

Update of Subdivision Code: Zero Lot Line and Unit Short Lot Subdivisions for Middle Housing

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What is a subdivision?

"Subdivision" is the division or redivision of land which creates buildable lots.

It is the primary method used to legally create additional lots or tracts which can be separate building sites.

These lots can then be legally sold.

What are the types of subdivisions?

A short subdivision means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

A subdivision (also called a long subdivision) is the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

See MMC 16.12.200.

→ **Short = 4 or fewer lots**

→ **Long = 5 or more lots**



What is required by Middle Housing laws?

RCW 36.70A.635(5) requires:

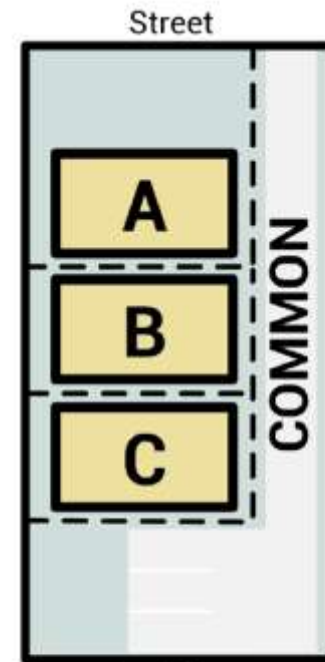
“A city must also allow zero lot line short subdivision where the number of lots created is equal to the unit density required in subsection (1) of this section.”

- Since the Medina density requirement under middle housing is two middle housing units per lot, this means that Medina must allow a subdivision to take a single residential lot and divide it into two lots.
- Also, since Medina is “counting” ADUs as part of the density limit, if a lot has two ADUs, then there could be a maximum of three lots (single-family home plus 2 ADU lots). But in this case, those new lots will be forever limited to use for ADU.

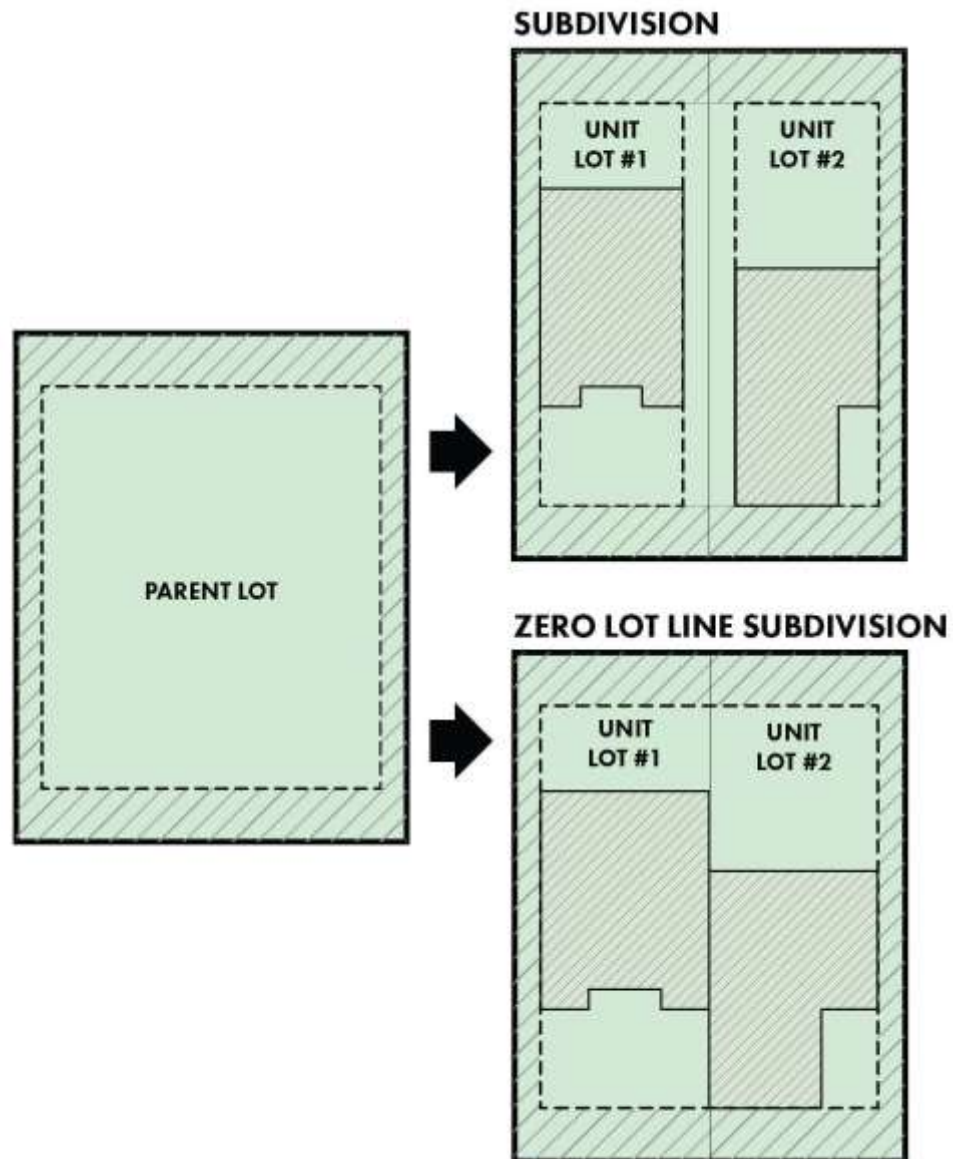
What is a “unit lot subdivision”?

A “Unit Lot Subdivision” a type of subdivision that allows a parent lot (original lot) to be divided into two or more unit lots within a development that also includes common areas and that is approved through the unit lot subdivision process.

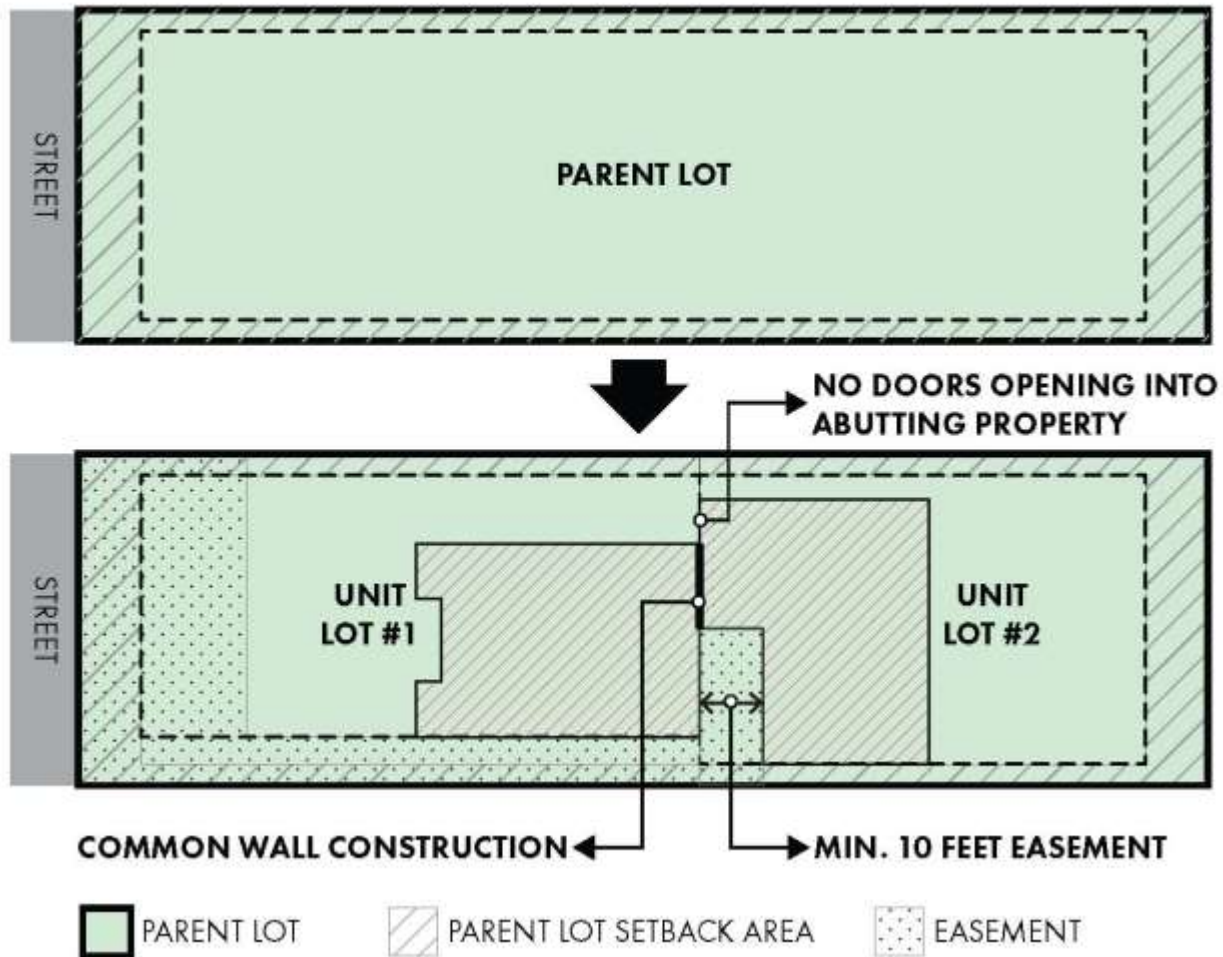
A unit lot subdivision may be a type of short subdivision, or a type of long subdivision, depending on the number of lots created.



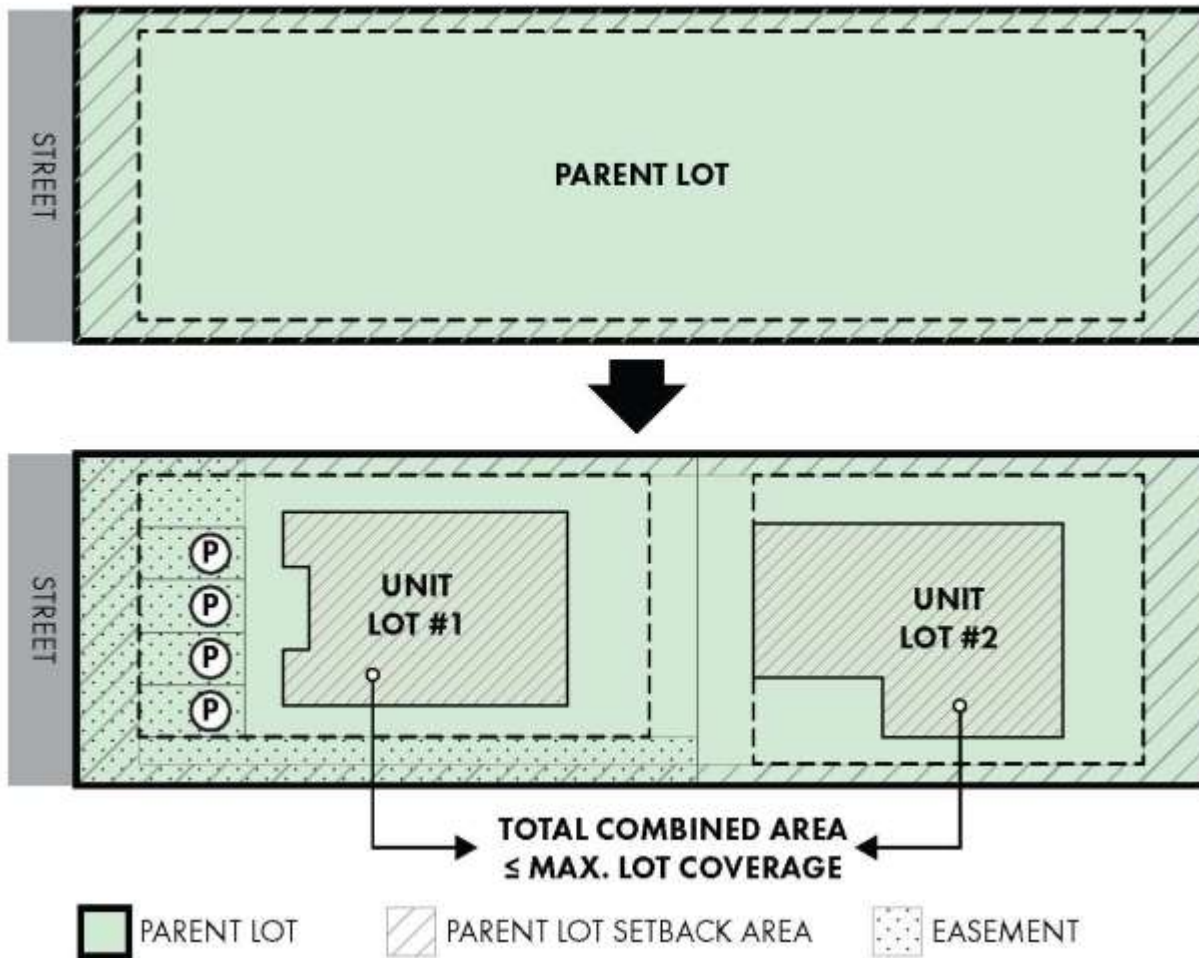
Example unit lot subdivision with three unit lots and a tract held in common.



ZERO LOT LINE SUBDIVISION - LOT SEGREGATIONS



SUBDIVISION - GENERAL REQUIREMENTS



What types of middle housing may use the subdivision code?

Cottages

DADU and
maybe AADU

Duplex (if side-
by-side type)

Courtyard
apartment

Townhomes

Subdivisions
are not used
for stacked
flats

Draft Code

Updated definitions:

- Lot
- Subdivision
- Short Subdivision

Adds new definitions for:

- Parent Lot
- Unit Lot
- Lot Split

Consistency Amendments

Adding “zero lot line subdivision” and/or “unit lot subdivision” to code and referencing new sections or subsections



Revisions to MMC 16.73.090 – Approval criteria

A new subsection “C” is added to this Section for short unit lot subdivisions. It requires:

1. Disallows use for lots that do not meet minimum lot size if they did not exist prior to June 30, 2025
 - This ensures that new substandard lots are not later subdivided
2. Limits division to the density limit for middle housing
3. Prohibits unit lots from being within critical area and shoreline buffers and requires building setbacks from critical areas consistent with MMC
4. Allows smaller lots but requires compliance with height and density requirements for the underlying zone

Revisions to MMC 16.73.090 – Approval criteria (continued)

A new subsection “C” is added to this Section for short unit lot subdivisions. It requires:

5. Requires all lots to be viewed collectively for maximum lot coverage and density
6. If the division is for ADU, then the new lot will be forever restricted to that type of dwelling unit and cannot be converted later
7. Parking may be on other lots with a recorded parking easement
8. Must make adequate provision for ingress, egress, emergency services and utilities, including recording appropriate easements
9. If zero lot line, must also comply with MMC 16.73.095

Revisions to MMC 16.73.090 – Approval criteria (continued)

A new subsection “C” is added to this Section for short unit lot subdivisions. It requires:

10. Notes on the Unit Lot Plat must include:
 - “The individual unit lots are not separate buildable lots. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.”
 - “Approval of the design and layout of the development was granted by review of the application of development standards to the parent lot.”

Revisions to MMC 16.73.090 – Approval criteria (continued)

10. Notes on the Unit Lot Plat must include (continued):

- “Additional development of the individual unit lots, including but not limited to reconstruction, remodel, maintenance, addition, or changes in use shall comply with conditions of approval of the short unit lot subdivision and may be limited as a result of the application of development standards to the parent lot or other applicable regulations.”
- “Subsequent platting actions, additions, or modifications to any buildings may not create a nonconformity of the parent lot nor create any additional lots.”
- “Additional divisions of land which create a new lot shall not be permitted in this Short Unit Lot Subdivision.”

What are the limitations for the Subdivided Property?

MMC 16.73.090(C) (new subsection)

- Zoning Code still applies unless exception (i.e., lot size, height)
- Total lot coverage for existing lot is applied to all of the lots collectively (E.G., if the lot coverage for the original lot is 37% and that lot becomes two lots, the lot coverage for the two lots combined, will still be 37%)
- All unit lots need to be outside of critical areas or buffers
- Unit lots need not comply with the minimum lot area, minimum density, or dimensional requirements **but the overall development of the parent lot must meet the development and design standards of the underlying zone.** E.G., setbacks on the exterior of the parent lot must meet code.

What are the limitations for the Subdivided Property? (continued)



Can put parking for units on another area of the property with recorded easement (i.e., it need not be on the unit lot it serves)



Must provide for ingress, egress, emergency services, and utilities access to and from each unit lot (with recorded easements)



The individual unit lots are not separate buildable lots in the traditional sense. **Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.**



If one lot is for an ADU, it cannot be converted to a different type of dwelling unit later.

What are the limitations for the Subdivided Property? (continued)

- Subsequent platting actions, additions, or modifications to any buildings may not create a nonconformity of the parent lot.
- Additional divisions of land which create a new lot shall not be permitted in this Unit Lot Short Subdivision.
- No creation of nonconformity on parent lot.
- Non-conforming lots *created* after June 30, 2025 may not use the unit lot subdivision process (this keeps later lot splits from happening).

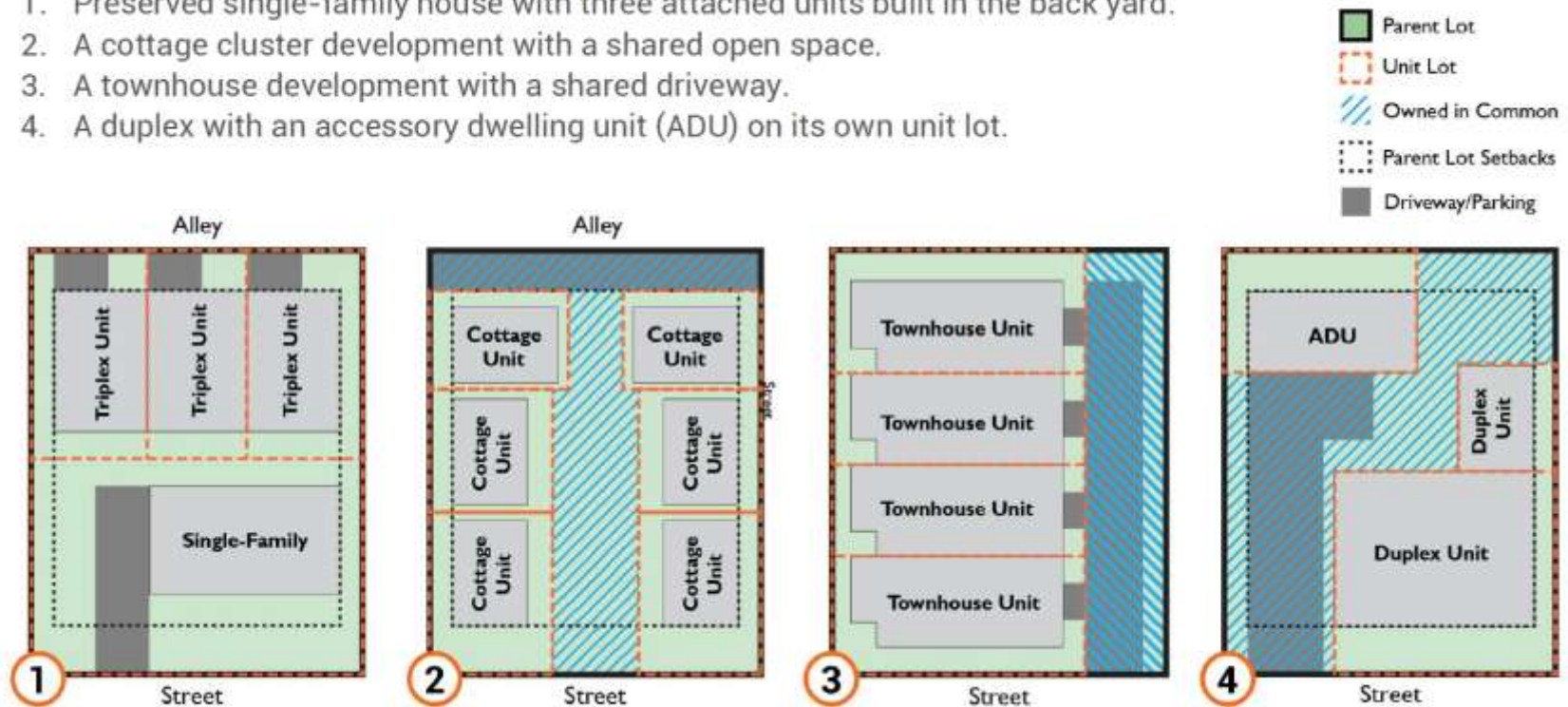
Zero Lot Line Subdivision S

MMC 16.73.095 (new code section)

- Allows interior setbacks to be zero
- Requires a 10-foot separation, except for common wall construction.
- Disallows structures in the easement areas
- Disallows doors or windows that loom over abutting property

The examples illustrate how setbacks apply to a parent lot and unit lots.

1. Preserved single-family house with three attached units built in the back yard.
2. A cottage cluster development with a shared open space.
3. A townhouse development with a shared driveway.
4. A duplex with an accessory dwelling unit (ADU) on its own unit lot.



Illustrative purposes only. Please note, this level of density is not proposed under the Medina Middle Housing Ordinance and this many lots would not be allowed under the proposed unit lot short subdivision ordinance.

Process

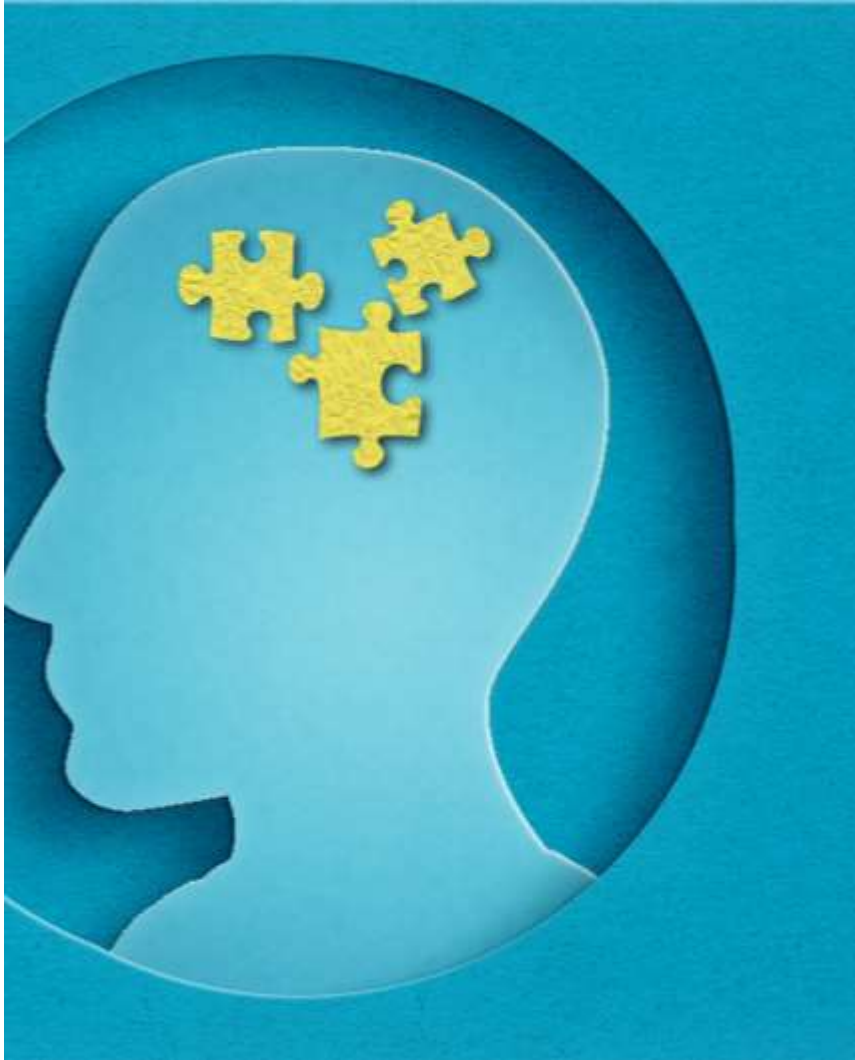
Planning Commission review process.

- **April 22** – Hold Public Hearing

City Council review process.

- **May 12** – City Council Public Hearing
- **May 27** – Final Action
- **June 30th** – State deadline for when MH ordinances must be in effect





Planning Commission Discussion and Questions?
