



Development Impacts Project Phase 1 Approach

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Council Direction

April 27, 2026:

“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.”

Further discussion divided the project into **two phases**:

- **Phase 1** (immediate address of The Problem)
- **Phase 2** (long-term resolution)

Key Components of Phase 1

Solve The Problem

- Plan against **loss of privacy, property enjoyment, and value** to neighbors of new development caused by bulky development
- Resolve potential unintended consequences of 1052, particularly as it relates to **narrow lots**

Engage the Community Early

- Host a **Charrette**. Invite Stakeholder **collaboration** toward solution

Rely on Existing Tools for Expeditious Resolution

Consistent Charrette Feedback

- **City should be involved** in mitigating development impacts
- Code should allow for **flexible design and creativity**. Lots in Medina are often substandard, challenged, unique
- Code should **clearly** state what is allowed to be built
- **Landscape screening** is acceptable mitigation
- **Narrow lots** need relief from Ord. 1052
- Phase 1 needs **quick resolution**
- Many ideas to consider at **Phase 2** (incentivizing preferred development, pitched roofs, modulation, administrative design review process, refreshed side setback perspective, new zone for small lots)

Recommended Phase 1 Approach

Amended **Minor Deviation**

- Combines with Dev Impacts IOC to permanently codify all edits
- Expand **applicability** of Minor Deviation to include demo/new construction
- Allow for **bonus height** and allow **side setbacks** to align with previous standard (10' instead of 15', no recessed story) **IF** project meets Minor Deviation approval criteria, including:
 - 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
 - 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.**

Recommended Phase 1 Approach (Cont.)

- Allows Director to impose Conditions of Approval to mitigate impacts
 - **Landscape** Maintenance Covenant for maintaining **privacy landscape screen** in perpetuity
 - Upper story **glazing limit at 20%** when facing side property lines and built within narrower side setbacks
 - **Decks** protruding into narrow side setbacks limited to **100 square feet** when more than 30 inches above grade
- Adds **definitions** for new terms: certified arborist, certified horticulturist, upper story

Phase 1 Proposed Code Edits

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.

Phase 1 Proposed Code Edits

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:
- All other numeric development standards applicable to the project are adhered to; and
 - 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.
 - 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: 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>

- 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>

- The methods for measuring the height of buildings and structures proposed under this subsection are set forth in section (I) of this section.
- 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.

Phase 1 Proposed Code Edits

- 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 upkeeps 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 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;
 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.

Phase 1 Proposed Code Edits

16.30.070. Landscape screening.

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B. Landscape screening – Types and description.

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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 five feet in width.
 - v. Where practical, existing mature vegetation should be incorporated into the screen.

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Phase 1 Proposed Code Edits

16.12.020. – “A” definitions.

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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 ~~person-certified arborist~~ appointed by the city manager or designee ~~with the criteria that the person is a member of the American Society of Consulting Arborists or similar professional organization and is an ISA-certified arborist~~. The city arborist is responsible for evaluating trees according to the International Society of Arboriculture in evaluating hazardous trees in urban areas.

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16.12.090. – “H” definitions.

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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.

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16.12.200. – “S” definitions.

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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.

Phase 1 Next Steps (subject to change)

July 29 – NOI to DOC, request expedited review

July 30 – SEPA Checklist and DNS Notice

August 25 – PC Public Hearing and Recommendation to Council

September 1 or 2 – DSC

September 14 – Council Study Session

September 28 – Council Public Hearing

October 12 – Request Council Adoption of Ordinance

Phase 2 to commence following completion of Phase 1

Questions or Comments?

Please offer any thoughts, questions, or other feedback on the draft Phase 1 code amendments.

Thank you!