



MEDINA, WASHINGTON

PLANNING COMMISSION MEETING

Hybrid - Virtual/In-Person
Medina City Hall - Council Chambers
501 Evergreen Point Road, Medina, WA 98039
Tuesday, August 25, 2026 – 6:00 PM

AGENDA

COMMISSION CHAIR | Shawn Schubring

COMMISSION VICE-CHAIR | Brian Pao

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

STAFF LIASON | Steven Wilcox, Development Services Director

DEVELOPMENT SERVICES COORDINATOR | Rebecca Bennett

Online Meeting Participation

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

Join Zoom Meeting

<https://medina-wa.zoom.us/j/87910272341?pwd=NZXbBCb3x7zy7syDF1uz3vmJFGc9Kd.1>

Meeting ID: 879 1027 2341

Passcode: 217880

One tap mobile

+12532158782,,87910272341#,,, *217880# US (Tacoma)

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1. **CALL TO ORDER / ROLL CALL**
2. **APPROVAL OF MEETING AGENDA**
3. **APPROVAL OF MINUTES**

- [3.1](#) Planning Commission Meeting Minutes of July 28, 2026
Recommendation: Adopt Minutes
Staff Contact: Rebecca Bennett, Development Services Coordinator

4. **ANNOUNCEMENTS**

- 4.1 Staff/Commissioners

5. **PUBLIC COMMENT PERIOD**

Please see "Online Meeting Participation" above.

6. **PUBLIC HEARING**

- [6.1](#) Development Impacts Project, Phase 1
Recommendation: Discussion and Approval of Recommendation
Staff Contact: Kim Gunderson, City Planning Consultant

Time Estimate: 1 hour and 30 minutes

7. **DISCUSSION**

8. **ADJOURNMENT**

Next Planning Commission Meeting: September, 22, 2026 at 6:00 PM.

ADDITIONAL INFORMATION

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

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

UPCOMING MEETINGS

Tuesday, September 22, 2026
Tuesday, October 27, 2026
Wednesday, November 18, 2026 (Special Meeting)
Tuesday, December 15, 2026 (Special Meeting)
Tuesday, January 26, 2027
Tuesday, February 23, 2027
Tuesday, March 23, 2027



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Tuesday, July 28, 2026 – 6:00 PM

MINUTES

1. CALL TO ORDER / ROLL CALL

Planning Commission Chair Shawn Schubring called the meeting of the Medina Planning Commission to order at 6:06p.m. in the Council Chambers.

PRESENT

Commission Chair Shawn Schubring
 Commissioner Vice-Chair Brian Pao
 Commissioner Julie Barrett
 Commissioner Sandhya Edupuganti (Arrived @ 6:16pm)
 Commissioner Mark Nelson (Departed @ 6:34pm)

ABSENT

Commissioner Li-Tan Hsu
 Commissioner Evonne Lai

STAFF

Bennett, Gunderson, Robertson, Swanson, Wilcox

2. APPROVAL OF MEETING AGENDA

ACTION: Motion to approve the meeting agenda. Motion passed 4-0.

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

3. APPROVAL OF MINUTES

3.1 Planning Commission Meeting Minutes of June 23, 2026

Recommendation: Adopt Minutes

Staff Contact: Rebecca Bennett, Development Services Coordinator

ACTION: Motion to approve the meeting minutes. Motion passed 4-0.

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

4. ANNOUNCEMENTS

4.1 Staff/Commissioners

Director of Development Services, Steve Wilcox, announced that the Critical Areas Ordinance GIS map has been completed and is expected to be available online within approximately two weeks.

City planning consultant, Kim Gunderson, announced that the City Council approved the Outdoor Lighting Ordinance with amendments. Gunderson also reported that the Council adopted Interim Official Control Ordinance No. 1059, which modifies and extends Interim Official Control Ordinance No. 1052. Ordinance No. 1059 includes four modifications to the previous interim official control.

Commissioner Pao reported that he attended the City Council meeting the previous evening, where the Council discussed EZ Fiber internet service.

5. PUBLIC COMMENT PERIOD

Please see "Online Meeting Participation" above.

Chair Schubring opened the public comment period.

During the public comment period, five members of the audience spoke regarding concerns related to development impacts and Ordinance No. 1052. Those speakers were Brian Brand, representing Baylis Architects, Scott Hommas, representing 300 Overlake Drive E, Phil McCullough, representing McCullough Architects, Todd Bennett, representing The Custom Home Company, and Sarjana Mitra, representing 1811 73rd Ave NE.

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

6. DISCUSSION

6.1 Development Impacts Project

Recommendation: Discussion only

Staff Contact: Kim Gunderson, City Planning Consultant

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

7. ADJOURNMENT

Meeting adjourned at 7:25pm

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

Motion made by Commissioner Vice-Chair Pao, Seconded by Commissioner Edupuganti.

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

Meeting minutes taken by Rebecca Bennett, Development Services Coordinator.

DRAFT



MEDINA, WASHINGTON

Planning Commission

Tuesday August 25, 2026

Subject: Development Impacts Project, Phase 1

Planning Commission Action: Discussion and Approval of Recommendation

Staff Contact: Kim Gunderson, Medina Planning Consultant

Summary

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

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

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

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

Problem Statement

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

Thematic Public Feedback

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

Interim Official Controls

In an effort to address these concerns, the City enacted emergency legislative action on February 23, 2026 limiting the proximity of development within adjoining side yards by increasing side yard setbacks on all properties (Ordinance 1052). In the same legislative action, the City created requirements for recessed upper stories and removed its allowance for height bonuses, which previously could allow the construction of a home up to 36-feet in height. At its July 27, 2026 regular meeting, City Council passed a second piece of emergency legislation (Ordinance 1059) which slightly modified and extends Ordinance 1052. Modifications in Ordinance 1059 include removing the recessed upper story requirement created by Ordinance 1052, clarifying vacant home lighting provisions, and increasing the minimum lot width and street frontage in the R-16 and R-20 zones from 70-feet to 90-feet.

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

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

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

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

Council Direction

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

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

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

Phase 1

Kim Gunderson of Mahoney Planning, LLC is under contract with the City of Medina to provide on-call current and long-range planning support services and has been tasked with leading the Development Impacts Project. Kim has prepared and attached a PowerPoint slide deck that will be presented to Planning Commission at its August 25, 2026 public hearing on Phase 1 of the Project. The slide deck refamiliarizes Planning Commission with the project and presents staff's recommended Phase 1 code amendments and its ancillary support materials. Staff propose the adoption of permanent revised zoning code provisions in its resolution to Phase 1; this is in direct response to consistent outspoken feedback from Development Impacts Project stakeholders who have asked for reliability as the Project advances.

Public Noticing and Statutory Requirements

Phase 1 of the Development Impacts Project has been robustly noticed to those with outspoken interest in the Project. Phase 1 has also undergone each of its statutory obligations for the adoption of new city ordinances.

SEPA

The City of Medina is the SEPA Lead Agency for the Development Impacts Project. Medina's SEPA Responsible Official has reviewed a project SEPA Checklist and related materials, and issued a Determination of Nonsignificance (DNS) for Phase 1 of the Project. The DNS was noticed in all manners required of MMC 14.04.010 and comments on the threshold determination were invited from August 7 – August 21, 2026. The City received one comment from the Department of Ecology seeking to understand the scope of the project and whether it impacted the Medina Shoreline Master Program.

Notice of Intent to Adopt (Commerce)

The City is required to provide notice of its intent to adopt (NOI) new or revised development regulations to the Department of Commerce (Commerce) under RCW 36.70A.106. The NOI is transmitted to most state agencies by Commerce, and a typical 60-day review and comment letter is extended to state agencies. At the request of the City, Commerce can choose to approve a requested expedited review of only 14 days.

Kim provided NOI with a request for expedited review to Commerce on July 29, 2026. On August 14, 2026, the City received its approved request for expedited review. No agency comments were received by the City. This satisfies the City's NOI obligations.

Notice of Planning Commission Public Hearing

MMC 16.81.070 provides the City's requirements for noticing its public hearings on zoning code text amendments. MMC 16.81.070 requires that public hearings be published in a newspaper of general circulation and posted in the same manner as regular Planning Commission and City Council meetings.

It is well understood that an engaged body of the Medina citizenry and their representatives seek to remain involved in the Development Impacts Project. Known as the "Development Impacts Project stakeholders," these Medina community members have regularly attended public meetings, provided public comment, and/or participated in the June 17 Project Phase 1 Charrette. The City has observed and appreciated the involvement of the Project stakeholders and wishes to continue providing them with abundant engagement. In that interest, the City over-noticed its August 25, 2026 Planning Commission public hearing and mailed notice of the hearing to any member of the Medina community with a record of public participation in the Project since its inception in February 2026. Fifty (50) Project stakeholders received this notice. A list of these recipients is attached to this agenda bill.

Notice of public hearing was timely provided on August 3, 2026. No comments have been received by the City as of the preparation of this agenda bill.

The City also committed to providing individual written responses to any verbal or written comments received after its initial presentation of a draft Phase 1 Ordinance to Planning Commission on July 27, 2026. All comments and City responses are attached to this agenda bill.

Project Schedule

Should Planning Commission recommend approval of the Development Impacts Project, Phase 1 Ordinance at its August 25th public hearing, Phase 1 is expected to continue advancing forward on

the following schedule:

- August 31 – Development Services Committee meeting and presentation review
- September 14 – City Council study session
- September 28 – City Council public hearing
- October 12 – Request ordinance adoption from City Council

Attachment(s)

1. DRAFT Ordinance, MMC Amendments for Development Impacts Project Phase 1 (redline)
2. DRAFT Ordinance, MMC Amendments for Development Impacts Project Phase 1 (clean)
3. Interim Official Control, Ordinance 1059
4. Interim Official Control, Ordinance 1052
5. DRAFT Template Landscape Covenant
6. Privacy Landscape Screening List
7. Notices and Public Comments
 - a. SEPA Checklist, DNS, and Notice
 - b. Commerce NOI and Expedited Review Approval
 - c. Notice of Public Hearing and Additional Email Recipient List
 - d. Public Comments and City Responses

Proposed Planning Commission Motion:

I move to recommend approval of the Development Impacts Project, Phase 1 Ordinance and to direct staff to forward the Planning Commission's recommendation to the City Council.

CITY OF MEDINA, WASHINGTON

Ordinance No. **xxx**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RELATING TO ZONING, AMENDING THE MEDINA MUNICIPAL CODE TO ADDRESS IMPACTS OF CONSTRUCTION, TO INCREASE PRIVACY AND PEACEFUL ENJOYMENT FOR RESIDENTS IN RESIDENTIAL DEVELOPMENT STANDARDS, AMENDING THE FOLLOWING SECTIONS OF THE MEDINA MUNICIPAL CODE FOR THIS PURPOSE: 16.22.030 (INCREASING SIDE YARD SETBACKS), 16.22.040 (REQUIRING LANDSCAPING FOR PROTRUSIONS INTO SETBACKS), 16.23.050 AND 16.23.060(C)&(D) (TO REMOVE THE BONUS HEIGHT OPTION), 16.44.040 (TO ADOPT LIGHTING LIMITATIONS FOR VACANT RESIDENCES), 16.12.020 TO DEFINE CERTIFIED AND CITY ARBORISTS, 16.12.090 TO DEFINE HORTICULTURALIST, 16.12.200 TO DEFINE UPPER STORY, 16.30.070.B TO ADD A NEW STANDARD FOR PRIVACY LANDSCAPE SCREENING, 16.71.010 TO EXPAND THE USE OF MINOR DEVIATIONS FOR REDUCED SETBACKS AND HEIGHT BONUS WHEN MITIGATION IS PROVIDED; ADOPTING FINDINGS IN SUPPORT OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Medina is a code city operating under Title 35A RCW, among other laws; and

WHEREAS, in Title 16 of the Medina Municipal Code, the City Council has established the City's development regulations; and

WHEREAS, Medina is a code city which is governed by the provisions of the Growth Management Action (Chapter 36.70A RCW); and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, on May 27, 2025, the City Council adopted Ordinance No. 1040 to update the City's land use codes to allow for middle housing and additional accessory dwelling units (ADUs) consistent with State law; and

WHEREAS, with increasing density, adopting standards that allow harmony between residents are of increased importance; and

WHEREAS, the development trends in Medina include building single-family homes to the maximum structural size and lot coverage which creates impacts on neighboring properties in terms of loss of privacy, noise, and light trespass; and

WHEREAS, this trend has not led to increased production of housing units or increased density, rather, it has led to decreased density in Medina; and

WHEREAS, these trends have also increased the cost of housing in a time when Washington is in a housing shortage and housing affordability crisis; and

WHEREAS, the narrower lots in Medina often have more impacts on neighboring property residents when redevelopment occurs; and

WHEREAS, narrow lots also are more difficult to develop with duplexes or ADU/DADU units; and

WHEREAS, since adopting Ordinance 1040 in May of 2025 to provide for ADU/DADU and middle housing options, the City has not seen development that would provide more affordable units, like ADU/DADUs or duplexes; and

WHEREAS, by updating the code to make lot standards wider, new lots created will have more width for a variety of housing types while minimizing impacts on neighboring property residents; and

WHEREAS, changing the minimum lot widths does not change minimum lot size, rather, it changes the aspect ratio which will make lots more developable for a wider variety of housing types; and

WHEREAS, by increasing side yard setbacks, the impacts of residential redevelopment will be mitigated on neighboring residents; and

WHEREAS, as part of modifying the development standards, an amended minor deviation process is included which will allow owners and developers to build with narrower side yard setbacks provided that such reduction in setbacks either does not have negative impacts on neighboring residents or such reduction is mitigated; and

WHEREAS, as part of modifying the development standards, an amended minor deviation process is included which will allow owners and developers in the R-20, R-30, and SR-30 zones to obtain a height bonus if structural coverage on the lot is limited to no greater than 13 percent, provided such height bonus either does not have negative impacts on neighboring residents or such height bonus is mitigated. This modification may provide better housing forms, more open space, and more harmony between neighbors; and

WHEREAS, by prioritizing the passage of this ordinance, the City will have addressed and resolved the immediate impacts caused by development trends, enabling its future study of broader zoning reformatory action to be considered by the City which aligns with and supports its adopted goals and policies; and

WHEREAS, this Ordinance was submitted to the Department of Commerce for expedited review on July 29, 2026; and

WHEREAS, on August 7, 2026, the City's SEPA official issued a determination of nonsignificance for the proposed amendments, which was published and provided to the public in accordance with WAC 197-11-510, and there have been no appeals; and

WHEREAS, over the past eight months, the City has engaged in significant public outreach including, mailing notices to every address in the City, hosting a website with project information for the public's access, hosting a charrette on June 17, 2026 to obtain input from design professionals, builders, residents, owners, and developers; and

WHEREAS, since February of 2026, the Planning Commission has studied this issue, including meeting four times, worked on a draft ordinance, and conducted a public hearing on the substance of this Ordinance on August 25, 2026; and

WHEREAS, following the public hearing, the Planning Commission recommended adoption by the City Council; and

WHEREAS, the Development Services Committee has met to review this ordinance once during the time period that this ordinance has been under review; and

WHEREAS, over the past eight months, the City Council has studied this issue, including meeting eight times, has given directions to the Planning Commission, and conducted a public hearing on the substance of this Ordinance on September 28, 2026; and

WHEREAS, the City Council, following the public hearing and after careful consideration of the recommendation from the Planning Commission, all public comment, and the Ordinance, finds that this Ordinance is consistent with the City's Comprehensive Plan and development regulations, the Growth Management Act, Chapter 36.70A RCW, and that the amendments herein are in the best interests of the residents of the City and further advance the public health, safety and welfare; and

WHEREAS, the City Council determines that it is in the public interest, safety and welfare to update its code as required by State law and as set forth in this Ordinance;
NOW, THEREFORE,

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council's findings of fact in support of this ordinance.

Section 2. Subsection A of Section 16.22.030 of the Medina Municipal Code is hereby amended to read as follows:

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 for first floor, or up to 16 feet in height above finished grade, whichever is lower	Lake Washington Shoreline
Less than 10,001	25 feet	25 feet	1015 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 1015 feet or 1520% of the lot width; not to exceed 20 feet	

* * * * *

Section 3. Section 16.22.040 of the Medina Municipal Code is hereby amended to read as follows:

16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC. For structures located in side yard setbacks which are over 30 inches in height above the existing or finished grade, whichever is lower, the partial landscape screening standards set forth in MMC 16.30.070 shall be required:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(l)(6) applies.
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- C. Uncovered decks and patios, provided:
 - 1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
 - 2. The following setbacks are maintained:
 - a. A minimum 15-foot setback is maintained from the front property line;
 - b. A minimum 10-foot setback is maintained from the rear property line; and
 - c. A minimum side-yard setback equal to ~~one-half~~ seventy-five percent of the required distance pursuant to Table 16.22.030. In addition, for decks or patios built in side yard setbacks, installation of solid landscape screening under MMC 16.30.070 shall be required.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access .
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.
- I. Improved surface areas for off-street parking provided:
 - 1. The protrusion is limited to the front setback area and a minimum 15-setback is maintained from a front property line; and

2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
 3. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.
- J. A chimney provided:
1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area ;
 2. The maximum horizontal width of the chimney inside the setback area is five feet.
- K. Accessory structures and outdoor mechanical equipment provided:
1. The protrusion is limited to the rear setback area and a minimum 15-foot setback from the rear property line is maintained; and
 2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
 3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
 4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
 5. For outdoor mechanical equipment, the following shall apply:
 - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
 - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum ~~five~~^{ten}-foot setback is maintained from the side property line; and
 6. All mechanical equipment shall meet the sound requirements set forth in chapter 8.06 MMC.
 7. Permanently installed water features and other similar permanently installed sound attenuation devices shall be located such that neighboring properties do not hear them.
- L. Open play structures without roofs or walls provided:
1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
 2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
 3. The play structure does not occupy a footprint greater than 100 square feet.
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.

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

Section 4. Section 16.23.050 of the Medina Municipal Code is hereby amended to read as follows:

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	30 feet
	Low Point	36 feet
Finished Grade	High Point	30 feet
	Low Point	36 feet

~~CD.~~ The methods for measuring the height of buildings and structures are set forth in MMC 16.23.060.

~~DE.~~ 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.~~

Section 5. Subsections C and D of Section 16.23.060 of the Medina Municipal Code are hereby amended to read as follows:

16.23.060. Measuring building and structure height.

* * * * *

- C. In the R-20, R-30, and SR-30 zones (~~except where the bonus height standards in Table 16.23.050(C) are used~~) and in the Medina Heights overlay, height shall be measured as shown in Figure 16.23.060(C) and as set forth in the following procedures:

* * * * *

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

Figure ~~16.23.060(D)~~: Bonus Height Measurements
IMAGE IS DELETED

* * * * *

Section 7. Section 16.44.040 of the Medina Municipal Code is hereby amended to read as follows:

16.44.040. Minimum maintenance standards for vacant residences.

Properties containing vacant ~~single-family~~ dwellings, whether under construction or complete, shall, at a minimum, be maintained as follows:

- A. The premises shall be clean, safe, and sanitary, free from waste, garbage, litter and excessive vegetation.
- B. The building and structures shall be maintained in good repair and be structurally sound. Structural members shall be free from safety, health, and fire hazards.
- C. Doors, windows, and other openings shall be weather-tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and other openings shall be covered by glass, plywood, or other weather-resistant materials and tightly fitted and secured to the opening.
- D. Exterior walls shall be free of holes, breaks, and loose or rotting materials.
- E. Foundation walls shall be animal- and vermin-proof and be maintained in a structurally sound and sanitary condition.
- F. Chimneys, decks, balconies, canopies, awnings, exhaust ducts, cornices, corbels, trim, wall facings, drains, gutters, downspouts, and similar features shall be safely anchored.
- G. Roofs and flashings shall be maintained in good repair and be structurally sound.
- H. Interior lights that are visible to or from neighboring properties shall be kept turned off except when the structure is occupied.
- I. Exterior lights shall only be on after dark if they are shielded and angled away from other properties and dwelling units. Light shall not be permitted to trespass onto other properties.

Section 8. Subsection “A” of Section 16.22.020 of the Medina Municipal Code is hereby amended to read as follows:

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 90 ft.	70 90 ft.
R-20	20,000 sq. ft.	70 90 ft.	70 90 ft.
R-30	30,000 sq. ft.	90 ft.	90 ft.
SR-30	30,000 sq. ft.	90 ft.	90 ft.
N-A	16,500 sq. ft.	135 ft.	135 ft.
Public	None	None	None

* * * * *

Section 9. Definitions of “Arborist, certified” and “Arborist, city” are hereby added to Section 16.12.020 to read as follows:

16.12.020. – “A” definitions.

* * * * *

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

Arborist, city means a certified arborist appointed by the city manager or designee. The city arborist is responsible for evaluating trees according to the International Society of Arboriculture in evaluating hazardous trees in urban areas.

* * * * *

Section 10. The definition of “Horticulturist, certified” is hereby added to Section 16.12.090 to read as follows:

16.12.090. – “H” definitions.

* * * * *

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

* * * * *

Section 10. The definitions of “Reconstruction” and “Replacement cost” in Section 16.12.190 of the Medina Municipal Code are hereby to read as follows:

16.12.190. - "R" definitions.

* * * * *

Reconstruction means to undertake construction within and/or upon an existing structure which has a valid construction permit with fair-market construction costs greater than 60 percent of the replacement cost of the existing structure being enlarged, extended, repaired, remodeled, or structurally altered. All project phases necessary to result in a habitable building must be included. The calculation for fair market construction costs shall include all costs of construction associated with the structure for a period beginning on the date of permit issuance and ending 18 months after the date the permit is finalized by the city. Construction costs shall be based on the greater of bid cost or the adopted valuation table for new square footage.

* * * * *

Replacement cost means the square footage of the structure multiplied by local building costs per square foot for the type of structure, or a similar method of calculation means the total cost of design and construction to replace an existing structure.

* * * * *

Section 110. The definition of “Story, upper” is hereby added to Section 16.12.200 to read as follows:

16.12.200. – “S” definitions.

* * * * *

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

* * * * *

Section 124. A new subsection “3” is hereby added to Section 16.30.070.B of the Medina Municipal Code to read as follows:

16.30.070. Landscape screening.

* * * * *

B. Landscape screening – Types and description.

* * * * *

3. Privacy landscape screening.

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

* * * * *

Section 132. Section 16.71.010 of the Medina Municipal Code is hereby amended to read as follows:

16.71.010. Minor deviation.

A. *Purpose.* The purpose of a minor deviation is:

1. To allow for minor departures from numeric development standards for ~~remodeling~~ alteration projects; and
 2. To allow flexibility in design while preserving legally established nonconforming conditions with respect to setback requirements and maximum building heights; and-
 3. To allow departures from minimum side yard setback and maximum building height standards for development projects, including new development, alterations, additions, substantial destruction, or ~~substantial~~ reconstruction.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard for alteration projects provided:
 - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
 - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses; and
 - c. The structure would not experience substantial destruction as defined by MMC 16.12.200.
 2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
 - a. Matching a legal nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
 - b. Matching a legal nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
 - c. The total above-ground bulk of the building located within the legally nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the legal nonconforming building height or setback envelope with approval of a minor deviation; and
 - d. The structure would not experience substantial destruction as defined by MMC 16.12.200.

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

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

1. Protrusions in setback areas shall otherwise comply with MMC 16.22.040.

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

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

<u>Finished Grade</u>	<u>High Point</u>	<u>30 feet</u>
	<u>Low Point</u>	<u>36 feet</u>

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

E. *Limitations.* A minor deviation shall not be approved for the following:

- ~~1. Where the structure experienced substantial destruction as defined by MMC 16.12.200.~~
- 1.2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
- 2.3. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.

F. *Criteria for approval.* The decision authority may approve a minor deviation only if all of the following criteria are satisfied:

1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

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

detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved:

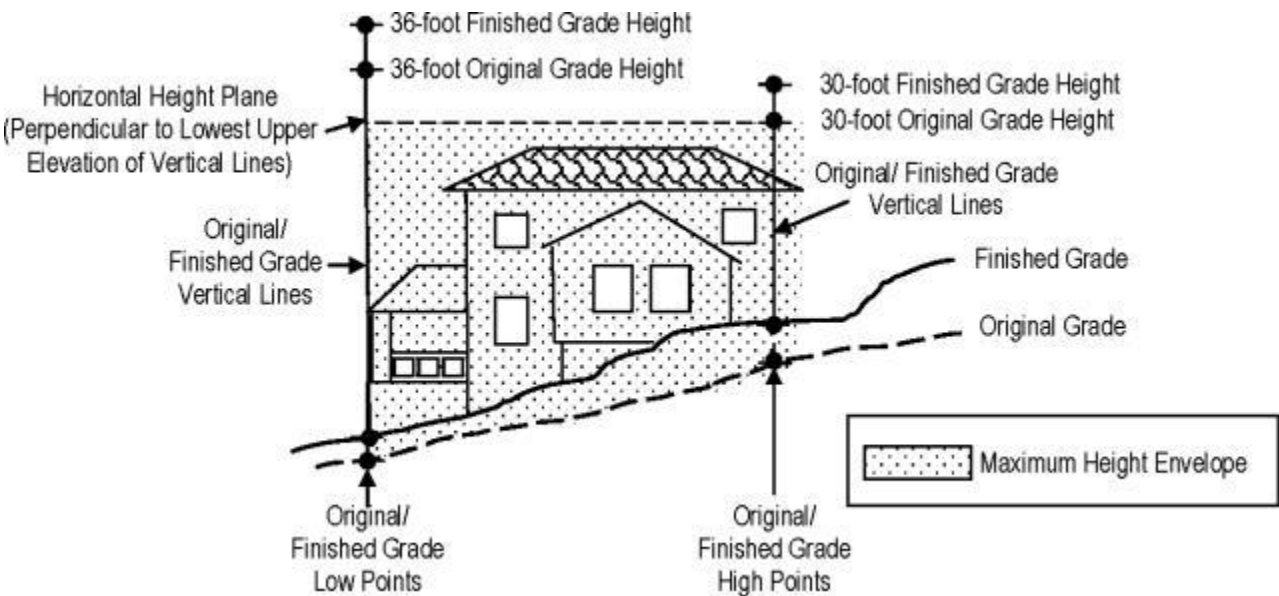
1. A privacy landscape screen pursuant to MMC 16.30.070(B)(3) shall be installed along the perimeter of the lot from which the structure is set back against the alternative side yard setback standards set forth in subsection (D)(3)(c) of this section. A maintenance covenant shall be recorded against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

H. *Lapse of approval.*

1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
2. Expiration of the minor deviation is automatic and notice is not required; and

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

Figure 16.71.010(A): Alternative Bonus Height Measurements



Section 143. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 154. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 165. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 176. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE ____ DAY OF _____, 2026 BY A VOTE OF ☒ FOR, ☒ AGAINST, AND ☒ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE ____ DAY OF _____, 2026.

Jessica Rossman, Mayor

Approved as to form:
Inslee Best Doezie & Ryder, P.S.

Attest:

Jennifer S. Robertson, City Attorney

Dawn Nations, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

CITY OF MEDINA, WASHINGTON

Ordinance No. **xxx**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RELATING TO ZONING, AMENDING THE MEDINA MUNICIPAL CODE TO ADDRESS IMPACTS OF CONSTRUCTION, TO INCREASE PRIVACY AND PEACEFUL ENJOYMENT FOR RESIDENTS IN RESIDENTIAL DEVELOPMENT STANDARDS, AMENDING THE FOLLOWING SECTIONS OF THE MEDINA MUNICIPAL CODE FOR THIS PURPOSE: 16.22.030 (INCREASING SIDE YARD SETBACKS), 16.22.040 (REQUIRING LANDSCAPING FOR PROTRUSIONS INTO SETBACKS), 16.23.050 AND 16.23.060(C)&(D) (TO REMOVE THE BONUS HEIGHT OPTION), 16.44.040 (TO ADOPT LIGHTING LIMITATIONS FOR VACANT RESIDENCES), 16.12.020 TO DEFINE CERTIFIED AND CITY ARBORISTS, 16.12.090 TO DEFINE HORTICULTURALIST, 16.12.200 TO DEFINE UPPER STORY, 16.30.070.B TO ADD A NEW STANDARD FOR PRIVACY LANDSCAPE SCREENING, 16.71.010 TO EXPAND THE USE OF MINOR DEVIATIONS FOR REDUCED SETBACKS AND HEIGHT BONUS WHEN MITIGATION IS PROVIDED; ADOPTING FINDINGS IN SUPPORT OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Medina is a code city operating under Title 35A RCW, among other laws; and

WHEREAS, in Title 16 of the Medina Municipal Code, the City Council has established the City’s development regulations; and

WHEREAS, Medina is a code city which is governed by the provisions of the Growth Management Action (Chapter 36.70A RCW); and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City’s incorporated lands; and

WHEREAS, on May 27, 2025, the City Council adopted Ordinance No. 1040 to update the City’s land use codes to allow for middle housing and additional accessory dwelling units (ADUs) consistent with State law; and

WHEREAS, with increasing density, adopting standards that allow harmony between residents are of increased importance; and

WHEREAS, the development trends in Medina include building single-family homes to the maximum structural size and lot coverage which creates impacts on neighboring properties in terms of loss of privacy, noise, and light trespass; and

WHEREAS, this trend has not led to increased production of housing units or increased density, rather, it has led to decreased density in Medina; and

WHEREAS, these trends have also increased the cost of housing in a time when Washington is in a housing shortage and housing affordability crisis; and

WHEREAS, the narrower lots in Medina often have more impacts on neighboring property residents when redevelopment occurs; and

WHEREAS, narrow lots also are more difficult to develop with duplexes or ADU/DADU units; and

WHEREAS, since adopting Ordinance 1040 in May of 2025 to provide for ADU/DADU and middle housing options, the City has not seen development that would provide more affordable units, like ADU/DADUs or duplexes; and

WHEREAS, by updating the code to make lot standards wider, new lots created will have more width for a variety of housing types while minimizing impacts on neighboring property residents; and

WHEREAS, changing the minimum lot widths does not change minimum lot size, rather, it changes the aspect ratio which will make lots more developable for a wider variety of housing types; and

WHEREAS, by increasing side yard setbacks, the impacts of residential redevelopment will be mitigated on neighboring residents; and

WHEREAS, as part of modifying the development standards, an amended minor deviation process is included which will allow owners and developers to build with narrower side yard setbacks provided that such reduction in setbacks either does not have negative impacts on neighboring residents or such reduction is mitigated; and

WHEREAS, as part of modifying the development standards, an amended minor deviation process is included which will allow owners and developers in the R-20, R-30, and SR-30 zones to obtain a height bonus if structural coverage on the lot is limited to no greater than 13 percent, provided such height bonus either does not have negative impacts on neighboring residents or such height bonus is mitigated. This modification may provide better housing forms, more open space, and more harmony between neighbors; and

WHEREAS, by prioritizing the passage of this ordinance, the City will have addressed and resolved the immediate impacts caused by development trends, enabling its future study of broader zoning reformatory action to be considered by the City which aligns with and supports its adopted goals and policies; and

WHEREAS, this Ordinance was submitted to the Department of Commerce for expedited review on July 29, 2026; and

WHEREAS, on August 7, 2026, the City's SEPA official issued a determination of nonsignificance for the proposed amendments, which was published and provided to the public in accordance with WAC 197-11-510, and there have been no appeals; and

WHEREAS, over the past eight months, the City has engaged in significant public outreach including, mailing notices to every address in the City, hosting a website with project information for the public's access, hosting a charrette on June 17, 2026 to obtain input from design professionals, builders, residents, owners, and developers; and

WHEREAS, since February of 2026, the Planning Commission has studied this issue, including meeting four times, worked on a draft ordinance, and conducted a public hearing on the substance of this Ordinance on August 25, 2026; and

WHEREAS, following the public hearing, the Planning Commission recommended adoption by the City Council; and

WHEREAS, the Development Services Committee has met to review this ordinance once during the time period that this ordinance has been under review; and

WHEREAS, over the past eight months, the City Council has studied this issue, including meeting eight times, has given directions to the Planning Commission, and conducted a public hearing on the substance of this Ordinance on September 28, 2026; and

WHEREAS, the City Council, following the public hearing and after careful consideration of the recommendation from the Planning Commission, all public comment, and the Ordinance, finds that this Ordinance is consistent with the City's Comprehensive Plan and development regulations, the Growth Management Act, Chapter 36.70A RCW, and that the amendments herein are in the best interests of the residents of the City and further advance the public health, safety and welfare; and

WHEREAS, the City Council determines that it is in the public interest, safety and welfare to update its code as required by State law and as set forth in this Ordinance;
NOW, THEREFORE,

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council's findings of fact in support of this ordinance.

Section 2. Subsection A of Section 16.22.030 of the Medina Municipal Code is hereby amended to read as follows:

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 <u>for first floor, or up to 16 feet in height above finished grade, whichever is lower</u>	Lake Washington Shoreline
Less than 10,001	25 feet	25 feet	1015 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 1015 feet or 1520% of the lot width; not to exceed 20 feet	

* * * * *

Section 3. Section 16.22.040 of the Medina Municipal Code is hereby amended to read as follows:

16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC. For structures located in side yard setbacks which are over 30 inches in height above the existing or finished grade, whichever is lower, the partial landscape screening standards set forth in MMC 16.30.070 shall be required:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(l)(6) applies.
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- C. Uncovered decks and patios, provided:
 - 1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
 - 2. The following setbacks are maintained:
 - a. A minimum 15-foot setback is maintained from the front property line;
 - b. A minimum 10-foot setback is maintained from the rear property line; and
 - c. A minimum side-yard setback equal to ~~one-half~~ seventy-five percent of the required distance pursuant to Table 16.22.030. In addition, for decks or patios built in side yard setbacks, installation of solid landscape screening under MMC 16.30.070 shall be required.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access .
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.
- I. Improved surface areas for off-street parking provided:
 - 1. The protrusion is limited to the front setback area and a minimum 15-setback is maintained from a front property line; and

2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
 3. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.
- J. A chimney provided:
1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area ;
 2. The maximum horizontal width of the chimney inside the setback area is five feet.
- K. Accessory structures and outdoor mechanical equipment provided:
1. The protrusion is limited to the rear setback area and a minimum 15-foot setback from the rear property line is maintained; and
 2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
 3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
 4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
 5. For outdoor mechanical equipment, the following shall apply:
 - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
 - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum ~~five~~^{ten}-foot setback is maintained from the side property line; and
 6. All mechanical equipment shall meet the sound requirements set forth in chapter 8.06 MMC.
 7. Permanently installed water features and other similar permanently installed sound attenuation devices shall be located such that neighboring properties do not hear them.
- L. Open play structures without roofs or walls provided:
1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
 2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
 3. The play structure does not occupy a footprint greater than 100 square feet.
- M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.

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

Section 4. Section 16.23.050 of the Medina Municipal Code is hereby amended to read as follows:

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	30 feet
	Low Point	36 feet
Finished Grade	High Point	30 feet
	Low Point	36 feet

~~CD.~~ The methods for measuring the height of buildings and structures are set forth in MMC 16.23.060.

~~DE.~~ 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.~~

Section 5. Subsections C and D of Section 16.23.060 of the Medina Municipal Code are hereby amended to read as follows:

16.23.060. Measuring building and structure height.

* * * * *

- C. In the R-20, R-30, and SR-30 zones (~~except where the bonus height standards in Table 16.23.050(C) are used~~) and in the Medina Heights overlay, height shall be measured as shown in Figure 16.23.060(C) and as set forth in the following procedures:

* * * * *

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

Figure ~~16.23.060(D)~~: Bonus Height Measurements

IMAGE IS DELETED

* * * * *

Section 7. Section 16.44.040 of the Medina Municipal Code is hereby amended to read as follows:

16.44.040. Minimum maintenance standards for vacant residences.

Properties containing vacant ~~single-family~~ dwellings, whether under construction or complete, shall, at a minimum, be maintained as follows:

- A. The premises shall be clean, safe, and sanitary, free from waste, garbage, litter and excessive vegetation.
- B. The building and structures shall be maintained in good repair and be structurally sound. Structural members shall be free from safety, health, and fire hazards.
- C. Doors, windows, and other openings shall be weather-tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and other openings shall be covered by glass, plywood, or other weather-resistant materials and tightly fitted and secured to the opening.
- D. Exterior walls shall be free of holes, breaks, and loose or rotting materials.
- E. Foundation walls shall be animal- and vermin-proof and be maintained in a structurally sound and sanitary condition.
- F. Chimneys, decks, balconies, canopies, awnings, exhaust ducts, cornices, corbels, trim, wall facings, drains, gutters, downspouts, and similar features shall be safely anchored.
- G. Roofs and flashings shall be maintained in good repair and be structurally sound.
- H. Interior lights that are visible to or from neighboring properties shall be kept turned off except when the structure is occupied.
- I. Exterior lights shall only be on after dark if they are shielded and angled away from other properties and dwelling units. Light shall not be permitted to trespass onto other properties.

Section 8. Subsection “A” of Section 16.22.020 of the Medina Municipal Code is hereby amended to read as follows:

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 90 ft.	70 90 ft.
R-20	20,000 sq. ft.	70 90 ft.	70 90 ft.
R-30	30,000 sq. ft.	90 ft.	90 ft.
SR-30	30,000 sq. ft.	90 ft.	90 ft.
N-A	16,500 sq. ft.	135 ft.	135 ft.
Public	None	None	None

* * * * *

Section 9. Definitions of “Arborist, certified” and “Arborist, city” are hereby added to Section 16.12.020 to read as follows:

16.12.020. – “A” definitions.

* * * * *

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

Arborist, city means a certified arborist appointed by the city manager or designee. The city arborist is responsible for evaluating trees according to the International Society of Arboriculture in evaluating hazardous trees in urban areas.

* * * * *

Section 10. The definition of “Horticulturist, certified” is hereby added to Section 16.12.090 to read as follows:

16.12.090. – “H” definitions.

* * * * *

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

* * * * *

Section 10. The definitions of “Reconstruction” and “Replacement cost” in Section 16.12.190 of the Medina Municipal Code are hereby to read as follows:

16.12.190. - "R" definitions.

* * * * *

Reconstruction means to undertake construction within and/or upon an existing structure which has a valid construction permit with fair-market construction costs greater than 60 percent of the replacement cost of the existing structure being enlarged, extended, repaired, remodeled, or structurally altered. All project phases necessary to result in a habitable building must be included. The calculation for fair market construction costs shall include all costs of construction associated with the structure for a period beginning on the date of permit issuance and ending 18 months after the date the permit is finalized by the city. Construction costs shall be based on the greater of bid cost or the adopted valuation table for new square footage.

* * * * *

Replacement cost ~~means the square footage of the structure multiplied by local building costs per square foot for the type of structure, or a similar method of calculation~~ means the total cost of design and construction to replace an existing structure.

* * * * *

Section 11. The definition of “Story, upper” is hereby added to Section 16.12.200 to read as follows:

16.12.200. – “S” definitions.

* * * * *

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

* * * * *

Section 12. A new subsection “3” is hereby added to Section 16.30.070.B of the Medina Municipal Code to read as follows:

16.30.070. Landscape screening.

* * * * *

B. Landscape screening – Types and description.

* * * * *

3. Privacy landscape screening.

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

* * * * *

Section 13. Section 16.71.010 of the Medina Municipal Code is hereby amended to read as follows:

16.71.010. Minor deviation.

A. *Purpose.* The purpose of a minor deviation is:

1. To allow for minor departures from numeric development standards for ~~remodeling~~ alteration projects; and
 2. To allow flexibility in design while preserving legally established nonconforming conditions with respect to setback requirements and maximum building heights; and-
 3. To allow departures from minimum side yard setback and maximum building height standards for development projects, including new development, alterations, additions, substantial destruction, or reconstruction.
- B. *Applicant.* Any owner may submit an application for a minor deviation.
- C. *Procedures.* Minor deviations are processed as a Type 2 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.
- D. *Applicability.* A minor deviation may be approved for the following:
1. Departures by five percent or less from any numeric development standard for alteration projects provided:
 - a. If the numeric development standard is expressed as a percentage, the five percent is calculated as the numeric percentage multiplied by 1.05; and
 - b. Requests for departures may include qualifying conditions such as structural coverage bonuses and height bonuses; and
 - c. The structure would not experience substantial destruction as defined by MMC 16.12.200.
 2. Departures from building height and zoning setback standards to allow a building addition to match an existing nonconforming building height or setback that was legally established provided:
 - a. Matching a legal nonconforming building height means a building addition extending above the maximum zoning height applicable to the building, but the highest point of the addition does not exceed the highest point of the roof of the existing building; or
 - b. Matching a legal nonconforming zoning setback means a building addition extending into the setback area, but the addition does not extend closer to the property line than the closest point of the existing building, excluding gutters; and
 - c. The total above-ground bulk of the building located within the legally nonconforming height or setback envelope does not occupy more than 60 percent of the maximum possible above-ground bulk that could otherwise be built within the legal nonconforming building height or setback envelope with approval of a minor deviation-; and
 - d. The structure would not experience substantial destruction as defined by MMC 16.12.200.

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

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

1. Protrusions in setback areas shall otherwise comply with MMC 16.22.040.

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

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

<u>Finished Grade</u>	<u>High Point</u>	<u>30 feet</u>
	<u>Low Point</u>	<u>36 feet</u>

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

E. *Limitations.* A minor deviation shall not be approved for the following:

- ~~1. Where the structure experienced substantial destruction as defined by MMC 16.12.200.~~
- 1.2. Where the request is to obtain final approval of a structure that compliance with the numeric development standard was represented in the building permit application, but subsequent construction is noncompliant; or
- 2.3. Where the project consists of a building alteration or improvement that was completed at any time within the previous five years.

F. *Criteria for approval.* The decision authority may approve a minor deviation only if all of the following criteria are satisfied:

1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and
4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

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

detriment to property in the vicinity, and to ensure that the privacy of adjoining properties is preserved:

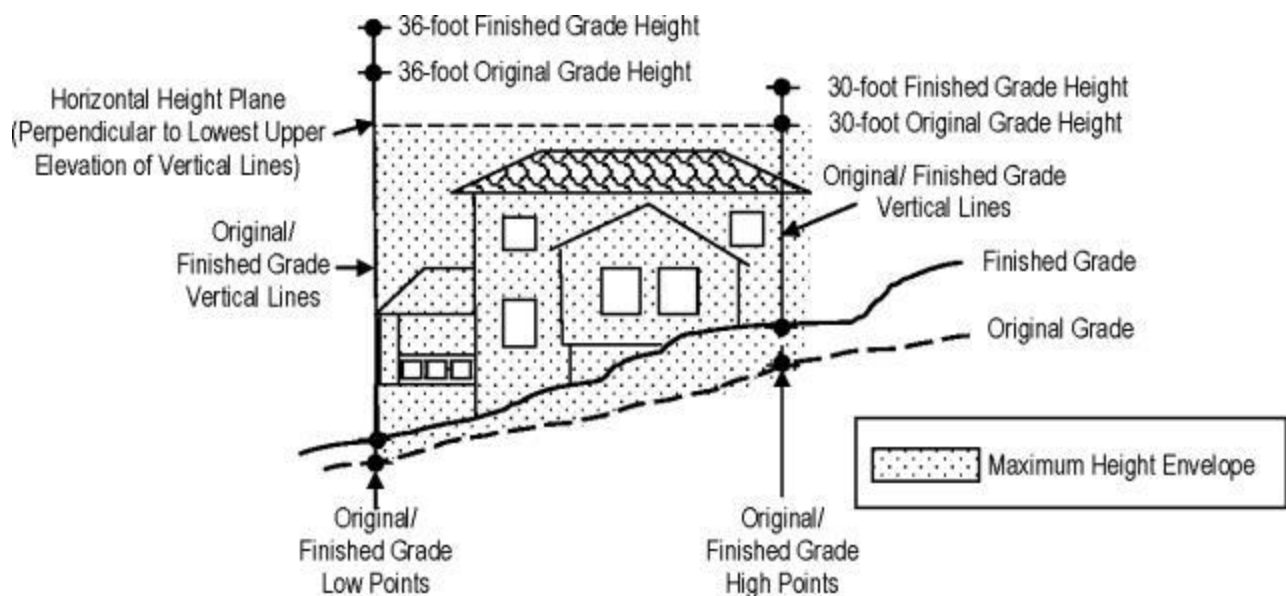
1. A privacy landscape screen pursuant to MMC 16.30.070(B)(3) shall be installed along the perimeter of the lot from which the structure is set back against the alternative side yard setback standards set forth in subsection (D)(3)(c) of this section. A maintenance covenant shall be recorded against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

H. *Lapse of approval.*

1. An approved minor deviation shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
2. Expiration of the minor deviation is automatic and notice is not required; and

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

Figure 16.71.010(A): Alternative Bonus Height Measurements



Section 14. Repeal of Interim Official Control. The Interim Official Control which was imposed under Ordinance No. 1052 and extended and modified under Ordinance Nos. 1059 is hereby terminated upon the effective date of this Ordinance.

Section 15. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 16. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 17. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 18. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE ____ DAY OF _____, 2026 BY A VOTE OF ☒ FOR, ☒ AGAINST, AND ☒ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE ____ DAY OF _____, 2026.

Jessica Rossman, Mayor

Approved as to form:
Inslee Best Doezie & Ryder, P.S.

Attest:

Jennifer S. Robertson, City Attorney

Dawn Nations, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

CITY OF MEDINA, WASHINGTON

Ordinance No. 1059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; EXTENDING AND MODIFYING AN INTERIM OFFICIAL CONTROL RELATING TO ZONING ADOPTED UNDER ORDINANCE NO. 1052, WHICH AMENDED THE MEDINA MUNICIPAL CODE TO PROVIDE FOR MITIGATION OF CONSTRUCTION IMPACTS AND INCREASED PRIVACY AND PEACEFUL ENJOYMENT FOR RESIDENTS IN RESIDENTIAL DEVELOPMENT STANDARDS, WHICH AMENDING THE FOLLOWING SECTIONS OF THE MEDINA MUNICIPAL CODE FOR THIS PURPOSE: 16.22.030 (INCREASING SIDE YARD SETBACKS), 16.22.040 (REQUIRING LANDSCAPING FOR PROTRUSIONS INTO SETBACKS), 16.23.050 AND 16.23.060(C)&(D) (TO REMOVE THE BONUS HEIGHT OPTION), AND 16.44.040 (TO ADOPT LIGHTING LIMITATIONS FOR VACANT RESIDENCES); REVISING ORDINANCE NO. 1052 RO MAKE ADDITIONAL AMENDMENTS TO MMC 16.22.030.A, 16.22.040, 16.44.040.H ADDING AMENDMENTS TO MMC 16.22.020.A, ADOPTING FINDINGS IN SUPPORT OF THIS ORDINANCE; PROVIDING FOR VESTED RIGHTS, INTERPRETATION AUTHORITY, AND SETTING A PUBLIC HEARING AS REQUIRED BY STATE LAW TO TAKE TESTIMONY ON THIS EXTENSION AND MODIFICATION OF THE INTERIM OFFICIAL CONTROL ORIGINALLY ADOPTED UNDER ORDINANCE NO. 1052; PROVIDING FOR SEVERABILITY AND CORRECTIONS; DIRECTING THE PLANNING COMMISSION TO WORK ON PERMANENT REGULATIONS FOR STANDARDS TO MITIGATE CONSTRUCTION IMPACTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt moratoria and interim zoning controls related to land uses; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, on May 27, 2025, the City Council adopted Ordinance No. 1040 to update the City's land use codes to allow for middle housing and additional accessory dwelling units consistent with State law; and

WHEREAS, with increasing density, adopting standards that allow harmony between residents are of increased importance; and

WHEREAS, in order to make sure such increased density and development does not vest to the existing bulk and development standards, the City Council deems it in the public interest to adopt an interim official control until such time and the City can process, consider and adopt updated permanent lighting regulations; and

WHEREAS, the City Council adopted Ordinance No 1052 on February 23, 2026 which is an interim official control on construction impacts mitigation (including impacts of bulk) and directed the Planning Commission to work on permanent regulations; and

WHEREAS, since that time, the Planning Commission has studied the issues and the Council has directed the project to be taken in phases with completion of Phase 1 expected to occur in the fall of 2026 with the adoption of permanent regulations that will provide additional options for owners to develop their property; and

WHEREAS, one issue that has been raised repeatedly by the public, by developers and by design professionals is the difficulty faced by narrow lots in developing without having the risk of impacts on the abutting neighbors. In order to avoid the issues of creation of new narrow lots, the City Council finds it the public interest to increase the standard width and frontage allowed for lots by amending MMC 16.22.020. This will avoid the creation of new lots that are narrow and will have significant impacts on abutting neighbors; and

WHEREAS, the interim official control imposed by Ordinance No. 1052 and extended and modified by this Ordinance promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and

WHEREAS, the City Council determines that it is in the public interest, safety and welfare to extend and modify the interim official control imposed by Ordinance No. 1052 as set forth in this Ordinance; **NOW, THEREFORE,**

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council's initial findings of fact in support of the interim official control established by this ordinance. The City Council may, in its discretion, adopt additional findings after the public hearing referenced in Section 7 below.

Section 2. Interim Official Control Extended, Modified, and Renewed. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, the City hereby extends, modifies, and renews the interim official control, as set forth in Ordinance No. 1052, which amends the Medina Municipal Code as set forth therein and established the procedures and vesting thereunder. Except as modified by this Ordinance, all provisions of Ordinance No. 1052 shall be extended and remain in effect as extended by this Ordinance.

Section 3. Subsection A of Section 16.22.030 of the Medina Municipal Code which was amended by Section 3 of Ordinance No. 1052 is further amended to read as follows:

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	Side Property Line for portions of the structure above the first floor, or over 16 feet in height above finished grade, whichever is lower	Lake Washington Shoreline
Less than 10,001	25 feet	25 feet	15 feet	20 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 15 feet or 20% of the lot width; not to exceed 20 feet	The greater of 20 feet or 25% of the lot width; not to exceed 25 feet	

* * * * *

Section 4. Section 16.22.040 of the Medina Municipal Code was amended by Section 4 of Ordinance No. 1052. The first paragraph of Section 16.22.040 is further amended by this Ordinance to read as follows:

16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC. For structures located in side yard setbacks which are over 30 inches in height above the existing or finished grade, whichever grade is lower, the partial landscape screening standards set forth in MMC 16.30.070 shall be required:

* * * * *

Section 5. Section 16.44.040 of the Medina Municipal Code which was amended in Section 8 of Ordinance No. 1052 is further amended to read as follows:

16.44.040. Minimum maintenance standards for vacant residences.

Properties containing vacant dwellings, whether under construction or complete, shall, at a minimum, be maintained as follows:

- A. The premises shall be clean, safe, and sanitary, free from waste, garbage, litter and excessive vegetation.
- B. The building and structures shall be maintained in good repair and be structurally sound. Structural members shall be free from safety, health, and fire hazards.

- C. Doors, windows, and other openings shall be weather-tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and other openings shall be covered by glass, plywood, or other weather-resistant materials and tightly fitted and secured to the opening.
- D. Exterior walls shall be free of holes, breaks, and loose or rotting materials.
- E. Foundation walls shall be animal- and vermin-proof and be maintained in a structurally sound and sanitary condition.
- F. Chimneys, decks, balconies, canopies, awnings, exhaust ducts, cornices, corbels, trim, wall facings, drains, gutters, downspouts, and similar features shall be safely anchored.
- G. Roofs and flashings shall be maintained in good repair and be structurally sound.
- H. Interior lights ~~which can be seen from outside of the dwelling~~ that are visible to or from neighboring properties shall be kept turned off except when the structure is occupied.
- I. Exterior lights shall only be on after dark if they are shielded and angled away from other properties and dwelling units. Light shall not be permitted to trespass onto other properties.

Section 6. Subsection “A” of Section 16.22.020 of the Medina Municipal Code is hereby amended to read as follows:

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 <u>90</u> ft.	70 <u>90</u> ft.
R-20	20,000 sq. ft.	70 <u>90</u> ft.	70 <u>90</u> ft.
R-30	30,000 sq. ft.	90 ft.	90 ft.

Zoning District	Minimum Net Lot Area	Minimum Lot Width	Minimum Street Frontage
SR-30	30,000 sq. ft.	90 ft.	90 ft.
N-A	16,500 sq. ft.	135 ft.	135 ft.
Public	None	None	None

* * * * *

Section 7. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall hold a public hearing at a City Council meeting within 60 days of adoption of this ordinance in order to take public testimony and to consider adopting further findings of fact, on or before September 25, 2026. The Council hereby schedules the public hearing for August 24, 2026.

Section 8. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 9. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 10. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 11. Effective Date; Declaration of an Emergency. The City Council hereby declares an emergency exists which necessitates that this Ordinance take effect immediately upon passage in order to ensure consistency in land use decisions and to avoid vesting to amended code. Such declaration preserves public health, safety, and welfare. This interim official control ordinance shall take effect immediately upon passage of a majority plus one of the City Council and shall remain effective for six (6) months, unless terminated earlier by the City Council. Provided, that the Council may, at its sole discretion, renew the interim official control for one or more six-month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 27th DAY OF JULY, 2026 BY A VOTE OF ☒ FOR, ☒ AGAINST, AND ☒ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 27th DAY OF JULY, 2026.

Jessica Rossman, Mayor

Approved as to form:
Inslee Best Doezie & Ryder, P.S.

Attest:

Jennifer R. Robertson, City Attorney

Dawn Nations, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

CITY OF MEDINA, WASHINGTON

Ordinance No.1052

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; IMPOSING AN INTERIM OFFICIAL CONTROL RELATING TO ZONING, AMENDING THE MEDINA MUNICIPAL CODE TO PROVIDE FOR REDUCED BULK AND INCREASED PRIVACY AND PEACEFUL ENJOYMENT FOR RESIDENTS IN RESIDENTIAL DEVELOPMENT STANDARDS, AMENDING THE FOLLOWING SECTIONS OF THE MEDINA MUNICIPAL CODE FOR THIS PURPOSE: 16.22.030 (INCREASING SIDE YARD SETBACKS), 16.22.040 (REQUIRING LANDSCAPING FOR PROTRUSIONS INTO SETBACKS), 16.23.050 AND 16.23.060(C)&(D) (TO REMOVE THE BONUS HEIGHT OPTION), AND 16.44.040 (TO ADOPT LIGHTING LIMITATIONS FOR VACANT RESIDENCES); ADOPTING FINDINGS IN SUPPORT OF THIS ORDINANCE; PROVIDING FOR VESTED RIGHTS, INTERPRETATION AUTHORITY, AND SETTING A PUBLIC HEARING AS REQUIRED BY STATE LAW TO TAKE TESTIMONY ON THIS INTERIM OFFICIAL CONTROL; PROVIDING FOR SEVERABILITY AND CORRECTIONS; DIRECTING THE PLANNING COMMISSION TO WORK ON PERMANENT REGULATIONS FOR BULK STANDARDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt moratoria and interim zoning controls related to land uses; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, on May 27, 2025, the City Council adopted Ordinance No. 1040 to update the City's land use codes to allow for middle housing and additional accessory dwelling units consistent with State law; and

WHEREAS, with increasing density, adopting standards that allow harmony between residents are of increased importance; and

WHEREAS, in order to make sure such increased density and development does not vest to the existing bulk and development standards, the City Council deems it in the public interest to adopt an interim official control until such time and the City can process, consider and adopt updated permanent lighting regulations; and

WHEREAS, the interim official control imposed herein promotes the public good and is necessary for the protection of public health, property, safety, and welfare; and

WHEREAS, the City Council determines that it is in the public interest, safety and welfare to update its code as required by State law and as set forth in this Ordinance;
NOW, THEREFORE,

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

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the City Council’s initial findings of fact in support of the interim official control established by this ordinance. The City Council may, in its discretion, adopt additional findings after the public hearing referenced in Section 10 below.

Section 2. Interim Official Control Imposed. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, the City hereby imposes an interim official control, as described in Sections 3 through 9, to amend the Medina Municipal Code as set forth therein.

Section 3. Subsection A of Section 16.22.030 of the Medina Municipal Code is hereby amended to read as follows:

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 for first floor.	Side Property Line for portions of	Lake Washington Shoreline

			<u>or up to 16 feet in height above finished grade, whichever is lower</u>	<u>the structure above the first floor, or over 16 feet in height above finished grade, whichever is lower</u>	
Less than 10,001	25 feet	25 feet	40 <u>15</u> feet	<u>20 feet</u>	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 40 <u>15</u> feet or 45 <u>20</u> % of the lot width; not to exceed 20 feet	<u>The greater of 20 feet or 25% of the lot width; not to exceed 25 feet</u>	

* * * * *

Section 4. Section 16.22.040 of the Medina Municipal Code is hereby amended to read as follows:

16.22.040. Protrusions into setback areas.

The following structures may be located within a setback area, except setbacks from Lake Washington, which are subject to Chapter 16.63 MMC. For structures located in side yard setbacks which are over 30 inches in height, the partial landscape screening standards set forth in MMC 16.30.070 shall be required:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 16.50.090(I)(6) applies.
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- C. Uncovered decks and patios, provided:
 - 1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and
 - 2. The following setbacks are maintained:
 - a. A minimum 15-foot setback is maintained from the front property line;
 - b. A minimum 10-foot setback is maintained from the rear property line; and
 - c. A minimum side-yard setback equal to ~~one-half~~ seventy-five percent of the required distance pursuant to Table 16.22.030. In addition, for decks or patios built in side yard setbacks, installation of solid landscape screening under MMC 16.30.070 shall be required.
- D. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area.
- E. Fences and freestanding walls which comply with the requirements set forth in MMC 16.30.010.
- F. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade.
- G. Ramps and similar structures installed to a single-family dwelling to provide ADA access.
- H. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface.
- I. Improved surface areas for off-street parking provided:
 - 1. The protrusion is limited to the front setback area, and a minimum 15-setback is maintained from a front property line; and
 - 2. The parking area is designed in a manner that is clearly distinguishable from the driveway; and
 - 3. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower.
- J. A chimney provided:
 - 1. The protrusion is limited to the side setback area and does not exceed more than two feet into the setback area;
 - 2. The maximum horizontal width of the chimney inside the setback area is five feet.

K. Accessory structures and outdoor mechanical equipment provided:

1. The protrusion is limited to the rear setback area and a minimum 15-foot setback from the rear property line is maintained; and
2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade; and
3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet; and
4. Solid landscape screening pursuant to MMC 16.30.070 is planted that screens the structure or mechanical equipment from adjoining properties; and
5. For outdoor mechanical equipment, the following shall apply:
 - a. An existing unit may be replaced with a new unit in the same location regardless of setback requirements;
 - b. For existing legally nonconforming residences that do not conform to the current side yard setback requirements, a new unit may be installed in the side yard setback provided a minimum ~~five~~ten-foot setback is maintained from the side property line; and
6. All mechanical equipment shall meet the sound requirements set forth in chapter 8.06 MMC.
7. Permanently installed water features and other similar permanently installed sound attenuation devices shall be located such that neighboring properties do not hear them.

L. Open play structures without roofs or walls provided:

1. The protrusion is limited to rear setback areas and a minimum 10 foot setback from a rear property line is maintained; and
2. The maximum height of the play structure does not exceed ten feet above the finished grade; and
3. The play structure does not occupy a footprint greater than 100 square feet.

M. Swimming pools, spas and hot tubs as provided for in MMC 16.34.040.

N. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower.

O. Low impact development best management practices or treatment best management practices provided:

1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 13.06.020.
2. Best management practices, including associated vegetation, shall be located entirely on private property.

- 3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
- 4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
- 5. Examples of acceptable best management practices, as those practices are defined in Chapter 16.12 MMC, include but are not limited to the following:
 - a. Rain garden;
 - b. Bioretention;
 - c. Dispersion; and
 - d. Biofiltration treatment.

Section 5. Section 16.23.050 of the Medina Municipal Code is hereby amended to read as follows:

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	30 feet
	Low Point	36 feet
Finished Grade	High Point	30 feet
	Low Point	36 feet

- ~~CD.~~ The methods for measuring the height of buildings and structures are set forth in MMC 16.23.060.
- ~~DE.~~ 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.

Section 6. Subsections C and D of Section 16.23.060 of the Medina Municipal Code are hereby amended to read as follows:

16.23.060. Measuring building and structure height.

* * * * *

- C. In the R-20, R-30, and SR-30 zones ~~(except where the bonus height standards in Table 16.23.050(C) are used)~~ and in the Medina Heights overlay, height shall be measured as shown in Figure 16.23.060(C) and as set forth in the following procedures:

* * * * *

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

Figure 16.23.060(D): Bonus Height Measurements

IMAGE IS DELETED

* * * * *

Section 8. Section 16.44.040 of the Medina Municipal Code is hereby amended to read as follows:

16.44.040. Minimum maintenance standards for vacant residences.

Properties containing vacant single-family dwellings, whether under construction or complete, shall, at a minimum, be maintained as follows:

- A. The premises shall be clean, safe, and sanitary, free from waste, garbage, litter and excessive vegetation.
- B. The building and structures shall be maintained in good repair and be structurally sound. Structural members shall be free from safety, health, and fire hazards.
- C. Doors, windows, and other openings shall be weather-tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and other openings shall be covered by glass, plywood, or other weather-resistant materials and tightly fitted and secured to the opening.
- D. Exterior walls shall be free of holes, breaks, and loose or rotting materials.
- E. Foundation walls shall be animal- and vermin-proof and be maintained in a structurally sound and sanitary condition.
- F. Chimneys, decks, balconies, canopies, awnings, exhaust ducts, cornices, corbels, trim, wall facings, drains, gutters, downspouts, and similar features shall be safely anchored.
- G. Roofs and flashings shall be maintained in good repair and be structurally sound.
- H. Interior lights which can be seen from outside of the dwelling shall be kept turned off except when the structure is occupied.
- I. Exterior lights shall only be on after dark if they are shielded and angled away from other properties and dwelling units. Light shall not be permitted to trespass onto other properties.

Section 9. Effect on Vested Rights. The interim official control imposed under Sections 3 through 8 of this Ordinance shall apply prospectively only and shall be all Permit Applications, Land Use Development Applications, Land Division Applications, and Variance Applications submitted after the effective date of this ordinance. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any permit applicant's vested development rights as defined by state law and City of Medina's regulations, provided that such an applicant has filed a complete Permit, Development or Variance Application before the effective date of this ordinance.

Section 10. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall hold a public hearing at a City Council meeting within 60 days of adoption of this ordinance in order to take public testimony and to consider adopting further findings of fact, on or before April 24, 2026. The Council hereby schedules the public hearing for **April 13, 2026**.

Section 11. Interpretive Authority. The City of Medina Development Services Director, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 12. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 13. Publication. This Ordinance shall be published by an approved summary consisting of the title.

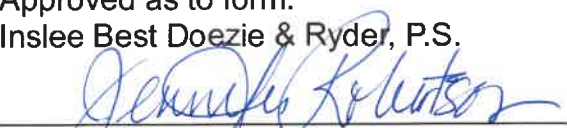
Section 14. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

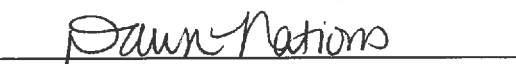
Section 15. Direction to Planning Commission. The Planning Commission is directed to review this Ordinance and study the issues presented and to develop and process final regulations for City Council consideration.

Section 16. Effective Date; Declaration of an Emergency. The City Council hereby declares an emergency exists which necessitates that this Ordinance take effect immediately upon passage in order to ensure consistency in land use decisions and to avoid vesting to amended code. Such declaration preserves public health, safety, and welfare. This interim official control ordinance shall take effect immediately upon passage of a majority plus one of the City Council and shall remain effective for six (6) months, unless terminated earlier by the City Council. Provided, that the Council may, at its sole discretion, renew the interim official control for one or more six-month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 23rd DAY OF FEBRUARY, 2026 BY A VOTE OF 5 FOR, 1 AGAINST, AND ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 23rd DAY OF FEBRUARY, 2026.


Jessica Rossman, Mayor

Approved as to form:
Inslee Best Doezie & Ryder, P.S.

Jennifer R. Robertson, City Attorney

Attest:

Dawn Nations, Acting City Clerk

PUBLISHED: 3/2/2026
EFFECTIVE DATE: 2/23/2026
ORDINANCE NO.: 1052 / AB



CITY OF MEDINA

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

After recording return to:

City of Medina
501 Evergreen Point Road
Medina WA 98039

Document Title	Landscape Improvement Maintenance Agreement Restrictive Covenant
Permit Number	
Grantor	
Grantee	City of Medina, a Washington municipal corporation
Address	
Abbreviated Legal Description	
Tax Parcel Number	
Full Legal Description	See <u>Exhibit A</u>



CITY OF MEDINA

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

CITY OF MEDINA LANDSCAPE IMPROVEMENT
MAINTENANCE AGREEMENT RESTRICTIVE COVENANT
(individual form)

THIS LANDSCAPE IMPROVEMENT MAINTENANCE AGREEMENT RESTRICTIVE COVENANT is made this ____ day of _____, 20____, by _____ (“Grantor”) and the City of Medina, a Washington municipal corporation (“Grantee”).

RECITALS:

- A. Grantor is the owner of certain real property in the City of Medina, Washington, described as set forth in **Exhibit “A”** and referred to in this Agreement as the “Property”. Grantor desires to construct a development on said Property, which development located at _____ (Parcel No. _____).
- B. As part of developing the Property, Grantor requested a Minor Deviation under Section 16.71.010 of the Medina Municipal Code (“MMC”) under Permit No. _____ from the Grantee. A condition of approval of the Minor Deviation required Grantor to install certain landscaping improvements which are required to be maintained in perpetuity.
- C. In order to ensure that Grantor and successors will continue to maintain the landscape improvements, Grantor agrees to execute and record this restrictive covenant.

COVENANT AGREEMENT:

Grantor and Grantee hereby covenant and agree as follows:

1.0 Construction and Installation of Landscape Improvements.

1.1 In connection with Grantor’s proposed development of the Property, Grantee has required and Grantor has agreed to construct Landscape Improvements on Grantor’s Property, including trees, shrubs, and irrigation (“Improvements”). These Improvements are described and shown on a recordable landscape plan prepared by a qualified professional of _____ approved by the City on _____,

20____, and as conditioned under Permit No. _____. The landscape plan is attached to this Agreement as Exhibit B.

1.2 As a condition of project approval, Grantor has agreed to enter into this Agreement to ensure that the landscape Improvements are installed and maintained in accordance with the landscape plan and approved permit documents, including conditions of the Minor Deviation approval.

2.0 Maintenance.

Grantor, its heirs, successors or assigns agree to maintain the Improvements in perpetuity. This maintenance obligation includes watering the Improvements until well-established, and as needed thereafter, and replacing any Improvements that may die or fail over time. Maintenance obligations also include pruning the vegetation consistent with best practices for the health of the plants, to maintain a minimum separation of 30-inches between any dwelling unit and the Improvements for emergency ingress and egress, and to ensure the vegetation does not encroach onto the neighboring property.

3.0 No Removal.

No part of the Improvements shall be altered or removed except as necessary for maintenance, repair or replacement, except as may be agreed to in writing by the parties. The Grantor will notify the Grantee prior to any vegetation alterations, removals or replacements.

4.0 Failure to Maintain.

If Grantor fails to adequately maintain or repair the Improvements, Grantee shall provide Grantor with oral or written notice of such failure to adequately maintain or replace the Improvements. Following receipt of such notice, Grantee shall provide Grantor with a reasonable opportunity to adequately repair the Improvements. In the event Grantor fails to repair or replace the Improvements within a reasonable time after notice (no later than the next planting season), then Grantee shall have the right to commence code enforcement against Grantor using the procedures found in Chapter 1.15 MMC, including the authority to levy daily civil penalties in the amounts set forth in Chapter 1.15 MMC, and record Final Notices with the County Recorder's Office. If Grantee is required to bring action to enforce this Covenant Agreement, whether using

Chapter 1.15 MMC or by another mechanism, Grantee shall also recover its reasonable attorneys' fees and costs, together with interest at the rate of twelve percent (12%) per annum on any unpaid daily penalties.

5.0 Enforcement.

This Covenant Agreement may be enforced by Grantee in law or equity against the Grantor, its heirs, successors, and assigns, including use of the code enforcement procedures contained in Chapter 1.15 MMC.

6.0 Successors and Assigns.

These obligations shall run with the Property and be binding upon the Grantor, its heirs, successors, and assigns.

7.0 Effective Date.

This Covenant Agreement is effective on the date first written above.

Grantor:

Grantee:

CITY OF MEDINA

(signature)

(signature)

Print name:_____

Print name:_____

Title:_____

Title:_____

Date Signed:_____

Date Signed:_____

NOTARY BLOCK GRANTOR

STATE OF WASHINGTON)
)ss
COUNTY OF [redacted])

I certify that I know of have satisfactory evidence that [redacted]
(Grantor) is the person who appeared before me, and said person acknowledged that he/she
signed this instrument as the free and voluntary act and deed for the uses and purposes
mentioned in the instrument.

DATED: [redacted]

Print name:
[redacted]

NOTARY PUBLIC

My commission expires: [redacted]

NOTARY BLOCK MEDINA

STATE OF WASHINGTON)
)ss
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____
(Grantee) is the person who appeared before me, and said person acknowledged that he/she
signed this instrument, on oath stated the he/she was authorized to execute the instrument and
acknowledged it as the _____
(title) of CITY OF MEDINA, to be the free and voluntary act of such party for the uses and
purposes mentioned in the instrument.

DATED: _____

Print name: _____

NOTARY PUBLIC

My commission expires: _____

Exhibit A

Legal Description of Grantor's Property

Exhibit B

Landscape Plan for Improvements

Medina Privacy Landscape Screening List

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

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

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions](#)²

1. Name of proposed project, if applicable:

City of Medina (City) Development Impacts Project Phase 1

2. Name of applicant:

City of Medina

3. Address and phone number of applicant and contact person:

Applicant

Steven R. Wilcox, Medina Development Services Director
501 Evergreen Point Road, Medina, WA 98039
swilcox@medina-wa.gov
(425) 233-6409

Contact Person

Kimberly A. Gunderson, Medina Planning Consultant
Mahoney Planning, LLC
kmahoney.planning@gmail.com
(253) 389-1864

4. Date checklist prepared:

July 29, 2026

5. Agency requesting checklist:

City of Medina (Lead Agency)

6. Proposed timing of schedule (including phasing, if applicable):

Adoption of the proposed Development Impacts Project Phase 1 Ordinance is expected to occur in October 2026.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes, there is an expected Phase 2 to the Development Impacts Project which will involve a lengthier and in-depth analysis of zoning regulation reform in the City. Phase 2 is expected to commence following the adoption of the Phase 1 ordinance and may take 1-2 years to complete. Phase 2 will undergo a separate SEPA review at an undetermined future date.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A; this is a non-project action to modify provisions of the Medina Municipal Code (MMC). Chiefly, the ordinance amends and adds to the City's Minor Deviation code, MMC Chapter 16.71. Amendments are also proposed in MMC Chapters 16.12 (Definitions), 16.22 (Lot

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

Development Standards, particularly governing lot width, setbacks and setback protrusions), 16.23 (Bulk Development Standards, particularly governing structural height), 16.30 (City Wide Uses, particularly governing landscape screening), and 16.44 (Minimum Maintenance Standards for Vacant Residences, particularly governing vacant residence lighting). Collectively, these amendments will mitigate impacts that have been observed through a growing development trend of building massive, proximal single-family residences in place of more modest homes while still affording for the full development potential of a lot.

Adoption of this ordinance is a voluntary endeavor to respond to outspoken community concerns regarding the tendency of property owners to demolish homes and replace them with sizeable homes that overwhelm the surrounding built fabric and cause impacts to neighboring properties' value, enjoyment, and privacy. No environmental information has been, or is required to be, prepared particularly for this non-project action.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

This non-project action is an amendment to the MMC, affecting all property in the City. Unvested development applications which have been submitted to the City may require design modifications to comply with land use codes in effect at the time of their complete application submittal.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed non-project action is a Text Code Amendment subject to MMC Chapter 16.81. Accordingly, the project will require a recommendation by the Medina Planning Commission and a final decision by the Medina City Council. The process has involved public noticing, discussion at public meetings, invitation for public comment, a community Charrette event, and will also include two public hearings expected to occur in August and September 2026. The City will issue a Notice of SEPA Threshold Determination following the Lead Agency SEPA Responsible Official's review of this SEPA Checklist, soliciting additional feedback from interested parties, other agencies, and the public at large. The City has submitted a Notice of Intent to Adopt its proposed Development Impacts Phase 1 draft ordinance to the Department of Commerce for dissemination to all state agencies and invitation for their comment.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Medina intends to permanently enact regulatory reform that will trend development away from recent development tendencies and address the impacts of these tendencies on the sense of community enjoyed in Medina. This effort is known as the Development Impacts Project. This project has commonly been referred to as "bulk impacts" over the last 20 years and the issue has been a regular matter of focus for regulatory reform in Medina. The goal of the Development Impacts Project is to develop

permanent amendments to Medina’s zoning context in a way that resolves development-related impacts and implements the land use goals of the Medina Comprehensive Plan:

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

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

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

Problem Statement

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

Thematic Public Feedback

In recent years, Medina residents have expressed a loss of their property enjoyment, value, and privacy by the growing trend of massive neighboring residential development. The trend of proximal, boxy homes has caused obtrusive light and noise, loss of privacy and property enjoyment, and an unease among some residents in the geotechnical stability of Medina’s steep slopes to withstand the charge of such large structures.

In an effort to address these concerns, the City enacted emergency legislative action limiting the proximity of development within adjoining side yards by increasing side yard setbacks on all properties (Ordinance 1052, extended by Ordinance 1059). In the same legislative action, the City created requirements for recessed upper stories and removed its allowance for height bonuses, which previously could allow the construction of a home up to 36-feet in height. At the July 27, 2026 City Council regular meeting, Council took action on a second piece of emergency legislation which contains many of the same provisions as Ordinance 1052, but removes its recessed upper story requirement, clarifies its vacant home lighting provisions, and increases the minimum lot width for all zones from 70-feet to 90-feet (Ordinance 1059).

In response to the passing of Ordinance 1052, property owners interested in developing their properties shared that these limitations have yielded a loss of property value.

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

- Large, boxy, proximal development has reduced privacy, reduced property enjoyment and value, and caused excessive noise and light.

- Regulations applied under Ordinance 1052 has caused a loss in property value and limits development potential.

The focus of this project will be to explore methods of amending the City’s zoning landscape that creates a balance between fostering increased density with livability for all residents.

Council Direction

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

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

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

Phase 1

The Medina Planning Commission will consider proposed revisions to the MMC in its resolution to Phase 1. These revisions reflect as a permanent ordinance (rather than an interim official control) in direct response to consistent outspoken feedback from Development Impacts Project stakeholders who have asked for reliability as the Project advances. Planning Commission has been asked to offer feedback at regularly scheduled public meetings and to consider public comments in their consideration of the draft Phase 1 ordinance. The resulting draft ordinance reflects the contemplations of the Planning Commission which are expected to be formally recommended for the City Council’s adoption at the Phase 1 public hearing in August.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This is a non-project action proposing edits to the MMC. The MMC is widely applicable throughout the entirety of the City of Medina. The City Boundary to which this project applies is depicted in the City’s Zoning Map, included as Attachment 1 to this SEPA Checklist.

B.Environmental Elements

As per WAC 197-11-315(1)(e) and WAC 197-11-960, the Lead Agency has determined that the questions in Part B of this Checklist do not contribute meaningfully to the analysis of the

proposed non-project action and, therefore, are not completed. Parts A, C, and D are otherwise completed, as required. For brevity, the questions in Part B of the SEPA Checklist have been deleted.

C. Signature

[Find help about who should sign](#)³

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

Type name of signee: Kimberly A. Gunderson

Position and agency/organization: Medina SEPA Responsible Official | Mahoney Planning, LLC

Date submitted: July 29, 2026

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet](#)⁴

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposed non-project action amends provisions of the MMC development regulations. These amendments are substantially limited to side setback amendments, allowed setback protrusions, availability of bonus structural height opportunities, expansions of the minor deviation application code, and ancillary related provisions for internal consistency and effective implementation of amended development regulations. It is not expected that

³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

⁴ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

these amendments will yield an increased discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise.

- **Proposed measures to avoid or reduce such increases are:** None; as no increases to water discharge, air emissions, hazardous substance production, storage, or release, or noise production are expected from this non-project action, no measures to avoid or reduce such impacts are needed or proposed. Project actions that are carried out under this ordinance are distinct from this proposed non-project action and will be separately assessed for potential environmental impacts at the time of application.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed non-project action amends provisions of the MMC development regulations. These amendments are substantially limited to side setback amendments, allowed setback protrusions, availability of bonus structural height opportunities, expansions of the minor deviation application code, and ancillary related provisions for internal consistency and effective implementation of amended development regulations. It is not expected that these amendments will affect plants, animals, fish, or marine life.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:** None; as no detrimental effect to plants, animals, fish, or marine life is expected from this non-project action, no measures to avoid or reduce such impacts are needed or proposed. Project actions that are carried out under this ordinance are distinct from this proposed non-project action and will be separately assessed for potential environmental impacts at the time of application.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed non-project action is not expected to deplete energy or natural resources.

- **Proposed measures to protect or conserve energy and natural resources are:** None; as no depletion of energy or natural resources is expected from this non-project action, no measures to avoid or reduce such impacts are needed or proposed. Project actions that are carried out under this ordinance are distinct from this proposed non-project action and will be separately assessed for potential environmental impacts at the time of application.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed non-project action amends provisions of the MMC development regulations. These amendments are substantially limited to side setback amendments, allowed setback protrusions, availability of bonus structural height opportunities, expansions of the minor deviation application code, and ancillary related provisions for internal consistency and effective implementation of amended development regulations. It is not expected that these amendments will use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, including parks, wilderness, wild and

scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmland.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:** None; as no environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection are expected to be used or affected by this non-project action, no measures to avoid or reduce such impacts are needed or proposed. Project actions that are carried out under this ordinance are distinct from this proposed non-project action and will be separately assessed for potential environmental impacts at the time of application.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed non-project action is not expected to detrimentally affect land and shoreline use, and would not allow or encourage land or shoreline use incompatible with existing plans. The proposed ordinance amends provisions of the MMC development regulations. These amendments are substantially limited to side setback amendments, allowed setback protrusions, availability of bonus structural height opportunities, expansions of the minor deviation application code, and ancillary related provisions for internal consistency and effective implementation of amended development regulations. The land uses supported on lands affected by this non-project action remain unchanged, and the development potential of a site remains unchanged with the expansion of minor deviation applicability through this non-project action. Adoption of this ordinance would not be a mechanism for allowing or encouraging incompatible land or shoreline uses.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:** None; as no use of land or shoreline is expected to be detrimentally affected by this non-project action, no measures to avoid or reduce such impacts are needed or proposed. Project actions that are carried out under this ordinance are distinct from this proposed non-project action and will be separately assessed for potential environmental impacts at the time of application.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed non-project action is not expected to increase demand on transportation or public services and utilities.

- **Proposed measures to reduce or respond to such demand(s) are:** None; as no increased demand on transportation, public services, or utilities is expected from this non-project action, no measures to avoid or reduce such impacts are needed or proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed non-project action will not conflict with local, state, or federal laws or requirements for the protection of the environment. No laws are known prohibit the City's

governance of development regulations within its incorporated area; in fact, much the opposite is known to be true.

Attachments

Attachment 1 – Map of Medina Boundaries

Attachment 1 – Map of Medina Boundaries



Source: Medina Comprehensive Plan Land Use Element



DETERMINATION OF NON-SIGNIFICANCE

Proposal: Request for a SEPA Threshold Determination in conjunction with a Non-Project Legislative Action amending the Medina Municipal Code (MMC) to permanently adopt amendments to MMC Chapters 16.12 (Definitions), 16.22 (Lot Development Standards, particularly governing lot width, setbacks and setback protrusions), 16.23 (Bulk Development Standards, particularly governing structural height), 16.30 (City Wide Uses, particularly governing landscape screening), 16.44 (Minimum Maintenance Standards for Vacant Residences, particularly governing vacant residence lighting), and 16.71, Administrative Discretionary Approvals of Minor Deviations. Collectively, these amendments will mitigate impacts that have been observed through a growing development trend of building massive, proximal single-family residences in place of more modest homes while still affording for the full development potential of a lot.

File No. N/A

Applicant: City of Medina

Site Address: N/A – This non-project action applies Citywide

Lead Agency: City of Medina

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed SEPA Environmental Checklist and other information on file with the lead agency. This information is available to the public, upon request, by contacting Medina City Hall, Attn: Development Services, 501 Evergreen Point Rd., Medina, WA 98039.

Date of Issuance and Publication: Friday, August 7, 2026 (Re-noticed)

Deadline to Submit Comments: Friday, August 21, 2026

This Determination of Non-significance (DNS) is issued pursuant to WAC 197-11-340.

Responsible Official: Kimberly Gunderson

Title: Medina Planning Consultant and SEPA Responsible Official

Address: 501 Evergreen Point Rd., Medina, WA 98039 **Telephone:** 253-389-1864

Email: kmahoney.planning@gmail.com

Signature: 
Kimberly Gunderson, Planning Consultant

Date: August 5, 2026

APPEAL PROCESS: Any party of record may appeal a Determination of Non-significance (DNS). The Appeal must be made to the City of Medina Hearing Examiner within **fourteen (14) days** of the Threshold Determination becoming final, per MMC 16.80.220. Appeals must be in writing and contain specific factual objections. Comments may be submitted along with the appropriate Appeal fee to the above address. This may be the only opportunity to comment on the environmental impacts of this proposal.

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RE: 202603257 - SEPA

From Sullivan, Brooke (ECY) <bsul461@ECY.WA.GOV>
Date Tue 8/4/2026 2:22 PM
To Kim Gunderson <kmahoney.planning@gmail.com>

Thank you for the quick follow up. Let me know if I can be of assistance later on or if you'd like to follow the joint review process. I am here to help.

Regards,

Brooke
(M-F 8am-4:30pm, in office T-Th)
425-570-2028

From: Kim Gunderson <kmahoney.planning@gmail.com>
Sent: Tuesday, August 4, 2026 2:19 PM
To: Sullivan, Brooke (ECY) <bsul461@ECY.WA.GOV>
Subject: Re: 202603257 - SEPA

External Email

Hi Brooke,

Thanks for reaching out with your questions!

The City is not expecting any shoreline impacts or SMP amendments as a part of Phase 1 of the project. In large majority, Phase 1 of the project expands on the City's existing Minor Deviation process to allow instances of full site redevelopment to make use of narrower side setbacks and structural height bonuses provided for in Medina's zoning standards (not in the SMP). On development proposals subject to the SMP, our current practice is to apply all germane provisions of the SMP and zoning standards, and we interpret Medina Municipal Code 16.60.070(C) to mean that any conflict between the codes favors that which provides the greater shoreline ecological function protection - we expect to continue that practice.

We anticipate there will be a future Phase 2 of this project that would take a more holistic look at our development regulations - the scope of that Phase is not yet fully defined, but we know that if the scope suggested logical amendments to our SMP, we would likely pursue those amendments as a part of our 2029 SMP Periodic Update to consolidate our SMP edit efforts. We'd have every expectation in working with Ecology for that kind of work.

I hope this answers your questions. If not, I'm glad to offer more clarity!
All my best,



Kim Gunderson
Mahoney Planning, LLC
253-389-1864
[Kmahoney.planning@gmail.com](mailto:kmahoney.planning@gmail.com)
www.mahoneyplanning.org

AGENDA ITEM 6.1

From: Sullivan, Brooke (ECY) <bsul461@ECY.WA.GOV>
Sent: Tuesday, August 4, 2026 1:14 PM
To: Kim Gunderson <kmahoney.planning@gmail.com>
Subject: 202603257 - SEPA

Hi Kim,

This is a very interesting proposal. Are these impacts occurring on the shoreline as well? Are there any plans to amend the SMP in this process?

Regards,
Brooke K. Sullivan, PhD
Regional Shoreline Planner
Shorelands & Environmental Assistance Program
Washington State Department of Ecology | Northwest Region
p: (425) 570-2028 | e: brooke.sullivan@ecy.wa.gov

Notice of Intent to Adopt Amendment / Notice of Adoption (Cover Sheet)

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

Jurisdiction Name:	City of Medina
Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment ☒ Development Regulation Amendment ☐ Combined Comprehensive and Development Regulation Amendments ☐ Countywide Planning Policy ☐ Critical Areas Ordinance Amendment ☐ Shoreline Master Program
Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment (Only for use with Development Regulation Amendments) ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment ☐ Notice of Final Adoption of Amendment

Add Association <i>If this amendment is related to additional submittals, please let us know here. IDs are included in your acknowledgment letter.</i> Example 2022-S-....	N/A
Description Enter a brief description of the amendment. Begin your description with Proposed or Adopted, based on the type of Amendment you are submitting. Examples: <i>“Proposed</i> comprehensive plan amendment for the GMA periodic update.” or <i>“Adopted</i> Ordinance 123, adoption amendment to the sign code.” (Maximum 400 characters)	The City of Medina is adopting an ordinance modifying its development regulations with the intention of mitigating impacts that have been observed through a growing trend in building massive, proximal single-family residences in place of more modest development. The City has observed the tendency of property owners to demolish homes and replace them with sizeable single-family homes that overwhelm the surrounding built fabric and cause impacts to neighboring properties’ value, enjoyment, and privacy. The City has undertaken the Development Impacts Project to study and amend the ways in which its current zoning regulations might be applied to yield these developed circumstances. The attached ordinance represents Phase 1 of the project, which largely intends to create an administrative review process that can ensure developing community members enjoy their development potential while addressing the potential for impacts to neighboring citizens. The resulting ordinance satisfies each interest via a thoughtfully crafted administrative process, limiting time and costs added to a development proposal. The ordinance has been prepared in response to outspoken concerns of the City’s community members and would overwhelm an Interim Official Control that has been adopted governing the same. Adoption of this ordinance is an entirely voluntary endeavor and is not required action to be taken under any RCW. Therefore, the City of Medina requests an expedited review of this Notice of Intent to Adopt.
Is this action part of your 10-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No

For Shoreline Master Programs (SMP): Is this action part of your 10-year periodic review required under RCW 90.58.080, a Comprehensive SMP, or a Locally Initiated amendment?	☐ Periodic Review ☐ Comprehensive SMP ☐ Locally Initiated Amendment ☒ N/A (Not an SMP)	AGENDA ITEM 6.1
Does your submittal include changes to Urban Growth Areas	☐ Yes ☒ No	

Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: August 25, 2026 City Council: September 28, 2026 Proposed / Date of Adoption: October 12, 2026	AGENDA ITEM 6.1
Categorize your Submittal	See Last Page for Category List	
Contact Information:		
Prefix/Salutation: <i>(Examples: "Mr.", "Ms.", or "The Honorable" (elected official))</i>	Ms.	
Name:	Kimberly Gunderson	
Title:	Planning Consultant, City of Medina	
Email:	Kmahoney.planning@gmail.com	
Work Phone:	253-389-1864	
Cell/Mobile Phone: <i>(optional)</i>	253-389-1864	
Consultant Information:		
Is this person a consultant?	☒ Yes	
Consulting Firm name?	Mahoney Planning, LLC	
Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes	

REQUIRED: Attach a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Commerce no longer accepts paper copies by mail. If you experience difficulty, please email the reviewteam@commerce.wa.gov

~~~~ **ONLINE TRACKING SYSTEM AVAILABLE** ~~~~

Log in to our PlanView system where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach the PlanView System Access Request Form.

**To set up your Commerce PlanView Account:**

Register for a [SAW](#) account and add the PlanView Service.

Please send completed [PlanView System Access Request Form](#) to [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov)

Questions? Call the review team at (360) 725-3066.

- ☐ Airport Safety Zone

☐ Capital Facilities

☐ Climate

☐ Comprehensive Plan

☐ Conservation Element

☐ Critical Areas Ordinance

☐ Design Standards/Design Review

☒ Development Regulations

☐ Economic Development

☐ Emergency

☐ Environment

☐ Essential Public Facilities

☐ Historic Preservation

☐ Housing

☐ Impact Fee

☐ Land Use

☐ Military

☐ Open Space

☐ Parks and Recreation Element

☐ Periodic Review (SMP)

☐ Periodic Update

☐ Port Element

☐ Public Participation
- ☐ Recreation

☐ Resource Lands

☐ Rural Lands

☐ Schools

☐ Shoreline Master Program

☐ Solar Energy Element

☐ Subarea Plans

☐ Transfer of Development Rights

☐ Transportation

☐ Urban Growth Areas

☐ Utilities



Outlook

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**City of Medina - Expedited Review Request Granted for Submittal ID: 2026-S-15123**

---

**From** Doherty, Jacob (COM) <jacob.doherty@commerce.wa.gov>

**Date** Fri 8/14/2026 12:49 PM

**To** kmahoney.planning@gmail.com <kmahoney.planning@gmail.com>

Dear Ms. Gunderson,

Your request for an Expedited Review has been granted for: The City of Medina is adopting an ordinance modifying its development regulations with the intention of mitigating impacts that have been observed through a growing trend in building massive, proximal single-family residences in place of more modest development. The City has observed the tendency of property owners to demolish homes and replace them with sizeable single-family homes ...

As of receipt of this email, you have met the Growth Management notice to state agency requirements in RCW 36.70A.106 for this submittal. Please keep this email as confirmation.

If you have any questions, please contact Lexine Long at (360) 725-2904 or by email at [lexine.long@commerce.wa.gov](mailto:lexine.long@commerce.wa.gov).

~~~ ONLINE TRACKING SYSTEM AVAILABLE ~~~~

Log into our new PlanView system at <https://secureaccess.wa.gov/com/planview> where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach a completed PlanView User Request Form.

Have questions about using PlanView? Use the PlanView User Manual for assistance at <https://www.commerce.wa.gov/growth-management/data-research/submitting-documents/>.

Sincerely,

Review Team
Growth Management Services
(360) 725-2904



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Medina will hold a Hybrid Public Hearing via Teleconference Zoom Meeting and In-Person at Medina City Hall on **TUESDAY, AUGUST 25, 2026, at 6:00 PM** or as soon thereafter as called by the Planning Commission, regarding the **Phase 1 Ordinance of the Development Impacts Project**.

The Medina Planning Commission has moved to hybrid meetings, offering both in-person and online meeting participation.

Please see below for ways to participate and comment during the Hybrid public hearing.

Register to Speak: Individuals wishing to speak live during the Hybrid Public Hearing will need to register their request with the Development Services Coordinator at 425.233.6414 or email rbennett@medina-wa.gov and leave a message before 2PM on the day of the August 25 Planning Commission meeting. Please reference Public Hearing for August 25 Planning Commission Meeting on your correspondence. The Development Services Coordinator will call on you by name or telephone number when it is your turn to speak.

Internet: To watch the meeting over the internet or speak live during Public Hearing, via your computer microphone, follow these steps:

Join Zoom Meeting

<https://medina-wa.zoom.us/j/87910272341?pwd=NZXbBCb3x7zy7syDF1uz3vmJFGc9Kd.1>

Meeting ID: 879 1027 2341

Passcode: 217880

One tap mobile

+12532050468,,87910272341#,,, *217880# US

+12532158782,,87910272341#,,, *217880# US (Tacoma)

Written Comments: Written comments may be submitted to the Development Services Coordinator at rbennett@medina-wa.gov. Written comments must be received by 2PM on August 25, 2026. All comments timely received will be forwarded to the Planning Commission before the meeting. A brief summary of the comments will be included in the minutes of the meeting.

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Join Zoom Meeting
[https://medina-wa.zoom.us/j/87910272341?](https://medina-wa.zoom.us/j/87910272341?pwd=NZXbBCb3x7zy7syDF1uz3vmJFGc9Kd.1)
 pwd=NZXbBCb3x7zy7syDF1uz3vmJFGc9Kd.1
 Meeting ID: 879 1027 2341
 Passcode: 217880
 One tap mobile
 +12532050468,,87910272341#,,,,*217880#
 US
 +12532158782,,87910272341#,,,,*217880#
 US (Tacoma)

Written Comments: Written comments may be submitted to the Development Services Coordinator at rbennett@medina-wa.gov. Written comments must be received by 2PM on August 25, 2026. All comments timely received will be forwarded to the Planning Commission before the meeting. A brief summary of the comments will be included in the minutes of the meeting.

Development Impacts Project - Public Comments Email List

| Name | Email |
|-----------------------------|--|
| M3 Sweatt | m3sweatt@outlook.com |
| Todd Bennett | todd.bennett@thecustomhc.com |
| Brian Brand | brandb@baylisarchitects.com |
| Scott Hommas | scott@ghdarch.com |
| Chris Koh | chrisk.coho@gmail.com |
| India Fitting | indiafitting@hotmail.com |
| TJ and Suzanne McGill | tjmccgill@eppcapital.com |
| Rudra Mitra | rudra@outlook.com |
| Sarjana Mitra | sarjana@gmail.com |
| Jerry and Valerie Parrish | jerry@parrish.net |
| Michael and Janice Peters | mpeters0@comcast.net |
| Ramamurthy and Meera Suresh | rsuresh@comcast.net |
| Michael Raskin | mike@mjrdevelopment.com |
| Eric Drivdahl | ericd@gelotthommas.com |
| Rick Chesmore | rick@chesmorebuck.com |
| Anne Adams | info@adamsarchitecture.net |
| Aaron Mollick | info@studioamarchitects.com |
| Mark Elster | MarkE@AOMEarchitects.com |
| Jim Dearth | jim@rippledesignstudio.com |
| Jan and Bob Whitsitt | janwhitsitt@me.com |
| Sherri del Bene | sdel_bene@hotmail.com |
| Nevet Basker | nevet@nevet.com |
| Tyler Wilson | tyler@twilsonarch.com |
| Jessica Roe | jroe@mhseattle.com |
| Davis Amland | amlandit@gmail.com |
| Allyson Jackson | abjack5@comcast.net |
| Eddie Putrya | e.putrya@lochwoodlozier.com |
| Gagangit Jegi | |
| Phil McCullough | phil@mccullougharchitects.com |
| Sally (no last name) | dereksaun900@gmail.com |
| Nancy Parker | nancydareparker@gmail.com |
| Denise Lane | denise1030@gmail.com |
| Dylan Greer | dylan@mhseattle.com |
| Mark Nelson | mark@nelsonarchitecture.net |
| Stan Tekmenzhi | permits@polarisbuilt.com |
| Matt Mamiya | m.mamiya@lochwoodlozier.com |
| Aaron Smith | aaron@amsmithlaw.com |
| Rosalie Gann | rosalie_gann@yahoo.com |
| Susan Scott | susan.urbancabin@gmail.com |
| Steve Breyer | steven_breyer@hotmail.com |
| David Doud | doud.david@gmail.com |
| Joy Stewart | jump4joy@windermere.com |
| Cindy and Jeff Spengler | jspeng@msn.com |
| John Adams | john@adamsarchitecture.net |
| Ric Spengler | ricspengler@comcast.net |
| Jude and Steve Fisher | judefisher@gmail.com |
| Matt Glaser | matt@mccullougharchitects.com |
| Donna Shuman | shuman-family@comcast.net |
| Alysse Spengler | rspengler@comcast.net |
| <illegible name> | karradke@me.com |



Outlook

Re: Letter to Medina City Council, Medina Planning Commission, Staff for Planning Commission Meeting July 28, 2026

From Kim Gunderson <kmahoney.planning@gmail.com>**Date** Thu 7/30/2026 10:22 AM**To** Brian Brand <brandb@baylisarchitects.com>; jerry@parrish.net <jerry@parrish.net>**Cc** Lisa Lu <lul@baylisarchitects.com>; Jessica Roe <jroe@mhseattle.com>; Dylan Greer <dylan@mhseattle.com>; Mark Nelson <mark@nelsonarchitecture.net>; Rebecca Bennett <rbennett@medina-wa.gov>; Steve Wilcox <swilcox@medina-wa.gov>; Jeff Swanson <jswanson@medina-wa.gov>; Dawn Nations <dnations@medina-wa.gov>

Hi Brian and Jerry,

Thank you for submitting your written comments, and for your spoken remarks at Monday's Council meeting and Tuesday's Planning Commission meeting.

Since Tuesday's meeting, the City has been busy advancing through the next steps of the Development Impacts Project, Phase 1. We have noticed our intent to adopt an ordinance to the Department of Commerce and have asked for their expedited review; we won't know more on that request for two weeks. We've also prepared our SEPA threshold determination and set it for notice on Monday, August 3.

Rebecca and Dawn have prepared a notice of our August 25 public hearing with the Planning Commission and expect to widely distribute that notice to all project interested parties on Monday. You each should expect to receive that notice.

You can also expect to see this project's public hearing materials posted the week prior to the hearing. The agenda packet with those materials will be available at [this City webpage](#). Of course, we welcome any comment you have to offer on these materials, and you can make those comments either in written response to the Notice of Hearing or verbally during the hearing. We have already made amendments to our draft ordinance that are reflective of public comments we heard this week, and those amendments will be made easily visible in the work products included in the agenda packet.

Your participation in this project has been sincerely considered and greatly appreciated. I understand that you are both generally supportive of the Phase 1 ordinance we've drafted. I hope you'll continue to remain engaged in this project and offer your valued perspective, including through Phase 2.

Please let Rebecca and I know if you have any feedback or questions in the coming weeks. If none, we'll look forward to seeing you on August 25th!

Very best,



Kim Gunderson
Mahoney Planning, LLC
253-389-1864
Kmahoney.planning@gmail.com

From: Brian Brand <brandb@baylisarchitects.com>

Sent: Tuesday, July 28, 2026 11:29 AM

To: Rebecca Bennett <rbennett@medina-wa.gov>; Kim Gunderson <kmahoney.planning@gmail.com>; swilcox@medina-wa.gov <swilcox@medina-wa.gov>; Council@medina-wa.gov <Council@medina-wa.gov>

Cc: Lisa Lu <lul@baylisarchitects.com>; jerry@parrish.net <jerry@parrish.net>; Jessica Roe <jroe@mhseattle.com>; Dylan Greer <dylan@mhseattle.com>; Mark Nelson <mark@nelsonarchitecture.net>

Subject: Letter to Medina City Council, Medina Planning Commission, Staff for Planning Commission Meeting July 28, 2026

Dear Rebecca, Medina City Council, Medina Planning Commission, Kim Gunderson and City Staff,

I am Brian Brand, Senior Principal at Baylis Architects located in Bellevue Washington. Attached is my letter to each of you addressing my support of the agenda for the Planning Commission Meeting tonight, July 28, 2026.

I will also be speaking at the meeting during the public comments period.

Thank you for your consideration of the thoughts in my letter,

Brian

Brian Brand | AIA

Senior Principal

Pronouns: he | him



10801 Main Street, # 110 | Bellevue, WA 98004

T: 425.454.0566 **C:** 425.894.4648

brandb@baylisarchitects.com | BaylisArchitects.com

[Houzz](#) | [Instagram](#) | [LinkedIn](#)



principals Brian Brand, AIA
 Kevin J. Cleary, AIA
 Meredith Everist, AIA
 Lisa Lu, AIA

July 28, 2026

City of Medina

RE: Planning Commission Meeting July 28, 2026 - DRAFT Ordinance, MMC

Amendments for Development Impacts Project Phase 1

Dear Rebecca Bennett, Kim Gunderson, Members of the Medina Planning Commission, and Planning Staff,

I am Brian Brand AIA, the Senior Principal at Baylis Architects, and I have been following the ongoing dialogue regarding the Interim Official Control Ordinance 1052 since it was adopted on February 28th of this year. We have a client, Jerry, and Valerie Parrish, with a project directly affected by the provisions of this ordinance and as an architect that has designed custom homes in Medina for 50 years, I am interested in the outcome of this new ordinance. I have addressed the Council at the first public hearing on Ordinance 1052 and participated in the Charette held on May 19th of this year.

I plan to address the planning commission tonight, but I wanted to share my thoughts in writing regarding last night's City Council meeting and tonight's agenda regarding the Phase 1 draft code amendments recommended by staff and their proposal for the adoption of permanent revised zoning code provisions for its resolution to Phase 1.

First, I SUPPORT the Council's approval last night of the replacement Ordinance 1059 which modifies one of the worst elements of Ordinance 1052, the elimination of the second floor increased setback. Secondly, I have read the slide deck prepared by Kim Gunderson and I SUPPORT the recommended code amendments to the Modified Minor Deviation and believe if adopted, will satisfy the issues that have been presented by stakeholders over the past 4 months and addresses both the nuisance issues of light noise and the loss of privacy and property enjoyment, while at the same time, addressing the unintended consequences that Ordinance 1052 caused with increased setbacks and loss of height bonus creating a loss of use for the many narrow and irregular shaped lots in Medina.

I urge the Planning Commission to approve Modified Minor Deviation tonight.

Finally, I want to commend all of you for acting in a timely manner to organize the public hearings, the charette to listen carefully to the comments and concerns expressed by all sides of this issue. I also appreciate the City Council dividing this process into phases to provide for the Phase 1 process being proposed tonight. I appreciate the thoughtful consideration being given to a complex matter that has significant implications for all stakeholders in the community.

I am encouraged that the proposed Modified Minor Deviation process, once adopted, will allow property owners whose projects are currently stalled to move forward while the Planning Commission develops a final ordinance in Phase 2. I also appreciate your plan to request expedited review, along with a SEPA Checklist and Threshold Determination for Phase 1 of the Development Impacts Project, so it can be adopted as soon as possible. This will allow homeowners with projects that began before the interim ordinance to proceed. This will also allow testing of the effectiveness of the minor deviation in addressing narrow lots, 10' setbacks and the mitigation process and used to inform the Planning Commission and their homeowner/professional advisory panel during the Phase 2 process.

Once again, I would like to express my personal interest in continued participation in the process and plan to attend the public hearing on Phase 1 of the Development Impacts Project in August. I continue to welcome the opportunity to contribute during Phase 2 to help develop a thoughtful solution in the final ordinance that respects both neighborhood character and reasonable property rights.

Sincerely,

Brian Brand | AIA

Senior Principal





Re: Corrections Required: B-26-021

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Thu 8/6/2026 11:38 AM

To Chelsea Molnar <cmolnar@skbarchitects.com>

Cc Rebecca Bennett <rbennett@medina-wa.gov>

Hi Chelsea,

The public hearing with Planning Commission on 8/25 will be for their recommendation to Council on our Phase 1 approach to the Development Impacts project. Planning Commission will be asked to review the draft ordinance we've prepared (in-part included in your email below) and recommend to Council whether it should be adopted.

The glazing condition of approval you've included below refers to a mitigation measure that could be applied by the Director. It is focused on glazing at the upper story only, and only along the elevation where it is developed within the alternative (narrower) side setback. Since the version you've included below, we've amended our proposed ordinance to more clearly state that the glazing could be conditioned to a maximum of 20% in this area, retaining the opportunity for the Director to apply a glazing limitation that is less restricted (like allowing 25% of the upper story to be glazed rather than 20%). The revised version will be included in the Planning Commission agenda packet, which will be available [at this site](#) by 8/21.

Please reach out if you have other questions!

Best,



Kim Gunderson

Mahoney Planning, LLC

253-389-1864

[Kmahoney.planning@gmail.com](mailto:kmahoney.planning@gmail.com)

www.mahoneyplanning.org

From: Chelsea Molnar <cmolnar@skbarchitects.com>

Sent: Thursday, August 6, 2026 11:27 AM

To: Kim Gunderson <kmahoney.planning@gmail.com>

Cc: Rebecca Bennett <rbennett@medina-wa.gov>

Subject: RE: Corrections Required: B-26-021

Also, can you clarify what section 16.71.010. G.2. is defining?

Is it 20% of the max length of the entire elevation , 20% of the entire elevation's area (lower and upper stories),

or 20% of the area of the upper story?

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

2. Upper story glazing shall be limited to 20 percent of any elevation facing side property lines when the alternative side setback standards set forth in subsection (D)(3)(c) of this section are built against, unless additional glazing is required to comply with locally adopted building codes:



CHELSEA MOLNAR

SENIOR ASSOCIATE

OFFICE 206 903 0575
DIRECT 206 462 3965

2333 3RD AVE
SEATTLE, WA

SkBARCHITECTS.COM

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From: Chelsea Molnar <cmolnar@skbarchitects.com>
Sent: Thursday, August 6, 2026 11:04 AM
To: Kim Gunderson <kmahoney.planning@gmail.com>
Cc: Rebecca Bennett <rbennett@medina-wa.gov>
Subject: RE: Corrections Required: B-26-021

I see in the agenda from the last Planning meeting that there is a hearing on Aug 25th.
What will this hearing cover?



CHELSEA MOLNAR

SENIOR ASSOCIATE

OFFICE 206 903 0575

2333 3RD AVE

DIRECT 206 462 3965

SEATTLE, WA

SkBARCHITECTS.COM

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CAD FILE DISCLAIMER: The delivery of this drawing should not be construed to provide an express warranty or guarantee to anyone that all dimensions and details are exact or to indicate that the use of this drawing implies the review and approval by the Design Professional of any future use. Use of this information is at sole risk and liability of the user.



Re: new medina ordinance

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Tue 8/18/2026 6:17 AM

To Jay Deguchi <Jay@SuyamaPetersonDeguchi.com>

Cc Rebecca Bennett <rbennett@medina-wa.gov>

Bcc Steve Wilcox <swilcox@medina-wa.gov>; Jeff Swanson <jswanson@medina-wa.gov>

Hi Jay,

Thank you for sending these remarks on behalf of John Stephanus. I'll be sure they're conveyed to our Planning Commission and City Council.

As you say, the new ordinance that's been drafted would increase side yard setbacks citywide. It would also create an opportunity for homeowners to enjoy the previously established side yard setbacks, provided an effect to neighboring residences does not occur. In such an instance, your client may remain involved with the proposed construction by participating in the project's Notice of Application comment period and conveying to the City how his property (or his enjoyment of his property) would be affected. Medina offers a generous 30-day comment period to collect these remarks for projects subject to noticing, and each is considered by the Director of Development Services before a decision is issued. In the case of constructing to previously codified side yard setbacks, our draft ordinance has been prepared to empower the Director with imposing those conditions of approval that may be needed to offset conveyed impacts (such as by requiring tall landscape screening or limiting adjoining facade glazing).

If you or your client would like to remain engaged in the proposed ordinance for Development Impacts Phase 1, I hope you'll consider attending our public hearing with the Medina Planning Commission next Tuesday, August 25 at 6:00pm. You could also attend meetings with the Medina City Council, expected to occur beginning September 14 on this matter.

Please reach out if you have any questions or other comments you'd like me to elevate to our elected and appointed bodies.

Very best,



Kim Gunderson

Mahoney Planning, LLC

253-389-1864

[Kmahoney.planning@gmail.com](mailto:kmahoney.planning@gmail.com)

www.mahoneyplanning.org

From: Jay Deguchi <Jay@SuyamaPetersonDeguchi.com>

Sent: Thursday, August 13, 2026 9:25 AM

To: 'kmahoney.planning@gmail.com' <kmahoney.planning@gmail.com>

Subject: new medina ordinance

Hi Kimberly-
I'm the architect for John Stephanus.
His house is located at 2841 76th Ave NE.

It sounds like his neighbor to the south is looking to do a guest house down by the water next to his current residence.

They have approached him about reducing the setback.

He'd like to reiterate his favor to increase setbacks as the new ordinances proposes.

Reducing them will greatly affect him.

Thank you,
Jay Deguchi



Fire Marshal Review: Phase 1 Medina Landscape Screen Spacing

From Ripley, Travis <TRipley@bellevuewa.gov>

Date Wed 8/5/2026 2:17 PM

To kmahoney.planning@gmail.com <kmahoney.planning@gmail.com>

Cc rbennett@medina-wa.gov <rbennett@medina-wa.gov>; swilcox@medina-wa.gov <swilcox@medina-wa.gov>; Baker, Katherine <KBaker@bellevuewa.gov>; Greene, Deirdre <DGreene@bellevuewa.gov>

Kim,

Thank you for reaching out. I'm not sure we have too much concern. However, maybe it would make the most sense to have the ordinance state some minimum width between the home and the screen. This would give us all the ability to maintain a standard of access throughout the life of it.

If the planted screen is 3' and the total is 7' minimum would a minimum of 36" or maybe even 30" on each side for access be a fair compromise?

Regards,



Travis Ripley

FIRE MARSHAL

P: [425-452-6042](tel:425-452-6042)

E: TRipley@bellevuewa.gov



From: Kim Gunderson <kmahoney.planning@gmail.com>

Sent: Wednesday, August 5, 2026 8:51 AM

To: Fire_Prevention <Fire_Prevention@bellevuewa.gov>

Cc: Rebecca Bennett <rbennett@medina-wa.gov>; Steve Wilcox <swilcox@medina-wa.gov>

Subject: Fire Marshal Review: Phase 1 Medina Landscape Screen Spacing

You don't often get email from kmahoney.planning@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Hi Travis,

I work for the City of Medina and have been asked by Steve Wilcox, Development Services Director, to specifically invite your thoughts on a new landscape screen code we're drafting. I

know that Rebecca has sent a notice of our project's SEPA to your office, and I'm following up with the precise language we're hoping you could weigh in on as the local Fire Marshal.

Our new landscape screen code would create an opportunity for the City to circumstantially require a landscape screen to be planted in side yards of residential properties. The width of the side yard could be 10', and the width of the landscape area would be 3'. Steve's hope is that you might offer some thoughts on whether these spacing requirements leave adequate room for emergency responders to access a home at the lot, if access through a side yard is needed. I'm including the draft language below:

3. Privacy landscape screening.

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

Does this seem like an appropriate amount of space to you?

Thank you for any thoughts you can offer!
Very best,



Kim Gunderson
Mahoney Planning, LLC
253-389-1864
Kmahoney.planning@gmail.com
www.mahoneyplanning.org



Development Impacts Phase 1 SEPA, Additional Information

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Mon 8/10/2026 1:08 PM

To dbocek@comcast.net <dbocek@comcast.net>

Cc Rebecca Bennett <rbennett@medina-wa.gov>

Hi Miles,

I understand that you are seeing other information on file related to the SEPA Determination of Nonsignificance for Phase 1 of Medina's Development Impacts project. [Linked here](#), I am including our latest draft published content for this project (Item 6.1 of the agenda packet). This project is still in draft form and the attached materials may be slightly modified before they are presented to the Medina Planning Commission for recommendation or City Council for action.

If you'd like to discuss this project more or would like to submit a comment during the SEPA comment period, please let Rebecca and I know!

Very best,



Kim Gunderson

Mahoney Planning, LLC

253-389-1864

[Kmahoney.planning@gmail.com](mailto:kmahoney.planning@gmail.com)

www.mahoneyplanning.org



Miles Adams - SEPA DNS

From Rebecca Bennett <rbennett@medina-wa.gov>

Date Fri 8/7/2026 2:34 PM

To Kim Gunderson <kmahoney.planning@gmail.com>

 1 attachment (135 KB)

SEPA DNS_Medina Development Impacts Phase 1_2026-0807 v2.pdf;

Hi Kim,

Miles Adams is requesting the “other information on file” for this DNS. Do we have the other information on file? If so, can you send to him? If not, I can just send him the checklist.

His email is dbocek@comcast.net

Thank you!

Best regards,
Rebecca

Rebecca Bennett

Development Services Coordinator

City of Medina

PO Box 144 | 501 Evergreen Point Road

Medina, WA 98039

P: 425-233-6414

E: rbennett@medina-wa.gov



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AGENDA ITEM 6.1



Re: New Code Update

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Thu 7/30/2026 11:15 AM

To Phil McCullough <phil@mccullougharchitects.com>

Cc Steve Wilcox <swilcox@medina-wa.gov>; Rebecca Bennett <rbennett@medina-wa.gov>; Dawn Nations <dnations@medina-wa.gov>; Jeff Swanson <jswanson@medina-wa.gov>

 1 attachment (1 MB)

Phil McCullough Comment 7.29.2026 & City Response.pdf;

Hi Phil,

Thank you for your written and spoken remarks at Tuesday's Planning Commission meeting.

Since Tuesday's meeting, the City has been busy advancing through the next steps of the Development Impacts Project, Phase 1. We have noticed our intent to adopt an ordinance to the Department of Commerce and have asked for their expedited review; we won't know more on that request for two weeks. We've also prepared our SEPA threshold determination and set it for notice on Monday, August 3.

Rebecca and Dawn have prepared a notice of our August 25 public hearing with the Planning Commission and expect to widely distribute that notice to all project interested parties on Monday. You should expect to receive that notice.

You can also expect to see this project's public hearing materials posted the week prior to the hearing. The agenda packet with those materials will be available at [this City webpage](#). Of course, we welcome any comment you have to offer on these materials, and you can make those comments either in written response to the Notice of Hearing or verbally during the hearing. We have already made amendments to our draft ordinance that are reflective of public comments we heard this week, and those amendments will be made easily visible in the work products included in the agenda packet.

Your participation in this project has been sincerely considered and greatly appreciated. In response to the thoughts you offered on Tuesday and your follow-up remarks emailed to me yesterday, the City has drafted amendments to the Phase 1 ordinance Definitions. When the agenda packet is available, you'll see edits to this section. We can also discuss them during our call this afternoon. Additionally, I've prepared a written address of each of your comments in the attached document - my responses are in blue text.

I hope you'll continue to remain engaged in this project and offer your valued perspective, including through Phase 2.

Please let Rebecca and I know if you have any feedback or questions in the coming weeks. If none, we'll look forward to seeing you on August 25th!

Very best,



Kim Gunderson
Mahoney Planning, LLC
253-389-1864
[Kmahoney.planning@gmail.com](mailto:kmahoney.planning@gmail.com)
www.mahoneyplanning.org

From: Phil McCullough <phil@mccullougharchitects.com>
Sent: Wednesday, July 29, 2026 10:57 AM
To: Kim Gunderson <kmahoney.planning@gmail.com>
Subject: New Code Update

Kim, attached please find my post meeting commentary. I have made a few edits and additions to the notes I prepared yesterday. Please review in advance of our meeting later this week.

Thanks,



A. Philip McCullough
PRESIDENT

p 206.818.4577
phil@mccullougharchitects.com

Development Impacts Project – Phase 1
Post Planning Commission Commentary
29 July 2026

Kim, In our discussion after the Planning Commission meeting, you mentioned that a Predevelopment Meeting is the best way to determine if the City would be inclined to support a Minor Deviation for a new construction project. I would like to discuss this in greater detail – what should be submitted, do we need to respond to the approval criteria, etc.?

I would like to restate that current code language regulating Maximum Possible Above-Ground Bulk is difficult to understand. I have attempted writing a definition for it – as well as for a few others. Perhaps it is possible to include these definitions in Phase 1. Perhaps it isn't. Regardless, we should discuss this in greater detail as well.

F. *Criteria for approval.* The decision authority may approve a minor deviation only if all of the following criteria are satisfied:

I am having difficulty understanding how to read these criteria. I still find them subjective, which makes it challenging to design a home with confidence that it will be approved. Let's discuss the four criteria below. I do have a few additional comments below that might help explain my concerns.

1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

I don't know how to determine if something is a special privilege. Since the code applies to and regulates all lots in the vicinity and zone, anything that is allowed on one lot should be allowed on another. Likewise, anything that isn't allowed on one lot shouldn't be allowed on another. So, what is a special privilege? The condition of an adjacent, existing property shouldn't affect what is allowed on its neighboring property. Right?

This could cut both ways. For example, if a neighboring property was noncompliant – let's say it only had a 5' side yard setback - wouldn't requiring that a new development maintain a 15' side yard setback be granting a special privilege to that neighbor? Shouldn't new development be allowed the same noncompliance enjoyed its neighbor?

Perhaps I am reading too much into this clause, but I am having trouble understanding when or how it could or would be applied.

2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

This seems vague and subjective. How can you determine if something is detrimental to welfare or injurious? Can you give me an example?

3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and

If there is concern that a proposed Minor Deviation might contribute to the reduction of privacy enjoyed by adjoining property owners, the remedy has already been prescribed in the conditions of approval with window area reduction and privacy landscape screening. Doesn't that make clause 3 unnecessary?

4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

I don't think this applies to new construction. Could you confirm?

The following definitions should be added to the code:

Minor Deviation: An administrative review process that allows City staff to consider and approve small departures from standard development regulations for new construction, building additions, and renovations to existing structures, subject to established, objective approval criteria.

Substantial Reconstruction: No definition currently exists for this term.

Conforming: Meeting all current zoning requirements and restrictions.

Above Ground Bulk: The three-dimensional size and massing of a building above the Finished Grade.

Maximum Possible Above-Ground Bulk: 60% of the Possible Above-Ground Bulk that could be constructed by extending the existing building envelope, including its legal nonconformities, to the zoning envelope. Proposed building must comply with Structural Coverage limits.

Zoning Envelope: The compliant, three-dimensional space on a piece of land where a building can legally be built as defined by building setbacks, height limits, and easements.

F. Criteria for approval. The decision authority may approve a minor deviation only if all of the following criteria are satisfied:

M 6.1

I am having difficulty understanding how to read these criteria. I still find them subjective, which makes it challenging to design a home with confidence that it will be approved. Let's discuss the four criteria below. I do have a few additional comments below that might help explain my concerns.

The criteria are subjective. A Minor Deviation is an "Administrative Discretionary Approval" in our code; by its very nature, it includes a degree of subjectivity, as do all discretionary permits. This is not a ministerial permit (like a building permit), and all discretionary permit types in Medina include a degree of consideration by the Director before they can be issued. The proposed ordinance for Phase 1 to expand the Minor Deviation applicability includes no changes to the existing Minor Deviation approval criteria; any application we'd receive without this ordinance would still be reviewed against these criteria. Unless the City Council opted to make Minor Deviations outright permitted rights (which I find unlikely), then the only other decision maker who could consider a discretionary land use entitlement in our code's structure in the Hearing Examiner.

We believe that the Director's role in considering an expanded version of the Minor Deviation aligns with his current role in a number of discretionary application types (including administrative variances and administrative special use permits for pools and sport courts) and that the public interest is served in not requiring these application types to be heard and decided on by the Hearing Examiner. Staff will recommend this proposed ordinance remain within the decision making authority of the Director - again, there is no amendment to the decision maker role or the approval criteria codified in today's codes with respect to this process.

1. The minor deviation does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

I don't know how to determine if something is a special privilege. Since the code applies to and regulates all lots in the vicinity and zone, anything that is allowed on one lot should be allowed on another. Likewise, anything that isn't allowed on one lot shouldn't be allowed on another. So, what is a special privilege? The condition of an adjacent, existing property shouldn't affect what is allowed on its neighboring property. Right?

This could cut both ways. For example, if a neighboring property was noncompliant - let's say it only had a 5' side yard setback - wouldn't requiring that a new development maintain a 15' side yard setback be granting a special privilege to that neighbor? Shouldn't new development be allowed the same noncompliance enjoyed its neighbor?

Perhaps I am reading too much into this clause, but I am having trouble understanding when or how it could or would be applied.

Correct. We have a documented history of finding this criteria as being met if the use requested aligns with the zone's use allowance and the provisions limiting the use (like dimensional standards for the use). If you want to see this documented, please work with the City Clerk to see the Notice of Decision for P-25-047, a Minor Deviation with findings that discuss how this criteria is considered.

2. The granting of such minor deviation will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

This seems vague and subjective. How can you determine if something is detrimental to welfare or injurious? Can you give me an example?

Sure. Someone could propose a building addition that extends into a protected easement or covenant area that grants rights to their property or neighboring properties. That would likely amount to a detriment or injury to public welfare or property.

There is not one answer here, which is why the permit is a discretionary one.

3. The proposed development will not substantially reduce the amount of privacy enjoyed by adjoining property owners than if the development was built as specified by the zoning code; and

If there is concern that a proposed Minor Deviation might contribute to the reduction of privacy enjoyed by adjoining property owners, the remedy has already been prescribed in the conditions of approval with window area reduction and privacy landscape screening. Doesn't that make clause 3 unnecessary?

No. The Conditions of Approval are not inherent components of a project's decision. They may be exercised at the discretion of the Director as needed to mitigate impacts. In a Notice of Decision, this criteria might be addressed with discussion like: "As conditioned, this criteria has been met" and then include conditions of approval to mitigate the impact. Or, the requested Minor Deviation might be so nominal and the circumstances of the sites may indicate that conditions of approval aren't needed to make this finding. For instance, maybe there's an existing two-story hedge along the side property line where a home is proposed to be built against the narrower side setbacks - preserving and protecting that feature might be enough to mitigate an impact.

Again, this is circumstantial and could manifest a number of ways, demanding the discretion of the Director.

4. For departures set forth in subsection (D)(1) of this section, the minor deviation is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.

I don't think this applies to new construction. Could you confirm?

Correct. This applies to (D)(1) and the code we're recommending is (D)(3).

The following definitions should be added to the code:

ITEM 6.1

Minor Deviation: An administrative review process that allows City staff to consider and approve small departures from standard development regulations for new construction, building additions, and renovations to existing structures, subject to established, objective approval criteria.

Substantial Reconstruction: No definition currently exists for this term.

Conforming: Meeting all current zoning requirements and restrictions.

Above Ground Bulk: The three-dimensional size and massing of a building above the Finished Grade.

Maximum Possible Above-Ground Bulk: 60% of the Possible Above-Ground Bulk that could be constructed by extending the existing building envelope, including its legal nonconformities, to the zoning envelope. Proposed building must comply with Structural Coverage limits.

Zoning Envelope: The compliant, three-dimensional space on a piece of land where a building can legally be built as defined by building setbacks, height limits, and easements.

We've met internally on these recommendations. Many are not within the scope of this project. We have made revisions to the draft ordinance to remove reference to "substantial reconstruction" and instead just refer to "reconstruction," which is a defined term in the MMC. We've also amended that definition to improve its clarity and ease its application. You'll see those amendments when the agenda packet is publicized the week before the August 25 public hearing.



Outlook

Response to Public Comments at July 28 Planning Commission Meeting | Development Impacts Phase 1

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Thu 7/30/2026 10:23 AM

To Todd Bennett <todd.bennett@thecustomhc.com>; sarjana@gmail.com <sarjana@gmail.com>

Cc rudra@outlook.com <rudra@outlook.com>; Jeff Swanson <jswanson@medina-wa.gov>; Rebecca Bennett <rbennett@medina-wa.gov>; Dawn Nations <dnations@medina-wa.gov>; Steve Wilcox <swilcox@medina-wa.gov>

 1 attachment (69 KB)

7.27.2026 Council Meeting_Extended IOC, Ord. 1059 & Phase 1 Schedule.pdf;

Hi Todd and Sarjana,

Thank you for your written comments to Council this week, and for your spoken remarks at Monday's Council meeting and Tuesday's Planning Commission meeting.

Since Tuesday's meeting, the City has been busy advancing through the next steps of the Development Impacts Project, Phase 1. We have noticed our intent to adopt an ordinance to the Department of Commerce and have asked for their expedited review; we won't know more on that request for two weeks. We've also prepared our SEPA threshold determination and set it for notice on Monday, August 3.

Rebecca and Dawn have prepared a notice of our August 25 public hearing with the Planning Commission and expect to widely distribute that notice to all project interested parties on Monday. You each should expect to receive that notice.

You can also expect to see this project's public hearing materials posted the week prior to the hearing. The agenda packet with those materials will be available at [this City webpage](#). Of course, we welcome any comment you have to offer on these materials, and you can make those comments either in written response to the Notice of Hearing or verbally during the hearing. We have already made amendments to our draft ordinance that are reflective of public comments we heard this week, and those amendments will be made easily visible in the work products included in the agenda packet.

Your participation in this project has been sincerely considered and greatly appreciated. I understand that you are both generally supportive of the Phase 1 ordinance we've drafted. I want to offer a few follow-up remarks to your comments made this week:

- Sarjana, I've attached to this email a copy of our intended project schedule. My apologies this was not included in the Council packet; hopefully you were able to see it presented on Tuesday night. You'll see that we're right on schedule and expect to ask Council for their action on the ordinance October 12th.
- Todd, I know you have some ideas around additional building height allowances and perhaps revisiting the 13% structural coverage limitation for the bonus height. I think those ideas are really appropriate for us to talk more about, and of course, they'll lead to contemplations of how they'd

interact with the surrounding built environment. There's inherent time in those conversations that suggest to me they are more appropriate Phase 2 conversations. Each of your comments and emails to me are saved in the project folder and I have every expectation they'll be visited when we move into the next phase of the project. Please continue sending your remarks; your recessed second story graphic was very helpful in the edits made to Ordinance 1059.

AGENDA ITEM 6.1

I hope you'll continue to remain engaged in this project and offer your valued perspective, including through Phase 2.

Please let Rebecca and I know if you have any feedback or questions in the coming weeks. If none, we'll look forward to seeing you on August 25th!

Very best,



Kim Gunderson

Mahoney Planning, LLC

253-389-1864

kmahoney.planning@gmail.com

www.mahoneyplanning.org



Response to Public Comment at July 28 Planning Commission Meeting | Development Impacts Phase 1

From Kim Gunderson <kmahoney.planning@gmail.com>

Date Thu 7/30/2026 10:23 AM

To scott@ghdarch.com <scott@ghdarch.com>

Cc Dawn Nations <dnations@medina-wa.gov>; Rebecca Bennett <rbennett@medina-wa.gov>; Steve Wilcox <swilcox@medina-wa.gov>; Jeff Swanson <jswanson@medina-wa.gov>

Hi Scott,

Thank you for your spoken remarks at Tuesday's Planning Commission meeting.

Since Tuesday's meeting, the City has been busy advancing through the next steps of the Development Impacts Project, Phase 1. We have noticed our intent to adopt an ordinance to the Department of Commerce and have asked for their expedited review; we won't know more on that request for two weeks. We've also prepared our SEPA threshold determination and set it for notice on Monday, August 3.

Rebecca and Dawn have prepared a notice of our August 25 public hearing with the Planning Commission and expect to widely distribute that notice to all project interested parties on Monday. You and the Suresh's should expect to receive that notice.

You can also expect to see this project's public hearing materials posted the week prior to the hearing. The agenda packet with those materials will be available at [this City webpage](#). Of course, we welcome any comment you have to offer on these materials, and you can make those comments either in written response to the Notice of Hearing or verbally during the hearing. We have already made amendments to our draft ordinance that are reflective of public comments we heard this week, and those amendments will be made easily visible in the work products included in the agenda packet.

Your participation in this project (and your client's participation) has been sincerely considered and greatly appreciated. In response to the thoughts you offered on Tuesday, the City has drafted amendments to the Phase 1 ordinance regarding upper-story glazing. First, I want to reiterate that the condition of approval we've drafted related to upper-story glazing is not a general provision, standard, or limitation; it's intentionally written only as a condition of approval that the Director *could* exercise if needed to mitigate an impact. So, it's not assured that each project would include this limitation, and it may be that your client's property circumstances will indicate that such a condition is unneeded. Still, we want to add clarity around this condition and expand on the condition to potentially allow for more than 20% glazing in response to your comment Tuesday night. When the agenda packet is available, you'll see edits to this section.

I hope you'll continue to remain engaged in this project and offer your valued perspective, including through Phase 2.

Please let Rebecca and I know if you have any feedback or questions in the coming weeks. If none, we'll look forward to seeing you on August 25th!

Very best,

AGENDA ITEM 6.1



Kim Gunderson
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Kmahoney.planning@gmail.com
www.mahoneyplanning.org