



MEDINA, WASHINGTON

AGENDA BILL

February 24, 2025

Subject: Proposed Unit Lot Subdivision/Zero Lot Line Ordinance

Category: Council Study Session

Staff Contact: Jennifer Robertson, City Attorney, Jonathan Kesler, Planning Manager

Summary:

1. State Mandated Compliance for Updating Subdivision Requirements.

As part of adopting the middle housing requirements, the State legislature included a requirement in [ESSHB 1110](#) requiring cities to allow “zero lot line” short subdivisions. [RCW 36.70A.635\(5\)](#), provides in pertinent part:” . A city must also allow zero lot line short subdivision where the number of lots created is equal to the unit density required in subsection (1) of this section.”

This means that the City of Medina must allow zero lot line subdivisions that result in two lots for existing lots where residential uses are allowed. In addition, by adoption of different legislation in 2023 ([ESSSB 5258](#)), the Legislature amended the State Subdivision Act ([Ch. 58.17 RCW](#)) to requires the following:

(3) All cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

[RCW 58.17.060\(3\)](#). So, while the middle housing legislation only requires the City to allow the zero lot line short subdivisions up to the two lots per residential lot, ESSSB 5258 requires the general allowance of unit lot short subdivisions, not just zero lot line short subdivisions. The proposed draft code accomplishes compliance with both bills and provides a process for unit lot long subdivisions, which is not mandated.¹

¹ A short subdivision is one lot that is divided into 4 or fewer lots. A subdivision (also called a long subdivision) is one lot that becomes 5 or more lots.

2. Overview of Proposed Changes to Subdivision Code.

Below, this memo walks through the changes to the draft code. The draft code is attached at **Exhibit 1**. Changes to the code are shown by the use of either ~~strike-out~~ or underline text. If a section is brand new, that is also noted. Where sections of the subdivision code are not being changed, those sections are not included.

A. Definitions – Chapter 16.12 MMC.

The definition of “Lot” at MMC 16.12.130 is updated for consistency with the new unit lot subdivision provisions.

The definition of Parent Lot, Unit Lot and Lot Split are added to MMC 16.12.130 as those terms are used in the updated code. Lot split was added as that is a term that was used during in the middle housing legislation (RCW 36.70A.635(6); RCW 36.70A.681(2)) and there is a bill pending in the Legislature this session regarding “Lot Splits”.

In MMC 16.12.200, the definitions for “Subdivision” and “Short Subdivision” were updated to address unit lot subdivisions. New definitions for “Unit Lot Subdivision” and “Zero Lot Line Subdivision” were also added.

B. Subdivisions – Chapter 16.73.

MMC 16.73.020 “Applicability” was updated to include short unit lot subdivisions and unit lot subdivisions. (Note: a short unit lot subdivisions is 4 or fewer lots. A unit lot subdivision is 5 or more lots.)

MMC 16.73.060 “Survey Requirements” was updated to include short unit lot subdivisions and unit lot subdivisions.

MMC 16.73.080 “Review procedures and approvals” was updated to include short unit lot subdivisions and unit lot subdivisions.

MMC 16.73.090 “Approval criteria” was updated to include short unit lot subdivisions and unit lot subdivisions. In addition, a new subsection “C” was added to specifically address unit lot subdivisions and short unit lot subdivisions. These set forth how they apply and restrictions for use of the unit lot subdivision procedures. This subsection include several protections to ensure that only the maximum density set forth in the zoning code, including the new provisions under middle housing, are used and that re-division of a lot is not allowed. This subsection also clarifies that the maximum lot coverage for the original lot is still applicable across the new lots as are the existing setbacks which must be followed for the external lot area(s)/parent lot.

A new code section MMC 16.73.095 “Lot segregations – Zero-lot-line development” is proposed for when the unit lot subdivision is also a zero lot line subdivision.

MMC 16.73.100 “Submittal requirements” is amended to include short unit lot subdivisions and unit lot subdivisions. This also requires the applicant to show all lot lines, including internal lines, common use areas, setbacks, building footprints, etc.

MMC 16.73.100 “Approval criteria—Final short subdivision and subdivision” is amended to include short unit lot subdivisions and unit lot subdivisions.

MMC 16.73.120 “Submittal requirements—Final short subdivision and subdivision” is amended to include short unit lot subdivisions and unit lot subdivisions. A new subsection “G” was added to specifically address unit lot subdivisions.

MMC 16.73.140 “Recording with county auditor” is amended to include short unit lot subdivisions and unit lot subdivisions.

MMC 16.73.150 “Expiration of final approval” is amended to include short unit lot subdivisions and unit lot subdivisions.

3. Planning Commission Review.

On January 28, 2025, the Planning Commission reviewed the draft code. With only two minor word updates (which are reflected in the draft before the Council), the Planning Commission supported moving the draft code forward to public hearing.

4. Policy Choice – Allowable limits of new legislation.

The Planning Commission was specifically asked as to whether the City should adopt unit lot and zero lot line subdivisions beyond the mandates for short subdivisions and zero lot line subdivisions. The Planning Commission expressed support for the expanded amendment (as drafted) including subdivisions for more than 4 lots.

This issue is ultimately a policy call as to whether the City wants to allow unit lot subdivisions for 5 or more lots or zero lot line subdivisions of more than two lots. If the Council does *not* want to bring that code change forward, the draft code updates will need to be amended to only apply to short subdivisions and the middle housing zero lot line subdivisions. Therefore, direction is requested on the following two questions:

- A. Does Council want to limit unit lot subdivision to four or few lots (unit lot short subdivisions)?
- B. Does Council want to limit zero lot line subdivisions to two lots (to match the 2 dwelling units per lot density required by Middle Housing)?

One reason to allow the legislation to apply to larger subdivisions is to set the table for future work that may allow a larger cottage home development or low-rise multifamily housing that would be for ownership purposes.

“Unit Lot/Zero Lot Line Subdivision Update” meets and supports Council’s priorities 2, 3 and 5.

Council Priorities:

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

Attachments:

1. Draft Code Update for Medina Subdivisions.

Budget/Fiscal Impact: N/A

Recommendation: Discussion and direction.

City Manager Approval: 

Proposed Council Motion: N/A

Time Estimate: 60 minutes