow minor relief from specific zoning standards.
- B. *Applicant.* Any owner may submit an application for an administrative variance.
- C. *Procedures.* Administrative variances are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* An administrative variance may be granted for the following:
1. Fences and walls less than eight feet in height; or
  2. Structural coverage increases provided:
    - a. The increase is for less than one percent of the lot area; and
    - b. If existing structural coverage on the lot exceeds the zoning code, the total structural coverage will not exceed the structural coverage increase permitted in subsection (D)(2)(a) of this section plus the lesser amount between the existing structural coverage on the lot and the structural coverage on the lot on the date the structure became nonconforming with regards to structural coverage.
- E. *Criteria for approval.* The decision authority may approve an administrative variance only if the following criteria are satisfied:
1. The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
  4. The variance is the minimum necessary to provide reasonable relief.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An approved administrative variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the administrative variance is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

#### **16.71.030. Administrative special use permit.**

- A. *Purpose.* The purpose of administrative special use permits is to allow certain uses, which by their nature can have an undue impact upon other uses of land, but also by their nature warrant a less cumbersome approval process than a nonadministrative special use permit.
- B. *Applicant.* Any owner may submit an application for an administrative special use permit.
- C. *Procedures.* Administrative special use permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to uses and activities listed or referenced as requiring an administrative special use permit.
- E. *Criteria for approval.* The decision authority may approve an administrative special use permit only if the following criteria are satisfied:
1. The use is compatible with and meets the spirit of the comprehensive plan;
  2. The use is designed to minimize detrimental effects on neighboring properties;
  3. The use satisfies all requirements specified for the use;
  4. The use complies with all applicable zoning and development standards and requirements; and
  5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.
- F. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An approved administrative special use permit shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the administrative special use permit is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

**16.71.040. Level 1 tailored construction mitigation plan.**

- ~~A. *Purpose.* The purpose of a Level 1 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B. *Applicant.* Any owner may submit an application for a Level 1 tailored construction mitigation plan.~~
- ~~C. *Procedures.*~~
- ~~1. Level 1 tailored construction mitigation plans are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2. Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 1 tailored construction mitigation plan.~~
- ~~D. *Applicability.* This section applies to where a Level 1 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E. *Limitations.* The tailored construction mitigation plan is a construction mitigation plan consisting of both city-developed and applicant-proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 1 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~
- ~~F. *Criteria for approval.* The criteria for approval of a Level 1 tailored construction mitigation plan are those set forth in MMC 16.75.040, as it currently exists or is hereafter amended.~~
- ~~G. *Conditions of approval.* The decision authority may attach reasonable mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~
- ~~H. *Lapse of approval.* A Level 1 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the Level 1 tailored construction mitigation plan expires.~~

**16.71.0540. Administrative right-of-way tree activity permit.**

- A. *Purpose.* The purpose of an administrative right-of-way tree activity permit is to authorize removal or pruning of city trees and vegetative cover in the right-of-way consistent with the Chapter 16.52 MMC Medina tree code.
- B. *Applicant.* Only owners enumerated in MMC 16.52.160(C) may submit an application for an administrative right-of-way tree activity permit.
- C. *Procedures.* Administrative right-of-way tree activity permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of trees as set forth in MMC 16.52.160(C).
- E. *Criteria for approval.* The decision authority may approve an administrative right-of-way tree activity permit only if the following criteria are satisfied:

1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of the city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree;
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. An administrative right-of-way tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

**16.71.0650. Administrative substantial development permit.**

- A. *Purpose.* The purpose of an administrative substantial development permit is to regulate developments and uses of water bodies and associated upland areas to protect human health and the natural environment, but by the scope of the development warrant a less cumbersome approval process.
- B. *Applicant.* Any owner may submit an application for an administrative substantial development permit.
- C. *Procedures.* Administrative substantial development permits are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities within the meaning of the term "development" as defined in RCW 90.58.030(3)(a), and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
1. The development is not exempt from a substantial development permit pursuant to WAC 173-27-040 as it currently exists or is hereafter amended; and
  2. The development does not include any dredging waterward of the ordinary high water mark; and
  3. The development does not include grading activity involving more than 500 cubic yards of material within the shoreline jurisdiction, excluding fill material used specifically for fish and wildlife habitat restoration; and

4. The total cost or fair-market value of the entire proposed development does not exceed \$50,000.00 provided:
    - a. The calculation for total cost or fair-market value shall include all costs, excluding permit fees and taxes, associated with development on the property during a period beginning from the date an application for the administrative substantial development permit is submitted and ending 18 months after the date all permits issued by the city for the property are finalized; and
    - b. Development may not be divided into phases for the purpose of avoiding a higher designation of decision type, except as provided in subsection (D)(4)(a) of this section.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.080, the applicant shall provide the following with an administrative substantial development permit:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source, and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve an administrative substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);



2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the requirements of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to an administrative substantial development permit shall be consistent with WAC 173-27-100 as it currently exists or is hereafter amended.
- I. *Lapse of approval.* Administrative substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

**Section 13. Amendment to MMC 16.72.** The Medina Municipal Code Section MMC 16.72 is hereby amended as follows:

## **CHAPTER 16.72 – QUASI-JUDICIAL APPROVALS**

### **16.72.010. Nonadministrative special use permit/conditional use permit.**

- A. *Purpose.* The purpose of nonadministrative special use and conditional use permits is to allow certain uses which, by their nature, can have an undue impact upon other uses of land within the zoning district, subject to the controls, limitations and regulations of a nonadministrative special use permit/conditional use permit.
- B. *Applicant.* Any owner may submit an application for a nonadministrative special use permit or conditional use permit.
- C. *Procedures.* Nonadministrative special use permit/conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* Uses and activities listed or referenced as requiring a nonadministrative special use or a conditional use permit.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative special use permit or nonadministrative conditional use permit only if the following criteria are satisfied:
  1. The use complies with the adopted goals and policies set forth in the comprehensive plan;
  2. The use is designed to minimize detrimental effects on neighboring properties;
  3. The use satisfies all requirements specified for the use;
  4. The use complies with all applicable zoning and development standards and requirements; and
  5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.
- F. *Conditions of approval.* The decision authority may impose reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*

1. An approved nonadministrative special use permit shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
2. Expiration of the nonadministrative special use permit is automatic and notice is not required; and
3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

**16.72.020. Historical use permit.**

- A. *Purpose.* The purpose of historical use permits is to serve as a mechanism for reestablishing a use on a property where that use had historically existed at one time on the property, but subsequently the rights to the use had ceased.
- B. *Applicant.* Any owner may submit an application for a historical use permit.
- C. *Procedures.* Historical use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* Uses identified as a historical use requiring authorization to reestablish the use pursuant to Chapter 16.33 MMC.
- E. *Deviations to zoning regulations authorized.* Where unnecessary hardships or practical difficulties are created for the historical use by application of specific zoning regulations, deviations from the specific zoning regulation may be granted under the approval of a historical use permit.
- F. *Criteria for approval.* The decision authority may approve a historical use permit only if the following criteria are satisfied:
  1. The applicant demonstrates that the use was an established use on the date the city incorporated;
  2. The use will not have materially detrimental effects on neighboring properties due to excessive noise, lighting or other interference with the peaceful use and possession of said neighboring properties;
  3. The use has been designed to minimize adverse effects on neighboring properties, taking into account the historical use of the property; and
  4. If a deviation pursuant to subsection (E) of this section is requested, approval of the deviation must relate to the use of the land or to structures containing the historical use.
- G. *Conditions of approval.* The decision authority may impose reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
  1. An approved historical use permit shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the historical use permit is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

**16.72.030. Nonadministrative variance.**

- A. *Purpose.* The purpose for a nonadministrative variance is to provide property owners relief from certain provisions of this title where conditions justify such relief on a case-by-case basis.
- B. *Applicant.* Any owner may submit an application for a nonadministrative variance.
- C. *Procedures.* Nonadministrative variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* Circumstances where relief from a dimensional standard is sought subject to the limitation set forth in subsection (E) of this section.
- E. *Limitations.*
1. Nonadministrative variances may be granted where the application of a dimensional standard would result in an unusual or unreasonable hardship due to physical characteristics of the site;
  2. Evidence of other variances granted under similar circumstances shall not be considered in the granting of a nonadministrative variance; and
  3. No variance shall be granted for any of the following:
    - a. To alter any definition or interpretation of this title;
    - b. To alter any provision establishing a use within a zoning district; or
    - c. To alter any procedural provisions.
- F. *Criteria for approval.* The decision authority may approve a nonadministrative variance only if the following criteria are satisfied:
1. The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
  2. The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
  3. The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant; and
  4. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
  5. The variance is the minimum necessary to provide reasonable relief.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions to safeguard the public health, general welfare and safety.
- H. *Lapse of approval.*
1. An approved nonadministrative variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
  2. Expiration of the nonadministrative variance is automatic and notice is not required; and
  3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

**16.72.040. Site plan review.**

A. *Purpose.* The purpose of site plan review is to:

1. Encourage better site planning to help ensure certain new development enhances the character of the city and sensitively fits into the neighborhood;
2. To protect the desirable aspects of natural landscape features of the city by minimizing undesirable impacts on the physical environment by proposed new development;
3. Improve communication and mutual understanding early and throughout the review process among developers, neighborhoods, and the city; and
4. Create a mechanism for addressing neighborhood impacts by the layout of the site without unreasonably interfering with an applicant's architectural goals; and
5. Be mindful of an applicant's reasonable expectation of privacy and/or security of their property.
6. It is not the intent of site plan review to regulate the architectural style or massing of a proposed home.

B. *Applicant.* Any owner may submit an application for site plan review.

C. *Procedures.*

1. Site plan reviews are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC;
2. Revisions to an approved site plan review are as follows:
  - a. Minor revisions consistent with the scope of work already approved in the site plan review may be approved by the director as a Type 1 decision; or
  - b. All other revisions shall be processed as follows:
    - i. The city issues notice consistent with a notice of application set forth in MMC 16.80.110, including sending notice to all previous parties of record of the original site plan review;
    - ii. If no written objections to the revision are received during the public comment period, the director may decide the revision as a Type 2 decision;
    - iii. If written objections to the revision are received during the public comment period, the revision shall be processed as a Type 3 decision, subject to the same process requirements for a site plan review set forth in MMC 16.80.050(C), except a new notice of application is not required.

D. *Applicability.*

1. The requirements for site plan review set forth in this section shall apply if one or more of the following conditions are present:
  - a. Construction of a new building, or expansion or alteration of an existing building where the lot area of the building site is 80,000 square feet;
  - b. Construction of a new building, or expansion or alteration of an existing building where the lot area of the building site is at least 40,000 square feet and the lot area is at least 50 percent larger than the average lot area of all residentially developed lots touching the property;
  - c. Construction of a new building, or expansion or alteration of an existing building where the lot area of the building site is at least 40,000 square feet and the lot area is at least twice the size of the lot area of the smallest residentially developed lot touching the subject site; or

- d. Construction of a new building, or expansion or alternation of existing building where the lot area of the building site is less than 16,000 square feet and the property owner requests departure from setbacks, excluding shoreline setbacks, to preserve significant trees on the property 24 inches diameter breast height and larger in size.
2. In no case shall the following types of development require site plan review under this section:
- a. Interior remodels that do not conflict with a previously approved site plan or modify the existing layout of the building site;
  - b. Modifications to the exterior facade of an existing building that do not:
    - i. Conflict with a previously approved site plan;
    - ii. Modify the existing layout of the building site; or
    - iii. Increase the exterior bulk of the building from the perspective of the adjacent lots;
  - c. Building additions that do not enlarge the building footprint by more than a total of 200 square feet during any five-consecutive-year time period;
  - d. Reconstruction of an existing building within its existing surface area footprint;
  - e. Construction of new buildings with a gross floor area of 1,000 square feet or less and that are set back at least 50 feet from the following:
    - i. Property lines that adjoin residentially developed properties; and
    - ii. Property lines that are only separated from a residentially developed property by a city right-of-way.
3. The director may waive the requirement for a site plan review if all of the following are present:
- a. The building site is constrained by the existence of critical areas or topography in a manner that the director determines a site plan review will have limited to no benefits; and
  - b. The city issues notice consistent with the requirements set forth for a notice of application in MMC 16.80.110 alerting recipients of the proposed project and the matter of the applicability of site plan review to the proposed project; and
  - c. No written objection to waiving the requirement for site plan review is received during the public comment period.
- E. *Departures from development regulations authorized.* Departures from certain development requirements may be permitted provided the following are satisfied:
- 1. The departure is for the purpose of minimizing an undesirable impact that cannot be better achieved by a strict application of the code;
  - 2. The departure meets the site plan review purpose statements set forth in subsection (A) of this section;
  - 3. The departure increases the project's conformance with the approval criteria set forth in subsection (H) of this section;
  - 4. Approval of departures under site plan review is limited to the following standards, except where site plan review is requested under subsection (D)(1)(d) of this section, departures shall be limited to subsections (E)(4)(a) and (d) of this section:
    - a. Minimum setbacks, excluding shoreline setbacks;
    - b. Maximum structural coverage, including bonus structural coverage;

- c. Maximum building and structure height;
- d. On-site parking spaces; and
- e. Fence and wall development standards.

F. *Limitations.*

1. In considering site plan review, the scope of the review is intended to evaluate the placement of primary site features and reduce negative impacts to adjacent properties. This may require setback distances from property lines greater than the zoning requirements. Primary features include, but are not limited to, all buildings, driveways, decks, patios, and landscaping.
2. Site plan review shall not include changes in the shape of a building footprint unless unique circumstances exist caused by the configuration of the subject lot and/or adjoining lots. In the case of unique circumstances, changes to the shape of the building footprint may only be required if the criteria in subsections (H)(3)(a) and (b) of this section cannot be met solely by moving the placement of a building.

G. *Additional application submittal requirements.* In addition to the submittal requirements set forth in MMC 16.80.070, the applicant shall provide the following with a site plan review application:

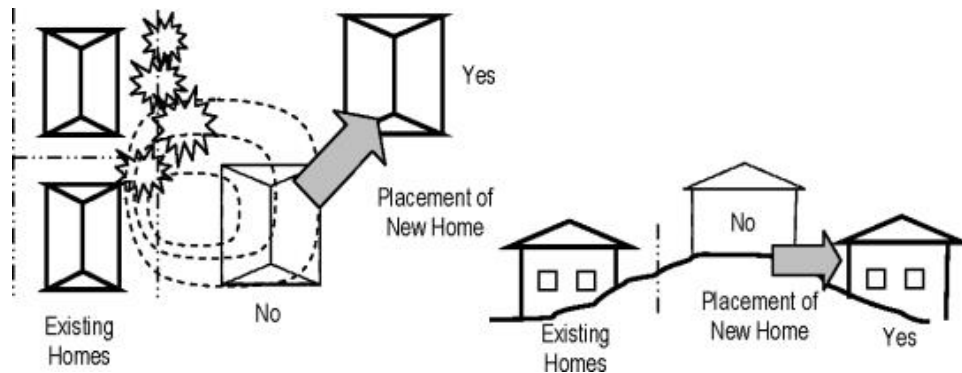
1. A site analysis addressing site opportunities and constraints, the use of all adjacent buildings, and the zoning of the site and adjacent properties;
2. A site plan drawing showing topography of the site and the location of structures and prominent landscape elements on or abutting the site (including but not limited to all trees that are at least 24 inches diameter breast height, with species indicated);
3. Preliminary building floor plans;
4. Photos showing the facades of adjacent development, trees on the site, general streetscape character and territorial or other views from the site, if any;
5. A graphical depiction of the property's zoning envelope—the three-dimensional space confined by the maximum building height and all applicable setback requirements from the zoning code;
6. A description of the proponent's objectives with regard to site development;
7. Architectural renderings of the proposed primary residence from the perspective of each home on an abutting property coupled with photographs of existing conditions supporting these same perspectives.

H. *Criteria for approval.* The decision authority may approve a site plan review only if the following criteria are satisfied (see Figure 16.72.040):

1. Placement of the proposed development on the property minimizes the visibility of buildings from the perspective of the adjacent lots;
2. Placement of the proposed development does not create significant privacy impacts for adjacent property owners;
3. The existing landscape is preserved consistent with the following:
  - a. The natural topography of the building site is not substantially altered;
  - b. Existing trees 24 inches in diameter breast height and larger and other natural landscaping on the property are preserved to a reasonable extent;
4. If applicable, site placement measures are incorporated to accommodate large gatherings and mitigate impacts including, but not limited to, traffic, parking, noise, and exterior lighting on the neighborhood;

5. If applicable, measures to accommodate people such as domestic employees and groundskeepers and mitigate impacts including, but not limited to, traffic, parking, and noise; and
6. Comply with all other applicable development requirements.

**Figure 16.72.040: Example of Using Site Plan Review to Place a New Home**



- I. *Conditions of approval.* The decision authority may attach reasonable conditions and/or may modify the site plan that are determined necessary to safeguard the public health, welfare and safety (e.g., additional screening, buffering measures, building location and orientation, modified setbacks, paving, landscaping, vegetation removal, areas of grading, etc.).
- J. *Lapse of approval.*
  1. An approved site plan review shall expire two years after the later of the date the site plan review was approved or the date a decision on an appeal becomes final, unless a complete building permit application is submitted prior to the later of the two dates specified herein; and
  2. Expiration of the site plan review is automatic and notice is not required; and
  3. The director may grant extensions if:
    - a. The applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension;
    - b. The director determines there have been no significant changes to any aspect of the project setting that was the basis of the site plan review approval.

#### **16.72.050. Reclassification of zoning.**

- A. *Purpose.* This section establishes a mechanism for site-specific reclassification of property or properties from one zoning district to another zoning district. The new zone must be consistent with the comprehensive plan and approval of such requests results in a change to the official Medina zoning map.
- B. *Applicant.* Any owner may submit an application for a site-specific rezone.
- C. *Applicability.* This section applies to amendments of the official Medina zoning map that are site-specific in nature and not involving an area-wide zoning map amendment as prescribed in Chapter 16.82 MMC.

- D. *Procedures.* Applications for a site-specific rezone are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC and the following:
1. The planning commission holds an open-record public hearing and makes a recommendation in writing to the city council;
  2. The planning commission shall issue its written recommendation within 45 calendar days of the closing of the open-record hearing;
  3. The planning commission's written recommendation shall include the following:
    - a. Statement of the facts presented that supports the recommendation;
    - b. A statement of the conclusions reached based on those facts;
    - c. Any conditions or restrictions that are recommended to be placed upon the rezone; and
    - d. The date of issuance of the recommendation;
  4. The city council shall consider the planning commission's written recommendation no later than their next regularly scheduled meeting after the planning commission issues their recommendation;
  5. The city council shall decide the site-specific rezone application at a closed-record meeting;
  6. The 120-day processing timeline set forth in MMC 16.80.210 may be extended as reasonably necessary to allow the city council to deliberate on the planning commission's recommendation at a regularly scheduled meeting.
- E. *Limitations.* If a comprehensive plan amendment is required in order to satisfy subsection (F)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrently with the granting of an approval on the rezone.
- F. *Approval criteria.* The city council may approve a site-specific rezone only if the following criteria are satisfied:
1. The rezone is consistent with the comprehensive plan, or will be consistent with the comprehensive plan if a comprehensive plan amendment is proposed to be approved concurrently with the rezone approval;
  2. The rezone bears a substantial relationship to the public health, general welfare and safety;
  3. The rezone is appropriate because:
    - a. The rezone will not result in a reclassification to a zoning district where the lot area of the subject property is greater than 120 percent of the required minimum lot area of the new zoning district (e.g., a 20,000-square-foot R-20 zoned lot could be rezoned to R-30 (67 percent of the minimum 30,000 square feet lot size), but not to R-16 (125 percent of the minimum 16,000 square feet lot size)); or
    - b. The rezone will correct a zone classification or zone boundary that was inappropriate when established; and
  4. The rezone is not a spot rezone.

#### **16.72.060. Reasonable use exception.**

- A. *Purpose.* The purpose for a reasonable use exception is to permit development of a site only when application of Chapter 16.50 MMC (Critical Areas) would deny all reasonable uses of a site.
- B. *Applicant.* Any owner may submit an application for a reasonable use exception.



- C. *Procedures.* Reasonable use exceptions are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply where applying the critical areas regulations set forth in Chapter 16.50 MMC would deny all reasonable use of the subject property.
- E. *Additional application submittal requirements.* In addition to the submittal requirements set forth in MMC 16.80.070, the applicant shall provide the following with a reasonable use exception application:
  1. Critical area report consistent with the requirements of MMC 16.50.070;
  2. Mitigation plan consistent with the requirements in Chapter 16.50 MMC, if necessary;
  3. Applications/approvals from other agencies, as applicable;
  4. Special studies prepared to support the reasonable use exception; and
  5. SEPA documents.
- F. *Criteria for approval.* The decision authority may approve a reasonable use exception only if the following criteria are satisfied:
  1. The application of the critical areas regulations would deny all reasonable use of the property;
  2. The proposed development does not pose an unreasonable threat to the public health, general welfare, or safety on or off the site, nor does it damage nearby public or private property;
  3. Any alteration of the critical area and/or buffer is the minimum necessary to allow for reasonable use of the property;
  4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant or their predecessors;
  5. Any impacts permitted to the critical area and/or buffer are mitigated in accordance with MMC 16.50.060(B) and (D) to the greatest extent feasible;
  6. The proposed development protects critical areas and/or buffer functions and values consistent with the best available science;
  7. The proposed development is consistent with other applicable regulations and requirements.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

**16.72.070. Public agency and utility critical areas exception.**

- A. *Purpose.* The purpose of a public agency and utility critical areas exception is to allow development within a critical area by a public agency or public utility, which would otherwise be prohibited by the critical areas regulations.
- B. *Applicant.* An owner, or a federal, state or local agency, or a public utility, or their authorized agents who has written authorization to act on their behalf may submit an application for a public agency and utility critical areas exception.
- C. *Procedures.* Public agency and utility critical areas exceptions are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply where applying the critical areas regulations set forth in Chapter 16.50 MMC would deny development by a public agency or public utility.
- E. *Additional application submittal requirements.* In addition to the submittal requirements set forth in MMC 16.80.080, the applicant shall provide the following with a public agency and utility critical areas exception application:
  1. Critical area report consistent with the requirements of MMC 16.50.080;
  2. Mitigation plan consistent with the requirements in Chapter 16.50 MMC, if necessary;
  3. Applications/approvals from other agencies, as applicable;
  4. Special studies prepared to support the reasonable use exception; and
  5. SEPA documents.

1. Critical area report consistent with the requirements in MMC 16.50.070;
  2. Mitigation plan consistent with the requirements in Chapter 16.50 MMC, if necessary;
  3. Applications/approvals from other agencies, as applicable;
  4. Special studies prepared to support the reasonable use exception; and
  5. SEPA documents.
- F. *Criteria for approval.* The decision authority may approve a public agency and utility critical areas exception only if the following criteria are satisfied:
1. There is no other practical alternative to the proposed development with less impact on critical areas and/or buffers;
  2. The application of the critical areas regulations would unreasonably restrict the ability to provide utility services to the public; and
  3. The proposal meets the following conditions:
    - a. It minimizes the impact on critical areas and/or buffers in accordance with MMC 16.50.060(C);
    - b. It does not pose an unreasonable threat to the public health, general welfare or safety on or off the site, nor does it damage nearby public or private property;
    - c. Any impacts permitted to the critical area and/or buffer are mitigated in accordance with MMC 16.50.060(B) and (D) to the greatest extent feasible;
    - d. The proposal protects critical areas and/or buffer functions and values consistent with the best available science; and
    - e. It is consistent with other applicable regulations and requirements.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

~~16.72.080. Level 2 tailored construction mitigation plan.~~

- ~~A.—*Purpose.* The purpose of a Level 2 tailored construction mitigation plan is to mitigate the adverse effects on adjacent properties and public streets caused by major construction projects.~~
- ~~B.—*Applicant.* Any owner may submit an application for a Level 2 tailored construction mitigation plan.~~
- ~~C.—*Procedures.*~~
- ~~1.—Level 2 tailored construction mitigation plans are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and~~
  - ~~2.—Before the city issues permits authorizing grading, demolition or construction activity, the property owners, designated agent, and contractor shall sign the Level 2 tailored construction mitigation plan.~~
- ~~D.—*Applicability.* This section applies to where a Level 2 tailored construction mitigation plan is required pursuant to the criteria in Chapter 16.75 MMC.~~
- ~~E.—*Limitations.* The Level 2 tailored construction mitigation plan is a construction mitigation plan consisting of both city-developed and applicant-proposed measures for reducing construction impacts on neighboring properties and streets. The measures set forth in a Level 2 tailored construction mitigation plan are binding on all of the signatories required in subsection (C)(2) of this section.~~
- ~~F.—*Criteria for approval.* The evaluation criteria set forth in MMC 16.75.040 shall serve as the criteria for approving a Level 2 tailored construction mitigation plan.~~

~~G. *Conditions of approval.* The decision authority may attach such mitigation measures as necessary to protect the public health, safety and general welfare from the impacts of construction activity.~~

~~H. *Lapse of approval.* A Level 2 tailored construction mitigation plan shall remain in effect until such time all construction permits associated with the construction mitigation plan expire.~~

**16.72.0980. Nonadministrative right-of-way tree activity permit.**

- A. *Purpose.* The purpose of a nonadministrative right-of-way tree activity permit is to authorize removal or pruning of trees and vegetative cover in the right-of-way consistent with the [Chapter 16.52 MMC Medina tree code](#).
- B. *Applicant.* Any owner, or any public or private agencies with authority to operate within the city right-of-way or their authorized agents who have written authorization to act on their behalf, may submit an application for a nonadministrative right-of-way tree activity permit.
- C. *Procedures.* Nonadministrative right-of-way tree activity permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to the pruning and removal of city trees [in the right-of-way](#) as set forth in MMC 16.52.160(D).
- E. *Criteria for approval.* The decision authority may approve a nonadministrative right-of-way tree activity permit only if the following criteria are satisfied:
1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
  4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
  5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
  6. Tree trimming or pruning is done in accordance with the following:
    - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
    - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
    - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
  7. All other requirements set forth in MMC 16.52.190 are satisfied.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
1. A nonadministrative right-of-way tree activity permit shall expire within 18 months from the later date of the decision being issued or an appeal becoming final;
  2. Expiration of the nonadministrative right-of-way tree activity permit is automatic and notice is not required; and
  3. No extension of the time period for the permit is allowed.

**16.72.10090. Nonadministrative tree activity permit.**

- A. *Purpose.* The purpose of a nonadministrative tree activity permit is to authorize removal of landmark and legacy ~~large significant~~ trees consistent with the Medina tree code.
- B. *Applicant.* Any owner may submit an application for a nonadministrative tree removal permit.
- C. *Procedures.* Nonadministrative tree removal permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to removal of trees as set forth in MMC 16.52.160(D), excluding trees rated as hazard pursuant to MMC 16.52.120.
- E. *Criteria for approval.* The decision authority may approve a nonadministrative tree activity permit only if the following criteria are satisfied:
  - 1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
  - 2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
  - 3. The tree removal will have no materially detrimental effects on nearby properties;
  - 4. The tree has not been granted special protection pursuant to MMC 16.52.080;
  - 5. All requirements set forth in Chapter 16.52 MMC are satisfied;
  - 6. All other ordinances, regulations and policies applicable to tree removal are followed.
- F. *Reasonable conditions.* The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.
- G. *Lapse of approval.*
  - 1. A nonadministrative tree activity permit shall expire after 18 months from the later date of the decision being issued or an appeal becoming final;
  - 2. Expiration of the nonadministrative tree activity permit is automatic and notice is not required; and
  - 3. No extension of the time period for the permit is allowed.

**16.72.1400. Substantial development permit.**

- A. *Purpose.* The purpose of a substantial development permit is to regulate development and uses of water bodies and associated upland areas consistent with the Medina shoreline master program.
- B. *Applicant.* Any owner may submit an application for a substantial development permit.
- C. *Procedures.* Substantial development permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* This section shall apply to activities and uses defined as development pursuant to RCW 90.58.030(3)(a) and located within the shoreline jurisdiction as defined by the Shoreline Management Act, provided:
  - 1. The development does not qualify for an exemption as set forth in MMC 16.70.040;
  - 2. The development does not qualify for an administrative substantial development permit as set forth in MMC 16.71.060.

- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a substantial development permit shall include the following:
1. A site plan containing the following:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site whether temporary or permanent;
  5. Quantity, composition and destination of all excavated and/or dredged material; and
  6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a substantial development permit only if the following criteria are satisfied:
1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);
  2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and
  3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- G. *Conditions of approval.* The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a substantial development permit shall be consistent with WAC 173-27-100.

- I. *Lapse of approval.* Substantial development permit shall expire as set forth in WAC 173-27-090 and amendments thereto.

**16.72.1210. Shoreline conditional use permit.**

- A. *Purpose.* The purpose of a shoreline conditional use permit is to provide a system within the Medina shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
- B. *Applicant.* Any owner may submit an application for a shoreline conditional use permit.
- C. *Procedures.*
1. Shoreline conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  2. Shoreline conditional use permits approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* The following may be permitted if a shoreline conditional use permit is approved:
1. Uses listed as a conditional use in the Medina shoreline master program; or
  2. Uses which are not classified or specifically prohibited in the Medina shoreline master program provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the Medina shoreline master program.
- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline conditional use permit shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;

- h. The dimensions and locations of all existing and proposed structures and improvements;
  - 2. A landscaping and/or restoration plan, as applicable;
  - 3. Mitigation measures, as applicable;
  - 4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  - 5. Quantity, composition and destination of all excavated and/or dredged material; and
  - 6. Additional submittal information set forth in the Medina shoreline master program for the use.
- F. *Criteria for approval.* The decision authority may approve a shoreline conditional use permit only if the following criteria are satisfied:
- 1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program;
  - 2. That the proposed use will not interfere with the normal public use of public shorelines;
  - 3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program;
  - 4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
  - 5. That the public interest suffers no substantial detrimental effect.
- In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100 and amendments thereto.
- I. *Lapse of approval.* A shoreline conditional use permit shall expire as set forth in WAC 173-27-090.

#### **16.72.1320. Shoreline variance.**

- A. *Purpose.* The purpose for a shoreline variance is to provide a mechanism strictly limited to granting relief where there are extraordinary circumstances relating to the physical character or configuration of property.
- B. *Applicant.* Any owner may submit an application for a shoreline variance.
- C. *Procedures.*
  - 1. Shoreline variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC; and
  - 2. Shoreline variances approved by the city are transmitted to the Washington State Department of Ecology pursuant to WAC 173-27-200 for Ecology's approval, approval with conditions, or denial.
- D. *Applicability.* Shoreline variances may be granted for relief from specific bulk dimensional or performance standards set forth in the Medina shoreline master program where the

requirement of such will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020 and the Medina shoreline master program.

- E. *Additional submittal requirements.* In addition to the requirements set forth in MMC 16.80.070, an application for a shoreline variance shall include the following:
1. The site plan shall include:
    - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - b. Identification of the shoreline water body;
    - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - e. Identification of the ordinary high water mark:
      - i. This may be an approximate location provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
      - ii. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the site plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
    - f. Existing and proposed land contours with minimum two-foot elevation intervals;
    - g. A general description of the character of vegetation found on the site;
    - h. The dimensions and locations of all existing and proposed structures and improvements;
  2. A landscaping and/or restoration plan, as applicable;
  3. Mitigation measures, as applicable;
  4. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
  5. Quantity, composition and destination of all excavated or dredged material; and
  6. A site plan that clearly indicates where development may occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.
- F. *Criteria for approval.* The decision authority may approve a shoreline variance only if the following criteria are satisfied:
1. Where the variance is for development landward of the ordinary high water mark the following approval criteria shall apply:
    - a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes, or significantly interferes with, reasonable use of the property;
    - b. That the hardship described in subsection (F)(1)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;



- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief; and
  - f. That the public interest will suffer no substantial detrimental effect.
2. Where the variance is for development waterward of the ordinary high water mark the following approval criteria shall apply:
- a. That the strict application of the bulk, dimensional or performance standards set forth in the Medina shoreline master program precludes all reasonable use of the property;
  - b. That the hardship described in subsection (F)(2)(a) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;
  - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program and will not cause adverse impacts to the shoreline environment;
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief;
  - f. That the public interest will suffer no substantial detrimental effect; and
  - g. That the public rights of navigation and use of the shorelines will not be adversely affected.
3. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- G. *Conditions of approval.* The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- H. *Revisions to permit.* Revisions to a shoreline conditional use permit shall be consistent with WAC 173-27-100.
- I. *Lapse of approval.* A shoreline variance shall expire as set forth in WAC 173-27-090.

**Section 13.** Amendment to MMC 16.80.050(C). The Medina Municipal Code Section MMC 16.80.050(C) is hereby amended as follows:

- C. Table 16.80.050(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 16.80.050(C)—Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD

Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes
Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	PC HE	Yes	Yes	Yes	Yes
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes

Notes:

"DOC"—determination of completeness required pursuant to MMC 16.80.100

"NOA"—notice of application required pursuant to MMC 16.80.110

"NOH"—notice of hearing required pursuant to MMC 16.80.120

"NOD"—notice of decision required pursuant to MMC 16.80.200

"HE" means the hearing examiner has authority to make the decision

"PC" means the Medina planning commission has authority to make the decision

"CC" means the city council makes the decision

<sup>1</sup> The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.

<sup>2</sup> Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.

<sup>3</sup> If the hearing examiner's action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.

**Section 10. Corrections.** The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 11. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**Section 12. Effective Date.** This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication.

Passed by the Medina City Council and approved by the Mayor this 12<sup>th</sup> day of December 2022.

\_\_\_\_\_  
Jessica Rossman, Mayor

Approved as to form:  
Ogden Murphy Wallace, PLLC

Attest:

\_\_\_\_\_  
Office of the City Attorney

\_\_\_\_\_  
Aimee Kellerman, City Clerk

PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.: 1017



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, December 12, 2022

**Subject:** Letter of Support - Mercer Island Marine Patrol Funding

**Category:** City Business

**Staff Contact:** Stephen R. Burns, City Manager

### **Summary**

On November 11, 2022, the city of Medina received a letter from the City of Mercer Island requesting legislative support for an appropriation request in the upcoming State of Washington Legislative Session for funding to replace two of the Mercer Island marine patrol vessels. In part, *"We are very pleased to be offering marine patrol services to the City of Medina and we are writing to ask you to support Representative Tana Senn's appropriation request in the upcoming State Legislative Session for funding to replace two of the Mercer Island marine patrol vessels."*

This is being brought in front of the Medina City Council to discuss and decide on how to proceed with this request. Mercer Island provides marine patrol services to the Points Communities of Medina, Hunts Point, and starting in 2023 Yarrow Point.

As a Council, you can take a range of actions from full support to outright rejection. Whatever the result, a Council resolution would be the appropriate vehicle to specify the issue, benefits/detriments, decision, and ensuing action(s), including notice of the results back to Mercer Island.

From a budget perspective, Medina (like the other cities serviced) would benefit from the Mercer Island getting the State funding as it would lower the shared operational costs and enhance the fleet.

### **Attachments**

1. Letter From City of Mercer Island - Marine Vessel Replacement
2. Mercer Island Marine Patrol Vessel Replacement – 2023 Legislative Priority
3. Mercer Island Final 2023 Legislative Priority

**Budget/Fiscal Impact:** Cost savings for the city with a lower shared operational cost.

**Recommendation:** Approve.

**City Manager Approval:**

**Proposed Council Motion:** *"I move to support the City of Mercer Island's request for legislative backing for an appropriation request in the upcoming State of Washington Legislative Session for funding to replace two of the Mercer Island marine patrol vessels and direct staff to bring a Resolution of support at the January 2023 City Council Meeting"*

**Time Estimate:** 10 minutes

**TO****DATE:** 21 November 2022**JESSICA ROSSMAN**

Mayor

City of Medina

**A:** 501 Evergreen Point Road, Medina WA 98039**E:** jrossman@medina-wa.gov

Dear Mayor Rossman,

We are very pleased to be offering marine patrol services to the City of Medina and we are writing to ask you to support Representative Tana Senn's appropriation request in the upcoming State Legislative Session for funding to replace two of the Mercer Island marine patrol vessels.

The Mercer Island Marine Patrol unit currently has two vessels in its fleet that will be reaching the end of their useful life in the next few years. The City has anticipated the need for new vessels and reserved sinking funds for the replacement. These resources, however, are likely to fall short given the rising costs of replacement vessels. We began working with Representative Senn earlier this year on an appropriation request to ensure there is no lapse in regional coverage or emergency response.

On November 1, 2022, the Mercer Island City Council adopted our 2023 Legislative Priorities and identified the marine patrol vessel replacement as a top priority. As a regional partner in our marine patrol program, we are now asking for your support through advocacy and the inclusion of this item as one of your legislative priorities:

"The City of Mercer Island State-certified Marine Patrol Unit was founded in 1982 and provides marine patrol services to Medina, Bellevue, Renton, Yarrow Point, and Hunts Point for their water-based services with just three vessels. Two of the vessels are near the end of their useful life and the City is seeking funding for the \$1.1 million in estimated replacement costs."

We have included the City of Mercer Island's Legislative Priorities and a one-page summary describing the vessel replacement need.

We are grateful to Representative Senn for her support of this critical regional program and welcome your partnership and advocacy as well. We are happy to meet to further discuss the need and please also let us know if there are ways we can collaborate with Medina on your priorities during the upcoming Legislative Session.

Sincerely,

A handwritten signature in blue ink that reads "Salim Nice".

**SALIM NICE**  
Mayor

A handwritten signature in blue ink that reads "Jessi Bon".

**JESSI BON**  
City Manager

Enclosure



## Mercer Island Marine Patrol – Legislative Priority

Support Representative Tana Senn in seeking State funding to replace the aging City Of Mercer Island Marine Patrol fleet

**The City of Mercer Island requests \$1,100,000 in State funds to partially support the replacement of Mercer Island Police Department’s aging Marine Patrol vessels, a regional asset for the individuals who reside and recreate on Lake Washington.**

The Mercer Island Police Department has maintained a state-certified Marine Patrol Unit since it was founded in 1982. At its founding, the unit became a regional asset as other cities on Lake Washington signed Interlocal Agreements for marine-related services for their respective cities. **Today, the Mercer Island Police Department has Interlocal Agreements with the cities of Medina, Bellevue, and Renton and the Towns of Yarrow Point and Hunts Point for their water-based services.** Mercer Island is also part of a larger regional public safety umbrella comprised of the Seattle Police Department’s Harbor Patrol, King County Sheriff’s Office Marine Patrol, and the Washington State Department of Fish and Wildlife. Lake Washington is a federal navigable waterway, and Mercer Island partners with the US Coast Guard for enforcement and maritime-related rescue operations.

The Washington State Department of Licensing reports that more than 237,000 recreational marine vessels are registered in the State of Washington. A study by the University of Washington indicates approximately 40,850 recreational marine vessels are registered in King County, with an additional 5,400 vessels from other counties moored within King County. In 2021, over 1,800 new recreational marine vessels were purchased in King County. The other large group of vessels, which is difficult to fully quantify, is the ever-growing number of human-powered watercraft such as kayaks, canoes, and stand-up paddleboards, representing an additional and particularly at-risk portion of the recreating public in Mercer Island’s jurisdiction.

Since its inception, the Mercer Island Marine Patrol Unit has dedicated its resources to public safety, education, maritime law enforcement, and public assistance on and off the water. The Police Department has **22 certified Marine Patrol Officers**, able to respond twenty-four hours a day, seven days a week, to emergency and routine calls for service. **Marine Patrol Officers patrol the waters of Lake Washington and the approximate 34 miles of shoreline comprising its operational jurisdiction.** Officers respond to emergency calls for vessel collisions, search and rescue missions, vessel, and shore accessible fire suppression, boating under the influence, and more routine calls such as disabled vessels, debris, and hazard removal.

**Mercer Island, Marine Patrol vessels spend approximately 900 hours on patrol, which equates to more than 2,000 officer hours on the water.** Marine Patrol Officers conduct 200-250 Vessel Safety Inspections, 300 plus vessel stops and contacts, 100 assists, and 100s of citizen contacts each year. In the off-season, the Marine Unit participates in a wide range of educational outreach through kindergarten water safety classes, public safety events, marine/boat shows, and news/radio/podcast interviews. **The Marine Unit supports the safety and security of significant state infrastructure, including the I-90 and SR-520 Bridges, Renton Municipal Airport, and the Sound Transit light rail system.**

**Mercer Island’s current patrol vessel fleet consists of three vessels, two built in the 1990s and one in the early 2000s.** With a life expectancy of approximately 20 years, two of these marine patrol vessels are experiencing increasing mechanical and other failures, challenging our important mission to provide critical water safety services and enforcement. Advancements in marine technology make newly purchased vessels safer, more ergonomic, and more reliable than our current fleet.

**This request for legislative funding will support the replacement of one to two vessels and the associated equipment.** Washington State manufacturers and laborers will design and build new vessels, putting the funds directly back into our local communities.

# CITY OF MERCER ISLAND

## 2023 State Legislative Priorities



### Funding for Basic Infrastructure and Capital Projects

The City supports legislation that provides funding to help cities finance basic infrastructure such as water, sewer, stormwater, parks, transportation, and green infrastructure projects. Priorities include:

- Fully funding the **Public Works Assistance Account** and refraining from fund transfers or diversions.
- Supporting the once in a generation **\$7.5 million Luther Burbank Park Waterfront and Dock Replacement Project** by fully funding the following grant programs:
  - Washington Wildlife and Recreation Program (WWRP) Water Access grant*: \$1.5 million funding request, project is ranked 7 out of 10.
  - Boating Facilities Program (BFP)*: \$1 million funding request, application is in process.
  - Aquatic Lands Enhancement Account (ALEA) grant*: \$500,000, project is ranked 2 out of 4.
- Supporting the **\$2 million Luther Burbank Park Boiler Building Renovation Project** by fully funding the Heritage Capital Grant Program: \$500,000 funding request, project ranked 22 out of 30.



### Support for Mental and Behavioral Health Services

The City is committed to providing access to quality mental and behavioral health services through the Youth & Family Services Department. Continued state funding is needed to help communities provide options for individuals suffering from behavioral health issues. Priorities include:

- Funding to expand and enhance community-based behavioral health services**, including mental health, substance use disorder, and dual diagnosis treatment facilities.
- Supporting resources for **certification and training to increase the number of behavioral health professionals** available to the community.



### Policing for a Safe Mercer Island

The City encourages legislation and resources to ensure a safe community for residents, businesses, and visitors. Priorities include:

- Supporting **clarification around the ability for law enforcement to conduct effective and safe vehicle pursuits** using a reasonable suspicion standard in specific circumstances when there is an immediate threat to public safety.
- Requesting **clarification around the crime of possessing a controlled substance** so that individuals, law enforcement, and treatment providers can respond appropriately.
- The City of Mercer Island State-certified Marine Patrol Unit was founded in 1982 and provides marine patrol services to Medina, Bellevue, Renton, Yarrow Point, and Hunts Point for their water-based services with just three vessels. Two of the vessels are near the end of their useful life and the City is **seeking funding for the \$1.1 million in estimated replacement costs**.



### Support for Housing Availability

The City supports a proactive, collaborative, and flexible approach that creates new tools, incentives, and revenues that cities can use to help increase housing supply and address affordability. Priorities include:

- The City supports **solutions that enhance already successful state and regional programs** such as *A Regional Coalition for Housing (ARCH)*, serving cities in east King County since 1992.
- The City encourages the legislature to **review the impacts of E2SHB 1220 in collaboration with local jurisdictions** to ensure the legislation will produce housing for all income levels.



### Preserving and Protecting the Environment

**It is essential to preserve and protect the environment today and for future generations with equity in mind.** The City encourages legislation, partnerships, and funding that incentivizes and supports energy, carbon reduction and the implementation of potential climate action plan programs, including but not limited to heat pump adoption and electric vehicle charging infrastructure.

**NO ATTACHMENTS FOR AGENDA ITEM 9. 2**