



MEDINA, WASHINGTON

PLANNING COMMISSION MEETING

Hybrid - Virtual/In-Person
Medina City Hall - Council Chambers
501 Evergreen Point Road, Medina, WA 98039
Tuesday, July 28, 2026 – 6:00 PM

AGENDA

COMMISSION CHAIR | Shawn Schubring

COMMISSION VICE-CHAIR | Brian Pao

COMMISSIONERS | Julie Barrett, Sandhya Edupuganti, Li-Tan Hsu, Evonne Lai, Mark Nelson

STAFF LIASON | Steven Wilcox, Development Services Director

DEVELOPMENT SERVICES COORDINATOR | Rebecca Bennett

Online Meeting Participation

The Medina Planning Commission offers both in-person and online meeting participation. If you will be participating online and wish to speak to the Commission at the meeting, please register with Medina's Development Services Coordinator prior to 2:00pm on the day of the Planning Commission meeting at 425.233.6414, or email rbennett@medina-wa.gov. You will be called by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comments and will be asked to stop when the time limit is reached. The Commission will also accept your written comments. Written comments must be submitted by 2:00pm on the day of the Planning Commission meeting to the Development Services Coordinator.

Join Zoom Meeting

<https://medina-wa.zoom.us/j/85424855368?pwd=jyxNrcHqck8pp1fx0FxoAabHqKaxNT.1>

Meeting ID: 854 2485 5368

Passcode: 861339

One tap mobile

+12532050468,,85424855368#,,,,*861339# US

+12532158782,,85424855368#,,,,*861339# US (Tacoma)

1. CALL TO ORDER / ROLL CALL

2. APPROVAL OF MEETING AGENDA

3. APPROVAL OF MINUTES

3.1 Planning Commission Meeting Minutes of June 23, 2026

Recommendation: Adopt Minutes

Staff Contact: Rebecca Bennett, Development Services Coordinator

4. **ANNOUNCEMENTS**

4.1 Staff/Commissioners

5. **PUBLIC COMMENT PERIOD**

Please see "Online Meeting Participation" above.

6. **DISCUSSION**

[6.1](#) Development Impacts Project

Recommendation: Discussion only

Staff Contact: Kim Gunderson, City Planning Consultant

Time Estimate: 2 hours

7. **ADJOURNMENT**

Next Planning Commission Meeting: August, 25, 2026 at 6:00 PM.

ADDITIONAL INFORMATION

Planning Commission meetings are normally conducted on the 4th Tuesday of the month at 6:00pm, unless otherwise scheduled. Please see the City of Medina website Meetings | Medina Washington for a current meeting schedule.

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

UPCOMING MEETINGS

Tuesday, August 25, 2026
Tuesday, September 22, 2026
Tuesday, October 27, 2026
November TBD
December TBD



MEDINA, WASHINGTON

PLANNING COMMISSION MEETING (AMENDED)

Hybrid - Virtual/In-Person
Medina City Hall - Council Chambers
501 Evergreen Point Road, Medina, WA 98039
Tuesday, June 23, 2026 – 6:00 PM

MINUTES

1. CALL TO ORDER / ROLL CALL

Planning Commission Chair Shawn Schubring called the meeting of the Medina Planning Commission to order at 6:02 p.m. in the Council Chambers.

PRESENT

Commission Chair Shawn Schubring
Commissioner Vice-Chair Brian Pao
Commissioner Julie Barrett
Commissioner Li-Tan Hsu
Commissioner Evonne Lai (online)
Commissioner Mark Nelson (departed @ 6:28pm)

ABSENT

Commissioner Sandhya Edupuganti

STAFF

Bennett, Gunderson, Robertson, Wilcox

2. APPROVAL OF MEETING AGENDA

ACTION: Motion to approve the meeting agenda. Motion passed 5-0-1.

Motion made by Commissioner Nelson, Seconded by Commissioner Barrett.
Voting Yea: Commission Chair Schubring, Commissioner Barrett, Commissioner Hsu,
Commissioner Nelson, Commissioner Vice-Chair Pao
Voting Abstaining: Commissioner Lai

3. APPROVAL OF MINUTES

3.1 Planning Commission Meeting Minutes of May 19, 2026

Recommendation: Adopt Minutes

Staff Contact: Rebecca Bennett, Development Services Coordinator

ACTION: Motion to approve the meeting minutes. Motion passed 6-0.

Motion made by Commissioner Hsu, Seconded by Commissioner Nelson.
 Voting Yea: Commission Chair Schubring, Commissioner Barrett, Commissioner Hsu,
 Commissioner Lai, Commissioner Nelson, Commissioner Vice-Chair Pao

4. ANNOUNCEMENTS

4.1 Staff/Commissioners

None were heard.

5. PUBLIC COMMENT PERIOD

Chair Schubring opened the public comment period.

During the public comment period, two members of the audience spoke regarding concerns related to development impacts and Ordinance No. 1052. Those speakers were Scott Hommas and Jessica Roe, both representing 300 Overlake Drive East

Following public testimony, Chair Schubring closed the public comment period.

6. PUBLIC HEARING

6.1 IOC Outdoor Lighting Public Hearing

Recommendation: Accept public testimony

Staff Contact: Kim Gunderson, City Planning Consultant

City Planning Consultant, Kim Gunderson, provided a brief presentation regarding the proposed IOC Outdoor Lighting regulations.

Chair Schubring opened the public hearing.

Patricia Christopher, 7617 NE 8th St., provided public testimony.

Chair Schubring closed the public hearing.

ACTION: Motion to recommend approval of the Outdoor Lighting Ordinance and to direct staff to forward the Planning Commission recommendation to the City Council.

Motion made by Commissioner Nelson, Seconded by Commissioner Vice-Chair Pao.
 Voting Yea: Commission Chair Schubring, Commissioner Barrett, Commissioner Hsu,
 Commissioner Nelson, Commissioner Vice-Chair Pao
 Voting Abstaining: Commissioner Lai

7. DISCUSSION

7.1 Development Impacts Project

Recommendation: Discussion only

Staff Contact: Kim Gunderson, City Planning Consultant

City Planning Consultant, Kim Gunderson, provided a PowerPoint presentation regarding the Development Impacts Project. Commissioners discussed and asked questions.

8. ADJOURNMENT

Meeting adjourned at 7:42pm

ACTION: Motion to adjourn. Motion passed 4-0-1.

Motion made by Commissioner Hsu, Seconded by Commissioner Barrett.

Voting Yea: Commission Chair Schubring, Commissioner Barrett, Commissioner Hsu,
Commissioner Vice-Chair Pao

Voting Abstaining: Commissioner Lai

Meeting minutes taken by Rebecca Bennett, Development Services Coordinator

DRAFT



MEDINA, WASHINGTON

Planning Commission

Tuesday July 28, 2026

Subject: Development Impacts Project

Planning Commission Action: Discussion item only. No action.

Staff Contact: Kim Gunderson, Medina Planning Consultant

Summary

The City of Medina intends to permanently enact regulatory reform that will trend development away from recent development tendencies and address the impacts of these tendencies on the sense of community enjoyed in Medina. This effort is known as the Development Impacts Project. This project has commonly been referred to as “bulk impacts” over the last 20 years and the issue has been a regular matter of focus for regulatory reform in Medina. The goal of the Development Impacts Project is to develop permanent amendments to Medina’s zoning context in a way that resolves development-related impacts and implements the land use goals of the Medina Comprehensive Plan:

H-P1: “Ensure new development is consistent with citywide goals and policies, including but not limited to sustainable site standards, landscaping and tree retention requirements, and diversity of housing options all while maintaining a quiet, safe, and livable city.”

LU-G1: “To maintain Medina’s high-quality residential setting and character, while considering create housing solutions to accommodate community members of all socioeconomic groups.”

LU-G3: “To maintain active community involvement and equitable engagement in land use policy and regulation.”

Problem Statement

The City has observed an increasing trend in the development of massive single-family homes which tend to overwhelm the size of adjacent homes and injure the privacy and property enjoyment of neighboring residents. Medina frequently reviews proposals for the demolition of modest homes and their replacement with boxy, wide, tall homes accompanied by considerable glazing that is often oriented toward neighboring living spaces.

Thematic Public Feedback

Medina recognizes that the character of high-quality living is not hallmarked only by luxurious homes, but by privacy in indoor living space and comfort in outdoor recreational space, too. Bucking trends in many other western Washington communities to decrease minimum lot sizes and increase bulk consumption of property, Medina has represented the value conveyed by its residents in the quiet comfort of their sylvan waterfront environment. In recent years, these residents have expressed a loss of their comforts by the growing trend of massive neighboring residential development. The trend of proximal, boxy homes has caused obtrusive light and noise, loss of privacy and property enjoyment, and an unease among some residents in the geotechnical stability of Medina’s steep slopes to withstand the charge of such large structures.

In an effort to address these concerns, the City enacted emergency legislative action limiting the

proximity of development within adjoining side yards by increasing side yard setbacks on all properties (Ordinance 1052). In the same legislative action, the City created requirements for recessed upper stories and removed its allowance for height bonuses, which previously could allow the construction of a home up to 36-feet in height. It is expected that at its July 27, 2026 City Council regular meeting, Council will be asked to take action on a second piece of emergency legislation which contains many of the same provisions as Ordinance 1052, but removes its recessed upper story requirement, clarifies its vacant home lighting provisions, and increases the minimum lot width for all zones from 70-feet to 90-feet.

In response to the passing of Ordinance 1052, property owners interested in developing their properties shared that these limitations have yielded a loss of property value and seemingly restrict denser development that is otherwise called for by the state.

The themes heard by the Medina community on this topic comprise “The Problem” and can be summarized as:

- Large, boxy, proximal development has **reduced privacy, reduced property enjoyment and value, and caused excessive noise and light.**
- Regulations applied under Ordinance 1052 has caused a **loss in property value** and works **averse to denser development** priorities of the state.

The focus of this project will be to explore methods of amending the City’s zoning landscape that considers each of these themes offered by the public and to create a balance between fostering the increased density with livability for all residents.

Council Direction

At its April 27, 2026 regular meeting, City Council gave the following direction:

“Direct the Planning Commission to study each presented zoning reform opportunity for its efficacy in satisfying the goals of the Development Impacts Project and prepare a recommendation for Council’s adoption.”

Additional discussion with Council divided the project into two phases: Phase 1, which intends to expeditiously resolve The Problem; and Phase 2, which is a longer-term study of the broad zoning reform opportunities introduced by the Planner at Council’s April 27, 2026 meeting. It is expected that this project will prioritize Phase 1 and will limit its focus initially at its resolution, initiating Phase 2 at the completion of Phase 1.

Phase 1

Kim Gunderson of Mahoney Planning, LLC is under contract with the City of Medina to provide on-call current and long-range planning support services, and has been tasked with leading the Development Impacts Project. Kim has prepared and attached a PowerPoint slide deck that will be presented to Planning Commission at its July 28, 2026 meeting. The slide deck refamiliarizes Planning Commission with the project and introduces the Phase 1 code amendments recommended by staff. Staff propose the adoption of permanent revised zoning code provisions in its resolution to Phase 1; this is in direct response to consistent outspoken feedback from Development Impacts Project stakeholders who have asked for reliability as the Project advances. Kim will seek feedback from the Planning Commission at its regular meeting on July 28 which would be incorporated into any as-needed revisions to Phase 1 draft work products.

Following the July Planning Commission meeting, it is expected that Kim will prepare a Department of Commerce Notice of Intent to Adopt with request for expedited review and a SEPA Checklist and Threshold Determination for Phase 1 of the Development Impacts Project. These project

components are statutorily required for development code amendments and offer additional opportunities for public comment and engagement. Any comments would be presented to Planning Commission at their August meeting, when a public hearing on Phase 1 of the Development Impacts Project is expected to occur. Planning Commission will be asked following the public hearing for a recommendation to City Council on the adoption of recommended Phase 1 code amendments.

Attachment(s)

PowerPoint Slide Deck prepared by Kim Gunderson for presentation at July 28, 2026 Planning Commission meeting

DRAFT Ordinance, MMC Amendments for Development Impacts Project Phase 1

Privacy Landscape Screening List

Proposed Planning Commission Motion:

Discussion item only. No action.



Development Impacts Project Phase 1 Approach

Mahoney Planning, LLC
Kimberly Gunderson, Principal

July 28, 2026

Agenda

01 Council Direction

02 Key Components of Phase 1

03 Consistent Charrette
Feedback

04 Recommended Phase 1
Approach

05 Phase 1 Proposed Code
Edits

06 Phase 1 Next Steps

07 Questions or Comments

Council Direction

April 27, 2026:

“Direct the Planning Commission to study each presented zoning reform opportunity for its efficacy in satisfying the goals of the Development Impacts Project and prepare a recommendation for Council's adoption.”

Further discussion divided the project into **two phases**:

- **Phase 1** (immediate address of The Problem)
- **Phase 2** (long-term resolution)

Key Components of Phase 1

Solve The Problem

- Plan against **loss of privacy, property enjoyment, and value** to neighbors of new development caused by bulky development
- Resolve potential unintended consequences of 1052, particularly as it relates to **narrow lots**

Engage the Community Early

- Host a **Charrette**. Invite Stakeholder **collaboration** toward solution

Rely on Existing Tools for Expeditious Resolution

Consistent Charrette Feedback

- **City should be involved** in mitigating development impacts
- Code should allow for **flexible design and creativity**. Lots in Medina are often substandard, challenged, unique
- Code should **clearly** state what is allowed to be built
- **Landscape screening** is acceptable mitigation
- **Narrow lots** need relief from Ord. 1052
- Phase 1 needs **quick resolution**
- Many ideas to consider at **Phase 2** (incentivizing preferred development, pitched roofs, modulation, administrative design review process, refreshed side setback perspective, new zone for small lots)

Recommended Phase 1 Approach

Amended **Minor Deviation**

- Combines with Dev Impacts IOC to permanently codify all edits
- Expand **applicability** of Minor Deviation to include demo/new construction
- Allow for **bonus height** and allow **side setbacks** to align with previous standard (10' instead of 15', no recessed story) **IF** project meets Minor Deviation approval criteria, including:
 - 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
 - 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.**

Recommended Phase 1 Approach (Cont.)

- Allows Director to impose Conditions of Approval to mitigate impacts
 - **Landscape** Maintenance Covenant for maintaining **privacy landscape screen** in perpetuity
 - Upper story **glazing limit at 20%** when facing side property lines and built within narrower side setbacks
 - **Decks** protruding into narrow side setbacks limited to **100 square feet** when more than 30 inches above grade
- Adds **definitions** for new terms: certified arborist, certified horticulturist, upper story

Phase 1 Proposed Code Edits

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 alteration projects; and
2. To allow flexibility in design while preserving legally established nonconforming conditions with respect to setback requirements and maximum building heights; and,
3. To allow departures from minimum side yard setback and maximum building height standards for development projects, including new development, alterations, additions, substantial destruction, or substantial reconstruction.

Phase 1 Proposed Code Edits

AGENDA ITEM 6.1

3. Departures from building height and side setback zoning standards to allow any project to develop against the alternative building height and side setback standards set forth in this section:
- All other numeric development standards applicable to the project are adhered to; and
 - The project includes mitigation measures that will offset any material detriment to the public welfare, or any injury to property or improvements in the vicinity and zone in which the subject property is located, or any substantial reduction in the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code.
 - Development proposed under this subsection may depart from side yard setback zoning standards and may develop against the following alternative side yard setback standards:

<u>Square Footage of the Lot Area</u>	<u>Minimum Setback from the: Side Property Line</u>
<u>Less than 10,001</u>	<u>10 feet</u>
<u>From 10,001 to 13,000</u>	
<u>From 13,001 to 15,000</u>	
<u>From 15,001 to 20,000</u>	
<u>Greater than 20,000</u>	<u>The greater of 10 feet or 15% of the lot width; not to exceed 20 feet</u>

- Protrusions in setback areas shall otherwise comply with MMC 16.22.040.
- d. Development proposed under this subsection in the R-20, R-30, or SR-30 zones may depart from maximum building height standards and may develop against the following alternative bonus height standards, provided the total structural coverage on the lot does not exceed 13 percent, excluding structural coverage that qualifies for the bonus under MMC 16.23.040:

<u>Measuring Points</u>	<u>Maximum Height</u>	
<u>Original Grade</u>	<u>High Point</u>	<u>30 feet</u>
	<u>Low Point</u>	<u>36 feet</u>
<u>Finished Grade</u>	<u>High Point</u>	<u>30 feet</u>
	<u>Low Point</u>	<u>36 feet</u>

- The methods for measuring the height of buildings and structures proposed under this subsection are set forth in section (I) of this section.
- Development in the R-16, N-A, and Public zones, and development in Medina Heights may not be built against the alternative building height standards set forth in this subsection.

Phase 1 Proposed Code Edits

- G. Conditions of approval. The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety, to prevent material detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved. Specific to a decision to approve a deviation under subsection (D)(3) of this section, the decision authority may apply any or all of the following conditions of approval as necessary to safeguard the public health, general welfare, and safety, to prevent material detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved:
- AGENDA ITEM 6.1
1. A privacy landscape screen pursuant to MMC 16.30.070(B)(3) shall be installed along the perimeter of the lot from which the structure is set back against the alternative side yard setback standards set forth in subsection (D)(3)(c) of this section. A maintenance covenant shall be recorded against the property that commits to maintaining the privacy landscape screen in a manner that complies with MMC 16.30.070(B)(3) and upkeeps the landscape screen so as not to encroach adjoining properties. The maintenance covenant shall run with the land in perpetuity;
 - a. Where a privacy landscape screen is required, a landscape plan shall be submitted to the city demonstrating consistency with MMC 16.30.070(B)(3). The landscape plan shall include provisions for maintenance and irrigation of the landscape screen, and shall include planting best management practices that will guide installation of the privacy landscape screen. Should the landscape plan include shrubs or trees installed in excess of six feet in height at the time of planting, a certified arborist or certified horticulturist shall select the landscape species and shall observe their installation to ensure planting best management practices are adhered to. The landscape plan shall be reviewed and approved by the city prior to development activity.
 2. Upper story glazing shall be limited to 20 percent of any elevation facing side property lines when the alternative side setback standards set forth in subsection (D)(3)(c) of this section are built against, unless additional glazing is required to comply with locally adopted building codes;
 3. Decks or verandas which exceed 30 inches in height above the existing or finished grade, whichever grade is lower, are limited to an area of no more than 100 square feet when any portion of the deck or veranda is developed within the alternative side setback standards set forth in subsection (D)(3)(c) of this section;
 4. All lighting shall comply with MMC Chapter 16.25 and with MMC 16.44.040; and
 5. Additional mitigation measures may be required such as, but not limited to, increased screening, required fencing, altered location, reducing the scale of the structure, etc., to minimize any negative impacts generated by approving the minor deviation for the structure.

Phase 1 Proposed Code Edits

16.30.070. Landscape screening.

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B. Landscape screening – Types and description.

* * * * *

3. Privacy landscape screening.

- a. Privacy landscape screening is a screen of landscaped vegetative species known for their ability to grow expeditiously and function as a visual barrier.
- b. Where privacy landscape screening is required, the following shall apply:
 - i. Shrub and tree species shall consist of a mixture of species sourced from the Medina Privacy Landscape Species list on file with the Development Services Department, unless the city approves the use of an unlisted species. The Director has the authority to update the Medina Privacy Landscape Species list from time to time by providing a copy to the City Clerk and posting it on the City's website.
 - ii. The selected species shall be planted to provide solid year-round sight-obscuring screening from the ground up.
 - iii. Shrubs and trees shall be a minimum of six feet in height at the time of planting. The City may require shrubs or trees to exceed six feet in height at the time of planting if the Director determines the additional height is needed to satisfy MMC 16.71.010(F).
 - iv. Shrubs and trees shall be planted having a planting pattern of at least five feet in width.
 - v. Where practical, existing mature vegetation should be incorporated into the screen.

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Phase 1 Proposed Code Edits

16.12.020. – “A” definitions.

* * * * *

Arborist, certified means a specialist in the care and maintenance of trees who is certified by the International Society of Arboriculture (ISA).

Arborist, city means a ~~person-certified arborist~~ appointed by the city manager or designee ~~with the criteria that the person is a member of the American Society of Consulting Arborists or similar professional organization and is an ISA-certified arborist~~. The city arborist is responsible for evaluating trees according to the International Society of Arboriculture in evaluating hazardous trees in urban areas.

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16.12.090. – “H” definitions.

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Horticulturist, certified means a specialist in plant cultivation who is either a Certified Professional Horticulturist (CPH) or a Certified Horticulturist (CH) as designated by the American Society for Horticulture Science.

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16.12.200. – “S” definitions.

* * * * *

Story, upper means any floor, story, or space located above the ground floor, whether that ground floor is characterized as a daylight basement, main floor, or otherwise. On sloping lots, the upper story shall be determined based on its position in relation to the ground elevation where the structure is developed along the sloping lot as would satisfy a reasonable person to be the upper story.

Phase 1 Next Steps (subject to change)

July 29 – NOI to DOC, request expedited review

July 30 – SEPA Checklist and DNS Notice

August 25 – PC Public Hearing and Recommendation to Council

September 1 or 2 – DSC

September 14 – Council Study Session

September 28 – Council Public Hearing

October 12 – Request Council Adoption of Ordinance

Phase 2 to commence following completion of Phase 1

Questions or Comments?

Please offer any thoughts, questions, or other feedback on the draft Phase 1 code amendments.

Thank you!

16.12.020. – “A” definitions.

Arborist, certified means a specialist in the care and maintenance of trees who is certified by the International Society of Arboriculture (ISA).

Arborist, city means a ~~person-certified arborist~~ appointed by the city manager or designee ~~with the criteria that the person is a member of the American Society of Consulting Arborists or similar professional organization and is an ISA-certified arborist.~~ The city arborist is responsible for evaluating trees according to the International Society of Arboriculture in evaluating hazardous trees in urban areas.

16.12.090. – “H” definitions.

Horticulturist, certified means a specialist in plant cultivation who is either a Certified Professional Horticulturist (CPH) or a Certified Horticulturist (CH) as designated by the American Society for Horticulture Science.

16.12.200. – “S” definitions.

Story, upper means any floor, story, or space located above the ground floor, whether that ground floor is characterized as a daylight basement, main floor, or otherwise. On sloping lots, the upper story shall be determined based on its position in relation to the ground elevation where the structure is developed along the sloping lot as would satisfy a reasonable person to be the upper story.

16.30.070. Landscape screening.

B. Landscape screening – Types and description.

3. Privacy landscape screening.

a. Privacy landscape screening is a screen of landscaped vegetative species known for their ability to grow expeditiously and function as a visual barrier.

b. Where privacy landscape screening is required, the following shall apply:

i. Shrub and tree species shall consist of a mixture of species sourced from the Medina Privacy Landscape Species list on file with the Development Services Department, unless the city approves the use of an unlisted species. The Director has the authority to update the Medina Privacy Landscape Species list from time to time by providing a copy to the City Clerk and posting it on the City’s website.

ii. The selected species shall be planted to provide solid year-round sight-obscuring screening from the ground up.

Commented [A1]: The City is coordinating with the City Arborist on a few remaining dimensional specifics for this new section. The City has also prepared a draft Privacy Landscape Screening list and is finalizing that list with the City Arborist - the list will be publicly available for property owners to use when applying this code section. These items will be presented to the Planning Commission at its 7/28 regular meeting if available, or otherwise will be presented at the 8/25 public hearing.

- iii. Shrubs and trees shall be a minimum of six feet in height at the time of planting. The City may require shrubs or trees to exceed six feet in height at the time of planting if the Director determines the additional height is needed to satisfy MMC 16.71.010(F).
- iv. Shrubs and trees shall be planted having a planting pattern of ~~at least five feet in width.~~
- v. Where practical, existing mature vegetation should be incorporated into the screen.

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Commented [A2]: The City intends to invite the Fire Marshal's feedback on this dimension to ensure future potential landscaping width would not prevent emergency access to a home. The SEPA Threshold Determination will be noticed to the Bellevue Fire Marshal for their recommendation. Their feedback could effect this draft standard and/or could reflect a maintenance requirement in the landscape covenant.

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~~ alteration projects; and
 - 2. To allow flexibility in design while preserving legally established nonconforming conditions with respect to setback requirements and maximum building heights; ~~and~~.
 - 3. To allow departures from minimum side yard setback and maximum building height standards for development projects, including new development, alterations, additions, substantial destruction, or substantial reconstruction.
- 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 for alteration projects 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; ~~and~~
 - c. The structure would not experience substantial destruction as defined by MMC 16.12.200.
 - 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 legal 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 legal 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 legally 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 legal nonconforming building height or setback envelope with approval of a minor deviation; ~~and~~

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(Supp. No. 10)

- d. [The structure would not experience substantial destruction as defined by MMC 16.12.200.](#)
3. [Departures from building height and side setback zoning standards to allow any project to develop against the alternative building height and side setback standards set forth in this section provided:](#)
- a. [All other numeric development standards applicable to the project are adhered to; and](#)
- b. [The project includes mitigation measures that will offset any material detriment to the public welfare, or any injury to property or improvements in the vicinity and zone in which the subject property is located, or any substantial reduction in the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code.](#)
- c. [Development proposed under this subsection may depart from side yard setback zoning standards and may develop against the following alternative side yard setback standards:](#)

Square Footage of the Lot Area	Minimum Setback from the: Side Property Line
Less than 10,001	10 feet
From 10,001 to 13,000	
From 13,001 to 15,000	
From 15,001 to 20,000	
Greater than 20,000	The greater of 10 feet or 15% of the lot width; not to exceed 20 feet

1. [Protrusions in setback areas shall otherwise comply with MMC 16.22.040.](#)

- d. [Development proposed under this subsection in the R-20, R-30, or SR-30 zones may depart from maximum building height standards and may develop against the following alternative bonus height standards, provided the total structural coverage on the lot does not exceed 13 percent, excluding structural coverage that qualifies for the bonus under MMC 16.23.040:](#)

Measuring Points	Maximum Height	
Original Grade	High Point	30 feet
	Low Point	36 feet
Finished Grade	High Point	30 feet
	Low Point	36 feet

1. [The methods for measuring the height of buildings and structures proposed under this subsection are set forth in section \(I\) of this section.](#)
2. [Development in the R-16, N-A, and Public zones, and development in Medina Heights may not be built against the alternative building height standards set forth in this subsection.](#)

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.~~
- ~~1.2-~~ 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
- ~~2.3-~~ 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 all of 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, to prevent material detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved. Specific to a decision to approve a minor deviation under subsection (D)(3) of this section, the decision authority may apply any or all of the following conditions of approval as necessary to safeguard the public health, general welfare, and safety, to prevent material detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved:

1. A privacy landscape screen pursuant to MMC 16.30.070(B)(3) shall be installed along the perimeter of the lot from which the structure is set back against the alternative side yard setback standards set forth in subsection (D)(3)(c) of this section. A maintenance covenant shall be recorded against the property that commits to maintaining the privacy landscape screen in a manner that complies with MMC 16.30.070(B)(3) and upkeeps the landscape screen so as not to encroach adjoining properties. The maintenance covenant shall run with the land in perpetuity;
 - a. Where a privacy landscape screen is required, a landscape plan shall be submitted to the city demonstrating consistency with MMC 16.30.070(B)(3). The landscape plan shall include provisions for maintenance and irrigation of the landscape screen, and shall include planting best management practices that will guide installation of the privacy landscape screen. Should the landscape plan include shrubs or trees installed in excess of six feet in height at the time of planting, a certified arborist or certified horticulturist shall select the landscape species and shall observe their installation to ensure planting best management practices are adhered to. The landscape plan shall be reviewed and approved by the city prior to development activity.
2. Upper story glazing shall be limited to 20 percent of any elevation facing side property lines when the alternative side setback standards set forth in subsection (D)(3)(c) of this section are built against, unless additional glazing is required to comply with locally adopted building codes;
3. Decks or verandas which exceed 30 inches in height above the existing or finished grade, whichever grade is lower, are limited to an area of no more than 100 square feet when any portion of the deck or veranda is developed within the alternative side setback standards set forth in subsection (D)(3)(c) of this section;
4. All lighting shall comply with MMC Chapter 16.25 and with MMC 16.44.040; and

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5. Additional mitigation measures may be required such as, but not limited to, increased screening, required fencing, altered location, reducing the scale of the structure, etc., to minimize any negative impacts generated by approving the minor deviation for the structure.

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.

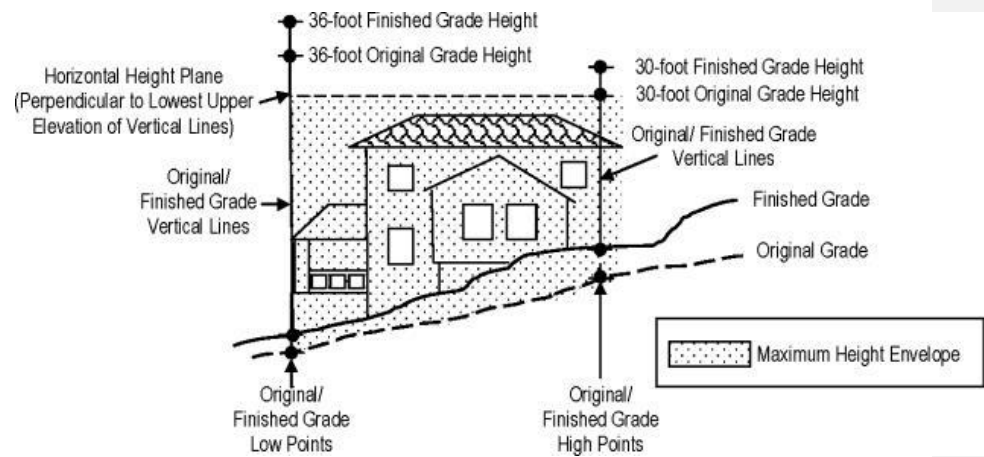
I. Bonus height standards. Where the bonus height standards in subsection (D)(3)(d) of this section are used, height shall be measured as shown in Figure 16.71.010(A) and as set forth in the following procedures:

1. The original grade shall be established as set forth in MMC 16.23.080;
2. The base elevation for measuring height shall be taken at four points where the outside of the exterior walls/sides of the building or structure intersect the following:
 - a. The lowest point of the original grade;
 - b. The highest point of the original grade;
 - c. The lowest point of finished grade; and
 - d. The highest point of finished grade;
3. Starting at the four base elevation points ascertained under subsection (2) of this subsection, a vertical line shall be extended by the distance of the applicable maximum height prescribed in Table 16.23.050(C);
4. The grade (original or finished) and corresponding vertical line established under subsection (3) of this section that has the lower upper elevation (measured from a zero-elevation surface) shall be used to measure maximum height;
5. Maximum height shall be a horizontal plane intersecting the upper elevation of the vertical line established in subsection (4) of this section for measuring maximum height and shall be perpendicular to the same vertical line as shown in Figure 16.71.010(A);
6. The maximum height envelope shall be the area between the applicable grade (original or finished) and the horizontal height plane established in this section and shown in Figure 16.71.010(A);
7. No part of the building or structure, including roof lines, shall protrude above the maximum height envelope, except as allowed otherwise by law;
8. See MMC 16.23.060(E) for establishing the height plane parameter and MMC 16.23.060(G) for height calculation exemptions.

Figure 16.71.010(A): Alternative Bonus Height Measurements

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(Code 1988 § 20.71.010; Ord. No. 979 § 3, 2019; Ord. No. 900 § 5 (Att. B), 2013; Ord. No. 1017, § 12, 2022)

Medina Privacy Landscape Screening List

Category	Species	Botanical Name	Cultivars (Screening Forms Only)	Typical Mature Height	Notes / Screening Function
Evergreen Native - Shrub / Small Tree	Pacific Wax Myrtle	Morella californica	Local native stock forms	15-25 ft	Dense native hedge; strong pruning response; fast recovery.
Evergreen - Shrub	English Laurel	Prunus laurocerasus	'Rotundifolia', 'Caucasica', 'Zabeliana'	15-30+ ft	Very dense, fast-growing evergreen screen. Cultivar selection influences mature size and growth habit.
Evergreen - Shrub / Small Tree	Portuguese Laurel	Prunus lusitanica	Standard form	15-30 ft	More refined texture, narrower growth habit.
Evergreen - Shrub	Elaeagnus	Elaeagnus × ebbingei	Standard green forms	10-20 ft	Extremely fast, tough evergreen screen.
Evergreen - Shrub	Viburnum tinus	Viburnum tinus	Standard forms	8-15 ft	Moderate-density evergreen with winter bloom.
Evergreen - Shrub	Yew	Taxus baccata	Standard upright forms	10-30 ft	Very dense, shade tolerant, long-lived hedge plant. Use forms appropriate to the intended screening height.
Evergreen - Shrub	Hicks Yew	Taxus × media	'Hicksii', 'Hillii'	10-20 ft	Dense hedge form; widely used in PNW landscapes.
Evergreen - Shrub / Small Tree	Japanese Privet	Ligustrum japonicum	'Texanum', standard green form	10-25 ft	Fast-growing, shear-tolerant (can be aggressive).
Evergreen Conifer - Tree	Italian Cypress	Cupressus sempervirens	'Stricta', standard columnar forms	20-35 ft	Narrow vertical architectural screen. Use smaller-stature cultivars or similar forms when lower mature height is required.
Evergreen - Shrub / Small Tree	Camellia (Japonica)	Camellia japonica	Standard upright cultivars	10-20 ft	Evergreen with seasonal bloom; moderate density.
Evergreen - Shrub / Small Tree	Camellia (Sasanqua)	Camellia sasanqua	Standard upright cultivars	10-20 ft	Faster, more sun tolerant than japonica.
Evergreen - Small Tree	Strawberry Tree	Arbutus unedo	Standard form	20-35 ft	Evergreen but somewhat open habit; slower screening. Smaller-stature forms may be selected where appropriate.
Deciduous Native - Small Tree	Vine Maple	Acer circinatum	Local native forms	15-25 ft	Native understory tree; excellent fall color; adaptable shade tree with graceful branching.
Deciduous - Small Tree	Amur Maple	Acer ginnala	'Flame', standard forms	15-25 ft	Small ornamental tree; excellent fall color; adaptable and multi-stem capable.
Deciduous - Small Tree	Rocky Mountain Maple	Acer grandidentatum	Standard forms	20-30 ft	Drought tolerant maple; attractive bark and fall color; smaller tree form.
Deciduous - Small Tree	Paperbark Maple	Acer griseum	Standard forms	20-30 ft	Slow-growing ornamental; exfoliating bark; excellent specimen tree.
Deciduous - Small Tree	Japanese Maple	Acer palmatum	'Bloodgood', 'Emperor I', standard upright cultivars	15-25 ft	Highly ornamental; excellent fall color; diverse forms and sizes. Use cultivars with mature size appropriate for the screening application.
Deciduous Native - Small Tree	Pacific Serviceberry	Amelanchier alnifolia	Local native forms	15-25 ft	Native small tree; white spring flowers, edible fruit, fall color.
Deciduous - Small Tree	Western Serviceberry	Amelanchier grandiflora	Standard forms	15-25 ft	Small ornamental tree; flowers, fruit, and fall interest.
Deciduous - Small Tree	Japanese Hornbeam	Carpinus japonica	Standard forms	20-30 ft	Dense branching structure; attractive foliage; excellent small screening tree.
Deciduous - Small Tree	Eastern Redbud	Cercis canadensis	'Forest Pansy', standard forms	20-30 ft	Spring flowering tree; attractive foliage; moderate growth rate.
Deciduous - Small Tree	Corneliancherry Dogwood	Cornus mas	Standard forms	20-25 ft	Early spring flowers; fruiting ornamental; durable small tree.
Deciduous - Small Tree	Japanese Dogwood	Cornus officinalis	Standard forms	20-30 ft	Attractive bark, flowers, and fruit; excellent specimen tree.
Deciduous - Large Shrub / Small Tree	European Filbert	Corylus avellana	Standard forms	15-25 ft	Multi-stem small tree; dense branching; adaptable screening plant.
Deciduous - Small Tree	Smoketree	Cotinus sp.	'Royal Purple', standard forms	15-25 ft	Ornamental foliage; airy flowering structure; drought tolerant once established.
Deciduous - Small Tree	Hawthorn	Crataegus sp.	Standard forms	20-30 ft	Tough small tree; flowers, fruit, and wildlife value.
Deciduous - Small Tree	Goldenrain Tree	Koeleruteria paniculata	Standard forms	20-30 ft	Late summer flowers; attractive seed pods; adaptable ornamental tree.

Deciduous - Small Tree	Galaxy Magnolia	Magnolia 'Galaxy'	Standard form	20-30 ft	Upright flowering magnolia; large spring flowers; specimen tree.
Deciduous - Small Tree	Star Magnolia	Magnolia stellata	Standard forms	15-20 ft	Early spring flowering; compact growth habit; excellent ornamental.
Deciduous - Small Tree	Lily Magnolia	Magnolia liliiflora	'Nigra', standard forms	10-20 ft	Spring flowering ornamental; smaller magnolia form.
Deciduous - Small Tree	Carmine Crabapple	Malus × atrosanguinea	Standard forms	15-25 ft	Flowering crabapple; spring blooms and ornamental fruit.
Deciduous - Small Tree	Sargent Crabapple	Malus sargentii	Standard forms	8-15 ft	Compact crabapple; flowers, fruit, and wildlife value.
Deciduous - Small Tree	Pink Perfection Crabapple	Malus 'Pink Perfection'	'Pink Perfection'	15-25 ft	Ornamental flowering crabapple; pink blooms and attractive form.
Deciduous - Small Tree	Radiant Crabapple	Malus 'Radiant'	'Radiant'	15-25 ft	Flowering crabapple; colorful fruit; adaptable ornamental.
Deciduous - Small Tree	Strathmore Crabapple	Malus 'Strathmore'	'Strathmore'	15-25 ft	Flowering crabapple; attractive flowers and fruit.
Deciduous - Small Tree	Persian Parrotia	Parrotia persica	Standard forms	20-30 ft	Multi-season interest; excellent fall color; attractive bark. Smaller-stature cultivars or forms may be selected where reduced mature height is required.
Deciduous - Tree / Small Tree	Flowering Cherry/Plum	Prunus sp.	Standard ornamental cultivars	15-30+ ft	Spring flowering ornamental; wide range of forms and sizes.
Deciduous - Small Tree	Amur Chokecherry	Prunus maackii	Standard forms	20-30 ft	Attractive copper bark; white flowers; adaptable small tree.
Deciduous - Small Tree	Mt. Fuji Flowering Cherry	Prunus serrulata 'Shirotae'	'Shirotae'	15-25 ft	Large white flowers; graceful spreading form.
Deciduous - Small Tree	Staghorn Sumac	Rhus typhina	Standard forms	15-25 ft	Native multi-stem tree; excellent fall color; wildlife value.
Deciduous - Small Tree	Red Cascade Mountain Ash	Sorbus americana 'Dwarfcrone'	'Dwarfcrone'	15-20 ft	Compact mountain ash; flowers, fruit, and fall color.
Deciduous - Small Tree	Japanese Stewartia	Stewartia pseudocamellia	Standard forms	20-30 ft	Outstanding specimen tree; exfoliating bark; flowers and fall color.
Deciduous - Small Tree	Japanese Snowbell	Styrax japonicus	Standard forms	20-30 ft	Attractive small tree; white flowers; refined branching structure.
Deciduous - Small Tree	Japanese Tree Lilac	Syringa reticulata	'Ivory Silk', standard forms	20-30 ft	Late spring flowering; durable small tree; attractive bark.