

CITY OF MEDINA, WASHINGTON

Ordinance No. xxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, AMENDING THE MEDINA UNIFIED DEVELOPMENT CODE TO PROVIDE FOR ZERO LOT LINE SUBDIVISIONS CONSISTENT WITH THE REQUIREMENTS OF RCW 36.70A.635(5), AMENDING SECTIONS 16.12.130, 16.12.200, 16.73.020, 16.73.060, 16.73.080, 16.73.090, 16.73.100, 16.73.110, 16.73.120, 16.73.140 AND 16.73.150 OF THE MEDINA MUNICIPAL CODE (MMC) AND CREATING A NEW SECTION 16.73.095 OF THE MMC, PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the State Legislature adopted legislation regarding middle housing (ESSHB 1110) and imposed requirements on cities to bring their land use codes into compliance with that legislation; and

WHEREAS, Medina is classified as a “Tier 3 city” under the middle housing legislation and is required to have a compliant code by June 30, 2025; and

WHEREAS, the City is also in the process of updating its zoning code to provide for middle housing and that work requires amending Section 16.12.200 “S” definitions which are amended by this Ordinance; and

WHEREAS, in order to avoid two separate ordinances contemporaneously amending the same section of code, the middle housing amendments to the “S” definitions are included in this Ordinance; and

WHEREAS, the State legislature included a requirement in ESSHB 1110 for cities to allow “zero lot line” short subdivisions (RCW 36.70A.635(5)) where the number of lots created is equal to the unit density required under the middle housing legislation; and

WHEREAS, under the middle housing legislation, Medina is required to allow two dwelling units on any lot that is zoned for residential development; and

WHEREAS, this means that the City of Medina must allow zero lot line subdivisions that result in the number of lots equal to the unit density under middle housing for lots for existing lots where residential uses are allowed; and

WHEREAS, in order to ensure consistency between state law and the Medina Municipal Code (MMC), certain updates are required; and

WHEREAS, unit lot short subdivisions are a type of subdivision that allows for smaller unit lots for increased housing density; and

WHEREAS, in order to allow the zero lot line subdivisions, it is in the public interest to create a short unit lot subdivision process that can be used to divide a single residential lot into the number lots equal to the middle housing unit density for the purposes of middle housing development and to create special standards when such subdivision is also a zero lot line development; and

WHEREAS, the Medina Planning Commission held three (3) study sessions on this Ordinance and the Medina City Council held eight (8) meetings where this Ordinance was discussed; and

WHEREAS, this Ordinance was submitted to the Department of Commerce for 60-day review on March 25, 2025; and

WHEREAS, on March 25, 2025, 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, the City issued a Notice of Public Hearing for the proposed code amendment at least 15 days prior to the public hearing before the City's Planning Commission which was published in the City's official newspaper and provided to the public in accordance with Title 16 MMC; and

WHEREAS, following the public hearing, the Planning Commission voted to recommend approval of this Ordinance to the City Council; and

WHEREAS, the City Council reviewed this Ordinance along with the recommendation from the Planning Commission during its regular meeting on April 28, 2025; and

WHEREAS, the City Council held a public hearing on this Ordinance on May 12, 2025 to take additional comment; 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; **NOW, THEREFORE**,

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

Section 1. Section 16.12.130 of the Medina Municipal Code is hereby amended to read as follows:

16.12.130. "L" definitions.

Land alteration means any movement or modification of more than 25 cubic yards of earth material on any site.

Landscape means plant materials, topography, and other natural physical elements combined in relation to one another and to manmade structures.

Landscaping means the planting, removal and maintenance of vegetation along with the movement and displacement of earth, topsoil, rock, bark and similar substances done in conjunction with the planting, removal and maintenance of vegetation.

Landslide hazard areas means areas that are potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. These areas are typically susceptible to landslides because of a combination of factors including bedrock, soil, slope (gradient), slope aspect, geologic structure, ground water, hydrology, or other factors.

Lane, private means a developed private right-of-way which provides vehicle access to more than one lot abutting thereon. (See Chapter 16.91 MMC.)

Lattice tower means a support structure characterized by an open framework of lateral cross members which stabilize the structure.

Lot means (1) a fractional part of subdivided lands having fixed boundaries being of sufficient area and dimension to meet the minimum and maximum underlying zoning district requirements for width, area and street frontage, except for unit lots approved in accordance with MMC 16.73.090.C or MMC 16.73.095; (2) land having fixed boundaries used as a "building site." The term includes parcels and tracts.

Lot area means the dry land area of a lot, which is further defined as land area exclusive of shorelands, except those which by recession of water or bulkhead have become dry land above the high water level.

Lot area, gross means all areas within the boundaries of a lot.

Lot area, net means the lot area exclusive of the area of any vehicular private lane, vehicular right-of-way, vehicular access easement, or any areas unbuildable due to the presence of critical areas as defined in Chapter 16.50 MMC.

Lot, corner means a lot situated at the intersection of, and abutting upon, the intersection of two or more streets, or the intersection of a street and a private lane, or upon two parts of the same street, provided the interior angle of intersection is not more than 135 degrees. In the case of a curved corner, the tangents at the street extremities of the side lot lines shall be used for forming the angle.

Lot line adjustment means a minor movement of a property line between two or more adjoining parcels. Lot line adjustments are used to correct minor trespasses (such as building a shed over a property line) or to add acreage to a parcel for the owner's convenience.

Lot, parent means a lot which is subdivided into unit lots through the unit lot subdivision process.

Lot split means a legal lot which is divided into the number of new lots equal to the unit density under middle housing. At least one of the new lots may be smaller than the required minimum lot size. Lots which are split by a "lot split" may not be split nor subdivided a second time.

Lot, through means a lot bounded on two opposite sides by streets; provided, however, that if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purposes of the zoning code.

Lot, unit means a lot created from a parent lot and approved through the unit lot subdivision process.

Low impact development best management practice means any one of several distributed stormwater management practices, integrated into a site, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, dispersion, and water reuse. Further information can be found in the stormwater manual adopted under MMC 13.06.020.

Section 2. Section 16.12.200 of the Medina Municipal Code is hereby amended to read as follows:

16.12.200. "S" definitions:

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

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

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

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

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

Sensitive areas. See "critical areas."

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

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

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

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

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

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

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

3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

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

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

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

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

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

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

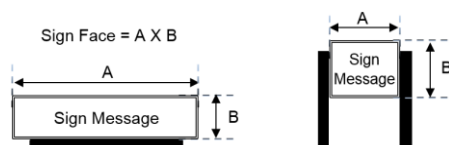
Sign, commercial means a sign containing commercial content used for identifying a building, use, business or event, or to advertise the sale of goods, products, events or services. This includes real estate and event signs.

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

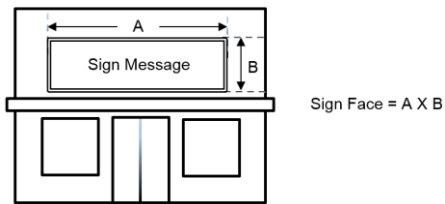
1. In the case of freestanding signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate including borders upon which the sign message is displayed or illustrated. See Figure 1.

Figure

1



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



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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Single-family zones means those zones where single-family detached residences are the predominant land use.

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

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

Spa. See definition under "hot tub."

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

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

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

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

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

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

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

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

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

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

Stream means a course or route, formed by nature or modified by humans and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity

(annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include specially designed irrigation and drainage ditches, grass-lined swales, canals, stormwater runoff devices, or other courses unless they are used by salmonids or to convey watercourses that were naturally occurring prior to construction.

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

Street frontage means the property line abutting streets.

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

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

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

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

Subdivision, short means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. While a short unit lot subdivision is a type of short subdivision, it is limited to the creation of no more than the number of lots established as the maximum unit density set forth in MMC 16.21.060 for the purposes of middle housing.

Subdivision, short unit lot means a type of subdivision that allows a parent lot to be divided into no more than the number of lots established as the maximum unit density set forth in MMC 16.21.060 within a development that also includes common areas and that is approved through the unit lot subdivision process. A unit lot subdivision is a type of short subdivision that is created for the purpose of splitting a single residential lot into lots for the construction of middle housing. A short unit lot subdivision is a type of lot split.

Subdivision, zero lot line means a type of short unit lot subdivision whereby there is reduced building setbacks from the new lot line. The standards set forth in MMC 16.73.095 apply to zero lot line subdivisions.

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

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

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

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

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

Section 3. Section 16.73.020 of the Medina Municipal Code is hereby amended to read as follows:

16.73.020. Applicability.

- A. This chapter shall apply to all divisions of land including short subdivisions, short unit lot subdivisions, subdivisions, and lot line adjustments hereafter established within the incorporated areas of the City of Medina.
- B. This chapter is applied in conjunction with Chapter 2.72 MMC, Hearing Examiner; Chapter 14.04 MMC, SEPA Model Ordinance; Chapters 16.00 through 16.37 MMC, zoning; Chapters 16.60 through 16.67 MMC, Medina shoreline master program; Chapter 16.50 MMC, Critical Areas; Chapter 16.80 MMC, Project Permit Review Procedures, and other applicable codes referencing this chapter.

Section 4. Section 16.73.060 of the Medina Municipal Code is hereby amended to read as follows:

16.73.060. Survey requirements.

- A. A Washington State licensed land surveyor registered pursuant to Chapter 18.43 RCW shall prepare, stamp, and seal all proposed lot subdivisions.
- B. A survey is required for all final approvals of lot line adjustments, short subdivisions, short unit lot subdivisions, and subdivisions and shall meet the survey standards of Chapter 58.09 RCW and Chapter 332-130 WAC.
- C. The surveyor shall certify on the final document to be recorded that it is a true and correct representation of the lands actually surveyed.
- D. Whenever a survey reveals a discrepancy, the discrepancy shall be noted on the face of the subdivision. "Discrepancy" means: (1) a boundary hiatus; (2) an overlapping boundary; or (3) a physical appurtenance, which indicates encroachment, lines of possession, or conflict of title.

Section 5. Section 16.73.080 of the Medina Municipal Code is hereby amended to read as follows:

16.73.080. Review procedures and approvals.

Each lot line adjustment and division of land is processed as a different action type as described in MMC 16.80.050 and summarized as follows:

- A. Approval of a lot line adjustment application is a two step process, which includes final approval by the director and recording with the King County auditor.
- B. Approval of a division of land is a four step process including preliminary approval, installation or bonding of required improvements, final approval, and recording with the King County auditor. The process summarizes as follows:
 1. *Short subdivision.*
 - a. A preliminary short subdivision or preliminary short unit lot subdivision is processed as a Type 2 decision pursuant to Chapter 16.80 MMC.
 - b. Installation of infrastructure improvements as determined by the city, or providing a form of security as determined by the city to ensure such improvements are installed.
 - c. A final short subdivision or final short unit lot subdivision is processed as a Type 1 decision pursuant to Chapter 16.80 MMC.
 - d. The final short subdivision or final short unit lot subdivision shall be submitted to the director within five years of the date that the preliminary approval became final or the short subdivision shall become null and void.
 - e. The director's signature is required on the final short plat.
 2. *Subdivision.*
 - a. A preliminary subdivision is processed as a Type 3 decision pursuant to Chapter 16.80 MMC.
 - b. Installation of infrastructure improvements as determined by the city, or providing a form of security as determined by the city to ensure such improvements are installed.
 - c. A final subdivision is processed as a Type 2 decision pursuant to Chapter 16.80 MMC.
 - d. The final subdivision shall be submitted to the director within five years of the date that the preliminary approval became final or the subdivision shall become null and void.
 - e. The following signatures on the final plat are required before the director can submit the final plat to the city council for their action:
 - i. *Director:* Whose signature approves compliance with all terms of the preliminary plat approval of the proposed plat subdivision or dedication.
 - ii. *City engineer:* Whose signature approves the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems and other structures.
 - iii. *City of Bellevue utilities:* Whose signature approves the adequacy of the proposed means of sewage disposal and water supply.
 - iv. *King County treasurer:* Whose signature confirms a statement that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.

- v. *Property owner*: Whose signature confirms a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner.
- f. The city council may authorize the mayor to sign an approved final plat.

Section 6. Section 16.73.090 of the Medina Municipal Code is hereby amended to read as follows:

16.73.090. Approval criteria—Lot line adjustment, short subdivision, short unit lot subdivision, and subdivision.

The following criteria shall be used to review and approve lot line adjustments, preliminary short subdivisions and subdivisions:

A. *Lot line adjustments.*

- 1. Does not create any additional lot, tract, parcel, or division of land;
- 2. Does not create a lot, tract, parcel, site, or division of land which contains insufficient area or dimension to meet the minimum requirements for area and dimensions as set forth in the Medina Municipal Code;
- 3. Does not create or diminish any easement or deprive any parcel of access or utilities; and
- 4. Does not create or increase the nonconformity of structures, lots, or other factors with respect to development standards.

B. *Preliminary short subdivisions and preliminary subdivisions.*

- 1. The proposal is in conformance with the comprehensive plan, shoreline master program, and any other city-adopted plans;
- 2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans as adopted in city code or ordinance;
- 3. Provisions have been made for roads, utilities, street lighting, street trees and other improvements that are consistent with the zoning code, Chapter 16.90 MMC, and engineering standards;
- 4. Provisions have been made for dedications, easements and reservations;
- 5. The proposal complies with the relevant requirements of the zoning code and all other relevant local regulations;
- 6. Appropriate provisions are made for:
 - a. The public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys or other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
 - b. The public use and interest will be served by the platting of such subdivision and dedication.

C. *Short unit lot subdivision.*

1. Applicability.

- a. The provisions of this subsection apply exclusively to the short unit lot subdivision of land proposed to be developed as

middle housing with attached or detached dwellings in all zoning residential districts in which residential dwellings are permitted.

b. This subsection may only be utilized for the division of lots which either meet the minimum lot size for the underlying zone or are legal non-conforming lots that existed prior to June 30, 2025.

c. Unless expressly modified by this section, all provisions applicable to short subdivisions, including subsection B above, are also applicable to short unit lot subdivisions.

2. General Requirements.

a. Unit lots shall be subject to all applicable requirements of the City's zoning code, except as otherwise modified by this section.

b. *Subdivision of middle housing units on a single lot.* A short unit lot subdivision proposed for a residential lot shall be limited such that the maximum number of lots shall be no greater than the maximum number of dwelling units on a lot as set forth in MMC 16.21.060. In addition, each unit lot shall be entirely outside of a critical area and shoreline buffers, and building setbacks shall be required from any critical area buffer consistent with Subtitles 16.5 and 16.6 of the Medina Municipal Code.

c. Development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area, minimum density, or dimensional requirements; provided, however, that any structure located upon a unit lot shall comply with the maximum building height requirements and the density requirements for the underlying zone. The overall development of the parent lot must meet the development and design standards of the underlying zone, including the maximum density. The maximum lot coverage for the underlying zone shall apply collectively to all properties within the unit lot subdivision based on the maximum lot coverage for the parent lot prior to subdivision. In addition, if the lot maximum is increased under MMC 16.73.090.C.2.b based on the development of one or more accessory dwelling units, then the usage of those lots shall be permanently restricted to use for an accessory dwelling unit and may not be converted for use for a different type of dwelling unit.

d. Within the parent lot, required parking for the dwelling units may be provided on a different unit lot than the lot with the dwelling unit if the right to use that parking is formalized by an easement recorded with the King County Recorder's Office.

e. A short unit lot subdivision shall make adequate provisions through easements for ingress, egress, emergency services, and utilities access to and from each unit lot created by reserving such common areas or other areas over, under, and across the parent lot as necessary to comply with all applicable development standards. Such easements shall be recorded with the King County Recorder's Office.

f. Access easements, joint use agreements, and maintenance agreements identifying the rights and responsibilities of property owners and any homeowners association shall be executed for use and maintenance of common garage, parking, and vehicle access areas, landscaping, underground utilities, common

open space, exterior building facades and roofs, any portions of the parent lot not subdivided for individual unit lots, and other similar features, and shall be recorded with the King County Recorder's Office.

g. If the development includes zero lot line residential development, the performance standards contained in MMC 16.73.095 will also apply.

3. Notes on Plat. Notes shall be placed on the plat recorded with the King County Recorder's Office to state the following:

a. The title of the plat shall include the phrase "Short Unit Lot Subdivision."

b. The individual unit lots are not separate buildable lots. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

c. Approval of the design and layout of the development was granted by the review of the development as a whole on the parent lot.

d. Additional development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, addition, or changes in use shall comply with conditions of approval of the short unit lot subdivision and may be limited as a result of the application of development standards to the parent lot or other applicable regulations.

e. Subsequent platting actions, additions, or modifications to any buildings may not create a nonconformity of the parent lot nor create any additional lots.

e. Additional divisions of land which create a new lot shall not be permitted in this Short Unit Lot Subdivision.

Section 7. A new Section 16.73.095 is hereby added to the Medina Municipal Code to read as follows:

16.73.095 Lot segregations – Zero-lot-line development.

In any zone where zero-lot-line development is permitted, interior setbacks may be modified during the short unit lot subdivision review as follows:

A. If a building is proposed to be located within a normally required interior setback:

1. An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

2. The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;

3. Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block,

textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

4. The final short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

B. In the residential zones, setbacks on existing individual lots may be modified; provided, that the standards set forth in subsection (A)(1) of this section are met.

Section 8. Section 16.73.100 of the Medina Municipal Code is hereby amended to read as follows:

16.73.100. Submittal requirements.

An applicant seeking approval of a lot line adjustment, preliminary short subdivision, preliminary short unit lot subdivision, or preliminary subdivision must submit a complete application requesting approval. It is the responsibility of the applicant to provide all of the necessary information before the application is processed. In conjunction with the appropriate fee, a complete application under this chapter shall include, but is not limited to, the following:

- A. Application shall be made on the appropriate forms prescribed by the city and shall be signed and dated by the property owner or authorized agent. When an authorized agent is involved, they shall provide proof they represent the legal interests of the property owner.
- B. The application shall contain each of the following:
 - 1. The name, address and telephone number of the applicant and person to be contacted;
 - 2. The King County assessor's tax identification number;
 - 3. The name, address and telephone number of the owner of the property;
 - 4. Address or location of the property to be subdivided;
 - 5. Legal description of the property (from the title report verbatim);
 - 6. The existing zone classification of the property;
 - 7. The existing shoreline environmental designation if any land is within 200 feet of the ordinary high water mark as defined by RCW 90.58.030(2)(b);
 - 8. Approximate project site lot area in acres;
 - 9. The range of lot sizes in square feet.
- C. Plan drawings.
 - 1. All drawings shall be to scale on an 18-inch by 24-inch sheet of paper (multiple sheets may be used in order to provide clarity).
 - 2. Lot line adjustment. In addition to the illustrations prescribed in subsection (C)(3) of this section, plan drawings for lot line adjustments shall include the following:
 - a. The final lot boundaries shall be shown with a heavier line weight to clearly distinguish them from existing boundaries;
 - b. A full and correct legal description of the revised lots; and
 - c. Comply with the survey requirements set forth in MMC 16.73.060.
 - 3. Preliminary short plat/plat. Drawings shall include the following illustrations:

- a. Location of the site by section, township, range;
 - b. North arrow and the boundary of the lands being divided or having the boundaries adjusted;
 - c. Scale at not less than one inch equals 100 feet (larger scales such as 1:50, 1:20, and 1:30 are preferred);
 - d. Vicinity map showing the site clearly marked (smaller scale than 1:100 is acceptable);
 - e. The proposed layout and dimensions of lots and tracts;
 - f. The name of any adjacent subdivisions;
 - g. The approximate location, names and width of all existing and proposed streets, roads, private lanes and access easements within the boundaries of the lands being affected;
 - h. The location of existing and proposed improvements such as storm water facilities, sidewalks, utilities, power poles, etc., within the boundaries of the lands being affected and adjacent lots;
 - i. All existing and/or proposed easements or divisions proposed to be dedicated for any public purpose or for the common use of the property owners of the lands being subdivided;
 - j. A full and correct description of the lands being divided or having the lot lines adjusted;
 - k. Approximate location of existing structures and other improvements located on the site and whether such structures are proposed to remain on the property;
 - l. Shorelines, streams, wetlands, wildlife habitat conservation areas, and geologically hazardous areas as defined in Chapter 16.50 MMC, Critical Areas, and the shoreline master program;
 - m. Topographical information showing existing contour lines at intervals of two feet elevation; and
 - n. For short unit lot subdivisions, show the boundaries of the parent lots and unit lots, show areas of common use, show ingress and ingress, show all setback lines, and show the general building footprints for the proposed unit lots.
- D. Reduced plan drawing consisting of an 11-inch by 17-inch reproducible copy of the site plan containing the information prescribed in subsection (B) of this section, except this provision shall not apply to a lot line adjustment.
 - E. Title report issued within 30 days of application, showing all persons having an ownership interest, a legal description describing exterior boundary of application site and listing all encumbrances affecting the site.
 - F. Public notice packet as required by the corresponding application.
 - G. Environmental (SEPA) checklist for a subdivision application.
 - H. Water and sewer availability from city of Bellevue utilities (not applicable to a lot line adjustment).
 - I. Perimeter lot closures for all lots, tracts, and the exterior boundary.
 - J. Any related information and/or studies (including but not limited to storm drainage report and critical areas report) required by other provisions of the Medina Municipal Code, identified in the preapplication meeting, or deemed necessary by the director.

Section 9. Section 16.73.110 of the Medina Municipal Code is hereby amended to read as follows:

16.73.110. Approval criteria—Final short subdivision and subdivision.

The following criteria shall be used to review and approve a final short subdivision, final short unit lot subdivision, and final subdivision:

- A. Conforms to all terms of the preliminary approval;
- B. Meets all zoning and engineering requirements;
- C. Meets all requirements of this chapter;
- D. Meets all applicable local and state laws that were in effect at the time of vesting; and
- E. Improvements have been constructed, or a bond or other security has been secured at 130 percent of the estimated construction value accepted by the city.

Section 10. Section 16.73.120 of the Medina Municipal Code is hereby amended to read as follows:

16.73.120. Submittal requirements—Final short subdivision and subdivision.

An applicant seeking final approval of a short subdivision, short unit lot subdivision, or subdivision must submit a complete application requesting approval. It is the responsibility of the applicant to provide all of the necessary information before the application is processed. In conjunction with the appropriate fee, a complete application for a final subdivision approval shall contain, but is not limited to, the following:

- A. Application shall be made on the appropriate forms prescribed by the city and shall be signed and dated by the property owner or authorized agent.
- B. Final plan drawings.
 - 1. All drawings shall be to scale on an 18-inch by 24-inch sheet of paper (multiple sheets may be used);
 - 2. Contain the illustration and information set forth in MMC 16.73.100(C)(3), except the director may approve a scale up to one inch equals 200 feet in order to fit the layout of a plat on a single sheet;
 - 3. Meet the survey requirements set forth in MMC 16.73.060;
 - 4. Include addressing of individual lots assigned by the city;
 - 5. Certificate for the approval signatures detailed in MMC 16.73.080;
 - 6. Treasurer's certificate to ensure payment of taxes; and
 - 7. Other information requested during the preliminary short plat or plat approval.
- C. If the short subdivision, short unit lot subdivision, or subdivision includes a dedication, the following statements shall be included:
 - 1. The dedication of all streets and other areas to the public, and individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat;
 - 2. A waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road;

3. Said statements shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.
- D. Lot numbering. Lots shall be consecutively numbered; tracts shall be lettered alphabetically and in consecutive order.
- E. Plat certificates. Three copies of a plat certificate for the subject property shall accompany a final subdivision application.
- F. Perimeter lot closures for all lots, tracts, and the exterior boundary.
- G. For short unit lot subdivisions, the following notes shall be included on the face of the plat:
 1. The title of the plat shall include the phrase "Short Unit Lot Subdivision."
 2. The individual unit lots are not separate buildable lots. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.
 3. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent lot.
 4. Additional development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, addition, or changes in use shall comply with conditions of approval of the unit lot subdivision and may be limited as a result of the application of development standards to the parent lot or other applicable regulations.
 5. Subsequent platting actions, additions, or modifications to any buildings may not create a nonconformity of the parent lot nor create any additional lot.
 6. Additional divisions of land which create a new lot shall not be permitted in this Short Unit Lot Subdivision.

Section 11. Section 16.73.140 of the Medina Municipal Code is hereby amended to read as follows:

16.73.140. Recording with county auditor.

All lot line adjustments, final short subdivisions, final short unit lot subdivisions, and final subdivisions shall be filed for record with the office of the King County auditor. The applicant shall furnish three copies of the recorded document to the city and one copy shall be filed with the King County assessor.

Section 12. Section 16.73.150 of the Medina Municipal Code is hereby amended to read as follows:

16.73.150. Expiration of final approval.

Approvals of lot line adjustments, final subdivisions, final short unit lot subdivisions, and final short subdivisions shall automatically expire if the plans are not recorded within one year of the written approval date.

Section 13. 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 14. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 15. 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 16. Effective Date. This ordinance shall take effect at 12:01 AM on July 1, 2025, which is at least five days after publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE XX DAY OF XX 2024 BY A VOTE OF X FOR, X AGAINST, AND X ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE XX DAY OF XX 2024.

Jessica Rossman, Mayor

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

Attest:

Jennifer R. Robertson, City Attorney

Aimee Kellerman, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB