



CITY OF MEDINA

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MEMORANDUM

DATE: April 22, 2025
TO: Medina Planning Commission
FROM: Jonathan G. Kesler, AICP, Planning Manager and Dawn Lindsay Reitan, Assistant City Attorney
RE: Public Hearing on Unit Lot Subdivision/Zero Lot Line Ordinance

SUBJECT:

Proposed Land Use Code Amendment to revise the Medina Municipal Code to accommodate unit lot subdivisions and zero lot line subdivisions by adopting the State-mandated middle housing regulations to implement House Bills (HB) 1110.

BACKGROUND:

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, since Medina is counting ADUs towards the middle housing density, a lot division could also occur for the allowed ADUs. This will be accomplished via a short unit lot subdivision that is limited to the maximum density in the middle housing ordinance.

The City Council previously reviewed the **Proposed Unit Lot Subdivision/Zero Lot Line Ordinance** at the Council Study Session on February 24, 2025. During that meeting, Council gave direction for revisions. Those revisions were made to the document, which was later reviewed by the Planning Commission during their meeting of March 25, 2025.

OVERVIEW OF PROPOSED CHANGES TO THE SUBDIVISION CODE:

Below, this memo walks through the changes to the Medina subdivision code. The proposed ordinance has been included as an attachment. 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 short 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 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 definition for “Short Subdivision” is updated to address unit lot subdivisions. New definitions for “Unit Lot Short Subdivision” and “Zero Lot Line Subdivision” were also added. The definitions applicable to long subdivisions were deleted since the last draft.

B. Subdivisions – Chapter 16.73.

MMC 16.73.020 “Applicability” was updated to include short unit lot subdivisions. The reference to unit lot subdivisions (long, not short) was removed from this draft.

MMC 16.73.060 “Survey Requirements” was updated to include short unit lot subdivisions. The reference to unit lot subdivisions was removed in this draft.

MMC 16.73.080 “Review procedures and approvals” was updated to include short unit lot subdivisions. . The reference to unit lot subdivisions was removed in this draft.

MMC 16.73.090 “Approval criteria” was updated to include short unit lot subdivisions (but no longer includes unit lot subdivisions). In addition, a new subsection “C” was added to specifically address short unit lot subdivisions. These set forth how they apply and restrictions for use of the short unit lot subdivision procedures. This subsection includes 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 (but no longer includes unit lot subdivisions). This also requires the applicant to show all lot lines, including internal lines, common use areas, setbacks, building footprints, etc.

MMC 16.73.110 “Approval criteria—Final short subdivision and subdivision” is amended to include short unit lot subdivisions (and no longer includes unit lot subdivisions).

MMC 16.73.120 “Submittal requirements—Final short subdivision and subdivision” is amended to include short unit lot subdivisions (it no longer includes

unit lot subdivisions). A new subsection “G” was added to specifically address short unit lot subdivisions.

MMC 16.73.140 “Recording with county auditor” is amended to include short unit lot subdivisions (but no longer includes unit lot subdivisions).

MMC 16.73.150 “Expiration of final approval” is amended to include short unit lot subdivisions (but no longer includes unit lot subdivisions).

PROCEDURAL REQUIREMENTS:

The review procedures for processing text code amendments to the development regulations are outlined in Chapter 16.81 of the Medina Municipal Code as follows:

16.81.040. Review procedures.

The following shall apply to processing a text amendment to development regulations:

- A. The city council shall decide whether to review the amendment or direct the planning commission to review the amendment.
- B. If the planning commission reviews the amendment, after considering the amendment, the planning commission shall vote and forward a written recommendation to the city council.
- C. The planning commission's written recommendation shall be presented to the city council unchanged and accompanied by a staff report that includes any proposed changes to the planning commission's recommendation. If any proposed changes are substantively different from the planning commission's recommendation, the city council may remand the changes to the planning commission before proceeding further with action on the amendment.
- D. At least one public hearing shall be held prior to the city council acting on an amendment. The public hearing may be held before the planning commission, the city council, or both.
- E. City staff shall prepare a report on the amendment to be presented to the hearing body considering the amendment.
- F. Notice of hearing shall be provided pursuant to MMC 16.81.070.
- G. The city council may approve, approve with modifications, remand to the planning commission for further proceedings, or deny the amendment.

All code requirements were followed leading up to the Planning Commission public hearing as follows:

PUBLIC NOTICE:

The Notice requirements are outlined in MCC 16.81.070. Notice of the April 22, 2025, Planning Commission public hearing was published in the Seattle Times and on the City website on April 2, 2025. See **Exhibit 1**.

SEPA AND STATE REVIEW:

The City issued a SEPA Determination of Non-Significance (DNS) on Tuesday, March 25, 2025. See **Exhibit 2**. The deadline to submit comments to the City is Thursday, April 24, 2025.

The draft ordinance was submitted to the Washington State Department of Commerce on March 25, 2025, and the required 60-day notice period will end on May 24, 2025. As of the date of this report, no comments from state agencies had been received.

PUBLIC OUTREACH:

In addition to following the minimum noticing requirements, the City also expended great efforts to be transparent with Medina community members about the new state requirements and to involve them throughout the process of updating the code.

On June 10, 2024, the City Council adopted a Public Engagement Plan (PEP) via Resolution 444. This plan was utilized as a guiding document by City Staff and planning SCJ Alliance planning consultants. The City contracted with SCJ Alliance in September of 2024, after which they met with the City Council for the first time on October 14, 2024. Subsequent meetings with City Council included presentations on the State requirements, and the status of the mandated updates to the Uniform Development Code.

More information about the community outreach efforts, and the results of the survey, can be found on the Medina City website here:

<https://www.medina-wa.gov/developmentservices/page/new-housing-laws-middle-housing-and-adu-legislation-and-medina>

DECISION CRITERIA:

In addition to detailing the noticing requirements, the Medina City Code also provides decision criteria for making text amendments to the development regulations. These are found in MCC 16.81.080, as follows:

The city council may amend the text of a development regulation only if it finds:

- A. The proposed amendment is consistent with the goals, policies and provisions of the Medina comprehensive plan;
- B. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
- C. The proposed amendment advances the public interest of the community.

RECOMMENDATION:

Staff has concluded that the attached Unit Lot Subdivision/Zero Lot Line Ordinance is consistent with the decision criteria required for adoption of amendments to development regulations pursuant to MCC 16.81.080. Staff recommends that the Planning Commission adopt the proposed ordinance.

Exhibits:

See Item 6.1, the Middle Housing Ordinance, for these same exhibits.

Attachment:

Unit Lot Subdivision/Zero Lot Line Ord. No. XXX