



CITY OF MEDINA

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MEMORANDUM

DATE: October 25, 2022
TO: Medina Planning Commission
FROM: Stephanie Keyser, Planning Manager
RE: Minor Code Clean-Up (2022)

Due to the amount of time required to coordinate with the State for SMP amendments, Staff has temporarily removed the proposal for hard shoreline stabilization replacement. This amendment will come back next year when we begin the Development and SMP amendments required with the Comprehensive Plan Update.

Section	Title	Proposed Amendment
MMC 10.08.010	Streets and Roads	Remove house address
MMC 12.44	Street Vacations	Clarifies that costs will be recovered for city staff time even if a petitioner withdraws their street vacation petition (<i>City Attorney</i> drafted amendment)
MMC 16.12.090	“H” Definitions	Remove housekeeping unit from H definitions
MMC 16.12.200	“S” Definitions	Housekeeping amendments to the S definitions
MMC 16.22.040	Protrusions Into Setback Areas	Clarifies existing mechanical equipment location and units for nonconforming houses
MMC 16.30.020	Signs	Remove language in the code that regulates the content of signs (Reed V. Gilbert)
MMC 16.34.020	Accessory Dwelling Units	Amend ADU section to remove burdensome language
MMC 16.34.040	Accessory Recreational Facilities	Correct a scrivener’s error
MMC 16.70.030	Administrative Approvals	Repeal Construction Code of Conduct (Clean Up)
MMC 16.71.040	Administrative Discretionary Approvals	Repeal Level 1 Tailored Construction Mitigation Plan (Clean Up)
MMC 16.72.080	Quasi-Judicial Approvals	Repeal Level 2 Tailored Construction Mitigation Plan (Clean Up)
MMC 16.80.050	Project Permit Procedures	Clarify that the Hearing Examiner is the decision authority for Site Plan Reviews

Summary of Proposed Amendments

1. MMC 10.08.010 – Streets and Roads. The purpose of this amendment is to remove the referenced street address that identifies the end of the Medina city limits on Lake

Washington Blvd. It's not appropriate to have an address as an identifier in code as addresses can and do change.

2. MMC 12.44 – Street Vacations. The amendments in this chapter are to clarify that if a petitioner withdraws their street vacation petition, or if it is denied, they (the petitioner) are still responsible to reimburse the city for full expenses and costs incurred processing the petition.
3. MMC 16.12.090 – “H” Definitions. The purpose of this amendment is to remove housekeeping unit from the “H” definitions.
4. MMC 16.12.200 – “S” Definitions. The purpose of this amendment is to amend definitions in the “S” definitions.
5. MMC 16.22.040 – Protrusions Into Setback Areas. The purpose of this amendment is to clarify that existing mechanical units may be replaced by installing a new unit in the same location, regardless of setbacks. This amendment also provides relief for residents of legally nonconforming houses so that they may place new units in the side setbacks, provided they are 5-feet away from the property line. In both of these circumstances, the units still must pass the required sound test and screening required by code. There would be no new impact to neighbors.
6. MMC 16.30.020 – Signs. The purpose of these amendments is to be in compliance with *Reed v. Gilbert*. Although PC did a sign code update in 2017, the code still has language where *content* is regulated, which is not allowed.
7. MMC 16.34.020 – Accessory Dwelling Units. The purpose of these amendments is to remove language that's overly burdensome to homeowners and frankly are an example where theory (code) and practice just don't mesh. This is more often a problem when someone has an existing structure that they want to either convert to an ADU (like an existing detached garage) or they have an existing ADU that they want to expand or remodel and start using again. The code requires an additional separated use for a detached ADU. An example of creating a second use would be building a second-floor apartment on the detached garage. This creates an overly burdensome situation on homeowners who have ended up having to spend more money or come up with ridiculous floor plans that wall off section or create an outside accessible “storage closet” just to meet the intent of the code.
8. MMC 16.34.040 – Accessory Recreational Facilities. The purpose of this amendment is to correct a scrivener's error.
9. MMC 16.36.060 – Nonconforming Structures. The purpose of this amendment is to clarify that a structure loses its nonconformity when it experiences substantial destruction (under the new definition proposed in this update in MMC 16.12.200).
10. MMC 16.70.030 – Administrative Approvals. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
11. MMC 16.71.040 – Administrative Discretionary Approvals. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
12. MMC 16.72.080 – Quasi-Judicial Approvals. The purpose of this amendment is a clean-up to repeal an old code section that was missed with previous amendments.
13. MMC 16.80.050 – Project Permit Procedures. The purpose of this amendment is a clean-up to clarify that the Hearing Examiner is the decision authority for Site Plan Reviews