



# MEDINA, WASHINGTON

## AGENDA BILL

Tuesday, May 27, 2025

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**Subject:** Public Hearing Middle Housing and Unit Lot Subdivision – continued from the May 12, 2025, City Council Meeting

**Category:** Public Hearing

**Staff Contact(s):** Jonathan G. Kesler, AICP, Planning Manager, Jennifer S. Robertson, City Attorney and Kirsten S. Peterson, Senior Project Manager, SCJ Alliance

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### **Summary:**

The City Council is continuing to process the required land use code updates for Middle Housing. At the May 12<sup>th</sup> Council Meeting, the Council held a public hearing on the two draft ordinances (Middle Housing and Unit Lot Subdivisions). That hearing has remained open through the May 27<sup>th</sup> Council meeting. The Council will continue to take public comments and will review the comments from the Department of Commerce as well as changes directed by both the Council and the Planning Commission. The history of the legislation can be found in the May 12<sup>th</sup> Council packet for item 6.1 which is linked [here](#).

**Comments from Dept. of Commerce.** We received the draft comments on the Middle Housing Amendment Ordinances (Middle Housing and Unit Lot Subdivisions) from Lexine Long and the review staff at the Department of Commerce this week (see Exhibit 1). Overall, they expressed support for the Council's work and only issued two minor comments.

The first, more substantial, comment was about changing the definition of ADU in the Medina code to reflect that an ADU may be on the same lot as single-family homes but also on the same lot as duplex, triplex, townhome, or other housing units. Commerce recommended changing the definition in MMC 16.12.020 to align with [RCW 36.70A.696\(1\)](#). Staff have reached out to Commerce requesting that this not be required for Medina as changing the ADU definition as suggested by Commerce will create confusion in the code. This is because Medina is a Tier 3 city and is subject to a two-dwelling unit density requirement. The Council has elected to treat ADUs as middle housing units for density purposes. Therefore, ADUs are only allowed if the primary unit on a lot is a single-family housing unit. In that scenario, there can be up to two ADUs added. However, when the primary unit(s) on the lot are middle housing type units (like duplex, triplex, townhome, or cottage), ADUs are *not* allowed.

Commerce was amenable to Medina's position after a discussion by phone with staff. Commerce will issue an amended final letter reflecting this consensus which we hope to receive prior to the May 27<sup>th</sup> Council Meeting. If received, a copy of the letter will be provided to the Council.

The second comment was minor and regarded inclusion of a provision in the Medina ADU regulation to allow an ADU to be sited on a lot line if the lot line abuts a public alley. This is a requirement of State law. ([RCW 36.70A.681.1.i.](#)) Staff has added language about property lines and ADUs when abutting a public alley as requested by Commerce. That change is found in Section 16 of the Ordinance at MMC 16.34.020.D.10 and provides:

10. Detached ADUs may be sited at a lot line if the lot line abuts a public alley, unless it is a public alley that the City regularly snow plows.

**Revisions Directed by Council and Planning Commission.** In addition to the one revision requested by Commerce, staff also updated the Ordinances based on feedback provided previously by both the Planning Commission and Council. These changes are set forth below and are highlighted in yellow in the Council materials for ease of review:

1. **Condos.** On May 12<sup>th</sup>, the Council directed staff to add language regarding condo sales. This was added at Section 12 in MMC 16.21.060 by adding a new Subsection "E" which provides:

E. The creation or sale of condominiums consistent with State law is allowed provided that the maximum condominium units created or sold on a lot (or on a parent lot in the case of a lot split or unit lot subdivision) is limited to the maximum dwelling units as set forth in this section.

2. **Attached units.** The Planning Commission directed that language be added to the Unit Lot Subdivision Ordinance establishing the minimum attachment standard for zero lot line, attached homes. That language was added at Section 7, MMC 16.73.095 by adding a new Subsection "C" which provides:

C. The common wall construction as described in this section, must be a minimum length of twenty-five percent of the total length of each unit, or fifteen feet, whichever is longer.

**Next Steps.** Council should review the three revisions which are outlined in this Agenda Bill and shown in the ordinances in yellow highlight. Council should also take any testimony as the public hearing was kept open from the May 12<sup>th</sup> Council meeting. If Council is ready to adopt both of the ordinances, it may do so using the motion below. If the Council would like to wait and adopt the ordinances at its June 9<sup>th</sup> Council meeting, it may do so. If Council would like these ordinances to be on the Consent Calendar for June 9<sup>th</sup>, it may also direct that action. June 9<sup>th</sup> is the last opportunity to adopt the ordinances at a regular council meeting to ensure that they are in effect prior to the June 30<sup>th</sup> deadline.

These proposed Ordinances meet and support Council's priorities 2, 3 and 5.

Council Priorities:

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

**Attachment(s)**

Exhibit 1: Dept. of Commerce Comment Letter on the Middle Housing Amendment Ordinances

Exhibit 2: Revised Middle Housing Ordinance

Exhibit 3: Revised Short Lot Subdivision Ordinance

**Budget/Fiscal Impact:** None

**Recommendation:** Continue public hearings on both the middle housing and subdivision ordinances and adopt the ordinances as revised.

**City Manager Approval:**



**Proposed Council Motions:**

"I move adoption the Ordinance No. **XXX**, amending the Medina Unified Development Code for consistency with the middle housing laws (to incorporate requirements in ESSHB 1110 and ESSB 2321 and accessory dwelling unit requirements in EHB 1337); making revisions to the following Sections of the Medina Municipal Code (MMC) 16.00.020, 16.12.040, 16.12.050, 16.12.140, 16.12.210, 16.12.220, 16.20.010, 16.20.020, 16.21.030, 16.21.060, 16.30.060, 16.34.020, adding a new section 16.30.090, and making a housekeeping change to 16.30.010; providing for severability and corrections; and establishing an effective date."

"I move adoption of Ordinance No. **XXX**, amending the Medina Unified Development Code to provide for zero lot line subdivisions consistent with the requirements of RCW 36.70A.635(5), amending Sections 16.12.130, 16.12.200, 16.73.020, 16.73.060, 16.73.080, 16.73.090, 16.73.100, 16.73.110, 16.73.120, 16.73.140 and 16.73.150 of the Medina Municipal Code (MMC) and creating a new Section 16.73.095 of the MMC, providing for severability and corrections; and establishing an effective date."

Time Estimate: 60 minutes