

EXHIBIT 2

CITY OF MEDINA, WASHINGTON

Ordinance No. 1043

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, ADDING A NEW CHAPTER 16.25 TO THE MEDINA MUNICIPAL CODE (MMC) TO REQUIRE OUTDOOR LIGHTING TO MEET CERTAIN STANDARDS THEREIN, REVISING MMC 16.66.110 FOR CONSISTENCY WITH NEW CHAPTER 16.25 MMC; ADOPTING FINDINGS IN SUPPORT OF THIS ORDINANCE; PROVIDING FOR VESTED RIGHTS, INTERPRETATION AUTHORITY AND SETTING A PUBLIC HEARING AS REQUIRED BY RCW 35A.63.220 AND RCW 36.70A.390 TO TAKE TESTIMONY ON THIS INTERIM OFFICIAL CONTROL; PROVIDING FOR SEVERABILITY AND CORRECTIONS; 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 lighting 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

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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 6 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 4, to amend the Medina Municipal Code as set forth therein.

Section 3. A new chapter 16.25 is hereby added to the Medina Municipal Code to read as follows:

Chapter 16.25 OUTDOOR LIGHTING ON PUBLIC AND PRIVATE PROPERTY

16.25.010 Purpose.

16.25.020 Definitions.

16.25.030 Applicability.

16.25.040 Exemptions.

16.25.050 General standards.

16.25.060 Prohibited.

16.25.070 Submittals.

16.25.080 Figures of acceptable shielding and direction of outdoor light fixtures.

16.25.010 Purpose.

The purpose of this chapter is to provide regulations that preserve and enhance the view of the dark sky; promote health, safety, security, and productivity; and help protect natural resources. The provisions of this chapter are intended to control glare and light trespass. It is the intent of this chapter to provide standards for appropriate lighting practices and systems that will enable people to see essential detail in order that they

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may undertake their activities at night, facilitate safety and security of persons and property, and curtail the degradation of the nighttime visual environment.

16.25.020 Definitions.

The following terms have the following definitions for purposes of this chapter:

- A. *Accent lighting* means any luminaire that emphasizes a particular object or draws attention to a particular area for aesthetic purposes.
- B. *Cut-off angle* (of a luminaire) means the angle, measured from the lowest point between a vertical line from the center of the lamp extended to the ground and the first line of sight at which the bare source is not visible.
- C. *Director* means the director of development services for the City of Medina.
- D. *Fixture* (also called a "luminaire") means a complete lighting unit including the lamps, together with the parts required to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.
- E. *Foot-candle* means a measure of illuminance or a measure of how bright a light appears to the eye. One foot-candle is equal to one lumen per square foot. As an example, a typical 60-watt incandescent lamp (840 lumens) produces an illuminance of 0.1 foot-candles at a distance of about 25 feet.
- F. *Lamp* means the light-producing source installed in the socket portion of a luminaire.
- G. *Light pollution* means general sky glow caused by the scattering of artificial light in the atmosphere and resulting in decreased ability to see the natural night sky.
- H. *Light trespass* means any light emitted by an outdoor luminaire that shines directly beyond the property on which the luminaire is installed or indirectly shines beyond the property on which the luminaire is installed at a brightness (illuminance) that exceeds 0.1 foot-candles at the property line. This term includes light extending above a commercial building from a sky light.
- I. *Luminaire*. See definition for "fixture" (subsection D of this section).
- J. *Outdoor lighting fixture* means a luminaire outside of an enclosed building or structure or any luminaire directed such that it primarily illuminates outdoor areas.
- K. *Shielding* means that no light rays are emitted by a fixture above the horizontal plane running through the lowest point of the fixture.
- L. *Spotlight* means any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

16.25.030 Applicability.

- A. All outdoor lighting fixtures installed on private and public property shall comply with this chapter. This chapter does not apply to interior lighting; provided, however, that if it is determined by the director that any interior lighting emitting light outside of the

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building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of this chapter. Types of outdoor lighting to which this chapter applies include, but are not limited to, lighting for:

1. Buildings and structures including, but not limited to, overhangs and canopies;
 2. Parking lot lighting;
 3. Security lighting;
 4. Landscape lighting;
 5. Driveway lighting;
 6. Patio or deck lighting;
 7. Lighting on docks and piers;
 8. Street lighting.
- B. The city's departments of development services and public works shall administer and enforce this chapter.
- C. In the event of a conflict between the requirements of this chapter and any other requirement of the City of Medina Municipal Code, the more restrictive requirement shall apply.

16.25.040 Exemptions.

The following are exempt from the provisions of this chapter:

- A. Traffic control signals and devices;
- B. Street lights installed prior to the effective date of the ordinance codified in this chapter; provided, that when a street light fixture becomes inoperable, any replacement street light fixture shall be subject to the provisions of this chapter;
- C. Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;
- D. Moving vehicle lights;
- E. Navigation lights (i.e., radio/television towers, docks, piers, buoys) or any other lights where state or federal statute or other provision of the City of Medina Municipal Code requires lighting that cannot comply with this chapter. In such situations, lighting shall be shielded to the maximum extent possible, and lumens shall be minimized to the maximum extent possible, while still complying with state or federal statute;
- F. Public facilities where lighting is necessary for public safety purposes;
- G. Seasonal decorations do not have to be shielded; provided, that they do not have a brightness of more than 0.1 foot-candles at the property line on which they are installed;
- H. Outdoor lighting approved by the director for temporary or periodic events (e.g., fairs, nighttime construction).

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16.25.050 General standards.

A. The following general standards shall apply to all nonexempt outdoor lighting fixtures and accent lighting:

1. All light trespass is prohibited.
2. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward, and shall be installed at the minimum height necessary. Examples of acceptable and unacceptable light pollution control shielding are shown in Figures 1 through 4 in section 16.25.090. The shield must mask the direct horizontal surface of the light source. The light must be aimed to ensure that the illumination is only pointing downward onto the ground surface, with no escaping direct light permitted to contribute to light pollution by shining upward into the sky.
3. All outdoor lighting fixtures and accent lighting shall be designed, installed, located and maintained such that light trespass is essentially nonexistent (see Figure 3)
4. Outdoor lighting fixtures and accent lighting shall not directly illuminate public waterways, unless it is a navigational light subject to state or federal regulations.
5. Accent lighting shall be directed downward onto the illuminated object or area and not toward the sky or onto adjacent properties (see Figure 4). Direct light emissions of such accent lighting shall not be visible above the roof line or beyond the building, structure, or object edge.
6. Spotlighting on landscaping and foliage shall be limited to 150 watts incandescent (2,020 lumens output).

16.25.060 Prohibited.

A. The following fixtures (luminaires) are prohibited:

1. Searchlights for any purpose other than temporary emergency lighting or as allowed by a special event license;
2. Laser lights or any similar high-intensity light for outdoor use or entertainment, when projected above the horizontal plane;
3. Quartz lamps;
4. Mercury vapor lamps.

B. No lighting shall be allowed on private sports courts or private recreational facilities in the City.

C. The city reserves the right to further restrict outdoor lighting including, but not limited to, pole height, and level of illumination, when it is deemed to be in the best public interest consistent with the purpose of this chapter.

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16.25.070 Submittals.

All building permit applications which include the installation of outdoor lighting fixtures shall demonstrate compliance with the requirements of this chapter by indicating the location and type of lighting used on the site plan submitted with the building permit application.

16.25.080 Figures of acceptable shielding and direction of outdoor light fixtures.

The following four figures illustrate acceptable and unacceptable outdoor lighting fixtures in the city:

Figure 1: Wall-Mounted Lighting Fixtures

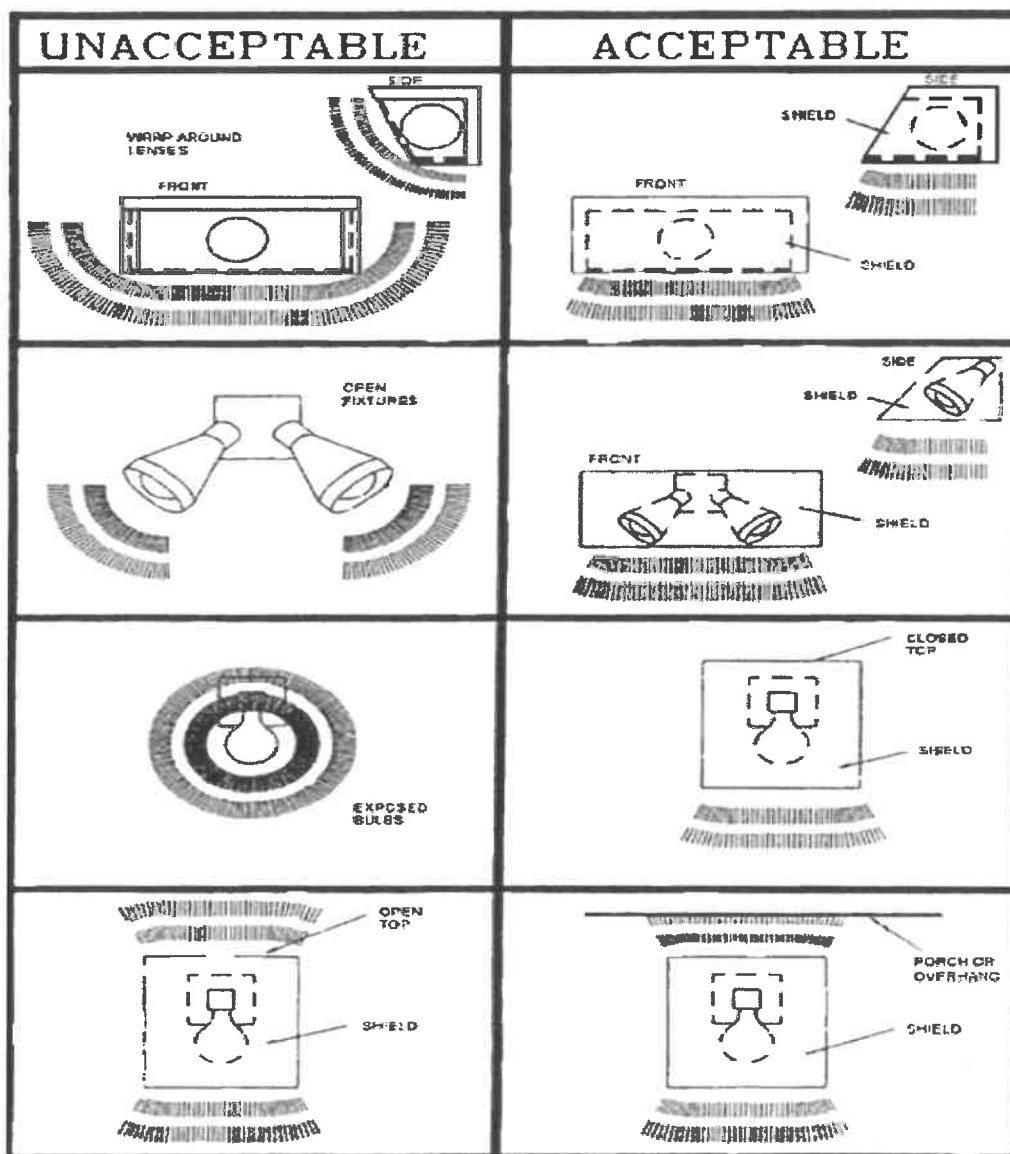


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Figure 2: Freestanding Outdoor Lighting Fixtures

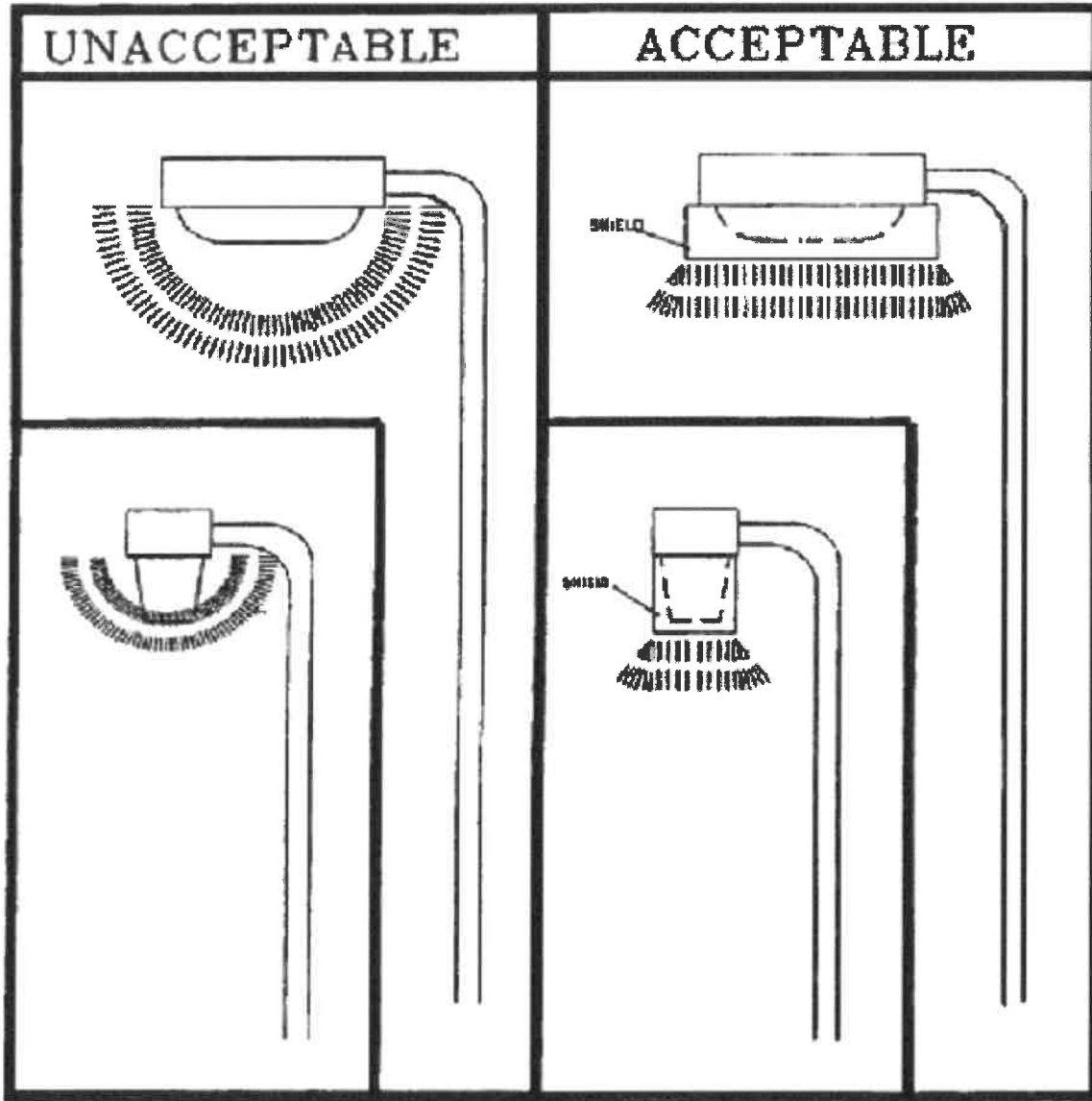
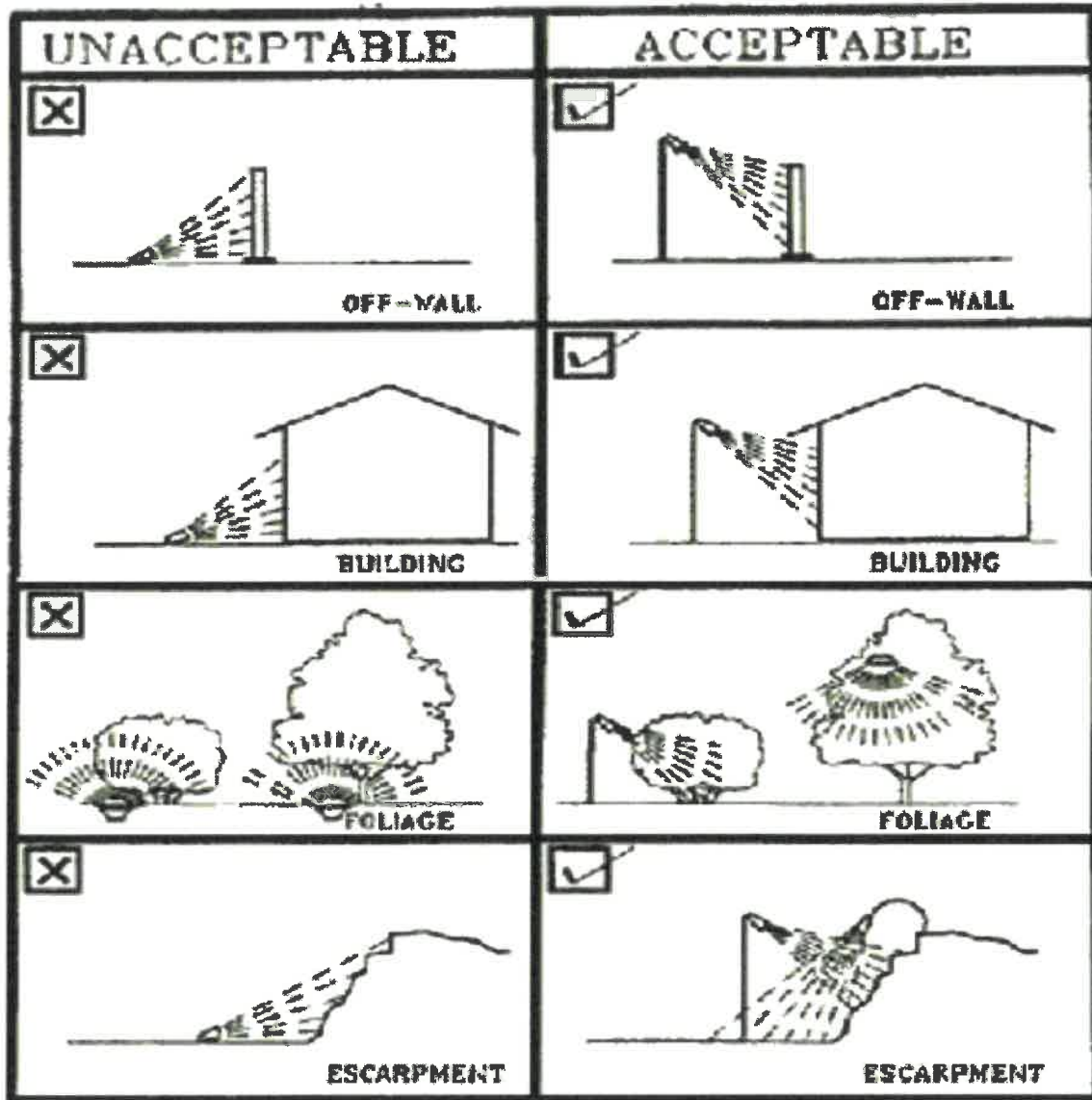


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Figure 3: Accent Lighting



Section 4. Section 16.66.110 of the Medina Municipal Code is hereby amended to read as follows:

16.66.110. Lighting.

A. Exterior lighting shall be controlled using limits on height, light levels of fixtures, light shields, and other mechanisms that:

1. Prevent light pollution or other adverse effects that could infringe upon public enjoyment of the shoreline;

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2. Protect residential uses from adverse impacts that can be associated with light trespass from adjoining properties; and

3. Prevent adverse effects on fish and wildlife species and their habitats.

B. Exterior lighting shall be directed downward and away from adjoining residential properties and Lake Washington and shall be consistent with the requirements of Chapter 16.25 of the Medina Municipal Code. Shielding may be required to conceal the light source.

C. Exterior lighting mounted on piers, docks or other water-dependent uses located at the shoreline edge shall be at ground or dock level and be designed to prevent lighting from spilling onto the lake water and shall be consistent with the requirements of Chapter 16.25 of the Medina Municipal Code.

D. ~~The following shall be exemptions set forth in Chapter 16.25 of the Medina Municipal Code shall also apply in the Shoreline area, from the lighting requirements in this section:~~

- ~~1. Emergency lighting required for public safety;~~
- ~~2. Lighting for public rights-of-way;~~
- ~~3. Outdoor lighting for temporary or periodic events (e.g., community events at public parks);~~
- ~~4. Seasonal decoration lighting; and~~
- ~~5. Lighting required by a state or federal agency for navigation purposes.~~

Section 5. Effect on Vested Rights. The interim official control imposed under Sections 3 and 4 of this Ordinance shall apply prospectively only and shall be all Permit Applications, Land Use Development 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 6. 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 August 22, 2025. The Council hereby schedules the public hearing for July 28, 2025.

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Section 7. 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 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. This interim official control shall take effect five days after publication as provided by law 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 JUNE, 2025 BY A VOTE OF 7 FOR, 0 AGAINST, AND 0 ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 23RD DAY OF JUNE, 2025.



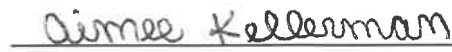
Jessica Rossman, Mayor

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

Attest:



Jennifer R. Robertson, City Attorney



Aimee Kellerman, City Clerk

PUBLISHED: 6/26/2025
EFFECTIVE DATE: 7/1/2025
ORDINANCE NO.: / AB