



MEDINA, WASHINGTON

AGENDA ITEM 6.2

Tuesday September 23, 2025

Subject: Critical Areas Ordinance Update

Planning Commission Action: Discussion Only

Staff Contacts: Steven Wilcox, Development Services Director with Staff from our consultant Dan Nickel, Kim Frappier, and Douglas

Introduction

At the September 23, 2025 Planning Commission meeting, staff and consultants from Facet will present the proposed draft Critical Areas Ordinance (CAO) code amendments with supporting materials used.

Purpose

As part of the 2025 Comprehensive Plan Periodic Update required under Washington State law, all counties and cities must conduct a periodic review and update of their critical area's regulations in accordance with RCW 36.70A.130. The City of Medina's Development Services Department is undertaking this review and updating the City's CAO to align with the 2024 Comprehensive Plan.

At this meeting, the Planning Commission will be presented with the final Gap Analysis, a detailed code audit evaluating the consistency of Medina's current CAO with the Growth Management Act (GMA) and Best Available Science (BAS) review.

Background

Medina's CAO establishes standards and regulations that govern development on sites containing environmentally sensitive areas and their associated buffers. These include wetlands, fish and wildlife habitat conservation areas (FWHCAs), frequently flooded areas (FFAs), geologically hazardous areas, and critical aquifer recharge areas (CARAs). The CAO is codified in Chapter 16.50 of the Medina Municipal Code (MMC) and was last comprehensively updated in 2015. Under state law, these regulations are required to be reviewed and updated at least every 10 years.

This periodic update includes a review of Best Available Science (BAS) and an analysis of the existing CAO to ensure any proposed amendments are scientifically grounded and compliant with Washington State law. The update has been informed by several key analyses, including a Gap Analysis. While the BAS review provides the most

current science for each critical area type, the Gap Analysis identifies areas of inconsistency between the existing CAO and the elements below.

- State law and administrative codes;
- Scientific literature and guidance;
- Recommendations from state agencies (e.g., Department of Ecology, Department of Fish and Wildlife, etc.,).

The attached Gap Analysis, prepared by Facet, is a code audit that identifies where the current CAO is inconsistent with either Best Available Science or the requirements of the GMA. In addition to science and policy gaps, the analysis also highlights opportunities to improve administrative efficiency and clarity within the code.

Based on this review, the following areas have been identified for potential amendment as part of this update:

- Definitions and technical terms – creating more clarity and alignment with state definitions
- Habitat Protections and Mapping
- Buffer Standards:
 - Wetlands: increased buffer – Ecology has provided three options for increased buffer widths (see gap analysis, appendix C).
 - Riparian Management Zones – looking at buffers of streams and wetlands as riparian management zones and considering riparian management
 - Site Potential Tree Height (SPTH) – new paradigm to be considered, which deviates from stream typing and creates stream buffer widths based on the average maximum height that the dominant tree is expected to reach, typically at a mature stage.
 - Streams: increased buffer for maintaining ecological function – minimum width is now 100-feet per Ecology guidance.

City staff have worked closely with Facet to develop the attached Proposed Draft Code Amendments, which include recommendations and options that will be discussed at this meeting. These proposed amendments are intended to guide the preparation of the Public Draft Code, which will be presented and published at the September 23rd Planning Commission meeting.

CAO Schedule

Given the complexity and adoption timing of the critical area regulations, an additional meeting has been scheduled in October to continue discussions on the CAO update.

The proposed timeline includes the following key dates:

- October 7, 2025 – Open House

- October 14, 2025 – Planning Commission Special Meeting (potential Public Hearing)
- October 28, 2025 – Planning Commission (potential Public Hearing)
- TBD – Development Services Committee
- TBD - November 2025 or December 2025 – City Council Hearing
- January 2026 – City Council Adoption

Attachments

- Best Available Science Report (Facet July 2025)
- Gap Analysis (Facet July 2025)
- Proposed Draft Critical Area Ordinance

Proposed Planning Commission Motion:

None.