



MEDINA CITY COUNCIL

Monday, November 25, 2024

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
Medina City Hall – Council Chambers
501 Evergreen Point Road, Medina, WA 98039
Monday, November 25, 2024 – 5:00 PM

AGENDA

MAYOR | Jessica Rossman

DEPUTY MAYOR | Randy Reeves

COUNCIL MEMBERS | Joseph Brazen, Harini Gokul, Mac Johnston, Michael Luis, Heija Nunn

CITY MANAGER | Stephen R. Burns

CITY ATTORNEY | Jennifer S. Robertson

CITY CLERK | Aimee Kellerman

Hybrid 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 can register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message before 2PM on the day of the Council meeting. Please reference Public Comments for the 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 Council meeting to the City Clerk at akellerman@medina-wa.gov.

Join Zoom Meeting

<https://medina-wa.zoom.us/j/81961696176?pwd=WjRuK3ErVy9jdmmtelAvek1VeHkzUT09>

Meeting ID: 819 6169 6176

Passcode: 689036

One tap mobile

+1 253 205 0468, 81961696176# US

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Brazen, Gokul, Luis, Johnston, Nunn, Reeves, Rossman

2. **APPROVAL OF MEETING AGENDA**

3. **PUBLIC COMMENT PERIOD**

Individuals wishing to speak live during the Virtual City Council meeting may register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message **before 2PM** on the day of the Council meeting. Please reference Public Comments for the 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**

None.

5. **CITY MANAGER'S REPORT**

None.

6. **CONSENT AGENDA**

None.

7. **LEGISLATIVE HEARING**

None.

8. **PUBLIC HEARING**

None.

9. **CITY BUSINESS**

9.1 2025 Planning Commission Work Plan

Recommendation: Approve.

Staff Contact: Jonathan G. Kesler, AICP, Planning Manager

Time Estimate: 45 minutes

9.2 Middle Housing

a) Executive Session – 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.

b) Council discussion and direction.

Recommendation: Discussion and direction.

Staff Contacts: Jonathan G. Kesler, AICP, Planning Manager and Kirsten Peterson, Senior Project Manager, SCJ Alliance

Time Estimate: 90 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. **EXECUTIVE SESSION**

Time Estimate: 45 minutes

RCW 42.30.110 (1)(g)

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to **RCW 42.30.140(4)**, discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

13. **ADJOURNMENT**

Next regular City Council Meeting: December 9, 2024, 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 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 AND EVENTS

Thursday, November 28, 2024 - Thanksgiving Holiday - City Hall Closed

Friday, November 29, 2024 - Day After Thanksgiving Holiday - City Hall Closed

Monday, December 9, 2024 - City Council Meeting (5:00PM)

Monday, December 23, 2024 - City Council Meeting -CANCELLED

Wednesday December 25, 2024 - Christmas Day - City Hall Closed

CERTIFICATION OF POSTING AGENDA

The agenda for Monday, November 25, 2024, Regular Meeting of the Medina City Council was posted and available for review on Thursday, November 21, 2024, 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.



MEDINA, WASHINGTON

AGENDA BILL

Monday, November 25, 2024

Subject: 2025 Planning Commission Work Plan

Category: City Council Business

Staff Contact: Jonathan G. Kesler, AICP, Planning Manager

Summary:

The 2025 Planning Commission Work Plan will be reviewed this evening. Four (4) **State Mandates** must be done in 2025: 1) Complete the Development Regulations revision early in 2025; 2) Finish the Middle Housing Update by June 30, 2025; 3) Do the Critical Area Ordinance (CAO) Periodic Review by December 31, 2025 and 4) Finish the Construction Activity Permit (CAP) Minor Code Amendments.

As such, the primary focus will be on these three tasks. In addition, there are numerous other important goals under **Council Initiatives**. These can be placed on the calendar as outlined by the spreadsheet according to the direction of this body. The spreadsheet is attached in PDF format for your review in two pages, Exhibits 1 & 2.

This 2025 Planning Commission Work Plan meets and supports Council's priorities 1, 2, and 3

Council Priorities:

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

Attachments

1. Exhibit 1 - 2025 Planning Commission Work Plan Simplified
2. Exhibit 2 – 2025 Planning Commission Work Plan Detailed

Budget/Fiscal Impact: Various (Consultant and Attorney fees)

Recommendation: Approve.

City Manager Approval:

Proposed Council Motion: "I move to approve the 2025 Planning Commission Work Plan as presented."

Time Estimate: 45 minutes

2025 Planning Commission Work Plan

| TASK | ORIGIN | START | DUE/END DATE |
|---|---------------|--------------|---------------------|
| STATE MANDATES | | | |
| 1. Development Regs | State | 10/31/2024 | 6/30/2025 |
| 2. Middle Housing Update | State | 9/15/2024 | 6/30/2025 |
| 3. Critical Area Ordinance Periodic Review | State | 1/31/2025 | 12/31/2025 |
| 4. Construction Activity Permit (CAP) Minor Code Amendments | State | 2/1/2025 | 6/30/2025 |
| COUNCIL INITIATIVES | | | |
| 1. Review of Outdoor Lighting per Dark Skies Guidelines | Council | 7/1/2025 | 12/31/2025 |
| 2. Zoning | Council | 7/1/2025 | 12/31/2025 |
| 3. Lot Coverage | Council | 7/1/2025 | 12/31/2025 |
| FUTURE | | | |
| 1. Shoreline Master Program (SMP) Periodic Review | State | 7/1/2026 | 12/31/2028 |
| 2. Other Minor Code Amendments | Council | 1/31/2025 | 12/31/2026 |

| 2025 Planning Commission Work Plan | | | | | |
|---|--|--|--|---|--|
| Item | Description | Requests to Staff | Outside experts/ consultants needed | Deliverable | Timing and budget notes |
| State Mandates | | | | | |
| 1. Development Regulations | In relation to the completion of the Comprehensive Plan in October 2024, the Land Capacity Analysis (LCA) noted: In partnership with LDC, the City has analyzed development capacity for the 2024-2044 planning period according to King County UGCR and Commerce guidance applicable to new State regulations implementing HBs 1220 and 1337. This LCA found that the City has housing capacity through zoned and ADU development potential but lacks zoning that supports housing affordable to households with income less than 80% of AMI. Consequently, there is a shortfall of 19 housing units that must be addressed to meet the requirements of RCW 36.70A.070(2). To address this shortfall, Medina is exploring alternative zoning options. | Staff: Work with the consultant to get the stnds. updated. | Yes | The deliverable will conform to the changes made under the 2024 Comp Plan Update. | The Comp Plan grant approved for Medina will fund part of this project. The Dev. Regs. Update is due by 12/31/24, instead of the originally understood 6/30/25. They will be completed as soon as possible; most likely in early 2025. |
| 2. Middle Housing Update | This is in response to the State Legislature passed both Accessory Dwelling Unit legislation (ESHB 1337) and Middle Housing legislation (HB 1110, as modified by ESSB 2321) (codified as RCW 36.70A.635 - .638; RCW 36.70A.630; and RCW 36.70A.680 - .682). These laws require certain cities to allow accessory dwelling units on single-family lots subject to certain conditions and require certain cities to allow changes to density on single-family lots, as well as require certain cities to allow zero-lot line subdivisions. The deadline for cities to have land use code updates in compliance with these laws is June 6/30/25 for King County cities. | Staff: Work with the consultant to get the Middle Housing mandates integrated into the MMC. | Yes | Community Engagement and Drafting of the Middle Housing Development Regulation Amendments | Commerce Grant rec'd for part of the work; completion by 6/30/25 |
| 3. Periodic Review of Medina's Critical Area Ordinance (CAO) | The periodic update to the Critical Area Ordinance (CAO) is due at the end of 2025. Some major changes have been made to the state requirements on Riparian areas, especially regarding stream buffers, that will need to be incorporated into Medina's CAO. | Staff: The first step will be review the Code and determine if the work can be done wholly by staff or whether consultant assistance is needed | We may use our existing staff/consultant | Deliverables include the completion of CAO revisions & submittal to Commerce and Ecology for review and approval. | Completion by 12/31/25 |
| 4. Construction Activity Permit (CAP) Minor Code Amendments | This task involves amendments to the Construction Activity Permit language in the Code. It includes an associated sign code amendment and some general CAP Code clean-ups. | Anticipated start should be no later than 2/1/25 to complete it by 6/30/25. | TBD | Amendments to Construction Activity Permit language in the Code | Completion by 6/30/25 |
| Council Initiatives | | | | | |
| 1. Review of Outdoor Lighting per Dark Skies Guidelines | This task involves reviewing comparable Ordinances in similar jurisdictions to determine how they dealt with the issue. This can assist staff in crafting effective Code language in Medina | Anticipated start should be no later than 7/1/25. | No | New Code section on the subject. | Completion by 12/31/25 |

| | | | | | |
|---|--|--|------------|---|---|
| <p>2. Zoning</p> | <p>This task involves, as part of updating the Development Regulation after completion of the 2024 Comp Plan Update in Nov. 2024, working with the Planning Commission on two things: 1) creating a smaller zoning district, such as an R-8 (8,000 sq. ft. min. lot size) including applying it to lots that more appropriately fit that standard, and 2) allowing concurrent adjustments to boundaries of adjoining zoning districts.</p> | <p>Anticipated start should be no later than 7/1/25.</p> | <p>No</p> | <p>Per MMC 16.82, Area-wide Zoning Map Amendments</p> | <p>Completion by 12/31/25</p> |
| <p>3. Lot Coverage/Bulk</p> | <p>Council also directed staff to work with Planning Commission to look at decreasing impervious surface and structural coverage per staff recommendation</p> | <p>Anticipated start should be no later than 7/1/25.</p> | <p>No</p> | <p>Code amendment</p> | <p>Completion by 12/31/25</p> |
| <p>Future</p> | | | | | |
| <p>1. Shoreline Master Program Period Review</p> | <p>This task involves updating the Shoreline Master Program (SMP), which manages shoreline resources and development in Medina, to comply with the Shoreline Management Act, State Shoreline Master Program Guidelines and best practices for shoreline protection. Update to ensure consistency between the SMP and the rest of Medina's Code.</p> | <p>Anticipated start should be no later than 7/1/26 to meet 2028 deadline.</p> | <p>Yes</p> | <p>Update SMP to be compliant with changes in the laws, rules and applicable updated guidance that was adopted in 2019.</p> | <p>The next mandated update is due by 12/31/28. Suggested start no later than 7/1/26.</p> |
| <p>2. Other Minor Code Amendments</p> | <p>This involves updating sections of the Code with updated language.</p> | <p>1/31/2025</p> | <p>No</p> | <p>Code revisions</p> | <p>12/31/2026</p> |



MEDINA, WASHINGTON

AGENDA BILL

Monday, November 25, 2024

Subject: Middle Housing

Category: City Council Business

Staff Contacts: Jonathan G. Kesler, AICP, Planning Manager and Kirsten Peterson, Senior Project Manager, SCJ Alliance

Summary

Since the last update was presented to the City Council during their regular meeting of November 12, work has continued to steadily progress on the Medina Middle Housing project.

The Planning Commission held a meeting on Monday, November 18, at which several important topics were discussed, and recommendations were made for City Council consideration. The DCS also held a working session on Wednesday, November 20 at which the primary focus of the conversation was on the upcoming community engagement efforts.

Regarding the code amendments specific to Medina as a Tier 3 city, revisions have been made to both the gap analysis spreadsheet and the code amendment document, based on feedback received from both the Planning Commission and City Council. These two documents are attached to this memo as **Exhibits 3 and 4**. The updates were made based on guidance provided in the Tier 3 memo, attached as **Exhibit 5**. The updates within both the spreadsheet and the word document are summarized as follows:

1. Removed “single family” from 16.00.020.B.2
2. Added to the ADU definition the following language: “An accessory dwelling unit that exceeds the size limitations set forth in MMC 16.34.020, is defined as a cottage, if detached, or as a duplex unit if attached to another dwelling unit.”
3. Added a definition of “condominium” consistent with state law.
4. Added a definition of “unit” based upon City Council feedback.
5. Updated 16.21.060.A for clarity consistent with updated Commerce guidance.
6. Corrected subsection numbering where needed.
7. Updated 16.34.020, specifically subsections A, C, D.5, and D.6 consistent with updated guidance and PC discussions.
8. Placeholders were notated for possible inclusion of Multifamily-Low Zoning in various locations of the code.
9. Placeholder was included for future work on fence height.
10. Placeholders were added for future inclusion of cottage housing, townhouses and multi-family standards.

Discussion also led to the identification of future code amendments that will need to be considered after adoption of the middle housing code updates.

As previously shared, SCJ has also developed various graphics to help visualize how the code amendments that allow for the inclusion of middle housing could impact the community. During their previous meetings, the Planning Commission made various requests for modifications to the graphics to more accurately reflect the scale and appearance of Medina lots, with the inclusion of trees, and more descriptors through the addition of a legend and setback measurements. The requested changes have been made, and the new graphics are depicted within the PowerPoint presentation which has been included in the packet as **Exhibit 1**.

The Planning Commission and the DSC have also held thoughtful discussions on the best means of sharing information with the Medina community members. The various ideas for engaging the public have been captured in a Public Engagement Plan Memo, which has been attached as **Exhibit 6**. This document was originally provided to the Planning Commission on November 18. Edits were captured in Track Changes based on discussion with the Commission. The document is being provided with the changes depicted so that Council can see various options discussed. The previously approved Resolution No. 444 has also been attached as a reference document as **Exhibit 7**.

In light of the timelines for deliverables, Staff has also identified three potential dates in January for holding community forums within Medina. A schedule of meeting dates, with all CC, PC and DSC meeting dates has been included as **Exhibit 2**, along with the potential community forum dates. Staff and SCJ are seeking feedback from the City Council regarding the potential dates and locations for community engagement.

SCJ and City Staff look forward to a robust discussion with the City Council regarding the next steps in the middle housing update process. To aid the discussion several items are being presented to City Council for their consideration. The attached materials for review include the following:

1. PowerPoint presentation that includes updated **graphics** that have been refined based on City Council and Planning Commission feedback. (**See Exhibit 1**)
2. Meeting date schedule.
 - a. This includes all meetings scheduled from October through the end of January, at which point the DRAFT middle housing updates will need to be submitted to Commerce.
 - b. This calendar also includes POTENTIAL meeting dates for conducting one to two Community Forums.
 - c. This schedule can also be found within the PowerPoint.
3. Updated Gap Analysis spreadsheet in MS Excel
4. Updated code amendments in MS Word
5. Tier 3 Housing Memo which provides a breakdown on the various State mandates for Tier 3 communities.
6. Public Engagement Plan memo drafted by SCJ.
 - a. This memo incorporates feedback from the Planning Commission depicted in Track Changes.
7. Resolution No. 444 Public Engagement Plan

Staff and SCJ look forward to further discussion with the City Council during the upcoming working session, with particular attention paid to the potential community engagement activities.

This Middle Housing Land Use Code Update project continues to meet and support Council's priorities 1, 2 and 5.

Council Priorities:

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

Attachments

- Exhibit 1: PowerPoint presentation with updated graphics
- Exhibit 2: Meeting Date Schedule
- Exhibit 3: Updated Gap Analysis spreadsheet in MS Excel
- Exhibit 4: Updated code amendments in MS Word
- Exhibit 5: Tier 3 Housing Memo
- Exhibit 6: Public Engagement Plan memo from SCJ Alliance
- Exhibit 7: Resolution No. 444, Public Engagement Plan

Budget/Fiscal Impact: Proceeding with the Middle Housing Scope of Work is consistent with the City's obligations under the Commerce Middle Housing Grant. By meeting the required milestones, the City will be able to draw from the grant funds.

Recommendation: Discussion and direction.

City Manager Approval:



Proposed Council Motion: N/A

Time Estimate: 90 minutes

Medina, WA

Middle Housing Update

City Council Meeting | November 2024



SCJ ALLIANCE
CONSULTING SERVICES

Agenda

1. Progress Report
2. Schedule Overview
3. Materials Overview
4. Code Amendments Discussion
5. Review Updated Graphics
6. Public Engagement Discussion
7. Next Steps



Next Steps

11/12 City Council :

- Schedule Review
- Materials Overview
- Tier 3 Housing Memo
- Graphics Update
- Summary of code updates

TODAY 11/25 City Council:

- Progress Report
- Schedule Overview
- Updated Draft Code and Gap Analysis
- Updated Graphics
- Public Engagement Discussion

Last CC Meeting
11/12

11/18
Planning Commission
Meeting

11/20
Development Services
Committee Meeting

TODAY 11/25
City Council
Meeting

Schedule Update

Review Code Updates

Graphics Update

Public Engagement Planning

2024-2025 Schedule

| Medina Middle Housing | | | | 2024 | | | | | | | | | | | | 2025 | | | | | | | | |
|--|--------|--------|--|-----------|--------|--------|--------|---------|--------|----------------------------|--------|----------|--------|--------|--------|----------|-------|--------|--------|---------|-------|--------|--------|---|
| City of Medina | | | | September | | | | October | | | | November | | | | December | | | | January | | | | |
| Phase/Task | Start | End | | 9-Sep | 16-Sep | 23-Sep | 30-Sep | 7-Oct | 14-Oct | 21-Oct | 28-Oct | 4-Nov | 11-Nov | 18-Nov | 25-Nov | 2-Dec | 9-Dec | 16-Dec | 23-Dec | 30-Dec | 6-Jan | 13-Jan | 20-Jan | 27-Jan |
| Meetings | | | | | | | | | | | | | | | | | | | | | | | | |
| Planning Commission Meetings | 26-Sep | 30-Jun | | | | 26-Sep | | | | | | 6-Nov | | 18-Nov | | 5-Dec | | 18-Dec | | | 8-Jan | 15-Jan | | 28-Jan |
| City Council Meetings | 14-Oct | 30-Jun | | | | | | 14-Oct | | | | 12-Nov | | 25-Nov | | 9-Dec | | | | | 8-Jan | 13-Jan | | 27-Jan |
| Development Services (DSC) Meetings | 30-Oct | 30-Jun | | | | | | | | 30-Oct | | | | 20-Nov | | 10-Dec | | | | | | | | |
| 01 Admin and Management | | | | | | | | | | | | | | | | | | | | | | | | |
| Project Management | 9-Sep | 30-Jun | | | | | | | | | | | | | | | | | | | | | | |
| Kick off Meeting | 17-Sep | 17-Sep | | | 17-Sep | | | | | | | | | | | | | | | | | | | |
| Coordination Meetings with City | 17-Sep | 30-Jun | | | | | | 22-Oct | | | | | | | | | | | | | | | | |
| 02 Community Engagement | | | | | | | | | | | | | | | | | | | | | | | | |
| Informational materials | 23-Sep | 30-Jun | | | | | | | | | | | | | | | | | | | | | | |
| Engagement Plan | 11-Nov | 20-Nov | | | | | | | | | | | | | | | | | | | | | | |
| Visual preference survey | TBD | TBD | | | | | | | | | | | | | | | | | | | | | | |
| Engagement and survey summary | TBD | TBD | | | | | | | | | | | | | | | | | | | | | | |
| 03 Draft Middle Housing Dev Regulations | | | | | | | | | | | | | | | | | | | | | | | | |
| Draft Gap Analysis | 16-Sep | 6-Nov | | | | | | | | 10/23 First Draft Complete | | | | | | | | | | | | | | |
| Targeted Dev regulations and engagement | 6-Nov | 10-Jun | | | | | | | | | | | | | | | | | | | | | | |
| Draft Middle Housing Regulations | 23-Sep | 31-Jan | | | | | | | | | | | | | | | | | | | | | | |
| 04 Amendment Adoption | | | | | | | | | | | | | | | | | | | | | | | | |
| Draft Ordinance to Department of Commerce | 23-Sep | 31-Jan | | | | | | | | | | | | | | | | | | | | | | |
| Formal Ordinance Adoption | 31-Jan | 10-Jun | | | | | | | | | | | | | | | | | | | | | | 31-Jan |
| Deliverables | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | Draft Ordinance to Department of Commerce |

Meeting Schedule

- Planning Commission
- City Council
- Special Joint PC and City Council Meeting
- DSC
- POSSIBLE* Community Forum dates
- Draft Due to Commerce

| October | | | | | | |
|---------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 15 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

| November | | | | | | |
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| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| December | | | | | | |
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| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

| January 2025* | | | | | | |
|---------------|----|----|----|----|----|----|
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

*First January PC Meeting TBD

Materials Overview

Gap Analysis and Proposed Code Updates

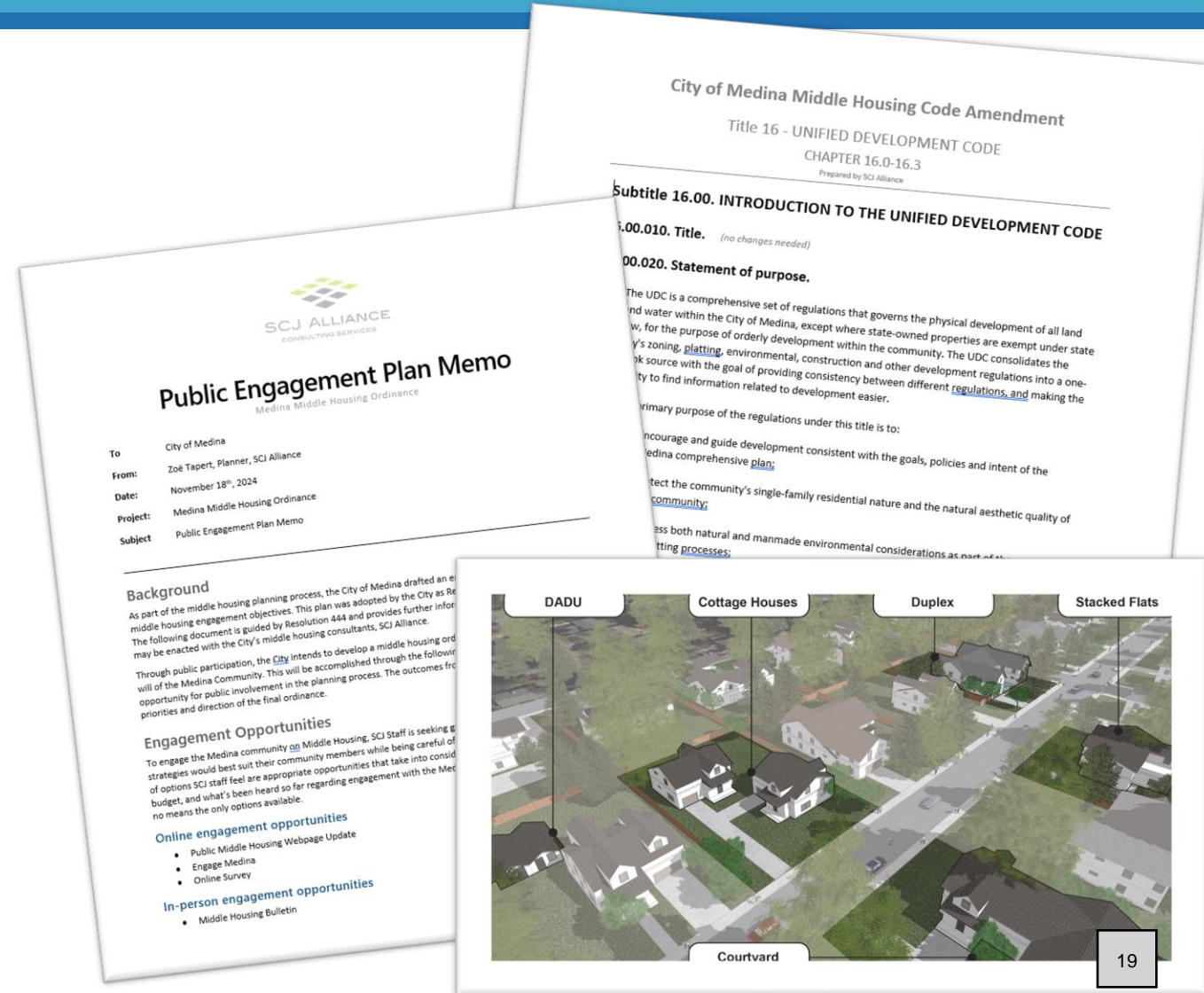
- Edits were made since our last conversation

Graphics Updates

- Edited previous graphics based on comments
- Showcasing newer versions to help with future public engagement

Engagement Planning

- Memo: provides a menu of opportunities for public engagement
- Requesting direction on how to proceed with Resolution 444 based on what the planning commission has been provided with so far.



Middle Housing Code Updates Discussion

Edits include:

- Removed “single family” from 16.00.020.B.2
- Definitions
 - Updated ADU definition
 - Added a definition of “condominium” consistent with state law.
 - Added a definition of “unit” since that was raised at City Council
- Updated 16.21.060.A for clarity consistent with updated Commerce guidance.
- Corrected subsection numbering where needed.
- Updated 16.34.020, specifically subsections A, C, D.5, and D.6 consistent with updated guidance and PC discussions.
- Additional housekeeping items previously identified by City Staff were included.

City of Medina Middle Housing Code Amendment

Title 16 - UNIFIED DEVELOPMENT CODE

CHAPTER 16.0-16.3

Prepared by SCJ Alliance

Subtitle 16.00. INTRODUCTION TO THE UNIFIED DEVELOPMENT CODE

16.00.010. Title. *(no changes needed)*

16.00.020. Statement of purpose.

- A. The UDC is a comprehensive set of regulations that governs the physical development of all land and water within the City of Medina, except where state-owned properties are exempt under state law, for the purpose of orderly development within the community. The UDC consolidates the city's zoning, planning, environmental, construction and other development regulations into a one-book source with the goal of providing consistency between different regulations, and making the ability to find information related to development easier.
- B. The primary purpose of the regulations under this title is to:
 1. Encourage and guide development consistent with the goals, policies and intent of the Medina comprehensive plan;
 2. Protect the community's single-family residential nature and the natural aesthetic quality of the community;
 3. Address both natural and manmade environmental considerations as part of the project permitting processes;
 4. Protect the public's health, safety and welfare as a whole and not create a duty of protecting any person or class of persons; and
 5. Provide appropriate procedures for enforcement of the regulations of this title.

(Ord. No. 997 , § 1, 4-26-2021; Code 1988 § 20.00.020; Ord. No. 900 § 4 (Att. A), 2013)

Middle Housing Code Updates Discussion

- Future work
 - Decisions:
 - Duplex definition – PC recommendation included
 - Unit density: ADU inclusion or exclusion in middle housing
 - Create development standards for cottage housing, townhouses and multi-family housing
 - Draft revisions to Ch. 16.73 for zero lot line/unit lot subdivisions.

City of Medina Middle Housing Code Amendment

Title 16 - UNIFIED DEVELOPMENT CODE

CHAPTER 16.0-16.3

Prepared by SCJ Alliance

Subtitle 16.00. INTRODUCTION TO THE UNIFIED DEVELOPMENT CODE

16.00.010. Title. *(no changes needed)*

16.00.020. Statement of purpose.

- A. The UDC is a comprehensive set of regulations that governs the physical development of all land and water within the City of Medina, except where state-owned properties are exempt under state law, for the purpose of orderly development within the community. The UDC consolidates the city's zoning, platting, environmental, construction and other development regulations into a one-book source with the goal of providing consistency between different regulations, and making the ability to find information related to development easier.
- B. The primary purpose of the regulations under this title is to:
1. Encourage and guide development consistent with the goals, policies and intent of the Medina comprehensive plan;
 2. Protect the community's single-family residential nature and the natural aesthetic quality of the community;
 3. Address both natural and manmade environmental considerations as part of the project permitting processes;
 4. Protect the public's health, safety and welfare as a whole and not create a duty of protecting any person or class of persons; and
 5. Provide appropriate procedures for enforcement of the regulations of this title.

(Ord. No. 997 , § 1, 4-26-2021; Code 1988 § 20.00.020; Ord. No. 900 § 4 (Att. A), 2013)

Duplex Definition

Duplex definition: *what are the implications of a more general or specific duplex definition?*

The specific definition of a duplex impacts the structure of the use table in 16.21.030.

Broader definition example (simple and inclusive of multiple housing types)

“Duplex means a residential building with two attached dwelling units.” (Commerce & PC recommendation)

“Duplex means a property divided into two residential dwelling units” (from other online sources)

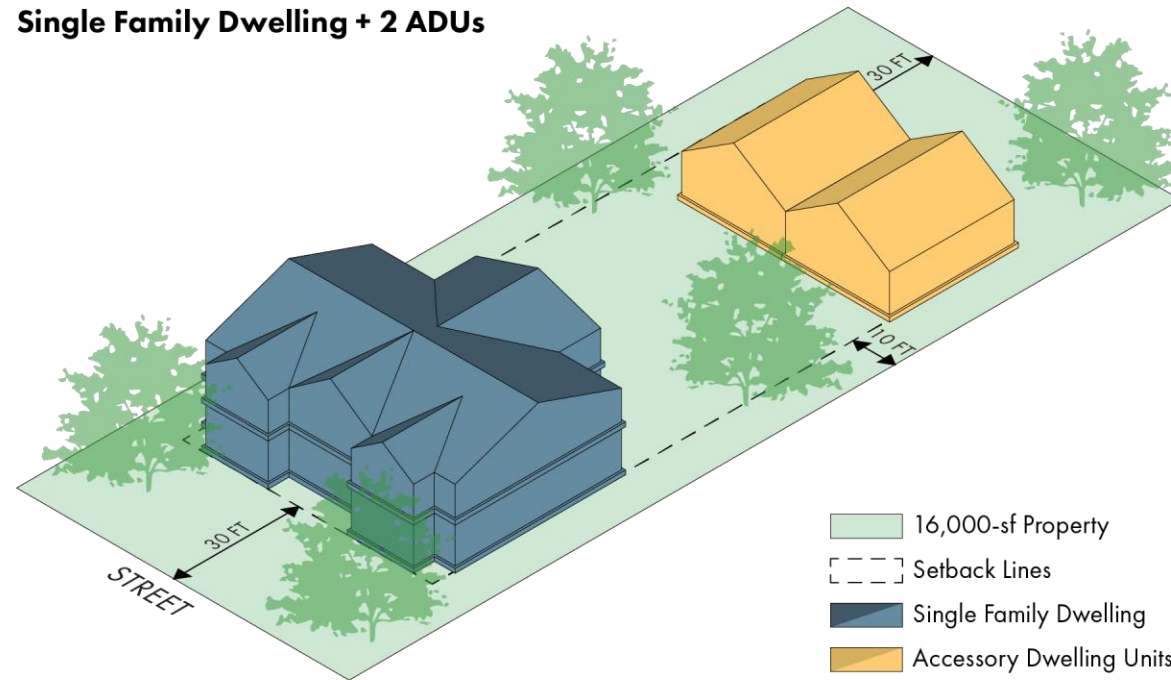
Specific definition example (adds design principles and less housing types)

“Duplex means a residential building with two attached dwelling units situated side by side or stacked on top of the other with two separate addresses, entryways, garages, and yards.”

Middle Housing Graphics – Required Types

Example: 16,000-SF lot in R-16 zone (25% Maximum Structural Coverage)

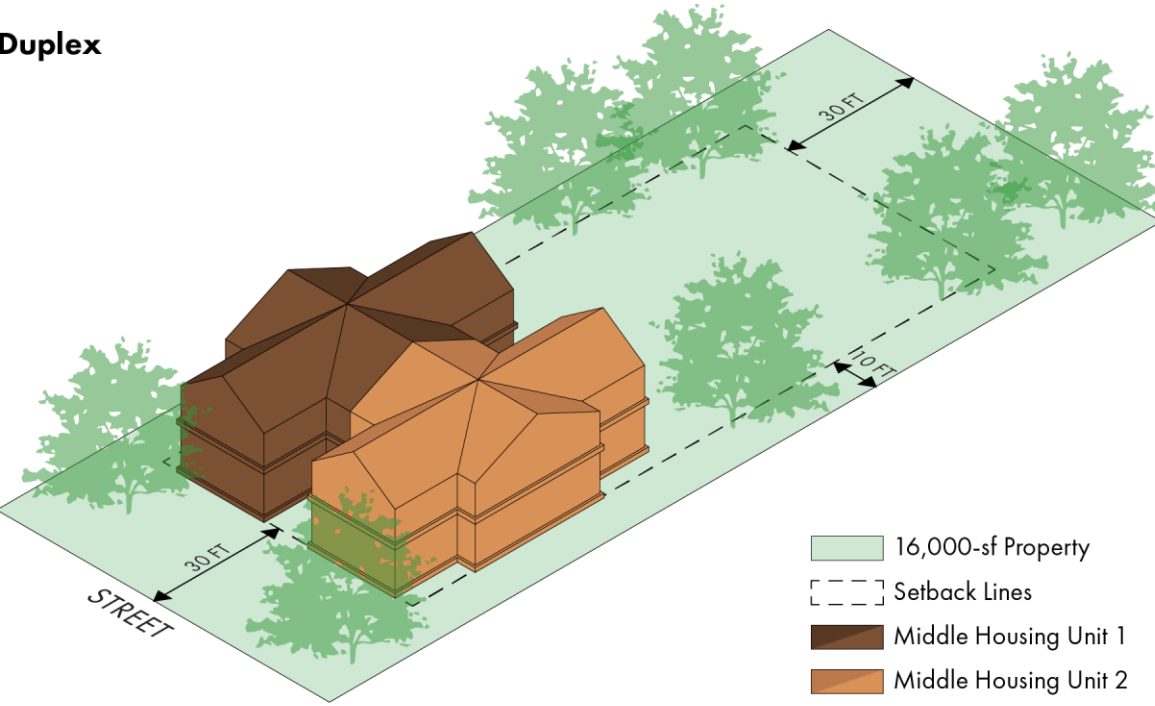
Single Family Dwelling + 2 ADUs



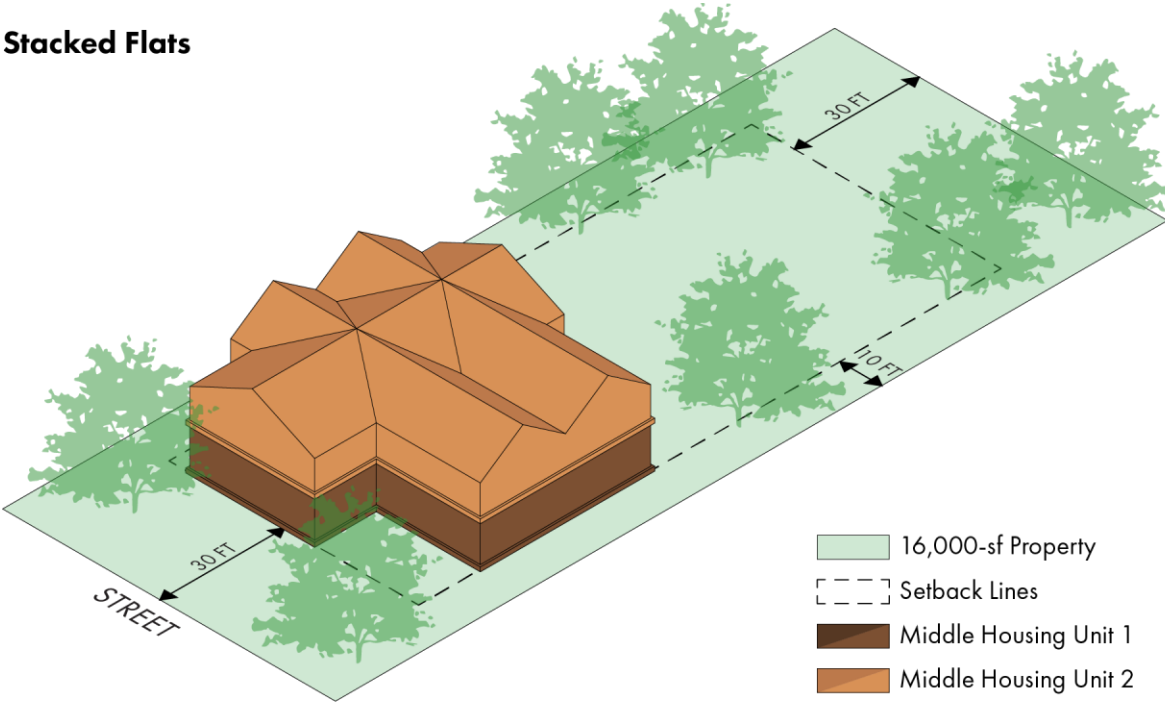
Middle Housing Graphics – Required Types

Example: 16,000-SF lot in R-16 zone (25% Maximum Structural Coverage)

Duplex



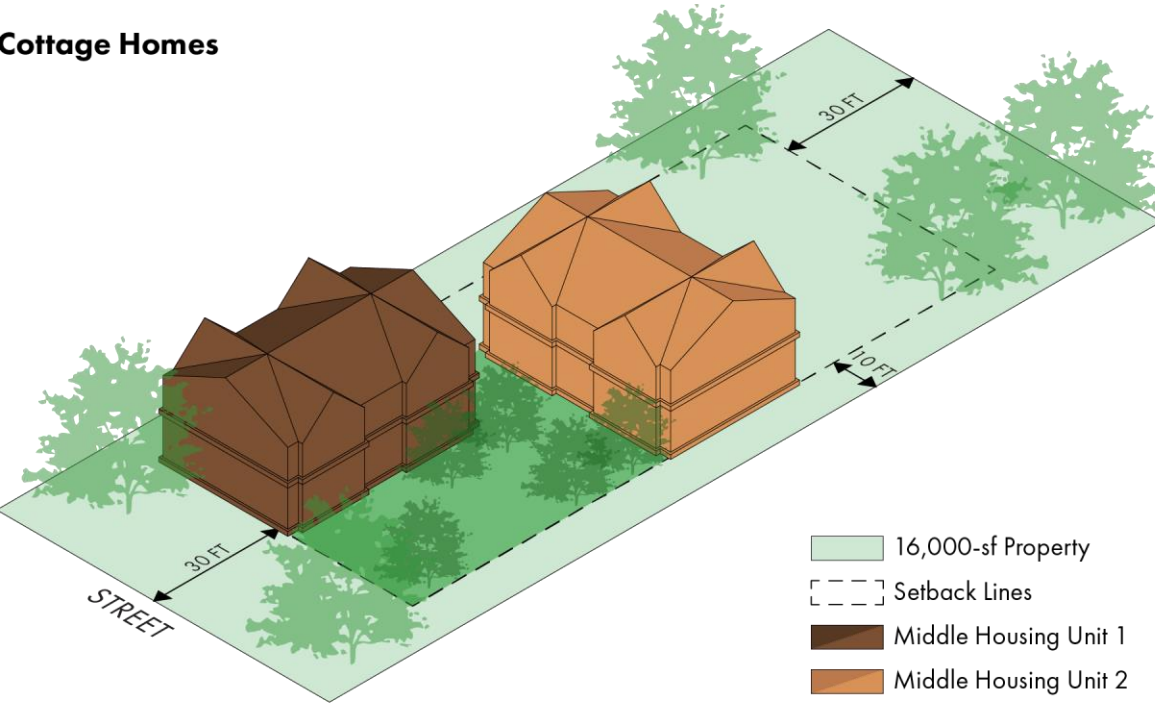
Stacked Flats



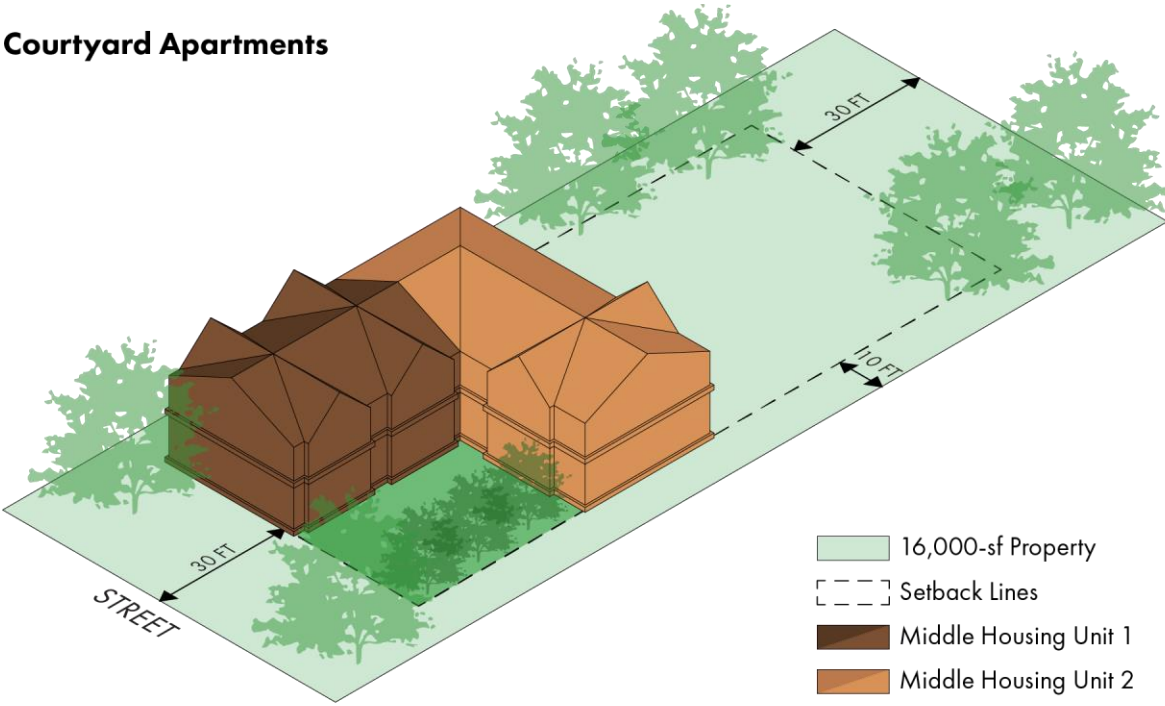
Middle Housing Graphics – Required Types

Example: 16,000-SF lot in R-16 zone (25% Maximum Structural Coverage)

Cottage Homes



Courtyard Apartments



Middle Housing Graphics – Existing Medina Neighborhood



Middle Housing Graphics – Proposed Medina Neighborhood

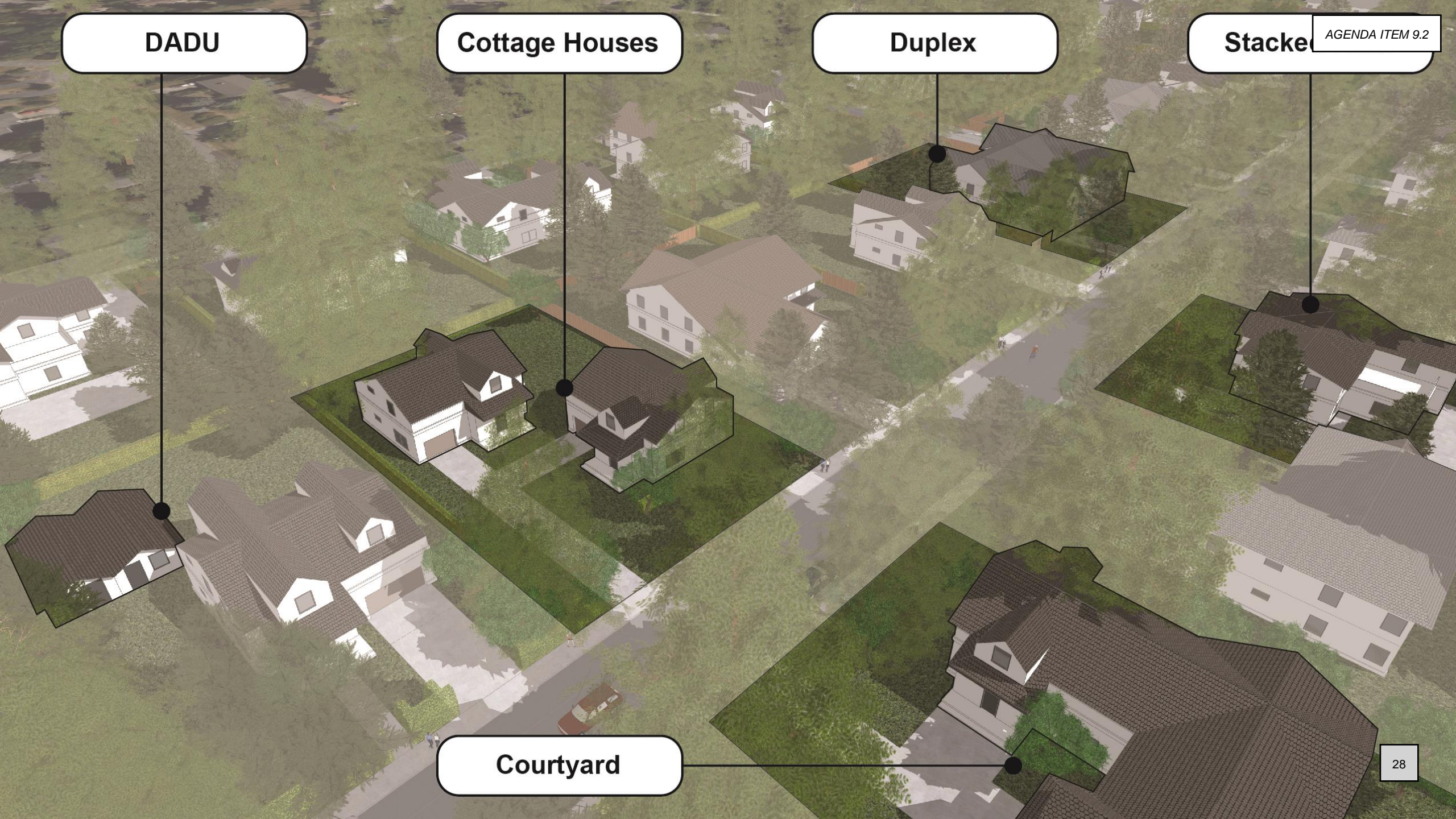


DADU

Cottage Houses

Duplex

Stacke



Courtyard

Existing Residential Street View



Middle Housing Duplex Street View



Middle Housing Stacked Flats Street View



Middle Housing Cottage House Street View



Middle Housing Courtyard Street View



Middle Housing Engagement Discussion

- Resolution 444 provides the framework for engaging Medina residents on middle housing with:
 - Goals;
 - Objectives;
 - Activities; and
 - Protocols.
- We are seeking planning commission’s guidance on process specifics of enacting Resolution 444
- Wide range of options for community engagement included within Public Engagement Plan Memo



Meeting Schedule

- Planning Commission
- City Council
- Special Joint PC and City Council Meeting
- DSC
- POSSIBLE* Community Forum dates
- Draft Due to Commerce

| October | | | | | | |
|---------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 15 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

| November | | | | | | |
|----------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| December | | | | | | |
|----------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
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| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

| January 2025* | | | | | | |
|---------------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

*First January PC Meeting TBD

Next Steps

- Finalize draft code updates per City staff, DSC, Planning Commission and City Council feedback comments
- Plan for community engagement
 - Select dates
 - Review engagement materials at next City Council meeting

TODAY 11/25
City Council Meeting

1/31
Draft to Commerce

Community Engagement (informational materials, community forums, etc.)

Editing and Tailoring Draft Code Update

Thank you.



SCJ ALLIANCE
CONSULTING SERVICES



CITY OF MEDINA

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

MEDINA MIDDLE HOUSING

Meeting Schedule

| | |
|--------------------|------------------------------------|
| Monday, Oct 14: | City Council |
| Monday, Oct 28: | City Council |
| Wednesday, Nov 6: | Planning Commission |
| Tuesday, Nov. 12: | City Council |
| Monday, Nov 18: | Planning Commission |
| Wednesday, Nov 20: | DCS |
| Monday, Nov 25: | City Council |
| Thursday, Dec 5: | Planning Commission |
| Monday, Dec 9: | City Council |
| Tuesday, Dec 10: | DSC |
| Wednesday, Dec 18: | Planning Commission |
| Tuesday, Jan 7: | POSSIBLE DATE for Community Forum |
| Wednesday, Jan 8: | Special JOINT Council / PC Meeting |
| Thursday, Jan 9: | POSSIBLE DATE for Community Forum |
| Monday, Jan 13: | City Council |
| Tuesday, Jan 14: | POSSIBLE DATE for Community Forum |
| January TBD | Planning Commission |
| Monday, Jan 27: | City Council |
| Tuesday, Jan 28: | Planning Commission |

GAP ANALYSIS | City of Medina - Middle Housing Development Regulations

City of Medina - Middle Housing Development Regulations

Prepared by SCJ Alliance

Title 16 - Unified Development Code

| Code Section | Title | Changes needed? | Recommendations | Notes | Status |
|---|----------------------|-----------------|--|--|--|
| Subtitle 16.0 - Introduction to the Unified Development Code | | | | | |
| All Sections | | No | | | |
| Subtitle 16.1 - Administration of Unified Development Code | | | | | |
| Chapter 16.10 - Administration - General Provisions | | | | | |
| 16.10.020 | Minimum requirements | Yes | Remove use of "single-family" | With middle housing legislation, removing the use of "single-family" in (B)(2) would be a required change. | Term removed since last discussion on 11/6. |
| Chapter 16.12 - Definitions | | | | | |
| 16.12.020 | "A" definitions | Yes | Add required "A" definitions from E2SHB 1110. | Added required definition for "administrative design review". Also amended definition of "accessory building" since last review (11/6). | Definitions added. Amended since last discussion on 11/6. |
| 16.12.040 | "C" definitions | Yes | Add all required "C" definitions from E2SHB 1110. Recommend adding "condominium" consistent with state law. | Removed definition of "cottage". Added required definitions for "cottage housing" and "courtyard apartments". Recommend adding "condominium" definition. Performance standards need to be added for cottage housing. | New definition added since last discussion on 11/6. |
| 16.12.050 | "D" definitions | Yes | "Duplex" is undefined in state legislation. The City has the ability to adopt its own definition. | Current definition is from Commerce guidance documents. | Further discussion warranted by the City. |
| 16.12.140 | "M" definitions | Yes | Add all required "M" definitions from E2SHB 1110 and ESHB 2321 | Added definitions for "Major transit stop" and "Middle Housing", Added definition for "single family zones", "stacked flats". Also amended definition of single-family dwelling. | Definitions added |
| 16.12.200 | "S" definitions | Yes | Add all required "S" definitions from E2SHB 1110 | | Definitions added |
| 16.12.210 | "T" definitions | Possibly | Add required "T" definition from E2SHB 1110, recommended addition of "Tier 3 city" from State Model Ordinance section 3. | Added definition of "Townhouse". Also added recommended definition of "Tier 3 City" from commerce guidance materials. | Definitions added. Further discussion warranted regarding applicability. No amendments since 11/6. Discussed w/PC 11/18. |

| | | | | | |
|---|---------------------------------|-------------|---|--|--|
| 16.12.220 | "U" definitions | Recommended | Recommend addition of "unit density" definition from State Model Ordinance section 3. State legislation has left this term undefined for cities to determine. Recommended definition of "unit" added per City Council discussion. | "Unit density" term is left for the City to define what this means and what is included. | Definition included for "unit" and "unit density". Further review warranted. New definition added since 11/6. |
| Chapter 16.14 - Development Permit Fees | | | | | |
| All Sections | | | | | |
| Chapter 16.16 - Enforcement | | | | | |
| All Sections | | | | | |
| Subtitle 16.2 - Land Use | | | | | |
| Chapter 16.20 - Establishment of Zoning | | | | | |
| 16.20.010 | Comprehensive plan and zoning | Yes | See required elements in State Model Ordinance Section 4, 5, 6 and RCW 36.70A.635(1)(c). | Recommend revising terminology to remove word "single family" and refer to "Residential" only for Land Use Designations. | "Single-family" term removed. Addition of four middle housing types added, but warrants further review. Inserted placeholder for MF-Low designation 11/18. |
| 16.20.020 | Adoption of official zoning map | Recommended | See RCW 36.70A.635(1)(c). | New zone could be considered, but recommend removing term "single family" from zonig district names. Zoning map will need to be updated. | "Single-family" term removed. Inserted placeholder for MF-Low Zoning. |
| Chapter 16.21 - Use and Occupancy Development Regulations | | | | | |
| 16.21.030 | Use table | Yes | See required elements of State Model Ordinance Section 4 and language in RCW 36.70A.635. | Recommend added the 4 housing types to the use chart | 4 middle housing types have been added to use chart. Further discussion warranted. Also added short term rental to the chart. |
| 16.21.060 | Maximum dwelling units on a lot | Yes | See required elements of State Model Ordinance Section 5 and RCW 36.70A.635(5). | | Revisions made pursuant to RCW 36.70A.635(5). Further discussion warranted. Amended since 11/6 for clarity consistent with updated Commerce guidance. |
| Chapter 16.22 - Lot Development Standards | | | | | |
| 16.22.020 | Lot Development Standards | Possibly | | Future consideration of MF-Low zoning designation. | Added a placeholder for MF-Low |
| Chapter 16.23 - Bulk Development Standards | | | | | |
| All Sections | | | | | |
| Subtitle 16.3 - Special Development Standards | | | | | |
| Chapter 16.30 - City-wide uses | | | | | |
| 16.30.010 | Fences, walls, and gates | Yes | | Identified need to update fence height | Placeholder for futue work on fence height. |

| | | | | | |
|--|---|----------------|--|---|---|
| 16.30.060 | Residential off-street parking | Yes | See required elements of State Model Ordinance Section 9 and RCW 36.70A.635(6) | Provisions for off-street parking for middle housing added | Complete. Changes are requirements under RCW 36.70A.635(6) |
| 16.30.090, 100 and 110 | Cottage Housing, Townhouses, MF Housing | Yes, in future | Identifcation of work to follow middle housing updates | Incorporated placeholders for future work on Cottage housing, Townhouses and Multi-Family housing, etc. | Placeholder added for each category. |
| Chapter 16.31 - Limited Uses | | | | | |
| All sections | | No | | | |
| Chapter 16.32 - Speical Uses | | | | | |
| All Sections | | No | | | |
| Chapter 16.33 - Historical Uses | | | | | |
| All Sections | | No | | | |
| Chapter 16.34 - Accessory Uses | | | | | |
| 16.34.010 | General Provisions | No | | | |
| 16.34.020 | Accessory dwelling units | Yes | See required elements of State Model Ordinance Section 4, 5 (and EHB 1337 compliance). Amended subsections A, C, D.5, and D.6 consistent with updated guidance and PC discussions. | | Amended since 11/6 with updated guidance and PC discussions. Revised parking reqs for compliance with new legislation EHB 1337. Further discussion warranted. |
| Chapter 16.35 - Temporary Uses | | | | | |
| All Sections | | No | | | |
| Chapter 16.36 - Noncomformity | | | | | |
| All Sections | | No | | | |
| Chapter 16.37 - Wireless Communication Facilities | | | | | |
| All sections | | No | | | |
| Chapter 16.38 - Small Wireless Facilities | | | | | |
| All Sections | | No | | | |
| Chapter 16.39 - Parking | | | | | |
| All sections | | No | | | |

City of Medina Middle Housing Code Amendment

Title 16 - UNIFIED DEVELOPMENT CODE

CHAPTER 16.0-16.3

Prepared by SCJ Alliance

Subtitle 16.00. INTRODUCTION TO THE UNIFIED DEVELOPMENT CODE

16.00.010. Title. *(no changes needed)*

16.00.020. Statement of purpose.

- A. The UDC is a comprehensive set of regulations that governs the physical development of all land and water within the City of Medina, except where state-owned properties are exempt under state law, for the purpose of orderly development within the community. The UDC consolidates the city's zoning, platting, environmental, construction and other development regulations into a one-book source with the goal of providing consistency between different regulations, and making the ability to find information related to development easier.
- B. The primary purpose of the regulations under this title is to:
1. Encourage and guide development consistent with the goals, policies and intent of the Medina comprehensive plan;
 2. Protect the community's ~~single-family~~ residential nature and the natural aesthetic quality of the community;
 3. Address both natural and manmade environmental considerations as part of the project permitting processes;
 4. Protect the public's health, safety and welfare as a whole and not create a duty of protecting any person or class of persons; and
 5. Provide appropriate procedures for enforcement of the regulations of this title.

(Ord. No. 997 , § 1, 4-26-2021; Code 1988 § 20.00.020; Ord. No. 900 § 4 (Att. A), 2013)

SUBTITLE 16.1. ADMINISTRATION OF UNIFIED DEVELOPMENT CODE

CHAPTER 16.10. ADMINISTRATION—GENERAL PROVISIONS

16.10.010. Compliance. *(no changes needed)*

16.10.020. Minimum requirements.

The regulations set forth in this title shall constitute the minimum requirements necessary to promote the public health, safety, morals, and general welfare.

(Code 1988 § 20.10.020; Ord. No. 900 § 4 (Att. A), 2013)

16.10.030. Conflicts. *(no changes needed)*

16.10.040. Administrative authority. *(no changes needed)*

16.10.050. Interpretations. *(no changes needed)*

16.10.060. Compliance with other laws. *(no changes needed)*

16.10.070. City liability. *(no changes needed)*

16.10.080. Responsibility for compliance. *(no changes needed)*

16.10.090. Severability. *(no changes needed)*

CHAPTER 16.12. DEFINITIONS

16.12.010. General provisions. *(no changes needed)*

16.12.020. "A" definitions.

Abandoned means the knowing relinquishment of right or claim to the subject property or structure on that property.

Abandoned sign means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Access means a way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory means a use, activity, structure or part of a structure which is subordinate and incidental to the main activity or structure on the subject property.

Accessory building means a detached building, the use of which is incidental or secondary to that of the main building. [If an accessory building contains bathroom facilities, a sink, food storage, and food preparation facilities it shall be considered an accessory dwelling unit.](#)

Accessory dwelling unit means a dwelling unit subordinate to a single-family dwelling unit which is:

1. Located within the single-family dwelling unit; or
2. Located within an accessory building on the lot with a principal single-family dwelling.

[An accessory dwelling unit that exceeds the size limitations set forth in MMC 16.34.020, is defined as a cottage, if detached, or as a duplex unit if attached to another dwelling unit.](#)

Adjoining means property that touches or is directly across a street or private lane from the subject property.

[Administrative Design Review means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public predecision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.](#)

Adult family home means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the city from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, 42 U.S.C. 3604(f)(3)(b).

Agriculture means the use of land for agricultural purposes including any one or more of farming, apiculture, horticulture, floriculture, and viticulture. "Agriculture" may not include using, keeping, raising or farming of any animal, and may not include farming marijuana regardless of whether farmed for medicinal, recreational or research purposes.

Alter or alteration means:

Commented [ZT1]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

1. Any change, addition or modification in construction or occupancy.
2. When used with Chapter 16.50 MMC—any human-induced action which changes and/or impacts the existing conditions of a critical area or buffer. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, cutting of trees, clearing (vegetation), paving, construction, compaction, excavation, dumping, demolition, or any other activity that changes the character of the critical area.

Anadromous fish means fish that spawn and rear in fresh water and mature in the marine environment.

Ancillary facilities means the equipment required for operation of wireless communications, including, but not limited to, repeaters, radios, cabling, power meters, ventilation, generators, and other related equipment.

Ancillary use means a use essential for the proper and/or effective function of another use.

ANSI means the American National Standards Institute.

Antenna means an electrical conductor or group of electrical conductors that transmit or receive radio waves or microwaves.

Antenna, directional (or panel) means an antenna that receives and transmits signals in a directional pattern typically encompassing an arc of 120 degrees.

Antenna, omni-directional (or whip) means an antenna that receives and transmits signals in a 360-degree pattern, and which is four inches or less in diameter and 15 feet or less in height.

Antenna, parabolic (or dish) means a bowl-shaped device that receives and transmits signals in a specific directional pattern.

Antenna, tubular panel means an antenna which is 18 inches or less in diameter and less than eight feet in height, and which is capable of receiving or transmitting signals in a 360-degree pattern. This includes a configuration of multiple panel antennas located within a single shroud that gives the appearance of a single antenna.

Applicant means a person who applies for any permit or approval to do anything governed by this Code and who is the owner of the subject property, the authorized agent of the owner, or the city.

Arbor, bower, trellis means light, open, garden-type structures composed of vertical and/or horizontal elements without a room which may or may not attach to a building which is designed, established and installed as a part of the landscape of the property.

Arborist, city means a person 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.

Auditor, county means the person defined in Chapter 36.22 RCW or the office of the person assigned such duties under the King County Charter.

Automobile mechanical repair means general repair, rebuilding, or recondition of engines, motor vehicles, or trailers including incidental repairs and replacement of parts and motor services. This does not include painting and body work.

Automobile service station means a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, washing, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed; and where grease, anti-freeze, tires, spark-plugs and other automobile supplies may also be sold incidentally. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be allowed in conjunction therewith provided the gross floor area devoted to the sale of such sundry items and prepared foods does not exceed 160 square feet.

(Code 1988 § 20.12.020; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 948 § 2, 2017; Ord. No. 933 § 2, 2016; Ord. No. 924 § 4, 2015; Ord. No. 911 § 1, 2014; Ord. No. 909 § 5, 2014; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 996, § 2, 7-12-2021)

16.12.030. "B" definitions. *(no changes needed)*

16.12.040. "C" definitions.

Caliper, tree means synonym for trunk diameter used to measure the size of nursery trees. Caliper measurement of the trunk is taken six inches above the ground up to and including four-inch caliper size. If the caliper at six inches above the ground exceeds four inches, the caliper is measured at 12 inches above the ground.

Carport means a building or structure or part thereof which is not wholly enclosed and is used for the parking or storage of passenger vehicles.

Channel migration zone (CMZ) means the lateral extent of active stream channel movement over the past 100 years. Evidence of active movement over the 100-year time frame can be inferred from aerial photos or from specific channel and valley bottom characteristics. A time frame of 100 years was chosen because aerial photos, maps and field evidence can be used to evaluate movement in this time. A CMZ is not typically present if the valley width is generally less than two bank full widths, is confined by terraces, no current or historical aerial photographic evidence exists of significant channel movement, and there is no field evidence of secondary channels with recent scour from stream flow or

progressive bank erosion at meander bends. Areas separated from the active channel by legally existing artificial channel constraints that limit bank erosion and channel avulsion without hydraulic connections shall not be considered within the CMZ.

City means City of Medina.

Clearing means cutting, grubbing or removing vegetation or other organic plant material by physical, mechanical, chemical or any other similar means. For the purpose of this definition of clearing, "cutting" means the severing of the main trunk or stem of woody vegetation at any point.

Closed-record appeal means an administrative appeal on the record on a project permit application following an open-record hearing with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Clubhouse means a building used by a club, being an association of persons with a common interest meeting periodically for shared activity.

Co-location means the use of a single support structure and/or site by more than one telecommunication carrier of wireless communication.

Commercial means the use of land, building or structure relating to the buying and selling of goods and services.

Compatible means a building, structure, activity or use that blends with, conforms to, or is harmonious with the surrounding ecological, physical, visual or cultural environment.

Compensatory mitigation means replacing project-induced critical area losses or impacts, and includes, but is not limited to, the following:

1. *Restoration.* Actions performed to reestablish critical area functional characteristics and processes that have been lost by alterations, activities, or catastrophic events within an area that no longer meets the definition of a critical area.
2. *Creation.* Actions performed to intentionally establish a critical area at a site where it did not formerly exist.
3. *Enhancement.* Actions performed to improve the condition of existing degraded critical areas so that the functions they provide are of a higher quality.

Comprehensive plan means the adopted Medina comprehensive plan, listing the goals and policies regarding land use within the city.

Conditional use, special use means a use permitted in a particular zone only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified and authorized by law.

Condominium means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.

Commented [JR2]: Definition from RCW 64.34.020(10).

Coniferous trees means those trees that are called evergreen, have needles or scales for leaves, and bear seeds in protective cones. This includes conifer trees that lose their needles in the fall.

Contour line means the interconnection of points having the same height above sea level.

Cost of construction (including maintenance and repairs) means the true value in the open market of all work required to accomplish the proposed construction, as defined by the International Building Code for the purpose of computing building permit fees. The true value shall include reasonable true market values for the materials and labor and include normal contractor profit and overhead and design fees, but exclude Washington State and local sales taxes and permit fees.

~~*Cottage* means a detached single-family dwelling unit used as a secondary dwelling on a property.~~

Cottage housing means residential units on a lot with a common open space that either: (a) is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

Commented [JR3]: Need to adopt performance standards for cottage housing. Working draft should have max gross SF size of 1,200 SF per PC direction on 11/18

Court means a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls or buildings.

Commented [ZT4]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

Court of competent jurisdiction means the judicial body empowered to adjudicate the question under consideration.

Courtyard apartments means attached dwelling units arranged on two or three sides of a yard or court.

Commented [ZT5]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

Critical areas means critical areas as defined in RCW 36.70A.030 and amendments thereto, and this title.

(Code 1988 § 20.12.040; Ord. No. 975 § 2, 2019; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 924 § 6, 2015; Ord. No. 909 § 6, 2014; Ord. No. 900 § 4 (Att. A), 2013)

16.12.050. "D" definitions.

Day means calendar days.

Deciduous trees means perennial trees that lose all of their leaves at one time of the year.

Deck means a structure attached to a wall of a building designated, established, and/or installed to provide for entrance or exit, outdoor living, cooking, and/or recreation, some sides of which are open and which may or may not have a permanent overhead covering. (See definitions for "porch" and "veranda.")

Dedication means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

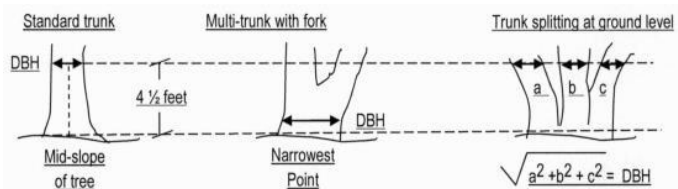
Development means a change in the use of any land, building, or structure for any purpose, and shall include the carrying out of any building, engineering construction or other operation in, on, over or under land, or the construction, addition or alteration of any building or structure.

Development permits means all permits and associated approvals administered by the city associated with development.

Development regulations means the controls placed on development or land use activities including but not limited to building codes, zoning, critical areas, shoreline master programs, official controls, and subdivisions, together with any amendments thereto.

Diameter breast height or DBH means the diameter measurement in inches of the outside bark of a tree trunk, measured at 4½ feet above the surrounding existing ground surface. The vertical measurement is taken at the mid-slope of the surrounding ground surface. The DBH for multi-trunk trees forking below the 4½-foot mark is determined by measuring the diameter of the tree trunk at the narrowest part of the main stem below the tree fork. The DBH for multi-trunk trees splitting at ground level is determined by taking the square root of the sum of all squared stem caliper. See Figures below.

Figures Measuring DBH



Diameter of replacement tree means the replacement tree diameter using caliper as the measurement. Multi-trunk trees shall be measured by taking one-half the caliper of up to the three largest trunks and summing them.

Director means the city manager or designee appointed by the city manager to administer this title or parts of this title.

Dispersion means a type of low impact development best management practice designed to release surface and stormwater runoff such that the flow spreads over a wide area and is located so as not to allow flow to concentrate anywhere upstream of a drainage channel with erodible underlying granular soils.

Division of land means any segregation of land that creates lots, tracts, parcels, or sites not otherwise exempted by this title that alters or affects the shape, size or legal description of any part of the owner's land.

Domesticated animal or pet has the meaning and status assigned in MMC 6.04.005.

Drainage facility means the system of collecting, conveying and storing surface and storm runoff. Drainage facilities shall include but not be limited to all surface and stormwater runoff conveyance and containment facilities including streams, pipelines, channels, ditches, infiltration facilities, retention/detention facilities, and other drainage structures and appurtenances.

Driveway means an area of the subject property designed to provide vehicular access to a parking area or structure contained on the subject property.

Driveway apron means that portion of a driveway connecting to a public roadway or to a private lane. The driveway apron provides a transition between the street, driveway, and sidewalk (if present).

Duplex means a residential building with two attached dwelling units.

Dwelling means a building used or intended for residential occupancy.

Dwelling unit means one or more rooms or structures providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, cooking and sanitation.

(Code 1988 § 20.12.050; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 924 § 7, 2015; Ord. No. 923 § 1, 2015; Ord. No. 909 § 7, 2014; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 996 , § 3, 7-12-2021)

16.12.060. "E" definitions. (no changes needed)

16.12.070. "F" definitions. (no changes needed)

16.12.080. "G" definitions. (no changes needed)

16.12.090. "H" definitions. (no changes needed)

16.12.100. "I" definitions. (no changes needed)

16.12.110. "J" definitions. (no changes needed)

16.12.130. "L" definitions. (no changes needed)

16.12.140. "M" definitions.

Major transit stop means:

(A) a stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(B) commuter rail stops;

(C) stops on rail or fixed guideway systems;

(A)(D) stops on bus rapid transit routes, including those stops that are under construction.

Manufactured home means a single-family dwelling required to be built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.).

Marijuana use includes the following:

1. *Marijuana cooperative* means the same as described in RCW 69.51A.250 and amendments thereto;
2. *Marijuana processor* means a person or entity who processes marijuana into usable marijuana and marijuana-infused products, packages and labels usable marijuana and marijuana-infused products for sale in retail outlets, and sells usable marijuana and marijuana-infused products at wholesale to marijuana retailers;
3. *Marijuana producer* means a person or entity who produces and sells marijuana at wholesale to marijuana processors and other marijuana producers;

Commented [ZT6]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

4. *Marijuana retailer* means a person or entity who sells usable marijuana and marijuana-infused products in a retail outlet;

5. *Marijuana researcher* means a person or entity licensed to produce, process, and possess marijuana for limited research purposes pursuant to RCW 69.50.372.

The terms in RCW 69.50.101, and amendments thereto, shall be used to interpret further the meaning of marijuana use.

Mechanical equipment means any machine or system containing moving parts such as motors, valves, relay switches, compressors, fans or similar components, including but not limited to those used to circulate and/or condition air, water, refrigerant, effluent or products of combustion.

Medina tree fund means a fund established by the city for the financial mitigation for tree removal consistent with [Chapter 16.52 MMC](#). The fund is to be used to plant trees on public lands as deemed appropriate by the city manager or designee. In addition, the fund may be used to maintain public trees, develop a community tree management plan, and to pay costs related to the city arborist or other consultants to carry out the purposes of the Medina tree code ([Chapter 16.52 MMC](#)).

Middle Housing means buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

Mitigation means avoiding, minimizing or compensating for adverse critical areas impacts. Mitigation, in the following order of preference, is:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;
3. Rectifying the impact to wetlands and habitat conservation areas by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project;
4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;
5. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;
6. Compensating for the impact to wetlands and habitat conservation areas by replacing, enhancing, or providing substitute resources or environments; and
7. Monitoring the hazard or other required mitigation and taking remedial action when necessary.

Mitigation for individual actions may include a combination of the above measures.

MMC means Medina Municipal Code as adopted pursuant to [Chapter 1.01 MMC](#).

Monopole means a single upright pole, engineered to be self-supporting that does not require lateral cross supports and is sunk into the ground and/or attached to a foundation.

(Code 1988 § 20.12.140; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 933 § 3, 2016; Ord. No. 924 § 15, 2015; Ord. No. 923 § 5, 2015; Ord. No. 911 § 2, 2014; Ord. No. 909 § 11, 2014; Ord. No. 900 § 4 (Att. A), 2013)

Commented [ZT7]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

16.12.150. "N" definitions. *(no changes needed)*

16.12.160. "O" definitions. *(no changes needed)*

16.12.170. "P" definitions. *(no changes needed)*

16.12.180. "Q" definitions. *(no changes needed)*

16.12.190. "R" definitions. *(no changes needed)*

16.12.200. "S" definitions. *(no changes needed)*

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 this 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.

[Short term rental means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights.](#)

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.

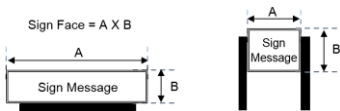
Sign, banner means a sign made of lightweight fabric or similar material that is temporarily mounted to a pole or building by one or more edge. National, state or municipal flags, or the official flag of any institution, shall not be considered banners.

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.

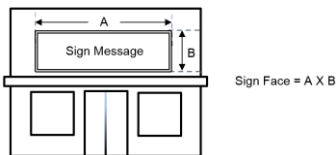
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

Figure 1



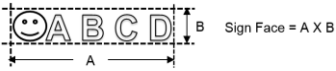
2. In the case of signs displayed on or mounted to buildings or fences, the sign face shall include the area of the entire panel, cabinet or face substrate upon which the sign message is displayed including framed, painted or illuminated borders that contrast the sign from the background of the building 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 columns, 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 [and/or not meeting the definition of an accessory dwelling unit](#).

[Single-family zones means those zones where single-family detached residences are the predominant land use.](#)

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.

Commented [ZT8]: Required, pursuant to the middle housing legislation which amended RCW [36.70A.030](#) - Definitions

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.

Stacked flat means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

Commented [ZT9]: Required, pursuant to the middle housing legislation which amended RCW 36.70A.030 - Definitions

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.

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.

(Code 1988 § 20.12.200; Ord. No. 975 § 3, 2019; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 955 § 3, 2018; Ord. No. 948 § 3, 2017; Ord. No. 924 § 21, 2015; Ord. No. 923 § 6, 2015; Ord. No. 916 § 3, 2015; Ord. No. 909 § 14, 2014; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 1017 , § 6, 2022)

16.12.210. "T" definitions.

Target, when used for assessing hazard trees, means people, property or activities that could be injured, damaged, or disrupted by a tree.

Target, likelihood of impact means the chance of a target being impacted by a failed part of a tree. The likelihood of impacting a target can be categorized as follows:

1. *Very low*. The chance of the failed tree or branch impacting the specific target is remote;
2. *Low*. It is not likely that the failed tree or branch will impact the target;
3. *Medium*. The failed tree or branch may or may not impact the target, with nearly equal likelihood; or
4. *High*. The failed tree or branch will most likely impact the target.

In evaluating the likelihood of impacting a target, the occupancy rate of the target and any factors that could affect the failed tree as it falls towards the target shall be used in determining the likelihood of impact.

Temporary public facility means a land use and/or facilities owned, operated, and maintained temporarily by a city government agency, a public or nonprofit school, or religious organization.

Terrace means a level platform or shelf of earth supported on one or more faces by a wall, bank of turf, stable inclined grades, or the like.

Tier 3 city means a city with a population of less than 25,000 that is within a contiguous urban growth area with the largest city in a country with a population of more than 275,000, based on 2020 Office of Financial Management population estimates. The City of Medina is classified as a Tier 3 city.

Commented [KP10]: This definition is optional.

Title report means the written analysis of the status of title to real property, including a property description, names of titleholders and how title is held (joint tenancy, etc.), encumbrances (mortgages, liens, deeds of trusts, recorded judgments), and real property taxes due.

Townhouses means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

Commented [KP11]: Inclusion of this definition warrants further discussion.

Tract means an extended area of land reserved exclusively for a special use such as open space, surface water retention, utilities, or access. Tracts reserved for a special use are not considered building sites.

Transitional housing means one or more dwelling units owned, operated, or managed by a nonprofit organization or governmental entity in which supportive services are provided to individuals and families that were formerly homeless, with the intent to stabilize them and move them to permanent housing within a period of not more than 24 months, or longer if the program is limited to tenants within a specified age range or the program is intended for tenants in need of time to complete and transition from educational or training or service programs.

Treasurer, county means the person defined in Chapter 36.40 RCW, or the office of the person assigned such duties under the King County Charter.

Treatment best management practice means a facility designed to remove pollutants contained in stormwater. Some methods of pollutant removal include sedimentation/settling, filtration, plant uptake, and bacterial decomposition. Treatment BMPs include, but are not limited to: vegetated filter strips, oil and water separators, biofiltration swales, and linear sand filters. Further information can be found in the stormwater manual adopted under MMC 13.06.020.

Tree means a self-supporting woody perennial plant, excluding a bush or shrub.

Tree, dead means a tree that is no longer alive, has been removed beyond repair, or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs or branches exists to sustain life) and has been determined to be in such a state by a certified arborist during a nondormant or other natural stage of the tree that would minimize the likelihood that the tree would be mistakenly identified as being in such a dead state.

Tree, hedge means a row of smaller trees planted close together and growing in a dense continuous line 20 feet in length or longer that form a thicket barrier.

Tree protection zone means area identified by the director in which no soil disturbances are permitted and activities are restricted.

Tree, right-of-way means a tree with at least two-thirds of its trunk diameter on public right-of-way.

Tree risk means the combination of the likelihood of an event and the severity of the potential consequences. In the context of trees, risk is the likelihood of a conflict or tree failure occurring and affecting a target and the severity of the associated consequences: personal injury, property damage, or disruption of activities. Risk is evaluated by categorizing or quantifying both the likelihood (probability) of occurrence and the severity of the consequences.

Tree species means group of trees that resemble each other closely and interbreed freely.

Tree topping means an inappropriate technique to reduce tree size that cuts through a stem more than two years old at an indiscriminate location.

Truck gardening means the same as "market gardens," which is the small-scale production of fruits, vegetables and flowers, frequently sold directly to consumers.

(Code 1988 § 20.12.210; Ord. No. 1008 , § 3, 3-14-2022; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 923 § 7, 2015; Ord. No. 909 § 15, 2014; Ord. No. 900 § 4 (Att. A), 2013)

16.12.220. "U" definitions.

UDC means Unified Development Code as set forth in this title.

Uncovered means, when used in conjunction with a structure such as decks, stairs, patios, etc., open above and without cover.

Unit means a dwelling unit of any type.

Unit density means the number of dwelling units allowed on a lot, regardless of lot size.

Commented [KP12]: Recommended definition, but City may define.

Use means any activity, occupation, business or operation carried out, or intended to be carried on, in a building or other structure or on a parcel of land.

Use, accessory. See definition of "accessory."

Use, principal means the main or primary purpose for which a building, other structure and/or lot is designed, arranged, or intended, or for which may be used, occupied or maintained under the Medina Municipal Code.

Utility support structure means poles that support street lights, and poles used to support electrical, telephone, cable or other similar facilities. These poles are typically constructed of wood, steel, concrete and composite materials.

(Code 1988 § 20.12.220; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 900 § 4 (Att. A), 2013)

16.12.230. "V" definitions. *(no changes needed)*

16.12.240. "W" definitions. *(no changes needed)*

16.12.270. "Z" definitions. *(no changes needed)*

CHAPTER 16.14. DEVELOPMENT PERMIT FEES

(no changes needed)

CHAPTER 16.16. ENFORCEMENT

(no changes needed)

SUBTITLE 16.2. LAND USE

CHAPTER 16.20. ESTABLISHMENT OF ZONING

16.20.010. Comprehensive plan and zoning.

- A. The comprehensive plan establishes a community vision for a high-quality ~~single-family~~ residential setting and the coordinating goals and policies that support this vision. Development regulations implement the comprehensive plan by specifying how and for what purpose each parcel of land may be used.

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- B. Table 16.20.010 prescribes the relationship between the comprehensive plan and zoning designations by identifying the comprehensive plan land use designation and the corresponding implementing zoning designations.

Table 16.20.010: Comprehensive Plan and Zoning

| Comprehensive Plan Land Use Designation | Implementing Zone Designations |
|--|---|
| Single-family residential Residential, including single-family, duplexes, stacked flats, courtyard apartments, and cottage housing. | Single-family residence Residential —R16 |
| | Single-family residence Residential —R20 |
| | Single-family residence Residential —R30 |
| | Suburban gardening residential—SR30 |
| Multi-family residential (low rise apartments, townhomes, and three or more cottages | Residential-MF Low |
| Local business | Single-family residence Residential —R16 |
| | Suburban gardening residential—SR30 |
| | Neighborhood auto servicing |
| Public facility | Single-family residence Residential —R16 |
| | Parks and public places |
| School/institution | Parks and public places |
| Utility | All |
| Park | All |
| Open space | All |

Commented [ZT13]: The Department of Commerce says these types are “allowed by-right” since they can be “reasonably built” in two unit per lot configurations.

Commented [JR14]: Placeholder for future work

(Code 1988 § 20.20.010; Ord. No. 900 § 4 (Att. A), 2013)

16.20.020. Adoption of official zoning map.

- A. The zoning map adopted by Ordinance No. 907, and amendments thereto, shall serve as the City of Medina official zoning map. Said map and all notations, references, data and other information shown on the official zoning map are adopted and made part of the UDC.
- B. The city is divided into the following zoning districts with the map symbols shown in parentheses, and which are shown on the official zoning map:
1. ~~Single-family residence Residential~~ R16 (R-16);
 2. ~~Single-family residence-Residential~~ R20 (R-20);
 3. ~~Single-family residence-Residential~~ R30 (R-30);
 4. Suburban gardening residential SR30 (SR-30);
 5. ~~Multi-family residential (MF-Low):~~
 56. Neighborhood auto servicing (N-A); and
 76. Park and public places (Public).
- C. The following special zoning map overlays with the map symbols shown in parentheses are established and shown on the official zoning map:
1. Neighborhood character preservation district—Medina Heights (Medina Heights); and
 2. Planned land use development (PLUD).
- D. In addition to the zoning districts and special zoning map overlays, a primary state highway designation shall apply to the SR 520 right-of-way and be shown on the official zoning map (state ROW).

Commented [JR15]: Placeholder for future work

(Code 1988 § 20.20.020; Ord. No. 907 § 3, 2014; Ord. No. 900 § 4 (Att. A), 2013)

16.20.030. Zoning map interpretations. *(no changes needed)***CHAPTER 16.21. USE AND OCCUPANCY DEVELOPMENT REGULATIONS****16.21.010. Purpose.** *(no changes needed)*

16.21.020. Permitted uses, prohibited uses. *(no changes needed)*

Uses listed in Table 16.21.030 are subject to the following:

- A. Uses listed with a "P" are permitted outright, subject to applicable development regulations;
- B. Uses listed with an "L" are limited uses and are permitted subject to the applicable regulations in Chapter 16.31 MMC and other applicable development regulations;
- C. Uses listed with an "A" are administrative uses and are permitted subject to an administrative special use permit or administrative conditional use permit and applicable development regulations;
- D. Uses listed with a "SU" are special uses and are permitted subject to a nonadministrative special use permit and applicable development regulations;
- E. Uses listed with a "CU" are conditional uses and are permitted subject to a nonadministrative conditional use permit and applicable development regulations;
- F. Uses listed with an "H" are historical uses and are permitted subject to a historical use permit and applicable development regulations;
- G. Uses listed in the table, but shown as blank in the column under a specific zone, are prohibited in that zone;
- H. Uses not listed in the table are prohibited, except as may be allowed by MMC 16.21.040 or 16.21.050;
- I. Review procedures for deciding project permit applications are found in Chapters 16.70 through 16.72 MMC.

(Code 1988 § 20.21.020; Ord. No. 900 § 4 (Att. A), 2013)

16.21.030. Use table.

Table 16.21.030 establishes those uses which are permitted, those uses subject to specific development standards, and those uses requiring special approval and that are prohibited within each zoning district.

Table 16.21.030: Land Use Table

| Uses | R-16 Zone | R-20 Zone | R-30 Zone | SR-30 Zone | NA Zone | Public Zone |
|---|-----------|-----------|-----------|------------|---------|-------------|
| Residential Uses | | | | | | |
| Accessory dwelling units | P | P | P | P | P | P |
| Accessory recreational facilities | A | A | A | A | A | A |
| Accessory recreational facilities—Minor | L | L | L | L | L | L |
| Accessory uses—On-site | P | P | P | P | P | P |
| Accessory uses—Off-site | L | L | L | L | L | L |
| Adult family home | L | L | L | L | L | L |
| Detached, single-family dwelling | P | P | P | P | P | P |
| Family day care home | L | L | L | L | L | L |
| Manufactured home | L | L | L | L | L | L |
| Low rise apartments | = | = | = | = | = | = |
| Duplex | P | P | P | P | P | P |
| Stacked flats | P | P | P | P | P | P |
| Cottage housing | P | P | P | P | P | P |
| Courtyard apartments | P | P | P | P | P | P |
| Permanent supportive housing | L | L | L | L | L | L |
| Transitional housing | L | L | L | L | L | L |
| Short term rental | = | = | = | = | = | = |
| Townhouses | = | = | = | = | = | = |

Commented [KP16]: Four possible middle housing types added. See RCW 36.70A.635.

Commented [KP17R16]: The selected middle housing types will be inserted in alphabetical order prior to final ordinance drafting.

Commented [KP18R16]: Technically, “stacked flats”, “cottage housing”, and “courtyard apartments” could be included within the definition of “duplex”. Warrants further discussion.

| Nonresidential Uses | | | | | | |
|---|----|----|----|----|----|----|
| Automobile service station | | | | | L | |
| Automobile mechanical repair | | | | | L | |
| Commercial horticulture/truck gardening/agriculture, excluding the raising of animals | | | | L | | |
| Clubhouse—Public/private | | SU | | | | SU |
| Golf course | | SU | | | | SU |
| Historical use | H | | | | H | |
| Home business | L | L | L | L | P | P |
| Public and Institutional Uses | | | | | | |
| City government facilities | | | | | | CU |
| Post office | | | | | | SU |
| Public safety | | | | | | CU |
| Public park | P | P | P | P | P | P |
| Electrical power and utility substation | SU | SU | SU | SU | SU | SU |
| Accessory recreational facilities—Public | P | P | P | P | P | P |
| Religious facility | SU | SU | SU | SU | SU | SU |
| School—Public/private (preschool to grade 12) | | | | | | SU |
| Temporary city government facilities | L | L | L | L | P | P |

| | | | | | | |
|---|----|----|--|----|----|----|
| Wireless communication facilities | SU | SU | | SU | SU | SU |
| Shoreline Uses | | | | | | |
| See Chapter 16.62 MMC for a list of uses within the shoreline jurisdiction. | | | | | | |
| *See MMC 16.21.020 for explanation of "P," "L," "A," "SU," "CU," and "H." | | | | | | |
| For limitations on development of Middle Housing, see MMC 16.21.060.B | | | | | | |

(Code 1988 § 20.21.030; Ord. No. 1008 , § 4, 3-14-2022; Ord. No. 960 § 2, 2018; Ord. No. 933 § 4, 2016; Ord. No. 911 § 3, 2014; Ord. No. 900 § 4 (Att. A), 2013)

16.21.040. Accessory uses.

- A. Accessory uses listed in Table 16.21.030 and elsewhere in the UDC are allowed consistent with MMC 16.21.020 and Table 16.21.030.
- B. Accessory uses not listed in Table 16.21.030 or elsewhere in the UDC may be allowed provided the director determines the accessory use is customary and incidental to the principal use.
- C. Except where expressly provided for otherwise in Table 16.21.030, accessory uses shall be permitted the same as the principal use. The director may waive this for an accessory use established after the time the principal use is established involving a "SU," "CU" or "H" from the table if:
 - 1. The principal use complies with the permit requirement in Table 16.21.030;
 - 2. The accessory use is within the scope and intent of the original permit as determined by the director; and
 - 3. The addition of the accessory use will not result in the use of the land as a whole to have a detrimental effect on neighboring properties and streets due to noise, lighting, off-site traffic generation, and similar negative impacts.
- D. There is no limit on the number of accessory uses that may be associated with a principal use, subject to other limitations in the Medina Municipal Code.
- E. Except where expressly allowed off site in MMC 16.34.030, accessory uses shall be located on the same lot as the principal use.

F. Accessory uses involving marijuana use as defined in MMC 16.12.140 are prohibited notwithstanding a state license or other recognition pursuant to RCW Title 69.

(Code 1988 § 20.21.040; Ord. No. 933 § 5, 2016; Ord. No. 900 § 4 (Att. A), 2013)

16.21.050. Similar uses. *(no changes needed)*

16.21.060. Maximum dwelling units on a lot.

~~A. Where Table 16.21.030 authorizes dwelling uses, only two one dwelling units per lot are allowed~~ the maximum unit density per lot is limited to two units, except if one unit is a single-family home, then up to two accessory ~~additional dwelling units~~ dwelling units meeting the requirements set forth in MMC 16.34.020 may be allowed on the same lot. ~~for the following:~~

~~1A. Accessory dwelling units meeting the requirements set forth in MMC 16.34.020;~~

~~B. The density requirements set forth in subsection "A" above does not permit middle housing to be developed in the following areas:~~

~~1. Portions of a lot, parcel, or tract designated with critical areas designated under RCW 36.70A.170 or their buffers as required by RCW 36.70A.170, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met.~~

~~2. A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d))~~

~~3. Lots that have been designated urban separators by countywide planning policies as of July 23, 2023.~~

~~4. A lot that was created through the splitting of a single residential lot.~~

~~2B. Detached single family, or middle housing dwellings provided:~~

~~i1. The minimum net lot area is equal to or greater than the minimum net lot area set forth in Table 16.22.020 of the zoning district where the dwellings are located multiplied by the number of detached single family dwellings on the lot; and~~

~~ii2. All development regulations and limitations applicable to buildings in the zoning district where such dwellings are located are followed.~~

~~3. Middle Housing forms compliant with all other MCO development regulations.~~

Commented [KP19]: Revisions made pursuant to RCW 36.70A.635(5).

Commented [JR20]: Revisions for clarity to confirm the maximum unit density per lot is 2, plus one ADU meeting code requirements. Also, added the information from the footnote and updated that.

CB. The standard of 16.21.060(A) does not apply to lots after subdivision below 1,000 square feet. These lots shall only permit one dwelling unit per lot, except additional dwelling units may be allowed on the same lot for the uses stated in 16.21.060 (A)(1) & (A)(2).

(Code 1988 § 20.21.060; Ord. No. 932 § 7, 2016)

CHAPTER 16.22. LOT DEVELOPMENT STANDARDS

16.22.010. Purpose. *(no changes needed)*

16.22.020. Lot development standards.

- A. The pertinent requirements for minimum net lot area, minimum lot width, and minimum street frontage applicable to each lot is determined by the zoning district in which the lot is located and the corresponding standards in Table 16.22.020.

Table 16.22.020: Lot Development Standards

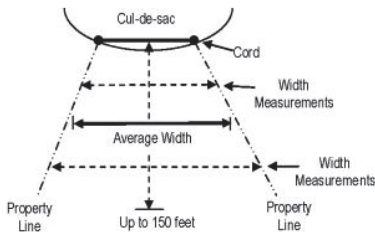
| Zoning District | Minimum Net Lot Area | Minimum Lot Width | Minimum Street Frontage |
|-----------------|----------------------|-------------------|-------------------------|
| R-16 | 16,000 sq. ft. | 70 ft. | 70 ft. |
| R-20 | 20,000 sq. ft. | 70 ft. | 70 ft. |
| R-30 | 30,000 sq. ft. | 90 ft. | 90 ft. |
| SR-30 | 30,000 sq. ft. | 90 ft. | 90 ft. |
| <u>MF-Low</u> | | | |
| N-A | 16,500 sq. ft. | 135 ft. | 135 ft. |
| Public | None | None | None |

Commented [JR21]: Placeholder for future work.

- B. The lot width is determined by calculating the average horizontal distance between the side lot lines where the building envelope is located. If a lot has an irregular shape (i.e., less than two side property lines) or is a corner lot, lot width is determined by calculating the average horizontal distance between the longer dimensional lot lines where the building envelope is located.
- C. The street frontage is determined by measuring the distance of the property line adjoining a street subject to the following conditions:

1. Where a lot lies outside the curve of a street or private lane in such a manner as to have a property line curved inward such as a cul-de-sac, the street frontage is determined by calculating the average width of the lot measured parallel to the chord of the arc of such frontage over the depth of such lot or the first 150 feet thereof, whichever is less (see Figure 16.22.020);

Figure 16.22.020: Curved Street Frontage



2. Where a lot has a property line adjoining more than one street, the street frontage is determined using the property line adjoining the greater street length;
 3. The requirements for street frontage shall not apply to flag lots, or lots located at the terminal end of a street or private lane provided emergency vehicle access and turnaround requirements are met; and
 4. The requirements for street frontage for lots fronting on a private lane are prescribed in Chapter 16.91 MMC.
- D. In the R-20 and R-30 zones, where a single lot contains high bank steep slopes and has more than the minimum net lot area required in Table 16.22.020, the lot may be divided to create two lots with one or both lots having less than the required minimum net lot area provided:
1. Lots adjoining the single lot being divided are owned and/or controlled by a person or entity different than the owner of the subject single lot being divided;
 2. No more than two lots result from the division;
 3. Each lot has at least the greater between 85 percent of the minimum net lot area required by the zoning district in which the lot is located, or 16,000 square feet;

4. There is a difference in elevation of at least 25 feet between the average elevations of the area within the building envelope of each lot;
5. Restrictive covenants are recorded on each lot that state:
 - a. No structure or building on (insert legal description of the lot with the higher average elevation here) shall be placed in a manner where the elevation of the lowest point of the foundation above the ground surface is less than the elevation of the highest point of an existing or future structure or building on the lot with the lower average elevation; and
 - b. No structure or building on (insert legal description of the lot with the lower average elevation here) shall be placed in a manner where the elevation of the highest point of an existing or permitted future structure exceeds the elevation of the lowest point of the foundation above the ground surface on the building or structure on the lot with the higher average elevation; and
6. A nonadministrative variance is approved pursuant to MMC 16.72.030, except the conditions set forth in subsections (D)(1) through (5) of this section shall be used in deciding the variance.

(Code 1988 § 20.22.020; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 900 § 4 (Att. A), 2013)

16.22.030. Building and structure setbacks.

- A. Table 16.22.030 establishes the minimum distance required for any part of any building or structure to be set back from the pertinent property line. The minimum setback requirements are applied to each lot by the square footage of the lot area and the corresponding setback standards in the table. (See definition of "lot area" and the definitions of "property lines" in Chapter 16.12 MMC and Figures 16.22.030(B) and (C) for establishing and delineating setbacks.)

Table 16.22.030: Minimum Building/Structure Setbacks

| Square Footage of the Lot Area | Minimum Setback from the: | | | |
|--------------------------------|---------------------------|--------------------|--------------------|---------------------------|
| | Front Property Line | Rear Property Line | Side Property Line | Lake Washington Shoreline |
| | | | | |

| | | | | |
|-----------------------|---------|---------|---|----------------------|
| Less than 10,001 | 25 feet | 25 feet | 10 feet | See MMC 16.63.030 |
| From 10,001 to 13,000 | 26 feet | 26 feet | | |
| From 13,001 to 15,000 | 28 feet | 28 feet | | |
| From 15,001 to 20,000 | 30 feet | 30 feet | | |
| Greater than 20,000 | 30 feet | 30 feet | The greater of 10 feet or 15% of the lot width; not to exceed 20 feet | |

- B. Setbacks are measured as the distance between the property line and the closest point of any part of the building or structure to the property line, including but not limited to architectural elements, roof eaves, gutters and mechanical equipment. (See Figure 16.22.030(A).)
- C. To determine compliance with the setback standards in Table 16.22.030, the setback is measured along a horizontal plane consistent with subsection (B) of this section.
- D. Where a lot adjoins a private lane and has less than 30 feet of public street frontage, the front, rear and side property lines shall be determined as follows, except as provided in subsection (E) of this section:
 - 1. The side property lines shall generally correspond to the long dimension of the lot;
 - 2. The front and rear property lines shall generally correspond to the shorter dimensions of the lot;
 - 3. If the dimensions of the lot form a square, the applicant may elect to designate the front property line with the rear and side property lines designated consistent with the definitions in Chapter 16.12 MMC.
- E. Where a lot adjoining a private lane or at the terminal end of the street has a condition where the orientation of the dwelling on the lot, or the orientation of dwellings on adjacent properties,

logically suggests setbacks that do not correspond to the longer and shorter dimensions of the lot, the setbacks shall be established using the logical orientation rather than the dimensions of the lot.

- F. In addition to the setbacks prescribed by this section, if a lot adjoins a private lane, a setback from the private lane easement is required pursuant to MMC 16.91.060.

Figure 16.22.030(A): Measuring Setbacks

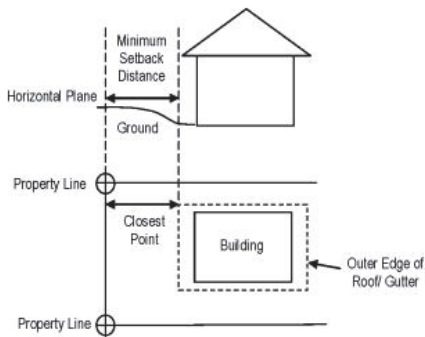


Figure 16.22.030(B):
Setback Property Line Designations
(See "property Line" definitions in Chapter 16.12 MMC)

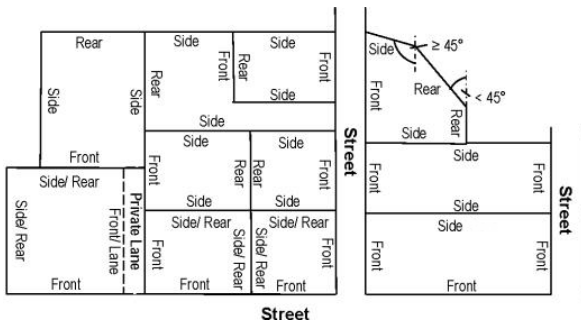
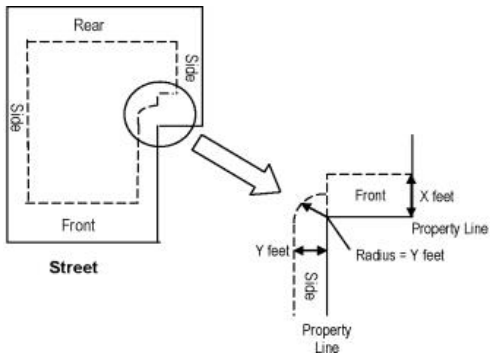


Figure 16.22.030(C): Setbacks at Step Shaped Property Line Intersections



(Code 1988 § 20.22.030; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 906 § 11, 2014; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 1001 , § 2, 6-14-2021)

16.22.040. Protrusions into setback areas. *(no changes needed)*

16.22.050. Corner lot optional setback. *(no changes needed)*

16.22.060. Property lines defined as rear and side. *(no changes needed)*

16.22.070. Curved property lines. *(no changes needed)*

CHAPTER 16.23. BULK DEVELOPMENT STANDARDS

16.23.010. Purpose. *(no changes needed)*

16.23.020. Structural coverage and impervious surface standards.

A. Table 16.23.020(A) establishes the total structural coverage and total impervious surface allowed on a lot within the R-16 zone:

Table 16.23.020(A): R-16 Zone Total Structural Coverage and Impervious Surface Standards

| Square Footage of the Lot Area | Maximum Structural Coverage | Maximum Impervious Surface |
|--------------------------------|-----------------------------|----------------------------|
| 10,000 or less | 30 percent | 55 percent |
| 10,001 to 10,500 | 29.58 percent | 55 percent |
| 10,501 to 11,000 | 29.17 percent | 55 percent |
| 11,001 to 11,500 | 28.75 percent | 55 percent |
| 11,501 to 12,000 | 28.33 percent | 55 percent |
| 12,001 to 12,500 | 27.92 percent | 55 percent |
| 12,501 to 13,000 | 27.5 percent | 55 percent |
| 13,001 to 13,500 | 27.08 percent | 55 percent |
| 13,501 to 14,000 | 26.67 percent | 55 percent |
| 14,001 to 14,500 | 26.25 percent | 55 percent |
| 14,501 to 15,000 | 25.83 percent | 55 percent |
| 15,001 to 15,500 | 25.42 percent | 55 percent |
| 15,501 to 15,999 | 25.21 percent | 55 percent |
| 16,000 | 25 percent | 55 percent |
| 16,001 to 16,500 | 24.5 percent | 55 percent |
| 16,501 to 17,000 | 24 percent | 55 percent |

| | | |
|--------------------|--------------|------------|
| 17,001 to 17,500 | 23.5 percent | 55 percent |
| 17,501 to 18,000 | 23 percent | 55 percent |
| 18,001 to 18,500 | 22.5 percent | 55 percent |
| 18,501 to 19,000 | 22 percent | 55 percent |
| 19,001 to 19,500 | 21.5 percent | 55 percent |
| 19,501 to 29,999 | 21 percent | 55 percent |
| 30,000 and greater | 21 percent | 55 percent |

B. Table 16.23.020(B) establishes the total structural coverage and the total impervious surface allowed on a lot within the R-20, R-30 and SR-30 zones:

Table 16.23.020(B): R-20, R-30 and SR-30 Zones Total Structural Coverage and Impervious Surface Standards

| Square Footage of the Lot Area | Maximum Structural Coverage | Maximum Impervious Surface | |
|--------------------------------|-----------------------------|----------------------------|------------------|
| | | R-20 Zone | R-30/SR-30 Zones |
| 16,000 or less | 25 percent | 52.5 percent | 52.5 percent |
| 16,001 to 16,500 | 24.5 percent | 52.5 percent | 52.5 percent |
| 16,501 to 17,000 | 24 percent | 52.5 percent | 52.5 percent |
| 17,001 to 17,500 | 23.5 percent | 52.5 percent | 52.5 percent |
| 17,501 to 18,000 | 23 percent | 52.5 percent | 52.5 percent |
| 18,001 to 18,500 | 22.5 percent | 52.5 percent | 52.5 percent |
| 18,501 to 19,000 | 22 percent | 52.5 percent | 52.5 percent |
| 19,001 to 19,500 | 21.5 percent | 52.5 percent | 52.5 percent |

| | | | |
|--------------------|------------|--------------|--------------|
| 19,501 to 29,999 | 21 percent | 52.5 percent | 52.5 percent |
| 30,000 and greater | 21 percent | 52.5 percent | 50 percent |

- C. The total maximum structural coverage and impervious surface area allowed on a lot within the parks and public places and the neighborhood auto zones shall be pursuant to the special use provisions specified for uses within those zones. However, where structural coverage or impervious surface maximums are not specified under the special use provisions, the structural coverage and impervious surface area maximum for the R-20 zone in Table 16.23.020(B) shall apply as applicable.
- D. The maximum structural coverage and maximum impervious surface area allowed on a lot is determined by multiplying the square footage of the lot area by the corresponding structural coverage and impervious surface area maximum percentages specified in Tables 16.23.020(A) and (B) for the zone in which the lot is located (e.g., a 16,000 square foot lot zoned R-16 may have a maximum of 4,000 square feet ($16,000 \times 0.25 = 4,000$) structural coverage and 8,800 square feet ($16,000 \times 0.55 = 8,800$) impervious surface area per Table 16.23.020(A)).

(Code 1988 § 20.23.020; Ord. No. 908 § 1, 2014; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 1002 , § 2, 6-14-2021)

16.23.030. Calculating structural coverage. *(no changes needed)*

16.23.040. R-20, R-30 and SR-30 structural coverage bonus.

Lots located within the R-20, R-30 and SR-30 zones are allowed an additional two percent structural coverage for uncovered decks, porches and verandas provided:

- A. Roof eaves do not project more than two feet over the structure measured outward from the exterior wall of the building; and
- B. If decks, porches or verandas extend outward from above the first story of a building or from the floor above the day-lighted parts of a basement, the space underneath the structure must remain unenclosed and without hardscape.

(Code 1988 § 20.23.040; Ord. No. 900 § 4 (Att. A), 2013)

16.23.050. Maximum building and structure height standards.

A. Application of maximum height standards.

1. Table 16.23.050(A) establishes the maximum height standards for buildings and structures within each zone.
2. Areas not identified in Table 16.23.050(A) are subject to the height standards specified for the R-20/R-30 zone.
3. Where Table 16.23.050(A) specifies eligibility for a height bonus, a property owner may elect to apply the height standards in subsection (C) of this section in lieu of the height standards in Table 16.23.050(A); provided, that:
 - a. The total structural coverage on the lot does not exceed 13 percent, excluding the structural coverage bonus set forth in MMC 16.23.040; or
 - b. If the lot area is 16,000 square feet or less, the total structural coverage on the lot does not exceed 17½ percent, excluding the structural coverage bonus set forth in MMC 16.23.040.

Table 16.23.050(A): Maximum Height Standards

| Measurement Points | | Zoning/Height Overlay Maximum Height | | | | | |
|---------------------------|------------|--------------------------------------|-----------|---------|---------|---------|----------------|
| | | R-16 | R-20/R-30 | SR-30 | N-A | Public | Medina Heights |
| Original Grade | High Point | 25 feet | N/A* | N/A* | None | None | N/A* |
| | Low Point | | 25 feet | 25 feet | | | 20 feet |
| Finished Grade | High Point | 28 feet | N/A* | N/A* | 30 feet | 35 feet | N/A* |
| | Low Point | | 28 feet | 28 feet | | | 23 feet |
| Eligible for Height Bonus | | No | Yes | Yes | No | No | No |

*Not applicable.

- B. Maximum height is determined by the zone or height overlay where the building or structures is located and the corresponding unit of height specified for original and finished grade prescribed in the tables.
- C. A property owner electing to apply the height bonus allowed pursuant to subsection (A)(3) of this section shall apply the height limits specified in Table 16.23.050(C).

Table 16.23.050(C): Bonus Height Standard

| Measurement Points | Maximum Height | |
|--------------------|----------------|------------|
| | Original Grade | High Point |
| Low Point | | 36 feet |
| Finished Grade | High Point | 30 feet |
| | Low Point | 36 feet |

- D. The methods for measuring the height of buildings and structures are set forth in MMC 16.23.060.
- E. Exemptions from maximum height requirements are set forth in MMC 16.23.070.
- F. Eligibility for the bonus height standard in subsection (A)(3) of this section shall not apply where the total structural coverage on the lot exceeds 13 percent, excluding structural coverage that qualifies for the bonus under MMC 16.23.040.

(Code 1988 § 20.23.050; Ord. No. 932 § 11, 2016; Ord. No. 900 § 4 (Att. A), 2013)

16.23.060. Measuring building and structure height. *(no changes needed)*

16.23.070. Building and structure height exceptions. *(no changes needed)*

16.23.080. Determining original grade. *(no changes needed)*

SUBTITLE 16.3. SPECIAL DEVELOPMENT STANDARDS

CHAPTER 16.30. CITY-WIDE USES

16.30.010. Fences, walls and gates. *(no changes needed)*

Commented [JR22]: Update maximum fence height - housekeeping.

16.30.020. Signs. *(no changes needed)*

16.30.030. Location identity signs. *(no changes needed)*

16.30.040. Reconstruction, remodeling, expansion of nonresidential uses.

(no changes needed)

16.30.050. Works of art. *(no changes needed)*

16.30.060. Residential off-street parking.

1. Off-street parking for each single-family dwelling shall be provided as follows:

- A. If a lot has access from a street, a minimum of two on-site parking spaces is required;
- B. If a lot has access from a private lane, on-site parking spaces shall be required as follows:
 - 1. The surface area of each parking space shall be at least 250 square feet; and
 - 2. The minimum number of parking spaces shall be:
 - a. In the R-16 zoning district: three spaces;
 - b. In the R-20 zoning district: four spaces;
 - c. In the R-30 zoning district: five spaces;
 - 3. Such off-street parking areas shall be separate and distinct from the easement or turnaround required for the private lane;

2. Off-street parking for middle-housing dwellings shall be provided as follows:

Commented [ZT23]: Required RCW 36.70A.635(6)

- A. No off-street parking shall be required within one-half mile walking distance of a major transit stop.
- B. A maximum of one off-street parking space per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

3. Off-street parking for ~~both single family residential dwellings as well as middle housing~~ shall be as follows:

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CA. Additional off-street parking spaces, which are not required, may be located on site or off site as allowed in MMC 16.34.030; and

CB. Parking areas shall not be located within setback areas, except as allowed otherwise by law.

(Code 1988 § 20.30.050; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 900 § 4 (Att. A), 2013)

16.30.070. Landscape screening. *(no changes needed)*

16.30.080. Residential driveways. *(no changes needed)*

16.30.090 Cottage Housing

16.30.100 Townhouses

16.30.110 Multi-Family Housing, other.

Commented [JR24]: Placeholder for future work

CHAPTER 16.31. LIMITED USES

(no changes needed)

CHAPTER 16.32. SPECIAL USES

(no changes needed)

CHAPTER 16.33. HISTORICAL USES

(no changes needed)

CHAPTER 16.34. ACCESSORY USES

16.34.010. General provisions. *(no changes needed)*

16.34.020. Accessory dwelling units.

Commented [KP25]: Edits to this section were made pursuant to EHB 1337.

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

- A. Accessory dwelling units meeting the requirements of this section are ~~excluded~~ included ~~within the~~ ~~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. ~~Up to two~~ ~~Only one~~ One accessory dwelling units may be permitted on a lot per each single-family dwelling located on the same lot, provided that the unit density set forth in MMC 16.21.060 for that lot is not otherwise exceeded. If a lot is developed with a duplex, or with two units meeting the definition of middle housing, then no accessory dwelling unit is permitted on that 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. Accessory dwelling units shall only be allowed on lots that meet the minimum lot sizes for the principal unit under the code.
 - 3. Accessory dwelling units shall not be allowed on any lot that contains critical areas or buffers or that is not connected to a public sewer system.
 - 4. Accessory dwelling units shall not be allowed within the shoreline jurisdiction.
 - 5. ~~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.~~
 - 6. All of the structures on the property shall have ~~the~~ a cohesive and consistent appearance, including roof shape, glazing, exterior finishing materials and colors, of a single-family with all other dwelling units and ~~any~~ other permitted accessory structures on the lot.
 - 7. ~~The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation.~~

Commented [ZT26]: See new language under 10.

~~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.

7. Accessory dwelling units may not be used as short term rentals.

8. The maximum gross floor area for an accessory dwelling unit is 1,000 square feet.

Commented [ZT27]: The maximum gross floor area may be higher, but it cannot be less than 1,000 square feet.

9. The maximum roof height for an accessory dwelling unit is no more than twenty-five (25) feet, or the maximum height allowed for the primary unit on the lot, whichever is lower.

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 unit. The only exception for the accessory dwelling unit off-street parking requirement is when the accessory dwelling unit is located within one-quarter mile of a major transit stop.

Commented [ZT28]: This language is required under RCW 36.70A.698(1), but there is an additional step the City can take.

F. Garage space and other accessory buildings may be converted into an accessory dwelling unit. However, if the converted accessory building contained parking, the minimum parking standards for both the principle unit and any accessory dwelling unit must be replaced elsewhere on the property. Nonconforming use rules as set forth in chapter 16.36 MMC apply to any accessory buildings that are converted which are not consistent with the applicable codes at the time of conversion. ~~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.~~

Under RCW 36.70A.698(2) the city may require off-street parking within this ¼ mile if the city has determined that the accessory dwelling unit is in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the accessory dwelling unit.

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.

(Code 1988 § 20.34.020; Ord. No. 969 § 3 (Exh. A), 2019; Ord. No. 900 § 4 (Att. A), 2013; Ord. No. 1001 , § 5, 6-14-2021; Ord. No. 1017 , § 8, 2022)

16.34.030. Off-site accessory uses. *(No changes needed)*

16.34.040. Accessory recreational facilities. *(No changes needed)*

CHAPTER 16.35. TEMPORARY USES

(no changes needed)

CHAPTER 16.36. NONCONFORMITY

(no changes needed)

CHAPTER 16.37. WIRELESS COMMUNICATION FACILITIES

(no changes needed)

CHAPTER 16.38. SMALL WIRELESS FACILITIES

(no changes needed)

CHAPTER 16.39. PARKING

(no changes needed) [fcottf](#)



To: City of Medina
From: SCJ Alliance
Date: October 25th, 2024
Project: Medina Middle Housing Ordinance
Subject: Summary of Housing-Related Legislative Changes – Tier 3 Cities

Introduction:

Within recent legislative sessions, several policies were passed by the state legislature to address affordable housing across Washington state. These bills made changes to the Growth Management Act and addressed “missing middle housing” through new requirements for cities and counties. The following memo provides a legislative brief on what cities classified as “Tier 3” under new Middle Housing legislation (HB 1110 and HB 2321) are required to plan for.

The City of Medina will also need to consider the direction provided by the comprehensive plan goals, policies, and community engagement efforts in determining the approach to addressing new state legislation on housing in the upcoming middle housing ordinance.

Recent Housing-Related Legislative Changes

Comprehensive Plan – Housing Element:

[HB 1220](#) substantially amends housing-related provisions of the GMA, requiring planning for housing by income bands and addressing racially disparate impacts, displacement, and exclusion.

This bill directs the City of Medina to update the Housing Element of the Comprehensive Plan to account for the following actions:

- Inventory and analyze existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction’s share of housing need, as provided by Commerce.
- Identify land capacity for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, and permanent supportive housing.
- Consideration of housing locations in relation to employment locations and the role of ADUs.
- Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
 - Zoning that may have a discriminatory effect;



- Disinvestment; and
- Infrastructure availability.
- Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments. This work should identify areas where anti-displacement tools may be applied, but may not need to be in the comprehensive plan.

Development Code:

[HB 1042](#) encourages the conversion of existing commercial or mixed-use buildings for residential uses.

Six months after its periodic comprehensive plan update, the City of Medina must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements for buildings zoned commercial or mixed-use to allow for the conversion of these buildings into multifamily housing.

[HB 1337](#) requires cities and counties to allow two accessory dwelling units (ADUs) per lot in urban growth areas and establishes standards for jurisdictions to use.

The City of Medina must:

- Permit ADUs in structures detached from the principle unit;
- Allow an ADU on any lot that meets the minimum lot size required for the principal unit;
- Allow detached ADUs to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley; and
- Allow ADUs to be converted from existing structures, including detached garages.
- Allow for the construction of two ADUs in the following configurations on all zoning districts that allow for single-family homes in urban growth areas;
 - One attached ADU and one detached ADU;
 - Two attached ADUs; or
 - Two detached ADUs, which may be comprised of either one or two detached structures.

The City of Medina cannot:

- Assess impact fees on the construction of ADUs that are greater than 50 percent of the impact fees that would be imposed on the principal unit;
- Establish a height limit on an ADU of less than 24ft feet, unless the principal unit height limit is less than 24 feet;
- Establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;
- Impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for ADUs that are more restrictive than those for principal units;
- Prohibit the sale of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an ADU;
- Require public street improvements as a condition of permitting ADUs; and



- Require the owner of a lot on which there is an ADU to reside in or occupy the ADU or another housing unit on the same lot.

The City of Medina may apply regulations including:

- Generally applicable development regulations;
- Public health, safety, building code, and environmental permitting requirements that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;
- A prohibition on the construction of ADUs that are not connected to or served by public sewers;
- A prohibition or restriction on the construction of ADUs in residential zones with a density of one dwelling unit per acre or less that are within areas designated as wetlands, fish and wildlife habitats, flood plains, or geologically hazardous areas; and
- Restrictions on the use of ADUs for short-term rentals.

[HB 1110](#) and [HB 2321](#) requirements concerning middle housing:

Six months after its periodic comprehensive plan update, the City of Medina must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements and definitions for middle housing.

Tier 3 City Applicability:

- Population of less than 25,000 in 2020,
- Located in a county with a population of at least 275,000, and
- Within a contiguous urban growth area with the largest city in the county.

A Tier 3 City **must**:

- **Allow for the development of at least two units per lot** on all lots zoned predominantly for residential use, unless zoning permitting higher densities or intensities applies. See RCW [36.70A.635\(1\)\(c\)](#).
 - This unit density does not apply to lots after subdivision below 1,000 square feet unless the city has a smaller allowable lot size in the zone.
- Allow zero lot line short subdivision where the number of lots created is equal to the unit density required in RCW [36.70A.635\(1\)\(c\)](#).
- Apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law. See RCW [36.70A.635\(6\)\(c\)](#).

A Tier 3 City **may**:

- Allow accessory dwelling units to achieve the unit density required, per RCW [36.70A.635\(5\)](#)
- Define middle housing types that are undefined under RCW [36.70A.030](#)
 - RCW 36.70A.030 includes definitions for courtyard apartments, cottage housing, townhouses, and stacked flats, **but** duplexes, triplexes, fourplexes, fiveplexes, and sixplexes are undefined.
- Define what falls under the required “unit density”.



- Cities choosing to count accessory dwelling units as part of “unit density” and adopting the term “unit density” in local code should consider a definition that references accessory dwelling units.
- Adopt a maximum unit density
 - Cities are not required to allow accessory dwelling units or middle housing types beyond the density requirements - RCW [36.70A.635\(5\)](#)
 - The middle housing definition, in conjunction with the maximum unit density a jurisdiction adopts, is important because RCW 36.70A.635 sets limits on permitting, design review, and parking standards for all middle housing types citywide in all cities subject to the middle housing law.

A Tier 3 City **cannot** (see RCW [36.70A.635\(6\)](#)):

- Require off-street parking as a condition of permitting development of middle housing within one-half mile walking distance of a major transit stop under;
- Require more than one off-street parking space per unit as a condition of permitting development of middle housing on lots no greater than 6,000 square feet before any zero lot line subdivisions or lot splits;
- Require more than two off-street parking spaces per unit as a condition of permitting development of middle housing on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

Middle Housing Exemptions (RCW [36.70A.635\(8\)](#)):

- Portions of a lot, parcel, or tract designated with critical areas designated under RCW [36.70A.170](#) or their buffers as required by RCW [36.70A.170](#), except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met;
- Areas designated as sole-source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound;
- A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal Clean Water Act (33 U.S.C. Sec. 1313(d));
- Lots that have been designated urban separators by countywide planning policies as of July 23, 2023; or
- A lot that was created through the splitting of a single residential lot.
 - NOTE: At this time, “lot split” is undefined. Legislation in both 2023 and 2024 on this did not pass. This may change in the future, and lots may be exempt from allowing middle housing. More guidance to come if this passes the state legislature.

The State Model Ordinance developed by the Department of Commerce:

- Goes above what is asked for in the state legislation;
- Only text in bold is required;
- Does not count accessory dwelling units as middle housing;
- Says that Cottage Housing, Courtyard Apartments, and Stacked Flats can “reasonably be built” in a two-unit configuration, thus Tier 3 Cities need to permit these by-right when addressing the allowance of two units per lot;



- Imagine all the different ways one could arrange two units on a single lot.
- The key features of these middle housing types:
 - Duplex: Left for cities to define
 - Cottage Housing: Residential units on a lot with a shared open space owned in common
 - Courtyard Apartments: Attached residential units arranged on two or three sides of a yard or court.
 - Stacked Flat: Residential units in a residential building of no more than three stories in which each floor may be separately rented or owned.

Permitting Process:

[HB 1293](#) establishes standards for clear and objective local design review to streamline permitting processes.

Encourages the City of Medina to provide expedited review for project permit applications that include dwelling units that are affordable to low-income or moderate-income households and within the capacity of systemwide infrastructure improvements.

[SB 5412](#) expands SEPA Categorical Exemptions related to infill and middle housing projects.

The City of Medina may establish SEPA exemptions for the development of housing within incorporated areas of the UGA pursuant to RCW 37.70A.110 or middle housing.

[SB 5290](#) amends the Local Project Review Act to increase the timeliness and predictability of permitting processes. The Department of Commerce is required to provide a consolidated permit review grant program and a digital permitting grant program to support implementation of this bill.

The City of Medina must exclude project permits for interior alterations from site plan review, provided that they do not include activities such as increasing the number of sleeping quarters, total square footage or valuation, or nonconformity with FEMA substantial improvement thresholds.



Public Engagement Plan Memo

Medina Middle Housing Ordinance

To: City of Medina
From: Zoë Tapert, Planner, SCJ Alliance
Date: November 18, 2024
 Revised November 20, 2024
Project: Medina Middle Housing Ordinance
Subject: Public Engagement Plan Memo

Background

As part of the middle housing planning process, the City of Medina drafted an engagement plan outlining the middle housing engagement objectives. This plan was adopted by the City as Resolution 444 on June 10, 2024. The following document is guided by Resolution 444 and provides further information on how Resolution 444 may be enacted with the City's middle housing consultants, SCJ Alliance.

Through public participation, the City intends to develop a middle housing ordinance that reflects the vision and will of the Medina Community. This will be accomplished through the following tasks, each involving an opportunity for public involvement in the planning process. The outcomes from these tasks will inform the priorities and direction of the final ordinance.

Engagement Opportunities

To engage the Medina community on Middle Housing, SCJ Staff is seeking guidance from the City on what strategies would best suit their community members while being careful of the project budget. Below are a list of options SCJ staff feel are appropriate opportunities that take into consideration Resolution 444, project budget, and what's been heard so far regarding engagement with the Medina community; however, this list does not take into account all available options.

Online engagement opportunities

- Public Middle Housing Webpage Update
- ~~Engage Medina~~
- ~~Online Survey~~

In-person engagement opportunities

- Middle Housing ~~Bulletin-Flyer~~ for posting in various community locations



- Engagement of Stakeholder Groups Peer-to-peer engagement opportunities
- Community Open House/s Forum/s

Public Web Page Updates

A public web page, hosted on the city’s website, is currently available to the public and is a source of information, documentation, updates, and other resources regarding the middle housing project. This website is the primary source of information and status updates.

This web page will remain active throughout the project, and the central resource for publicly available information. As part of this engagement plan, SCJ is proposing edits to this webpage to provide more up to date information, further enhanced graphic support, and integration with the City’s use of the Engage Medina platform, which was used for the Comprehensive Plan Update.

Important Links

City of Medina Middle Housing Page: <https://www.medina-wa.gov/development/services/page/new-housing-laws-middle-housing-and-adu-legislation-and-medina#>
 Engage Medina: <https://engagemedina.com/>

Web Page Edits

The following updates are suggestions SCJ would propose making to the current middle housing page on the City’s website:

- Updated graphics of the housing types and configurations
- Updated language on middle housing legislation (HB 1110 and HB 2321) and accessory dwelling unit legislation (HB 1337) and how the two pieces of legislation intersect
- Link to the eventual survey and [Engage Medina](https://engagemedina.com/)
- Reduce the amount of text for more visually appealing formatting that doesn’t remove context
- Provide an FAQ section
- Status update section
- Signup form for email updates on middle housing

Commented [ZT1]: Seeking clarity if this is still something that the City would like to do, but may not be utilized based on what was heard at the 11/18 PC Meeting

Commented [ZT2]: If possible, to check with City to avoid tedious task if little interest

Engage Medina

Engage Medina is a tool the city has at its disposal to engage with their residents online. The City most recently used it for public engagement during their comprehensive planning process and would be helpful to use again during the middle housing process.

Engage Medina: <https://engagemedina.com/>

Commented [ZT3]: Possibly remove



Engage ~~Stakeholder~~ Community Groups Peer-To-Peer

As part of Resolution 444, the City of Medina sought to engage community members who have not reliably participated in previous community planning efforts. To do so, SCJ Alliance, in collaboration with the City, proposes engaging ~~stakeholder groups~~ community members with individuals representative of community members not previously engaged with in a reliable manner through peer to peer networking supported by an engagement toolkit.

During the Planning Commission meeting on November 18th, 2024, it was proposed that city staff and consultants could collaborate with the Planning Commission to create a toolkit of informational materials, including a flyer for the public forum, an FAQ sheet, and a one-pager summary for the project. This toolkit will help commissioners engage with community members and networks that fall outside the city staff and consultant's knowledge or engagement methods. Each commissioner will have the opportunity to distribute these materials within their own networks, how they choose, ensuring a wide range of residents are informed about the proposed updates. If commissioners encounter questions they cannot answer, they are encouraged to direct interested individuals to attend the planned community forums, public meetings, or visit the website for further information.

This methodology draws upon grassroots organizing tactics that have been proven effective in engaging, informing, and educating individuals not reliably engaged through other methods such as surveys, open houses, social media posts, and mailers. Peer-to-peer engagement provides a comfortable environment for diverse community to ask questions, increase collective understanding on the subject, and build capacity in the community. City staff and consultants will work with planning commissioners in ensuring the toolkit materials are easily understood, distributable, and are translatable into other desired languages. Ensuring early, continuous, and often information sharing in networks is essential to this public engagement plan.

These groups will be particularly informative in the middle housing ordinance process to ensure that their voices are not left out of the conversation. This will also aid the City in identifying and addressing possible concerns for these community members. Their feedback and collaboration would also be beneficial in ensuring that key messages and information are adequately distributed through means that are accessible to all.

Middle Housing Bulletin ~~Flyer~~

A ~~bulletin-type publication~~ flyer will be posted, and updated regularly, in collaboration with Planning Commission members throughout the City in places residents are known to frequent. This includes ~~at~~ City Hall, parks, schools, and Kitchen and Market. A digital version will be posted ~~and~~ on the City's website, ~~with a copy sent to the Bellevue School District.~~

This ~~bulletin-flyer~~ is designed to describe the Medina Middle Housing Land Use Code Update process, outline opportunities for public involvement, and provide contact information, including the website and email for public inquiry and comment. Detailed information and progress reports may be available upon request for local organizations and media outlets, such as local newsletters.



Community Survey

A community survey can be drafted, developed in Alchemer, and distributed in multiple methods throughout the community to gather information and feedback from community members on the future of Middle Housing in Medina. We will aim to distribute the survey to a wide range of diverse community members. We will summarize the results from the survey and use them to inform the direction of the ordinance.

- ◆ Survey will be open from [Date] – [Date]
- ◆ We could distribute the survey through the following methods:
 - ◆ Sending the survey to a list of stakeholders identified by the City, including but not limited to the school district
 - ◆ Social Media — Medina Facebook Page, SCJ Alliance Facebook Boost
 - ◆ Survey info and link will be mailed in the city's communication streams
 - ◆ Flyers could be drafted and placed around town with survey info, link, and QR code
 - ◆ Results will be compiled and analyzed by [Date].

Middle Housing ~~Open House/s~~Community Forum

We ~~can~~ will schedule, coordinate, and invite the public to engage in the development of the Middle Housing ordinance at an in-person public event. This **first open house community forum** will provide a way for the public to learn about the planning project, the state requirements, and provide input on the vision for Medina's future with middle housing **before the January submittal to the Department of Commerce**.

- Open House would be scheduled on [DATE December X/TIME] at [City Hall or St Thomas Episcopal Church]
- ◆ The City could notify the public of this event through the following methods:
 1. Word of mouth by planning commissioners, city councilors, and city staff.
 - 1-2. Facebook post sharing event information
 - 2-3. Flyers posted around town with event information
 - 3-4. Newspaper ad/article describing the plan and engagement opportunities
 - 4-5. An alert on the City's website
- ◆ Activities at the event ~~may~~ will include:
 1. A presentation by city staff and consultants on the following items:
 1. What is Middle Housing?
 2. What are the state requirements?
 3. How are changes being made?
 4. What do these changes mean?
 5. What can residents do?
 1. ~~Activities where participants can share their preferences on various middle housing types~~
 2. An open answer Q&A with the city staff and consultants and to provide additional comment section where participants can discuss or write down their thoughts
 3. An opportunity to provide written feedback and questions.

Commented [ZT4]: Removed per PC feedback



- ~~3. Missing Middle Monopoly (if desired)~~
- ~~4. Taking the survey at the event~~

A second open house public forum could provide an additional opportunity for the public to weigh in ~~at a later date January 2025~~ when the ordinance is approaching ~~a more final form~~ the Department of Commerce submittal. ~~This second open house could be scheduled for Spring of 2025.~~

From Resolution 444:

All formal public meetings concerning the Middle Housing Code Update will be advertised throughout the community. Formal public notices will be posted and published in consistent locations including the City Hall office, Bellevue School District office, and in "The Seattle Times" (local newspaper) as required. Interested parties will be further notified through a notice distribution list, providing process updates and meeting details.

City Check Ins

City staff and consultants will check in regularly with the Medina Planning Commission, the Medina City Council, and the Medina Development Services Committee (DSC). The check-ins with the Planning Commission and City Council will be held at these groups' regular meeting times that are open public meetings. The check-ins will range from simple updates to workshops where significant feedback will be requested from the Planning Commission, DSC or City Council, as well as public comment at each event. Check-ins with the Medina Development Services Committee will meet as needed to ensure communication across bodies and consultants are prepared for meetings with the other bodies ahead of time.

The purpose of these regular check-ins is to make sure that the planning process and outcomes are well known to the city's governing and advisory bodies well before plan adoption.

City Council Meeting Schedule (Tentative)

- ◆ Mon., Oct. 14th
- ◆ Mon., Oct. 28th
- ◆ Tue., Nov. 12th
- ◆ Mon., Nov. 25th
- ◆ Mon., Dec. 9th
- ◆ Wed., Jan 8th *Special Joint Meeting*
- ◆ Mon., Jan. 13th
- ◆ Mon., Jan. 27th

Planning Commission Schedule (Tentative)

- ◆ Tue., Sep. 24th
- ◆ Wed., Nov. 6th
- ◆ Mon., Nov. 18th
- ◆ Thu., Dec. 5th



- ◆ **Wed., Dec. 18th**
- ◆ **Wed., Jan 8th *Special Joint Meeting***
- ◆ **TBD – around Jan. 15th**
- ◆ **Tue., Jan. 28th**

Development Services Committee Schedule (Tentative)

- ◆ **Wed., Oct. 30th**
- ◆ **Wed., Nov. 20th**
- ◆ **Tue., Dec. 10th**

Potential Community Forum Dates (Tentative dates for Discussion)

- ◆ **Tue., Jan. 7th**
- ◆ **Thurs., Jan. 9th**
- ◆ **Tue., Jan. 14th**

CITY OF MEDINA, WASHINGTON**RESOLUTION NO. 444****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, ADOPTING A PUBLIC ENGAGEMENT PROGRAM (PEP), FOR THE PURPOSES OF CREATION OF THE MEDINA MIDDLE HOUSING UPDATE; PURSUANT TO THE WASHINGTON STATE GROWTH MANAGEMENT ACT CHAPTER 36.70A RCW.**

WHEREAS, the City exercises comprehensive land use planning pursuant to the Washington's Growth Management Act (RCW Chapter 36.70A), and under that authority, the City intends to complete the scope of work for the Middle Housing grant by June 2025; and

WHEREAS, the State Legislature passed both Accessory Dwelling Unit legislation (ESHB 1337) and Middle Housing legislation (HB 1110, as modified by ESSB 2321) (codified as RCW 36.70A.635 - .638; RCW 36.70A.630; and RCW 36.70A.680 - .682). These laws require certain cities to allow accessory dwelling units on single family lots subject to certain conditions, and require certain cities to allow changes to density on single family lots, as well as requiring certain cities to allow zero-lot line subdivisions; and

WHEREAS, the deadline for cities to have land use code updates in compliance with these laws is June 30, 2025 for King County cities; and

WHEREAS, RCW 36.70A.035 requires that reasonable public participation efforts be conducted whenever housing or development regulations are amended; and

WHEREAS, City staff has drafted a proposed Public Participation Plan, and the City Council finds that the proposed Plan is reasonably calculated to provide notice to property owners and other affected and interested individuals, government agencies, businesses, school districts, and organizations, of the middle housing and development regulations scope of work; and

WHEREAS, the City Council further finds that the proposed Plan is intended to broadly disseminate information about the procedures employed to complete the middle housing scope of work and provides for early and continuous opportunities for the public to participate in the update process, consistent with RCW 36.70A.130(2)(a) and .140; and

WHEREAS, the City Council additionally finds that the proposed Plan is consistent with the intent and the procedures in the Medina Municipal Code which will be used for completing the middle housing scope of work; and

WHEREAS, the City Council concludes that the Plan should be adopted; **NOW THEREFORE**,

THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. Findings. The recitals above are hereby adopted as findings of the City Council in support of this resolution.

Section 2. Adoption of Public Participation Plan. The Public Participation Plan is adopted in the form attached hereto as "Exhibit A", and such Plan shall guide public participation efforts during the completion of the middle housing scope of work.

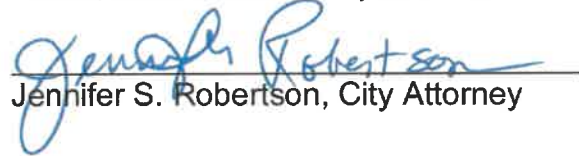
Section 3. Effective Date. This Resolution shall take effect immediately upon passage by the Council and signature of the Mayor.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 10th DAY OF JUNE 2024 BY A VOTE OF 7 FOR, 0 AGAINST, AND 0 ABSTAINING, AND SIGNED IN AUTHENTICATION THEREOF ON THE 10th DAY OF JUNE, 2024.



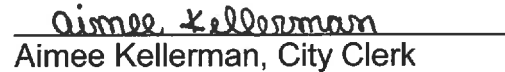
 Jessica Rossman, Mayor

APPROVED AS TO FORM:
 Insee, Best, Doezie & Ryder, P.S.



 Jennifer S. Robertson, City Attorney

ATTEST:



 Aimee Kellerman, City Clerk

FILED WITH THE CITY CLERK:
 PASSED BY THE CITY COUNCIL:
 RESOLUTION NO. 444

Attachments:

Exhibit A – Public Participation Plan for Middle Housing

Exhibit A

Public Participation Plan for Middle Housing

Public Engagement Plan

City of Medina Middle Housing Project

Introduction

The Public Engagement and Communication Plan is a working document that describes the goals, objectives, activities, and timeline for community engagement conducted in support of the Department of Commerce Middle Housing Grant. This includes the following elements:

- Objectives of the Public Engagement and Communication Plan.
- Key messages we want to convey to the public about middle housing and this project.
- Stakeholder groups to engage as part of the process, including details on the information needs or engagement objectives for each group.
- Strategies for engagement corresponding to the timeline in the project plan.
- Timeline of the project and engagement activities.
- Summary of previous engagement done by cities to create a shared understanding of what the City of Medina has done to engage the community on housing issues, including challenges.
- Use of a Middle Housing webpage to keep the public informed as to the status of this update.

This Plan will be amended as needed to ensure that there is broad public engagement in the Middle Housing Land Use Code Update.

Objectives

The objectives for public engagement are:

1. Engage community members who have not reliably participated in previous community planning efforts.
2. Identify racially disparate impacts, any previous displacement, and exclusion in housing in the City of Medina, how these impacts are experienced day-to-day, and how might changes in city policy impact the community.
3. Identify areas and communities at greater displacement risk.
4. Identify barriers to building middle housing in existing neighborhoods, including concerns of residents of existing neighborhoods and barriers to developmental feasibility.
5. Lay the groundwork for successful Middle Housing Land Use Plan Update by disseminating key messages and information (*see* key messages below) and addressing common concerns about updating city policies and codes to allow for more diverse housing types.
6. Increase the community's understanding of middle housing types and the benefits they can bring the community.
7. Help the public and stakeholders understand state law requirements applicable to Medina in terms of updating the land use code for the purposes of allowing middle housing and accessory dwelling units.

Key Messages from the State Department of Commerce

The following key messages will guide communications throughout all community engagement efforts.

About Middle Housing

1. Middle housing refers to homes that are between single-family homes and larger apartment buildings.
 - Middle Housing was commonly built throughout Washington communities until the rise in popularity of single-family zones in the mid-twentieth century.
 - Middle Housing buildings can be at the same scale as single-family buildings.

2. Medina is mandated to comply with Washington requirements for middle housing and accessory dwelling units (ADUs).
 - State law requires certain cities to allow middle housing and accessory dwelling units.
 - Medina is a “Tier 3 City” under the middle housing legislation and therefore must allow an additional unit on every residential lot, with limited exceptions.
 - Medina also must allow for zero lot line subdivisions as part of the State middle housing legislation.

3. Middle Housing includes diverse housing options such as townhouses, duplexes, triplexes, fourplexes, courtyard buildings, cottage housing, and live/work lofts.
 - Common before 1940, these housing types were outlawed in planning practices due to the rising popularity of exclusive single-family zones, which only permitted single detached housing structures. Historic neighborhoods have utilized middle housing to create mixed-use space.
 - The architectural style, scale, and density of middle housing can be similar to single-family homes or different. Middle housing options are often compatible in neighborhoods with primarily single-family buildings.
 - Middle housing can be rented or owned.
 - Middle housing serves housing needs not met by single-family homes or large-scale multifamily development.
 - Middle housing offers housing that meets the needs of multigenerational households, households that don't have the interest or capacity to maintain a larger home and yard, single households, allow a worker to live near their workplace or clients, students, a young family to be close to the support of relatives, someone experiencing hardship to stay near friends, a young adult to remain in the neighborhood they grew up in, or an older adult to age in place.
 - Middle Housing promotes more efficient use of existing infrastructure and more walkability in neighborhoods.

- Middle Housing can allow for more affordable options.
 - Middle Housing options can offer homeownership opportunities, particularly entry-level homeownership.
 - Middle Housing can prevent large portions of the community from being excluded from areas of the community.
4. The Department of Commerce represents that changing zoning to allow for missing middle housing does not affect the property value of existing homes.
 - Property values are based on the condition and size of your land and structure(s), as well as market conditions.
 - Allowing missing middle housing is associated with potential land value increases on lots that are suitable for redevelopment.
 - Reinvestment into existing neighborhoods can improve the infrastructure for everyone, such as adding sidewalks, transportation improvements, and neighborhood-based services.
 - New investment into development and amenities will increase property values. Depending on market conditions, these changes may not happen within the 20-year planning horizon.
 5. The Department of Commerce represents that changing zoning to allow for middle housing does not affect property taxes of existing homes. Future development and investment may impact future property values and thus taxes.
 - New investment in a neighborhood can increase the value of land and property, which may increase the landowners' property taxes. Depending on market conditions, these changes may not happen within the 20-year planning horizon.
 - Washington State offers property tax relief programs to senior citizens, disabled persons, households with limited income, widows, and widowers of veterans. A household at risk of losing their home due to property tax increases may be eligible for property tax exemptions or relief.
 6. The Department of Commerce represents that cities who have legalized middle housing have seen incremental change in neighborhoods.
 - Cities that have legalized middle housing types have increased the variety of new housing, though only modest upticks in the number of middle housing units. Most of the new housing is still single- family or apartment units.
 7. Why aren't we just building more affordable housing?
 - Our current housing challenges largely stem from not enough housing relative to job growth and new household formation. The solution is more housing.
 - Local government does not build housing, it establishes rules on what can be built where. Housing is primarily built by private homebuilders.
 - Current regulations, including restricting most of our residential areas to low numbers of housing units, prevent homebuilders from innovating in response to market demand.

- All types of new housing are needed, including affordable housing and more expensive housing. Housing prices tend to continue to appreciate when there is a variety of housing options but at more manageable rates.

About the Middle Housing Land Use Code Update Project

1. This project is funded by a grant from the Washington State Department of Commerce.
2. This project is one of many efforts to address the housing affordability crisis in King County, and more generally Washington State.
 - Housing costs have risen three times as fast as incomes over the past decade in King County (2010-2021), creating challenges for both owner and renter households.
 - The cost to purchase an average home is only affordable to those with incomes more than \$569,131 which is 524% of HUD AMI and 268% of the City's median income. Even a bottom tier home requires a household income of \$411,773, or 194% of HUD AMI.
 - Renters spending more than 30% of their income on rent are considered cost-burdened. About 30% of households are cost-burdened or severely cost-burdened in Medina, which includes tenants and owners. Of these, 52% of renters in Medina are cost burdened or severely cost burdened. Renter-occupied housing makes up only 14% of households in Medina, compared to 43% for King County overall. Entry-level homeownership is not possible without affordable rental options.
3. This project aims to identify unmet housing needs and policy options to meet those needs.
 - This project will seek to identify areas suitable for zoning to allow for middle housing. This may be based on access to jobs, transit, infrastructure, or other factors. The City will use this information to inform future changes to zoning and regulations to allow more diverse housing types within the community.
 - Where middle housing is allowed, it must still meet City development standards.
 - Development standards regulate development on topics like parking requirements, impervious surfaces, building height, setbacks, and architectural design.
4. This Project is required by state law as Medina is classified as a Tier 3 City under the state middle housing legislation. As a result, Medina must update its land use code to allow middle housing that increases density to two dwelling units for each single family, with limited exceptions. In addition, Medina must allow for ADUs (which may be counted as the middle housing) and zero lot line subdivisions.
5. This Middle Housing Land Use Update will inform future updates to local land use and zoning regulations. Washington State is requiring all GMA planning cities to allow greater housing diversity in existing neighborhoods.
 - Washington State Law requires all cities to update their comprehensive land use policies and development regulations. The updates are required (RCW 36.70A.070(2)) to account for housing needs at all economic levels, include provisions for middle housing options, and to identify and remedy existing policies that may have a

discriminatory impact.

- State law also requires cities (Tiers 1, 2, and 3) to allow a certain density of middle housing and requires cities to allow accessory dwelling units. *See* RCW 36.70A.635 - .638; RCW 36.70A.630; and RCW 36.70A.680 - .682.

The Growth Management Act requires that the City of Medina establish procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations. The procedures described below for the City of Medina Middle Housing Land Use Code Update Process will achieve the following:

A. Early and continuous participation

In addition to meeting the requirements set forth in Chapter 16.81 MMC, the City Council, Planning Commission, or designee and city staff will ensure expansive and effective public involvement by using methods that include surveys, information bulletins, and distribution lists for all interested parties to receive regular notices, meeting advertisements, and updates. The public will be well advised of the opportunities for involvement and particularly encouraged to participate in the drafting and review of the proposed updates to the Medina Development Regulations.

B. Communication and information programs

City staff will use all available and practical means to encourage participation at all levels, through outreach and educational efforts, presence at public events, and the city website. The primary method of communication will be via the City's website.

A bulletin-type publication will be posted, and updated regularly, at City Hall and on the City's website with a copy sent to the Bellevue School District. This bulletin is designed to describe the Medina Middle Housing Land Use Code Update process, outline opportunities for public involvement, and provide contact information, including the website and email for public inquiry and comment. Detailed information and progress reports may be available upon request for local organizations and media outlets, such as local newsletters.

C. Public meetings with adequate notice

All formal public meetings concerning the Middle Housing Land Use Code Update will be advertised throughout the community. Formal public notices will be posted and published in consistent locations including the City Hall office, Bellevue School District office, and in "The Seattle Times" (local newspaper) as required. Interested parties will be further notified through a notice distribution list, providing process updates and meeting details.

D. Provisions for open discussion

Open discussion will result from a fair and open process, with various opportunities for public input. Public workshops will be advertised and made accessible to the broadest audience possible, building on established venues whenever possible. The discussion will be ensured and encouraged by designated time for facilitated discussion, public hearings before the adoption of amendments, and well-noticed public comment periods.

E. Opportunity for written comments

Written comments will be accepted and encouraged at all public meeting venues and in various forms, including email messages and facsimiles. Notice of public comment periods will encourage written comments and provide contact information, especially on draft comprehensive plan

updates. Comments should be addressed to Jonathan G. Kesler, AICP, Planning Manager, City of Medina Planning Department at:

Medina City Hall, 501 Evergreen Point Rd, Medina, WA 98039

Email: jkesler@medina-wa.gov

Subject: Medina Middle Housing Land Use Code Update

(Website) <https://www.medina-wa.gov/>

Planning staff will provide public comment cards or online comment options at meetings and at strategic locations throughout the City. Written comments will be presented to the Council during official public meetings.

F. Consideration and “fair response” to public comments

All comments on draft proposals and alternatives will be accepted and brought to the attention of the Planning Commission for their consideration. Written comments will also be kept on file for public review. City Planning Staff will acknowledge the receipt of written comments by sending a response with notification of opportunities for further involvement.

G. Broad dissemination of proposals and alternatives

Draft proposals and alternatives will be broadly disseminated throughout the community. A bulletin-type publication, distributed by mail, email, posted on the City website, and posted at various locations to provide general information about the process, will direct the public to the city-wide locations for reviewing the draft materials.

Locations for the review of draft proposals and alternatives include:

1. City Hall Office, 501 Evergreen Point Rd, Medina, WA 98039
2. City of Medina website, <https://www.medina-wa.gov/>.