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MEDINA PLANNING COMMISSION  
RECOMMENDATION

**RECOMMENDATION OF THE MEDINA PLANNING COMMISSION  
IN REGARDS TO THE GROWTH MANAGEMENT ACT 2015 PERIODIC REVIEW  
AND UPDATES: (a) AMENDING THE MEDINA COMPREHENSIVE PLAN;  
(b) REPEALING CHAPTER 18.12 OF THE MEDINA MUNICIPAL CODE (MMC) AND  
ADOPTING CHAPTER 20.50 MMC TO UPDATE THE CRITICAL AREAS  
REGULATIONS; AND (d) AMENDING CHAPTERS 20.12, 20.60 AND SECTION  
20.83.055 MMC TO COMPLY WITH THE GROWTH MANAGEMENT ACT**

WHEREAS, pursuant to the Growth Management Act (GMA), chapter 36.70A RCW, the City Council has adopted the City of Medina Comprehensive Plan, as amended by Ordinance No. 783, passed March 14, 2005; and

WHEREAS, the Medina Comprehensive Plan was last amended by Ordinance No. 906 on April 14, 2013; and

WHEREAS, the schedule established by the Growth Management Act in RCW 36.70A.130(4) mandates that the City review and, if necessary, revise its comprehensive plan and development regulations to ensure compliance with the Growth Management Act; and

WHEREAS, the City of Medina is a built-out community with changes primarily involving re-development of existing properties with similar land uses and densities; and

WHEREAS, the State Department of Commerce provided a “Periodic Update Checklist for Cities” to guide cities through the update requirements and aide in developing a schedule; and

WHEREAS, the City applied for, and obtained an GMA grant (Contract No. 14-63200-023) from the Washington State Department of Commerce in January 2014 to assist in review and, if needed, revising the Medina Comprehensive Plan and development regulations for consistency with the Growth Management Act; and

WHEREAS, the City hired The Watershed Company to review the City’s critical areas regulations set forth in Chapter 18.12 of the Medina Municipal Code for compliance with best available science consistent with RCW 36.70A.172; and

WHEREAS, The Watershed Company issued a report *Best Available Science and Critical Areas Ordinance Review*, dated June 14, 2014, identifying updates recommended to the City’s critical areas regulations to bring them into compliance with best available science; and

WHEREAS, the City completed the “Periodic Update Checklists for Cities” to determine which elements of the Comprehensive Plan would be reviewed and updated; and

WHEREAS, the City has provided extensive public participation opportunities as follows:

**DRAFT**

- 1 • Provided a postcard notice sent to all resident addresses within the City limits  
2 notifying residents \_\_\_\_\_; and  
3
- 4 • The Planning Commission held meetings \_\_\_\_\_ where the public was invited to  
5 provide public comments;  
6
- 7 • The City posted information about the comprehensive plan updates on the  
8 Medina website \_\_\_\_\_  
9
- 10 • After providing a postcard notice to the community, the City held an open house  
11 on \_\_\_\_\_, to provide an opportunity to answer questions from the public about  
12 the amendments; and  
13

14 WHEREAS, the city council established under Ordinances Nos. 852, 853, 854,  
15 855, 900 and 906 a restructuring of the city’s development regulations into a “Unified  
16 Development Code” and re-adopting the critical areas regulations under Title 20 of the  
17 Medina Municipal Code is consistent with this restructuring; and  
18

19 WHEREAS, in accordance with RCW 36.70A.106, a notice of intent was  
20 transmitted to the Washington State Department of Commerce on \_\_\_\_\_; and  
21

22 WHEREAS, a State Environmental Policy Act (SEPA) threshold \_\_\_\_\_ for the  
23 proposal was issued on \_\_\_\_\_; and  
24

25 WHEREAS, notice of the Planning Commission’s public hearing was published in  
26 *The Seattle Times* on \_\_\_\_\_, in accordance with the content set forth in MMC  
27 20.83.120 and  
28

29 WHEREAS, the Planning Commission held a public hearing on \_\_\_\_\_, to  
30 receive testimony for and against the proposal; and  
31

32 WHEREAS, at the conclusion of the planning commission’s public hearing, the  
33 planning commission considered the proposal, public comments, and other available  
34 information, and voted on the proposed amendments; and  
35

36 WHEREAS, the planning commission makes the following findings in support of  
37 its recommendation:  
38

- 39 A. The State of Washington has mandated that the City of Medina review and, if  
40 needed, revise its comprehensive plan and development regulation \_\_\_\_\_.  
41
- 42 B. The City utilized the scientific information from the Critical Areas Gap  
43 Analysis to draft the proposed updated critical areas regulations.  
44
- 45 C. Throughout the amendment process, the City has made a concerted effort to  
46 generate public involvement including a public open house and invitation to  
47 the public to comment at planning commission meetings. Extensive public  
48 noticing was made to notify and solicit input from the public sending notices  
49 to the entire community at the beginning of the update process and again for  
50 the open house.

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D. \_\_\_\_\_

NOW, THEREFORE, BE IT ADVISED THAT THE PLANNING COMMISSION RECOMMENDS THE FOLLOWING:

**Section 1. Amendment of the Comprehensive Plan.** The Medina Comprehensive Plan is recommended to be amended to read as set forth in Attachment “A”.

**Section 2. Repeal of Chapter 18.12 MMC.** Chapter 18.12 of the Medina Municipal Code is recommended to be repealed in its entirety.

**Section 3. Adoption of Chapter 20.50 MMC.** Chapter 20.50 of the Medina Municipal Code is recommended to be adopted to read as set forth in Attachment “B”.

**Section 4. Amend MMC 20.12.020.** Section 20.12.020 of the Medina Municipal Code is recommended to be amended to read:

...

“Alter” or “alteration” means:

- 1. Any change, addition or modification in construction or occupancy.
- 2. When used with Chapter 20.50 MMC – any human-induced action which changes and/or impacts the existing conditions of a critical area or buffer. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, cutting of trees, clearing (vegetation), paving, construction, compaction, excavation, dumping, demolition, or any other activity that changes the character of the critical area.

...

“Anadromous fish” means fish that spawn and rear in fresh water and mature in the marine environment.

...

**Section 5. Amend MMC 20.12.030.** Section 20.12.030 of the Medina Municipal Code is recommended to be amended to read:

...

“Best available science” means current scientific information used in the process to designate, protect, or restore critical areas, that are derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925. Sources of best available science are included in “Citations of Recommended Sources of Best Available Science for Designating and Protecting Critical Areas” published by the Washington State Department of Commerce.

“Best management practices” means conservation practices or systems of practices and management measures that:

- 1. Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, and sediment;
- 2. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical, and biological characteristics of streams and wetlands;

**DRAFT**

1 3. Protect trees and vegetation designated to be retained during and following site  
2 construction; and

3 4. Provide standards for proper use of chemical herbicides within critical areas.  
4 The city of Medina shall monitor the application of best management practices to ensure  
5 that the standards and policies of this title are adhered to.

6 ...  
7  
8 “Buffer” means an area contiguous to a critical area that is required for the continued  
9 protection, maintenance, functioning, and/or structural stability of a critical area.

10 ...

11  
12 **Section 6. Amend MMC 20.12.040.** Section 20.12.040 of the Medina Municipal  
13 Code is recommended to be amended to read:

14 ...

15  
16 “Channel migration zone (CMZ)” means the lateral extent of active stream channel  
17 movement over the past 100 years. Evidence of active movement over the 100-year  
18 time frame can be inferred from aerial photos or from specific channel and valley bottom  
19 characteristics. A time frame of 100 years was chosen because aerial photos, maps and  
20 field evidence can be used to evaluate movement in this time. A CMZ is not typically  
21 present if the valley width is generally less than two bank full widths, is confined by  
22 terraces, no current or historical aerial photographic evidence exists of significant  
23 channel movement, and there is no field evidence of secondary channels with recent  
24 scour from stream flow or progressive bank erosion at meander bends. Areas separated  
25 from the active channel by legally existing artificial channel constraints that limit bank  
26 erosion and channel avulsion without hydraulic connections shall not be considered  
27 within the CMZ.

28 “Compensatory mitigation” means replacing project-induced critical area losses or  
29 impacts, and includes, but is not limited to, the following:

- 30 1. Restoration. Actions performed to reestablish critical area functional characteristics  
31 and processes that have been lost by alterations, activities, or catastrophic events  
32 within an area that no longer meets the definition of a critical area.
- 33 2. Creation. Actions performed to intentionally establish a critical area at a site where it  
34 did not formerly exist.
- 35 3. Enhancement. Actions performed to improve the condition of existing degraded  
36 critical areas so that the functions they provide are of a higher quality.

37 ...

38  
39 “Critical Areas” means critical areas as defined in RCW 36.70A.030 and amendments  
40 thereto, and this title.

41 ...

42  
43 **Section 7. Amend MMC 20.12.050.** Section 20.12.050 of the Medina Municipal  
44 Code is recommended to be amended to read:

45 ...

46  
47 “Drainage facility” means the system of collecting, conveying and storing surface and  
48 storm runoff. Drainage facilities shall include but not be limited to all surface and  
49 stormwater runoff conveyance and containment facilities including streams, pipelines,  
50 channels, ditches, infiltration facilities, retention/detention facilities, and other drainage  
51 structures and appurtenances.

**DRAFT**

1 ...

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3 **Section 8. Amend MMC 20.12.060.** Section 20.12.060 of the Medina Municipal  
4 Code is recommended to be amended to read:

5 ...

6  
7 “Emergent wetland” means a regulated wetland with at least 30 percent of the surface  
8 area covered by erect, rooted, herbaceous vegetation extending above the water  
9 surface as the uppermost vegetative strata.

10 ...

11  
12 “Erosion hazard areas” means at least those areas identified by the U.S. Department of  
13 Agriculture’s Natural Resources Conservation Service as having a “moderate to severe,”  
14 “severe,” or “very severe” rill and inter-rill erosion hazard.

15 ...

16  
17 “Exotic” means any species of plants or animals which are foreign to the planning area.

18 ...

19  
20 **Section 9. Amend MMC 20.12.070.** Section 20.12.070 of the Medina Municipal  
21 Code is recommended to be amended to read:

22 ...

23  
24 “Family day care home” means a person who regularly ~~providing~~ provides child care and  
25 early learning services during part of the 24-hour day to 40 ~~12~~ or fewer children.  
26 Children include both the provider’s children, close relatives and other children  
27 irrespective of whether the provider gets paid to care for them. They provide their  
28 services in the family living quarters of the day care provider’s home (including those of  
29 the provider) in the family abode of the person or persons under whose direct care the  
30 children are placed.

31 ...

32  
33 “Fish and wildlife habitat conservation area” means land management for maintaining  
34 species in suitable habitats within their natural geographic distribution so that isolated  
35 subpopulations are not created as designated by WAC 365-190-130.

36 “Fish and wildlife habitat conservation” means areas that serve a critical role in  
37 sustaining needed habitats and species for the functional integrity of the ecosystem, and  
38 which, if altered, may reduce the likelihood that the species will persist over the long  
39 term. These areas may include, but are not limited to, rare or vulnerable ecological  
40 systems, communities, and habitat or habitat elements including seasonal ranges,  
41 breeding habitat, winter range, and movement corridors; and areas with high relative  
42 population density or species richness. These areas include:

- 43 1. Areas with which state or federally designated endangered, threatened, and  
44 sensitive species have a primary association;  
45 2. Habitats of local importance, including, but not limited to, areas designated as priority  
46 habitat by the Department of Fish and Wildlife;  
47 3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that  
48 provide fish or wildlife habitat, including those artificial ponds intentionally created  
49 from dry areas in order to mitigate impacts to ponds;

**DRAFT**

1 4. Waters of the state, including lakes, ponds, streams, inland waters, underground  
2 waters, and all other surface waters and watercourses within the jurisdiction of the  
3 state of Washington;

4 5. State natural area preserves and natural resource conservation areas; and

5 6. Land essential for preserving connections between habitat blocks and open spaces.

6 ...

7  
8 “Flood or flooding” means a general and temporary condition of partial or complete  
9 inundation of normally dry land areas from the overflow of inland waters and/or the  
10 unusual and rapid accumulation of runoff of surface waters from any source.

11 “Floodplain” is synonymous with one hundred-year flood plain and means that land area  
12 susceptible to inundation with a one percent chance of being equaled or exceeded in  
13 any given year.

14 ...

15  
16 “Forested wetland” means a regulated wetland with at least 30 percent of the surface  
17 area covered by woody vegetation greater than 20 feet in height that is at least partially  
18 rooted within the wetland.

19 “Functions and values” means the beneficial roles served by critical areas including, but  
20 not limited to, water quality protection and enhancement; fish and wildlife habitat; food  
21 chain support; flood storage, conveyance and attenuation; ground water recharge and  
22 discharge; erosion control; wave attenuation; protection from hazards; historical,  
23 archaeological and aesthetic value protection; and recreation. These beneficial roles are  
24 not listed in order of priority.

25  
26 **Section 10. Amend MMC 20.12.080.** Section 20.12.080 of the Medina  
27 Municipal Code is recommended to be amended to read:

28 ...

29  
30 “Geologically hazardous areas” means areas that may not be suited to development  
31 consistent with public health, safety or environmental standards, because of their  
32 susceptibility to erosion, sliding, earthquake, or other geologic events as designated by  
33 WAC 365-190-120. In the city of Medina, types of geologically hazardous areas include  
34 erosion, landslide, and seismic hazards.

35 “Grading” means any excavation, filling, removal of topsoil, or any combination thereof.

36 “Ground water” means water in a saturated zone or stratum beneath the surface of land  
37 or a surface water body.

38 “Growth Management Act” means Chapters 36.70A and 36.70B RCW, as amended.

39  
40 **Section 11. Amend MMC 20.12.090.** Section 20.12.090 of the Medina  
41 Municipal Code is recommended to be amended to read:

42  
43 “Habitat conservation areas” means areas designated as fish and wildlife habitat  
44 conservation areas.

45 ...

46  
47 “Hazard Areas” means areas designated as geologically hazardous areas due to  
48 potential for erosion, landslide, seismic activity, or other geologic condition.

49 ...

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**DRAFT**

1 “Hydraulic project approval (HPA)” means a permit issued by the State Department of  
2 Fish and Wildlife for modifications to waters of the state in accordance with Chapter  
3 75.20 RCW.

4 “Hydric soil” means a soil that is saturated, flooded or ponded long enough during the  
5 growing season to develop anaerobic conditions in the upper part. The presence of  
6 hydric soil shall be determined following the methods described in the approved federal  
7 wetland delineation manual and applicable regional supplements.

8 “Hydrophytic vegetation” means macrophytic plant life growing in water or on a substrate  
9 that is at least periodically deficient in oxygen as a result of excessive water content. The  
10 presence of hydrophytic vegetation shall be determined following the methods described  
11 in the approved federal wetland delineation manual and applicable regional  
12 supplements.

13  
14 **Section 12. Amend MMC 20.12.100.** Section 20.12.100 of the Medina  
15 Municipal Code is recommended to be amended to read:  
16 ...

17  
18 “Isolated wetland” means those wetlands that are outside of and not contiguous to any  
19 100-year floodplain of a lake, river, or stream, and have no contiguous hydric soil or  
20 hydrophytic vegetation between the wetland and any surface water.

21  
22 **Section 13. Adopt MMC 20.12.110.** Recommend adopting a new Section  
23 20.12.110 of the Medina Municipal Code to read:

24  
25 **20.12.110 “J” definitions.**

26  
27 “Joint Aquatic Resources Permit Application (JARPA)” means a single application form  
28 that may be used to apply for shoreline management permits, approvals of exceedance  
29 of water quality standards, water quality certifications, Coast Guard bridge permits,  
30 Department of Natural Resources use authorization, and Army Corps of Engineers  
31 permits.

32  
33 **Section 14. Amend MMC 20.12.130.** Section 20.12.130 of the Medina  
34 Municipal Code is recommended to be amended to read:  
35 ...

36  
37 “Landslide hazard areas” means areas that are potentially subject to risk of mass  
38 movement due to a combination of geologic, topographic, and hydrologic factors. These  
39 areas are typically susceptible to landslides because of a combination of factors  
40 including bedrock, soil, slope (gradient), slope aspect, geologic structure, ground water,  
41 hydrology, or other factors.

42 ...  
43  
44 **Section 15. Amend MMC 20.12.140.** Section 20.12.140 of the Medina  
45 Municipal Code is recommended to be amended to read:  
46 ...

47  
48 “Mitigation” means avoiding, minimizing or compensating for adverse critical areas  
49 impacts. Mitigation, in the following order of preference, is:

- 50 1. Avoiding the impact altogether by not taking a certain action or parts of an action;

**DRAFT**

- 1 2. Minimizing impacts by limiting the degree or magnitude of the action and its  
2 implementation, by using appropriate technology, or by taking affirmative steps, such  
3 as project redesign, relocation, or timing, to avoid or reduce impacts;
- 4 3. Rectifying the impact to wetlands and habitat conservation areas by repairing,  
5 rehabilitating or restoring the affected environment to the conditions existing at the  
6 time of the initiation of the project;
- 7 4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area  
8 through engineered or other methods;
- 9 5. Reducing or eliminating the impact or hazard over time by preservation and  
10 maintenance operations during the life of the action;
- 11 6. Compensating for the impact to wetlands and habitat conservation areas by  
12 replacing, enhancing, or providing substitute resources or environments; and
- 13 7. Monitoring the hazard or other required mitigation and taking remedial action when  
14 necessary.

15 Mitigation for individual actions may include a combination of the above measures.

16 ...

17  
18 **Section 16. Amend MMC 20.12.150.** Section 20.12.150 of the Medina  
19 Municipal Code is recommended to be amended to read:

20  
21 “Native growth protection area (NGPA)” means an area where native vegetation is  
22 preserved for the purpose of preventing harm to property and the environment,  
23 including, but not limited to, controlling surface water runoff and erosion, maintaining  
24 slope stability, buffering and protecting plants and animal habitat.

25 “Native vegetation” means plant species that are indigenous to the area in question.

26 “Nonindigenous.” See “exotic.”

27 ...

28  
29 **Section 17. Amend MMC 20.12.160.** Section 20.12.160 of the Medina  
30 Municipal Code is recommended to be amended to read:

31 ...

32  
33 “Ordinary high water mark (OHWM)” means that mark which is found by examining the  
34 bed and banks and ascertaining where the presence and action of waters are so  
35 common and usual, and so long continued in all ordinary years, that the soil has a  
36 character distinct from that of the abutting upland in respect to vegetation.

37 ...

38  
39 **Section 18. Amend MMC 20.12.170.** Section 20.12.170 of the Medina  
40 Municipal Code is recommended to be amended to read:

41 ...

42  
43 “Ponds” means areas of open water fed by springs, or fed by natural and enhanced  
44 drainage ways, which are so intrinsically associated with a wetland, stream or natural  
45 watercourse as to merit protection under the provisions of this chapter.

46 ...

47 “Practical alternative” means an alternative that is available and capable of being carried  
48 out after taking into consideration cost, existing technology, and logistics in light of  
49 overall project purposes, and having fewer impacts to critical areas.

50 “Priority habitat” means habitat type or elements with unique or significant value to one  
51 or more species as classified by the Department of Fish and Wildlife. A priority habitat

**DRAFT**

1 may consist of a unique vegetation type or dominant plant species, a described  
2 successional stage, or a specific structural element. (WAC 173-26-020(28)).

3 ...

4  
5 **Section 19. Adopt MMC 20.12.180.** Recommend adopting Section 20.12.180  
6 of the Medina Municipal Code to read:

7  
8 **20.12.180 “Q” definitions.**

9  
10 “Qualified professional” means a person with experience and training in the applicable  
11 critical area. A qualified professional must have obtained a B.S. or B.A. or equivalent  
12 degree in biology, engineering, environmental studies, fisheries, geomorphology or  
13 related field, and two years of related work experience.

- 14 1. A qualified professional for streams and fish and wildlife habitat conservation areas  
15 or wetlands must have a degree in biology or related field and relevant professional  
16 experience.  
17 2. A qualified professional for a geologic hazard must be a professional engineer or  
18 geologist, licensed in the state of Washington.

19  
20 **Section 20. Amend MMC 20.12.190.** Section 20.12.190 of the Medina  
21 Municipal Code is recommended to be amended to read:

22 ...

23  
24 “Restoration” means measures taken to restore an altered or damaged natural feature  
25 including:

- 26 1. Active steps taken to restore damaged wetlands, streams, protected habitat, or their  
27 buffers to the functioning condition that existed prior to an unauthorized alteration;  
28 and  
29 2. Actions performed to reestablish structural and functional characteristics of the  
30 critical area that have been lost by alteration, past management activities, or  
31 catastrophic events.

32 ...

33  
34 **Section 21. Amend MMC 20.12.200.** Section 20.12.200 of the Medina  
35 Municipal Code is recommended to be amended to read:

36 ...

37  
38 “Scrub-shrub wetland” means a regulated wetland with at least 30 percent of its surface  
39 area covered by woody vegetation less than 20 feet in height as the uppermost strata.

40 ...

41  
42 “Seismic hazard areas” means areas that are subject to severe risk of damage as a  
43 result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction,  
44 lateral spreading, or surface faulting.

45 ...

46  
47 Sensitive Areas. See “critical areas.”

48 ...

49  
50 “Shorelands or shoreland areas” means those lands extending landward for 200 feet in  
51 all directions as measured on a horizontal plane from the ordinary high water mark or

**DRAFT**

1 floodways and contiguous floodplain areas landward two hundred feet from such  
2 floodways; and all wetlands and river deltas associated with the streams, lakes and tidal  
3 waters which are subject to the provisions of the Washington State Shoreline  
4 Management Act of 1971 and the City of Medina Shoreline Master Program, Chapters  
5 20.60 through 20.67 MMC.

6 “Shorelines” means all of the water areas of the state as defined in RCW 90.58.030,  
7 including reservoirs and their associated shorelands, together with the lands underlying  
8 them except:

9 1. Shorelines of statewide significance;

10 2. Shorelines on segments of streams upstream of a point where the mean annual flow  
11 is 20 cubic feet per second or less and the wetlands associated with such upstream  
12 segments; and

13 3. Shorelines on lakes less than 20 acres in size and wetlands associated with such  
14 small lakes.

15 “Shorelines of statewide significance” means those areas defined in RCW 90.58.030 and  
16 limited in the city of Medina to Lake Washington.

17 ...

18  
19 “Soil survey” means the most recent soil survey for the local area or county by the  
20 National Resources Conservation Service, U.S. Department of Agriculture.

21 ...

22  
23 “Species” means any group of animals classified as a species or subspecies as  
24 commonly accepted by the scientific community.

25 “Species, endangered” means any fish or wildlife species or subspecies that is  
26 threatened with extinction throughout all or a significant portion of its range and is listed  
27 by the state or federal government as an endangered species.

28 “Species of local importance” means those species of local concern due to their  
29 population status or their sensitivity to habitat manipulation, or that are game species.

30 “Species, priority” means any fish or wildlife species requiring protective measures  
31 and/or management guidelines to ensure their persistence as genetically viable  
32 population levels as classified by the Department of Fish and Wildlife, including  
33 endangered, threatened, sensitive, candidate and monitor species, and those of  
34 recreational, commercial, or tribal importance.

35 “Species, threatened” means any fish or wildlife species or subspecies that is likely to  
36 become an endangered species within the foreseeable future throughout a significant  
37 portion of its range without cooperative management or removal of threats, and is listed  
38 by the state or federal government as a threatened species.

39 ...

40  
41 “Steep slope” means any area with a slope of 40 percent or steeper and with a vertical  
42 relief of 10 or more feet except areas composed of consolidated rock. A slope is  
43 delineated by establishing its toe and top and measured by averaging the inclination  
44 over at least 10 feet of vertical relief.

45 ...

46  
47 “Stream” means a course or route, formed by nature or modified by humans and  
48 generally consisting of a channel with a bed, banks, or sides throughout substantially all  
49 its length, along which surface waters, with some regularity (annually in the rainy  
50 season), naturally and normally flow in draining from higher to lower lands. This  
51 definition does not include specially designed irrigation and drainage ditches, grass-lined

**DRAFT**

1 swales, canals, stormwater runoff devices, or other courses unless they are used by  
2 salmonids or to convey watercourses that were naturally occurring prior to construction.

3  
4 **Section 22. Amend MMC 20.12.240.** Section 20.12.240 of the Medina  
5 Municipal Code is recommended to be amended to read:

6 ...

7  
8 “Water-dependent” means a structure or use that cannot exist in any other location and  
9 is dependent on the water by reason of the intrinsic nature of its operations. A use that  
10 can be carried out only on, in or adjacent to water because the use requires access to  
11 the waterbody for waterborne transportation, recreation, energy production, or source of  
12 water.

13 ...

14  
15 “Wetland edge” means the boundary of a wetland as delineated based on the definitions  
16 contained in this title.

17 “Wetland mitigation bank” means a site where wetlands are restored, created,  
18 enhanced, or, in exceptional circumstances, preserved expressly for the purpose of  
19 providing compensatory mitigation in advance of authorized impacts to similar resources  
20 (RCW 90.84.010(5)).

21 “Wetlands” means those areas that are inundated or saturated by surface or ground  
22 water at a frequency and duration sufficient to support, and that under normal  
23 circumstances do support, a prevalence of vegetation adapted for life in saturated soil  
24 conditions. Wetlands generally include swamps, marshes, bogs and similar areas.  
25 Wetlands do not include those artificial wetlands intentionally created from non-wetland  
26 sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales,  
27 canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape  
28 amenities, or those wetlands created after July 1, 1990, that were unintentionally created  
29 as a result of the construction of a road, street, or highway. Wetlands may include those  
30 artificial wetlands intentionally created from non-wetland areas to mitigate the conversion  
31 of wetlands. For identifying and delineating a regulated wetland, local government shall  
32 use the approved federal wetland delineation manual and applicable regional  
33 supplements.

34  
35 **Section 23. Amend MMC 20.60.210.** Section 20.60.210 of the Medina  
36 Municipal Code is recommended to be amended to read:

37 ...

38  
39 “Alteration” means any human-induced action which changes and/or impacts the existing  
40 conditions of a critical area or buffer. Alterations include, but are not limited to, grading,  
41 filling, dredging, draining, channelizing, cutting of trees, clearing (vegetation), paving,  
42 construction, compaction, excavation, dumping, demolition, or any other activity that  
43 changes the character of the critical area.

44 “Anadromous fish” means fish that spawn and rear in fresh water and mature in the  
45 marine environment.

46 ...

47 **Section 24. Amend MMC 20.60.211.** Section 20.60.211 of the Medina  
48 Municipal Code is recommended to be amended to read:

49  
50 “Best available science” means current scientific information used in the process to  
51 designate, protect, or restore critical areas, that are derived from a valid scientific

**DRAFT**

1 process as defined by WAC 365-195-900 through 365-195-925. Sources of best  
2 available science are included in “Citations of Recommended Sources of Best Available  
3 Science for Designating and Protecting Critical Areas” published by the Washington  
4 State Department of Commerce.

5 “Best management practices” means conservation practices or systems of practices and  
6 management measures that:

- 7 1. Control soil loss and reduce water quality degradation caused by high concentrations  
8 of nutrients, animal waste, toxics, and sediment;
- 9 2. Minimize adverse impacts to surface water and ground water flow, circulation  
10 patterns, and to the chemical, physical, and biological characteristics of streams and  
11 wetlands;
- 12 3. Protect trees and vegetation designated to be retained during and following site  
13 construction; and
- 14 4. Provide standards for proper use of chemical herbicides within critical areas.

15 The city of Medina shall monitor the application of best management practices to ensure  
16 that the standards and policies of this title are adhered to.

17  
18 “Buffer” means an area contiguous to a critical area that is required for the continued  
19 protection, maintenance, functioning, and/or structural stability of a critical area.

20  
21 **Section 25. Amend MMC 20.60.212.** Section 20.60.212 of the Medina  
22 Municipal Code is recommended to be amended to read:

23 ...

24  
25 “Channel migration zone (CMZ)” means the lateral extent of active stream channel  
26 movement over the past 100 years. Evidence of active movement over the 100-year  
27 time frame can be inferred from aerial photos or from specific channel and valley bottom  
28 characteristics. A time frame of 100 years was chosen because aerial photos, maps and  
29 field evidence can be used to evaluate movement in this time. A CMZ is not typically  
30 present if the valley width is generally less than two bank full widths, is confined by  
31 terraces, no current or historical aerial photographic evidence exists of significant  
32 channel movement, and there is no field evidence of secondary channels with recent  
33 scour from stream flow or progressive bank erosion at meander bends. Areas separated  
34 from the active channel by legally existing artificial channel constraints that limit bank  
35 erosion and channel avulsion without hydraulic connections shall not be considered  
36 within the CMZ.

37 ...

38  
39 “Compensatory mitigation” means replacing project-induced critical area losses or  
40 impacts, and includes, but is not limited to, the following:

- 41 1. Restoration. Actions performed to reestablish critical area functional characteristics  
42 and processes that have been lost by alterations, activities, or catastrophic events  
43 within an area that no longer meets the definition of a critical area.
- 44 2. Creation. Actions performed to intentionally establish a critical area at a site where it  
45 did not formerly exist.
- 46 3. Enhancement. Actions performed to improve the condition of existing degraded  
47 critical areas so that the functions they provide are of a higher quality.

48 ...

49

50

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1           **Section 26. Amend MMC 20.60.213.** Section 20.60.213 of the Medina  
2 Municipal Code is recommended to be amended to read:

3 ...

4  
5 “Drainage facility” means the system of collecting, conveying and storing surface and  
6 storm runoff. Drainage facilities shall include but not be limited to all surface and  
7 stormwater runoff conveyance and containment facilities including streams, pipelines,  
8 channels, ditches, infiltration facilities, retention/detention facilities, and other drainage  
9 structures and appurtenances.

10 ...

11  
12           **Section 27. Amend MMC 20.60.214.** Section 20.60.214 of the Medina  
13 Municipal Code is recommended to be amended to read:

14 ...

15  
16 “Emergent wetland” means a regulated wetland with at least 30 percent of the surface  
17 area covered by erect, rooted, herbaceous vegetation extending above the water  
18 surface as the uppermost vegetative strata.

19 “Erosion” means the process whereby wind, rain, water, and other natural agents  
20 mobilize and transport particles.

21 “Erosion hazard areas” means at least those areas identified by the U.S. Department of  
22 Agriculture’s Natural Resources Conservation Service as having a “moderate to severe,”  
23 “severe,” or “very severe” rill and inter-rill erosion hazard.

24 ...

25  
26 “Exotic” means any species of plants or animals which are foreign to the planning area.

27  
28           **Section 28. Amend MMC 20.60.215.** Section 20.60.215 of the Medina  
29 Municipal Code is recommended to be amended to read:

30 ...

31  
32 “Fish and wildlife habitat conservation area” means land management for maintaining  
33 species in suitable habitats within their natural geographic distribution so that isolated  
34 subpopulations are not created as designated by WAC 365-190-130.

35 “Fish and wildlife habitat conservation” means areas that serve a critical role in  
36 sustaining needed habitats and species for the functional integrity of the ecosystem, and  
37 which, if altered, may reduce the likelihood that the species will persist over the long  
38 term. These areas may include, but are not limited to, rare or vulnerable ecological  
39 systems, communities, and habitat or habitat elements including seasonal ranges,  
40 breeding habitat, winter range, and movement corridors; and areas with high relative  
41 population density or species richness. These areas include:

- 42 1. Areas with which state or federally designated endangered, threatened, and  
43 sensitive species have a primary association;
- 44 2. Habitats of local importance, including, but not limited to, areas designated as priority  
45 habitat by the Department of Fish and Wildlife;
- 46 3. Naturally occurring ponds under 20 acres and their submerged aquatic beds that  
47 provide fish or wildlife habitat, including those artificial ponds intentionally created  
48 from dry areas in order to mitigate impacts to ponds;
- 49 4. Waters of the state, including lakes, ponds, streams, inland waters, underground  
50 waters, and all other surface waters and watercourses within the jurisdiction of the  
51 state of Washington;

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- 1 5. State natural area preserves and natural resource conservation areas; and
- 2 6. Land essential for preserving connections between habitat blocks and open spaces.

3 ...

4

5 “Flood or flooding” means a general and temporary condition of partial or complete  
6 inundation of normally dry land areas from the overflow of inland waters and/or the  
7 unusual and rapid accumulation of runoff of surface waters from any source.

8 “Floodplain” is synonymous with one hundred-year flood plain and means that land area  
9 susceptible to inundation with a one percent chance of being equaled or exceeded in  
10 any given year.

11 “Flood protection elevation” means the elevation that is one foot above the base flood  
12 elevation.

13 ...

14

15 “Forested wetland” means a regulated wetland with at least 30 percent of the surface  
16 area covered by woody vegetation greater than 20 feet in height that is at least partially  
17 rooted within the wetland.

18 ...

19

20 “Functions and values” means the beneficial roles served by critical areas including, but  
21 not limited to, water quality protection and enhancement; fish and wildlife habitat; food  
22 chain support; flood storage, conveyance and attenuation; ground water recharge and  
23 discharge; erosion control; wave attenuation; protection from hazards; historical,  
24 archaeological and aesthetic value protection; and recreation. These beneficial roles are  
25 not listed in order of priority.

26

27 **Section 29. Amend MMC 20.60.216.** Section 20.60.216 of the Medina  
28 Municipal Code is recommended to be amended to read:

29 ...

30

31 “Geologically hazardous areas” means areas that may not be suited to development  
32 consistent with public health, safety or environmental standards, because of their  
33 susceptibility to erosion, sliding, earthquake, or other geologic events as designated by  
34 WAC 365-190-120. In the city of Medina, types of geologically hazardous areas include  
35 erosion, landslide, and seismic hazards.

36 ...

37

38 “Growth Management Act” means Chapters 36.70A and 36.70B RCW, as amended.

39 ...

40

41 **Section 30. Amend MMC 20.60.217.** Section 20.60.217 of the Medina  
42 Municipal Code is recommended to be amended to read:

43 ...

44

45 “Habitat conservation areas” means areas designated as fish and wildlife habitat  
46 conservation areas.

47 “Hazard Areas” means areas designated as geologically hazardous areas due to  
48 potential for erosion, landslide, seismic activity, or other geologic condition.

49 ...

50

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1 “Hydraulic project approval (HPA)” means a permit issued by the State Department of  
2 Fish and Wildlife for modifications to waters of the state in accordance with Chapter  
3 75.20 RCW.

4 “Hydric soil” means a soil that is saturated, flooded or ponded long enough during the  
5 growing season to develop anaerobic conditions in the upper part. The presence of  
6 hydric soil shall be determined following the methods described in the approved federal  
7 wetland delineation manual and applicable regional supplements.

8 “Hydrophytic vegetation” means macrophytic plant life growing in water or on a substrate  
9 that is at least periodically deficient in oxygen as a result of excessive water content. The  
10 presence of hydrophytic vegetation shall be determined following the methods described  
11 in the approved federal wetland delineation manual and applicable regional  
12 supplements.

13  
14 **Section 31. Amend MMC 20.60.218.** Section 20.60.218 of the Medina  
15 Municipal Code is recommended to be amended to read:

16 ...

17  
18 “Isolated wetland” means those wetlands that are outside of and not contiguous to any  
19 100-year floodplain of a lake, river, or stream, and have no contiguous hydric soil or  
20 hydrophytic vegetation between the wetland and any surface water.

21  
22 **Section 32. Amend MMC 20.60.219.** Section 20.60.219 of the Medina  
23 Municipal Code is recommended to be amended to read:

24  
25 “Joint Aquatic Resource Permits Application (JARPA)” means a single application form  
26 that may be used to apply for shoreline management permits, approvals of exceedance  
27 of water quality standards, water quality certifications, Coast Guard bridge permits,  
28 Department of Natural Resources use authorization, and Army Corps of Engineers  
29 permits.

30 ...

31  
32 **Section 33. Amend MMC 20.60.221.** Section 20.60.221 of the Medina  
33 Municipal Code is recommended to be amended to read:

34 ...

35  
36 “Landslide hazard areas” means areas that are potentially subject to risk of mass  
37 movement due to a combination of geologic, topographic, and hydrologic factors. These  
38 areas are typically susceptible to landslides because of a combination of factors  
39 including bedrock, soil, slope (gradient), slope aspect, geologic structure, ground water,  
40 hydrology, or other factors.

41 ...

42  
43 **Section 34. Amend MMC 20.60.222.** Section 20.60.222 of the Medina  
44 Municipal Code is recommended to be amended to read:

45 ...

46  
47 “Mitigation” means avoiding, minimizing or compensating for adverse critical areas  
48 impacts. Mitigation, in the following order of preference, is:

- 49 1. Avoiding the impact altogether by not taking a certain action or parts of an action;

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- 1 2. Minimizing impacts by limiting the degree or magnitude of the action and its
- 2 implementation, by using appropriate technology, or by taking affirmative steps, such
- 3 as project redesign, relocation, or timing, to avoid or reduce impacts;
- 4 3. Rectifying the impact to wetlands and habitat conservation areas by repairing,
- 5 rehabilitating or restoring the affected environment to the conditions existing at the
- 6 time of the initiation of the project;
- 7 4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area
- 8 through engineered or other methods;
- 9 5. Reducing or eliminating the impact or hazard over time by preservation and
- 10 maintenance operations during the life of the action;
- 11 6. Compensating for the impact to wetlands and habitat conservation areas by
- 12 replacing, enhancing, or providing substitute resources or environments; and
- 13 7. Monitoring the hazard or other required mitigation and taking remedial action when
- 14 necessary.

15 Mitigation for individual actions may include a combination of the above measures.

16 ...

17  
18 **Section 35. Amend MMC 20.60.223.** Section 20.60.223 of the Medina  
19 Municipal Code is recommended to be amended to read:

20  
21 “Native growth protection area (NGPA)” means an area where native vegetation is  
22 preserved for the purpose of preventing harm to property and the environment,  
23 including, but not limited to, controlling surface water runoff and erosion, maintaining  
24 slope stability, buffering and protecting plants and animal habitat.

25 ...

26  
27 “Native vegetation” means plant species that are indigenous to the area in question.

28 ...

29  
30 “Nonindigenous.” See “exotic.”

31  
32 **Section 36. Amend MMC 20.60.225.** Section 20.60.225 of the Medina  
33 Municipal Code is recommended to be amended to read:

34  
35 “Ponds” means areas of open water fed by springs, or fed by natural and enhanced  
36 drainage ways, which are so intrinsically associated with a wetland, stream or natural  
37 watercourse as to merit protection under the provisions of this chapter.

38 ...

39  
40 “Practical alternative” means an alternative that is available and capable of being carried  
41 out after taking into consideration cost, existing technology, and logistics in light of  
42 overall project purposes, and having fewer impacts to critical areas.

43 “Priority habitat” means habitat type or elements with unique or significant value to one  
44 or more species as classified by the Department of Fish and Wildlife. A priority habitat  
45 may consist of a unique vegetation type or dominant plant species, a described  
46 successional stage, or a specific structural element. (WAC 173-26-020(28)).

47 ...

48

49

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1           **Section 37. Amend MMC 20.60.227.** Section 20.60.227 of the Medina  
2 Municipal Code is recommended to be amended to read:

3 ...

4  
5 “Restoration” means measures taken to restore an altered or damaged natural feature  
6 including:

- 7 1. Active steps taken to restore damaged wetlands, streams, protected habitat, or their  
8 buffers to the functioning condition that existed prior to an unauthorized alteration;  
9 and  
10 2. Actions performed to reestablish structural and functional characteristics of the  
11 critical area that have been lost by alteration, past management activities, or  
12 catastrophic events.

13 ...

14  
15           **Section 38. Amend MMC 20.60.228.** Section 20.60.228 of the Medina  
16 Municipal Code is recommended to be amended to read:

17 ...

18  
19 “Scrub-shrub wetland” means a regulated wetland with at least 30 percent of its surface  
20 area covered by woody vegetation less than 20 feet in height as the uppermost strata.

21 “Seismic hazard areas” means areas that are subject to severe risk of damage as a  
22 result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction,  
23 lateral spreading, or surface faulting.

24 “Sensitive Areas” means see “critical areas.”

25 ...

26  
27 “Soil survey” means the most recent soil survey for the local area or county by the  
28 National Resources Conservation Service, U.S. Department of Agriculture.

29 “Species” means any group of animals classified as a species or subspecies as  
30 commonly accepted by the scientific community.

31 “Species, endangered” means any fish or wildlife species or subspecies that is  
32 threatened with extinction throughout all or a significant portion of its range and is listed  
33 by the state or federal government as an endangered species.

34 “Species of local importance” means those species of local concern due to their  
35 population status or their sensitivity to habitat manipulation, or that are game species.

36 “Species, priority” means any fish or wildlife species requiring protective measures  
37 and/or management guidelines to ensure their persistence as genetically viable  
38 population levels as classified by the Department of Fish and Wildlife, including  
39 endangered, threatened, sensitive, candidate and monitor species, and those of  
40 recreational, commercial, or tribal importance.

41 “Species, threatened” means any fish or wildlife species or subspecies that is likely to  
42 become an endangered species within the foreseeable future throughout a significant  
43 portion of its range without cooperative management or removal of threats, and is listed  
44 by the state or federal government as a threatened species.

45 “Steep slope” means any area with a slope of 40 percent or steeper and with a vertical  
46 relief of 10 or more feet except areas composed of consolidated rock. A slope is  
47 delineated by establishing its toe and top and measured by averaging the inclination  
48 over at least 10 feet of vertical relief.

49 “Stream” means a course or route, formed by nature or modified by humans and  
50 generally consisting of a channel with a bed, banks, or sides throughout substantially all  
51 its length, along which surface waters, with some regularity (annually in the rainy

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1 season), naturally and normally flow in draining from higher to lower lands. This  
2 definition does not include specially designed irrigation and drainage ditches, grass-lined  
3 swales, canals, stormwater runoff devices, or other courses unless they are used by  
4 salmonids or to convey watercourses that were naturally occurring prior to construction.

5 ...

6  
7 **Section 39. Repeal MMC 20.67.040.** Section 20.67.040 of the Medina Municipal  
8 Code is recommended to be repealed in its entirety.

9  
10 APPROVED BY THE PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

11  
12  
13 \_\_\_\_\_  
14 Planning Commission Chair

15  
16  
17 Attest:

18  
19 \_\_\_\_\_  
20 Robert J. Grumbach  
21 Development Services Director

# **CITY OF MEDINA**

## **COMPREHENSIVE PLAN**

**May 9, 1994**

**Amended by Ordinance No. 660, passed July 12, 1999**

**Amended by Ordinance No. 783, March 14, 2005**

**Amended by Ordinance No. XXX, [2015]**

# **ATTACHMENT A**

## **CITY COUNCIL**

~~Mary Odermat~~Patrick Boyd, Mayor  
~~Todd Nunn~~David Lee, Deputy Mayor  
~~Robert Rudolph~~Curt Pryde  
~~Pete Vall Spinoso~~John Maffei  
~~Katie Phelps~~Jay Decker  
~~J. Drew Blazey~~Michael Luiz  
~~Miles Adam~~Alex Morcos

## **PLANNING COMMISSION**

~~Mark Lostrom~~, ~~Chairman~~Randy Reeves, Chair  
Shawn Schubring, Vice-Chair  
~~Mark Nelson~~, ~~Vice-Chair~~  
~~Robert Brog~~Jeanne Carlson  
~~Bret Jordan~~Peter May  
~~Jim Lawrence~~Peter Papano  
~~Holly Greenspoon~~

### **City Manager**

~~Douglas J. Schulze~~Mike Sauerwein

### **Director of Development Services**

~~Joseph Gellings~~Robert Grumbach, AICP

# TABLE OF CONTENTS

<b>A. PREFACE .....</b>	<b>1</b>
<b>B. INTRODUCTION .....</b>	<b>3</b>
STATE PLANNING GOALS .....	3
COUNTY PLANNING GOALS.....	4
<b>C. BACKGROUND AND CONTEXT .....</b>	<b>8</b>
HISTORY.....	8
SETTING AND CHARACTER.....	8
<b>1. LAND USE ELEMENT .....</b>	<b>10</b>
INTRODUCTION.....	10
EXISTING CONDITIONS .....	10
Residential Uses.....	10
Non-Residential Uses.....	11
POPULATION AND GROWTH POTENTIAL.....	12
Population and Employment.....	12
Population Forecast.....	13
Future Growth Issues .....	14
SPECIAL PLANNING AREAS AND ESSENTIAL PUBLIC FACILITES .....	16
SR 520 Corridor Special Planning Area: .....	16
84 <sup>th</sup> Avenue N.E. Corridor Special Planning Area: .....	17
Essential Public Facilities: .....	17
LAND USE PLAN.....	17
Future Land Use Designations.....	18
GOALS.....	18
POLICIES.....	18
<b>2. NATURAL ENVIRONMENT ELEMENT.....</b>	<b>26</b>
INTRODUCTION.....	26
EXISTING CONDITIONS .....	26
GOALS.....	27
POLICIES.....	27
<b>2.1 Shoreline Management Sub-Element .....</b>	<b>29</b>
INTRODUCTION.....	29
VISION FOR THE SHORELINE MASTER PROGRAM.....	29
GOALS AND POLICIES.....	29
A. Shorelines of Statewide Significance.....	30
B. Environment Designations .....	30
C. Shoreline Uses and Activities .....	33

# ATTACHMENT A

D. Public Access .....	38
E. Recreation .....	39
F. Circulation .....	40
G. Utilities .....	40
H. Natural Environment .....	41
I. Archaeological, Historic and Cultural Resources .....	43
J. Shoreline Restoration and Ecological Enhancement .....	44
<b>3. COMMUNITY DESIGN ELEMENT .....</b>	<b>47</b>
INTRODUCTION .....	47
Medina Landscape Plan .....	47
Street Design and Treatment .....	48
Vehicular Surfaces and Parking .....	48
Street Landscaping .....	49
Public Spaces .....	49
GOALS .....	50
POLICIES .....	50
<b>4. HOUSING ELEMENT .....</b>	<b>55</b>
INTRODUCTION .....	55
EXISTING CONDITIONS .....	55
PROJECTED HOUSING NEEDS .....	56
HOUSING PLAN .....	56
GOALS .....	57
POLICIES .....	57
<b>5. TRANSPORTATION &amp; CIRCULATION ELEMENT .....</b>	<b>60</b>
INTRODUCTION .....	60
EXISTING CONDITIONS .....	60
Regional Transportation Facilities .....	60
Street Classification .....	61
Level of Service .....	62
Nearby Air Facilities .....	66
Puget Sound Air Quality Attainment Zone .....	66
TRANSPORTATION AND CIRCULATION PLAN .....	66
Public Transit .....	66
Non-Motorized Facilities .....	67
GOALS .....	67
POLICIES .....	68
<b>6. PARKS AND OPEN SPACE ELEMENT .....</b>	<b>75</b>
MEDINA PARK PLAN .....	75
INTRODUCTION .....	75
EXISTING PARKS AND CONDITIONS .....	76
NEEDS ASSESSMENT .....	81

# ATTACHMENT A

PARKS And open space goals and policies .....	82
GOALS.....	82
POLICIES.....	82
<b>7. CAPITAL FACILITIES ELEMENT .....</b>	<b>85</b>
INTRODUCTION.....	85
EXISTING CONDITIONS .....	85
Administration and Public Safety .....	85
Schools.....	85
Water and Sewer.....	86
Storm Drainage.....	86
CAPITAL FACILITIES PLAN .....	87
GOALS.....	88
POLICIES.....	88
<b>8. UTILITIES ELEMENT .....</b>	<b>97</b>
INTRODUCTION.....	97
EXISTING CONDITIONS .....	97
UTILITIES PLAN.....	98
GOALS.....	98
POLICIES.....	98
<b>APPENDIX A - DEFINITIONS .....</b>	<b>101</b>
<b>APPENDIX B – 6-YEAR CAPITAL IMPROVEMENT PLAN .....</b>	<b>107</b>

# ATTACHMENT A

## LIST OF FIGURES

Figure 1.	Population and number of housing units in Medina, 1980-2010. ....	13
Figure 2.	Zoning Map. ....	21
Figure 3.	Land Use Map. ....	24
Figure 4.	Critical Areas Map. ....	45
Figure 5.	Key to Medina Landscape Plan.....	53
Figure 6.	Street Classifications. ....	71
Figure 7.	Non-motorized Transportation Plan.....	73
Figure 8.	Existing Capital Facilities.....	91
Figure 9.	Major Drainage Basins. ....	93
Figure 10.	Stormwater Capital Improvement Projects.....	95

## LIST OF TABLES

Table 1.	Land Use Inventory .....	45
Table 2.	Medina Housing Statistics .....	55
Table 3.	Average Weekday Traffic Volumes .....	63

## ATTACHMENT A

### A. PREFACE

This Plan represents the vision of Medina residents on the City's development as a unique residential community and as part of the Seattle/Bellevue metropolitan region. If the Plan is carried out, the quality of life enjoyed by Medina's residents will be preserved for the future.

Preparation of the original Plan was preceded by four related efforts:

1. Growth Management Joint Workshop held in April 1991 with Clyde Hill, Hunts Point, and Yarrow Point;
2. Inventory of Critical Areas conducted in 1991 and the adoption of the Critical Areas Ordinance in March 1992;
3. Joint workshop with Clyde Hill, Hunts Point, Yarrow Point, and King County Officials on County Policies, September 1992; and
4. Review of the City's zoning ordinance by the Planning Commission with adoption by the City Council in June 1993.

These efforts resulted in the identification of issues of a citywide nature to be addressed in the Comprehensive Plan, and the adoption of the Medina Comprehensive Plan in May 1994. The Comprehensive Plan was later amended by Ordinance No. 660 in July 1999 and by Ordinance No. 783 in March 2005.

The Planning Commission has been responsible for assuring citizen involvement in updates of this Plan by holding regular meetings and special community meetings during all of their review processes. Community meetings and public hearings are typically posted in prominent locations in the community, published in the monthly City newsletter, and published in the *Eastside Journal* newspaper. After the public hearings, the Planning Commission recommendations are sent to the City Council for review; and adoption.

This Comprehensive Plan is supported by a number of documents. For detail on a particular issue, reference is best made to the appropriate supporting document. These include the Medina Municipal Code, the Shoreline ~~Management~~ Master Program (1974, ~~1991~~ MMC Subtitle 20.6), ~~Community Design Inventory and Preferred Landscaping Species List~~ Medina Tree Code (MMC Ch. 20.52, ~~1990~~), Critical Areas ~~Inventory~~ Regulations (MMC Ch. 18.12 and 20.67~~1992~~), Comprehensive Stormwater Management Plan (1993, updated 2012), and the Six-Year Transportation Improvement Program (updated annually).

This Plan is not intended to be static; it will be periodically reviewed and revised as necessary. The Planning Commission will carry out a review of this Plan at least once every ~~seven~~ eight years, in accordance with RCW 36.70A.130, as amended ~~by Washington SB 5841 (2002).~~

## **B. INTRODUCTION**

A comprehensive plan is a collective vision about how a community perceives itself and a statement about the kind of place the residents want it to become. The plan is an opportunity for articulating what needs to be preserved and enhanced and, conversely, what the community wishes to avoid. It is a document that functions as a guide for instituting land use regulations and making public decisions concerning individual development proposals.

The comprehensive plan must periodically be updated in order to respond to changing conditions and attitudes, both within and outside of the community. Medina's Comprehensive Plan had its first substantive update in April 1986. In 1990, the Plan was amended to reflect recommendations from the Land and Tree Committee, which included tree preservation requirements and design standards for City rights-of-way.

In 1990 and 1991, the state legislature passed two Acts regarding growth management. In 1990, the state legislature passed the first of two Acts regarding growth management. The first, SHB 2929, required that all communities within King County must inventory critical areas, update their comprehensive plans to include a number of specific elements, and adopt regulations to implement the plan. The second, HB 1025, passed in 1991, required that King County countywide planning policies (CPPs) be developed and adopted to address issues of a regional nature. Each city and town within the county must also respond to these issues within their comprehensive plan. Since that time, Medina's Comprehensive Plan has been updated three times: in 1994, 2005, and 2015. In 1994, the Plan was updated with four objectives in mind:

- ~~1. To repackage the previous plan and amendments for greater clarity and ease in interpretation;~~
- ~~2. To incorporate the appropriate provisions of other City plans, i.e. stormwater, critical areas, and street design guidelines;~~
- ~~3. To respond to local and regional development trends and pressures;~~
- ~~4. To address the issues raised in the State Growth Management Act and the Countywide Planning Policies.~~

~~The Plan was updated again between 2002 and 2004 with three objectives in mind:~~

- ~~1. To repackage the plan and amendments for greater clarity and ease in interpretation;~~
- ~~2. To meet current requirements of the Growth Management Act (GMA); and~~
- ~~3. To include Endangered Species Act (ESA) considerations.~~

### **STATE PLANNING GOALS**

The Growth Management Act sets out thirteen statutory goals. The GMA legislation mandates inclusion of five basic plan elements and associated information requirements that are to guide development of comprehensive plans. For a community's plan to be valid, it must be consistent with the requirements of the GMA, which means that a plan must not conflict with the state statutory goals or countywide policies.

## ATTACHMENT A

The thirteen statutory state goals are as follows:

1. Guide urban growth to areas where urban services can be adequately provided;
2. Reduce urban sprawl;
3. Encourage efficient multimodal transportation systems;
4. Encourage the availability of affordable housing to all economic segments of the population;
5. Encourage economic development throughout the state;
6. Assure private property is not taken for public use without just compensation;
7. Encourage predictable and timely permit processing;
8. Maintain and enhance natural resource-based industries;
9. Encourage retention of open space and development of recreational opportunities;
10. Protect the environment and enhance the quality of life for Washington residents;
11. Encourage the participation of citizens in the land use planning process;
12. Ensure adequate public facilities and services necessary to support development;
13. Identify and preserve lands and sites of historic and archaeological significance.

Medina is a small, fully developed residential community. The City cannot increase its land area and the population will increase only by the amount represented by the few remaining vacant and/or redevelopable lots, changes in family size, or the potential inclusion of accessory dwelling units (ADUs). The ~~2002-2014~~ Buildable Lands Report states that the City has capacity for about ~~40-46~~ additional residences. Adequate urban facilities and services are in place to meet the foreseeable needs of a stable population. There is no business district, and there is no land for one to develop, nor do residents wish to see such development occur.

There are few actions the City could take that would be in conflict with the requirements of the Growth Management Act. Since there are no large tracts of undeveloped land, Medina cannot contribute to additional urban growth, sprawl, or inappropriate economic development, and there are no resource lands to protect and no real threat to individual property rights. The City has historically imposed strict environmental controls through the State Environmental Policy Act (SEPA), its Shoreline ~~Management~~ Master Program, the grading and drainage permit process, and ~~the its 1992 Environmentally Sensitive Critical Areas regulations~~ Regulations in MMC Ch. 18.12 and 20.67 in Chapter 18.12 of the Medina Municipal Code (MMC).

### COUNTY PLANNING GOALS

~~Actions taken by the City will have little impact on planning issues within King County.~~ The King County countywide planning policies (CPP) adopted in response to the requirements of the Growth Management Act are aimed at more effective use of existing land. Their goal is to establish higher density centers within the County and promote infill development to

## ATTACHMENT A

accommodate new growth so that remaining rural and resource lands may be preserved. ~~Transportation and housing have emerged as key issues in this process.~~

In 2012, the CPPs were revised to address changes to the Growth Management Act and to specifically reflect the regional direction established in VISION 2040. VISION 2040 was adopted in 2008 by the Puget Sound Regional Council (PSRC), an association of cities, towns, ports, tribes, and state agencies that serves as a forum for making decisions about regional growth management in the central Puget Sound region of Washington. VISION 2040's regional growth strategy outlines how the central Puget Sound region should plan for additional population and employment growth. All jurisdictions in King County have a role in accommodating this growth, and the 2012 CPPs provide direction for local comprehensive plans and regulations.

The 2012 CPPs are designed to achieve six overarching goals:

1. Restore and protect the quality of the natural environment for future generations;
2. Direct growth in a compact, centers-focused pattern that uses land and infrastructure efficiently and that protects rural and resource lands;
3. Meet the housing needs of all economic and demographic groups within all jurisdictions;
4. For people throughout King County, provide opportunities to prosper and enjoy a high quality of life through economic growth and job creation;
5. Serve the region well with an integrated, multi-modal transportation system that supports the regional vision for growth, efficiently moves people and goods, and is environmentally and functionally sustainable over the long term; and
6. Provide access for residents in both urban and rural areas to the public services needed in order to advance public health and safety, protect the environment, and carry out the regional growth strategy.

~~Eight major areas of concern are addressed by the CPPs, and include the following:~~

- ~~1. Protection of environmentally critical areas;~~
- ~~2. Promotion of an efficient and rational land use pattern, with specific emphasis on resource lands, rural areas, continued growth in existing urban areas, the establishment of urban and employment centers, and urban growth outside of identified centers;~~
- ~~3. Creation of an efficient and responsive multi-modal transportation system;~~
- ~~4. Preservation of community character and public open spaces;~~
- ~~5. Provision of accessible and affordable housing opportunities;~~
- ~~6. Assurance of contiguous and orderly development among adjacent jurisdictions;~~
- ~~7. Provisions for the siting of public capital facilities of a countywide or statewide nature; and~~
- ~~8. Promotion of economic development strategies that further the overall land use goals and encourage the analysis of fiscal impacts.~~

Actions taken by the City will have little impact on planning issues within King County. Medina's size and lack of undeveloped land precludes it from becoming an urban or manufacturing center

## **ATTACHMENT A**

and makes siting of major public capital facilities (other than SR 520) or engaging in economic development an impossibility. Medina does not contribute a significant amount of traffic to the regional transportation system because there are no major employers or commercial districts and a relatively small population size. Medina supports development of an improved regional transportation system and encourages residents to utilize the public transit that is available to the community. To help ensure that there are housing opportunities, the City allows development of undersized lots and reasonable improvements of nonconforming structures. The City also allows for accessory dwelling units to accommodate increased population demands. The City is exploring strategies to meaningfully participate in addressing countywide housing issues that are within the limited resources available to the community.

Medina's land use pattern is consistent with that of its neighboring jurisdictions. There is a high degree of cooperation and sharing of information between the City and its neighbors, which is exemplified by the monthly meetings held between each jurisdiction's mayor and city/town administrators. This high level of communication ensures consistency between each jurisdiction's plans and capital projects. Medina recognizes its place in a larger regional community where collective decisions are necessary to protect and enhance the quality of life we all enjoy. The City will continue to involve itself in regional issues and, to the extent possible, participate in their resolution.

## **C. BACKGROUND AND CONTEXT**

*And now the sturdy ferries no longer ply from Leschi to Medina; the axe blade has given way to the bulldozer; nor do strawberries grow on the land. Yet there is a spark, a feeling which unites today with yesterday - and augurs well for tomorrow.*

William Parks, Mayor 1955

### **HISTORY**

Medina was originally a collection of farms and orchards on the shore of Lake Washington across from Seattle. During the late 1880s, wealthy land-owners began purchasing waterfront land from the homesteaders. By the 1890s these lands had been converted into broad lakefront estates. In 1913 the Medina ferry terminal was constructed, and in 1914 the town was formally platted. Medina grew slowly until 1941, when the first floating bridge was constructed. With the increased accessibility to Seattle, more people began to settle permanently on the east side of the lake, and the residents of Medina began to feel the pressures of growth.

Plans for a second floating bridge that would have the east terminus in Medina and bring the town within minutes of Seattle's population caused residents to begin considering incorporation. Three alternatives were debated over several years: incorporation with Bellevue, incorporation with the other "Points" communities, and separate incorporation. Residents voted to incorporate separately in July 1955, and in August 1955 Medina officially became a city of 1,525 people. In 1964 a perimeter portion of Medina Heights was annexed to the City, with the remainder of this neighborhood added in 1967. From 1959 to 1971 Medina acquired and developed Fairweather Nature Preserve, Medina Park, and Medina Beach Park. Another seven residential parcels located on the east side of Lake Washington Boulevard adjacent to Clyde Hill were annexed in 1987. With these acquisitions, the land use pattern and mix was established.

At the time of incorporation there were five major objectives:

1. To maintain the residential character of the area,
2. To place zoning and planning under local control,
3. To spend a greater share of taxes locally,
4. To institute a small government under full local control, and
5. To maintain the maximum freedom of choice for change.

### **SETTING AND CHARACTER**

Medina occupies a large peninsula projecting into the central portion of Lake Washington on the lake's east shore. The lake separates Medina from Seattle, with the SR 520 floating bridge, which enters Medina at the base of Evergreen Point, bringing Seattle's downtown to within nine miles of Medina. Medina is bordered on the northeast by the Town of Hunts Point and on the east by the City of Clyde Hill, both single-family residential communities. On the southeast, Medina is bordered by a relatively low-density, single-family residential section of the City of Bellevue. The downtown commercial center of Bellevue has grown rapidly and is approximately one and

## ATTACHMENT A

one-half miles to the east. More industrial sections of Bellevue are located near Interstate 405, which runs north-south, intersecting SR 520 approximately three miles to the east of Medina.

The commercial center of Bellevue provides Medina residents with ready access to a wide variety of stores, restaurants, and other commercial establishments, including Bellevue Square and Lincoln Square. Bellevue has zoned the areas abutting the commercial core for high-density residential development, which allows apartments and townhouses. Consequently, there is a full range of residential opportunities near Medina available for people who choose this kind of environment and wish to live in close proximity to commercial amenities.

Certain limited non-residential development exists in Medina, such as the Wells Medina Nursery, gas station, Medina grocery store, the post office, Medina Elementary School, St. Thomas Church, St. Thomas ~~and~~ School, Bellevue Christian School, and City Hall, which provide services to the City's residents. The City Hall building, which is the former ferry terminal, and the Medina grocery store were constructed when Medina was served by ferry from Seattle. At least six private buildings remain from this era (houses, cottages, a barn, the telephone exchange, etc.). Although these structures have been put to different uses, they continue to serve as important reminders of the City's cultural past.

Medina finds itself in the center of an increasingly urban metropolitan area. The City is attempting to maintain its identity in the face of exploding growth that has been occurring all through King County. Medina's unique character is due in part to its lake front location. With approximately five miles of waterfront, the City is graced by premium single-family residential development along the lakeshore, and a mixture of modest homes in the north-central portion of the City, establishing the character of the City as a high-quality residential community.

Medina also has a distinctive and informal natural setting that is typified by semi-wooded and heavily landscaped lots that provide visual and acoustic privacy between neighbors and abutting city streets. Many of the residences are situated in open settings, which take advantage of the attractive lake and territorial views. Additional contributing factors are the large tracts of open space, which can be seen from city streets. The more significant of these open spaces are the City's two interior parks, Fairweather Nature Preserve and Medina Park, and the Overlake Golf & Country Club. Overlake's golf course is an attractive, open green space located in a shallow valley, which runs through the center of the City. The golf course serves as a visual amenity for surrounding homes, passers-by who view it from city streets, and residents of Clyde Hill.

It is the position of the community that development should continue in the form of single-family residences. Maintaining overall densities and instituting controls to limit the over-development of individual lots are seen as important to protecting the City's character. It is felt that the City should take steps to preserve the natural amenities and other characteristics, which contribute to the quality of life for the benefit of its citizens of all ages and a wide range of income levels.

# **1. LAND USE ELEMENT**

## **INTRODUCTION**

The Land Use element has been developed in accordance with the GMA (RCW 36.70A) to designate the proposed general distribution, location, and where appropriate, extent of land uses. The Land Use element includes population densities, building intensities, and estimates of future population growth.

This element has also been developed in accordance with King County countywide planning policies (CPP), which direct jurisdictions to focus growth in the cities within the designated Urban Growth Area.

Medina lies within the King County designated Urban Growth Area, but is not a designated Urban Center or Activity Area.

## **EXISTING CONDITIONS**

### **Residential Uses**

Medina is a developed community that consists almost exclusively of single-family homes on individual lots. At the time of the City's incorporation, it was the desire of the community to promote a development pattern that would maintain a single-family residential character. Since that time, Medina has developed and matured according to that vision. Medina historically promoted a development pattern of approximately two homes per acre, which originally corresponded to the maximum enrollment capacity of the two elementary schools. The walking scale of the City's limited street grid, the narrow streets (requiring sufficient area on a building site for off-street parking), the level of fire protection service, the limited internal public transportation system, and the density patterns adopted by neighboring communities – all suggest that the existing overall densities are appropriate for Medina.

In some parts of Medina the development pattern that existed prior to the City's incorporation is sufficient to justify a downward adjustment of the 20,000 square foot average lots size. The Medina Heights area, for example, has been largely developed to an average lot size of 15,000 square feet; however, many of these lots are significantly smaller. In this area and others where such circumstances are present, the 16,000 square foot average lot size specified in the Medina Municipal Code is appropriate. In other areas of the City, existing development patterns, topography, or proximity to Lake Washington justify lower development density; hence a 30,000 square foot average lot size has been instituted for these areas (see Figure 42).

Actual residential densities range from approximately five units per acre in the area between NE 24<sup>th</sup> Street and NE 28<sup>th</sup> Street to less than one unit per acre along sections of the Lake Washington shoreline. Average density based on the ~~2000 census count of dwelling units~~ 2014 King County Buildable Lands Report is ~~1.64~~ 1.98 dwelling units per net acre.

## ATTACHMENT A

### Non-Residential Uses

The non-residential uses that exist in Medina are dispersed throughout the City (see Figure 2). Below is an inventory of land uses found in Medina (Table 1).

**Table 1. Land Use Inventory**

<u>Land Use</u>	<u>Acres</u>
Single-Family Residential	589.65
Overlake Golf & Country Club	130.44
Medina Park	17.17
Fairweather Nature Preserve	10.08
View Point Park	0.15
Medina Beach Park & City Hall	1.48
Bellevue Christian School	8.29
Medina Elementary School	7.34
Wells Medina Nursery	5.59
St. Thomas Church/School	5.62
Medina Post Office	0.50
Medina Grocery Store	0.22
Gas Station	0.39
South Puget Power Substation	1.63
North Puget Power Substation	0.65
King County Pump Station	0.22
SR 520 Stormwater Facility	2.10
SR 520 Right-of-Way	15.21
City Rights-of-Way	101.68
<b>TOTAL</b>	<b>902.14</b>

*Source: King County GIS Center, January 2010*

**Table 1. Land Use Inventory**

<u>Land Use</u>	<u>Acres</u>
Single-Family Residential	722.25
Overlake Golf & Country Club	140.00
Medina Park	15.00
Fairweather Nature Preserve	11.00
View Point Park	.06
Medina Beach Park & City Hall	.64
Bellevue Christian School	7.90
Medina Elementary School	8.20
Wells/Medina Nursery	6.00
St. Thomas Church/School	5.60
Medina Post Office	.50
Medina Grocery Store	.20
Gas Station	.35
Puget Power Substation	1.65
Puget Power Substation	.63
METRO Pump Station	.22
City Rights-of-Way	103.30

## ATTACHMENT A

<b>TOTAL</b>	<b>1,024.00</b>
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Most of the non-residential land uses that exist in Medina have been in place since before or around the time of the City's incorporation and have become an accepted and integral part of the community. These non-residential uses are subject to the City's special use provisions under the Municipal Code. Since Medina is fully developed, there are no tracts of land available for further commercial development nor is there zoning or public support for such development. If the existing use of any of the non-residential properties should change, it is to be developed in conformity with its underlying residential zoning classification or in a manner compatible with surrounding properties in accordance with the City's conditional use provisions. In addition, property currently used or designated for residential use is strongly discouraged from being utilized for additional churches, clubs, fraternal societies, schools, museums, historic sites, conference centers, or other additional non-residential facilities. These larger scale facilities create additional traffic, disrupt residential traffic patterns, and are inconsistent with Medina's residential character.

### POPULATION AND GROWTH POTENTIAL

The Growth Management Act (GMA) and the King County countywide planning policies (CPP) encourage cities to assume an increasing share of new growth in the future, in order to minimize new growth in rural areas of King County. This means that cities planning under GMA should accommodate more compact development patterns in "appropriate areas" to absorb the additional share of future growth.

Although Medina is expected to absorb some growth over the next twenty years, the following factors severely constrain Medina's ability to provide significant population growth:

- Medina is landlocked, with no opportunities for annexation;
- There are limited areas in the City capable of supporting development or redevelopment;
- Limited public transportation system;
- No business district; and
- Environmental constraints.

### Population and Employment

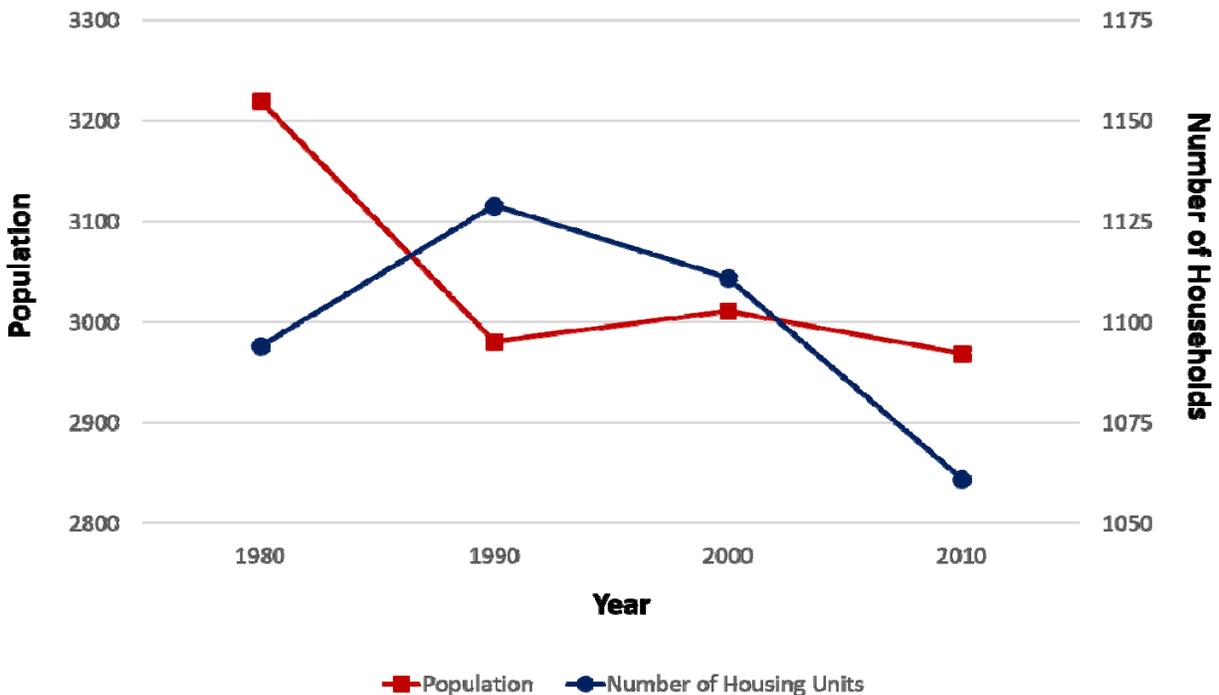
Population and employment trends are the basis for determining the amount of land and services required to accommodate anticipated growth in the City.

The ~~2000~~ 2010 census places Medina's population at ~~3,011~~2,969, with ~~1,061~~1,111 households and an average household size of ~~2.71~~2.80 persons. Since 2000, the population has increased by 3042 persons since 1990, and the number of households has decreased from 1,129 to 1,111 to 1,110. Both of these numbers align with an overall slightly downward trend in both population and number of households since 1980 (Figure 31). The increase in population between 1990 and 2000 was due to a substantial increase in the number of children (persons under 18), from 696 to 816. Contrary to the overall decrease in population, the number of children have continued to increase since 2000, with 862 persons under 18 in 2010. This is

## ATTACHMENT A

contrary to the trend seen between 1980 and 1990, when the number of households increased from 1,094 to 1,129 and the population decreased from 3,220 to 2,981. While the trend between 1980 and 1990 may be attributed to an aging population and a reduced number of children (persons under 18), the recent trend indicates a substantial increase in the number of children (810 persons under 18 in 2000 as opposed to 696 in 1990).

According to the 2003 King County Annual Growth Report, there are 348 jobs based in Medina. According to PSRC's 2013 Quarterly Census of Employment, there were 461 jobs based in Medina in 2010. The majority of these jobs are classified as finance/services, and major employers in the City include the City, the Overlake Golf and Country Club, the Chevron gas station, and the schools.



**Figure 1. Population and number of housing units in Medina, 1980-2010.**

### Population Forecast

The Washington Office of Financial Management provides population forecasts for counties every ten years. As required by the Growth Management Act, the jurisdictions in King County allocate forecasted growth for the succeeding 20 years, and develop and adopt local growth targets for housing and employment based on this allocation.

The PSRC uses these local targets to develop a future land use scenario consistent with the VISION 2040 regional growth strategy. According to this scenario, represented by the PSRC's

## ATTACHMENT A

2013 Land Use Target dataset, population in Medina is expected to increase by 46 persons by 2035.<sup>1</sup> Development in Medina is expected to result in a net increase of 35 additional jobs and 27 additional housing units.

~~As required by Growth Management Act, the jurisdictions in King County allocate forecasted growth for the succeeding 20 years. Eastern King County is expected to accommodate a share of the countywide population increase commensurate with its share of forecasted job growth, as per the Puget Sound Regional Council. Based on Eastern King County's share, representatives from each city (East King County Sub Area Group) allocate population forecasts for the individual cities based on the following factors:~~

~~Availability of water and capacity of sewer system;~~

~~The remaining portions of previously adopted household targets;~~

~~The presence of urban centers and activity centers within each jurisdiction;~~

~~The availability of zoned development capacity in each jurisdiction;~~

~~The apparent market trends for housing in the area.~~

**Based on these factors, development in Medina is expected to result in a net increase of 31 additional households by 2022.** **Future Growth Issues**

The GMA requires cities in King County to participate in the Buildable Lands Program, which offers the opportunity for local governments to coordinate and analyze land supply to make sure that they have enough lands for development and to make sure that their respective comprehensive plans are doing what they are expected to do. Medina's Buildable Lands Analysis, completed in ~~2002~~2014, estimates that the City has the capacity to accommodate a total of an additional ~~40-46 households~~ new housing units under current zoning with recognition of current market trends (although, as noted above, only ~~34-27~~ new housing units are anticipated by ~~2022~~2035). ~~Eventual full build-out would ultimately add an estimated 108 people to Medina's population, based on the current household size.~~

There are several general trends occurring in Medina that make the potential for increased growth through redevelopment limited. First, there are a number of older, smaller homes on existing lots. The most common redevelopment practice has been to raze such a structure and construct a new, larger residence in its place. Consequently, there is no net increase in the total number of ~~households~~ housing units.

Increasing house size through remodel is also common, particularly in the R-16 zoning district. The R-16 zoning districts contain a number of lots that were platted before incorporation of the City that are now of sub-standard size. Since the current lot development standards are more restrictive than before incorporation, it is often easier to increase the size of a home by making additions rather than tearing down and rebuilding. Again, the result is no net increase in the number of ~~households~~ housing units.

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<sup>1</sup> Local growth targets are adopted in housing units. The 2035 growth target for Medina is 27 housing units. To estimate population and household (occupied housing unit) forecasts from the growth target, PSRC applies a set of assumptions. This population forecast assumes vacancy rates similar to those observed in 2000. 2000 was chosen as a more representative, or "baseline," year than 2010, which was affected by the recession. The forecast also assumes a person-per-household rate of 2.64, which reflects anticipated demographic changes. These are the same assumptions used in forecasting the number of households in 2035, discussed in Comprehensive Plan Chapter 4, Housing.

## ATTACHMENT A

The purchase and agglomeration of several adjacent lots to create one parcel is one type of development activity that leads to a flux in the number of developable properties. Agglomeration has occurred on a few occasions in the past, and is likely to continue to a limited extent in the future. The result is a net loss of potentially developable sites. The common theme to current development in Medina is a move towards larger, single-family households, which precludes any net increase in ~~household number~~ housing units.

In the R-20 and R-30 zoning districts, there are a limited number of large parcels that could potentially be replatted. While a handful of new lots may be created, the addition of these lots would probably be offset by the net loss through agglomeration. Consequently, the number of ~~households~~ housing units created through redevelopment will likely remain constant. ~~maintain the existing housing supply.~~

Medina is surrounded by incorporated municipalities and cannot extend its boundaries through annexation; therefore, its Urban Growth Area corresponds to its existing boundaries.

An Household growth increase in the number of housing units in Medina can be achieved per existing zoning only by the following actions:

- Development of the few remaining lots;
- Subdividing and developing existing properties to their maximum development potential;
- Restricting lot consolidation;
- Development of accessory dwelling units.

Therefore, the current land use pattern and general densities will likely remain largely unchanged over the next 20 years.

Within a four-mile radius of City Hall, there are hundreds of commercial establishments providing well over a million square feet of retail space and an increasing number of professional, health, and social services. Due to their extent and proximity, it is unnecessary for Medina to duplicate these land uses.

In addition, the public transportation system within Medina does not support higher residential densities or increased commercial development. The Countywide Policies are specific about encouraging increased densities and development to locate in those areas of the county where there are sufficient transportation opportunities. Medina has only one major arterial (on the east side of town) and only a few direct transit connections.

The major employers in Medina are the three schools and the golf course. Together, they ~~are anticipated to account for about~~ approximately 139-305 jobs. City government, including administrators, staff, and police, provides ~~22-24~~ jobs. There are also approximately ~~19-15~~ people employed by the gas station, Medina grocery store, nursery, and post office. Additional employment is provided by individual residential properties in the form of housekeeping, groundskeeping, and other household staff positions. Total employment within Medina is listed in the PSRC's 2013 Quarterly Census of Employment as 461 jobs ~~2003 King County Annual Growth Report as 348 jobs~~. The PSRC forecasts an increase to 496 jobs by 2035. The majority of this increase is forecasted to occur in the service sector, which is already the largest employment

## ATTACHMENT A

sector in Medina. There is no planned or expected increase in retail or commercial space in Medina. However, there are an increasing number of people working from home. Consequently, traditional employment in Medina is forecasted to remain relatively stable, but there will likely be an increase in home occupations.

### SPECIAL PLANNING AREAS AND ESSENTIAL PUBLIC FACILITIES

Certain areas within the City have unique planning requirements because of the impact these areas and the facilities they contain have on surrounding uses. These areas and facilities typically serve regional needs, and any planning involving them requires coordination with other jurisdictions and agencies. By establishing a process for reviewing requests for development within these designated Special Planning Areas, the City can ensure that (i) the public will be included in the planning process, (ii) appropriate mitigation is implemented, (iii) adverse impacts on the surrounding uses and the City as a whole will be minimized, and (iv) regional planning will be facilitated. To accomplish these goals, development within designated Special Planning Areas will be handled through the City's Special Use Public Hearing process.

It is intended that future development of Special Planning Areas will be guided by the need to limit or mitigate the impact of such development on surrounding uses and the City as a whole. The role of government, in this context, is to seek a balance between the needs of a growing population and preservation of the environment and to ensure the maintenance of a high standard of living.

Any consideration of facilities to be sited within Special Planning Areas (or the expansion of existing facilities within Special Planning Areas) should follow submittal by the applicant of a Master Plan for the facility providing at a minimum the application criteria specified in Chapter ~~17.56.055~~20.32 and must apply and integrate, to the extent applicable, the policies and requirements of:

- This Comprehensive Plan.
- The City's Shoreline ~~Management~~ Master Program (~~Ch. Subtitle 18.08~~20.6), the SEPA Model Ordinance (~~Ch. 18.04~~), Critical Areas ~~Ordinance~~ Regulations (Ch. 18.12 and 20.67) (~~Ch. 18.12~~), Construction Mitigation Ordinance (Ch. 15.20), and Medina Tree Preservation and Landscaping Requirements Code (Ch. 12.28~~20.52~~).
- Environmental assessments and studies procured by the City dealing with drainage and water quality, wildlife habitat, noise, the City's shoreline and aquatic habitat, and air quality.
- State and regional plans and studies.
- Reports and studies generated by the towns of Hunts Point and Yarrow Point, and the City of Clyde Hill on issues common to the Points Communities.

#### **SR 520 Corridor Special Planning Area:**

This Special Planning Area consists of the SR 520 right-of-way, including the Evergreen Point Bridge to mid-span, which runs across the City at the base of Evergreen Point, from Lake Washington on the west to the City's boundaries with the cities Town of Hunts Point and the City of Clyde Hill on the east. ~~A small Washington Department of Transportation (WSDOT) facility~~

## ATTACHMENT A

and a Park & Ride lot are located within the right-of-way. There is pedestrian access from the Park & Ride lot to transit stops within the north and south sides of the SR 520 right-of-way. The area has undergone significant changes as part of the Washington Department of Transportation (WSDOT) SR 520 bridge replacement project. In addition to replacing the floating bridge, approaches, and interchanges, the project includes a lidded overpass at Evergreen Point Road in Medina, with pedestrian access down to a median transit stop. The new bridge, which will features two general travel lanes and one HOV lane in each direction, is scheduled for completion in spring of 2016. The bridge will also include a bicycle/pedestrian path that connects to regional trails east of Medina, and a pedestrian overlook and view corridor within the bridge's southern right-of-way west of Evergreen Point Road.

### **84<sup>th</sup> Avenue N.E. Corridor Special Planning Area:**

This Special Planning Area consists of that portion of the 84<sup>th</sup> Avenue N.E. right-of-way within the City of Medina between the SR 520 interchange on the north and N.E. 12<sup>th</sup> Street on the south. The easterly portion of the 84<sup>th</sup> Avenue N.E. right-of-way is located within the City of Clyde Hill. In 2012, the City completed improvements to a 0.75-mile stretch of the corridor between NE 12<sup>th</sup> Street and NE 24<sup>th</sup> Street. Improvements included new roadway resurfacing, new road channelization with formal designated bike lanes, and a new landscaped median.

### **Essential Public Facilities:**

The GMA requires that jurisdictions planning under its authority develop and adopt a process for identifying and siting essential public facilities. The GMA defines essential public facilities as "those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities [such as SR 520], state and local correctional facilities, solid waste handling facilities, and in-patient facilities, including substance abuse facilities, mental health facilities, and group homes." The County and all its cities must jointly agree upon the siting process for these types of facilities. The GMA states that no Comprehensive Plan or development regulation may preclude the siting of essential public facilities. SR\_520 is the only essential public facility currently located in Medina.

The City reviews proposals for the siting of essential public facilities or the expansion of existing essential public facilities through the Special Planning Area process. If a proposed essential public facility is not located within a Special Planning Area, the proposed essential public facility shall be designated as a Special Planning Area. The boundaries of the resulting Special Planning Area will be the boundaries of the proposed essential public facility.

## **LAND USE PLAN**

Medina has developed and matured into the type of community envisioned at the time of its incorporation. Old and new residents alike have invested substantially in their homes on the premise that Medina will continue to maintain its residential quality and character. Development ordinances and regulations have been adopted over time to assure that these expectations are met. As the above discussions indicate, there are no compelling reasons for Medina to institute fundamental changes to its basic land use pattern.

## ATTACHMENT A

It is important to the community that uses such as the post office and the Medina grocery store, and facilities such as the City Hall, clock tower, and water tower are retained because of their functional, historic and cultural contribution to the City. The historical character of these buildings and structures, and appropriate uses should be retained for future generations. In line with this policy, in 2013 the City Council amended its zoning regulations and map (Ordinance No. 900) to better reflect existing uses. St. Thomas Church/School and the Post Office were both rezoned under the Park and Public Places zoning designation. The amendment also created more uniform zoning boundaries, and eliminated split zoning on individual parcels.

In the absence of any substantial future growth, it is the basic policy of the City to retain and promote the high-quality residential setting that has become the hallmark of the Medina community. Medina will continue to consider ways in which to restrict the size of homes so that individual lots do not become over-developed and adversely impact the character of the community or the environment.

### **Future Land Use Designations**

The Future Land Use Map adopted in this plan establishes the future distribution, extent, and location of generalized land uses within the City (see Figure 23). The land use categories on the Future Land Use Map include Single Family Residential, Local Business, Public Facility, School/Institution, Utility, Park, and Open Space.

### **GOALS**

- LU-G1 To maintain Medina's high-quality residential setting and character.
- LU-G2 To maintain, preserve, and enhance the functional and historic contributions of Medina's public facilities and amenities.
- LU-G3 To maintain active community involvement in land use policy and regulations.
- LU-G4 To preserve community treasures, including, but not limited to, those structures and uses that reflect the City's heritage and history.

### **POLICIES**

- LU-P1 The City shall minimize changes to existing zoning and land use patterns except as to meet above goals when deemed necessary by its citizens.
- LU-P2 The City shall consider ways to restrict the size of homes in order to retain the character of the community and lessen impacts associated with construction.
- LU-P3 Residential uses shall not be considered for conversion to non-residential use except when clearly supported by the community and when impacts to the surrounding area can be fully mitigated.
- LU-P4 The City shall develop a program to preserve community treasures, including, but not limited to, those historical structures that reflect the City's heritage and history.
- LU-P5 Existing non-residential uses are encouraged to be maintained. Existing non-residential uses include:

## ATTACHMENT A

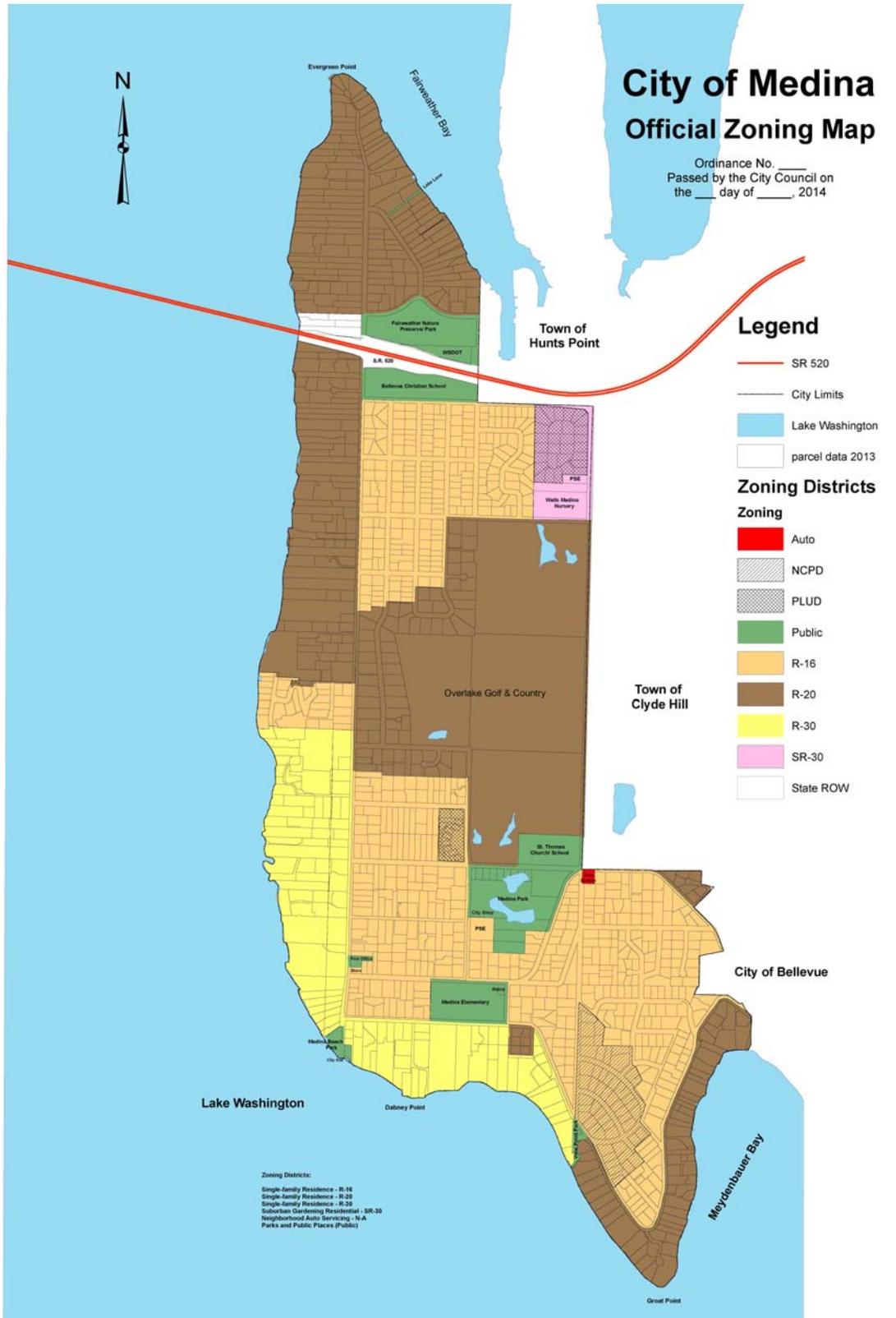
- City Hall
- Medina Grocery Store
- Post Office
- Bellevue Christian School
- Wells-Medina Nursery
- Overlake Golf and Country Club
- St. Thomas Church
- St. Thomas School
- ~~The~~ Gas Station
- Medina Elementary School
- City facilities and parks
- Utilities

- LU-P6 Existing non-residential uses within a residential zone may be converted to residential use, or may be redeveloped with a new non-residential use in a manner compatible with surrounding properties when allowed through the conditional use process.
- ~~LU-P7 The City shall work with WSDOT and City residents to develop mitigation measures that it seeks to be implemented as part of regional facilities development or improvement projects, such as SR 520 and related structures and improvements.~~
- LU-P7~~8~~ The City shall encourage and facilitate public participation in all land use planning processes.
- LU-P8~~9~~ The City shall afford due consideration to all stakeholders prior to any land use decision.
- LU-P9~~10~~ Development of Special Planning Areas and essential public facilities shall require review of a Master Plan that addresses mitigation of impacts on surrounding uses and the City as a whole.
- LU-P10~~1~~ If a proposed essential public facility is not located in an existing Special Planning Area, the proposed site of the essential public facility shall be designated as a Special Planning Area.
- LU-P11~~2~~ The City shall not preclude the siting of essential public facilities.
- LU-P12~~3~~ The process to site proposed new or expansions to existing essential public facilities should consist of the following:
- a. An inventory of similar existing essential public facilities, including their locations and capacities;
  - b. A forecast of the future needs for the essential public facility;
  - c. An analysis of the potential social and economic impacts and benefits to jurisdictions receiving or surrounding the facilities;
  - d. An analysis of the proposal's consistency with County and City policies;
  - e. An analysis of alternatives to the facility, including decentralization, conservation, demand management and other strategies;
  - f. An analysis of alternative sites based on siting criteria developed through an inter-jurisdictional process;
  - g. An analysis of environmental impacts and mitigation; and

## **ATTACHMENT A**

- h. Extensive public involvement.

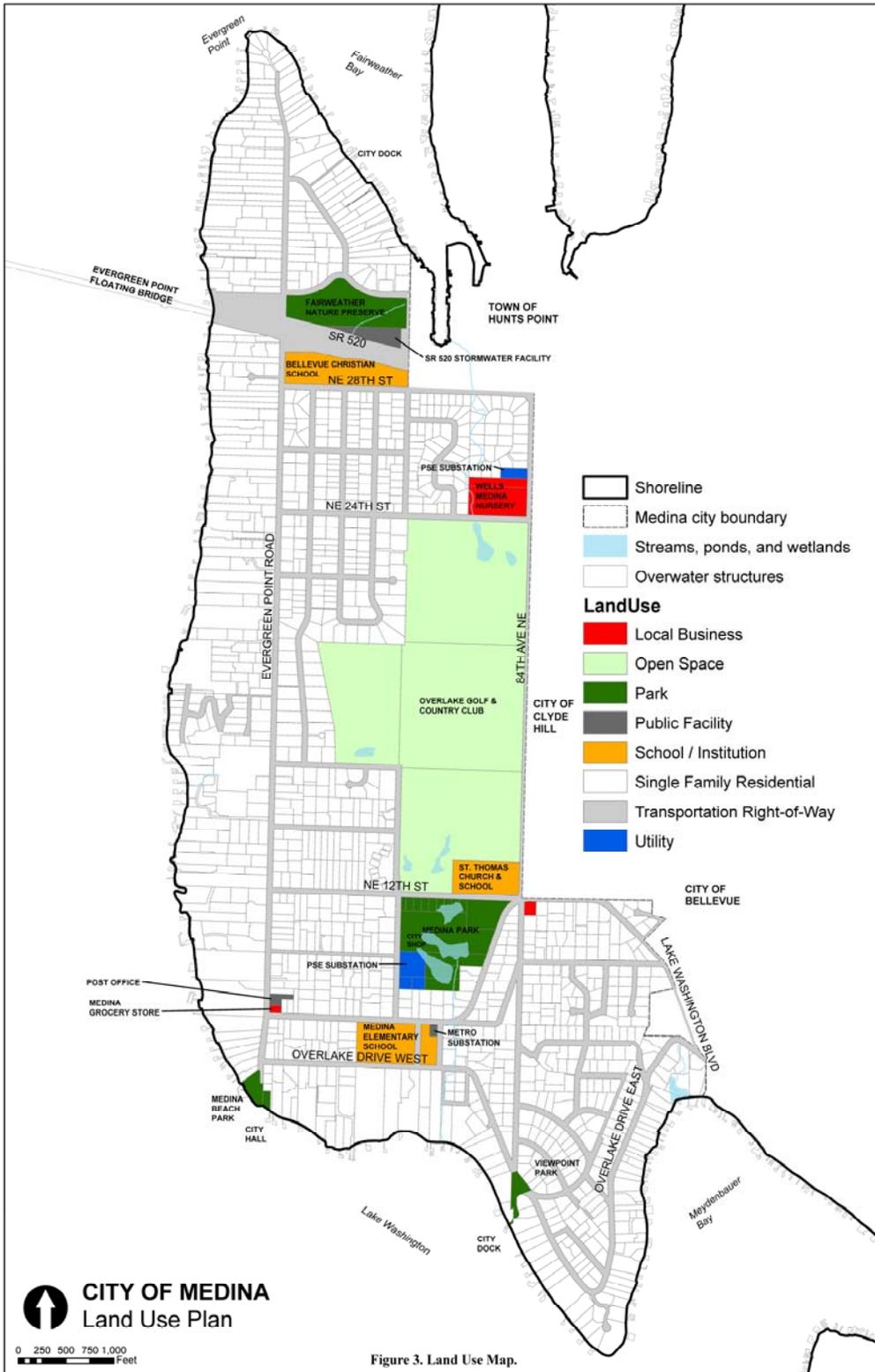
# ATTACHMENT A



**Figure 2. Zoning Map.**

# ATTACHMENT A

Figure 3. Land Use Map. Figure 2. Land Use Plan



## **2. NATURAL ENVIRONMENT ELEMENT**

### **INTRODUCTION**

The quality of life in the Pacific Northwest is often equated with the quality of the environment. Protecting and restoring air quality, water resources, soils, and plant, fish and animal habitats are important goals for the City of Medina.

This is particularly vital in light of recent federal Endangered Species Act listings of several salmonid species. Chinook salmon and steelhead trout ~~bull trout~~ are listed as threatened by the National Marine Fisheries Service (NMFS), and bull trout ~~and are listed as threatened by the U.S. Fish and Wildlife Service (USFWS), respectively.~~ Coho salmon are a candidate species listed by NMFS. All of these species are found in Lake Washington.

Medina is committed to federal, state, and regional goals of endangered species recovery of listed salmon species by addressing salmon habitat needs within and adjacent to its boundaries with Lake Washington. However, protecting these resources is challenging for a fully developed community.

The Growth Management Act (GMA) requires that comprehensive plans establish critical areas policies based on best available science as defined by WAC 365-195-905. In addition, "...cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries." King County countywide planning policies (CPP) direct local jurisdictions to ~~"protect and enhance the natural ecosystems," including critical areas.~~ provide effective stewardship of the environment, preserving and protecting critical areas, including Critical areas include wetlands, fish and wildlife habitat conservation areas, aquifer recharge areas, frequently flooded areas, and geologically hazardous areas. The City defines critical area wetlands, fish and wildlife habitat conservation areas, and geologically hazardous areas. These critical areas are regulated under the City's Critical Area Regulations, which were updated in 2015 according to best available science (Ch. 20.50). The City does not contain any critical aquifer recharge areas or frequently flooded areas.

This section establishes critical areas policies based on best available science to protect the environment and enhance the community's quality of life within the constraints of a fully developed community.

The GMA also mandates the conservation of natural resources, such as agricultural, forest, and mineral resource lands. However, Medina has none of these areas so natural resource lands will not be addressed further.

### **EXISTING CONDITIONS**

The City of Medina is located within the Lake Washington/Cedar River/Sammamish Watershed, also known as Water Resource Inventory Area (WRIA) 8.

~~The 1992 Critical Areas Inventory~~ 2014 Critical Areas Map identifies and describes some of the most important known critical areas within Medina (see Figure 4). The study identified six potential fish and wildlife habitat conservation areas. These critical areas include:

## ATTACHMENT A

- Fairweather Park [Fairweather Nature Preserve];
- Medina Park and adjacent wetlands at Overlake Golf & Country Club;
- Portions of the Lake Washington shoreline, which are designated as erosion hazard areas;
- Portions of the Lake Washington shoreline in its entirety, which has moderate to high liquefaction susceptibility;
- A Great Blue Heron priority habitat area in the northeast corner of Medina Park;
- A Bald Eagle nest buffer along the northern shoreline of Lake Washington;
- Medina Creek (a.k.a, Fairweather Bay Creek);
- an unnamed creek draining from the Medina Park ponds; ~~and~~
- an unnamed creek originating in the south Clyde Hill area;
- an unnamed creek connected to the Fairweather Park wetland; and
- a potential unnamed creek originating near Evergreen Point Road, north of NE 14<sup>th</sup> Street.

These features and their vegetated buffers provide moderate habitat functions for small mammals, a variety of birds, amphibians, reptiles, and invertebrates typically found in urban green spaces. In addition, all of these features are adjacent to or ultimately drain into Lake Washington, a waterbody which contains federal Endangered Species Act-listed fish. However, none of these features, aside from the Lake Washington shoreline itself and the immediately accessible downstream reaches of the streams, contain federally listed fish. Therefore, from an ESA perspective, the most valuable function of these features to be preserved and enhanced is water quality treatment and storage, and groundwater recharge. Coho salmon are a State Priority Species, and have been observed in Medina Creek downstream (north) of SR 520. Recent improvements to culverts underneath SR 520 may allow coho salmon to pass upstream into Medina. Therefore, in-stream fish habitat on Medina Creek could also be enhanced. Other possible functions include passive recreation and environmental education.

### GOALS

- NE-G1 To achieve a well-balanced relationship between the built and natural environments utilizing guidance derived from best available science.
- NE-G2 To prioritize stormwater management, point and non-point pollutant discharge reduction, and erosion control methodologies to reduce short-term and long-term water quality impacts.
- NE-G3 To promote community-wide stewardship of the natural environment for future generations through protection, preservation/conservation, and enhancement of those natural environment features which are most sensitive to human activities and which are critical to fish and wildlife survival and proliferation.

### POLICIES

- NE-P1 The City shall maintain and update critical areas regulations as required by the GMA, and utilizing the best available science.
- NE-P2 The City shall preserve and should enhance where possible the functions and values of Medina's critical areas in a manner consistent with best available science.
- NE-P3 The City shall coordinate with other cities, King County, federal and state agencies, tribes, and the WRIA 8 ~~Steering Committee~~ Salmon Recovery Council on regional

## ATTACHMENT A

environmental issues, such as surface and groundwater quality and quantity, and salmon conservation.

- NE-P4 No net loss of wetlands functions, values, and acreage should result from development.
- NE-P5 The City shall work to protect, preserve and, where possible, enhance water quality in Lake Washington, ~~and Medina Creek, and other streams.~~
- NE-P6 The City shall develop a mitigation incentives program that promotes improved water quality. Incentives should be monitored to determine effectiveness.
- NE-P7 The City shall work to preserve stream corridors wide enough to maintain and enhance existing stream and habitat functions in all development proposals by ~~use~~ designation of native growth protection easements areas or other appropriate mechanisms.
- NE-P8 The City should restore Medina Creek to provide salmon habitat by developing and implementing a salmon restoration/habitat recovery plan, ~~that addresses, among other things, management of SR 520 stormwater run-off.~~
- NE-P9 The City shall prohibit the introduction of invasive plant species and encourage enhancement of native plant communities in natural areas, which include, but are not limited to, fish and wildlife habitat conservation areas and their buffers.
- NE-P10 The City should encourage and educate residents on development and land use practices that minimize impacts on the natural environment, with emphasis on anadromous fisheries.

## 2.1 SHORELINE MANAGEMENT SUB-ELEMENT

### INTRODUCTION

The Washington State Legislature passed into law the Shoreline Management Act (SMA) in 1971 with the paramount objectives to protect and restore the valuable natural resources that shorelines represent and to plan for and foster all "reasonable and appropriate uses" that are dependent upon a waterfront location or which will offer the opportunities for the public to enjoy the state's shorelines. The goals and policies of the SMA constitute one of the goals of the Growth Management Act as set forth in RCW 36.70A.020.

Administration of the SMA is a cooperative effort balancing local and state-wide interests in the management and development of shoreline areas. The City manages the shoreline areas through implementation of its shoreline master program. The goals and policies set forth in this sub-element are combined with the regulations set forth in Subtitle 20.6 of the Medina Municipal Code and together constitute the Medina Shoreline Master Program. This master program represents the City's participation in a coordinated planning effort to protect the public interest associated with the shorelines of the state, at the same time, recognizing and protecting private property rights consistent with the public interest.

The City of Medina is a low-density residential community that encompasses approximately 109 acres of shoreline jurisdiction and 4.5 miles of waterfront (23,760 feet). Except for about 780 feet of publicly and state owned property, all of the City's shoreline is privately owned and zoned for residential. Medina originally adopted a Shoreline Management Master Program in 1974. The Program was updated in 2014 to comply with the 2003 Department of Ecology Guidelines found in WAC 173-26.

### VISION FOR THE SHORELINE MASTER PROGRAM

The residential nature of the City's shoreline makes preservation of this character, while encouraging good stewardship and enjoyment of the shoreline, including protecting and preserving shoreline ecological functions, the primary vision of the shoreline master program.

### GOALS AND POLICIES

The City's Shoreline Master Program provides goals and policies involving the protection of, and appropriate uses for, the shoreline.

The goals and policies are grouped into the following categories:

- A. Shorelines of Statewide Significance
- B. Shoreline Environments;
- C. Shoreline Use and Activities;
- D. Public Access;
- E. Recreation;
- F. Circulation;
- G. Utilities;
- H. Environment;

# ATTACHMENT A

- I. Archaeological, Historic and Cultural
- J. Resources; and
- K. Shoreline Restoration and Ecological Enhancements.

## **A. Shorelines of Statewide Significance**

### **GOALS**

SM-G1 Implement the policies of the Shoreline Management Act as enunciated in RCW 90.58.020.

### **POLICIES**

- SM-P1.1 This Shoreline Master Program shall be developed using the following guidelines in order of preference:
- a. Recognize and protect the state-wide interest over local interest.
  - b. Preserve the natural character of the shoreline.
  - c. Support actions that result in long-term benefits over short-term benefits.
  - d. Protect the resources and ecology of the shoreline.
  - e. Increase public access to publicly owned areas of the shorelines.
  - f. Increase recreational opportunities for the public in the shoreline.

## **B. Environment Designations**

The intent of a shoreline environment designation is to preserve and enhance shoreline ecological functions and to encourage development that will enhance the present or desired future character of the shoreline. To accomplish this, shoreline segments are given an environment designation based on existing and planned development patterns, biological capabilities and limitations, and the aspirations of the local citizenry.

### **GOALS**

SM-G2 Provide a comprehensive shoreline environment designation system to categorize Medina's shorelines into similar shoreline areas to guide the use and management of these areas.

### **POLICIES**

SM-P2.1 Designate properties residential to accommodate detached single-family development.

*Designation criteria: Assign residential environment designation to shoreline areas predominantly single-family residential development or are planned and platted for residential development.*

Areas designated as Residential are predominantly single-family residential development and comprise approximately 98 percent of the City's shoreline jurisdiction. The following management policies should guide development within these areas:

## ATTACHMENT A

- a. Residential activities are preferred over other land and resource consumptive development or uses. Limited non-residential uses, such as parks, day cares, home businesses may be allowed, provided they are consistent with the residential character and the City's land use regulations.
- b. Development should be located, sited, designed and maintained to protect, enhance and be compatible with the shoreline environment.
- c. Development regulations should require the preservation of ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.

SM-P2.2 Designate properties Urban Conservancy to protect and restore ecological functions of open space, flood plain and other sensitive lands, while allowing a variety of compatible uses.

*Designation criteria: Assign Urban Conservancy environment designation to shoreline areas appropriate and planned for development that is compatible with maintaining or restoring of the ecological functions of the area, that are not generally suitable for water-dependent uses and that lie in incorporated municipalities, urban growth areas, or commercial or industrial "rural areas of more intense development" if any of the following characteristics apply:*

- i. They are suitable for water-related or water-enjoyment uses;*
- ii. They are open space, flood plain or other sensitive areas that should not be more intensively developed;*
- iii. They have potential for ecological restoration;*
- iv. They retain important ecological functions, even though partially developed;  
or*
- v. They have the potential for development that is compatible with ecological restoration*

Areas designated as Urban Conservancy include Medina Beach Park, Lake Lane Dock, View Point Park/ 84<sup>th</sup> Avenue N.E. Dock, and privately owned joint-use recreational lots. The following management policies should guide development within these areas:

- a. Primary uses should be those that preserve the natural character of the area or promote preservation of open space or sensitive lands either directly or over the long term. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the setting.
- b. Water dependent recreation uses, such as public access piers, recreational floats, and swim beaches, shall be the highest priority, provided they can be located, designed, constructed, operated, and mitigated in a manner that ensures no net loss of ecological function.
- c. Water oriented recreation uses, such as viewing trails, benches and shelters, should be emphasized and non-water oriented uses should be minimized and allowed only as an accessory use; for example picnic areas, forest trails and

## ATTACHMENT A

small playground areas would be acceptable, but tennis courts and developed sports fields would not.

- d. Standards should be established for shoreline stabilization, vegetation conservation, water quality, and shoreline modifications to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.
- e. Facilities should be designed for neighborhood and non-motorized use, unless vehicle access and parking can be provided and impacts on the environment and surrounding property owners can be mitigated.

SM-P2.3 Designate properties Aquatic to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high water mark.

*Designation Criteria: Assign Aquatic environment designation to areas waterward of the ordinary high water mark.*

Areas designated as Aquatic are those waterward of the ordinary high water mark. The following management policies should guide development within these areas:

- a. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration.
- b. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
- c. To reduce the impacts of shoreline development and increase effective use of water resources, multiple-use of over-water facilities should be encouraged.
- d. All developments and uses on waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
- e. Uses that adversely impact the ecological functions of critical freshwater habitats should not be allowed except where necessary to achieve the objectives of RCW 90.58.020, and then only when their impacts are mitigated according to the sequence described in WAC 173-26-201(2)(e) as necessary to assure no net loss of ecological functions.
- f. Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrological conditions.

SM-P2.4 Designate properties Transportation to accommodate the SR 520 highway, which is an essential public facility.

*Designation Criterion: Assign Transportation environment designation to areas of high-intensity uses related to transportation.*

Areas designated as Transportation include lands controlled by the Washington State Department of Transportation and designated as state highway right-of-way. The following management policies should guide development within these areas:

- a. Noise associated with construction activity and ongoing operations should be mitigated to the maximum extent practicable.

## ATTACHMENT A

- b. Best management practices and mitigation for impacts should be implemented to ensure no net loss of ecological function.
- c. Where not in conflict with public safety and security of the SR 520 facility, public access should be made a priority.
- d. Vegetation and habitat should be restored and enhanced upon completion of the SR 520 replacement project using native species.
- e. The SR 520 facility, and any associated maintenance facilities occurring within the shoreline management area, particularly where visible from the water, should be fully screened from adjoining residential properties to the extent practicable with vegetation and fencing as needed.

SM-P2.5 Areas not designated shall automatically be assigned an Urban Conservancy designation.

### **C. Shoreline Uses and Activities**

Uses and activities are given preference to those uses that are consistent with the control of pollution and prevention of damage to the natural environment, or are unique to, or dependent upon uses of the shorelines. Preference is first to water-dependent uses, then to water-related uses and then water-enjoyment uses. The purpose is to ensure development of property is done in a manner that protects the public's health, safety and welfare, as well as the land and its vegetation and wildlife, and to protect property rights while implementing the policies of the SMA.

### **GOALS**

- SM-G3 Locate, design and manage shoreline uses to prevent and, where possible, restore significant adverse impacts on water quality, fish and wildlife habitats, the environment, and other uses.
- SM-G4 Preserve Medina's shoreline for single family residential use, in a manner that also protects and preserves the natural features along the shoreline and the quality of Lake Washington.
- SM-G5 Maintain the City Hall building and grounds in a manner consistent with the protection and enhancement of the shoreline environment.
- SM-G6 Limit parking within the shoreline jurisdiction.
- SM-G7 Manage public and community boating facilities to avoid or minimize adverse impacts.
- SM-G8 Manage shoreline modifications to avoid, minimize, or mitigate significant adverse impacts.
- SM-G9 Minimize impacts to the natural environment and neighboring uses from new or renovated piers and docks and their associated components, such as boatlifts and canopies.
- SM-G10 Manage signs so that they do not visually or aesthetically impair the shoreline environment.
- SM-G11 Limit the visual and environmental impacts of trams in the shoreline area.

# ATTACHMENT A

## POLICIES

### GENERAL

- SM-P3.1 Establish development regulations that avoid, minimize and mitigate impacts to the ecological functions associated with the shoreline area.
- SM-P3.2 Encourage low-impact development practices, where feasible, to reduce the amount of impervious surface within the shoreline area.
- SM-P3.3 Ensure that private property rights are respected consistent with the public interest expressed in the Shoreline Management Act.

### RESIDENTIAL

- SM-P 4.1 Provide adequate setbacks and natural buffers from the water and ample open space among structures to protect natural features, ecological functions, preserve views, and minimize use conflicts.
- SM-P4.2 Require new development to preserve existing shoreline vegetation, control erosion and protect water quality using best management practices.
- SM-P4.3 Provide development incentives, including reduced shoreline setbacks, to encourage the protection, enhancement and restoration of high functioning vegetative buffers and natural or semi-natural shorelines.
- SM-P4.4 At a minimum, development should achieve no net loss of ecological functions, even for exempt development.

### CITY GOVERNMENT FACILITIES

- SM-P5.1 Medina's City Hall and uses accessory to the City Hall should minimize impacts to shoreline character and features, visual access to the shoreline, and not interfere with the public's ability to access or enjoy the shoreline.
- SM-P5.2 Any expansion of Medina's City Hall should result in no net loss of ecological function within the shoreline jurisdiction.

### PARKING

- SM-P6.1 Limit parking facilities to those supporting an authorized principal use and allowing such facilities only if the following criteria are met:
  - a. Parking is designed and located to minimize adverse impacts including those related to surface water runoff, water quality, visual qualities, public access, and vegetation and habitat maintenance;
  - b. No loss of ecological functions shall result from construction and operation of the parking facility;
  - c. The parking does not restrict access to the site by public safety vehicles, utility vehicles, or other vehicles requiring access to shoreline properties; and
  - d. Preference shall be given to permeable surface materials where feasible.

### BOATING FACILITIES

- SM-P7.1 Locate and design boating facilities to ensure no net loss of ecological functions and to avoid significant adverse impacts.

## ATTACHMENT A

- SM-P7.2 Where feasible, boating facilities should include measures that enhance degraded and/ or scarce shoreline features.
- SM-P7.3 Boating facilities should not unduly obstruct navigable waters and should avoid causing adverse effects to recreational opportunities such as fishing, pleasure boating, swimming, beach walking, picnicking and shoreline viewing.
- SM-P7.4 Preference should be given to boating facilities that minimize the amount of shoreline modification, in-water structure, and overwater coverage.
- SM-P7.5 Accessory uses at boating facilities should be limited to water-oriented uses, or uses that provide physical and/or visual shoreline access for substantial numbers of the general public. Non-water-dependent accessory uses should be located outside of shoreline jurisdiction or outside of the shoreline setback whenever possible.
- SM-P7.6 Boating facilities should be located, designed, constructed and operated so that other appropriate water-dependent uses are not adversely affected and to avoid adverse proximity impacts such as noise, light and glare; aesthetic impacts to adjacent land uses; and impacts to public visual access to the shoreline.

### SHORELINE MODIFICATIONS

- SM-P8.1 The adverse effects of shoreline modifications should be reduced, as much as possible, and shoreline modifications should be limited in number and extent.
- SM-P8.2 The city should take steps to assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological function. This is to be achieved by preventing unnecessary shoreline modifications, by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions, and by requiring mitigation of identified impacts resulting from shoreline modifications.

### SHORELINE STABILIZATION

- SM-P8.3 Shoreline stabilization should be located, designed, and maintained to protect and maintain shoreline ecological functions, ongoing shoreline processes, and the integrity of shoreline features. Ongoing stream or lake processes and the probable effects of proposed shoreline stabilization on other properties and shoreline features should be considered.
- SM-P8.4 Structures should be located and designed to avoid the need for future shoreline stabilization where feasible.
- SM-P8.5 Structural shoreline stabilization measures should only be used when a need has been demonstrated and more natural, flexible, non-structural methods have been determined infeasible. Alternatives for shoreline stabilization should be based on the following hierarchy of preference:
- a. No action (allow the shoreline to retreat naturally), increase buffers, and relocate structures.
  - b. Flexible defense works constructed of natural materials including soft shore protection, bioengineering, including beach nourishment, protective berms, or vegetative stabilization.

## ATTACHMENT A

c. Rigid works constructed of artificial materials such as riprap or concrete.

- SM-P8.6 New or expanded structural shoreline stabilization should only be permitted where demonstrated to be necessary to protect an existing primary structure, including single-family dwelling, which is in danger of loss or substantial damage, and where mitigation of impacts would not cause a net loss of shoreline ecological functions and processes.
- SM-P8.7 New or expanded structural shoreline stabilization for enhancement, restoration, or hazardous substance remediation projects should only be allowed when non-structural measures, vegetation planting, or on-site drainage improvements would be insufficient to achieve enhancement, restoration or remediation objectives.
- SM-P8.8 Encourage alternative methods for shoreline stabilization including non-regulatory methods. Non-regulatory methods may include public facility and resource planning, technical assistance, education, voluntary enhancement and restoration projects, or other incentive programs.
- SM-P8.9 New development that would require shoreline stabilization which causes significant impacts to adjacent properties should not be allowed.

### DREDGING

- SM-P8.10 Dredging operations should be planned and conducted to protect and maintain existing aquatic habitat and other shoreline uses, properties, and values. Proposals that include dredging should provide mitigation to achieve no net loss of shoreline ecological functions.
- SM-P8.11 Dredging and dredge material disposal should be done in a manner which avoids or minimizes significant ecological impacts.
- SM-P8.12 Dredging waterward of the ordinary high water mark for the primary purpose of obtaining fill should not be allowed, except as part of a restoration or environmental cleanup project.

### FILL

- SM-P8.13 Fills should be allowed only when tied to a specific development proposal that is permitted by the master program, and that is located, designed and constructed to protect shoreline ecological functions and ecosystem-wide processes.
- SM-P8.14 Fill coverage should be the minimum necessary to provide for the proposed use.
- SM-P8.15 Factors such as current and potential public use of the shoreline and water surface area, water flow and drainage, water quality and habitat should be considered and protected to the maximum extent feasible.
- SM-P8.16 Fills waterward of the ordinary high water mark should be restricted to supporting water-dependent uses, public access, cleanup and disposal of contaminated sediments as part of an interagency clean-up plan, disposal of dredged sediments in accordance with Department of Natural Resources rules, expansion or alteration of transportation facilities of statewide significance when no other alternatives are feasible, and for mitigation actions, environmental restoration and enhancement

## **ATTACHMENT A**

projects, and only when other solutions would result in greater environmental impact.

- SM-P8.17 Fills should be designed and located so that there will be no significant damage to existing ecological systems or result in hazard to adjacent life, property, or natural resource systems.

### LAND SURFACE MODIFICATIONS

- SM-P8.18 Limit land surface modification activities in the shoreline area. Impacts from land surface modifications activities can be avoided through proper site planning, construction timing practices, and use of erosion and drainage control methods. Generally these activities should be limited to the maximum extent necessary to accommodate the proposed use, and should be designed and located to protect shoreline ecological functions and ecosystem-wide processes.

### BREAKWATERS, JETTIES, GROINS

- SM-P8.19 Breakwaters, jetties and groins should only be permitted where necessary to support water-dependent uses, public access, shoreline stabilization, or other specific public purpose.
- SM-P8.20 Breakwaters, jetties and groins should be located and designed to achieve no net loss of ecological functions.

### MOORAGE FACILITIES (PIERS AND DOCKS)

- SM-P9.1 Locate and design piers and docks to avoid adversely impacting shoreline ecological functions or processes, and where unavoidable impacts to ecological functions might occur, mitigation should be provided.
- SM-P9.2 Moorage should be spaced and oriented in a manner that minimizes hazards and obstructions to public navigation rights and corollary rights thereto such as, but not limited to, fishing, swimming and pleasure boating.
- SM-P9.3 Piers and docks should be restricted to the minimum size necessary to meet the needs of the proposed use.
- SM-P9.4 Moorage facilities should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term, and have been approved by applicable state agencies.
- SM-P9.5 Establish development regulations that encourage property owners to make renovations to their existing piers and docks outside of normal maintenance and repairs that improve the environmental friendliness of their structure.
- SM-P9.6 Encourage joint-use or shared piers and docks where practical.

### SIGNS

- SM-P10.1 Signs should be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses.
- SM-P10.2 Signs should not block or otherwise interfere with visual access to the water or shorelines.

## **ATTACHMENT A**

SM-P10.3 Outdoor advertising and billboards are not an appropriate use of the shoreline areas within shoreline jurisdiction.

### **TRAMS**

SM-P11.1 Joint use trams are encouraged where they can be placed on the property line.

SM-P11.2 The visual impacts of trams should be minimized.

### **D. Public Access**

Public access includes the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. The purpose is to plan for an integrated shoreline area public access system that identifies specific public needs and opportunities to provide public access.

### **GOALS**

SM-G12 Ensure the public's ability to physically and visually enjoy the shoreline environment.

### **POLICIES**

SM-P12.1 Views of Lake Washington from public parks should be preserved and enhanced. Enhancement of views shall not be construed to mean excessive removal of vegetation.

SM-P12.2 Public access should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy. Public access to shoreline areas does not include the right to enter upon or cross private property, except for dedicated easements.

SM-P12.3 Public access should be required for all new shoreline development and uses where feasible, except for single-family residential development containing less than five dwelling units.

SM-P12.4 Preservation and enhancement of the public's visual access to all shoreline areas should be encouraged through the establishment of setbacks and height limits that ensure view corridors.

SM-P12.5 Ensure that development upland, as well as in-water and near-shore areas are located and designed in ways that result in no net loss of ecological functions.

SM-P12.6 Regulate the design, construction, and operation of permitted uses in the shoreline jurisdiction to minimize, insofar as practical, interference with the public's use of the water.

SM-P12.7 Access should provide for a range of users including pedestrians, bicyclists, boaters and people with disabilities to the greatest extent feasible.

SM-P12.8 Integrate shoreline public access with existing and planned trails or routes, such as the Points Loop Trail, and the City's parks and pedestrian pathway system, where feasible, to improve non-motorized access and community connections.

## **ATTACHMENT A**

- SM-P12.9 The shoreline area between Medina Beach Park and the tip of Evergreen Point should be a priority for establishing new public access.
- SM-P12.10 The City should work with Washington State Department of Transportation in providing public access within any remnant property that may result from the SR 520 replacement project. In particular public access should provide public entry to Lake Washington where feasible and should be connected to Fairweather Nature Preserve.
- SM-P12.11 When appropriate, Medina should consider joining with other governmental bodies in a cooperative effort to expand public access to the shoreline through programs of acquisition and development.
- SM-P12.12 Continue use of opened waterfront street ends for public access.

### **E. Recreation**

Recreational uses include passive activities, such as walking, viewing and fishing. Recreational development also includes facilities for active uses, such as swimming, boating, and other outdoor recreation uses. This includes both public and non-commercial recreational opportunities.

### **GOALS**

- SM-G13 Recreation activities that are dependent on access to the water should be available to citizens of Medina.

### **POLICIES**

- SM-P13.1 Water-dependent recreational activities such as boating, fishing, and swimming should have priority over other types of recreation on Medina's public shoreline.
- SM-P13.2 Coordination with local, state and federal recreation planning should be encouraged. Shoreline recreational development should be consistent with the City's park and recreation plans.
- SM-P13.3 Open space and the opportunity for passive forms of recreation should be encouraged on public shoreline. Recreational plans should promote the conservation of the shoreline's natural character, ecological functions, and processes while expanding the public's ability to enjoy the shoreline.
- SM-P13.4 The City should encourage retention and development of the shoreline for joint use private recreational activities, such as moorage, decks, beach clubs, etc.
- SM-P13.5 Links between existing and future shoreline parks, recreation areas and public access points should be created via a non-motorized network using existing rights-of-way or through acquisition of easements and/ or land, where feasible.
- SM-P13.6 Recreational activities should be designed to avoid conflict with private property rights, and to minimize and mitigate negative impacts on adjoining properties.

# ATTACHMENT A

## **F. Circulation**

Circulation includes transportation facilities, which are those structures and developments that aid in land, air, and water surface movement of people, goods, and services. They include roads and highways, bridges, bikeways, trails, heliports, and other related facilities.

### **GOALS**

SM-G14 The present transportation system within the shoreline jurisdiction shall be maintained, but any expansion or modification to accommodate growth shall be designed in a manner which causes minimal impacts using the best technology and science available. New road construction in the shoreline jurisdiction should be minimized.

### **POLICIES**

SM-P14.1 New transportation facilities or the expansion of existing facilities must be designed to minimize air, noise and water pollution, adverse impacts on aquatic habitat and wildlife habitat, and the adverse impacts of excessive light, glare and community separation.

SM-P14.2 Expansion of existing roadways should be allowed only if such facilities are found to be in the public interest and impacts can be mitigated to meet no net loss.

SM-P14.3 New road and bridge construction and the expansion of existing transportation facilities should include improved non-motorized facilities and enhanced visual and physical public access if feasible.

SM-P14.4 Joint use of transportation corridors within the shoreline jurisdiction for roads, utilities, and motorized and non-motorized forms of transportation should be encouraged to the maximum extent feasible.

## **G. Utilities**

Utilities are services and facilities that produce, transmit, store, process or dispose of electric power, gas, water, sewage, and communications.

### **GOALS**

SM-G15 Manage public and private utilities within the shoreline area to provide for safe and healthy water, and sanitary sewer services, while protecting and enhancing the water quality and habitat value of the shoreline.

### **POLICIES**

SM-P15.1 New utilities should be located outside of the shoreline jurisdiction unless no other feasible option exists. Where permitted, they should be installed to protect the shoreline and water from contamination and degradation.

## **ATTACHMENT A**

- SM-P15.2 Utilities should avoid locating in environmentally sensitive areas unless no feasible alternatives exist.
- SM-P15.3 Wherever utility facilities and corridors must be placed in a shoreline area, they should be located so as to protect scenic views. Whenever possible, such facilities should be placed underground or designed to minimize impacts on the aesthetic qualities of the shoreline area.
- SM-P15.4 Utilities should be designed and located in a manner which preserves the natural landscape and shoreline ecology, and minimizes conflicts with present and planned land uses.
- SM-P15.5 Joint use of rights-of-way and existing utility corridors should be encouraged.

### **H. Natural Environment**

Medina is enriched with valued natural features that enhance the quality of life for the community. Natural systems serve many essential functions that can provide significant benefits to fish and wildlife, public and private property, and enjoyment of the shoreline area.

### **GOALS**

- SM-G16 Preserve, protect, and restore shoreline environment.
- SM-G17 Protect, conserve and establish vegetation along the shoreline edge.
- SM-G18 Conserve and protect critical areas, including wildlife habitat areas, within the shoreline areas from loss or degradation.
- SM-G19 Manage activities that may adversely impact surface and ground water quality or quantity.

### **POLICIES**

#### **ENVIRONMENTAL IMPACTS**

- SM-P16.1 Protect shoreline process and ecological functions through regulatory and non-regulatory means that may include regulation of development within the shoreline jurisdiction, incentives to encourage ecologically sound design, conservation easements, and acquisition of key properties. .
- SM-P16.2 Preserve the scenic aesthetic quality of shoreline areas and vistas to the greatest extent feasible.
- SM-P16.3 Adverse impacts on the natural environment should be minimized during all phases of development (e.g. design, construction, operation, and management).
- SM-P16.4 Shoreline developments that propose to enhance environmentally sensitive areas, other natural characteristics, resources of the shoreline, and provide public access and recreational opportunities to the shoreline are consistent with the fundamental goals of this Master Program, and should be encouraged.

## ATTACHMENT A

### VEGETATION CONSERVATION

- SM-P17.1 Where new developments and/or uses or redevelopments are proposed, native shoreline vegetation should be conserved to maintain shoreline ecological functions and/or processes. Vegetation conservation and restoration should be used to mitigate the direct, indirect and/or cumulative impacts of shoreline development, wherever feasible. Important functions of shoreline vegetation include, but are not limited to:
- a. Providing shade necessary to maintain water temperatures required by salmonids and other organisms that require cool water for all or a portion of their life cycles.
  - b. Regulating microclimate in riparian and near-shore areas.
  - c. Providing organic inputs necessary for aquatic life, including providing food in the form of various insects and other benthic macro-invertebrates.
  - d. Stabilizing banks, minimizing erosion and sedimentation, and reducing the occurrence/severity of landslides.
  - e. Reducing fine sediment input into the aquatic environment by minimizing erosion, aiding infiltration, and retaining runoff.
  - f. Improving water quality through filtration and vegetative uptake of nutrients and pollutants.
  - g. Providing a source of large woody debris to moderate flows, create hydraulic roughness, form pools, and increase structural diversity for salmonids and other species.
  - h. Providing habitat elements for riparian-associated species, including downed wood, snags, migratory corridors, food, and cover.
- SM-P17.2 Noxious and invasive weeds. Encourage management and control of noxious and invasive weeds. Control of such species should be done in a manner that retains onsite native vegetation, provides for erosion control, and protects water quality. Use of non-toxic or natural controls is preferred.
- SM-P17.3 Provide incentives for the retention and planting of native vegetation, and discourage extensive lawns due to their limited erosion control value, limited water retention capacity, and associated chemical and fertilizer applications particularly in areas recommended for designation as Shoreline Residential. Incentives could include additional flexibility with building setbacks from Lake Washington, a simplified permit process with recommended planting plans, reduced or waiver of permit fees, and/or city participation in a pilot-project that promotes shoreline restoration.

### CRITICAL AREAS

- SM-P18.1 In addressing issues related to critical areas, use scientific and technical information, as described in WAC 173-26-201(2)(a).
- SM-P18.2 In protecting and restoring critical areas within shoreline areas, integrate the full spectrum of planning and regulatory measures, including the comprehensive plan, watershed plans, local development regulations, and state, tribal, and federal programs.

## **ATTACHMENT A**

- SM-P18.3 Critical areas within the shoreline area should be managed and protected to ensure no net loss of ecological functions. When feasible, degraded ecological functions and ecosystem-wide processes should be restored.

### **WATER QUALITY, STORMWATER, AND NON-POINT POLLUTION**

- SM-P19.1 All shoreline uses and activities should be located, designed, constructed and maintained to mitigate adverse impacts to water quality, water quantity, or hydrology.
- SM-P19.2 The City should require reasonable setbacks, buffers, and storm water storage basins and encourage low-impact development techniques and materials to achieve the objective of minimizing impervious surfaces and lessening negative impacts on water quality.
- SM-P19.3 Stormwater impacts should be addressed through the application of the most recent edition of the Adopted Surface Water Design Manual and all applicable City stormwater regulations.
- SM-P19.4 The City should provide general information to the public about the impacts of land and human activities on water quality, and encourage homeowners and property managers to use non-chemical weed and pest control solutions and natural fertilizers.

### **I. Archaeological, Historic and Cultural Resources**

Archaeological, historic and cultural resources are those that are either recorded at the state historic preservation office or have been inadvertently uncovered.

#### **GOALS**

- SM-G20 Historically, culturally or archaeologically significant areas or architecturally or culturally significant facilities should be protected and maintained in the public interest.

#### **POLICIES**

- SM-P20.1 Medina should preserve or allow preservation of shoreline buildings and sites with historic or architectural value, such as the old ferry ticket office (City Hall), and certain boathouses.
- SM-P20.2 Prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Indian tribes, and the office of archaeology and historic preservation.
- SM-P20.3 Ensure that new development is compatible with existing historic structures and cultural areas.

# ATTACHMENT A

## **J. Shoreline Restoration and Ecological Enhancement**

Shoreline habitat and natural systems enhancement and restoration projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for priority species in shorelines.

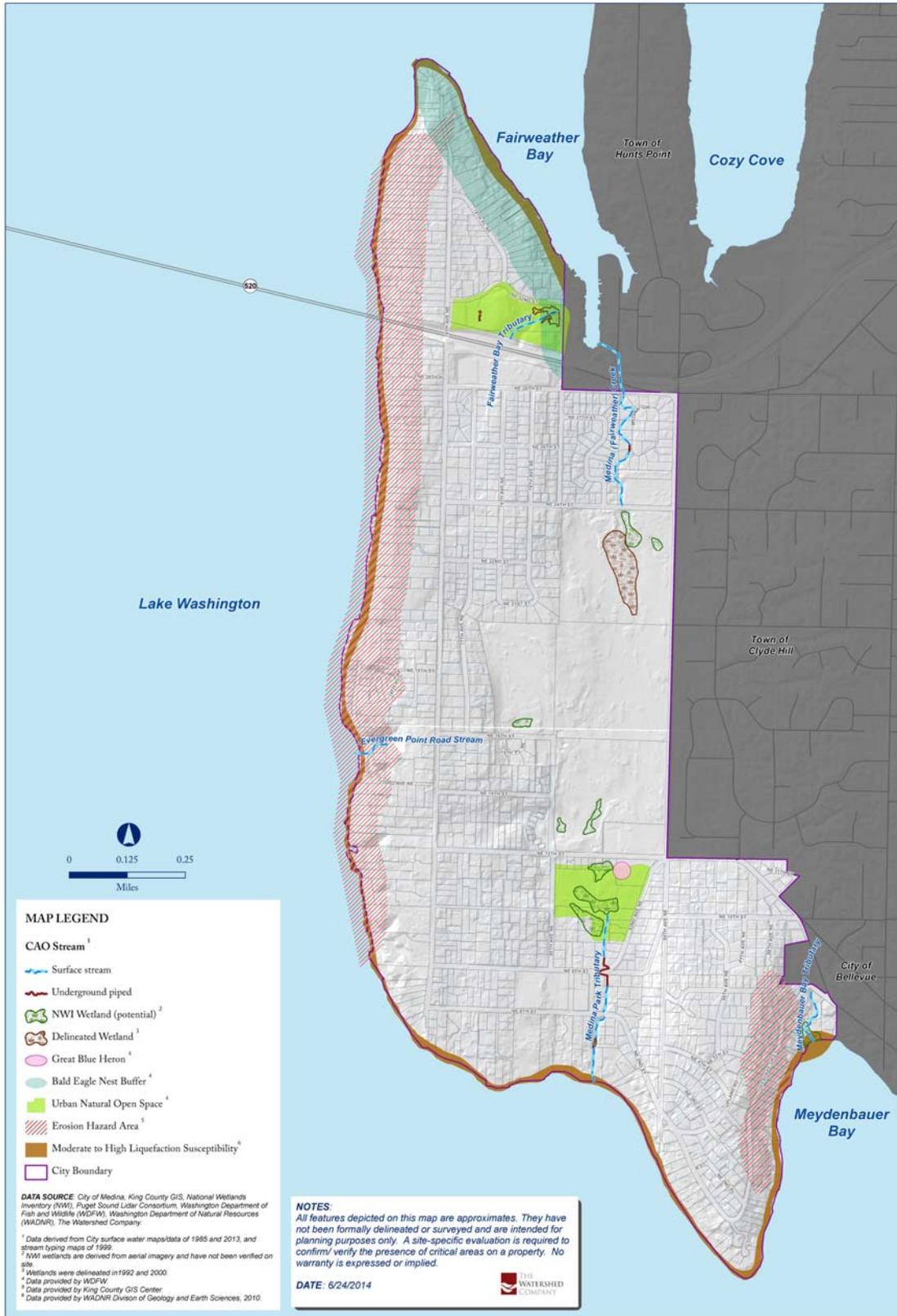
### **GOALS**

SM-G21 Implement the projects, programs and plans established within the Restoration Plan as funding and staffing resources permit.

### **POLICIES**

- SM-P21.1 Restoration and enhancement of shorelines should be designed using principles of landscape and conservation ecology and should restore or enhance chemical, physical, and biological watershed processes that create and sustain shoreline habitat structures and functions.
- SM-P21.2 Restoration and enhancement actions should improve shoreline ecological functions and processes and should target meeting the needs of sensitive plant, fish and wildlife species as identified by Washington Department of Fish and Wildlife, Washington Department of Natural Resources, National Marine Fisheries Service and/or U.S. Fish and Wildlife Service.
- SM-P21.3 The City should, and private entities are encouraged to, seek funding from State, Federal, private and other sources to implement restoration, enhancement, and acquisition projects, particularly those that are identified in the Restoration Plan of this SMP or the Final WRIA 8 Chinook Salmon Conservation Plan and related documents.
- SM-P21.4 The City should develop processing guidelines that will streamline the review of restoration-only projects.
- SM-P21.5 Allow for the use of tax incentive programs, mitigation banking, grants, land swaps, or other programs, as they are developed, to encourage restoration and enhancement of shoreline ecological functions and to protect habitat for fish, wildlife and plants.

# ATTACHMENT A



**Figure 4. Critical Areas Map.**

### **3. COMMUNITY DESIGN ELEMENT**

#### **INTRODUCTION**

King County countywide planning policies (CPP) direct jurisdictions to encourage growth that improves local neighborhoods and landscapes, and builds a strong sense of place.

The quality of Medina's neighborhood development is distinct and enhanced by a combination of natural and built features, including:

- proximity of the lake shore,
- views,
- narrow streets with extensive mature landscaping, and
- large tracts of public and private open space which can be seen from residential lots and City streets.

Trees and vegetation help reduce the impact of development, by providing significant aesthetic and environmental benefits. Trees and other forms of landscaping improve air quality, water quality, and soil stability. They provide limited wildlife habitat and reduce stress associated with urban life by providing visual and noise barriers between the City's streets and private property and between neighboring properties. They also have great aesthetic value and significant landscaping, including mature trees, is always associated with well-designed communities.

It is important that citizens be sensitive to the impact that altering or placing trees may have on neighboring properties. Trees can disrupt existing and potential views and access to sun. Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings. This will help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence). Clear cutting should not be permitted on a property prior to development.

#### **Medina Landscape Plan**

The Medina Landscape Plan lists landscaping alternatives to perpetuate the informal, natural appearance of Medina's street rights-of-way, public areas, and the adjacent portions of private property. The Landscape Plan provides the overall framework for the improvement goals and should be reviewed periodically and updated where appropriate. This plan should be used to create landscaping arrangements, which meet the following goals:

- provide a diversity of plant species;
- screen development from City streets and from neighboring properties;
- respect the scale and nature of plantings in the immediate vicinity;
- recognize restrictions imposed by overhead wires, sidewalks, and street intersections;
- recognize "historical" view corridors; and
- maintain the City's informal, natural appearance.

The Medina Landscape Plan consists of three items:

## **ATTACHMENT A**

1. A map diagramming the Landscape Plan for streets and neighborhoods (Figure 34).
2. A chart, “Key to Medina Landscape Plan,” which relates the street and neighborhood designations to appropriate trees, shrubs, and groundcover (Figure 45).
3. A Preferred Landscaping Species List (separate document).

That portion of the City's highly visible street (formally designated as arterials) right-of-way not utilized for the paved roadway, driveways, and sidewalks is to be landscaped as specified in the Medina Landscape Plan, using species from the Preferred Landscaping Species List. This list has been developed to provide a selection of landscape alternatives applicable to the various City streets and neighborhoods, as indicated on the Landscape Plan. Property owners are encouraged to use the list when selecting landscaping for other areas of their properties.

The City's design objective is to maintain the City's natural, low-density, and informal appearance. The City's arterial street rights-of-way should be heavily landscaped with predominantly native trees and shrubs arranged in an informal manner. Fences should be screened with vegetation so they are not generally visible from the street. The historic landscaping along the perimeter of the golf course should be retained and/or replaced with suitable trees.

In addition, special design and landscaping consideration should be given to the five entry points to the City. Standards recommended by the Parks Board should be considered. The five entry points are:

- SR 520 off-ramp at 84<sup>th</sup> Avenue NE,
- NE 24<sup>th</sup> Street at 84<sup>th</sup> Avenue NE,
- NE 12<sup>th</sup> Street at 84<sup>th</sup> Avenue NE,
- NE 10<sup>th</sup> Street at Lake Washington Boulevard, and
- Overlake Drive East at the City limits.

### **Street Design and Treatment**

The design and treatment of Medina's streets is a major element in the City's appearance. The character and quality of the landscaping of these streets are extremely important in maintaining the City's natural, informal character. Over-development of these streets could result in the significant loss of trees and other vegetation, compromise pedestrian safety and enjoyment, and add visual "clutter" to Medina's neighborhoods.

### **Vehicular Surfaces and Parking**

All collector streets should be maintained as narrow, two-lane roadways except for 84<sup>th</sup> Avenue NE (from NE 12<sup>th</sup> Street to the SR-520 bridge/interchange), which requires additional lanes for turning at intersections. Along collectors, parking is discouraged and the rights-of-way should not be improved for parking except in designated areas. Street rights-of-way in neighborhood areas and private lanes have historically been used to supplement on-site parking. Where practicable, these uses should be minimized and new construction and major remodeling should make provisions for the on-site parking of cars. All parking for recreational vehicles and boats should be screened from the public right-of-way, and parking in front yard setbacks should be minimized and screened. The number and width of driveways and private lanes accessing arterial

## **ATTACHMENT A**

streets should be minimized to reduce potential traffic conflicts and to retain the continuity of landscape.

### **Street Landscaping**

Planting strips between a sidewalk and the street should be planted with trees and shrubs from the City's Preferred Landscaping Species List. Grass within street rights-of-way should be limited to those areas noted on the Medina Landscape Plan. Rocks and other barriers shall not be placed within the planting strip. In historical view corridors, view preservation should be maintained by the selection of appropriate species, and periodic trimming and limb removal of such species. Views which are framed by vegetation or interrupted periodically by trees located along property lines are preferable and more consistent with the City's character than views maintained by clear cutting or topping. If the desire is to preserve or augment views, limb removal and pruning should be employed rather than topping. Consideration should also be given to the removal of taller trees and replacement with shorter species (see Preferred Landscaping Species List) rather than repeated topping.

A number of existing streets have drainage ditches adjacent to the roadway. As adjacent properties are developed, or redeveloped, and/or as street improvements are made, the City may require these drainage ways to be placed in pipes and filled, or otherwise improved, and landscaped to City standards. Any resulting area should be landscaped to screen properties from the street. Where natural drainage courses exist, provision should be made to preserve adjacent natural vegetation. The impact of SR-520 on adjacent public and residential properties should also be minimized by landscaping the highway corridor, including the Park & Ride lot, in a manner consistent with the Medina Landscape Plan. Additionally, such landscaping that may impair the visibility of pedestrians, cyclists, and/or vehicles should be discouraged.

### **Public Spaces**

The City's large open spaces, Fairweather Nature Preserve, Medina Park, and the Overlake Golf & Country Club, are defining elements of Medina's community character. Medina Beach Park, the two schools, and St. Thomas Church and School also contribute to the City's neighborhood character.

The distinctive landscaping along the perimeter of the golf course is an important visual feature long identified with Medina. In particular, the long stand of poplars along 84<sup>th</sup> Avenue NE has become a historic visual landmark and is the first thing one sees when entering the City. It is the intent of the City to maintain this landmark. As the existing poplars reach the end of their useful life they will need to be replaced with a species that is visually similar, since poplars are not on the Preferred Landscaping Species List. The City is working with the Country Club to secure a landscaping plan that maintains the integrity of this historic visual feature.

Fairweather Nature Preserve and Medina Park both have a significant area that has been left in a natural state. Fairweather Nature Preserve has a dense stand of trees and understory, and Medina Park has a large wetland. Non-native landscaping has been minimized in both parks, with the exception of a landscaped portion of Medina Park at the corner of NE 12<sup>th</sup> Street and 82<sup>nd</sup> Avenue NE. The natural areas of these parks should be left undisturbed. If some maintenance activity is required due to severe winds or other destructive forces, these areas should be restored with

## **ATTACHMENT A**

native species. Landscaping in other areas of these parks should be consistent with the overall natural setting found in the parks.

City Hall and Medina Beach Park are located on the site of the former ferry terminal that connected Medina with Seattle. Landscaping in the park has been primarily hedges along the parking area and north property line and maintenance of a number of shade trees. These grounds are used extensively by City residents during the summer months, so landscaping must leave much of the park open. A long-term landscaping and maintenance plan should be developed to maintain this historic site in a manner that is consistent with and enhances public use.

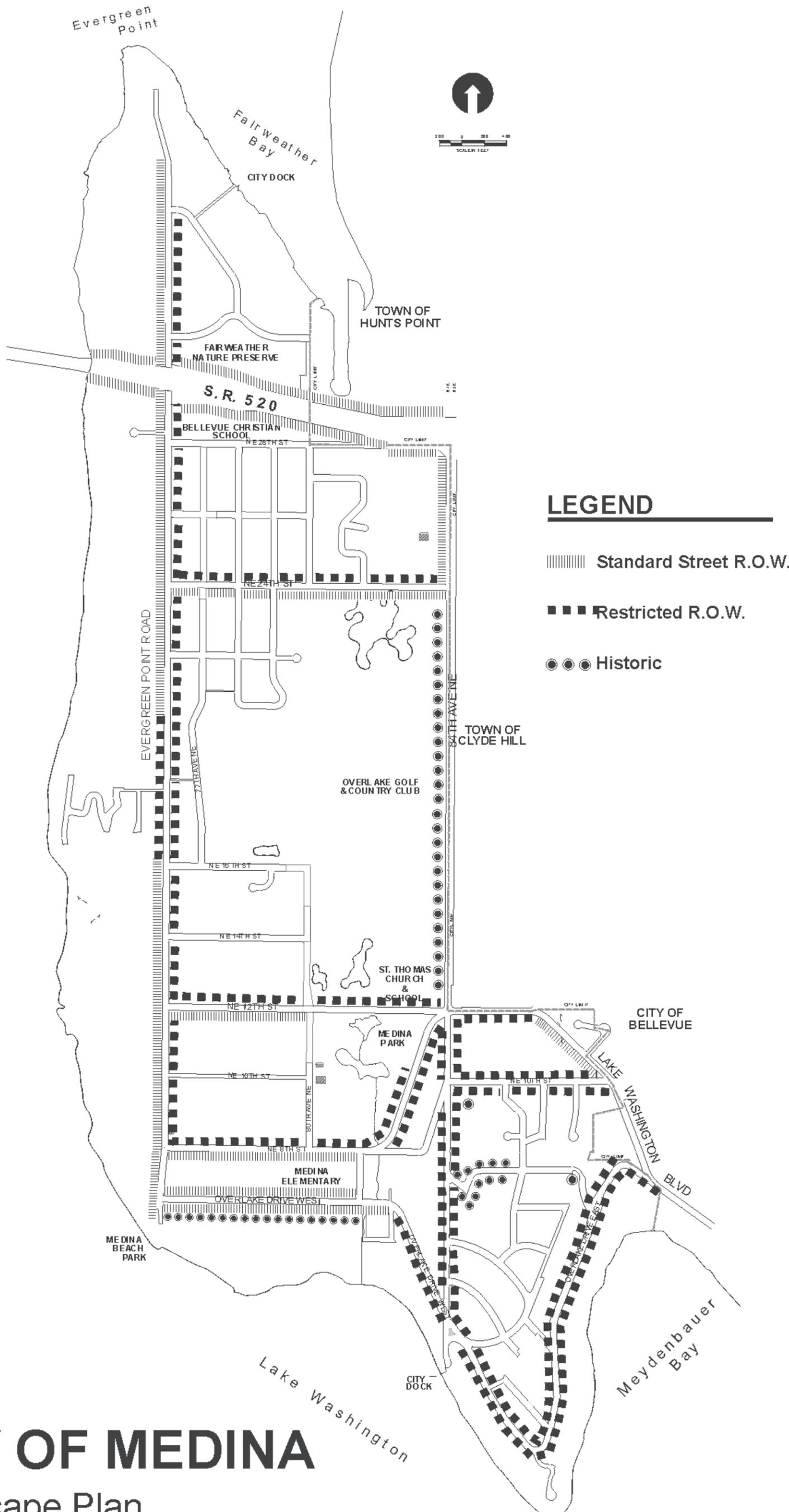
### **GOALS**

- CD-G1 To retain Medina's distinctive and informal neighborhood development pattern.
- CD-G2 To maintain the informal, natural appearance of the Medina's street rights-of-way and public areas.

### **POLICIES**

- CD-P1 The City shall maintain and implement the Street Design Standards and the Landscaping Plan, including landscaping of arterial street rights-of-way.
- CD-P2 The City should refine and update the Street Design Standards and Landscaping Plan as needed based on community input.
- CD-P3 The City's design objective is to maintain the City's natural, low-density, and informal appearance. Medina's highly visible streets as identified in the Landscaping Plan should be heavily landscaped with native trees and shrubs arranged in an informal manner. Fences should be screened with vegetation so they are not generally visible from the street. The historic landscaping along the perimeter of the golf course is an iconic part of Medina's character and should be retained and/or replaced in the future with an appropriate selection of trees. Equally as important with this perimeter area is maintaining view corridors into the golf course which contributes a sense of added open space in the heart of the community.
- CD-P4 Special design and landscaping consideration should be given to the entry points to the City.
- CD-P5 Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings to help to protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence).
- CD-P6 Clear cutting should not be permitted on property prior to development.

**ATTACHMENT A**



# ATTACHMENT A

## Key to Medina Landscape Plan

SYMBOL	SITUATION	TREES	SHRUBS	GROUND COVER
ARTERIAL RIGHTS-OF-WAY AND 15' OF FRONT YARD				
	Standard ROW - 15' of front yard	List A List A	List C1 List C1	List C2 NA
●●●●●	Restricted ROW (due to wires, views, etc.) - 15' of front yard	List B List A	List C1 List C1	List C2 NA
HISTORIC/SPECIAL/PUBLIC USES				
⊙⊙⊙⊙	Golf Course - 84th Avenue NE	Maintain Historic Hawthorn/ Poplars	List C1	List C2
⊙⊙⊙⊙	Designated Sites/Areas - 7th Street, Original Maples - Corner 84th & 10th, Giant Double Sequoia - Overlake South side between Evergreen Point & 82nd	Retain, restore with improved species. Obtain easement to retain.  Obtain easement over 15' of front year to retain trees.		
[ - - - ]	Public Uses Medina Park City Hall & Park Fairweather Nature Preserve St. Thomas Church and School Medina School Three Points School Overlake Golf Course	Develop Landscape Master Plans and/or Present Landscape Plans with Special/Conditional Use permits or Variances.		

"List" references are to the City's Preferred Landscaping Species List.

**Figure 6. Key to Medina Landscape Plan**

Figure 45. Key to Medina Landscape Plan

## 4. HOUSING ELEMENT

### INTRODUCTION

The Growth Management Act (GMA) requires a housing element that ensures the vitality and character of established neighborhoods. This element includes:

1. An inventory and analysis of existing and projected housing needs;
2. A statement of goals, policies and objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences;
3. Identification of sufficient land for housing, including, but not limited to, government assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
4. Adequate provisions for existing and projected needs of all economic segments of the community.

In addition, King County countywide planning policies (CPP) require that each jurisdiction take actions that will collectively meet the expected growth in, and make housing available to, all economic segments of the county population. Medina's ability to participate at this level is limited by a lack of available and suitable building sites and the realities of the real estate market.

### EXISTING CONDITIONS

While Medina is an incorporated city, its character and function are more like that of a mature residential neighborhood within a larger community. According to the ~~2000-2010~~ U.S. Census of Population and Housing, there are ~~1,460~~ 1,162 total ~~households~~ housing units in the City. ~~Households~~ Housing units are in the form of detached single-family units on individual lots. There are no multiple-family structures and current zoning does not allow such development. Medina is an established residential community that abuts single-family residential areas of Hunts Point, Clyde Hill, and Bellevue. Medina maintains a high percentage of owner-occupied units (~~91.7~~ 89.1%) and a ~~healthy~~ vacancy rate (~~4.6~~ 8.7%) of 8.7 percent. Since 2000, the percentage of owner-occupied units has decreased from 98.7 percent, while the vacancy rate has increased from 4.6 percent. Medina's development pattern is consistent with that of neighboring communities.

**Table 1. Medina Housing Statistics**

<u>Housing Measure</u>	<u>Value</u>
<u>Housing units</u>	<u>1,162</u>
<u>Vacant housing units</u>	<u>101 (8.7%)</u>
<u>Occupied housing units (households)</u>	<u>1,061</u>
- <u>Owner occupied</u>	<u>945 (89.1%)</u>
- <u>Renter occupied</u>	<u>116 (10.9 %)</u>
<u>Persons per household</u>	<u>2.80</u>

*Source: 2010 U.S. Census*

## ATTACHMENT A

Table 2. Medina Housing Statistics (per the 2000 U.S. Census) Households	1,160
Persons per household	2.71
Vacant households	54 (4.6%)
Occupied households	
—Owner occupied	1,019 (91.7%)
—Renter occupied	92 (8.3%)

### PROJECTED HOUSING NEEDS

According to PSRC’s 2013 Land Use Targets dataset, Medina is expected to accommodate 31-81 additional households by the year 2022-2035 (see population forecasts in the land use element).

Given the projected population increase of 46 persons, this increase in households would occur through a gradual reduction of the current average household size from 2.80 persons per household to 2.64 persons per household, which is consistent with anticipated demographic changes (see discussion of Future Growth Issues in Land Use Element).

The adopted growth target for Medina is an additional 27 housing units by the year 2035. Therefore, the majority of the projected additional households would be accommodated through existing housing stock, increasing Medina’s occupancy rate to approximately 96 percent by the year 2035.

### HOUSING PLAN

Medina has several mechanisms to assist in the provision of affordable housing. These are as follows:

- Adult Family Homes are permitted within existing households as a home occupation. This provides housing opportunities for a segment of the population that often has difficulty obtaining reasonably priced, quality housing.
- Current regulations allow domestic employees to reside in separate units on the properties where they work.
- Additional detached units are allowed to be constructed on properties where there is sufficient lot size to meet the underlying, minimum zoning.
- Accessory dwelling units are permitted in all residential zoning districts subject to the requirements of the Medina Municipal Code.
- The City makes contributions to ARCH (A Regional Coalition for Housing), an eastside housing agency, and Habitat for Humanity to support regional affordable housing.

Beyond these mechanisms, the City may actively explore other reasonable means to address affordable housing issues. One consideration is to broaden the definition of accessory dwelling units to allow them to be built as separate structures on the same lot, but subject to other existing requirements. This would allow a measure of affordability without significantly changing the

## ATTACHMENT A

City's character, provided that other existing requirements of ~~Chapter 17.50, MMCMMC~~ Section 23.34.020 are met.

### GOALS

- H-G1 The City shall preserve and foster housing development consistent with Medina's high-quality residential setting.
- H-G2 The City shall explore affordable housing opportunities.

### POLICIES

- H-P1 The City shall minimize changes to existing zoning designations except as to meet above goals when deemed necessary by citizens.
- H-P2 The City shall consider ways to restrict the size of homes in order to retain the character of the community.
- H-P3 The City shall seek to maintain the informal single family character of its neighborhoods, including preventing the intrusion of non-residential activities.
- H-P4 When a home is constructed such that it may potentially have no feasible resale market as a single family residence, the owners should be aware that this would not set the stage for a future conversion to a nonresidential use.
- H-P5 The City should work with cities and community representatives on countywide or subregional funding sources for housing development, preservation, and related services.
- H-P6 The City should continue participation in inter-jurisdictional organizations to assist in the provision of affordable housing on the Eastside.
- H-P7 The City shall continue to make contributions to agencies that support affordable housing.
- H-P8 The City shall explore additional affordable housing options that are compatible with the City's high-quality residential setting.
- H-P9 The City shall not discriminate between a residential structure occupied by persons with handicaps and a similar residential structure occupied by a family or other unrelated individuals.
- H-P10 The City shall assure that zoning does not unduly restrict group homes or other housing options for persons with special needs by making reasonable accommodations in its rules, policies, practices, and services, when such accommodations may be necessary, to afford persons with disabilities equal opportunity to use or enjoy a dwelling.
- H-P11 The City shall permit group living situations that meet the definition of "family status", including where residents receive such supportive services as counseling, foster care, or medical supervision, within a single family house.

## **ATTACHMENT A**

H-P12 To reduce the loss of households, the City should discourage lot aggregation that impacts the scale and character of the neighborhood.

## **5. TRANSPORTATION & CIRCULATION ELEMENT**

### **INTRODUCTION**

The Growth Management Act (GMA) requires jurisdictions to demonstrate the availability of transportation facilities needed to accommodate the growth in traffic over the next twenty years. King County countywide planning policies (CPP) direct jurisdictions to develop a balanced transportation system as well as coordinated financing strategies and a land use plan to implement regional mobility and reinforce the countywide vision in support of the Vision 2040 regional growth strategy. Since Medina is landlocked and expects minimal population growth in the foreseeable future, transportation issues are largely concerned with the maintenance and function of the existing street system and the impacts to this system from decisions made by larger land uses within as well as outside of the City.

### **EXISTING CONDITIONS**

Medina's street pattern has developed as an extension of the original City plat, which was laid out as a basic grid. The exception to this pattern is the Medina Heights neighborhood, which has been subdivided such that the streets are more curvilinear and tend to follow the prevailing topography. Nearly all streets in Medina are two lanes with one lane in each direction, with one exception. Provisions for cyclists and pedestrians are made on some collector streets. Regionally oriented transportation facilities consist of a state highway (SR 520), a (WSDOT) bridge maintenance facility and a Park & Ride lot. SR 520 passes through Medina and connects the eastside communities with Seattle via the Evergreen Point Floating Bridge. There is an east-bound off-ramp exiting SR 520 at the north end of 84<sup>th</sup> Avenue NE along with a west bound on-ramp. ~~A small WSDOT facility left over from the former toll plaza is located within the SR 520 right-of-way adjacent to the north side of Bellevue Christian School. A Park & Ride lot is maintained next to the WSDOT facility, and is accessed from~~ located on the Evergreen Point Road lid, and provides. From this Park & Ride lot there is pedestrian access to two public transit stops located on either side of in the median of the SR 520 roadway.

Issues relevant to transportation in Medina primarily concern road surface maintenance, storm drainage, and sidewalks. Traffic volumes are expected to remain relatively constant considering Medina is fully developed and no substantive population increases are expected. There are no current plans or needs for new road construction.

### **Regional Transportation Facilities**

~~At present, the SR 520 corridor has recently been reconstructed to address increased traffic and transit demand. The updated corridor includes a number of design features intended to minimize the significant adverse impacts on the surrounding residential uses, and public facilities (e.g., Fairweather Nature Preserve and the Bellevue Christian Elementary School), and the environment. These impacts include excessive noise, water and air pollution, and the unsightly appearance of the SR 520 corridor and the Park & Ride lot, which was unscreened. During~~

## ATTACHMENT A

periods of heavy rain, unfiltered drainage from the roadway produced an oil sheen on Fairweather Bay.

After extensive public process, the SR 520 corridor project included the following modifications:

- Landscaped lid, including green space, park and ride, and viewpoints across SR 520 on Evergreen Point Road to reconnect neighborhoods originally separated by construction;
- Sound walls with a stamped finish and vegetation screening to minimize transfer of noise and light from the roadways to the adjacent neighborhoods, parks, and school; and
- New stormwater facilities to collect and treat polluted road runoff.

~~In hearings before the City Council and Planning Commission, the public has frequently asked that efforts be made to reduce the many impacts of the SR 520 corridor on the adjacent single-family residential neighborhoods and public facilities.~~

~~It is anticipated that the continued growth of the entire eastside will place increasing pressure on the SR 520 corridor. In 1998, WSDOT initiated the Trans-Lake Washington Study to find ways to improve mobility for people and goods on SR 520, while minimizing negative impacts to the environment and surrounding neighborhoods. WSDOT is continuing to study two build alternatives for replacing the Evergreen Point Bridge as well as a no-build alternative.~~

~~Modifications or replacement to SR 520 could have very significant impacts on the adjacent residential and public uses within Medina, both during the construction process and after completion. Unless effectively mitigated, the construction activity and modifications to the corridor will increase air, noise and water pollution; increase light and glare; remove significant vegetation; increase the separation of neighborhoods within the City; adversely impact the shoreline, sensitive areas and wildlife habitat; and reduce the City's recreation resources.~~

### **Street Classification**

Streets in Medina are classified on a three-tiered hierarchy developed by the Federal Highway Administration. The hierarchy reflects their functional characteristics (See Figure #56). They are described below in descending order.

#### **Minor Arterial–**

- Interconnects and augments the Urban Principal Arterial system providing service to trips of moderate length at a somewhat lower level of travel mobility than a Principal Arterial.
- Distributes travel to geographic areas smaller than those identified with the higher system(s).
- Contains facilities which place more emphasis on land access than the higher systems(s) and offer a lower level of traffic mobility. Such facilities may carry local bus routes and provide intra-community continuity, but ideally should not penetrate identifiable neighborhoods.
- Provides urban connections to rural collector roads.

## ATTACHMENT A

The spacing of Minor Arterial streets may vary from 1/8 to 1/2 mile in the central business district and 2 to 3 miles in the suburban fringes. The only street in this category is 84<sup>th</sup> Avenue NE between NE 12<sup>th</sup> Street and NE 28<sup>th</sup> Street. This street is utilized by Clyde Hill, Medina, and Bellevue residents to access SR 520 and as a route into downtown Bellevue.

### Collector–

- Provides both land access service and traffic circulation within residential neighborhoods, commercial and industrial areas.
- Differs from the arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to the ultimate destination. ~~The Collector also~~
- Collects traffic from local streets in residential neighborhoods and channels it into the arterial system.

This category includes the following streets:

- Evergreen Point Road between Overlake Drive West and 78<sup>th</sup> Place NE,
- Overlake Drive between Evergreen Point Road and Lake Washington Boulevard.
- NE 12<sup>th</sup> Street between Evergreen Point Road and Lake Washington Boulevard,
- NE 24<sup>th</sup> Street between Evergreen Point Road and 84<sup>th</sup> Avenue NE, and
- Lake Washington Boulevard between NE 12<sup>th</sup> Street and the Medina city limit near 851 Lake Washington Boulevard.

### Local Access

- ~~—The local street system comprises all facilities not on one of the higher systems. It serves primarily to P~~rovides direct access to abutting land and access to higher order systems.
- ~~O~~ffers the lowest level of mobility and usually contains no bus routes.
- Service to through traffic movement usually is deliberately discouraged.

This category includes all those City of Medina streets that do not fall into the previous two categories.

### Level of Service

Level of service (LOS) is generally defined as the ability of a roadway or intersection to carry the volume of traffic. LOS is typically measured using a six-tiered rating system that can be found in the *Highway Capacity Manual*. ~~Its~~ This system is used in the 2011 King County Regional Transportation Plan, and its use provides a level of consistency between adjacent communities and the County.

At ~~one~~ the high end of the scale is an LOS of 'A,' where motorists experience a high level of freedom of operation and there is seldom more than one vehicle waiting at an intersection. The low end of the scale is an LOS of 'F,' which represents a forced flow of traffic and indicates a failure of the roadway or intersection to accommodate traffic volumes. The LOS ratings between 'A' and 'F' represent increasing degrees of traffic volumes relative to roadway configuration and

## ATTACHMENT A

waiting times at intersections. LOS ratings of 'D' and above indicate that there is reserve capacity on a roadway or at an intersection. For purposes of this Plan, the City adopts an LOS rating of 'C' for its arterials and an LOS rating of 'D' for intersections.

Adjacent cities employ criteria nearly identical to Medina's for LOS standards.

Medina residents currently enjoy relatively little traffic on internal streets due to the City's location, configuration, and land use mix. There are no east-west streets that offer through-routes for regional traffic except for SR 520. ~~S~~, but since there is direct connection off of SR 520 to the internal street grid, there are no substantive impacts on neighborhood streets from motorists seeking alternative routes.

The average weekday traffic volumes for the four most traveled streets in Medina are estimated based on the *Institute of Traffic Engineers Trip Generation Tables* since there are no traffic counts on record for internal City streets. They are as follows (Table 3):

**Table 2. Average Weekday Traffic Volumes**

	Average Weekday (vehicles/day)	PM Peak Hour (vehicles/hour)
Evergreen Point Road	2000	210
NE 24 <sup>th</sup> Street	3500	365
NE 12 <sup>th</sup> Street	2400	250
84 <sup>th</sup> Avenue NE	6000	630

Major trip generators in Medina include the Overlake Golf & Country Club, Medina Elementary School, Bellevue Christian School, St. Thomas School, the Wells-Medina Nursery, and traffic related to personal services or special events for, and at, individual residences. Funerals, weddings, and church functions at the St. Thomas Church, located on the corner of NE 12<sup>th</sup> Street and 84<sup>th</sup> Avenue NE, affect the ~~entire~~ area within a radius of about three blocks. These occur during the regular work week and on weekends. Traffic associated with St. Thomas impacts the functioning of the adjacent intersection as motorists tend to queue up just past the intersection as they access the parking/pick-up area at St. Thomas Church and then make left turns out of this area to once again pass through the intersection. This contributes to congestion at this intersection during peak travel hours.

Many parents transport their children to and from the Medina Elementary and Bellevue Christian Schools and use neighborhood streets for access. Residents of the neighborhood just south of Bellevue Christian School have expressed concern over the number of vehicles that are using neighborhood streets to access the school.

Other than construction-related trips, Overlake Golf & Country Club accounts for the largest number of trips originating outside of the City. Traffic volumes fluctuate seasonally, between weekdays and weekends, and with Club-sponsored special events. The entrance to the Country Club is at the end of NE 16<sup>th</sup> Street off of Evergreen Point Road. It has been estimated that the Country Club accounts for 12% to 16% of the average daily traffic on Evergreen Point Road depending on the season.

## ATTACHMENT A

Because the City is fully developed, it is unlikely that there will be a substantial increase in traffic on internal city streets due to additional residential development. ~~While the Country Club's membership is expected to increase by 10%, the absolute numbers of vehicles associated with this increase should not be significant.~~

The traffic along 84<sup>th</sup> Avenue NE between NE 12<sup>th</sup> Street and SR 520 is likely to increase during peak hours, special events, or bad weather due to increases in some regional traffic using this route as a connection between SR 520 and downtown Bellevue. This may cause increased delays at the intersections at NE 12<sup>th</sup> Street, NE 24<sup>th</sup> Street, and Points Drive (SR 520 access). A traffic study conducted by the City of Medina that looked at effects of the SR 520 on-ramp at 84<sup>th</sup> Avenue NE showed no significant change in traffic.

There have been several “mega-homes” built in Medina over the last ~~15-25~~ years. These have increased traffic during construction and upon completion. There has been a tendency for these homes to require increased personnel for the daily operations of the residences, and security requires numerous personnel to access the property. Parties, outdoor art displays, and other functions are regular occurrences. This creates temporary increases in traffic flow on Medina’s neighborhood and arterial streets.

### Public Transit

~~There are two~~ one METRO King County Metro Transit bus routes that provides direct service to City residents via 84<sup>th</sup> Avenue NE (route s 261 and 271). Figure ~~5-6~~ shows the location of the transit stops. ~~The two routes operating on 84<sup>th</sup> Avenue NE provide~~ Route 271 runs north-south along 84<sup>th</sup> Avenue NE from SR 520 to NE 12<sup>th</sup> Street, and provides direct access to downtown Seattle, the University District, and downtown Bellevue. ~~A 52-space METRO Park & Ride at the St. Thomas Episcopal Church (84<sup>th</sup> Avenue NE and NE 12<sup>th</sup> Street) serves both routes.~~

~~Also, the Evergreen Point Freeway Station and Park & Ride adjacent to at Evergreen Point Road and SR 520 provides direct access to over 2015 bus routes, including four-five Sound Transit routes and one Snohomish County Community Transit Route. The Park & Ride, located on the south side of Evergreen Point lid above SR 520, includes parking for approximately 45-50 vehicles. Both the east-bound and west-bound stops are accessible from the Evergreen Point Road lid by pedestrian pathways.~~

~~METRO has developed level of service (LOS) guidelines for urban centers, manufacturing centers, activity areas, and residential areas using CPP definitions of urban centers and manufacturing/industrial centers. In general, the higher the density, the more demand for public transportation service. Medina falls under the categories ranging from low to high urban densities per METRO LOS standards. Standards for high to medium urban density areas (4,500 to 7,500 people/square mile) call for transit stops within one half mile of all residences and service at no less than 30 minute intervals between 6 am and 11 pm. With transit service on 84<sup>th</sup> Avenue NE and at Evergreen Point Station, all but the southwestern shoreline portions of Medina meet this standard. Standards for low to medium urban density areas call for 30-minute or better transit service from a Park & Ride facility within 5 miles of all residences. Medina meets this requirement.~~ As part of its Strategic Plan for Public Transportation 2011-2021, King County Metro developed service guidelines for the regional transit system. These guidelines are based on the density of jobs and households, the relative percentages of low-income or minority residents,

## ATTACHMENT A

and the number of employment and activity centers along a given transit corridor. Transit levels of service are then defined in terms of “Service Families,” which describe the desired frequency of service during peak, off-peak, and night times. Route 271, which serves Medina along 84<sup>th</sup> Avenue NE, and the SR 520 corridor both support the highest level of all-day service. All but the southwestern portions of Medina are located within one-half mile of a transit stop on one of these two corridors, and all residences in the City are within five miles of the Evergreen Point Park & Ride.

### **Pedestrians and Bicycles**

A pedestrian walkway system should be designed to provide residents with safe and convenient access to public facilities, services, and recreational amenities. This includes getting children safely to and from schools and parks and providing good pedestrian access to transit uses at the Evergreen Point Station and along the 84<sup>th</sup> Avenue NE/NE 12<sup>th</sup> Street/Lake Washington Boulevard corridor.

Since Medina was platted with large lots and developed at a slow, incremental pace, most streets were constructed without curb, gutter or sidewalks. Although residents have embraced the informal, natural setting that these streets provide, key streets have been retrofitted with sidewalks and pathways as more homes have been built and school enrollments have increased.

Sidewalks have been installed along portions of Evergreen Point Road, 77<sup>th</sup> Avenue NE, 79<sup>th</sup> Avenue NE, 81<sup>st</sup> Avenue NE, Overlake Drive West, NE 10<sup>th</sup> Street, NE 12<sup>th</sup> Street, NE 16<sup>th</sup> Street, NE 21<sup>st</sup> Street, NE 24<sup>th</sup> Street, NE 32<sup>nd</sup> Street, Lake Washington Boulevard, and 84<sup>th</sup> Avenue NE (see Figure 6-7). On all other streets, pedestrians must walk in the street or on the street shoulder.

Medina, Clyde Hill, Hunts Point, and Yarrow Point have created a walking path, referred to as the Points Loop Trail. It utilizes the asphalt-paved path that is adjacent to the SR 520 roadway, and meanders through Medina and Clyde Hill (see Figure 6-7 for route through Medina). This trail has scenic and recreational attributes that, it is hoped, will be enhanced as time goes by. A key link in this route is the “Indian Trail” that occupies the unopened portions of 77<sup>th</sup> Avenue NE. Future efforts to enhance connectivity between the Points Loop Trail and other regional trails should be encouraged.

Popular City cycling routes include Lake Washington Boulevard, 84<sup>th</sup> Avenue NE, Overlake Drives East and West, NE 12<sup>th</sup> Street, Evergreen Point Road, NE 24<sup>th</sup> Street, and the SR 520 pathway due to their regional connectivity and scenic qualities. Of these streets, only 84<sup>th</sup> Avenue NE features bike lanes. NE 24<sup>th</sup> Street features striped wide curb lanes that function somewhat as bicycle lanes, but are not officially designated as such since they are less than the standard bicycle lane width of 5 feet. Cyclists share the road with vehicles (and sometimes pedestrians) on Lake Washington Boulevard, Overlake Drives East and West, NE 12<sup>th</sup> Street, and Evergreen Point Road. Lake Washington Boulevard and portions of Evergreen Point Road contain relatively wide shoulders and little or no on-street parking, making these roads safer for cycling. The SR 520 floating bridge replacement features a separated bicycle path. The path connects to the Points Loop Trail and facilitates bicycle travel from Medina to Seattle and other regional trails across Lake Washington.

## **ATTACHMENT A**

Cyclists share the roadway with vehicles on all other streets. Most of these streets have minimal traffic and low travel speeds making them relatively safe for cyclists.

### **Nearby Air Facilities**

Nearby Seattle-Tacoma International Airport provides air transportation for Medina residents.

### **Puget Sound Air Quality Attainment Zone**

The City of Medina is located within the Puget Sound Air Quality Attainment Zone specified in the Washington State Clean Air Conformity Act. This Act is intended to implement the goals and requirements of the Federal Clean Air Act Amendments. Medina is committed to participating in the regional efforts to attain reduction in the criteria pollutants specified in the Act.

## **TRANSPORTATION AND CIRCULATION PLAN**

Consistent with the Growth Management Act (GMA) and the King County countywide planning policies (CPP) CPPs, Medina's transportation plan strives for a balanced transportation system coordinated with the land use plan. Since Medina is landlocked and expects minimal population growth in the foreseeable future, the transportation plan largely concerns maintenance and function of the existing street system. The current Six-Year Capital Improvement Plan (see Appendix B) includes the Transportation Improvement Plan and identifies a list of projects the City will undertake to improve selected roadways. The improvements involve a combination of surface improvements, sidewalks, and storm drainage improvements. Subsequent improvements to Medina's streets should continue to focus on maintenance, storm drainage improvements (see Figure 67), and pedestrian improvements (see Non-Motorized Facilities below and Figure 67 for proposed improvements). All proposed improvements should incorporate recommendations in the City's Landscape Plan and the Community Design Inventory.

### **Regional Facilities**

~~The City should continue discussions and coordination involving the Trans Lake Washington Study. The objective of the City is to preserve property values; to mitigate, to the extent feasible, the adverse impacts that currently exist; and to prevent further degradation of the environment. Mitigation measures should include a combination of methods, including, but not limited to, sound barriers, landscaping, landscape screening, and landscaped lids. Improved access to transit and pedestrian facilities within the corridor should be provided. Access to the facilities should be improved for citizens of Medina and the Points Communities. Bicycle and pedestrian pathways should be constructed within the margins of the right of way and should connect with the City and regional bicycle and pedestrian trail system.~~

~~The overall efficiency of the SR 520 corridor should be increased by emphasizing its use for public transportation and by providing incentives for multiple occupancy in private vehicles.~~

### **Public Transit**

The continuation of public transportation by METRO King County Metro Transit is essential to a balanced circulation system for the City. The Evergreen Point Park & Ride is an important transit resource and should be maintained and enhanced, when possible. The City will continue to

## ATTACHMENT A

encourage transit use by prioritizing those improvements that enhance multimodal access to transit facilities. The bus routes should continue to utilize arterial streets. The location of transit stops should be periodically reviewed by the City Engineer and Planner to assure consistency with street design standards.

### Non-Motorized Facilities

The City's Six-Year Transportation Improvement Program includes ~~two~~ five non-motorized transportation improvements, including ~~new sidewalks or pathways on~~ sidewalk repairs on four separate sidewalks, and a new pathway on the south side of NE 32<sup>nd</sup> Street from Evergreen Point Road on 80<sup>th</sup> Avenue NE.

- ~~• Evergreen Point Road north of overpass, and between 12<sup>th</sup> and 14<sup>th</sup> Streets~~
- ~~• NE 32<sup>nd</sup> Street~~
- ~~• 78<sup>th</sup> Place NE~~
- ~~• NE 8<sup>th</sup> Street~~

Several other sidewalk/trail improvements may be considered to enhance pedestrian access to schools, parks, transit, recreation and fitness, community facilities, and services:

- ~~• 80<sup>th</sup> Avenue NE from NE 8<sup>th</sup> Street to Medina Park to enhance pedestrian access to the Medina Elementary School and Medina Park.~~
- ~~• 77<sup>th</sup> Avenue NE to enhance the Points Loop Trail/Indian Trail.~~
- ~~• NE 26<sup>th</sup> Street to enhance pedestrian access to the Bellevue Christian School, Evergreen Point Freeway Station, and Fairweather Nature Preserve.~~
- ~~• East side of Evergreen Point Road between SR 520 and 78<sup>th</sup> Place NE to enhance pedestrian access to the Bellevue Christian School, Evergreen Point Freeway Station, and Fairweather Nature Preserve.~~

Where sidewalks or trails are installed, they should be designed and landscaped in accordance with the Landscape Plan, and public input.

Signage for the Points Loop Trail will be maintained and, where appropriate, enhanced to educate the public and encourage use of the trail.

### GOALS

- T-G1 To maintain existing roadway surfaces.
- T-G2 To enhance pedestrian and bicycle access throughout the City.
- T-G3 To minimize transportation-related impacts of public facilities and uses on adjacent residential uses.
- T-G4 To minimize impacts of regional transportation facilities on adjacent residential uses and the City as a whole.
- T-G5 To maintain and enhance access to public transportation.

## ATTACHMENT A

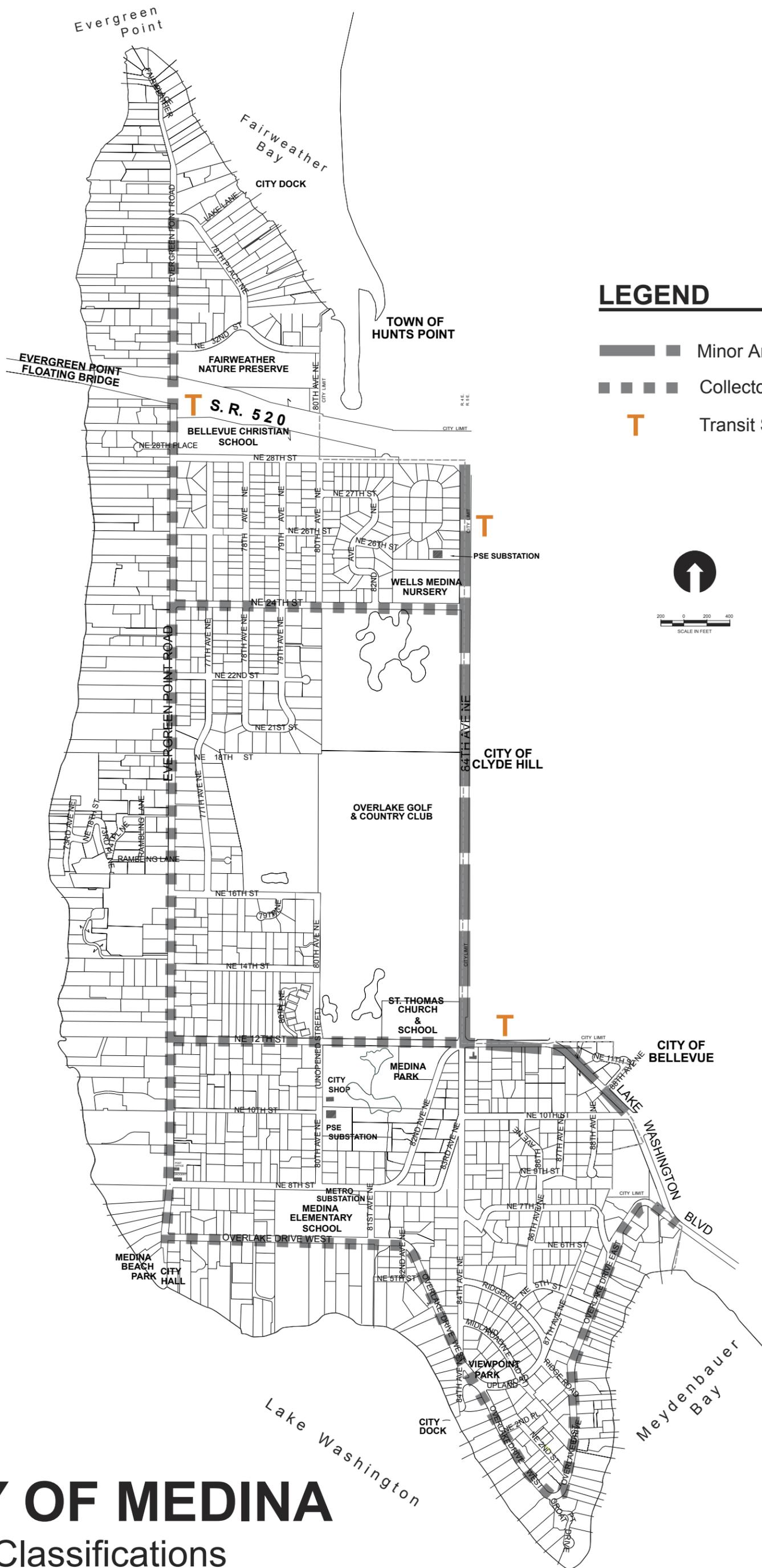
- T-G6 To maintain and enhance the informal landscaped character of the City's public streets.
- T-G7 To maintain and/or improve local and regional air quality.

### POLICIES

- T-P1 The City should provide street repairs as necessary to maintain safe driving and biking surfaces.
- T-P2 The City should prioritize pedestrian improvements that provide safe and convenient network of pedestrian access throughout the City, including access to and from schools, parks, transit, and community facilities.
- T-P2.5 Pedestrian and nonmotorized improvements should be designed and prioritized to improve pedestrian and nonmotorized safety.
- T-P3 The City shall seek to provide pedestrian improvements in conjunction with stormwater drainage improvements, when desirable.
- T-P4 Where sidewalks, trails or pathways are installed, they shall be designed and landscaped in accordance with the Landscape Plan, and public input in order to maintain the City's natural and informal character.
- T-P5 The City shall seek to maintain and enhance the Points Loop Trail within the City.
- T-P6 The City shall implement transportation improvements as needed to maintain adopted levels of service for local streets through the implementation of a Six-Year Transportation Improvement Plan. The Transportation Improvement Plan shall be periodically updated to reflect the current needs of the community.
- ~~T-P7 The City shall encourage the development of a bicycle/pedestrian path in conjunction with the improvement/expansion of SR 520 and the Evergreen Point Bridge to connect to and enhance key non-motorized routes.~~
- ~~T-P8 The City shall work with WSDOT, city residents and other groups, stakeholders and agencies to develop mitigation measures that may be implemented as part of any SR 520 improvement/expansion project. The City shall seek an overall reduction of impacts, including measures such as:~~
- ~~• Noise reduction measures,~~
  - ~~• Landscaped lids and open space,~~
  - ~~• Landscaped buffers,~~
  - ~~• Protection of Fairweather Nature Park,~~
  - ~~• Enhanced motorized and non-motorized local connectivity,~~
  - ~~• Water and air quality improvements, and~~
  - ~~• Overall environmental protection.~~
- ~~T-P9P7 The City shall continue to be involved in regional transportation discussions and coordination, such as the SR 520 Bridge Replacement and HOV Project.~~
- T-P810 The overall efficiency of the SR 520 corridor should be increased by emphasizing its use for public transportation and by providing incentives for multiple occupancy in private vehicles and, at a minimum, retaining the current number of transit stops.

## ATTACHMENT A

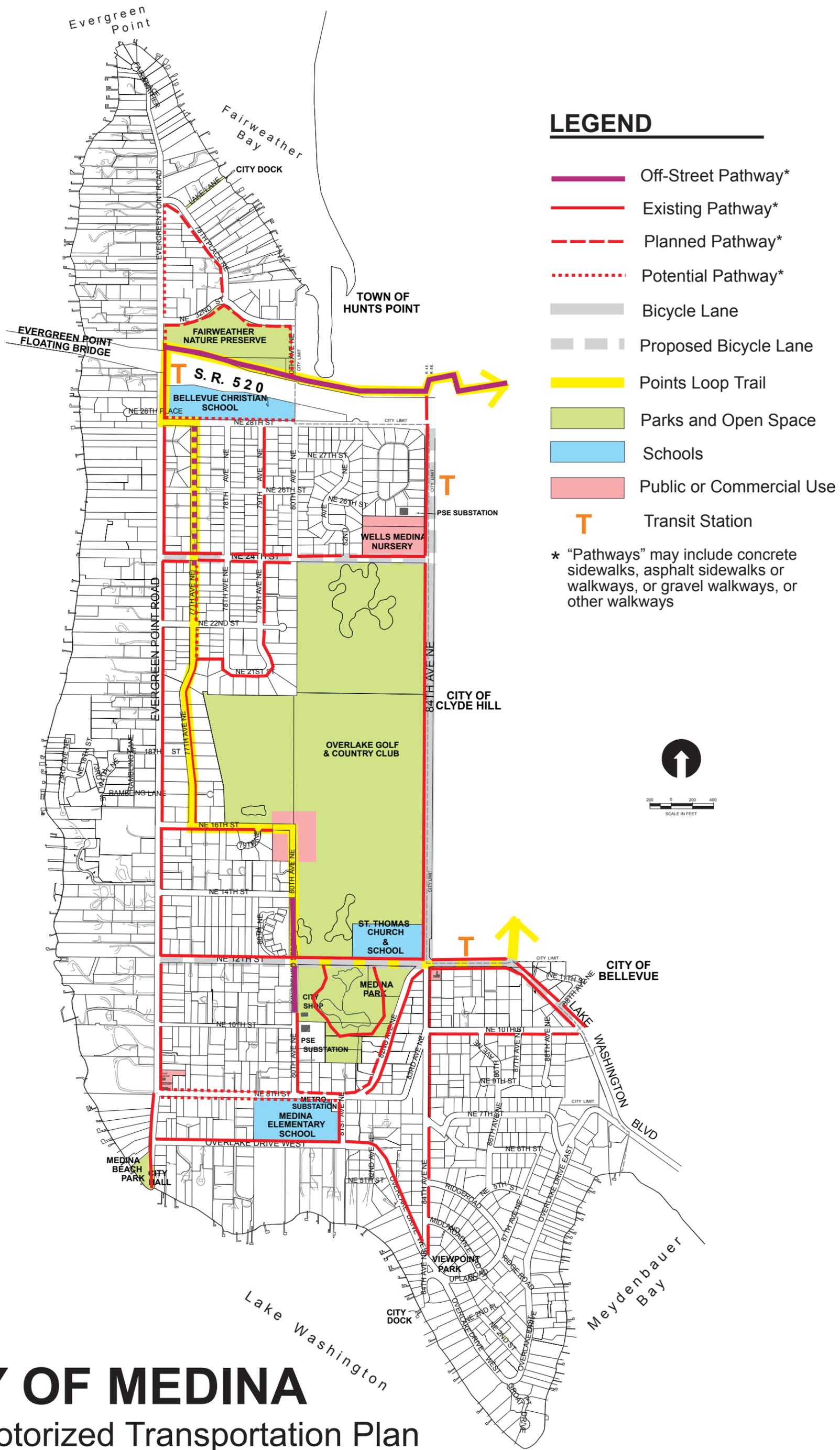
- T-P~~9~~11 The City shall seek to maintain and enhance access to the Park & Ride lot.
- T-P~~10~~2 The City shall continue to work with state, regional, and local agencies and jurisdictions to address those transportation issues affecting air quality attainment.
- T-P~~11~~3 The City shall promote public education efforts aimed at reducing transportation related activities that increase air pollution.
- T-P~~12~~4 The City shall consider the air quality implications of new growth and development when making comprehensive plan and regulatory changes. When planning highway, street, and utility line extensions or revisions, the City should consider current state and federal air quality standards and possible increases in emissions as a result of such extensions or revisions.
- T-P~~13~~5 The City adopts the FHWA system of street classification.



# CITY OF MEDINA

## Street Classifications

Figure 7 Street Classifications



# CITY OF MEDINA

## Non-Motorized Transportation Plan

FIGURE 8: NON-MOTORIZED TRANSPORTATION PLAN

## **6. PARKS AND OPEN SPACE ELEMENT**

### **~~MEDINA PARK PLAN~~**

This chapter comprises the ~~makeup of the~~ Medina Park Plan, which is fully incorporated into the is Parks and Open Space Element of the Medina Comprehensive Plan.

### **INTRODUCTION**

The City's large open spaces are the defining elements of Medina's community character. In the early 1950s, residents of the newly incorporated City of Medina were concerned about the development that was taking place in nearby Bellevue. From 1959 to 1971 Medina acquired and developed Fairweather Nature Preserve, Medina Park, and Medina Beach Park. Other open space areas that were part of the incorporated City included undeveloped platted street ends that abut Lake Washington (present View Point Park and Lake Lane) and undeveloped street rights-of-way (Indian Trail and NE 26<sup>th</sup> Street). The vision of Medina's early residents created both active and passive parks resulted in the parks and open spaces that are enjoyed today.

### **Growth Management Act**

The Growth Management Act (GMA) requires comprehensive plans to contain “a park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.”

The following planning goal for open space and recreation is provided in the Revised Code of Washington (36.70A.020):

“Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.”

Additionally, King County countywide planning policies (CPPs) direct jurisdictions to identify and protect open spaces within their comprehensive plans.

### **Guiding Principle**

The Medina Park Board serves as the Medina City Council's primary advisory body on matters pertaining to the use, maintenance, and enhancement of the City's public parks and open spaces. The board is guided by the principle that Medina's parks are natural areas that require ongoing stewardship of the entire community so that they remain protected and nurtured. Without the requisite supervision and maintenance, the vegetation, wildlife, and quality of environment that the Medina parks provide will disappear or be altered to the detriment of the public.

# ATTACHMENT A

## EXISTING PARKS AND CONDITIONS

Recognized national park standards state that there should be 2.5 to 10 acres of neighborhood and community park space for every 1,000 residents. There are 26.7 acres of parks in Medina, which equals 9 acres of park space per 1,000 residents. The present SR 520 freeway construction overcrossing lid of Evergreen Point Road upon completion of the project will add another 0.62 acres of park open space to the City's inventory. The following is an inventory of the City's parks.

### Medina Park (Community Park)

LOCATION: South of NE 12<sup>th</sup> Street, bounded on the east by 82<sup>nd</sup> Avenue NE and undeveloped 80<sup>th</sup> Avenue NE on the west.

SIZE: 17.5 acres.

#### FEATURES:

- The site contains a wetland and two ponds that provide storm water detention
- Off-leash and On-leash Dog Areas
- Public Works Yard/ City Shop facilities

#### PARK FACILITY IMPROVEMENTS

Public Restrooms	Yes
Tennis Court	Yes
Playground Equipment	Yes
Walking Trails & Par Course	Yes
Benches	Yes
Parking Facilities	Yes
Sports Field	No
Pier/Dock	No
Swimming Area	No
Other Improvements	Art Sculptures; Community Notice Board

#### HISTORY

Medina Park was created in 1965 when City officials spearheaded the purchase of five properties with matching grant dollars for approximately \$80,000. Today, the combined area offers both active and passive uses: two vehicle parking areas, fields for sport activities, playground area with playground equipment, a par course for exercising, tennis court, walking paths, restroom facilities, and off- and on-leash dog exercise areas. Passive activities include quiet spaces for sitting, bird watching, lawns for relaxing, viewable art, and tables for picnicking.

The park today is a social epicenter, a gather place that is expansive enough to host large scale events like the annual Medina Days celebration, concerts, unofficial soccer and baseball games yet also serve individual needs of adults, children, and dogs. The picturesque walking paths and open areas make the park a desirable destination for human/canine socialization. In an effort to manage a compatible usage of the park by dog owners and other users, a policy was adopted by

## ATTACHMENT A

the Council that divides Medina Park into two defined on-leash and off-leash sections seasonally (May-September) separated by the two ponds. The green lawn area in the western section of the park is watered by an irrigation system, and the eastern non-irrigated section remains the year-round off-leash dedicated area for dogs. The two original low areas of the park were developed into stormwater detention ponds and are rimmed by open grassy spaces, punctuated with trees and shrubs, seasonal plantings, artwork, meandering gravel pathways, and numerous benches for rest, introspection, and bird watching.

Other attributes include planted trees to commemorate an event, individual's service, or were planted in memory of loved ones. The northeast corner of the park serves as a landscaped defined entry to the City. The park is an urban bird-watching destination. The site is home to a variety of waterfowl including Canadian geese, mallards, wood ducks, cormorants, and blue heron. To celebrate famed woodcarver Dudley Carter's 100<sup>th</sup> birthday, residents purchased one of his wood sculptures, "Wind Song" and hung the piece from a rough-hewn post on the southwest bank of the northerly pond next to a gravel pathway. An additional stone sculpture stands in the southwest corner of the park and was donated by Peter Skinner, a resident of Medina.

### **Medina Beach Park (Community Park)**

LOCATION: South point of Evergreen Point Road (Historic site of Leschi Ferry terminal).

SIZE: 1.44 acres.

#### FEATURES:

- Public Beach
- City Hall and Police Station

#### PARK FACILITY IMPROVEMENTS:

Public Restrooms	Yes
Tennis Court	No
Playground Equipment	No
Walking Trails	No
Benches	Yes
Parking Facilities	Yes
Sports Field	No
Pier/Dock (Viewing)	Yes
Swimming Area	Yes
Other Improvements	Picnic Tables; Bar-B-Q; Sandy Beach; Sailing Lessons

#### HISTORY

Medina Beach Property was donated to the City in 1960 by the Medina Improvement Club. Situated at the south point of Evergreen Point Road at the historic site of a former ferry terminal that connected Medina with Seattle, the park is a favorite destination for summer. The park offers swimming areas for all ages. Under the supervision of seasonal lifeguards, older children are able to swim out to a float while younger ones wade at the water's edge or play on the beach. The site

## ATTACHMENT A

provides extraordinary views of Seattle, Mercer Island, and Mount Rainier. The site also serves as the municipal hub of the City. The Police Station, City Council Chambers, City Manager, Department Directors and Administrative Staff are all located within City Hall on the site. The Planning Commission, Park Board, Emergency Preparedness Committee, and other volunteer groups regularly meet at the City Hall to conduct business.

### **Fairweather Nature Preserve and Park (Neighborhood Park)**

LOCATION: At NE 32<sup>nd</sup> Street, bounded by Evergreen Point Road on the west, NE 32<sup>nd</sup> Street on the north, 80<sup>th</sup> Avenue NE on the east, and SR 520 on the south.

SIZE: 10.4 acres.

#### FEATURES:

- Passive Natural Forest with Walking Trails
- Stream and Natural Wetland
- Active Sports field

#### PARK FACILITY IMPROVEMENTS:

Public Restrooms	No
Tennis Court	Yes
Playground Equipment	No
Walking Trails	Yes
Benches	No
Parking Facilities	Yes
Sports Field (practice)	Yes
Pier/Dock	No
Swimming Area	No
Other Improvements	Practice Tennis Blackboard; Basketball Hoop

#### HISTORY

Fairweather Park is composed of two distinct public use areas. The western half of the park is an active use area with a small playfield, two tennis courts, a tennis practice back board, basketball hoop, and parking area that were developed in 1962 during the initial SR 520 construction. The eastern half of the park remains as a natural forest nature preserve with a stream passing through it and winding walking trails. The northeastern portion of the forest area is a natural wetland that drains to the east to Fairweather Bay. This forest is one of the last standing natural forests in the area and is as close to a walk in the deep woods as one can get in the heart of a city.

### **Viewpoint Park (Neighborhood Park)**

LOCATION: Overlake Drive West and 84<sup>th</sup> Avenue NE

SIZE: 0.15 acres (includes street right-of-way).

## ATTACHMENT A

### FEATURES:

- Viewing Area
- Waterfront Access

### PARK FACILITY IMPROVEMENTS:

Public Restrooms	No
Tennis Court	No
Playground Equipment	No
Walking Trails	No
Benches	Yes
Parking Facilities	Yes
Sports Field (practice)	No
Pier/Dock	Yes
Swimming Area	No
Other Improvements	Picnic Tables; Sewer Lift Station

### HISTORY

Viewpoint Park is one of Medina's lesser known parks. The upper portion of the park is a small triangle of land situated near the south end of 84<sup>th</sup> Avenue NE and Overlake Drive West. The triangle area is landscaped with the center of the area planted in grass with a picnic table and a seating area. The lower portion of the park has a limited parking area and a meandering pathway from the parking area down to the park area by Lake Washington. This area has a picnic table and a pier. The waterfront area provides a spectacular view of Lake Washington, the Seattle skyline and the Olympic Mountains. The park offers a peaceful secluded area for resting, relaxing, and contemplation.

### **Lake Lane (Neighborhood Park)**

LOCATION: 3300 Block of 78<sup>th</sup> Place NE

SIZE: 0.10 acres (street right-of-way).

### FEATURES:

- Waterfront Access

### PARK FACILITY IMPROVEMENTS:

Public Restrooms	No
Tennis Court	No
Playground Equipment	No
Walking Trails	No
Benches	No
Parking Facilities	No
Sports Field (practice)	No
Pier/Dock	Yes
Swimming Area	No
Other Improvements	Sewer Lift Station

# ATTACHMENT A

## HISTORY

Lake Lane is another Medina lesser known park that is little known and rarely used. The park is found at the end of a narrow driveway that extends from 78<sup>th</sup> Place NE to a private residence located on the north side of the park. The park fronts on Lake Washington and is only accessible by walking. No parking areas are provided. The park has a public pier where one can view Fairweather Bay, Hunts Point, and the City of Kirkland to the north. Hidden away this picturesque site is an ideal spot to visit and view the waterfront surroundings.

### **Indian Trail and Undeveloped NE 26<sup>th</sup> Street Right-of-Way (Community Trail System)**

LOCATION: Unopened 77<sup>th</sup> Avenue NE and NE 26<sup>th</sup> Street Public Right-of-Ways.

SIZE: 2.70 acres of street right-of-way.

#### FEATURES:

- Unopened street right-of-way

#### IMPROVEMENTS:

- Walking paths from 2200 Block 77<sup>th</sup> Avenue NE to NE 28<sup>th</sup> Street;
- Public Storm Drainage System

## TRAIL SYSTEM

Indian Trail is located between the residential streets of Evergreen Point Road on the west, 78<sup>th</sup> Avenue NE on the east, NE 22<sup>nd</sup> Street on the south and NE 28<sup>th</sup> Street on the north. Indian Trail extends from 77<sup>th</sup> Avenue NE north of NE 22<sup>nd</sup> Street to NE 28<sup>th</sup> Street and provides a natural walking pathway for the public connecting the neighborhood south of NE 24<sup>th</sup> Street with the Three Points Elementary School on NE 28<sup>th</sup> Street. The trail also functions as a part of the Points Loop Trail system linking Yarrow Point, Hunts Point, and Clyde Hill communities. A spur off of the trail extends from the north-south main Indian Trail along the undeveloped NE 26<sup>th</sup> Street right-of-way to 79<sup>th</sup> Avenue NE. The westerly portion of this spur is over private driveways. That portion between 78<sup>th</sup> and 79<sup>th</sup> Avenue NE is a grassy area with some trees and an informal pathway. A portion of NE 26<sup>th</sup> Street right-of-way remains undeveloped between Evergreen Point Road and the Indian Trail.

### **Other Recreational Facilities**

#### POINTS LOOP TRAIL SYSTEM

This was created in 1962 by the construction of the initial SR 520 freeway. The main portion of the trail system connects the local communities of Yarrow Point, Hunts Point, Clyde Hill, and Medina. The trail is a five foot wide paved walking path that extends along the north side of the freeway from 92<sup>nd</sup> Avenue NE in Yarrow Point to 84<sup>th</sup> Avenue NE in Hunts Point, along 84<sup>th</sup> Avenue NE over the freeway to NE 28<sup>th</sup> Street, west along NE 28<sup>th</sup> Street to Evergreen Point Road. Local trails connect to this trail system, i.e. Indian Trail at NE 28<sup>th</sup> Street. Maintenance of the system resides with each of the communities through which it passes. The major construction of the new SR 520 freeway is impacting the Local Points Loop Trail and portions of it will be

## **ATTACHMENT A**

replaced and realigned and new connections will be made to the new WSDOT SR 520 Regional Trail system that connects Seattle via a new floating bridge with the eastside communities of Medina, Clyde Hill, Hunts Point, Kirkland, and Bellevue. The WSDOT SR 520 Regional Trail will be constructed along the north side of the freeway connecting Seattle with the Eastside communities. A trail connection from the Regional Trail to the south end of 80<sup>th</sup> Ave NE is also planned.

### **EVERGREEN POINT ROAD LID**

Upon completion of the SR 520 Evergreen lid (wide bridge overcrossing) in 2014, approximately two acres of landscaped passive park area will be provided for public use. The lid area will include a park & ride lot with 50 parking spaces, a transit access facility with elevator and walking steps down to the freeway bus stop area in the center of the freeway, a viewing area on the west side of the lid with a viewing vista to the Seattle skyline to the west. A seating area and steps will be provided at the southwest corner of the Fairweather playfield to provide access from the freeway lid to the park.

### **OVERLAKE GOLF AND COUNTRY CLUB (PRIVATE GOLF COURSE)**

Located at 8000 NE 16<sup>th</sup> Street, the golf course provides approximately 140 acres of open space for members of the club to play golf. The property also contains a private club house and a swimming pool.

### **ST. THOMAS ELEMENTARY SCHOOL PLAYGROUND (PRIVATE SCHOOL)**

Located at 8300 NE 12<sup>th</sup> Street, the school has 5.62 acres of land (including the church). Facilities include a playground and play structures for students.

### **THREE POINTS ELEMENTARY SCHOOL PLAYGROUND (PRIVATE SCHOOL ON PUBLIC PROPERTY)**

Located at 7800 NE 28<sup>th</sup> Street, the school has approximately four acres of land. The playfield is in the westerly portion of the elementary school property that is leased from the Bellevue School District by Bellevue Christian Church. The playground has a dirt sport field, play structure, and covered play area for the students.

### **MEDINA ELEMENTARY SCHOOL (PUBLIC SCHOOL)**

Located at 8001 NE 8<sup>th</sup> Street, the school has approximately 7.88 acres of land. Facilities include a multipurpose playfield, play structures, and covered play areas for students.

## **NEEDS ASSESSMENT**

Medina is a fully built-out residential community with limited ability for growth over the next 10 years. The City has nine acres of park space for every 1,000 residents, which meets national standards. The need for additional park and open space will be a reflection of the community's desire to enhance existing open space and recreational opportunities rather than a rise in demand for park usage due to population increases.

# **ATTACHMENT A**

## **PARKS AND OPEN SPACE GOALS AND POLICIES**

The City's large open spaces are the defining elements of Medina's community character. The open space and parks provide a major recreational resource for the City's residents. Existing parks and open spaces should be maintained and enhanced pursuant to Medina's needs and as opportunities arise for improvement. The City shall seek to acquire properties to enhance waterfront access, retain existing views and/or preserve important environmental resources. The following are the goals and policies guiding the City's park plan.

### **GOALS**

- PO-G1 To maintain and enhance Medina's parks and open spaces to meet the City's needs. Examples of priority items include installation of a picnic shelter at Medina Park and reconstruction of the playfield at Fairweather Park for use year-round.
- PO-G2 To expand and improve the City parks and open spaces through property acquisitions as special funding allows and when opportunities arise.
- PO-G3 To identify annual revenue and special funding sources to maintain and improve parks and open spaces.

### **POLICIES**

- PO-P1 The City shall seek to acquire additional waterfront access along the shoreline, when opportunities arise and continue to maintain the public piers.
- PO-P2 The City shall seek to develop additional view parks at appropriate points in the City.
- PO-P3 The City shall seek to acquire view rights to preserve the views of view parks.
- PO-P4 The City should preserve easements to protect unique trees and tree groupings.
- PO-P5 The City should consider landscape improvements along Overlake Golf & Country Club frontage and seek participation in the project from the Country Club.
- PO-P6 The City should retain the Fairweather Nature Preserve in its natural state and provide maintenance only when necessary.
- PO-P7 The City should improve the Fairweather playfield for year-round use.
- PO-P8 The City should develop a long-term landscaping and maintenance plan to maintain Medina Beach Park and Medina Park in a manner that is consistent with and enhances public use.

## **EVALUATION OF FACILITIES AND RECOMMENDATIONS**

While residents enjoy park space that meets nationally recommended standards, the Medina Comprehensive Plan sets forth goals for the need to maintain and enhance existing park space and to acquire new park space when such opportunities arise.

## **ATTACHMENT A**

### **Medina Park**

This park offers both active and passive uses. The tennis court represents a significant investment and is frequently utilized for games and practice. Children have been observed playing on the court with metal toys and carry rocks and other objects onto the court for play which can damage the court surface. Signs have been added to the court entry to restrict the use of the court for tennis. Should violations continue, in order to protect the court, a push button combination lock on the entry may become necessary.

The children's playground area next to the tennis court is frequently used. There are two climbing apparatus, two swing sets, a circular rotating toy (NOVA), a seesaw, a sandbox, and some movable toys that have been donated by residents for children to use in the play area. Consideration should be made to add toys or change some of the equipment to provide variety and to add to the playground use.

A priority need is to improve the park for use during inclement weather by the construction of a picnic shelter appropriately located for public access and use.

The Public Works Shop and Yard are located in the southwest portion of the active park and should be screened from the park by adequate landscaping.

### **Medina Beach Park**

The primary use of this park is beach access and swimming. Milfoil and debris that is washed up on the beach area is undesirable. Power boats operating too close to the shore create a wake and are a safety concern.

The rock jetty and shoreline armoring with large rock are not easy to walk on and injuries could result. While the jetty is marked NO PUBLIC ACCESS, it is recommended that steps to the water be clearly marked.

The City Hall emergency generator and enclosure intrude into the former park area and if possible should be placed underground or moved to a non-use area of the park.

### **Fairweather Park and Nature Preserve**

The playfield area is a practice sports field of grass. The field becomes too muddy for play during the winter months. A priority need is to improve the field drainage for use year round. The parks proximity to the freeway should be accounted for in the screening of the park in the area that is not at the gateway to the park.

The nature preserve should be maintained in its natural state by continuing to remove invasive plants and ivy, and to replant native species as trees are lost due to wind and age.

The winding natural trails should continue to be maintained with natural wood steps and remain rustic in appearance. Fallen trees should remain in place, except where they obstruct a trail. Wayfinding maps should be considered to assist hikers and trail walkers.

## **ATTACHMENT A**

### **Viewpoint Park**

The park triangular overlook (viewing area) provides unique views of the Seattle skyline. The recently added picnic bench provides added ability for users to eat lunch or picnic. It is recommended that a drinking fountain be added.

The beach front area provides a place for picnics, dock access, and swimming at the pier end.

### **Lake Lane**

The dock is the only current park physical asset at the park. Adding a bench or picnic table would be beneficial. Milfoil continues to invade the beach front area and should be controlled.

### **Indian Trail and Undeveloped NE 26<sup>th</sup> Street Right-of-Way**

The present trail is an asset that should be maintained in its natural condition. Limited plantings that will enhance the natural appearance of the trail are encouraged to be native and drought tolerant.

## **7. CAPITAL FACILITIES ELEMENT**

### **INTRODUCTION**

The Growth Management Act (GMA) requires cities to prepare a Capital Facilities Element. Capital facilities refer to those physical structures and infrastructure that are owned and operated by public entities and the associated services provided. The locations of Medina's capital facilities are shown in Figure 78.

### **EXISTING CONDITIONS**

#### **Administration and Public Safety**

City Hall is housed in the former ferry terminal building located at the south end of Evergreen Point Road in Medina Beach Park. City Hall contains City Council chambers, City administrative offices, and the police department. There are currently ~~22-24~~ City staff including the police department. Public hearings for the Planning Commission, Hearing Examiner, and City Council are also held in this facility. Public restrooms are ~~also~~ provided in conjunction with park use. The facility was renovated in 2011. Renovation included expansion to the Police Department, as well as a larger Council Chamber. City Hall now provides approximately 9,000 square feet of space. City Hall provides 5,000 square feet of space. The Public Works shop has an office of approximately 1,000 square feet. Some City functions might be contracted to outside vendors.

The City of Medina maintains its own police force, which is housed within City Hall. The Medina police force also serves the adjacent Town of Hunts Point under contract. Marine Patrol is provided under contract by the ~~City of Mercer Island Police Department, under contract.~~ Seattle Police Department Harbor Patrol.

Fire protection is provided under contract by the City of Bellevue. However, there is no fire station located within Medina; the nearest station is in the adjacent City of Clyde Hill on NE 24<sup>th</sup> Street between 96<sup>th</sup> Avenue NE and 98<sup>th</sup> Avenue NE.

The City also has a ~~maintenance~~ Public Works shop located in the southwest corner of Medina Park adjacent to the Puget Power substation. The shop occupies approximately 1,878 square feet with an additional 2,637 square feet of covered maintenance bays.

#### **Schools**

The Bellevue School District maintains two facilities in Medina. Medina Elementary School is located on NE 8<sup>th</sup> Street between Evergreen Point Road and 82<sup>nd</sup> Avenue NE. The school was reconstructed in 2006, replacing a 45,000 square foot building and three portable structures with a two-story, 67,000 square foot facility. Reconstruction expanded the school's capacity by approximately 100 students. Current enrollment is 554 students, which is at capacity. The current enrollment of 405 is above capacity. The school currently uses three temporary portable buildings to support increased enrollment. The ~~other~~ second Bellevue School District facility is the former Three Points School, which is now leased by Bellevue Christian Schools, a private school, for their elementary school campus. It is located on NE 28<sup>th</sup> Street adjacent to Evergreen

## ATTACHMENT A

Point Road and SR 520. There are ~~350~~276 students attending Bellevue Christian Elementary School. They have indicated that they are ~~at~~near capacity.

St. Thomas School, another private school, is located at the corner of NE 12<sup>th</sup> Street and 84<sup>th</sup> Avenue NE, adjacent to St. Thomas Church. ~~St. Thomas School recently underwent a remodel and upgrade.~~ The school has an enrollment of ~~190~~290, which is close to maximum enrollment.

(Private schools are mentioned only because they may contribute to, or reduce, the demand on public facilities.)

### Water and Sewer

King County CPPs direct jurisdictions to provide water and sewer services in a cost-effective way in order to maintain the health and safety of residents. Conservation and efficient use of water resources are vital to ensuring long-term supply.

Water and sewer services are provided by the City of Bellevue. Based on Bellevue's 2015 Water System Plan, single-family residential water consumption in the Bellevue service area is estimated at 24,455 gallons per person per year. Due to the large size of some Medina properties relative to the Bellevue average, and resultant increased irrigation needs, residential users in Medina may use more than this average amount. Drinking water consumption by commercial and municipal employees is estimated at 9,855 gallons per person per year.

Sewer flows are not separately metered, and are therefore estimated from winter average per-capita drinking water demand. Based on the 2013 City of Bellevue Wastewater System Plan, for the Bellevue service area, average sewer water usage is estimated at 20,440 gallons per person per year. The Bellevue Public Works Department has estimated the water consumption and sewage flow for Medina based on 1990 per capita use information compiled from Bellevue's water and sewage comprehensive plans. Residential water consumption in the Bellevue service area is estimated at 36,676 gallons per person per year and sewage flow amounts to 25,639 gallons per person per year. Average use for the schools for both water consumption and sewage flow averages 7,257 gallons per person per year for faculty, staff, and students. It should be noted that the golf course does not use potable water for maintaining their greens, fairways, and landscaping, but rather is allowed to pump water from Lake Washington under a "grandfathered" water use rights agreement with the State Department of Natural Resources.

~~METRO~~ King County maintains a sewage pumping station at the corner of NE 8<sup>th</sup> Street and 82<sup>nd</sup> Avenue NE on the Medina Elementary School property in an agreement with the Bellevue School District.

### Storm Drainage

Federal clean water regulations require jurisdictions to adopt and implement stormwater management plans. Medina is a National Pollutant Discharge Elimination System (NPDES) Phase II permittee, and The City adopted its Stormwater Management Plan in 1993 (updated and updated it in 2009). To comply with NPDES requirements, the City will be updating its stormwater regulations by the end of 2016 to comply with the Department of Ecology's 2012 Stormwater Management Manual.

## ATTACHMENT A

In addition, King County countywide planning policies (CPP) ~~require direct~~ all jurisdictions to ~~identify manage~~ natural drainage systems for water quality and habitat considerations, including erosion, sedimentation, flood risk, storm water runoff, and public health, including riparian and shoreline habitat, to be maintained and enhanced. Jurisdictions in shared basins are to coordinate regulations to manage the basins and the natural drainage system. ~~Jurisdictions are also directed to maintain or enhance water quality through control of runoff and best management practices.~~

Medina operates and maintains its own storm drainage system. In recent years, significant storm events have concentrated attention on deficiencies of the system. Problems related to the system deficiencies have included standing water on roadways, flooded basements, soil erosion, and, in at least one case, slope failure causing severe property damage. Many of the inadequacies of the overall system can be attributed to poor on-site management of stormwater runoff on individual properties. To address this problem, in 2009 the City adopted new regulations to control stormwater discharges in Medina. The regulations define allowed, prohibited, and conditional discharges, and require owners of individual properties to implement best management practices. Additionally, the regulations require property owners to maintain, repair, or replace private stormwater facilities. Such facilities are subject to annual inspection. The 2009 regulations also adopted the Stormwater Management Manual for Western Washington and subsequent amendments for regulation of development, redevelopment, and construction.

Certain sections of the City-owned system ~~have also been were~~ identified as requiring an upgrade to correct old or undersized lines and to install pollution control devices (e.g., catch basins, oil separators). Since the adoption of the 2009 stormwater regulations, Medina has improved a number of stormwater facilities, including:

- Installation of outlet (flood) control on the Medina Park stormwater ponds;
- Installation of storm drain pipe along Evergreen Point Road north of SR 520 to replace open ditches;
- Installation of oil/water separators upstream of major drainage basin outfalls into Lake Washington; and
- Installation of storm drain pipe along NE 28<sup>th</sup> Street to replace open ditches.

Additional ongoing City programs, including annual street sweeping and storm basing cleaning, further support the City's stormwater management goals.

### CAPITAL FACILITIES PLAN

The City will most likely continue to have water and sewer service provided by the City of Bellevue. Bellevue has indicated that they have adequate capacity to continue to service the relatively stable population in Medina.

Medina Elementary School, Bellevue Christian School, and St. Thomas School are all near or at enrollment capacity. ~~Since voters in the Bellevue School District passed a construction levy in 2001, funding will be available to reconstruct the Medina Elementary School by 2006 on the same site pursuant to enrollment forecasts.~~ School administrators at Bellevue Christian School have indicated there are no major expansions planned for this facility in the foreseeable future.

## ATTACHMENT A

~~The City has completed a~~As described previously, the City's Comprehensive Stormwater Management Plan ~~that~~ identifies major drainage basins (see Figure 89) and addresses drainage system problems. The plan includes analysis of overall system condition and capacity, identification of a set of stormwater management techniques, a model ordinance to address development on individual properties, and a suggested capital improvement program. The majority of the capital improvements outlined in the Comprehensive Stormwater Management Plan focus on increasing the flow capacity of a number of individual sections of the system and reconditioning some of the open ditches (see Figure 910).

Recommendations concerning the control of point sources of stormwater runoff are aimed at either providing stormwater retention/detention and/or encouraging the use of the best management practices as defined under Department of Ecology guidelines. The Comprehensive Stormwater Management Plan encourages the use of public information programs or other such educational efforts to raise the awareness of City residents concerning water quality issues and solutions.

The City's 6-year Capital Improvement Plan is listed in Appendix B.

### GOALS

CF-G1 To have adequate, cost effective and efficient facilities and services for the City's needs.

### POLICIES

CF-P1 The Six-Year Capital Improvement Plan shall be periodically updated to reflect the projected needs of the community.

CF-P2 The City Council may periodically evaluate the adequacy of City facilities. If there is any consideration of the development of new or the expansion of existing facilities, a full comprehensive financial analysis, including cost justification, must be completed before any proposal is recommended to Council.

CF-P3 The City shall continue to contract with the City of Bellevue for water and sewer services.

CF-P4 The City should make improvements to the stormwater system based on the Comprehensive Stormwater Management Plan, including increasing the flow capacity of a number of individual sections of the stormwater system and reconditioning some of the open ditches.

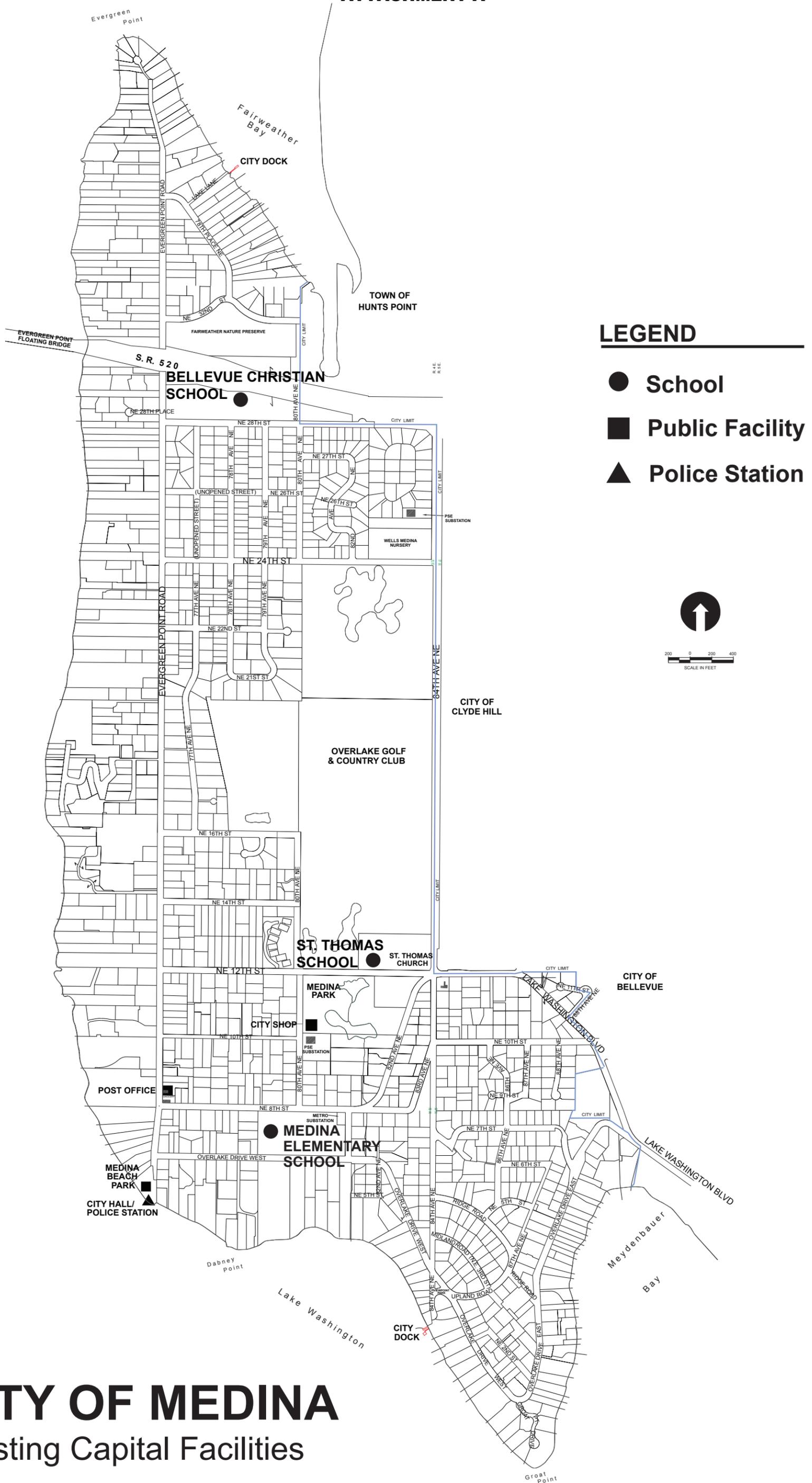
CF-P5 The City shall maintain requirements for stormwater retention/detention and/or the use of the best management practices as defined under Department of Ecology guidelines, and according to the objectives of the Puget Sound Water Quality Management Plan.

CF-P6 The City shall pursue stormwater management strategies to minimize flooding, significant erosion to natural drainage ways, and degradation of water quality.

## **ATTACHMENT A**

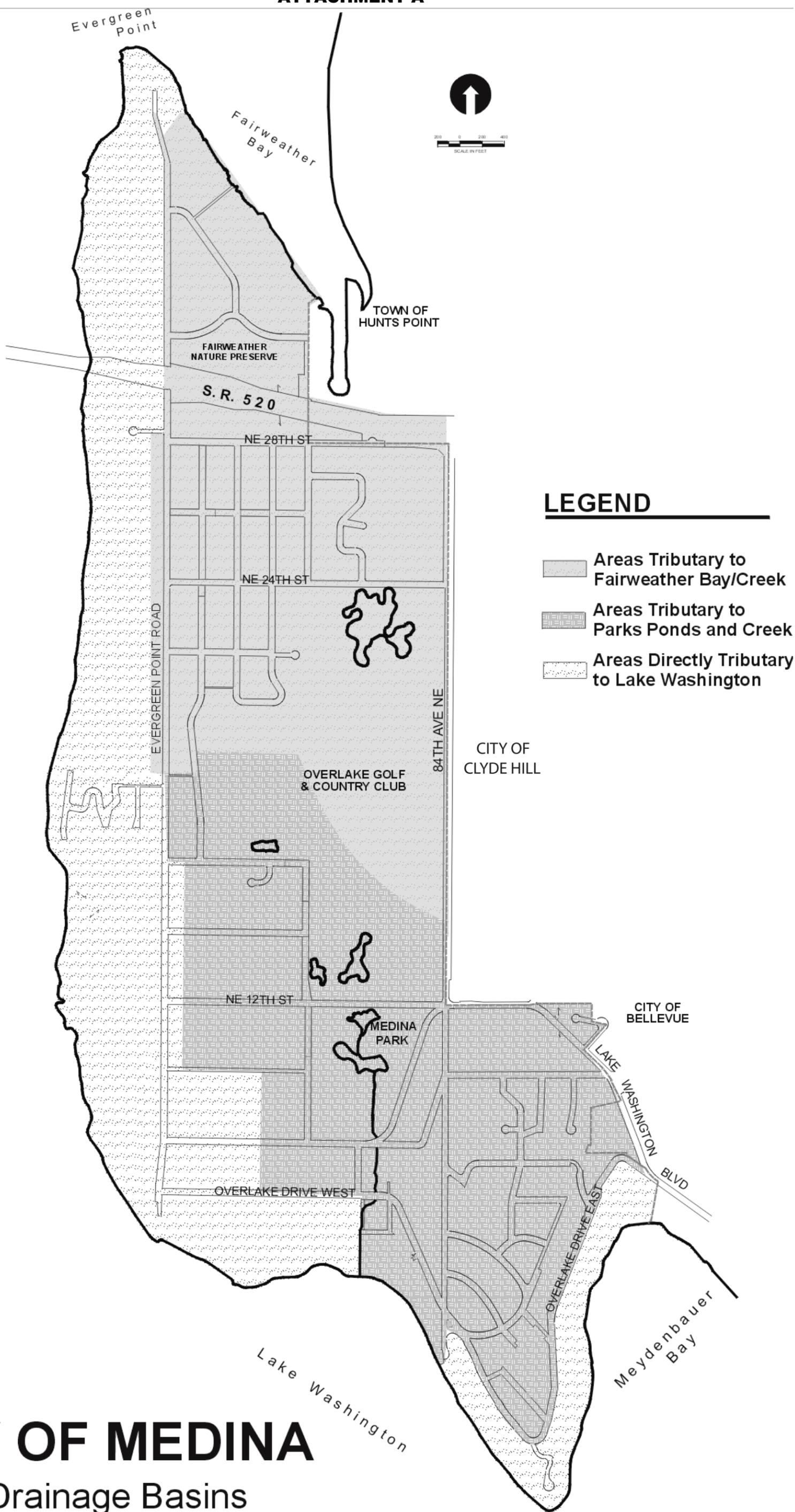
CF-P7      The City shall encourage the use of public information programs or other such educational efforts to raise the awareness of City residents concerning water quality and quantity issues and solutions.

**ATTACHMENT A**



**CITY OF MEDINA**  
Existing Capital Facilities

Figure 9: Existing Capital Facilities.



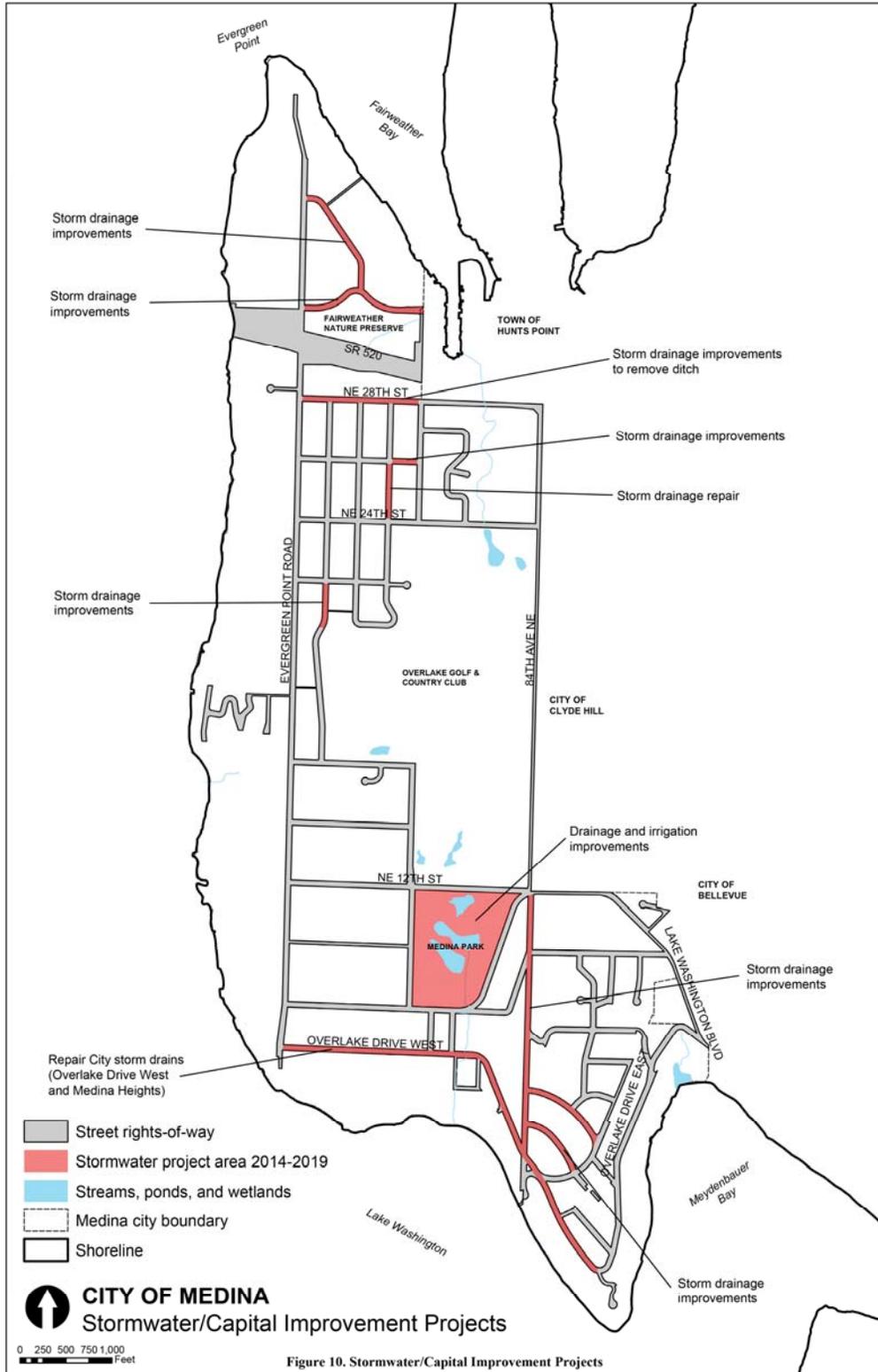
# CITY OF MEDINA

## Major Drainage Basins

Figure 10. Major Drainage Basins.

# ATTACHMENT A

Figure 11. Stormwater Capital Improvement Projects.



## **8. UTILITIES ELEMENT**

### **INTRODUCTION**

The Growth Management Act (GMA) requires the utility element of the comprehensive plan to consist of “the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.”

### **EXISTING CONDITIONS**

There are four utilities that provide services to Medina: electricity, natural gas, telecommunications, and garbage and recyclables collection. The majority of electrical, gas and telephone lines are located along or within public rights-of-way.

**Electrical** power is supplied by Puget Sound Energy, Inc. It is estimated that the average residential customer uses ~~16,456~~11,539 kilowatt hours per year. Puget Sound Energy, Inc. maintains two sub-stations in Medina: one adjacent to Wells-Medina Nursery on 84<sup>th</sup> Avenue NE and the other at the corner of NE 10<sup>th</sup> Street and 80<sup>th</sup> Avenue NE adjacent to Medina Park.

**Natural gas** is provided by Puget Sound Energy.

**Cable television** is provided under a franchise agreement with Comcast.

**Telephone** service is provided to Medina by ~~Qwest~~CenturyLink. ~~State law (WAC 480-120-086) requires Qwest to maintain adequate personnel and equipment to handle any reasonable demand.~~ The telecommunications industry is in the midst of significant advances in technology. Cellular and optical fiber technologies are transforming the way service is delivered, and the physical barriers that separate voice, data and video communications are rapidly disappearing. New technologies relating to wireless communications have increased the community’s demand for wireless communication services. In order to better meet this demand, in 2010 the City revised its telecommunications regulations. The updated regulations are intended to encourage improved delivery of wireless technologies throughout the City. These changes make it difficult to assess the long-term siting requirements for communications facilities. However, the trend appears to be towards physically smaller individual transmission/receiving facilities.

In 2010, the City entered into a nonexclusive telecommunications franchise agreement with ATC Outdoor DAS, LLC (ATC) to upgrade existing wireless communication facilities in Medina. The distributed antenna system subsequently installed by ATC conforms to the City’s updated telecommunication regulations, and is designed to meet projected capacity needs for at least five years.

**Solid waste and recycling** for Medina is handled under a franchise agreement with ~~Eastside Disposal~~Republic Services. There is currently no household hazardous waste repository in the City, though Medina is proportionately funding Bellevue's recycling activities to allow its residents the opportunity to utilize hazardous waste programs.

## ATTACHMENT A

All of the above services are provided to Medina customers on an individual basis, and it is the providers' responsibility to maintain equipment and handle service problems and inquiries. With the exception of the two Puget Sound Energy, Inc. electrical substations and the distributed antenna system, there are no other major facilities operated by these providers within the City limits.

### UTILITIES PLAN

Utilities services will likely continue to be provided by the companies previously indicated. Given the minimal population growth, growth related impacts on system capacities are not likely to occur very rapidly. Presently, there do not appear to be any problems related to system capacity. Yet, while existing utility lines should be sufficient to meet the City's present needs, over time repairs and upgrades to the existing system may be necessary to maintain and/or improve efficiency, reliability and/or capacity. Additional gas, telephone and electrical hook-ups will be made on an individual, as needed basis. There are no plans by any of the providers to locate major facilities in the City.

The City ~~is currently encouraging~~ actively encourages future undergrounding of remaining above ground utility lines in conjunction with street projects. Although undergrounding has been required for new construction for some time, there are a number of areas of the City that are still served by aerial lines. Above-ground installations are aesthetically problematic and subject to weather-related damage. The replacement of aerial wiring has been and should remain the primary responsibility of homeowners. However, the City can provide leadership to encourage progress on undergrounding. ~~Undergrounding is required for new construction, and in 2007 the City passed an ordinance to use tax bonds to provide funds for additional undergrounding.~~

Household waste reduction and recycling of waste materials will continue to be encouraged. In addition, the City will continue to work with Bellevue to provide special and hazardous waste programs.

### GOALS

- UT-G1 To maintain utility services sufficient to serve the City's needs.
- UT-G2 To minimize aesthetic and environmental impacts caused by utility services.
- UT-G3 To underground all remaining overhead utilities.

### POLICIES

- UT-P1 The City shall coordinate with applicable service providers to seek repairs and upgrades to existing utility facilities as necessary to maintain and/or improve efficiency, reliability, and/or capacity.
- UT-P2 The City shall provide leadership and seek to develop a plan to underground remaining above-ground utility lines.
- UT-P3 The City shall encourage household waste reduction and recycling of waste materials.

## **ATTACHMENT A**

UT-P4      The City shall continue work with Bellevue to encourage special and hazardous waste programs.

## **APPENDIX A - DEFINITIONS**

**Accessory Dwelling Unit:** A subordinate dwelling unit incorporated within a single-family structure, within an accessory building, or located on any developed residential property. The unit may not be subdivided or otherwise segregated in ownership from the primary residence structure.

**Activity Areas:** Areas defined in the Countywide Planning Policies as locations that contain a moderate concentration of commercial land uses and some adjacent higher density residential areas. These areas are distinguishable from community or neighborhood commercial areas by their larger size and their function as a significant focal point for the community.

**Affordable Housing:** Housing which is affordable to a family that earns up to 80 percent of the area median income, adjusted for family size.

**Alteration:** Any human induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to grading, filling, channelizing, dredging, clearing (vegetation), construction, compaction, excavation or any other activity that changes the character of the critical area.

**Anadromous Fish:** Fish that spawn and rear in freshwater and mature in the marine environment. While Pacific salmon die after their first spawning, adult char (bull trout) can live for many years, moving in and out of saltwater and spawning each year. The life history of Pacific salmon and char contains critical periods of time when these fish are more susceptible to environmental and physical damage than at other times. The life history of salmon, for example, contains the following stages: upstream migration of adults, spawning, inter-gravel incubation, rearing, smoltification (the time period needed for juveniles to adjust their body functions to live in the marine environment), downstream migration, and ocean rearing to adults.

**Aquifer Recharge Areas:** Areas that, due to the presence of certain soils, geology, and surface water, act to recharge ground water by percolation.

**ARCH - A Regional Coalition for Housing:** A regional group formed by King County and the cities of Redmond, Kirkland, and Bellevue to preserve and increase the supply of housing for low and moderate income families on the Eastside.

**Best Available Science:** Current scientific information used in the process to designate, protect, or restore critical areas, that is derived from a valid scientific process as defined by WAC 365-195-900 through 925. Sources of best available science are included in "Citations of Recommended Sources of Best Available Science for Designating and Protecting Critical Areas" published by the state Office of Community Development.

**Best Management Practices:** Conservation practices or systems of practices and management measures that:

- A. Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, and sediment;
- B. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical, and biological characteristics of wetlands;
- C. Protect trees and vegetation designated to be retained during and following site construction; and

## ATTACHMENT A

D. Provide standards for proper use of chemical herbicides within critical areas.

**Bicycle Facilities:** A general term referring to improvements that accommodate or encourage bicycling.

**Bicycle Route:** Any route or portion of public or private roadway specifically designated for use by bicyclists and pedestrians, whether exclusive for bicyclists and pedestrians or to be shared with other transportation modes.

**Buffer:** An area contiguous to and protects a critical area that is required for the continued maintenance, functioning, and/or structural stability of a critical area.

**Built Environment:** Altered natural lands that accommodate changed topography, utilities, pavement, buildings, or other structures.

**Community:** The combined interests of the City, its residents, commercial interests, and other local parties who may be affected by the City's actions.

**Countywide Planning Policies (CPP):** A growth management policy plan required by the state Growth Management Act (GMA) that promotes regional cooperation and specifies the roles and responsibilities of cities and the county.

**Critical Areas:** Critical areas include any of the following areas or ecosystems: aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands, as defined in RCW 36.70A.

**Eastside:** A geographic area that includes the King County communities east of Seattle.

**Environmental Stewardship:** The responsibility to make land use decisions with proper regard for protecting and enhancing the environment.

**Erosion:** The process whereby wind, rain, water, and other natural agents mobilize and transport particles.

**Fish and Wildlife Habitat Conservation Areas:** Areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created as designated by WAC 365-190-080(5). In Medina, these areas include:

- A. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association;
- B. Habitats of local importance, including but not limited to areas designated as priority habitat by the Department of Fish and Wildlife;
- E. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds;
- F. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and watercourses within the jurisdiction of the state of Washington;
- G. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;
- H. State natural area preserves and natural resource conservation areas; and
- I. Land essential for preserving connections between habitat blocks and open spaces.

## ATTACHMENT A

**Frequently Flooded Areas:** Lands in the flood plain subject to a one percent (1%) or greater chance of flooding in any given year. Frequently flooded areas perform important hydrologic functions and may present a risk to persons and property as designated by WAC 365-190-080(3). Classifications of frequently flooded areas include, at a minimum, the 100-year flood plain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.

**Functions and Values:** The beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

**Geologically Hazardous Areas:** Areas that may not be suited to development consistent with public health, safety or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events as designated by WAC 365-190-080(4). Types of geologically hazardous areas include: erosion, landslide, seismic, mine, and volcanic hazards.

**Ground Water:** Water in a saturated zone or stratum beneath the surface of land or a surface water body.

**Growth Management Act (GMA):** State legislation enacted in 1990, and amended in 1991, requiring counties and cities to create cooperative regional strategies to manage growth and to adopt comprehensive plans and regulations that will implement these strategies.

**Household:** A household includes all the persons who occupy a housing unit as their usual place of residence, regardless of relationship.

**Housing Unit:** A house, apartment, mobile home, group of rooms, or single room that is occupied (or, if vacant, is intended for occupancy) as separate living quarters. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

**Impervious Surface:** A hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

**Metro - Municipality of Metropolitan Seattle:** A regional governmental entity with responsibility for wastewater treatment and public transportation. In January 1994, Metro became a department of King County government, the Department of Metropolitan Services (DMS).

**Mega-Homes:** A common description for atypically large single-family residences.

**Mitigation:** Avoiding, minimizing or compensating for adverse critical areas impacts. Mitigation, in the following order of preference, is:

- A. Avoiding the impact altogether by not taking a certain action or parts of an action;

## ATTACHMENT A

- B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;
- C. Rectifying the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project;
- D. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;
- E. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;
- F. Compensating for the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by replacing, enhancing, or providing substitute resources or environments; and
- G. Monitoring the hazard or other required mitigation and taking remedial action when necessary.

Mitigation for individual actions may include a combination of the above measures.

**Monitoring:** Evaluating the impacts of development proposals on the biological, hydrological, and geological elements of such systems and assessing the performance of required mitigation measures throughout the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features, and includes gathering baseline data.

**Native Vegetation:** Plant species that are indigenous to the area in question.

**Multi-modal Transportation:** Means of transport by multiple ways or methods, including automobiles, public transit, walking, bicycling, and ridesharing.

**Nonmotorized Transportation:** Means of transport that does not involve motorized vehicles, including but not limited to walking and bicycling.

**Open Space (Parks):** Public land for active and/or passive recreational uses. Includes parkland, wildlife corridors, natural areas, and greenways. May also include school lands and private land permanently reserved as undeveloped.

**Passive Recreation (Parks):** Outdoor recreation which does not require significant facilities, such as walking, picnicking, viewing, and environmental education activities.

**Public Access:** A means of physical approach to and along the shoreline available to the general public. Public access may also include visual approach (views).

**Restoration:** Measures taken to restore an altered or damaged natural feature including:

- A. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and
- B. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

**Shoreline:** The water, submerged lands, associated wetlands, and uplands of Lake Washington.

**Sidewalks:** The portion of a roadway designed for preferential or exclusive use by pedestrians. Sidewalks are usually constructed of concrete and are typically grade separated horizontally and set back vertically from the roadway.

## ATTACHMENT A

**Public Facility:** Facilities which serve the general public or provide public benefit, such as schools, libraries, fire stations, parks, and other city facilities.

**Region:** An area which in its largest sense generally includes King, Pierce, Snohomish, and Kitsap Counties. It may also be limited to a smaller area. If so, this is generally noted in the context of the policy.

**Sensitive Area:** (see *Critical Areas*)

**Stream:** Water contained within a channel, either perennial or intermittent, and classified according to WAC 222-16-030 and as listed under water typing system. Streams also include watercourses modified by man. Streams do not include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities, or other wholly artificial watercourses except those that directly result from the modification to a natural watercourse.

**Trail:** Any pedestrian walkway within the City, including, but not limited to, paved surfaces such as sidewalks and unpaved, informal pathways.

**Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetland intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. ~~For identifying and delineating a regulated wetland, the *Washington State Wetland Identification and Delineation Manual* shall be used.~~ Identification of wetlands and delineation of their boundaries pursuant to the City's Critical Areas Regulations shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements.

**APPENDIX B – 6-YEAR CAPITAL IMPROVEMENT  
PLAN**

## Attachment B

### Chapter 20.50 Critical Areas

1  
2  
3  
4 Sections:

- 5 20.50.010 Purpose.  
6 20.50.020 General Provisions.  
7 20.50.030 Applicability.  
8 20.50.040 Exemptions, existing structures, trams, and limited exemptions.  
9 20.50.050 Relief from critical areas regulations.  
10 20.50.060 General requirements.  
11 20.50.070 Critical areas report.  
12 20.50.100 Wetlands.  
13 20.50.200 Geologically hazardous areas.  
14 20.50.300 Fish and Wildlife Habitat Conservation Areas.

15  
16 **20.50.010 Purpose.**

- 17  
18 A. The purpose of this chapter is to designate and classify ecologically critical areas, to  
19 protect these areas and their functions and values, and to supplement the  
20 development regulations contained in the Medina Municipal Code by providing for  
21 additional controls required by the Growth Management Act.  
22 B. Within the City, known critical areas include wetlands, geologically hazardous areas,  
23 and fish and wildlife habitat conservation areas. The City recognizes that critical  
24 areas provide a variety of valuable and beneficial biological and physical functions  
25 that benefit the city and its residents, and/or may pose a threat to human safety or to  
26 public and private property. The standards and mechanisms established in this  
27 chapter are intended to protect critical areas while providing property owners with  
28 reasonable use of their property.  
29 C. This chapter seeks to:  
30 1. Protect the public health, safety and welfare by minimizing adverse impacts of  
31 development;  
32 2. To protect property owners from injury, property damage or financial losses due  
33 to erosion, landslides, steep slope failures, seismic events, volcanic eruptions, or  
34 flooding;  
35 3. Protect unique, fragile, and valuable elements of the environment, including  
36 ground and surface waters, wetlands, and fish and wildlife and their habitats  
37 through application of best available science, as determined according to WAC  
38 365-195-900 through 365-195-925, and in consultation with state and federal  
39 agencies and other qualified professionals;  
40 4. Prevent adverse cumulative impacts to water quality, wetlands, streams, fish and  
41 wildlife and their potential habitats;  
42 5. Direct activities not dependent on critical area resources to less ecologically  
43 sensitive sites and mitigate unavoidable impacts to critical areas by regulating  
44 alterations in and adjacent to critical areas;  
45 6. Alert appraisers, assessors, owners and potential buyers or lessees to the  
46 development limitations of environmentally sensitive areas; and  
47 7. Implement the goals, policies, guidelines and requirements of the State  
48 Environmental Policy Act, the Growth Management Act, Chapter 43.21C RCW,  
49 the Medina Comprehensive Plan, and all city functional plans and policies.  
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## Attachment B

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### **20.50.020 General Provisions.**

- A. This chapter is not intended to repeal, abrogate or impair any existing regulations. Should a regulation in this chapter conflict with other regulations, the conflict shall be resolved consistent with MMC 20.10.030 and in favor of the provision which provides the most protection environmentally to the critical areas unless specifically provided otherwise in this chapter or such provision conflicts with federal or state laws or regulations.
- B. This chapter shall apply as an overlay and in addition to zoning and other regulations adopted by the City, except within the shoreline jurisdiction. Where critical areas are located within the shoreline jurisdiction, Chapter 20.67 MMC shall apply in lieu of this chapter.
- C. Compliance with the provisions of this chapter does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required.
- D. Consistent with MMC 20.10.020, the provisions of this chapter set forth the minimum requirements in their interpretation and application and shall be liberally construed to serve the purposes set forth in MMC 20.50.010.
- E. These critical area regulations shall apply concurrently with review conducted under the State Environmental Policy Act (SEPA).
- F. Any individual critical area adjoined by another type of critical area shall have the buffer and the requirements applied that provide the most protection to the critical areas involved. Where any existing regulation, easement, covenant, or deed restriction conflicts with this chapter, the provisions of that which provides the most protection to the critical areas shall apply.
- G. Interpretations of this chapter shall be done in accordance with MMC 20.10.050.
- H. Approval of a permit or development proposal pursuant to the provisions of this title does not discharge the obligation of the applicant or property owner to comply with the provisions of this title.

### **20.50.030 Applicability.**

- A. This chapter shall apply to all areas outside of the shoreline jurisdiction within the municipal boundaries of the City which contain critical areas and their buffers as defined in this chapter.
- B. These provisions apply to projects undertaken by either private or public entities.
- C. All development permits, including but not limited to building, grading, drainage, short plats, lot line adjustments, variances, conditional and special uses, and demolition, shall be reviewed pursuant to the provisions of this chapter.
- D. Variances to the provisions in this chapter shall not be granted, except as provided for in MMC 20.50.050.

### **20.50.040 Exemptions, existing structures, trams, and limited exemptions.**

- A. Critical areas exemptions. The following developments, activities and associated uses shall be exempt from the requirements of this chapter; provided that they are otherwise consistent with the provisions of other local, state, and federal laws and requirements.
  - 1. Emergency actions necessary to prevent an immediate threat to public health, safety or welfare, or that pose an immediate risk of damage to private property

## Attachment B

- 1 and that require action in a timeframe too short to allow compliance with this
- 2 chapter, provided:
- 3 a. Immediately after the emergency action is completed, the owner shall notify
- 4 the City of these actions within 14 days; and
- 5 b. The owner shall fully restore and/or mitigate any impacts to critical areas and
- 6 buffers in accordance with an approved critical area report and mitigation
- 7 plan.
- 8 2. Operation, maintenance, remodel or repair of existing structures and facilities,
- 9 provided there is no further intrusion into a critical area or its buffer and there is
- 10 no significant increase in risk to life or property as result of the action.
- 11 3. Passive recreation, education, and scientific research activities that do not
- 12 degrade critical areas or buffers, such as fishing, hiking and bird watching, not
- 13 including trail building or clearing.
- 14 4. Minor site investigative work necessary for land use submittals, such as surveys,
- 15 soil logs, percolation tests, and other related activities, where:
- 16 a. Such activities do not require construction of new roads or significant
- 17 amounts of excavation; and
- 18 b. The disruption to the critical areas and buffers shall be minimized and the
- 19 disturbed areas immediately restored.
- 20 5. Construction or modification of navigational aids and boundary markers.
- 21 B. Existing structures.
- 22 1. Existing structures may be maintained, repaired and remodeled provided there is
- 23 no further intrusion into a critical area or its buffer.
- 24 2. All new construction must conform to the requirements of this chapter except as
- 25 provided for single-family residences in MMC 20.50.040(C)(1).
- 26 3. Structures damaged or destroyed due to disaster (including nonconforming
- 27 structures) may be rebuilt in like-kind.
- 28 C. Limited critical areas exemptions. The following developments, activities, and
- 29 associated uses shall not be required to follow a critical areas review process;
- 30 provided, that they are consistent with the requirements of this chapter. The City may
- 31 condition approval of such to ensure adequate critical areas protection:
- 32 1. Existing single-family residences may be expanded, reconstructed, or replaced,
- 33 provided all of the following are met:
- 34 a. Expansion within a critical area buffer is limited to 500 square feet of footprint
- 35 beyond the existing footprint;
- 36 b. The expansion extends no closer to critical area than the existing setback;
- 37 c. The proposal preserves the functions and values of wetlands, fish and wildlife
- 38 habitat conservation areas, and their buffers;
- 39 d. The proposal includes on-site mitigation to offset any impacts;
- 40 e. The proposal will not significantly affect drainage capabilities, flood potential,
- 41 and steep slopes and landslide hazards on neighboring properties; and
- 42 f. The expansion would not cause a tree within a buffer to be labeled as a
- 43 hazardous tree and thus require the removal of the hazardous tree;
- 44 2. Replacement, modification, installation or construction of streets and utilities in
- 45 existing developed utility easements, improved city street rights-of-way, or
- 46 developed private streets. Utilities include water, sewer lines, and stormwater
- 47 and franchise (private) utilities such as natural gas lines, telecommunication
- 48 lines, cable communication lines, electrical lines and other appurtenances
- 49 associated with these utilities. The activity cannot further permanently alter or
- 50 increase the impact to, or encroach further within, a critical area or buffer and
- 51 must utilize best management practices;

## Attachment B

- 1 3. Public and Private Non-motorized Trails. Public and private pedestrian trails  
2 provided:
  - 3 a. There is no practicable alternative that would allow placement of the trail  
4 outside of critical area or their buffers;
  - 5 b. The trail surface shall meet all other requirements including water quality  
6 standards;
  - 7 c. Trails proposed in stream or wetland buffers shall be located in the outer 25  
8 percent of the buffer area, except when bridges or access points are  
9 proposed;
  - 10 d. Stream and wetland buffer widths shall be increased, where possible, equal  
11 to the width of the trail corridor, including disturbed areas;
  - 12 e. Trail corridors in critical areas and buffers shall not exceed six feet in width;  
13 and
  - 14 f. Trails proposed to be located in landslide or erosion hazard areas shall be  
15 constructed in a manner that does not increase the risk of landslide or  
16 erosion and in accordance with an approved geotechnical report;
- 17 4. Select Vegetation Removal Activities. The following limited vegetation removal  
18 activities are allowed in critical areas and buffers. Otherwise, removal of any  
19 vegetation or woody debris from a critical area shall be prohibited unless the  
20 action is part of an approved alteration.
  - 21 a. The removal of the following vegetation with hand labor and/or light  
22 equipment; provided, that the appropriate erosion-control measures are used  
23 and the area is replanted with native vegetation:
    - 24 i. Invasive weeds;
    - 25 ii. Himalayan blackberry (*Rubus discolor*, *R. procerus*);
    - 26 iii. Evergreen blackberry (*R. laciniatus*);
    - 27 iv. Ivy (*Hedera* spp.); and
    - 28 v. Holly (*Ilex* spp.), laurel, Japanese knotweed (*Polygonum cuspidatum*),  
29 or any other species on the King County Noxious Weed List.
  - 30 b. The cutting and removal of trees that are hazardous, posing a threat to public  
31 safety, or posing an imminent risk of damage to private property, from critical  
32 areas and buffers; provided, that:
    - 33 i. The applicant submits a report from a qualified professional (e.g.,  
34 certified arborist or professional forester) that documents the hazard as  
35 specified in Chapter 20.52 MMC and provides a replanting schedule for  
36 replacement trees;
    - 37 ii. Tree cutting shall be limited to limb and crown thinning, unless  
38 otherwise justified by a qualified professional. Where limb or crown  
39 thinning is not sufficient to address the hazard, trees should be topped  
40 to remove the hazard rather than cut at or near the base of the tree;
    - 41 iii. All native vegetation cut (tree stems, branches, tops, etc.) shall be left  
42 within the critical area or buffer unless removal is warranted due to the  
43 potential for disease transmittal to other healthy vegetation or the  
44 remaining material would threaten the survival of existing native  
45 vegetation. However, no cut material shall be left on a steep slope or  
46 landslide hazard area without the approval of a qualified professional;
    - 47 iv. Trees shall be cut to leave standing snags when doing so allows the  
48 hazard of the tree to be eliminated;
    - 49 v. The landowner shall replace any native trees that are felled or topped  
50 with new trees at ratios specified in Chapter 20.52 MMC within one year  
51 in accordance with an approved restoration plan prepared by a qualified

## Attachment B

- 1 professional. Tree species that are native and indigenous to the site  
2 shall be used;
- 3 vi. If a tree to be removed provides critical habitat, such as an eagle perch,  
4 a qualified wildlife biologist shall be consulted to determine timing and  
5 methods for removal that will minimize impacts; and
- 6 vii. Hazard trees determined to pose an imminent threat or danger to public  
7 health or safety, or to public or private property, or serious  
8 environmental degradation may be removed or topped by the  
9 landowner prior to receiving written approval from City; provided, that  
10 within 14 days following such action, the landowner shall submit a  
11 restoration plan that demonstrates compliance with the provisions of  
12 this title.
- 13 c. Trimming of vegetation for purposes of providing view corridors will be  
14 allowed; provided:
- 15 i. It is consistent with Chapters 18.16 and 20.52 MMC and that trimming  
16 shall be limited to view corridors of 20 feet in width or less;
- 17 ii. The limbs involved do not exceed three inches in diameter;
- 18 iii. Not more than 25 percent of the live crown is removed; and
- 19 iv. Benefits to fish and wildlife habitat are not reduced; and
- 20 v. Trimming is limited to hand pruning of branches and vegetation; and
- 21 vi. Trimming does not include felling, topping, stripping, excessive pruning or  
22 removal of trees.
- 23 d. Measures to control a fire or halt the spread of disease or damaging insects  
24 consistent with the State Forest Practices Act, Chapter 76.09 RCW; provided,  
25 that the removed vegetation shall be replaced in-kind or with similar native  
26 species within one year in accordance with an approved restoration plan  
27 prepared by a qualified professional; and
- 28 5. Conservation, Preservation, Restoration and/or Enhancement.
- 29 a. Conservation and/or preservation of soil, water, vegetation, fish and/or other  
30 wildlife that does not entail alteration of the location, size, dimensions or  
31 functions of an existing critical area and/or buffer; and
- 32 b. Restoration and/or enhancement of critical areas or buffers; provided, that  
33 actions do not alter the location, dimensions or size of the critical area and/or  
34 buffer; that actions do not alter or disturb existing native vegetation or wildlife  
35 habitat attributes; that actions improve and do not reduce the existing  
36 functions of the critical areas or buffers; and that actions are implemented  
37 according to a restoration and/or enhancement plan that has been approved  
38 by the City.
- 39
- 40 **20.50.050 Relief from critical areas regulations.**
- 41
- 42 A. If application of this chapter would deny all reasonable use of the subject property,  
43 the owner may apply for a reasonable use exception pursuant to MMC 20.72.060.
- 44 B. If application of this chapter would prohibit a development proposal by a public  
45 agency or public utility, the agency or utility may apply for an exception from the  
46 requirements of this chapter pursuant to MMC 20.72.070.
- 47
- 48 **20.50.060 General requirements.**
- 49
- 50 A. Avoid impacts to critical areas.

## Attachment B

- 1 1. The applicant shall avoid all impacts that degrade the functions and values of a  
2 critical area(s) and/or buffer(s) or do not result in an acceptable level of risk for a  
3 steep slope hazard area and/or its buffer.
- 4 2. Unless otherwise provided for in this chapter:
  - 5 a. If alteration to fish and wildlife habitat conservation areas, wetlands and/or  
6 their buffers is proposed, impacts resulting from a development proposal or  
7 alteration shall be mitigated in accordance with the mitigation sequencing set  
8 forth in MMC 20.50.060(C) and an approved critical area report and any  
9 applicable SEPA documents; or
  - 10 b. A development proposal or alteration within a geologically hazardous area  
11 and/or its buffer must comply with a geotechnical report approved by the city  
12 that assesses the risk to health and safety, and makes recommendations for  
13 reducing the risk to acceptable levels through engineering, design, and/or  
14 construction practices.
- 15 B. Mitigation.
  - 16 1. Mitigation shall be in-kind and on-site, where feasible, and sufficient to maintain  
17 critical areas and/or buffer functions and values, and to prevent risk from hazards  
18 posed by a critical area.
  - 19 2. Mitigation shall not be implemented until after the City approves the applicable  
20 critical area report and mitigation plan. Following city approval, mitigation shall  
21 be implemented in accordance with the provisions of the approved critical area  
22 report and mitigation plan.
- 23 C. Mitigation sequencing.
  - 24 1. Applicants must demonstrate that all reasonable efforts have been examined  
25 with the intent to avoid or minimize impacts to critical areas and buffers.
  - 26 2. When an alteration to a critical area and/or buffer is proposed, such alteration  
27 shall follow the mitigation sequencing set forth as follows:
    - 28 a. For fish and wildlife habitat conservation areas, wetlands and/or their buffers,  
29 avoiding the impact altogether by not taking a certain action or parts of an  
30 action;
    - 31 b. For geological hazards, minimizing or eliminating the hazard by restoring or  
32 stabilizing the hazard area through engineered or other methods;
    - 33 c. Minimizing impacts by limiting the degree or magnitude of the action by using  
34 appropriate technology, or by taking affirmative steps to avoid or reduce the  
35 impact;
    - 36 d. Rectifying the impact by repairing, rehabilitating, or restoring the affected  
37 environment;
    - 38 e. Reducing or eliminating the impacts over time by preservation and/or  
39 maintenance operations;
    - 40 f. Compensating for the impact by replacing, enhancing, or providing substitute  
41 resources or environments; and
    - 42 g. Monitoring the impact and the compensation projects and taking appropriate  
43 corrective measures.
- 44 D. Mitigation plan requirements. Where mitigation is required, the applicant shall  
45 submit, and obtain approval from the City, a mitigation plan as part of, or in addition  
46 to, the critical area report. The mitigation plan shall include the following information:
  - 47 1. A description of existing critical areas and/or buffers conditions, functions, and  
48 values, and a description of the anticipated impacts;
  - 49 2. A description of proposed mitigating actions and mitigation site selection criteria;
  - 50 3. A description of the goals and objectives of proposed mitigation relating to  
51 impacts to the functions and values of the critical area(s) and/or buffer(s);

## Attachment B

- 1 4. A review of the best available science supporting proposed mitigation, a  
2 description of the plan/report author's experience to date in restoring or creating  
3 the type of critical area proposed, and an analysis of the likelihood of success of  
4 the mitigation project;
- 5 5. A description of specific measurable criteria for evaluating whether or not the  
6 goals and objectives of the mitigation plan have been successfully attained and  
7 whether or not the requirements of these critical area regulations have been met;
- 8 6. Detailed construction plans including site diagrams, cross-sectional drawings,  
9 topographic elevations at one- or two-foot contours, slope percentage, final grade  
10 elevations, and any other drawings appropriate to show construction techniques  
11 or anticipated final outcome;
- 12 7. Construction plans should also include specifications and descriptions of:
  - 13 a. Proposed construction sequence, timing, and duration;
  - 14 b. Grading and excavation details;
  - 15 c. Erosion and sediment control features;
  - 16 d. A planting plan specifying plant species, quantities, locations, size, spacing,  
17 and density, with density standards as follows:
    - 18 i. Forested conditions:
      - 19 (1) Trees: Nine feet on center, or 0.012 trees per square foot (this  
20 assumes two- to five-gallon size) with at least 50 percent conifers;
      - 21 (2) Shrubs: Six feet on center, or 0.028 shrubs per square foot (this  
22 assumes one- to two-gallon size); and
      - 23 (3) Herbs and groundcovers: Four feet on center, or 0.063 plants per  
24 square foot (this assumes 10-inch plug or four-inch pot).
    - 25 ii. Shrub conditions:
      - 26 (1) Shrubs: Five feet on center, or 0.04 shrubs per square foot (this  
27 assumes one- to two-gallon size); and
      - 28 (2) Herbs and groundcovers: Four feet on center, or 0.063 plants per  
29 square foot (this assumes 10-inch plug or four-inch pot).
    - 30 iii. Emergent, herbaceous and/or ground-cover conditions:
      - 31 (1) Herbs and groundcovers: One foot on center, or one plant per  
32 square foot (this assumes 10-inch plug or four-inch pot); or
      - 33 (2) Herbs and groundcovers: 18 inches on center, or 0.444 plant per  
34 square foot if supplemented by over-seeding of native herbs,  
35 emergent or graminoids as appropriate;
    - 36 e. Measures to protect and maintain plants until established;
  - 37 8. A maintenance and monitoring program containing, but not limited to the  
38 following:
    - 39 a. An outline of the schedule for site monitoring;
    - 40 b. Performance standards including, but not limited to 100 percent survival of  
41 newly planted vegetation within the first two years of planting, and 80 percent  
42 for years three or more;
    - 43 c. Contingency plans identifying courses of action and any corrective measures  
44 to be taken if monitoring or evaluation indicates performance standards have  
45 not been met; and
    - 46 d. The period of time necessary to establish that performance standards have  
47 been met, not to be less than three years;
  - 48 9. The mitigation plan shall include financial guarantees to ensure that the  
49 mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of  
50 the compensation project, monitoring program, and any contingency measures  
51 shall be posted in accordance with MMC 20.50.060(J);

## Attachment B

- 1 10. Other information determined necessary by the Director.
- 2 E. Determination process. The Director shall make a determination as to whether the
- 3 proposed activity and mitigation, if any, is consistent with the provisions of these
- 4 critical areas regulations. The Director's determination shall be based on the
- 5 following:
- 6 1. Any alteration to a critical area and/or critical area buffer, unless otherwise
- 7 provided for in these critical area regulations, shall be reviewed and approved,
- 8 approved with conditions, or denied based on the proposal's ability to comply
- 9 with all of the following criteria:
- 10 a. The proposal will result in no net loss of functions and values of the critical
- 11 area(s) and/or buffer(s) in accordance with the mitigation sequencing
- 12 prescribed in MMC 20.50.060(C);
- 13 b. The proposal does not pose an unreasonable threat to the public health,
- 14 safety, or welfare on or off the development proposal site;
- 15 c. The proposal is consistent with the general purposes of these critical area
- 16 regulations and the public interest;
- 17 d. Any impacts permitted to the critical area and/or buffers are mitigated in
- 18 accordance with MMC 20.50.060(B), (C) and (D);
- 19 e. The proposal protects critical area and/or buffer functions and values
- 20 consistent with the best available science; and
- 21 f. The proposal is consistent with other applicable regulations and standards.
- 22 2. The City may condition the proposed activity as necessary to mitigate impacts to
- 23 critical areas and/or buffers and to conform to the standards required by these
- 24 critical area regulations.
- 25 3. Except as provided for by these critical area regulations, any project that cannot
- 26 adequately mitigate its impacts to critical areas and/or buffers shall be denied.
- 27 4. The City may require critical area or geotechnical reports to have an evaluation
- 28 by an independent qualified professional at the applicant's expense when
- 29 determined to be necessary to the review of the proposed activity.
- 30 F. Native Growth Protection Areas (NGPAs) shall be used in development proposals for
- 31 subdivisions and short subdivisions in accordance with the following:
- 32 1. NGPAs shall delineate and protect those contiguous critical areas and buffers
- 33 listed below:
- 34 a. All landslide hazard areas and buffers, except when a development proposal
- 35 is approved in a landslide hazard area and/or buffer per a geotechnical
- 36 report;
- 37 b. All wetlands and buffers;
- 38 c. All fish and wildlife habitat conservation areas; and
- 39 d. All other lands to be protected from impacts as conditioned by project
- 40 approval;
- 41 2. NGPAs shall be recorded on all documents of title of record for all affected lots;
- 42 3. NGPAs shall be designated on the face of the plat or recorded drawing in a
- 43 format approved by the City and include the following restrictions:
- 44 a. Native vegetation shall be preserved within the NGPA for the purpose of
- 45 preventing harm to property and the environment; and
- 46 b. The City has the right to enforce NGPA restrictions.
- 47 G. Performance securities. The city may require the applicant of a development
- 48 proposal to post a cash performance bond or other acceptable security in a form and
- 49 amount determined sufficient to guarantee satisfactory workmanship, materials and
- 50 performance of structures and improvements allowed or required by application of
- 51 this chapter. The city shall release the security upon determining that all structures

## Attachment B

1 and improvements have been satisfactorily completed. If all such structures and  
2 improvements are not completed to the satisfaction of the city within the time period  
3 set forth in the security (or 12 months from posting if no other time period is stated),  
4 the city may take all measures which the city, in its sole discretion, deems  
5 reasonable and recover all costs of such measures from the security, including all  
6 consulting fees and all attorney's fees incurred.

### 8 **20.50.070 Critical areas report.**

- 9
- 10 A. If fish and wildlife habitat conservation areas, wetlands, steep slopes and/or their  
11 buffers may be affected by a proposed activity, the applicant shall submit a critical  
12 area report meeting the following requirements:
- 13 1. Prepared by a qualified professional;
  - 14 2. Incorporate best available science in the analysis of critical area data and field  
15 reconnaissance and reference the source of science used; and
  - 16 3. Evaluate the proposal and all probable impacts to critical areas in accordance  
17 with the provisions of these critical area regulations.
- 18 B. At a minimum the report shall include the following information:
- 19 1. The applicant's name and contact information, a project description, project  
20 location, and identification of the permit requested;
  - 21 2. A site plan showing:
    - 22 a. The development proposal with dimensions and any identified critical areas  
23 and buffers within 200 feet of the proposed project; and
    - 24 b. Limits of any areas to be cleared;
  - 25 3. The date the report was prepared;
  - 26 4. The names and qualifications of the persons preparing the report and  
27 documentation of any fieldwork performed on the site;
  - 28 5. Identification and characterization of all noncritical areas and critical areas and  
29 their buffers within, and adjacent to, the proposed project area. This information  
30 shall include, but is not limited to:
    - 31 a. Size or acreage, if applicable;
    - 32 b. Applicable topographic, vegetative, faunal, soil, substrate and hydrologic  
33 characteristics; and
    - 34 c. Relationship to other nearby critical areas;
  - 35 6. An assessment of the probable cumulative impacts to critical areas resulting from  
36 the proposed development;
  - 37 7. An analysis of site development alternatives;
  - 38 8. A description of reasonable efforts made to apply mitigation sequencing pursuant  
39 to MMC 20.50.060(C) to avoid or compensate for impacts to critical area and  
40 buffer functions and values;
  - 41 9. Plans for mitigation in accordance with MMC 20.50.060(B), (C) and (D); and
  - 42 10. Any additional information required for the critical area as specified in this  
43 chapter.
- 44 C. The applicant may consult with the Director prior to or during preparation of the  
45 critical area report to obtain City approval of modifications to the required contents of  
46 the report where, in the judgment of a qualified professional, more or less information  
47 is required to adequately address the potential critical area impacts and required  
48 mitigation.
- 49 D. The Director may require additional information to be included in the critical area  
50 report and may also require the critical area report to include an evaluation by the  
51 Department of Ecology or an independent qualified expert when determined to be

## Attachment B

1 necessary to the review of the proposed activity in accordance with these critical  
2 area regulations.

### 4 **20.50.100 Wetlands.**

#### 6 A. Designation.

- 7 1. Wetlands are those areas, designated in accordance with the approved federal  
8 wetland delineation manual and applicable regional supplements set forth in  
9 WAC 173-22-035.
- 10 2. All areas within the City that meet the wetland designation criteria in the manual,  
11 regardless of any formal identification, are hereby designated critical areas and  
12 are subject to the provisions of these critical area regulations.

#### 13 B. Wetland ratings. Wetlands shall be rated according to the Washington Department 14 of Ecology wetland rating system for Western Washington (Ecology Publication #14- 15 06-029, or as revised and approved by Ecology). These documents contain the 16 definitions and methods for determining if the criteria below are met.

#### 17 C. Wetland Rating Categories.

- 18 1. The following table provides a summary of the categories of wetland and the  
19 criteria for their categorization.

20  
21 **Table 20.50.100(C) Wetland Categories**

Category	Criteria for Designation
Category I	<ul style="list-style-type: none"><li>• Represent a unique or rare wetland type;</li><li>• Are more sensitive to disturbance than most wetlands;</li><li>• Are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or</li><li>• Provide a high level of functions.</li></ul>
Category II	<ul style="list-style-type: none"><li>• Are not defined as Category I wetlands.</li><li>• Are difficult, though not impossible, to replace;</li><li>• Provide high levels of some functions.</li></ul>
Category III	<ul style="list-style-type: none"><li>• Do not satisfy Category I or II criteria;</li><li>• Can often be adequately replaced with a well-planned mitigation project;</li><li>• Provide moderate levels of functions.</li></ul>
Category IV	<ul style="list-style-type: none"><li>• Do not satisfy Category I, II or III criteria;</li><li>• Can often be adequately replaced and improved upon with a well-planned mitigation project;</li><li>• Provide the lowest levels of functions;</li><li>• Often are heavily disturbed.</li></ul>

- 22
- 23 2. Date of Wetland Rating. Wetland rating categories shall be applied as the  
24 wetland exists on the date of adoption of the rating system by the City, as the  
25 wetland naturally changes thereafter, or as the wetland changes in accordance  
26 with permitted activities.
- 27 3. Wetland rating categories shall not change due to illegal modifications made by  
28 the property owner or with the property owner's knowledge.

#### 29 D. Mapping.

## Attachment B

- 1 1. The approximate location and extent of known wetlands are identified in the City
- 2 of Medina Critical Areas Inventory. This inventory is to only be used as a guide
- 3 for the City, project applicants, and/or property owners, and may be continuously
- 4 updated as new critical areas are identified. The inventory is only a reference and
- 5 does not provide a final critical area designation.
- 6 2. The exact location of a wetland’s boundary shall be determined through the
- 7 performance of a field investigation by a qualified professional applying approved
- 8 federal wetland delineation manual and applicable regional supplements, as
- 9 revised, as required by RCW 36.70A.175.

10 E. Wetlands – development standards.

- 11 1. Activities and uses shall be prohibited within wetland and wetland buffer areas,
- 12 except as provided for in this title.
- 13 2. The following table establishes wetland buffer widths:

**Table 20.50.100(E) Wetland Buffer Widths**

Wetland Category	Buffer width if wetland scores less than 5 habitat points	Buffer width if wetland scores 5 habitat points	Buffer width if wetland scores 6-7 habitat points	Buffer width if wetland scores 8-9 habitat points
Category I	75 feet	105 feet	165 feet	225 feet
Category II	75 feet			
Category III	60 feet			
Category IV	40 feet			

- 16 3. The width of a wetland buffer shall be determined by the wetland category
- 17 designated in MMC 20.50.100(A) and the corresponding habitat scoring of the
- 18 wetland set forth in Table 20.50.100(E).
- 19 4. Measurement of wetland buffers shall be from the outer edges of the wetland
- 20 boundaries as determined through the performance of a field investigation by a
- 21 qualified professional applying the wetlands identification and delineation
- 22 pursuant to MMC 20.50.100(A) and as surveyed in the field.
- 23 F. Wetland Buffer Reduction. The wetland buffer widths in Table 20.50.100(E) may be
- 24 reduced by up to a maximum of 25 percent provided:
- 25 1. The amount of reduction is based on voluntary employment of incentive-based
- 26 action measures set forth in MMC 20.50.100(G);
- 27 2. A critical areas report prepared by a professional with expertise in wetlands and
- 28 approved by the City using the best available science determines a smaller area
- 29 can be adequate to protect the wetland functions and values based on site-
- 30 specific characteristics; and
- 31 3. The mitigation provided will result in a net improvement of the wetland and buffer
- 32 functions;
- 33 4. Any remaining wetland buffer areas on the property not subject to the reduction,
- 34 but are degraded, are re-vegetated with native plants; and
- 35 5. A five-year monitoring and maintenance program is provided.
- 36 G. Table 20.50.100(G) provides incentive options that may be employed to reduce a
- 37 wetland buffer width as allowed in MMC 20.50.100(F). Where multiple options for an
- 38 action are prescribed in the table, only one option under that action may be applied.
- 39
- 40
- 41

## Attachment B

1

**Table 20.50.100(G) Wetland Buffer Reduction Incentive Options**

Description of Action	Option	Reduction Allowance
Remove impervious surface within wetland buffer area	Remove at least 50 percent of the impervious surface area within the reduced buffer area, provided the total impervious surface area removed is less than 500 square feet	5 percent points
	Remove at least 50 percent of the impervious surface area within the reduced buffer area, provided the total impervious surface area removed is more than 500 square feet	10 percent points
	Remove 100 percent of impervious surface area within the reduced buffer area, provided at least 50 percent of the reduced buffer area presently contains impervious surface	20 percent points
Install bio-filtration/ infiltration mechanisms	Install bio-swales, created and/ or enhanced wetlands, or ponds supplemental to existing surface water drainage and water quality requirements	20 percent points
Remove invasive, nonnative vegetation	Remove invasive, nonnative vegetation and continue maintenance during the 5-year monitoring program of removing relatively dense stands of invasive, nonnative vegetation from significant portions of the reduced buffer area	10 percent points
Install oil-water separator	If not required by other provisions of the Medina Municipal Code, install oil-water separators for surface water quality control	10 percent points
Replace impervious materials	Replace impervious materials for driveway/ road construction with pervious materials	10 percent points
Provide off-site Restoration where no on-site restoration is available	Restoration is provided at a 2:1 ratio or greater	10 percent points
	Restoration is provided at a 4:1 ratio or greater	20 percent points
Remove toxic materials	Remove significant refuse or sources of toxic material	10 percent points

2

3

H. Averaging of Wetland Buffer Width. The City may allow the wetland buffer width around the boundaries of the wetland to be averaged provided:

4

5

1. The proposal results in a net improvement of wetland, habitat and buffer function;

6

2. The proposal includes re-vegetation of the averaged buffer using native plants, if needed;

7

## Attachment B

- 1 3. The total area contained in the buffer of each wetland on the development  
2 proposal site is not decreased;
- 3 4. The wetland buffer width is not reduced by more than 25 percent in any one  
4 location; and
- 5 5. A critical areas report meeting the requirements set forth in MMC 20.50.070  
6 indicates the criteria in this subsection are satisfied.
- 7 I. Wetland buffer averaging set forth in MMC 20.50.100(H) and wetland buffer  
8 reduction set forth in MMC 20.50.100(F) and (G) shall not be used together on an  
9 individual wetland.
- 10 J. Buffers for Mitigation Shall Be Consistent. All mitigation sites shall have buffers  
11 consistent with the buffer requirements of this chapter. The buffer for a wetland that  
12 is created, restored, or enhanced as compensation for approved wetland alterations  
13 shall have the minimum buffer required for the highest wetland category involved.
- 14 K. Buffer Conditions Shall Be Maintained. Except as otherwise specified or allowed in  
15 accordance with these critical area regulations, wetland buffers shall be retained in  
16 their natural condition.
- 17 L. Temporary Markers. The outer perimeter of the wetland or buffer and the limits of  
18 those areas to be disturbed pursuant to an approved permit or authorization shall be  
19 marked in the field in such a way as to ensure that no unauthorized intrusion will  
20 occur, and inspected by the City prior to the commencement of permitted activities.  
21 This temporary marking shall be maintained throughout construction, and shall not  
22 be removed until permanent signs, if required, are in place pursuant to MMC  
23 20.50.100(M).
- 24 M. Permanent Signs.
- 25 1. As a condition of any permit or authorization issued pursuant to this chapter, the  
26 city manager or designee may require the applicant to install permanent signs  
27 along the boundary of a wetland or buffer.
- 28 2. Permanent signs shall be made of a metal face and attached to a metal post, or  
29 another material of equal durability. The sign shall be worded as follows or with  
30 alternative language approved by the city:
- 31
- 32 Protected Wetland Area  
33 Do Not Disturb.  
34 Contact the City of Medina  
35 Regarding Uses and Restriction  
36
- 37 3. Signs must be posted at an interval of one per lot or every 50 feet, whichever is  
38 less, and must be maintained by the property owner in perpetuity.
- 39 N. Fencing.
- 40 1. The city manager or designee may condition any permit or authorization issued  
41 pursuant to this chapter to require the applicant to install a permanent fence at  
42 the edge of the wetland buffer, when fencing will prevent future impacts to the  
43 wetland.
- 44 2. Fencing installed as part of a proposed activity or as required in this subsection  
45 shall be designed so as to not interfere with species migration, including fish  
46 runs, and shall be constructed in a manner that minimizes impacts to the wetland  
47 and associated habitat.
- 48 O. Additional mitigation measures. In addition to the requirements set forth in MMC  
49 20.50.060(B), (C) and (D), when mitigation for wetland and/ or wetland buffer  
50 impacts is required, the following supplementary requirements shall apply:

## Attachment B

1. Mitigation for alterations to wetland and/or wetland buffer shall achieve equivalent or greater ecological functions and shall be consistent with the Department of Ecology Guidance on Wetland Mitigation in Washington State (2004, Department of Ecology Publication No. 04-06-013), as revised.
2. Wetland or wetland buffer mitigation actions shall not result in a net loss of wetland or buffer area except when the lost wetland or buffer area provides minimal functions and the mitigation action(s) results in a net gain in wetland or buffer functions as determined by a site-specific function assessment.
3. Mitigation actions shall address and provide equivalent or greater wetland and buffer functions and values compared to wetland and buffer conditions existing prior to the proposed alteration.
4. Mitigation actions shall be in-kind and conducted within the same basin and on the same site as the alteration except when the following apply:
  - a. There are no reasonable on-site opportunities for mitigation or on-site opportunities do not have a high likelihood of success due to development pressures, adjacent land uses, or on-site buffers or connectivity are inadequate;
  - b. Off-site mitigation has a greater likelihood of providing equal or improved wetland functions than the impacted wetland; and
  - c. Off-site locations shall be in the same basin and the same Water Resource Inventory Area (WRIA).
5. Mitigation Timing. Where feasible, mitigation projects shall be completed prior to activities that will disturb wetlands. In all other cases, mitigation shall be completed immediately following disturbance and prior to use or occupancy of the activity or development. Construction of mitigation projects shall be timed to reduce impacts to existing wildlife and flora.
6. Mitigation Ratios.
  - a. The ratios in the following table shall apply to wetland creation or restoration that is in-kind, on-site, the same category, and has a high probability of success. The first number specifies the acreage of replacement wetlands and the second specifies the acreage of wetlands altered.

**Table 20.50.100(O) Wetland Mitigation Ratios**

Wetland Category	Creation or Re-establishment	Enhancement as Mitigation
Category I	6:1	16:1
Category II	3:1	12:1
Category III	2:1	8:1
Category IV	1.5:1	6:1

- b. Increased Replacement Ratio. The Director may increase the ratios under the following circumstances:
  - i. Uncertainty exists as to the probable success of the proposed restoration or creation; or
  - ii. A significant period of time will elapse between impact and replication of wetland functions; or
  - iii. Proposed mitigation will result in a lower category wetland or reduced functions relative to the wetland being impacted; or
  - iv. The impact was an unauthorized impact.

## Attachment B

- 1 c. Decreased Replacement Ratio. The Director may decrease these ratios  
2 under the following circumstances:
  - 3 i. Documentation by a qualified wetlands specialist demonstrates that the  
4 proposed mitigation actions have a very high likelihood of success;
  - 5 ii. Documentation by a qualified wetlands specialist demonstrates that the  
6 proposed mitigation actions will not result in a net loss of ecological  
7 functions and values; and
  - 8 iii. The proposed mitigation actions are conducted in advance of the impact  
9 and have been shown to be successful.
- 10 d. Minimum Replacement Ratio. In all cases, a minimum acreage replacement  
11 ratio of one-to-one shall be required.
- 12 7. Wetland Mitigation Banks.
  - 13 a. Credits from a wetland mitigation bank may be approved for use as  
14 compensation for unavoidable impacts to wetlands when:
    - 15 i. The bank is certified under Chapter 173-700 WAC;
    - 16 ii. The city manager or designee determines that the wetland mitigation  
17 bank provides appropriate compensation for the authorized impacts;  
18 and
    - 19 iii. The proposed use of credits is consistent with the terms and conditions  
20 of the bank's certification.
  - 21 b. Replacement ratios for projects using bank credits shall be consistent with  
22 replacement ratios specified in the bank's certification.
  - 23 c. Credits from a certified wetland mitigation bank may be used to compensate  
24 for impacts located within the service area specified in the bank's certification.  
25 In some cases, bank service areas may include portions of more than one  
26 WRIA for specific wetland functions.
- 27 8. Wetland Enhancement as Mitigation.
  - 28 a. Impacts to wetlands may be mitigated by enhancement of existing  
29 significantly degraded wetlands.
  - 30 b. Applicants proposing to enhance wetlands must produce a critical area report  
31 that identifies how enhancement will increase the functions of the degraded  
32 wetland and how this increase will adequately mitigate for the loss of wetland  
33 area and function at the impact site.
  - 34 c. The enhancement acreage shall be pursuant to the ratios in Table  
35 20.50.100(O).

### 20.50.200 Geologically hazardous areas.

- 39 A. Geologically hazardous areas include those areas susceptible to erosion, sliding,  
40 earthquake, or other geologic events. They pose a threat to the health and safety of  
41 citizens when incompatible development is sited in areas of significant hazard. Such  
42 incompatible development may not only place itself at risk, but also may increase the  
43 hazard to surrounding development and use. In the City, areas susceptible to one or  
44 more of the following types of hazards shall be designated as a geologically  
45 hazardous area:
  - 46 1. Erosion hazard;
  - 47 2. Landslide hazard; and
  - 48 3. Seismic hazard.
- 49 B. Specific hazard areas – Designation.
  - 50 1. Erosion Hazard Areas. Erosion hazard areas are at least those areas identified  
51 by the U.S. Department of Agriculture's Natural Resources Conservation Service

## Attachment B

1 as having a “moderate to severe,” “severe,” or “very severe” rill and inter-rill  
2 erosion hazard.

- 3 2. Landslide Hazard Areas. Landslide hazard areas are areas potentially subject to  
4 landslides based on a combination of geologic, topographic, and hydrologic  
5 factors. They include areas susceptible because of any combination of bedrock,  
6 soil, slope (gradient), slope aspect, structure, hydrology, or other factors.  
7 Example of these may include, but are not limited to, the following:

8 a. Areas of historic failures, such as:

9 i. Those areas delineated by the U.S. Department of Agriculture’s Natural  
10 Resources Conservation Service as having a “severe” limitation for  
11 building site development;

12 ii. Areas designated as quaternary slumps, earth-flows, mudflows, lahars,  
13 or landslides on maps published by the U.S. Geological Survey or  
14 Department of Natural Resources;

15 b. Areas with all three of the following characteristics:

16 i. Slopes steeper than 15 percent; and

17 ii. Hillsides intersecting geologic contacts with a relatively permeable  
18 sediment overlying a relatively impermeable sediment or bedrock; and

19 iii. Springs or ground water seepage;

20 c. Slopes that are parallel or sub-parallel to planes of weakness (such as  
21 bedding planes, joint systems, and fault planes) in subsurface materials;

22 d. Areas potentially unstable because of rapid stream incision, stream bank  
23 erosion, and undercutting by wave action;

24 e. Areas located in a canyon or on an active alluvial fan, presently or potentially  
25 subject to inundation by debris flows or catastrophic flooding; and

26 f. Steep slopes, which are any area with a slope of 40 percent or steeper and  
27 with a vertical relief of 10 or more feet except areas composed of  
28 consolidated rock. A slope is delineated by establishing its toe and top and  
29 measured by averaging the inclination over at least 10 feet of vertical relief.

- 30 3. Seismic Hazard Areas. Seismic hazard areas are areas subject to severe risk of  
31 damage as a result of earthquake-induced ground shaking, slope failure,  
32 settlement, soil liquefaction, lateral spreading, or surface faulting. One indicator  
33 of potential for future earthquake damage is a record of earthquake damage in  
34 the past. Ground shaking is the primary cause of earthquake damage in  
35 Washington. The strength of ground shaking is primarily affected by:

36 a. The magnitude of an earthquake;

37 b. The distance from the source of an earthquake;

38 c. The type and thickness of geologic materials at the surface; and

39 d. The subsurface geologic structure.

40 Settlement and soil liquefaction conditions occur in areas underlain by  
41 cohesionless, loose, or soft-saturated soils of low density, typically in association  
42 with a shallow ground water table.

### 43 C. Mapping.

- 44 1. The approximate location and extent of geologically hazardous areas are shown  
45 on the adopted critical area maps. The adopted critical area maps include:

46 a. U.S. Geological Survey landslide hazard, seismic hazard and volcano hazard  
47 maps;

48 b. Department of Natural Resources seismic hazard maps for Western  
49 Washington;

50 c. Department of Natural Resources slope stability maps;

51 d. Federal Emergency Management Administration flood insurance maps; and

## Attachment B

- 1 e. Locally adopted maps.
- 2 2. These maps are to be used as a guide for the City, project applicants and/or
- 3 property owners, and may be continuously updated as new critical areas are
- 4 identified. They are a reference and do not provide a final critical area
- 5 designation.
- 6 D. Additional report requirements.
- 7 1. For development proposed to be located in erosion or landslide hazard areas,
- 8 the applicant shall submit a geotechnical report prepared by a qualified
- 9 professional. A steep slope hazard must also meet the requirements for a critical
- 10 area report set forth in MMC 20.50.070.
- 11 2. The Director may require a geotechnical report for development proposed in a
- 12 seismic hazard area.
- 13 E. Where a geotechnical report is required, a geotechnical assessment of the
- 14 geological hazards including the following site- and proposal-related information shall
- 15 be included in either the geotechnical report or the critical areas report.
- 16 1. Site and construction plans for the proposal showing:
- 17 a. The type and extent of geologic hazard areas, any other critical areas, and
- 18 any critical area buffers on, adjacent to, within 200 feet of, or that are likely to
- 19 impact the proposal or be impacted by the proposal;
- 20 b. Proposed development, including the location of existing and proposed
- 21 structures, fill, storage of materials, and drainage facilities, with dimensions
- 22 indicating distances to the geologically hazardous area; and
- 23 c. The topography, in two-foot contours, of the project area and all hazard areas
- 24 addressed in the report;
- 25 2. An assessment of the geologic characteristics and engineering properties of the
- 26 soils, sediments, and/or rock of the project area and potentially affected adjacent
- 27 properties, and a review of the site history regarding landslides, erosion, and
- 28 prior grading. Soils analysis shall be accomplished in accordance with accepted
- 29 taxonomic classification systems in use in the region. The assessment shall
- 30 include, but not be limited to:
- 31 a. A description of the surface and subsurface geology, hydrology, soils, and
- 32 vegetation found in the project area and in all hazard areas addressed in the
- 33 report;
- 34 b. A detailed overview of the field investigations, published data and references;
- 35 data and conclusions from past assessments of the site; and site specific
- 36 measurements, tests, investigations, or studies that support the identification
- 37 of geologically hazardous areas; and
- 38 c. A description of the vulnerability of the site to the relevant geologic hazard;
- 39 3. A geotechnical analysis including a detailed description of the project, its
- 40 relationship to the geologic hazard(s), and its potential impact upon the hazard
- 41 area, the subject property and affected adjacent properties; and
- 42 4. Recommendations for the minimum no-disturbance buffer and minimum building
- 43 setback from any geologic hazard based upon the geotechnical analysis. The
- 44 Director may assign buffer and building setbacks based on this information. For
- 45 steep slopes, the minimum buffer widths are specified in MMC 20.50.200(l)(2)(a).
- 46 5. When hazard mitigation is required:
- 47 a. The mitigation plan shall specifically address how the activity maintains or
- 48 reduces the pre-existing level of risk to the site and adjacent properties on a
- 49 long-term basis (equal to or exceeding the projected lifespan of the activity or
- 50 occupation);

## Attachment B

- 1           b. Proposed mitigation techniques shall be considered to provide long-term  
2           hazard reduction only if they do not require regular maintenance or other  
3           actions to maintain their function; and
- 4           c. Mitigation may also be required to avoid any increase in risk above the pre-  
5           existing conditions following abandonment of the activity.
- 6       6. Where a valid geotechnical report has been prepared and approved by the City  
7       within the last five years for a specific site, and where the proposed land use  
8       activity and surrounding site conditions are unchanged, said report may be  
9       incorporated into the required critical area or geotechnical report provided the  
10       applicant submits a geotechnical assessment detailing any changed  
11       environmental conditions associated with the site.
- 12       7. Additional information determined by the Director to be necessary to the review  
13       of the proposed activity and the subject hazard.
- 14   F. In addition to the geotechnical report requirements specified in MMC 20.50.200(E), a  
15   geotechnical or critical area report (as specified in MMC 20.50.200(D)) for an erosion  
16   hazard or landslide hazard shall include the following information:
  - 17   1. A site plan for the proposal showing the following:
    - 18   a. The height of slope, slope gradient, and cross section of the project area;
    - 19   b. The location of springs, seeps, or other surface expressions of ground water  
20   on or within 200 feet of the project area or that have potential to be affected  
21   by the proposal; and
    - 22   c. The location and description of surface water runoff.
  - 23   2. The geotechnical analysis shall specifically include:
    - 24   a. A description of the extent and type of vegetative cover;
    - 25   b. An estimate of load capacity including surface and ground water conditions,  
26   public and private sewage disposal systems, fills and excavations, and all  
27   structural development;
    - 28   c. An estimate of slope stability and the effect construction and placement of  
29   structures will have on the slope over the estimated life of the structure;
    - 30   d. An estimate of the bluff retreat rate that recognizes and reflects potential  
31   catastrophic events such as seismic activity or a 100-year storm event;
    - 32   e. Consideration of the run-out hazard of landslide debris and/or the impacts of  
33   landslide run-out on down-slope properties;
    - 34   f. A study of slope stability including an analysis of proposed angles of cut and  
35   fills and site grading;
    - 36   g. Recommendations for building limitations, structural foundations, and an  
37   estimate of foundation settlement; and
    - 38   h. An analysis of proposed surface and subsurface drainage, and the  
39   vulnerability of the site to erosion.
  - 40   3. For any development proposal on a site containing an erosion hazard area, an  
41   erosion and sediment control plan shall be required.
  - 42   4. A drainage plan for the collection, transport, treatment, discharge and/or recycle  
43   of water.
  - 44   5. Whenever development, including, but not limited to, stairs, pathways, trams and  
45   their support structures, retaining walls, and structures, is performed on any  
46   erosion, landslide hazard, or steep slope area as defined in this chapter, a  
47   mitigation plan shall be prepared.
    - 48   a. The plan shall include the location and methods of drainage, surface water  
49   management, locations and methods of erosion control, a vegetation  
50   management and/or replanting plan, and/or other means for maintaining long-  
51   term soil stability.

## Attachment B

- 1 b. All disturbed areas shall be re-vegetated by the property owner.
- 2 c. Re-vegetation shall include planting of species indigenous to the Northwest,
- 3 together with a schedule of their maintenance.
- 4 6. Monitoring Surface Waters. If the Director determines that there is a significant
- 5 risk of damage to downstream receiving waters due to potential erosion from the
- 6 site, based on the size of the project, the proximity to the receiving waters, or the
- 7 sensitivity of the receiving waters, the report shall include a plan to monitor the
- 8 surface water discharge from the site. The monitoring plan shall include a
- 9 recommended schedule for submitting monitoring reports to the City.
- 10 G. Seismic hazard areas shall require geotechnical reporting consistent with MMC
- 11 20.50.200(E) and the following:
- 12 1. The site map shall show all known and mapped faults within 200 feet of the
- 13 project area or that have potential to be affected by the proposal.
- 14 2. The geotechnical analysis shall include a complete discussion of the potential
- 15 impacts of seismic activity on the site (for example, forces generated and fault
- 16 displacement).
- 17 H. Geologically hazardous areas – general development standards.
- 18 1. Alterations of geologically hazardous areas or associated buffers may only occur
- 19 for activities that a qualified professional determines:
- 20 a. Will not increase the threat of the geologic hazard to adjacent properties
- 21 beyond predevelopment conditions;
- 22 b. Will not adversely impact other critical areas or their buffers;
- 23 c. Are designed so that the hazard is eliminated or mitigated to a level equal to
- 24 or less than predevelopment conditions; and
- 25 d. Are certified as safe by a qualified engineer or geologist, licensed in the state
- 26 of Washington.
- 27 2. Essential Public Facilities Prohibited. Essential public facilities shall not be sited
- 28 within geologically hazardous areas unless there is no other practical alternative.
- 29 I. Geologically hazardous areas – specific development standards.
- 30 1. Alterations of an erosion or landslide hazard area and/or buffer may only occur
- 31 for activities for which a geotechnical report is submitted and certifies that:
- 32 a. The development will not increase surface water discharge or sedimentation
- 33 to adjacent properties beyond predevelopment conditions;
- 34 b. The development will not decrease slope stability on adjacent properties; and
- 35 c. Such alterations will not adversely impact other critical areas or their buffers.
- 36 2. A buffer shall be established from all edges of steep slopes as defined in MMC
- 37 20.50.200(B)(f)(2). The size of the buffer shall be determined by the Director to
- 38 eliminate or minimize the risk of property damage, death or injury resulting from
- 39 erosion and landslides caused in whole or part by the development, based upon
- 40 review of and concurrence with a critical area report prepared by a qualified
- 41 professional.
- 42 a. Minimum Buffer.
- 43 i. The minimum buffer shall be equal to the height of the slope or fifty (50)
- 44 feet, whichever is greater.
- 45 iii. The buffer may be reduced to a minimum of ten (10) feet when a
- 46 qualified professional demonstrates to the City's satisfaction that the
- 47 reduction will adequately protect the proposed development, adjacent
- 48 developments, and uses and the subject critical area.
- 49 iv. The buffer may be increased where the Director determines a larger
- 50 buffer is necessary to prevent risk of damage to proposed and existing
- 51 development.

## Attachment B

- 1 3. Development within erosion or landslide hazard areas and/or their buffers shall  
2 be designed to meet the following basic requirements unless it can be  
3 demonstrated that an alternative design that deviates from one or more of these  
4 standards provides equivalent or greater long-term slope stability while meeting  
5 all other provisions of these critical area regulations. The requirement for long-  
6 term slope stability shall exclude designs that require periodic maintenance or  
7 other actions to maintain their level of function. The basic development design  
8 standards are:
  - 9 a. The proposed development shall not decrease the factor of safety for  
10 landslide occurrences below the limits of 1.5 for static conditions and 1.2 for  
11 dynamic conditions. Analysis of dynamic conditions shall be based on a  
12 minimum horizontal acceleration as established by the current version of the  
13 International Building Code;
  - 14 b. Structures and improvements shall minimize alterations to the natural contour  
15 of the slope and foundations shall be tiered where possible to conform to  
16 existing topography;
  - 17 c. Structures and improvements shall be located to preserve the most critical  
18 portion of the site and its natural landforms and vegetation;
  - 19 d. The proposed development shall not result in greater risk or a need for  
20 increased buffers on neighboring properties;
  - 21 e. The use of retaining walls that allow the maintenance of existing natural slope  
22 area is preferred over graded artificial slopes; and
  - 23 f. Development shall be designed to minimize impervious lot coverage.
- 24 4. Unless otherwise provided or as part of an approved alteration, removal of  
25 vegetation from an erosion or landslide hazard area or related buffer shall be  
26 prohibited.
- 27 5. Clearing shall be allowed only from May 1st to October 1st of each year;  
28 provided, that the City may extend or shorten the dry season on a case-by-case  
29 basis depending on actual weather conditions.
- 30 6. Utility lines and pipes shall be permitted in erosion and landslide hazard areas  
31 only when the applicant demonstrates that no other practical alternative is  
32 available. The line or pipe shall be located above ground and properly anchored  
33 and/or designed so that it will continue to function in the event of an underlying  
34 slide. Stormwater conveyance shall be allowed only through a high-density  
35 polyethylene pipe with fuse-welded joints, or similar product that is technically  
36 equal or superior.
- 37 7. Point discharges from surface water facilities and roof drains onto or upstream  
38 from erosion or landslide hazard area shall be prohibited except as follows:
  - 39 a. Conveyed via continuous storm pipe down-slope to a point where there are  
40 no erosion hazards areas downstream from the discharge;
  - 41 b. Discharged at flow durations matching pre-developed conditions, with  
42 adequate energy dissipation, into existing channels that previously conveyed  
43 stormwater runoff in the pre-developed state; or
  - 44 c. Dispersed discharge upslope of the steep slope onto a low-gradient  
45 undisturbed buffer demonstrated to be adequate to infiltrate all surface and  
46 stormwater runoff.
- 47 8. The division of land in erosion and landslide hazard areas and associated buffers  
48 is subject to the following:
  - 49 a. Land that is located wholly within erosion or landslide hazard area or its  
50 buffer may not be subdivided. Land that is located partially within erosion or  
51 landslide hazard area or its buffer may be divided; provided, that each

## Attachment B

1 resulting lot has sufficient buildable area outside of, and will not affect, the  
2 erosion or landslide hazard or its buffer.

3 b. Access roads and utilities may be permitted within the erosion or landslide  
4 hazard area and associated buffers if the City determines that no other  
5 feasible alternative exists.

6 9. On-site sewage disposal systems, including drain fields and infiltration drainage  
7 systems, shall be prohibited within erosion and landslide hazard areas and  
8 related buffers.

9 10. Activities proposed to be located in seismic hazard areas shall meet the  
10 standards of MMC 20.50.200(H).

### 11 **20.50.300 Fish and Wildlife Habitat Conservation Areas.**

12  
13  
14 A. Fish and wildlife habitat conservation areas are areas that serve a critical role in  
15 sustaining needed habitats and species for the functional integrity of the ecosystem,  
16 and which, if altered, may reduce the likelihood that the species will persist over the  
17 long term. These areas may include, but are not limited to, rare or vulnerable  
18 ecological systems, communities, and habitat or habitat elements including seasonal  
19 ranges, breeding habitat, winter range, and movement corridors; and areas with high  
20 relative population density or species richness. In the City of Medina, fish and wildlife  
21 habitat conservation areas include:

22 1. Areas with which state or federally designated endangered, threatened, and  
23 sensitive species have a primary association.

24 a. Federally designated endangered and threatened species are those fish and  
25 wildlife species identified by the U.S. Fish and Wildlife Service and the  
26 National Marine Fisheries Service that are in danger of extinction or are  
27 threatened to become endangered. The U.S. Fish and Wildlife Service and  
28 the National Marine Fisheries Service should be consulted as necessary for  
29 current listing status.

30 b. State designated endangered, threatened, and sensitive species are those  
31 fish and wildlife species native to the state of Washington, identified by the  
32 State Department of Fish and Wildlife, that are in danger of extinction,  
33 threatened to become endangered, vulnerable, or declining and are likely to  
34 become endangered or threatened in a significant portion of their range within  
35 the state without cooperative management or removal of threats. State  
36 designated endangered, threatened, and sensitive species are periodically  
37 recorded in WAC 232-12-014 (state endangered species), and WAC 232-12-  
38 011 (state threatened and sensitive species). The State Department of Fish  
39 and Wildlife maintains the most current listing and should be consulted as  
40 necessary for current listing status.

41 2. State Priority Habitats and Species. Priority habitats and species are considered  
42 to be priorities for conservation and management. Priority species require  
43 protective measures for their perpetuation due to their population status;  
44 sensitivity to habitat alteration; and/or recreational, commercial, or tribal  
45 importance. Priority habitats are those habitat types or elements with unique or  
46 significant value to a diverse assemblage of species. A priority habitat may  
47 consist of a unique vegetation type or dominant plant species, a described  
48 successional stage, or a specific structural element. Priority habitats and species  
49 are identified by the State Department of Fish and Wildlife.

50 3. Habitats and Species of Local Importance. Habitats and species of local  
51 importance are those identified by the city as approved by the Medina City

## Attachment B

- 1 Council, including those that possess unusual or unique habitat warranting  
 2 protection.
- 3 4. Naturally Occurring Ponds Under 20 Acres. Naturally occurring ponds are those  
 4 ponds under 20 acres and their submerged aquatic beds that provide fish or  
 5 wildlife habitat, including those artificial ponds intentionally created from dry  
 6 areas in order to mitigate impacts to ponds. Naturally occurring ponds do not  
 7 include ponds deliberately designed and created from dry sites, such as canals,  
 8 detention facilities, wastewater treatment facilities, farm ponds, temporary  
 9 construction ponds, and landscape amenities, unless such artificial ponds were  
 10 intentionally created for mitigation.
- 11 5. Waters of the State. In the City, waters of the state include lakes, ponds,  
 12 streams, inland waters, underground waters, and all other surface waters and  
 13 watercourses within the jurisdiction of the State of Washington.
- 14 6. State Natural Area Preserves and Natural Resource Conservation Areas.  
 15 Natural area preserves and natural resource conservation areas are defined,  
 16 established, and managed by the State Department of Natural Resources.
- 17 7. Land found by the Medina City Council to be essential for preserving connections  
 18 between habitat blocks and open spaces.
- 19 B. Water typing. Streams shall be designated in accordance with Table 20.50.300(B):  
 20  
 21

**Table 20.50.300(B) Stream Water Type**

Water Typing	Designation Criteria
Type 1 Stream	Segments of streams that are at least seasonally utilized by fish for spawning, rearing or migration. Stream segments which are fish passable from Lake Washington are presumed to have at least seasonal fish use. Fish passage should be determined using the best professional judgment of a qualified professional.
Type 2 Stream	Perennial non fish-bearing streams. Perennial streams do not go dry any time during a year of normal rainfall. However, for the purpose of stream typing, Type 2 streams include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations then the point of perennial flow should be determined using the best professional judgment of a qualified professional.
Type 3 Stream	Segments of natural waters that are not classified as Type 1 or 2 streams. These are seasonal, non fish-bearing streams in which surface flow is not present for a significant portion of a year of normal rainfall and are not located downstream from any Type 2 or higher stream.

- 22  
 23 C. Mapping.

## Attachment B

- 1 1. The approximate location and extent of habitat conservation areas are shown on  
2 the critical area maps adopted by the City, as most recently updated. The  
3 following critical area maps are hereby adopted:
  - 4 a. Department of Fish and Wildlife Priority Habitat and Species Maps;
  - 5 b. Anadromous and resident salmonid distribution maps contained in the Habitat  
6 Limiting Factors Reports published by the Washington Conservation  
7 Commission;
  - 8 c. Department of Natural Resources State Natural Area Preserves and Natural  
9 Resource Conservation Area Maps; and
  - 10 d. City of Medina official habitat maps.
- 11 2. These maps are to be used as a guide for the City, project applicants, and/or  
12 property owners. They are a reference and do not provide a final critical area  
13 designation.
- 14 D. Initial Fish and Wildlife Habitat Assessment.
  - 15 1. An applicant proposing development activities and uses located adjacent to or  
16 within fish and wildlife habitat conservation areas, which are defined in  
17 subsection (A) of this section, may have a written initial fish and wildlife habitat  
18 assessment prepared to investigate the presence and extent of regulated site-  
19 specific habitat within the project area prior to satisfying the requirements set  
20 forth in MMC 20.50.070 (Critical areas report) and this section.
  - 21 2. The initial fish and wildlife habitat assessment is a preliminary investigation to  
22 determine the presence or absence of site-specific critical fish and wildlife habitat  
23 within the project area.
  - 24 3. The initial fish and wildlife habitat assessment shall be prepared by a qualified  
25 professional and include the following content:
    - 26 a. A description of the project area;
    - 27 b. Information documenting the investigation of the project area;
    - 28 c. Findings based on the investigation stating whether critical fish and wildlife  
29 habitat is present or absent within the project area (the presence of critical  
30 fish species alone does not constitute a site-specific critical fish and wildlife  
31 habitat); and
    - 32 d. Any suggested relevant recommendations or best management practices  
33 assuring compliance with this chapter.
  - 34 The qualified professional may consult with the Director prior to or during the  
35 preparation of the assessment to determine if more or less information is  
36 necessary.
  - 37 4. Results of the Initial Fish and Wildlife Assessment.
    - 38 a. If the assessment shows the presence of site-specific critical fish and wildlife  
39 habitat within the project area, then the requirements set forth in MMC  
40 20.50.070 and this section shall apply.
    - 41 b. If the assessment shows the absence of site-specific critical fish and wildlife  
42 habitat within the project area, then further analysis through the requirements  
43 set forth in MMC 20.50.070 and this section shall not be required.
- 44 E. Except where MMC 20.50.300(D)(4)(b) applies, in addition to the critical area report  
45 requirements prescribed in MMC 20.50.070, a habitat assessment shall be included.  
46 A habitat assessment is an investigation of the project area to evaluate the presence  
47 or absence of potential critical fish or wildlife habitat. The habitat assessment shall  
48 include the following site- and proposal-related information:
  - 49 1. Identification of any species of local importance, priority species, or endangered,  
50 threatened, sensitive or candidate species that has a primary association with

## Attachment B

- 1 habitat on or adjacent to the project area, and assessment of potential project  
2 impacts to the use of the site by the species;
- 3 2. A discussion of any federal, state, or local special management  
4 recommendations, including Department of Fish and Wildlife habitat  
5 management recommendations that have been developed for species or habitats  
6 located on or adjacent to the project area;
- 7 3. A discussion of any ongoing management practices that will protect habitat after  
8 the project site has been developed, including any proposed monitoring and  
9 maintenance programs;
- 10 4. When appropriate due to the type of habitat or species present or the project  
11 area conditions, the Director may also require the habitat management plan to  
12 include:
  - 13 a. An evaluation by the State Department of Fish and Wildlife, local Native  
14 American Indian tribe, or other qualified expert regarding the applicant's  
15 analysis and the effectiveness of any proposed mitigating measures or  
16 programs, to include any recommendations as appropriate; and/or
  - 17 b. Detailed surface and subsurface hydrologic features both on and adjacent to  
18 the site.
- 19 F. Fish and wildlife habitat conservation areas – General Development Standards.
  - 20 1. A habitat conservation area may be altered only if consistent with mitigation  
21 sequencing as prescribed in MMC 20.50.060(C) and the proposed alteration of  
22 the habitat or the mitigation proposed does not result in a net loss of ecological  
23 functions. All new structures and land alterations shall be prohibited within habitat  
24 conservation areas, except as allowed in accordance with this chapter.
  - 25 2. Whenever activities are proposed in or adjacent to a habitat conservation area,  
26 except as outlined in MMC 20.50.300(D), which state or federally endangered or  
27 threatened species have a primary association, such area shall be protected  
28 through the application of measures in accordance with a critical area report  
29 prepared by a qualified professional and approved by the City, and guidance  
30 provided by the appropriate state and/or federal agencies.
  - 31 3. All activities, uses, and alterations proposed to be located in or within the  
32 established buffers of waterbodies used by anadromous fish shall give special  
33 consideration to the preservation and enhancement of anadromous fish and fish  
34 habitat.
  - 35 4. Plant, wildlife, or fish species not indigenous to Western Washington State shall  
36 be excluded from habitat conservation areas unless authorized by a state or  
37 federal permit or approval.
  - 38 5. Mitigation sites shall be located to achieve contiguous wildlife habitat corridors in  
39 accordance with a mitigation plan that is part of an approved critical area report  
40 to minimize the isolating effects of development on habitat areas, so long as  
41 mitigation of aquatic habitat is located within the same aquatic ecosystem as the  
42 area disturbed.
  - 43 6. The Director shall condition approvals of activities allowed within or adjacent to a  
44 habitat conservation area or its buffers consistent with the mitigation sequencing  
45 set forth in MMC 20.50.060(C). Conditions may include, but are not limited to,  
46 the following:
    - 47 a. Establishment of buffer zones;
    - 48 b. Preservation of critically important vegetation;
    - 49 c. Limitation of public access to the habitat area, including fencing to deter  
50 unauthorized access;
    - 51 d. Seasonal restriction of construction activities;

## Attachment B

- 1 e. Establishment of a duration and timetable for periodic review of mitigation  
2 activities; and  
3 f. Requirement of a performance bond, when necessary, to ensure completion  
4 and success of proposed mitigation.  
5 7. Mitigation of alterations to habitat conservation areas shall achieve equivalent or  
6 superior ecological functions, and shall include mitigation for adverse impacts  
7 upstream or downstream of the development proposal site as appropriate.  
8 Mitigation shall address each function affected by the alteration to achieve  
9 functional equivalency or improvement on a per function basis. Mitigation should  
10 occur in the same sub-drainage basin as the habitat impacted.  
11 8. Any approval of alterations or impacts to a habitat conservation area shall be  
12 supported by best available science.  
13 G. Fish and wildlife habitat conservation area – Buffers.  
14 1. The Director shall require the establishment of buffer areas for activities in, or  
15 adjacent to, habitat conservation areas when needed to protect habitat  
16 conservation areas.  
17 a. Buffers shall consist of an undisturbed area of native vegetation, or areas  
18 identified for restoration, established to protect the integrity, functions and  
19 values of the affected habitat.  
20 b. Required buffer widths shall reflect the sensitivity of the habitat and the type  
21 and intensity of human activity proposed to be conducted nearby.  
22 c. Setbacks for protection of Lake Washington are provided in MMC 20.63.030  
23 and buffers for protection of Lake Washington tributaries within shoreline  
24 jurisdiction are established in MMC 20.67.090.  
25 2. The following standard buffers for streams located outside of shoreline  
26 jurisdiction shall be established, adjacent to streams, measured outward on the  
27 horizontal plane from the ordinary high water mark or from the top of bank if the  
28 ordinary high water mark cannot be identified:  
29  
30

**Table 20.50.300(G)(2) Stream Buffers**

<b>Water Type</b>	<b>Standard Buffer Width</b>	<b>Minimum Buffer Width with Enhancement</b>
Type 1 Stream	100 feet	50 feet
Type 2 Stream	75 feet	37.5 feet
Type 3 Stream	50 feet	25 feet

- 31  
32 3. Reduction of Stream Buffer Widths. The Director may allow the standard buffer  
33 width to be reduced by up to the listed minimum buffer width in Table  
34 20.50.300(G)(2) provided:  
35 a. A critical area report and mitigation plan approved by the City, and the best  
36 available science applied on a case-by-case basis determine that a smaller  
37 area is adequate to protect the habitat functions and values based on site-  
38 specific characteristics and the proposal will result in a net improvement of  
39 stream and buffer functions;  
40 b. A plan for mitigating buffer-reduction impacts is prepared using selected  
41 incentive-based mitigation options in Table 20.50.300(G)(3);  
42 c. Where a substantial portion of the remaining buffer is degraded, re-vegetation  
43 with native plants in the degraded portions shall be included in the remaining  
44 buffer area; and  
45 d. A five year monitoring and maintenance plan shall be included.

## Attachment B

- 1 e. Incentive options may be accumulatively applied to allow a reduction  
 2 allowance not to exceed 50 percent of the standard buffer width and Table  
 3 20.50.300(G)(2).  
 4 f. Where multiple options for an action are prescribed in the Table  
 5 20.50.300(G)(3), only one option under that action may be applied.  
 6  
 7

**Table 20.50.300(G)(3) Stream Buffer Reduction Incentive Options**

Description of Action	Options	Reduction Allowance
Removal of Impervious Surface	Reduce impervious surfaces within the to-be-remaining buffer area by at least 50 percent	Up to 10 percentage points
	Remove all impervious surface where the to-be remaining buffer is presently more than 50 percent impervious	Up to 20 percentage points
Installation of bio-filtration/infiltration mechanisms	Install bio-swales, created and/or enhanced wetlands, or ponds supplemental to existing storm drainage and water quality requirements	Up to 20 percentage points
Removal of invasive, nonnative vegetation	Remove and employ extended (minimum five-year) monitoring and continued-removal maintenance of relatively dense stands of invasive, nonnative vegetation from significant portions of the remaining buffer area	Up to 10 percentage points
In-stream habitat enhancement	Placement of log structure, bioengineered bank stabilization, or culvert removal;	Up to 20 percentage points
	Improve fish passage and/or creation of side channel or backwater areas.	Up to 25 percentage points
Installation of oil/water separators	If not required by other provisions of the Medina Municipal Code, install oil/water separator for stormwater quality control	Up to 10 percentage points
Use of pervious materials	Use pervious materials for driveway/road construction	Up to 10 percentage points
Off-site restoration, if no on-site area is possible	Restoration is provided at a 2:1 ratio or greater	Up to 10 percentage points
	Restoration is provided at a 4:1 ratio or greater	Up to 20 percentage points
Remove toxic material	Remove significant refuse or sources of toxic material	Up to 10 percentage points

8

## Attachment B

- 1 4. Averaging of Stream Buffer Widths. The Director may allow the standard stream  
2 buffer width to be averaged in accordance with a critical area report if:  
3 a. The proposal will result in a net improvement of stream, habitat and buffer  
4 function;  
5 b. The proposal will include re-vegetation of the averaged buffer using native  
6 plants, if needed;  
7 c. The total area contained in the buffer of each stream on the development  
8 proposal site is not decreased; and  
9 d. The standard stream buffer width is not reduced by more than 50 percent or  
10 to less than 25 feet wide, whichever is greater, in any one location.

### 11 H. Signs and Fencing.

- 12 1. The outer perimeter of the habitat conservation area or buffer and the limits of  
13 those areas to be disturbed pursuant to an approved permit or authorization shall  
14 be marked in the field in such a way as to ensure that no unauthorized  
15 disturbance will occur, and verified by the Director prior to the commencement of  
16 permitted activities. This temporary marking shall be maintained throughout  
17 construction, and shall not be removed until permanent signs, if required, are in  
18 place.
- 19 2. As a condition of any permit or authorization issued pursuant to this chapter, the  
20 Director may require an applicant to install permanent signs along the boundary  
21 of a habitat conservation area or buffer. Permanent signs shall be made of a  
22 metal face and attached to a metal post, or another material of equal durability.  
23 Signs must be posted at an interval of one per lot or every 50 feet, whichever is  
24 less, and must be maintained by the property owner in perpetuity. The sign shall  
25 be worded as follows or with alternative language approved by the city manager  
26 or designee:

27  
28 Habitat Conservation Area  
29 Do Not Disturb  
30 Contact City of Medina Regarding Uses and Restriction  
31 Fencing  
32

- 33 3. The city manager or designee may condition any permit or authorization issued  
34 pursuant to this chapter to require the applicant to install a permanent fence at  
35 the edge of the habitat conservation area or buffer, when fencing may prevent  
36 future impacts to the habitat conservation area.
- 37 4. Fencing installed as part of a proposed activity or as required in this subsection  
38 shall be designed so as to minimize interference with species migration, including  
39 fish runs, and shall be constructed in a manner that minimizes habitat impacts.
- 40 5. The subdivision and short subdivision of land in fish and wildlife habitat  
41 conservation areas and associated buffers is subject to the following:  
42 a. Land that is located wholly within a habitat conservation area or its buffer may  
43 not be subdivided.  
44 b. Land that is located partially within a habitat conservation area or its buffer  
45 may be divided; provided, that an accessible and contiguous portion of each  
46 new lot is located outside of the habitat conservation area or its buffer and  
47 meets the City's minimum lot size requirements.  
48 c. Access roads and utilities serving the proposed lots may be permitted within  
49 the habitat conservation area and associated buffers only if the City  
50 determines that no other feasible alternative exists and when consistent with  
51 these critical areas regulations.