



# MEDINA, WASHINGTON

## AGENDA BILL

Monday, December 11, 2023

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**Subject:** Street Vacation ROW Moratorium

**Category:** Public Hearing; Council Discussion

**Staff Contact(s):** Stephen R. Burns, City Manager; Scott Missall, City Attorney

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### **Summary**

The Council adopted Resolution No. 438 on 10.23.2023 (attached below) establishing a 6-month moratorium on ROW vacations to enable review and study of that issue, with the goal of adopting management policies and coordinated changes to the Medina Municipal Code.

This public hearing is required by RCW 35A.63.220 (copied below, with another pertinent statute) for the purpose of enabling public review and comment on the Resolution and its subject matter. Following the hearing, the Council should discuss the issues as they see them at this time, and direct staff to address those issues and prepare a work plan to facilitate a comprehensive analysis of Medina's treatment of its ROW. Additional iterative review may follow, provided that a final work plan is completed and presented to Council for adoption prior to 4.23.2024, which will enable a continuation of the moratorium for implementation of the final approved work plan elements.

### **Attachment(s)**

#### **Council Resolution No. 438**

**RCW 35A.63.220. Moratoria, interim zoning controls—Public hearing—Limitation on length.** A legislative body that adopts a moratorium or interim zoning ordinance, without holding a public hearing on the proposed moratorium or interim zoning ordinance, shall hold a public hearing on the adopted moratorium or interim zoning ordinance within at least sixty days of its adoption, whether or not the legislative body received a recommendation on the matter from the planning agency. If the legislative body does not adopt findings of fact justifying its action before this hearing, then the legislative body shall do so immediately after this public hearing. A moratorium or interim zoning ordinance adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium of [or] interim zoning ordinance may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

**RCW 36.70A.390 Moratoria, interim zoning controls—Public hearing—Limitation on length—Exceptions.** A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the

governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

This section does not apply to the designation of critical areas, agricultural lands, forestlands, and mineral resource lands, under RCW 36.70A.170, and the conservation of these lands and protection of these areas under RCW 36.70A.060, prior to such actions being taken in a comprehensive plan adopted under RCW 36.70A.070 and implementing development regulations adopted under RCW 36.70A.120, if a public hearing is held on such proposed actions. This section does not apply to ordinances or development regulations adopted by a city that prohibit building permit applications for or the construction of transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed or prohibit building permit applications for or the construction of indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.

**Budget/Fiscal Impact:** To be determined

**Recommendation:**

Following public hearing and Council discussion, direct staff as follows:

- (1) Prepare a workplan as to issues and options for ROW management for further Council review, discussion and refinement.
- (2) Present a final work plan to Council for adoption prior to 4.23.24.

**City Manager Approval:**



**Proposed Council Motion:**

Time Estimate: 45 minutes