



MEDINA, WASHINGTON

AGENDA BILL

Monday, October 12, 2026

Subject/Topic: Development Impacts Project, Phase 1 Dept. Origin: Development Services and Planning Consultant Category: City Business Prepared by: Kimberly Gunderson, Mahoney Planning LLC, Medina Planning Consultant Attachments: 1. DRAFT Ordinance, MMC Amendments for Development Impacts Project Phase 1 (Planning Commission Recommended Version with September 14 and September 28 Council Adjustments) 2. DRAFT Ordinance, MMC Amendments for Development Impacts Project Phase 1 (Planning Commission Recommended Version) 3. DRAFT Template Landscape Covenant 4. Revised Minor Deviation Application Form 5. Public Comments from R-16 Zone Residents 6. Medina Zoning Map	Proposed Council Action/Motion: ☐ Information Only ☐ Receive and File ☒ Discuss ☐ Provide Direction ☒ Public Hearing ☒ Adopt/Approve ☐ Other:
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Proposed Council Action

The Council will continue its September 28 public hearing on Development Impacts Phase 1, Ordinance No. 1062. Following the public hearing, the Council may take action on Ordinance No. 1062.

Summary

The City of Medina intends to permanently enact regulatory reform that will trend development away from recent development tendencies and address the impacts of these practices on the sense of community enjoyed in Medina and its overall defining character. This effort is known as the Development Impacts Project. This project has been commonly referred to as “bulk impacts” over the last 20 years and the issue has been a regular matter of focus for regulatory reform in Medina. The goal of the Development Impacts Project is to develop permanent amendments to Medina’s zoning context in a way that resolves development-related impacts and implements the land use goals of the Medina Comprehensive Plan:

H-P1: “Ensure new development is consistent with citywide goals and policies, including but not limited to sustainable site standards, landscaping and tree retention requirements, and diversity of housing options all while maintaining a quiet, safe, and livable city.”

H-P5: “Craft regulations and procedures to provide a high degree of certainty and predictability to applicants and the community-at-large to minimize unnecessary time delays in the review of permit applications, while still maintaining opportunities for public involvement and review.”

H-P6: “Restrict the size and scale of new and remodeled homes in order to retain the informal, sylvan character of the community.”

LU-G1: “To maintain Medina’s high-quality residential setting and character, while considering creative housing solutions to accommodate community members of all socioeconomic groups.”

LU-G3: “To maintain active community involvement and equitable engagement in land use policy and regulation.”

LU-P1: “The City should minimize changes to existing zoning and land use patterns, except as to meet above goals when deemed necessary by its citizens; if meeting the above goals results in denser zoning, middle housing, or infill development, the City should particularly support these housing types within areas served by frequent transit, such as the Evergreen Point Fwy Station on SR 520, or within planned higher-density areas of the City.”

LU-P2: “The City should consider ways to restrict the size of homes in order to retain the character of the community and lessen impacts associated with construction. The City should consider ways to reduce or mitigate impacts to existing smaller housing when adjacent to larger remodeled or newly-constructed homes. The City should also discourage lot combinations to reduce the loss of housing capacity.”

CD-G1: “Retain Medina’s distinctive and informal neighborhood development pattern.”

CD-P6: “Encourage infill and redevelopment in a manner that is compatible with the existing neighborhood scale.”

Problem Statement

The City has observed an increasing trend in the development of massive single-family homes which tend to overwhelm the size of adjacent homes and injure the privacy and property enjoyment of neighboring residents. Medina frequently reviews proposals for the demolition of modest homes and their replacement with boxy, wide, tall homes accompanied by considerable glazing that is often oriented toward neighboring living spaces.

Thematic Public Feedback

Medina recognizes that the character of high-quality living is not hallmarked only by luxurious homes, but by privacy in indoor living space and comfort in outdoor recreational space, too.

Bucking trends in many other western Washington communities to decrease minimum lot sizes and increase bulk consumption of property, Medina has represented the value conveyed by its residents in the quiet comfort of their sylvan waterfront environment. In recent years, these residents have expressed a loss of their comforts by the growing trend of massive neighboring residential development. The trend of proximal, boxy homes has caused obtrusive light and noise, loss of privacy and property enjoyment, and an unease among some residents in the geotechnical stability of Medina's steep slopes to withstand the charge of such large structures.

Interim Official Controls

In an effort to address these concerns, the City enacted emergency legislative action on February 23, 2026 limiting the proximity of development within adjoining side yards by increasing side yard setbacks on all properties (Ordinance 1052). In the same legislative action, the City created requirements for recessed upper stories and removed its allowance for height bonuses, which previously could allow the construction of a home up to 36-feet in height. At its July 27, 2026 regular meeting, City Council passed a second piece of emergency legislation (Ordinance 1059) which slightly modified and extends Ordinance 1052. Modifications in Ordinance 1059 include removing the recessed upper story requirement created by Ordinance 1052, clarifying vacant home lighting provisions, and increasing the minimum lot width and street frontage in the R-16 and R-20 zones from 70-feet to 90-feet.

In response to the passing of Ordinance 1052, property owners interested in developing their properties shared that the ordinance's limitations have yielded a loss of property value and seemingly restrict denser development that is otherwise called for by the state.

The themes heard by the Medina community on this topic can be summarized as:

- Large, boxy, proximal development has **reduced privacy, reduced property enjoyment, and caused excessive noise and light.**
- Regulations applied under Ordinance 1052 have caused a **loss in property value** and work **averse to denser development** priorities of the state.

The focus of the Development Impacts Project will be to explore methods of amending the City's zoning landscape that considers each of these themes offered by the public and to create a balance between fostering increased density with livability for all residents.

Council Direction

At its April 27, 2026 regular meeting, City Council gave the following direction:

“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.”

Additional discussion with Council divided the project into two (or potentially three) phases: Phase 1, which intends to expeditiously resolve The Problem; and Phase 2, which is a longer-term study of the broad zoning reform opportunities introduced by the Planner at Council's April 27, 2026 meeting. It is expected that this project will prioritize Phase 1 and will limit its focus initially to its resolution, initiating Phase 2 only upon the completion of Phase 1.

Phase 1

Kim Gunderson of Mahoney Planning, LLC is under contract with the City of Medina to provide on-call current and long-range planning support services and has been tasked with leading the

Development Impacts Project. Kim has prepared and attached two versions of Ordinance 1062 which, if passed by Council, would conclude Phase 1 and allow the City to advance in Phase 2 of the project. Ordinance 1062 would adopt permanent revised zoning code provisions to resolve Phase 1; this is in direct response to consistent outspoken feedback from Development Impacts Project stakeholders who have asked for reliability as the Project advances.

Council can review the version of Ordinance 1062 as recommended by Planning Commission in Attachment 2 to this agenda bill. Council can also consider a revised version of this draft ordinance which has been prepared in direct response to feedback of the Council at its September 14 study session and September 28 public hearing; this version of Ordinance 1062 is included as Attachment 1 to this agenda bill.

In an effort to address comments or concerns expressed by Council during the September 28 public hearing, the following table has been prepared to itemize the feedback and document how each has been addressed:

Council Feedback at 9/28 Public Hearing	Staff Response
The recitals of the ordinance should include additions which memorialize the City's intention to pursue Phase 2, and what that phase will entail.	Staff have received two suggested WHEREAS clauses from DM Reeves following the Phase 1 public hearing. Those WHEREAS statements have each been added to Ord. 1062 (Att. 1) as written by DM Reeves. Note that the City Attorney's office has advised that the second of DM Reeves' suggested WHEREAS clauses could be abbreviated to read: "WHEREAS, Phase 2 of the Development Impacts Project may include consideration of zoning code amendments that would reduce impacts of redevelopment while preserving reasonable opportunities for the use, improvement, and redevelopment of residential property; and"
An edit should be made to the allowed setback protrusions for exterior water features (MMC 16.22.040.K.7) to clarify that the water feature itself is the matter being limited in setbacks, and not the sound attenuation device intending to mitigate sound from the noise-making feature.	Staff have prepared edits to MMC 16.22.040.K.7 to codify the clarity need identified by Mayor Rossman. See Att. 1.
It should be clear that motion detection lighting provisions codified with the passing of Ord. 1058 apply in Ord. 1062's edits to MMC 16.44.040.	Staff have prepared an edit to MMC 16.44.040(I) that specifies exterior lighting shall comply with Medina's new lighting chapter, including where that chapter governs motion detection lighting. See Att. 1.

The privacy landscape screening requirement should be amended. Reference of a 28-foot maximum landscaping height should be removed so as not to be interpreted as a requirement that landscaping achieve a height of 28-feet (rather than a lower height). DM Reeves offered further specific feedback related to climate-adapted species, variety in plantings, and the creation of a hedgerow.	Staff have received suggested edits to the new privacy landscape screening requirements in MMC 16.30.070.B.3 from DM Reeves. Those suggested edits have been incorporated into Ord. 1062 (Att. 1) as written by DM Reeves. The edits include height limitations of the landscape screens to that which is “reasonably necessary to provide effective screening of the relevant sightlines.” The edits also require a mixture of species rather than a monoculture of a single landscape species.
Language crafted in the revised Minor Deviation code should not construe that a covered deck could be allowed to protrude a side setback, given that such an allowance does not exist in today’s code.	Staff have prepared edits to MMC 16.71.010.G.3 to remove any unintended allowance for a setback protrusion that does not exist in Medina’s code today. The edited code now applies to only uncovered decks or verandas that would otherwise be allowed to protrude setbacks as per MMC 16.22.040.
The R-16 zone should be excluded from edits made under Phase 1.	Staff have not made edits in Ord. 1062 to reflect this feedback. It is recognized that both Ords. 1052 and 1059 were broadly applicable to all residential zones, and staff have not received Council direction that an assignment in Phase 1 is to remove the effect of the interim official controls on R-16. Staff understand that action taken by Council on the Development Impacts project to date have been, in part, in response to comments from residents in the R-16 zone concerned with the effect of redevelopment surrounding their property. One such comment has been included with this agenda bill as Att. 5 so that Council may be refamiliarized with some of the public feedback it has heard as it considers taking action on Ord. 1062, including whether the ordinance should be revised to remove any effect to the R-16 zone. A copy of Medina’s zoning map has been included as Att. 6 to this agenda bill for Council’s reference as it considers action on Ord. 1062.

Ord. 1062 creates conflict with other legislative priorities on Medina's workplan.	It was expressed during the September 28th public hearing that the parcel north of the Fitting/Koh property (3263 Evergreen Point Road) is a 34,000 square foot lot in the R-16 zone which could not undergo subdivision if Ord. 1062 is passed, even though the City is planning to adopt a future ordinance allowing for residential lot splits as required by state law. 3263 Evergreen Point Road is in the R-20 zone; it is unable to be divided into two lots today or in the future, regardless of Ord. 1062, because any two-lot division of the lot could not yield lots which comply with the minimum lot size requirements of 20,000 net square feet in the R-20 zone. Notably, with an increase to minimum lot widths in both R-16 and R-20, some lots could not be divided in a way that meets the new minimum lot width requirements, which is required for a subdivision application. The intention in increasing minimum lot widths via Ord. 1059 was to prevent the creation of narrow lots and avoid the project design challenges expressed in public responses to the passing of Ord. 1052. An important part of the Phase 1 scope is that Ord. 1062 be finalized and implementable by October. Having that in mind, staff have prepared Ord. 1062 as a bridge between the interim official controls and Phase 2 of the project, knowing that a part of Phase 2 may include revisiting minimum lot widths or even altogether reforming zoning districts citywide. It is still the intention of this project to satisfy the scope of Phase 1 before studying the time-consuming and broad development matters intended for Phase 2, and it is known that Phase 2 may undo some provisions created in Phase 1 if the more comprehensive study finds it an appropriate part of the Development Impacts project.
The revised Minor Deviation is likely to be applied for often to build against previous side setbacks.	Staff agrees. As Phase 1's scope was to create reprieve from increased side setbacks (particularly on narrow lots) while still minimizing the effect of redevelopment on neighboring lots, staff have expected its Phase 1 resolve to be regularly applied for until Phase 2 is complete. Satisfying the Phase 1 scope requires creating a permit avenue for property owners to apply for, and requiring that permit to be discretionary rather than ministerial so the Director may impose conditions of approval to minimize a project's effects on neighbors. Importantly, a project is required to satisfy all criteria of approval to enjoy the Minor Deviation allowances. Applying for the Minor Deviation is not a guarantee of its approval, and these applications when reviewed today are often required to undergo some degree of revision or addition of mitigation before they are approvable.
The Minor Deviation should include more conditions of approval at the Director's discretion to exercise.	In Ord. 1062, MMC 16.71.010.G has been crafted to allow for the broad application of approval conditions needed 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.” While three conditions of approval have been drafted at greater length, MMC 16.71.010.G.5 has been drafted at the recommendation of the City Attorney to capture the potential to impose other conditions of approval more broadly. This allows the Director to consider particular development impacts or site characteristics that may not have been anticipated in the drafting of Ord. 1062, but may nonetheless prove to result in material detriment if not mitigated or conditioned. Importantly, the broadness of MMC 16.71.010.G.5 is akin to existing provisions governing the Director’s discretion to condition permits elsewhere in the MMC: • Administrative Variances, MMC 16.71.020.F: “The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.” • Administrative Special Use Permits, MMC 16.71.030.F: “The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.” • Administrative Right-of-Way Tree Activity Permit, MMC 16.71.040.F: “The decision authority may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.” • Administrative Substantial Development Permit, MMC 16.71.050.G: “The decision authority may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the city shoreline master program.” • Accessory Recreational Facilities, MMC 16.34.040.C.5: “Additional mitigation measures may be required such as, but not limited to, restricted hours of use, limitations on lighting, increased screening, altered location, etc., to minimize any negative impacts generated by the use of the accessory recreational facility.” Staff find value in the broadness of MMC 16.71.010.G.5 prepared in Ord. 1062 and encourage it remain as a part of Council’s action for the Director to exercise, as is appropriate and commonplace in Medina’s administrative discretionary permit reviews.
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Public Noticing and Statutory Requirements

Phase 1 of the Development Impacts Project has been robustly noticed to those with outspoken interest in the Project. Phase 1 has also undergone each of its statutory obligations for the adoption of new city ordinances.

SEPA

The City of Medina is the SEPA Lead Agency for the Development Impacts Project. Medina’s SEPA Responsible Official has reviewed a project SEPA Checklist and related materials, and issued a Determination of Nonsignificance (DNS) for Phase 1 of the Project. The DNS was noticed

in all manners required of MMC 14.04.010 and comments on the threshold determination were invited from August 7 – August 21, 2026. The City received one comment from the Department of Ecology seeking to understand the scope of the project and whether it impacted the Medina Shoreline Master Program.

Notice of Intent to Adopt (Commerce)

The City is required to provide notice of its intent to adopt (NOI) new or revised development regulations to the Department of Commerce (Commerce) under RCW 36.70A.106. The NOI is transmitted to most state agencies by Commerce, and a typical 60-day review and comment letter is extended to state agencies. At the request of the City, Commerce can choose to approve a requested expedited review of only 14 days.

Kim provided NOI with a request for expedited review to Commerce on July 29, 2026. On August 14, 2026, the City received its approved request for expedited review. No agency comments were received by the City. This satisfies the City's NOI obligations.

Notice of City Council Public Hearing

MMC 16.81.070 provides the City's requirements for noticing its public hearings on zoning code text amendments. MMC 16.81.070 requires that public hearings be published in a newspaper of general circulation and posted in the same manner as regular City Council meetings.

It is well understood that an engaged body of the Medina citizenry and their representatives seek to remain involved in the Development Impacts Project. Known as the "Development Impacts Project stakeholders," these Medina community members have regularly attended public meetings, provided public comment, and/or participated in the June 17 Project Phase 1 Charrette. The City has observed and appreciated the involvement of the Project stakeholders and wishes to continue providing them with abundant engagement. In that interest, the City over-noticed its September 28, 2026 City Council public hearing and e-mailed notice of the hearing to any member of the Medina community with a record of public participation in the Project since its inception in February 2026. 52 Project stakeholders received this notice. The City also prepared a project one-pager at the request of the Development Services Committee which is easily and broadly accessible on the main homepage of the City's website.

Notice of public hearing was timely provided on September 3, 2026. Four comments have been timely received by the City in response to the Notice of Public Hearing, each of which has been previously transmitted to the Council.

Project Schedule

Phase 1 is expected to conclude at the Council's regular meeting on October 12, 2026, with action being requested of the Council that evening.

Council Priorities

This proposal furthers Council Priorities 2, 3, 4, and 5.

1. Financial Stability and Accountability
2. Quality Infrastructure
3. Efficient and Effective Government
4. Public Safety and Health
5. Neighborhood Character and Community Building

Budget/Fiscal Impact: None

Recommendation: Adopt Ordinance No. 1062.

A handwritten signature in black ink, appearing to read "J. D. Smith", is positioned above the "City Manager Approval" line.

City Manager Approval:

Proposed Council Motion: "I move approval of Ordinance No. 1062, as expressed in Attachment _____ included with the agenda bill, to address impacts of construction, to increase privacy and peaceful enjoyment for residents in residential development standards, amending the following sections of the Medina Municipal Code for this purpose: 16.22.030, 16.22.040, 16.23.050 and 16.23.060(C)&(D), 16.44.040, 16.12.020, 16.12.090, 16.12.200, 16.30.070(B), 16.71.010, providing for severability and corrections; terminating the interim official control adopted under Ordinance No. 1052 and extended by Ordinance No. 1059; and establishing an effective date.

Time Estimate: 90 Minutes