



DATE: March 21, 2012

TO: Chair Turner and Members of the Planning Commission

FROM: Carol Helland, Land Use Director 452-2724
Shoreline Update Team
Development Services Department

RE: Use Charts and Meydenbauer Bay issues (MBNA and Meydenbauer Yacht Club)

Summary of Planning Commission Direction from February 22nd Meeting

At the February 22 meeting, the Planning Commission reviewed three important residential topic areas: nonconforming uses, docks, and shoreline stabilization. The discussion generally revolved around the Comparison of Jurisdictions table starting on page 12 of the February 22 packet that outlined the various approaches taken by nearby cities to meeting the Ecology guidelines.

The Planning Commission directed staff to make a number of specific changes to the Public Hearing Draft based on their review of the Comparison of Jurisdictions table.

1. **Nonconforming Use:** The Commission directed staff to change the Public Hearing Draft to make all legally-established structures within the shoreline setback conforming and to permit maintenance, repair, and reconstruction within the existing footprint.
2. **Docks:** The Commission directed staff to make changes to the Public Hearing Draft that would have city staff defer to the U.S. Army Corps of Engineers (USACE) review in the permitting of new and expanded docks on Lake Sammamish and Lake Washington. The Commission directed staff to retain some dimensional standards regarding setbacks and length. Review by USACE would require submittal of the Joint Aquatic Resource Permit Application (JARPA) to all agencies with regulatory authority including the Washington Department of Fisheries and the Department of Ecology. In addition to the JARPA, the City would take in and process the required shoreline permits and a SEPA checklist.

Because the USACE regulates docks under Section 10 of the Rivers and Harbors Appropriation Act of 1899, and there are no navigation concerns or listed fish under ESA in Phantom Lake, the construction of a dock on Phantom Lake will likely not trigger a federal permit requirement unless wetlands are impacted. As a result, a Phantom Lake specific approach to fulfill the requirement of no net loss would still be necessary. The Public Hearing Draft contains performance standards for dock construction in Phantom

Lake which could be used for this purpose if the Planning Commission does not direct staff to pursue an alternative approach—see the table at LUC 20.25E.065.I.4 for details.

With respect to maintenance and repair of docks, there was agreement that staff should model this section after Redmond's approach provided that some limits were placed on expansions and reconfigurations.

3. **Stabilization:** The Commission directed staff to retain the language in the Public Hearing Draft for new or enlarged stabilization. With respect to repair and replacement, the Commission directed staff to tailor new regulations to conform to the approach adopted by Renton which allows repair and replacement in the same location. There was also agreement to allow the memorialization of the OHWM as set out in the Public Hearing Draft for both soft and hard stabilization that conformed to performance standards in the Public Hearing Draft.
4. **Public Access:** The Commission directed staff to revise the Public Hearing Draft to remove the requirement to provide public access for development of subdivisions and private marinas, and to limit the requirement to provide public access to publicly owned property, specifically to projects involving improvements to infrastructure and parks.

For Planning Commission reference, staff has included an updated Comparison of Jurisdiction Matrix as Attachment A, to document the Commission direction on the above-referenced issues.

Action Requested from the Planning Commission

1. Staff seeks direction on any revised approach to:
 - a. Categorization of land uses in the charts contained in Section 20.25E.030.
 - b. Issues raised by the Meydenbauer Bay Yacht Club (MBYC) and Meydenbauer Bay Neighborhood Association (MBNA)
2. Direction on next steps and schedule

Supporting Documentation

To support Planning Commission review, staff has identified those documents where the topics of uses and marinas have been previously discussed. The following list contains relevant references to agenda materials and associated dates, to assist Planning Commission members in locating materials in the documents that they have at home. The identified documents include references to relevant policies, prior study session materials, an index to public comments made, and Ecology requirements.

July 22, 2009 PC Meeting Agenda Memo
September 22, 2010 PC Meeting Agenda Memo
November 17, 2010 PC Meeting Agenda Memo

Copies of these documents are also provided on the Planning Commission website for the January 25, 2012 meeting, and can be accessed via the following link:

http://www.bellevuewa.gov/planning_commission.htm

The full record of all prior materials presented to the Commission is available at:

<http://www.bellevuewa.gov/shoreline-master-plan.htm>

Planning Commission minutes are available at:

http://www.bellevuewa.gov/planning_commission_minutes_2012.htm

Categorization of Land Uses

The Planning Commission has identified use categorizations for as one of the items for its review during the March 28 meeting. In order to support this discussion, staff has provided the following roadmap that describes how uses, restrictions, and performance standards relate to one another, and how that relationship is reflected in the organization of the Draft SMP. The Draft SMP is similar to other chapters of the land use code in that it is structured to assist a property owner in determining: (1) what uses are allowed on a specific property and what permit process is required to establish the use; (2) where the allowed uses may be located (in relation to the shoreline); and, (3) what performance standards guide development and land modification in support of the intended uses and activities. Looking at one section without reference to the other two can lead to confusion.

To access all the information contained in the code relevant to a shoreline development, the property owner first identifies the Shoreline Environment Designation in which their property is located by referring to the Shoreline Jurisdiction Maps. A residential property owner, for example, would find their property is in the Shoreline Residential Environment (LUC 20.25E.010.D.4). Armed with this information, the next step is to consult the use chart and see if the desired use is allowed, and what permit process is required to establish the use (LUC 20.25E.030; P denotes the use is permitted through a Shoreline Substantial Development Permit or Exemption, C denotes that a Shoreline Conditional Use Permit is required; and X denotes that the use is prohibited). If the desired use or activity is allowed, the property owner then determines what restrictions apply to the desired use or activity (LUC 20.25E.060, LUC 20.25E.065, and LUC 20.25E.070). Once the specific use restrictions have been identified, the property owner decides how best to construct the proposed development given the specific performance standards that apply (LUC 20.25E.080). Other sections of the Draft SMP determine legal procedures under which shoreline decisions can be made and what permits are required (LUC 20.25E.100-.130).

Step 1: Identify the Shoreline Environment Designation (LUC 20.25E.010.D)

Step 2: Determined if the use category is allowed and the permit process (LUC 20.25E.030)

Step 3: Identify what restrictions apply to the proposed use or activity (LUC 20.25E.060, LUC 20.25E.065, and LUC 20.25E.070)

Step 4: Follow specific performance standards specific to the activity or site modifications (LUC 20.25E.080)

Staff will document any feedback received from the Planning Commission for changes directed to the Land Use charts during review of this topic.

Yacht Clubs and City Parks

The Planning Commission has identified comments received from Meydenbauer Bay Yacht Club and the Meydenbauer Bay Neighborhood Association as two additional items for its review during the March 28 meeting. The focus of these comments was on policies and code language governing private yacht clubs and City parks, specifically Meydenbauer Bay. Staff met with the associations that provided comments on these topics on several occasions in an effort to address their concerns in the Public Hearing Draft SMP. The following matrix identifies meetings held between association representatives and City staff. In support of the Planning Commission discussion of the comments received from the associations, staff has summarized each of the comments below and provided an associated response for Commission discussion.

Association/Organization Name	Meeting Date
Meydenbauer Bay Yacht Club	June 12, 2009
Meydenbauer Bay Yacht Club	June 17, 2009
Meydenbauer Bay Yacht Club	June 23, 2010
Meydenbauer Bay Neighborhood Association	August 3, 2010
Meydenbauer Bay Neighborhood Association	August 11, 2010
Meydenbauer Bay Neighborhood Association	September 10, 2010
Meydenbauer Bay Yacht Club	September 15, 2010
Meydenbauer Bay Yacht Club	March 17, 2011
Neighborhood Associations	Met with MBNA Spring 2008

1. Response to the Meydenbauer Bay Yacht Club Comments

In addition to meeting directly with staff over the course of three years to discuss their interest in the Draft SMP, the Meydenbauer Bay Yacht Club (MBYC) has submitted two comments letters. The first letter, dated May 11, 2011, included detailed comments on specific elements included in the Draft SMP. The second letter, dated February 7, 2012, is a re-cap of the first letter and identifies where MBYC believes previously submitted comments have not been addressed in the Public Hearing Draft SMP. Review of the most recent comments submitted by MBYC indicates that many of the issues raised have been addressed in the Public Hearing Draft SMP, although in some cases the clarity of those sections addressing MBYC comments could be improved to more directly address their concerns. A summary of MBYC comments by issue follows:

Recreational Boating Designation Criteria

Issue: Meydenbauer Yacht Club (MBYC) is asking to include private access as an environmental designation criterion for designation of Recreational Boating (RB) environments.

Response: Suggest including MBYC's requested change as an appropriate amendment to allow additional private recreational boating facilities as needed. This change clarifies the intent that public and private facilities may both be given this environment designation.

Accessory Structures

Issue: MBYC requests that accessory structures as regulated under LUC 20.25E.070.C.3.f be allowed within the shoreline setback if used to provide an educational or cultural component to a water-dependent activity.

Response: The public hearing draft allows accessory structures that support water dependent uses, but limits size of structure to 200 square feet in size. Educational or cultural activities that are tied to a water dependent use like youth sailing would be allowed (see LUC 20.25E.070.C.3.I.).

Issue: MBYC is requesting an allowance for overwater accessory structures used to support water-dependent uses and activities.

Response: The public hearing draft allows overwater accessory structures as part of a marina or yacht club in support of water dependent uses, so no change is required. Overwater structures are limited in size through application of recreation overwater structure standards (20.25E.070.3.g).

Minor Expansion

Issue: MBYC is requesting to amend LUC 20.25E.070.C.4 to clarify what is considered a “minor expansion” of a recreation facility.

Response: The requested amendment to LUC 20.25E.070.C.4 is consistent with the intent of the section. The term “minor expansion” is already defined in the same section that precedes the proposed edit (see LUC 20.25E.070C.2). Suggest no change as the term is already defined through reference.

Issue: MBYC is proposing to amend LUC 20.25E.080.E.5.a to add the definition of minor expansion used for recreation facilities to the non-residential moorage facilities section. Under this proposal, a minor expansion of up to 20% would not be required to meet moorage standards.

Response: The Draft SMP is designed to address uses and development in separate sections. The code first addresses the question of use—a yacht club in this case—then focuses on how the use is constructed; for example, how large a dock can be (LUC 20.25E.080). Although LUC 20.25E.070 allows a minor expansion of the use of up to 20 percent of overwater coverage, permanent disturbance, or structural lot coverage associated with a recreational facility, the manner in which the minor expansion is constructed must meet applicable performance standards and criteria as identified under LUC 20.25E.080. If a use is proposed to be expanded beyond 20 percent as defined above, a conditional use is required (LUC 20.25E.030 footnote 4); the manner in which the expansion is constructed must also meet the same applicable performance standards and criteria. The result of the MBYC’s proposed change would allow expansions of less than 20 percent to be constructed without meeting the performance standards or criteria that influence the

design and construction of an expanded facility that are necessary to ensure no net loss. This would permit construction of a dock expansion, for example, with no restriction on ultimate size, width, or preference of materials so long as the expansion is smaller than the 20 percent threshold.

Parking

Issue: MBYC is proposing a change to LUC 20.25E.060.H to allow accessory parking as part of a permitted minor expansion.

Response: Suggest retaining original language. Proposed language change is redundant as parking is allowed in the same paragraph with an allowed or permitted use. Minor expansions are considered allowed uses.

Aquatic Weeds

Issue: MBYC is proposing a language change to SH-52 to allow use of herbicide to control aquatic noxious and nuisance weeds in accordance with DOE requirements.

Response: Suggest creating a policy to read:

SH-XX. Elimination of aquatic noxious and nuisance weeds may be undertaken only when in accordance with Department Of Ecology regulations listed under RCW 90.48.445 (or hereafter amended) or issued NPDES permits.

Dredging

Issue: MBYC is requesting the addition of boat-moorage depth as a threshold criterion for dredging approval to SH-97 and LUC 20.25E.080.D.2.a.

Response: Dredging for the purpose of maintaining navigability is allowed under draft policy and code language (SH-97 and LUC 20.25E.080.D.2.a). No change required.

Issue: MBYC is proposing that quantity of dredging allowed be based on accumulation of sediment

Response: Draft language allows dredging to restore original designed depth and is focused on maintaining navigability. (see Policy SH-97)

Issue: MBYC is proposing the addition of policy language that would assign responsibility for dredging actions to those responsible for deposition of the accumulated sediment.

Response: If sediment accumulates to a point that it limits navigation, dredging is authorized (see response 2 above) and there is an established permitting path to obtain the necessary local, state, and federal permits. Assigning responsibility for dredging absent an established easement or maintenance agreement is outside the scope of shoreline policies and development regulations.

Public Access

Issue: MBYC is proposing public access requirements for recreational boating facilities included in the Draft SMP be removed.

Response: On February 22, 2012, the Planning Commission recommended removal of public access requirements for private recreational boating facilities, private yacht club, and private marinas. It should be noted that MBYC does provide select public access through its public sailing programs.

2. Response to the Meydenbauer Bay Neighborhood Association Comments

The Meydenbauer Neighborhood Association (MBNA) submitted two comment letters on the Public Hearing Draft (Draft SMP). The first letter was submitted on May 25, 2011 and the second on February 21, 2012. The letters are similar and both are specific to elements of the Draft SMP that affect implementation of the Meydenbauer Park Master Plan. The first letter is a comprehensive review of Draft SMP code sections that relate to Meydenbauer Park. The February 21, 2012 letter is more direct and bundles the issues into three categories and offers a suggested “fix” for each issue. Review of the two letters indicates MBNA has identified four primary issues:

Consistency with Meydenbauer Park Master Plan

Issue: MBNA is requesting the Draft SMP be revised to include more specific language to ensure that Meydenbauer Park be developed consistent with the Meydenbauer Bay Park Master Plan (Master Plan) and the adopted SMP provide sufficient language to ensure the park and marina is developed to meet the implementation principles of the Master Plan.

Response: Based on feedback from the MBNA received throughout the SMP drafting process (not just from the comment letter submitted), footnotes (2) and (3) were added to the use charts. Footnotes (2) and (3), when applied to an existing Master Plan for the facility under review, require consistency with the Master Plan, including the Master Plan Implementation Principles. Footnotes (2) and (3) state:

LUC 20.25E.030 (Footnotes 2 and 3 – Recreation Uses)

- (2) Public Facilities not identified in a Council-adopted Master Plan require approval through the Shoreline Conditional Use Permit process (refer to LUC 20.25E.110 and 20.25E.180). Public Facilities are permitted uses, provided that the following criteria are met:

1. The Public Facility use is identified in a Council-adopted Master Plan; and,
 - b. The Public Facility use will be established, developed, expanded or modified consistent with the terms of the Council-adopted Master Plan.
- (3) A Council-adopted Master Plan is required for the Meydenbauer Bay Park, and the park is required to be established, developed, expanded or modified consistent with the terms of the Council-adopted Master Plan.

Privacy of Adjacent Property Owners

Issue: Throughout the SMP drafting process MBNA has expressed concern about the privacy of property owners adjacent to the Meydenbauer Bay Park. In addition to the general concern about the park providing additional public access to Meydenbauer Bay and the potential associated impacts on adjacent property owners, one specific element of the Master Plan identified by MBNA is the proposed elevated view platform.

Response: In response to comments received (verbal and written) from the MBNA, the Draft SMP was designed to include requirements and performance standards that are intended to minimize impacts to adjacent property owners from new or expanded parks and marinas (recreation uses). The Draft SMP was also drafted to avoid barriers to implementation of a plan that was approved and funded by the City Council following a public master planning process. Privacy protection standards are included in the following code provisions:

LUC 20.25E.060.I.4.h (View Platforms)

- h. Privacy. Design of public access improvements shall minimize privacy intrusions on adjacent uses by avoiding locations adjacent to residential windows and/or outdoor private residential open spaces, or by screening or other separation techniques.

LUC 20.25E.070.C.3 (General Performance Standards)

New or Expanded Recreational Facilities.

- a. Permit Required. New or expanded recreational facilities are permitted in the Shoreline Overlay District pursuant to the process identified in LUC 20.25E.030 (Shoreline Use Charts).
- b. Decision Criteria Applicable to all New or Expanded Recreational Facilities. The City shall consider the following criteria when deciding whether to approve or approve with conditions, an application for a new or expanded recreational facility in the shoreline jurisdiction.
 - i. Priority of Use. The proposed recreational use or development is water dependent, subordinate to a water dependent use, bears a substantial relationship to the shoreline (water oriented), or provides the public physical or visual access to the shoreline;

- ii. Non-Water Related Recreation. Non-water-related recreation facilities that support non-water related, high-intensity activities, such as basketball and tennis courts, baseball and soccer fields, and skate parks, shall be located outside of shoreline jurisdiction when feasible, or when located within shoreline jurisdiction as far from the water as possible;
 - iii. Scale and Intensity. The scale and intensity of the proposed use is appropriate when considering the size, location, and physical characteristics of the site; and
 - iv. Separation by Design. The use or activity is adequately screened and separated from adjacent uses and provides sufficient landscaping and is designed and located to minimize adverse effects on existing public and private use of waters of the state.
- c. Design Criteria Applicable to all New or Expanded Recreational Facilities. Design and siting of new or expanded recreational facilities shall consider and address, at a minimum, the following:
- i. The design should be the minimum necessary to fulfill the intended function of the proposed recreational facility.
 - ii. The design should consider surrounding vegetation, topography, street patterns, parking configuration and building massing to result in a compatible fit between the proposed recreational facility and existing residential development.
 - iii. The proposed recreational facility should be designed so that its construction and operation does not degrade natural systems and functions.
 - iv. Building surfaces facing abutting residential districts should be clad with materials which are similar to or compatible with the surrounding environment and uses, and that minimize reflected lighting.
 - v. Building facades should incorporate elements such as stepbacks, offsets, angled facets, deep roof overhangs, recesses and other architectural features which serve to break down the scale. The larger the building, the greater the number and variety of such elements that may be necessary to achieve the effect of diminishing scale.
 - vi. Materials and colors used on the building facades should be compatible with nearby residential buildings and the surrounding natural environment; however, colors and materials used for the purpose of accent may be approved.
 - vii. Pitched roof forms are preferred to enhance the compatibility with nearby residential areas. However, under certain circumstances, a stepped roof form could be used to achieve a similar effect.
 - viii. Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback or within the shoreline setback.
- d. General Performance Standards Applicable to New and Expanded Recreational Facilities. In addition to the general requirements in paragraphs C.2 and C.3 of

this section, the following performance standards apply to applications for new and expanded recreational facilities.

- i. Shoreline Stabilization. Recreational facilities shall be designed to avoid the need for stabilization. When shoreline stabilization is required, stabilization measures shall conform to LUC 20.25E.080.F (Shoreline Stabilization).
- ii. Public Access. New or expanded recreational facilities shall provide public access to the shoreline in accordance with LUC 20.25E.060.I (Public Access).
- iii. Screening of Parking. Surface parking lots shall be screened from street level views and from ground level views of an abutting residential district by using berms, hedges, walls, or combinations thereof. Surface parking lots should be located away from adjacent residential properties and shall comply with the parking standards contained in LUC 20.25E.060.H (Accessory Parking, Loading Spaces and Maintenance Access). Site features such as fences, walls, refuse enclosures, light fixtures, carports and storage units shall be integrated with the architectural design of the primary structure.
- iv. All refuse and recycling containers shall be contained within structures enclosed on all four sides and utilize lids made of molded plastic or other sound buffering material.
- v. Rooftop mechanical equipment shall be incorporated into the roof form, and shall not appear as a separate penthouse or box. Rooftop mechanical equipment may not exceed the maximum building height established in LUC 20.25E.050.A (Shoreline Dimensional Requirements).

Park Use and Subordinate Uses

Issue: MBNA has provided comments, both verbal and written, objecting to the inclusion of certain uses such as “fueling stations” and “retail sales” as allowed in the Meydenbauer Park. MBNA has stated its concern that listing these uses as allowed in a City Park or Public Marina is contrary to the Meydenbauer Park Plan.

Response: Fueling stations and retail sales are allowed as accessory or subordinate uses in City Parks and Public Marinas when they are developed or established in accordance with the review process that applies to the primary park or marina use. In the case of the Meydenbauer Park and Marina, the inclusion of a marina fueling station or retail use would require a demonstration of consistency with the Meydenbauer Park Master Plan, including the Implementation Principles. Whether a marina fueling station or retail use is appropriate in the Meydenbauer Park Marina is controlled by the Meydenbauer Park Master Plan which is adopted by the City Council and functions to further restrict uses allowed in that park location. In contrast, the purpose of the Draft SMP is to establish what range of uses may be allowed within the entire shoreline jurisdiction of the City. Draft SMP section LUC 20.25E.030 (Recreation Chart) and footnotes (2) and (3), only allow uses described in a Master Plan approved by the City Council. Finally, each process for a park or a marina also includes an appeal pathway if a person who provided

comments on the project feels the City approved the corresponding permit inconsistent with a Council-adopted Master Plan, or any applicable provision of the Draft SMP.

Conditional Use Permit for Meydenbauer Park

Issue: MBNA has provided both verbal and written comment that they would prefer City Parks and Public Marina uses require review and approval through a Conditional Use Permit. The MBNA has expressed that a Conditional Use Permit is necessary to ensure that the Master Plan is properly implemented and that appropriate public involvement is included in the project review.

Response: Development of the Meydenbauer Bay Park Master Plan included extensive public involvement by Bellevue stakeholders. The MBNA and other members of the public were involved in the development of the Park Master Plan. Public comments were considered and the Park Master Plan was amended to include public feedback. Under the Draft SMP, development of the Meydenbauer Bay Park would require a Shoreline Substantial Development Permit (SSDP). Shoreline Substantial Development Permits are Administrative Permits, require a published notice of application, and require an extended 30-day public comment period where members of the public may comment on the park or marina design and proper implementation of the Park Master Plan and Implementation Principles. Further, if members of the public feel that the SSDP permit was issued contrary to the final adopted SMP, including provisions requiring consistency with the Park Master Plan, an SSDP may be appealed to the State Shoreline Hearings Board. Requiring a shoreline conditional use permit after adoption of the Park Master Plan would impose a redundant public process on a project that the City Council has already reviewed and approved. Reliance on the Park Master Plan and a SSDP has the added benefit of retaining local decision-making authority; in contrast a Shoreline Conditional Use Permit requires final approval by the Washington State Department of Ecology.

Additional Key Topics

In addition to key topics previously discussed regarding residential regulation, the Commission plans to address a number of additional important issues, some of which may be more appropriately included in its Recommendation to the Council, including:

- Lake level management and outflow for Phantom Lake
- Lake Sammamish water levels/outlet
- Impact of stormwater management on water quality

While the Commission has provided direction to staff regarding how best to treat topics involving setbacks, vegetation conservation, nonconformities, docks, and stabilization as part of the refinement of the proposed shoreline regulations, some issues may not fit comfortably in the SMP and are better handled in a different forum. Because some of these concerns are among the most important to some members of the shoreline community, the Planning Commission has identified them as needing additional attention in its written recommendation to City Council. The City Council has already shown a willingness to engage on issues that are outside the scope

of the shoreline master program update, but brought to Council attention during the course of the Planning Commission's review. For instance, the Environmental Services Commission has been directed to investigate management of Phantom Lake. Cataloging issues in the Planning Commission recommendation is an effective way to document areas outside the scope of the shoreline update that may require Council consideration and action.

Upcoming SMP Review Schedule

Next Meeting

- Other identified issues
- Final direction for rewrite

Once Commission direction is clear on the remaining outstanding issues, the staff will work to rewrite the SMP draft that incorporates all Planning Commission direction.

Attachments

- A. Comparative Jurisdictional Matrix

	Redmond (Approved by DOE)	Sammamish (Approved by DOE)	Kirkland (Approved by DOE)	Renton (Approved by DOE)	Mercer Island (Approved by Council)	Public Hearing Draft	COB existing	COB Original SMP	PC Direction Post Public Hearing Draft	
VEGETATION CONSERVATION										
STANDARDS WITHIN THE SETBACK/VEGETATION CONSERVATION AREA	Vegetation Preservation	Trees and native vegetation within 35-foot building setback must be maintained.	Significant trees within the 50-foot setback area shall be retained, with the exception that the minimum necessary significant tree removal may occur for allowed development in order to utilize setback reductions. Removed significant trees shall be replanted at a 2:1 ratio.	Within the shoreline setback (30-60'), existing significant trees must be retained, provided that the trees are determined to be healthy. Other riparian vegetation in the amount of 75 percent of the nearshore riparian area located along or near the water's edge is to be preserved.	A vegetation conservation buffer for all residential lots is required. The required buffer is measured from the ordinary high water mark and is sized based on lot depth varying between 10 to 20 feet with a 10-foot minimum for shallow lots. In limited circumstances, required buffers may be averaged or reduced. Existing native vegetation within the vegetation conservation buffer may not be removed unless allowed in conjunction with an approved vegetation management plan.	No specific vegetation conservation standards and no direct reference to tree preservation standards.	A 25-foot vegetation conservation area for all residential lots is required. Within the vegetation conservation area all native trees and vegetation must be retained. The 25-foot vegetation conservation area is measured from the ordinary high water mark.	The Critical Areas Code (20.25H. LUC) does not include specific vegetation conservation standards for shoreline critical areas. Instead, use, development or land alteration is prohibited within the critical area and critical area buffer unless specifically allowed under LUC 20.25H and LUC 20.25E.	All development required to submit plan indicating methods for preserving shoreline vegetation and for control of erosion during and following construction. No clearing, grading, excavating, or fill allowed within 25-feet of OHWM except as otherwise permitted.	No vegetation conservation required. Tailor after Mercer Island.
	Routine Landscape Maintenance/ Hazard Trees	Existing landscaping and improvements in setback may be maintained provided that: (i) removal shall not be by mechanical means unless no feasible alternative exists;(ii) the extent of removal is the minimum necessary to achieve the above purposes; (iii) native plants are not removed for the purpose of establishing non-native plants; and (iv) the timing and duration of such removal is demonstrated not to have long-term adverse impacts on wildlife or fish. Dead, diseased, dying or hazardous trees may be removed.	Existing landscaping may be maintained. No direct reference to hazard trees.	Existing landscaping may be maintained. Healthy, diseased or nuisance trees that are removed or fallen trees in the shoreline setback must be replaced.	Existing landscaping and improvements located in the vegetation conservation buffer may be maintained to existing conditions through routine maintenance. No specific hazard tree exceptions are referenced.	No specific standards addressing routine maintenance of existing landscaping, removal of hazardous trees or noxious weeds.	Routine maintenance of existing developed landscaping is permitted. Hazardous tree removal and removal of noxious weeds is also permitted. Replanting is required.	Routine maintenance of existing developed landscaping is permitted. Hazardous tree removal and removal of noxious weeds is also permitted. Replanting is required.	No specific reference.	Routine maintenance of existing developed landscaping is permitted.

		Redmond (Approved by DOE)	Sammamish (Approved by DOE)	Kirkland (Approved by DOE)	Renton (Approved by DOE)	Mercer Island (Approved by Council)	Public Hearing Draft	COB existing	COB Original SMP	PC Direction Post Public Hearing Draft
STANDARDS WITHIN THE SETBACK/VEGETATION CONSERVATION AREA	Redevelopment	New development proposing to reduce the 35-foot building setback to 20' must re-vegetate the 20-foot setback with primarily native vegetation and establishment of tree canopy is encouraged. New development adhering to the 35' and reconstruction involving greater than 50% of the value of existing improvements must plant 50% of the area of the minimum 20-foot setback with native vegetation.	Lake Sammamish Vegetation Enhancement Area. Fifteen foot-wide portion of the shoreline setback immediately landward of the OHWM is reserved as a vegetation enhancement area in which existing trees and native vegetation are preserved or native vegetation is restored. Planting of the vegetation enhancement area is required when any new development or redevelopment project affects the shoreline setback. Developments less than 500 square feet require proportional, 1:1 planting. Standard also triggered when new or expanded bulkhead or expansions to other stabilization.	When a site does not comply with the standard to maintain 75% of the nearshore riparian area in native vegetation the site must be revegetated to a width of between 10-15'. Development activities which trigger need to revegetate include either an increase of at least 10 percent in gross floor area or alteration to any structure(s), the cost of which exceeds 50 percent of the replacement cost of all structures on the subject property.	A vegetation management plan is required with all new development or redevelopment that is proposed to impact the shoreline vegetation conservation buffer. Acceptable vegetation management plans must demonstrate how existing native vegetation is being preserved and how sites lacking native vegetation will establish a dense native vegetation community within the defined buffer. Large native trees are not required for inclusion in a vegetation management plan when demonstrated to measurably block access to water views. Native vegetation established as part of a vegetation management plan must be preserved for the life of the development. Use of an off-site vegetation conservation area is allowed in-lieu of providing on-site vegetation when approved through the shoreline variance process.	New development over 500 square feet of additional gross floor area or impervious surface requires the following landscaping if located adjacent to OHWM: <ul style="list-style-type: none"> 20-foot vegetation area shall be established and 25% shall contain vegetation coverage The 5 feet nearest OHWM shall contain at least 25% native vegetation A shoreline vegetation plan shall be submitted to the City that includes a variety of shrubs and trees, excluding non-native grasses No noxious weeds may be planted. 	Up to 40% of the required vegetation conservation area may be developed with water related uses such as patios, paths, and walkways when an equivalent area within the vegetation conservation area is planted with native vegetation. New development or redevelopment of residential structures triggers a proportional landscaping standard that requires planting of up to 60% of the vegetation conservation area with native vegetation.	In certain circumstances, development may occur in the buffer with a showing of net gain in critical area function. Modification of vegetation in a critical area or critical area buffer may also be allowed under the terms of a vegetation management plan meeting the criteria at LUC 20.25H.055.h.i	No specific reference.	City wide tree preservation standard applies only. Requires new single-family structures or additions to impervious surface areas that exceed 20% to retain a minimum of 30 percent of the diameter inches of significant trees existing in the site area.
	Tree Preservation Requirements	Minimum of 35 percent of the existing significant trees shall be preserved on site.	No direct reference to tree preservation outside setback area (except on Pine Lake).	City-wide tree preservation standard applies in area outside setback.	Outside of the shoreline vegetation conservation buffer, standard City of Renton tree retention standards apply.	Mercer Island has some additional tree preservation standards but these are not specifically referenced in their SMP.	Outside of the required 25- foot shoreline vegetation conservation area, generally applicable tree retention standards outlined at LUC 20.20.900 apply.	Outside of shoreline buffer and setback, generally applicable tree retention standards outlined at LUC 20.20.900 apply.	No tree protection standards.	City-wide tree preservation standard only.

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SETBACKS									
Dimension buffer/setback	35-foot structure setback from OHWM.	50-foot structure setback from OHWM overlaid by 15-foot vegetation enhancement area.	30 to 60-foot structure setback measured from OHWM. Specific dimension based on 30% of the average parcel depth.	25 to 40-foot structure setback from OHWM overlaid with vegetation conservation buffer between 10 to 20 feet. The buffer and setback dimension is sized based on lot depth.	25-foot structure setback from OHWM for all structures.	50-foot structure setback from OHWM overlaid by a 25 foot vegetation conservation area. Structure setback can be reduced down to no less than 25 feet when specific requirements are met.	50-foot buffer from OHWM for all structures over 30 inches on undeveloped sites. 25-foot buffer from OHWM and an additional 25-foot setback from the edge of the buffer on developed sites.	25-foot structure setback. All structures, accessory buildings, and ancillary facilities, other than those related to water use (such as docks, piers and boat houses) shall be setback a minimum of 25-feet from OHWM.	25-foot structure setback.
Maintenance of Existing structures and other improvements (Excluding bulkheads)	No specific reference to general maintenance activities. Structures which are nonconforming are subject to nonconforming provisions which prohibit the expansions or alteration of existing structures if the change increases the nonconformity.	No specific reference to maintenance activities however definitions include: "Maintenance" means those usual acts to prevent a decline, lapse or cessation from a lawfully established condition or use.	Maintenance activities must minimize impacts to fish, wildlife, and their associated habitat and utilizes best management practices (BMPs). Allowance with BMP for maintaining existing vegetation	Existing landscaping and gardens may be maintained and replanted to match original conditions, noxious weeds can be removed. Nonconforming structures and sites are governed by city-wide nonconformity regulations.	Shoreline code is silent regarding maintenance of existing structures in the setback. Land use code nonconforming rules allow repair and maintenance of legally nonconforming structures so long as there is no expansion of the any existing nonconformity or creation of new nonconformity. Under the same provisions, repair of legally nonconforming decks is permitted.	Existing landscaping and improvements in vegetation conservation area may be maintained to existing conditions. Accessory structures <200 sf within the structure setback outside of the vegetation conservation area may be repaired/ rebuilt. Repair of accessory structures >200 sf are limited to 50% of the value of the structure. Repair of primary structures located in the structure setback outside of the vegetation conservation area are allowed and not subject to nonconformity. Primary and accessory structures located in vegetation conservation area may be maintained when value of repairs < 50% of the value of the structure under repair.	Repair and remodeling of legally nonconforming structures is limited to minor, nonstructural repairs, and repairs of mechanical systems within or supporting an accessory structure.	No specific reference.	TBD-n/a

STANDARDS WITHIN THE SETBACK

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STANDARDS WITHIN THE SETBACK	Allowed Development and Activities	No structures other than those required for waterfront access/docks are allowed within the 20-foot setback. Clearing or grading is prohibited within setbacks, except for the purpose of habitat restoration and enhancement or natural beach enhancement or protection, or the installation of residential docks, shoreline protective structures, or public access, where allowed.	Maximum 200-square foot accessory structure. Up to 25 percent of the vegetation enhancement area may be used as an active use area. Structures, decks and paved areas within the vegetation enhancement area may only be located within the limits of the active use area as specified within this program.	Walkways, garden sculptures, light fixtures, trellises, bioretention swales, rain gardens, or other similar bioretention systems, Infiltration systems, retaining walls and similar structures and bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into the shoreline setback. Decks, patios may extend up to 10 feet into setback but not be closer than 25 feet to the OHWM	Access to a private dock is allowed through establishment of up to a 6 foot wide path through the vegetation conservation buffer. Accessory structures associated with water dependent uses are allowed within the setback and buffer. Areas dedicated to water dependent uses are allowed in the setback and vegetation conservation area.	Maximum impervious surface limited to 10 percent of setback area; 30 percent impervious restriction between 25 and 50 feet from OHWM	Landscape improvements, hardscape surfaces, and accessory structures are allowed within shoreline structure setback outside of the vegetation conservation area -prescriptive requirements. Up to 40 percent of the vegetation conservation area may be converted to non-structural water-enjoyment recreational improvements when equivalent area is replanted with native vegetation.	Routine maintenance of legally-established landscaping and landscape features developed prior to August 1, 2006 is permitted. Existing legally-established structures may remain subject to the requirements on repair and maintenance outlined below.	See note regarding setbacks.	TBD No Vegetation Conservation Tailor after Mercer Island
	Redevelopment/ Expansion of existing structures	Setback can be reduced to 20 feet if the setback area is revegetated with primarily native vegetation. Establishment of a tree canopy is encouraged. The applicant must record on the title documentation from the City of Redmond confirming that the structure has been built under the flexible setback option and as such, the structure is conforming and the area within the 20-foot lakefront setback is to remain planted primarily with native vegetation	Structures may be redeveloped or expanded when setback reduction measures are implemented. Setback cannot be less than 20 feet from OHWM. Planting must be installed and maintained. Developments or additions of less than 500 square feet, the landscaping requirement shall be proportional (1:1) to the area of disturbance or redevelopment. Changes to a structure that do not expand the footprint do no trigger landscaping or reduction measures.	Structures may be redeveloped and expanded and shoreline setback may be reduced to a minimum of 25 feet using a combination of the mitigation options. Redevelopment or expansion of existing structures the cost of which exceeds 50 percent of the replacement cost of all structures on the subject property are required to plant native vegetation in at least 75% of the nearshore riparian area located along or near the water's edge. Encroachment beyond 25 feet requires variance.	Expansions up to 500 square feet of structure footprint or 1000 square feet of impervious surface is allowed without additional requirements. Expansions of building footprint between 500 and 1000 square feet of structure footprint, and between 1,000 square feet to 1,500 square feet of impervious surface require vegetation enhancement mitigation. Building footprint expansions of more than 1000 square feet or expansions of impervious surface by more than 1500 square feet require full compliance with the vegetation management plan requirements applicable to new residential development.	No specific reference to redevelopment; expansion covered below under new development	Existing primary structures may be rebuilt in the existing footprint when located outside of the vegetation conservation area. They may expand into the shoreline structure setback when prescriptive standards are met and may expand within the vegetation conservation area only through use of a shoreline variance. Accessory structures allowed within the structure setback when prescriptive requirements are met. Redevelopment with a larger footprint or expansion of structures into the setback triggers compliance with landscaping standards that require re-vegetation of the vegetation conservation area.	Existing primary structures may be expanded up to 500 square feet into a shoreline critical area buffer or setback where expansion outside of the buffer or setback is not feasible and the expansion is to serve a function that is an essential component of a single-family residence. Such expansion is permitted only if it can be shown there is: (1) no feasible alternative; (2) the expansion is the minimum necessary; and, (3) mitigation is possible.	No specific reference. See setback note.	TBD n/a Refer to nonconforming section

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STANDARDS WITHIN THE SETBACK									
New Development	Same standards as applicable to redevelopment and expansion noted above.	New development generally comply with setbacks however provisions allow setback to be reduced same as for redevelopment or expansion.	Same standards as applicable to redevelopment and expansion noted above.	<p>New development must comply with required setback and buffer widths.</p> <p>A vegetation management plan is required with all new development or redevelopment of nonconforming uses.</p> <p>Acceptable vegetation management plans must demonstrate how existing native vegetation is being preserved and how sites lacking native vegetation will establish a dense native vegetation community within the defined buffer.</p> <p>Native vegetation established as part of a vegetation management plan must be preserved for the life of the development.</p> <p>Use of an off-site vegetation conservation area is allowed in-lieu of providing on-site vegetation when approved through the shoreline variance process.</p>	<p>New development over 500 square feet of additional gross floor area or impervious surface requires the following landscaping if located adjacent to OHWM:</p> <ul style="list-style-type: none"> o A 120-foot vegetation area shall be established and 25% shall contain vegetation coverage o The 5 feet nearest OHWM shall contain at least 25% native vegetation o A shoreline vegetation plan shall be submitted to the City that includes a variety of shrubs and trees, excluding non-native grasses o No noxious weeds may be planted 	<p>New primary structures are allowed when located outside of the required 50- foot structure setback or when a prescriptive reduction of the required setback is permitted in accordance with the setback reduction requirements. New accessory structures are allowed within the structure setback when prescriptive requirements are met. Accessory structures located within the structure setback may not exceed 200 square feet unless a setback reduction is granted. New development within the shoreline jurisdiction triggers compliance with landscaping standards that require re-vegetation of the vegetation conservation area. New structures are allowed within the vegetation conservation area only through approval of a shoreline variance.</p>	New development can occur in the shoreline critical area buffer or setback by two means: (1) application of the "string" test with respect to surrounding development which allows the new structure to be located with respect to a line connecting the two adjoining primary structures so long as the adjusted shoreline critical area buffer is never less than 25 feet; and, (2) modification of a critical area buffer or setback using the critical areas report mechanism provided by LUC 20.25H.230. Buffer modification may under this section may occur only if the critical area buffer functions are degraded or the proposal provides unique design or protection of critical area functions not anticipated by the code requirements,.	No specific reference. See setback reference.	TBDn/a Refer to nonconforming section

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	NONCONFORMING								
STRUCTURES	<p>Nonconforming structure may not be expanded or altered so as to increase nonconformity.</p> <p>Nonconforming structures may be maintained and repaired and may be enlarged or expanded provided the expansion does not extend the structure closer to the shoreline.</p> <p>Structure shall be brought into full compliance when alteration or expansion of the structure takes place and the following takes place w/in any 3-year period: The GFA is increased by 100% or more OR The cost on building permit equals or exceeds the assessed value of the structure at the beginning of the 3-year period.</p>	<p>Reconstruction, replacement, or expansion of the exterior footprint of an existing legally established structure not meeting current regulations is allowed provided that the addition or reconstruction does not increase the non-compliance to current regulations.</p> <p>Structures can be expanded so long as the area is <200 sq. ft., not closer to water and includes 1:1 mitigation planting for area.</p> <p>Legally established accessory structures can be rebuilt in same footprint w/o expansion.</p> <p>If a structure not meeting current regulations is damaged by fire, explosion, or other casualty and/or natural disaster, it may be reconstructed to match the footprint that existed immediately prior to the time the damage occurred</p>	<p>Legally established nonconforming structures may be maintained, altered, remodeled, repaired and continued; provided that nonconforming structures cannot be enlarged, intensified, increased, or altered in any way that increases the nonconformity.</p> <p>Accessory structures w/in setback must be brought into conformance if the applicant is making an alteration to the primary structure, the cost of which exceeds 50% of the replacement cost of the structure.</p> <p>Expansion or enlargement in setback requires a variance.</p> <p>Specific circumstances where structure can be expanded w/o variance</p>	<p>Governed by citywide standards. Broken into two categories – those without record of compliance with standards and those with record of compliance with standards.</p>	<p>Legally-established uses and structures may be maintained, repaired, renovated, remodeled, and completely replaced to the extent that nonconformance is not increased.</p>	<p>Setback drawn around structures located within the setback. Structures are legal and are not nonconforming.</p> <p>Expansion permitted-see setback provisions above.</p> <p>Accessory structures < 200 sq. ft. w/in setback are not nonconforming- may be maintained or replaced.</p> <p>Accessory structures >200 sq. ft. and located w/in setback are nonconforming and may be maintained.</p> <p>Structures veg conservation area are nonconforming and may be maintained but not replaced.</p> <p>Maintenance of nonconforming structures is allowed up to 50% of replacement value of the structure calculated over a 3 year period.</p>	<p>Outside shoreline critical area and buffer -- development may be continued provided it is not enlarged, intensified, increased, or altered in any which increases nonconformity Inside shoreline critical area and buffer – limited repair permitted, expansion prohibited, reconstruction prohibited in advent of loss in nonconforming location</p>	<p>Policy- Substantial repairs or alteration to nonconforming structures should be in conformance with the policies contain in SMP.</p> <p>Nonconforming shoreline structures which receive little use and/or are in a general state of disrepair should be abated within a reasonable period of time.</p>	<p>TBD Legally-established structures would not be automatically nonconforming if they are sited within the 25-foot setback (footprint exception)</p> <p>All existing legally-established structures would be allowed to be maintained and repaired</p> <p>Existing legally-established structures that are destroyed would be allowed to be replaced in their same footprint</p> <p>Shoreline property would be protected from the detrimental effects of illegal structures</p> <p><u>Tailor after Sammamish</u></p>

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	DOCKS								
New/Expansion	<p>Length- the lesser of 80 feet or a length necessary to reach a water depth at end of pier of 13 ft below OHWM Side Setback- no pier or dock located closer than 25ft from another pier or dock or the maximum distance possible from any adjacent dock or pier, whichever is less. Minimum side setback 10ft. Walkway- 4ft Finger piers supported by piling are prohibited. Finger floats or docks are allowed. Moorage platform- pier platforms shall be designed and located to avoid or reduce shallow water (less than 9ft deep) shading. Piling- steel pin piles Decking- 50% light passage Mitigation- non specified Boat lift- number not specified. Height limit of 4 feet above OHWM Boat Houses- prohibited</p> <p>Variance to deviate from standards.</p>	<p>Length- 80 ft Side setback- 15 ft. Maximum Area- 480 w/ greater for shared docks Walkway width- 4 ft Ell, platform and fingers- no size limit but no closer than 30ft waterward of OHWM Grating- all of surface or material that allows 40% light penetration Piling-no sizing stated. First set of piling shall be no less than 18 feet from OHWM.</p> <p>Boat lifts- two (2) boat lifts, and two (2) personal watercraft lifts. In lieu of the two (2) boat lifts and two (2) personal watercraft lifts, four (4) personal watercraft lifts may be permitted.</p> <p>Cover- One boat canopy per residential lot is allowed provided that the canopy is made of translucent material. Canopies may be a maximum of twenty-five (25) feet in length, fifteen (15) feet in width, and ten (10) feet at the highest point over ordinary high water</p>	<p>Length-150 Maximum Area- 480 w/ greater for shared docks Walkway width- 4 ft Ell- max 26x6 Finger- 20x2 Mitigation- shoreline planting 10' Maintenance/ monitoring- 5 years</p> <p>Alternative design approved by federal agency may also be approved even when it does not comply with City standards.</p> <p>Boatlift- 1 free standing or deck mounted 2 jet ski lifts or 1 fully grated platform lift</p> <p>Cover- 1 translucent fabric Boat houses- prohibited</p>	<p>New docks allowed when a mooring buoy is impractical and when the property owner can demonstrate adjacent property owners have been contacted and declined to cooperate w/ shared use dock.</p> <p>Length-80 feet Side setback- 5 feet Walkway- 4 feet. Allowed one 6-foot Ell and 2 2-foot fingers. Dock beyond 30 feet from OHWM may be 6 feet wide if approved by other agencies. Pile spacing-maximum feasible. First set of piling shall be no less than 18 feet from OHWM. Pile size should be the minimum necessary. If property owner is disabled entire dock may be 6 feet wide. Joint use docks are required for new single family lots created by subdivision. Boathouses-not allowed and Covered moorage must use translucent materials.</p>	<p>Length -- 100 ft exceptions based on water depth. Side Setback – 10' Walkway Width – 4' for first 30 feet from OHWM and 8 feet thereafter Maximum Area -- 480 sq. ft. and 700 sq. ft. for shared dock EI Size – No specifications Grating – required throughout Pile spacing -- The first set of piling shall be no less than 18 feet from OHWM. Pile size -- minimum necessary. Piling size- 10-in or less and spaced at least 18 ft from OHWM. Second 18 ft apart and < 12 in</p> <p>Mitigation – required Boatlifts – no mention Covered moorage: Permitted provided open-sided beyond 30 feet from OHWM but limited in height and location (moorage triangle); canopy must use translucent materials</p>	<p>Lake specific dock standards. Length – 150Ft Side Setback- 10 Ft Maximum area- None prescribed for overall facility. Platform limited to 350 feet for Lake WA and 250 feet for Lake Samm.</p> <p>Walkway width 4ft. Can be widened to 6 ft with deduction from platform.</p> <p>Grating – required throughout Pile size- minimum necessary. Pile spacing-maximum feasible. Only one set allowed w/in 30 ft from OHWM. Boathouses- prohibited. Boatlifts limited to 2 per dock. Boatlift canopies- 1 per dock and must use translucent materials.</p> <p>Mitigation required.</p> <p>Dock expansions or reconfigurations must meet new dock standards. Replaced, expanded, or reconfigured docks may retain existing moorage platform size.</p>	<p>Length – 150Ft. Side setback – 12Ft. Maximum area – 480 sq. ft. 700, 1000</p> <p>Walkway width – 4 feet, fully grated All floats and ells must be at least 30 feet waterward of the OHWM. Grating – required throughout</p> <p>Ell maximum: 6' by 26'</p> <p>Piling: 4-inch steel piling 18 feet waterward of the OHWM. Other piling 12in. in diameter.</p> <p>Mitigation: 10 feet native planting across lot frontage immediately landward OHWM</p> <p>Dock height -- no minimum height above OHWM</p> <p>Boat lift: One ground-based or floating lift allowed</p> <p>Canopy: One translucent canopy Boat Houses -- prohibited</p>	<p>Length- 150 feet. Side setback-No closer than 12 feet to side property line without mutual agreement with neighboring property.</p> <p>No other size or overall square footage limitations specified.</p> <p>Policy- Adjoining waterfront property owners should be encouraged to share a common pier.</p> <p>The use of buoys and floating docks for moorage should be considered as an alternative to the construct of piers for this purpose. Such buoys should be places as close to shore as possible in order to minimize hazard to navigation.</p>	<p>TBD</p> <p><u>Minimum side setback- 10 ft.</u> <u>Maximum length- 150 ft.</u></p> <p><u>Tailor after Kirkland regarding other permitting agency (Army Corps) approvals.</u></p>

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Repair/ Replacement	<p>No specific provisions apply for docks. However nonconforming standards are applicable- Nonconforming structures may be maintained and repaired and may be enlarged provided said enlargement does not extend structure closer to shoreline.</p>	<p>On Lake Sammamish, repair proposals which replace between 25% and 75% of the existing dock support piles, cumulatively over the lifetime of the dock, must achieve the minimum eighteen (18) foot spacing to the extent allowed by site-specific engineering or design considerations and shall install deck grating on all areas of replaced decking; All proposed replacement piles shall be the minimum size allowed.</p> <p>Replacement-proposal to replace the entire dock, or 75% or more of the dock support piles, cumulatively over the lifetime of the dock, must meet the dimensional, decking, and design standards for new docks.</p> <p>Alternative designs permitted provided State and Federal permitting agency allow deviation.</p>	<p>Replacement of 50% or more of decking or 50% or more of decking substructure. Must replace any solid decking surface within nearshore (30ft) with grated material that allows a minimum of 40% light penetration.</p> <p>Replacement of entire existing pier or dock including piles or more than 50% of support piles and more than 50% of decking and decking substructure must meet dimensional decking and design standards for new piers.</p> <p>Mitigation required.</p>	<p>Replacement of decking beyond 30% requires use of light penetrable materials.</p> <p>Surface material repairs do not require compliance with dimensional standards.</p> <p>Repairs involving replacement of more than 50% of piling are considered new docks and the entire facility must meet new dock standards.</p> <p>Reconfiguration or expansion of existing docks are considered new docks and the entire facility must meet new dock standards.</p> <p>Roof replacements on existing boathouses must use translucent materials.</p>	<p>Maintenance and repair --permitted provided: Area, width and length is not increased, but may be decreased All state and federal permit requirements are met The height is not increased except as provided by code Location is not changed unless Director agrees relocation results in a net gain in ecological function and a higher degree of conformity to location standards for new structure</p> <p>Threshold for partial compliance: 50% of decking or structural elements (including piling)</p>	<p>May be maintained w/o compliance with new dock standards. Up to 50% of piling may be replaced as maintenance.</p> <p>Up to 100% of piling may be repaired as maintenance. Up to 100% of dock structure may be replaced (excluding piling) as maintenance.</p> <p>Replacement of more than 50% of dock piling is considered replacement and must meet new dock standards.</p> <p>Dock surface grating is required when replacement of decking exceeds 20 square feet. Surface material repairs do not require compliance with dimensional standards.</p>	<p>Minor repairs -- allowed outright Replacement of > 50 percent of dock piling is a new dock and must comply with standards for new</p> <p>Thresholds for partial compliance with standards required Replacement of more than 50 percent of the decking and stringers w/in first 30 ft waterward of OHWM or Replacement of more than 50% of decking and decking substructure of entire moorage; or Replacement of a combination of two above with a proposal to replace more than two but less than 50 percent of the existing piles. Partial compliance requires selection of one of the improvements below: Reduction of width, removal of skirting removal of piling or enhancement of shoreline with vegetation.</p>	<p>No specific reference.</p>	<p>TBD</p> <p><u>Can expand up to 480 sq. ft.</u></p> <p><u>Replace or repair 100% of piling</u></p>

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STABILIZATION									
New/Expansion	<p>New and replacement shoreline structures not allowed unless:</p> <p>(a) A hydraulic analysis demonstrates that stabilization is necessary to prevent damage or loss of the facilities including existing single family residence or the where the fair market value of the structure to be protected equals or exceeds the construction cost of the shoreline protective structure; Existing private roads and bridges or raw land/property and where no practicable alternative exists.</p>	<p>New or expanded hard structural stabilization may be permitted only when bulkhead alternatives are determined to be infeasible or insufficient and when required to protect an existing primary residential structure. Provide technical reports that:</p> <p>(a) Evaluate the need for structural shoreline stabilization;</p> <p>(b) Describe alternatives to structural approaches and analyze the environmental effects of each alternative. Geotechnical analysis shall address the necessity of bulkheads or other armoring by estimating time frames and rates of erosion and report on the urgency associated with the specific situation.</p>	<p>Nonstructural methods preferred, but if there is a demonstrated need for a structural stabilization to protect primary structure, then soft structure stabilization must be considered prior to hard structural stabilization.</p> <p>When existing primary structure is >10ft from OHWM, requires geotechnical report to show deed, an evaluation of feasibility of soft rather than hard stabilization and design recommendation for minimizing structural measures.</p> <p>Mitigation- planting vegetation.</p>	<p>New or enlarged shoreline stabilization is allowed only to protect existing primary structures, in limited circumstances to protect new development, in support of a shoreline restoration project, or to protect navigability.</p> <p>New or enlarged stabilization must be the minimum necessary and follow a preference of design to prioritize soft stabilization measures over hard stabilization measures.</p>	<p>New structural stabilization – permitted for <u>new</u> primary structures allowed only with a finding that: nonstructural measures are not feasible, geotechnical analysis demonstrating evidence of wave-caused erosion, no net loss of ecological function, and so on. (Follows Guideline requirement)</p> <p>New or enlarged structural stabilization for an <u>existing</u> primary structure -- is not permitted absent conclusive evidence, documented by geotechnical analysis, which demonstrates that the primary structure is in danger from shoreline erosion caused by waves or currents. (Follows Guideline requirement)</p>	<p>New or enlarged shoreline stabilization is allowed only to protect existing primary structures, public facilities, or public use structures when no feasible alternative, including avoidance, exists.</p> <p>New or enlarged stabilization must be the minimum necessary and follow a preference of design to prioritize soft stabilization measures over hard stabilization measures.</p>	<p>New or enlarged: Allowed only when other measures, including avoidance, are not technically feasible</p> <p>Requirement for soft stabilization – Yes except where not technically feasible</p> <p>Location – at or behind OHWM</p> <p>Height limit – 30”</p> <p>Mitigation -- yes</p>	<p>Policy- The use of vegetation for stabilizing the water’s edges from erosion should be encouraged over the use of bulkheads. Bulkheads and landfills may be permitted to restore lands lost to unusual erosion w/in one year of the date that erosion occurred. Regulations- Use of bulkheads limited to protection of upland areas or facilities, and not for purposes of creating land by filling.</p> <p>Construction or improvements to bulkheads shall not extend into lakes beyond OHWM, except in case of approved landfill.</p> <p>Bulkheads shall be designed to minimize transmission of wave energy to other properties.</p> <p>Riprapping and bank stabilization measures should be of a sloping design, and should be left ungrouted.</p>	<p>TBD Keep direction from Public Hearing draft</p>

	Redmond (Approved by DOE)	Sammamish (Approved by DOE)	Kirkland (Approved by DOE)	Renton (Approved by DOE)	Mercer Island (Approved by Council)	Public Hearing Draft	COB existing	COB Original SMP	PC Direction Post Public Hearing Draft
Repair/ Replacement	<p>Need to demonstrate planting of vegetation, biotechnical measures, relocation or redesign of affected structures or other nonstructural solutions are infeasible or ineffective in preventing or correcting significant erosion. Applies to repaired and emergency protective structures.</p> <p>Replacement or repair of bulkheads shall not be allowed except where it can be demonstrated that replacement with a non-structural solution is ineffective or infeasible.</p>	<p>Bulkhead replaced, may be done with bulkhead alternatives or bio stabilization. Existing structure may only be replaced with structure similar dimension and location- bulkhead alternatives are demonstrated to be infeasible or inadequate to protect the primary residential structure. Demonstration of need to protect residential structure. No further waterward unless safety concerns</p> <p>Structures that are being replaced shall be removed unless removing the structure will cause more environmental harm than leaving it in place Hard stabilization structure may be repaired and maintained. Change location of structure or alters any dimension of the structure by more than ten percent (10%), it shall be treated as a new/replacement hard shoreline stabilization Mitigation required.</p>	<p>A major repair is a collapsed or eroded structure or demonstrated loss of structural integrity or repair of tor rock or footings; and is more than 50% continuous linear length of structure that involves replacement of top or middle course of rocks or other similar repair.</p> <p>Allowed when existing primary structure is 10ft or less from OHWM</p> <p>When structures are more than 10ft from OHWM- narrative demonstrating need is required</p>	<p>Existing shoreline stabilization may be repaired.</p> <p>Replacement may be allowed in same location.</p> <p>Additions to or increases in size of shoreline stabilization is considered a new stabilization measure.</p>	<p>Repair or replacement of existing stabilization - may be replaced with a similar structure when: Demonstrated "need" to protect principle structures from wave-caused erosion Showing of no net loss No waterward encroachment unless structure occupied prior to 1/1/1992. Must abut in this case.</p> <p>No additions or increases in size— considered new</p>	<p>Minor repairs permitted to restore the stabilization measure to its original condition.</p> <p>Major repairs and replacement of stabilization measures are considered new and must comply with design standards for new stabilization</p> <p>Additions to or increases in size of shoreline stabilization is considered a new stabilization measure.</p> <p>When soft stabilization measures are used and the OHWM may shift landward, the OHWM at the time of installation may be memorialized for the purpose of measurement of setbacks.</p>	<p>Repair or replacement of existing stabilization: yes if minor; major repair treated as new</p>	<p>Allowance for limited landfills. Permitted to maintain property, to improve water quality when no other alternative available, and for replenishment of sand. Permitted provided there is no net reduction of water surface area and no significant adverse impact upon fish, wildlife and adjacent property. Not permitted below OHWM. Requires waterside perimeter of the fill shall be stabilized with vegetation.</p>	<p>TBD</p> <p>Tailor approach after Renton</p> <p>Keep direction from Public Hearing draft regarding memorializing OHWM</p>

	Redmond (Approved by DOE)	Sammamish (Approved by DOE)	Kirkland (Approved by DOE)	Renton (Approved by DOE)	Mercer Island (Approved by Council)	Public Hearing Draft	COB existing	COB Original SMP	PC Direction Post Public Hearing Draft
PUBLIC ACCESS									
Required w/ development	<p>Public access- More than 10 new dwelling units to be constructed or renovated; or subdivision of >10 lots.</p> <p>Private access- residential development of 10 or fewer lots.</p>	Public access-new single family residential subdivisions of 10 or more lots or residential units.	Division of land containing (5) or more new lots located within the shoreline jurisdiction.	<p>Public access required for developments of more than 10 single family dwelling units, any multi-family development, or any non-water dependent unit. Public access may be required for any development within a reach of shoreline identified as having an enhanced public access objective. Community access required for developments of more than 4 but less than 10 single family dwelling units. When required, public access must be designed to meet public access standards. Public access requirements may be reduced or modified through approval as a Conditional Use or Shoreline Variance <u>when criteria are met.</u></p>	<p>Relies on policy only</p> <p>Public access along water's edge should be consistent with public safety, private property rights, and conservation of unique or fragile areas</p> <p>No explicit requirement to provide</p>	<p>Public access is required for developments of more than 9 dwelling units, transportation and utility projects, and new or replacement recreation projects (parks & marinas).</p> <p>Community access is required for developments of than 9 single family dwelling units. Public access may be waived if proven to be a disproportionate burden to the property owner as compared to the benefit.</p>	No specific requirement to provide	Policy- When substantial modifications or additions are proposed to substantial developments, the developer should be encouraged but not required to provide for public access to and along the water's edge if physically feasible.	<p>TBD</p> <p>Require public access only for public property- keep language from public hearing draft regarding public transportation and utility projects, and new or replacement public recreation projects (parks & marinas).</p>



Date: March 20, 2012
To: Kevin Turner, Chair
Planning Commission
From: Lynne Robinson, Chair
Parks & Community Services Board
Subject: Parks and Recreation Uses and the Shoreline Master Program

Thank you for inviting the Parks & Community Services Board to participate in your discussion of the Shoreline Master Program (SMP). The Board has received periodic presentations on the SMP project over the past several years. Our last communication to the Planning Commission, dated May 12, 2011 includes three general principles that we asked be considered in drafting regulations impacting public access, shoreline recreation and open spaces uses. These principles remain important to the Board and are attached for your review.

Evaluating potential impacts to public parks and open space brought by changes to the SMP is complicated work. Portions of the following 14 parks and facilities are within shoreline jurisdiction:

- Clyde Beach Park
- Meydenbauer Bay Park & Marina
- Chism Beach Park
- Burrows Landing
- Chesterfield Beach Park
- Enatai Beach Park
- Mercer Slough Nature Park
- Swaylocken Boat Launch
- Kelsey Creek Park
- SE 40th Street Boat Launch
- Newcastle Beach Park
- Lake Sammamish Properties (undeveloped)
- Robinsglen Nature Park
- Lake Hills Greenbelt

These facilities are all unique in their location, the type of water-enjoyment opportunities available and in the ecological health of each site. We believe that the City, through the leadership of its Council and boards and commissions has a strong track record of providing public access for all Bellevue residents to portions of the city's waterfront, balanced with environmental protection of the shoreline.

The Board understands that there has been interest in the Meydenbauer Bay Park and Land Use Plan and its relationship to the Shoreline Master Program. The Parks & Community Services Board strongly supports the Council's adopted master plan. Several documents are attached to provide the Commission with information specific to this plan. It is worth noting that the City has invested over \$1.5 million supporting the public outreach and planning that resulted in the park and land use plan. Public involvement has included, to date:

City Council: (1/2007 – 12/2010)

- 17 public meetings and 2 public hearings

Steering Committee: (4/2007 – 11/2009)

- 21 public Steering Committee meetings
- 6 public workshops/open houses
- 2 public hearings

Planning Commission (4/2007 – 2/2010)

- 5 public Planning Commission meetings

Parks & Community Services Board (4/2007 – 4/2010)

- 10 public Park Board meetings
- 1 public hearing

Environmental Review – EIS (including public hearing)

The plan's Implementation Principles ensure that public outreach will continue in the future under the full oversight and control of the City Council.

We look forward to providing any information that will be helpful to Commission as it continues to evaluate local SMP regulations for all Bellevue parks and recreation facilities within shoreline jurisdiction.

Attachments

- May 12, 2011 Memo, Parks & Community Services Board to Planning Commission
- Citywide maps of shoreline parks
- Meydenbauer Bay Park and Land Use Plan Executive Summary, Map and Implementation Principles
- City Council Resolution No. 8182, adopting the Meydenbauer Bay Park and Land Use Plan





Date: May 12, 2011
To: Hal Ferris, Chair
Planning Commission
From: Faith Roland, Chair
Parks & Community Services Board
Subject: Shoreline Master Program Comment Letter

Thank you for the opportunity to comment on the draft Shoreline Master Program. Development Services staff attended our meetings in April and May to provide information on the update process. Upon review of the draft policies, the Parks & Community Services Board offers three overarching principles for the Planning Commission to use as it considers regulations impacting public access, shoreline recreation and open space uses. Additionally, the Board provides specific draft policy modifications for your consideration that support these principles.

The SMP should support the City's long-standing policy of increasing public access to the shoreline and preserving open space.

The city's first park acquisitions in the 1950's were shoreline parks. Since that time, acquisition and development of shoreline and wetland parks has remained a top priority. The 2010 Parks & Open Space System Plan, as adopted by the City Council, calls for continued waterfront, wetland and stream-side acquisition for the next 20 years to increase access for all Bellevue residents and preserve unique and valuable open space. Public access can be improved by maintaining and improving public view corridors¹ and improving directional signage to existing facilities. Further, and in combination with the above, requiring major private redevelopments to design for public view and access can assist in reaching the Shoreline Management Act's public access goal.

The SMP should recognize that parks use a small percentage of Bellevue's overall shoreline to serve all Bellevue residents. To accommodate demand, intense use of the shoreline is often necessary.

Bellevue's waterfront parks are highly used facilities. Less than 4% of residential lots in Bellevue front water. The vast majority of Bellevue residents consider Bellevue parks their waterfront property. Bellevue's population of 122,000 has access to approximately 12% (1.7 miles) of Bellevue's shoreline in the form of public parks. The high demand on these facilities is reflected in a 2009 statistically significant survey of Bellevue residents finding that 69% of Bellevue residents visit a community beach, waterfront park or boat launch at least twice every year. Almost 40% visit six or more times per year.

The SMP should allow a balance of public access, ecological restoration and historic and cultural preservation and restrict uses in shoreline and wetland parks that do not advance these interests.

The 2009 Bellevue resident survey referenced above found that Bellevue residents express a strong desire for the City to continue to develop waterfront parks and boat launches, improve the ecological function of forests, wetlands, lakes and streams and preserve

¹ A concept supported by draft policy SH-43

historical structures and heritage sites. The City has been able to make this balance under the existing SMP and seeks to continue under the new regulations. Consider the following from the 2010 Parks & Open Space System Plan:

Mercer Slough Nature Park is an excellent example of parkland serving multiple functions. It offers trails for pedestrians and bicyclists and waterways for canoes and kayaks. The wetlands and waterways of Mercer Slough provide habitat for more than 160 different species of wildlife, including heron, beaver, and salmon. A sense of Bellevue's historical and cultural heritage is preserved at the historic Winters House and through the continuing agricultural practices of farming blueberries in the park. In addition, the Pacific Science Center offers environmental education programs at the Mercer Slough Environmental Education Center. Added to this, the Slough provides immense benefits in stormwater detention, water quality filtering and carbon emission capture and storage.

To aid in aligning the draft SMP policies to the above principles, the Parks & Community Services Board recommends the following draft policy modifications. The first recommended modification adds weight to the community's priority of creating additional public access and more directly transfers the meaning and intent of existing SMP Policy SH-21 into the revised policy set.

General Policies

SH-18. ~~Provide~~ Encourage acquisition and development of additional public or community access consistent with the existing character of the shoreline, the scale or type of development, and in full consideration of the impact on ecological function.

The second recommended modification broadens the scope of the policy to address a wider variety of water-oriented recreation activities.

Recreation Use Policies

SH-63. Encourage existing recreation facilities to provide as appropriate, access to a variety of public water-enjoyment activities including but not limited to non-motorized boat launching facilities. Require new recreation facilities to provide as appropriate, access to a variety of public water-enjoyment activities including but not limited to public non-motorized boat launching facilities where feasible.

The third recommended modification adds a new policy that encourages higher utilization of existing shoreline recreation resources by better directing residents to their location through signage.

Sign Policies

SH XX(new): To promote and facilitate public enjoyment of the waterfront, encouraging signage and wayfinding techniques to direct individuals to public access points from nearby streets and trails.



Public Access Areas

Lake Washington, Mercer Slough, and Kelsey Creek

City of Bellevue Shoreline Master Program

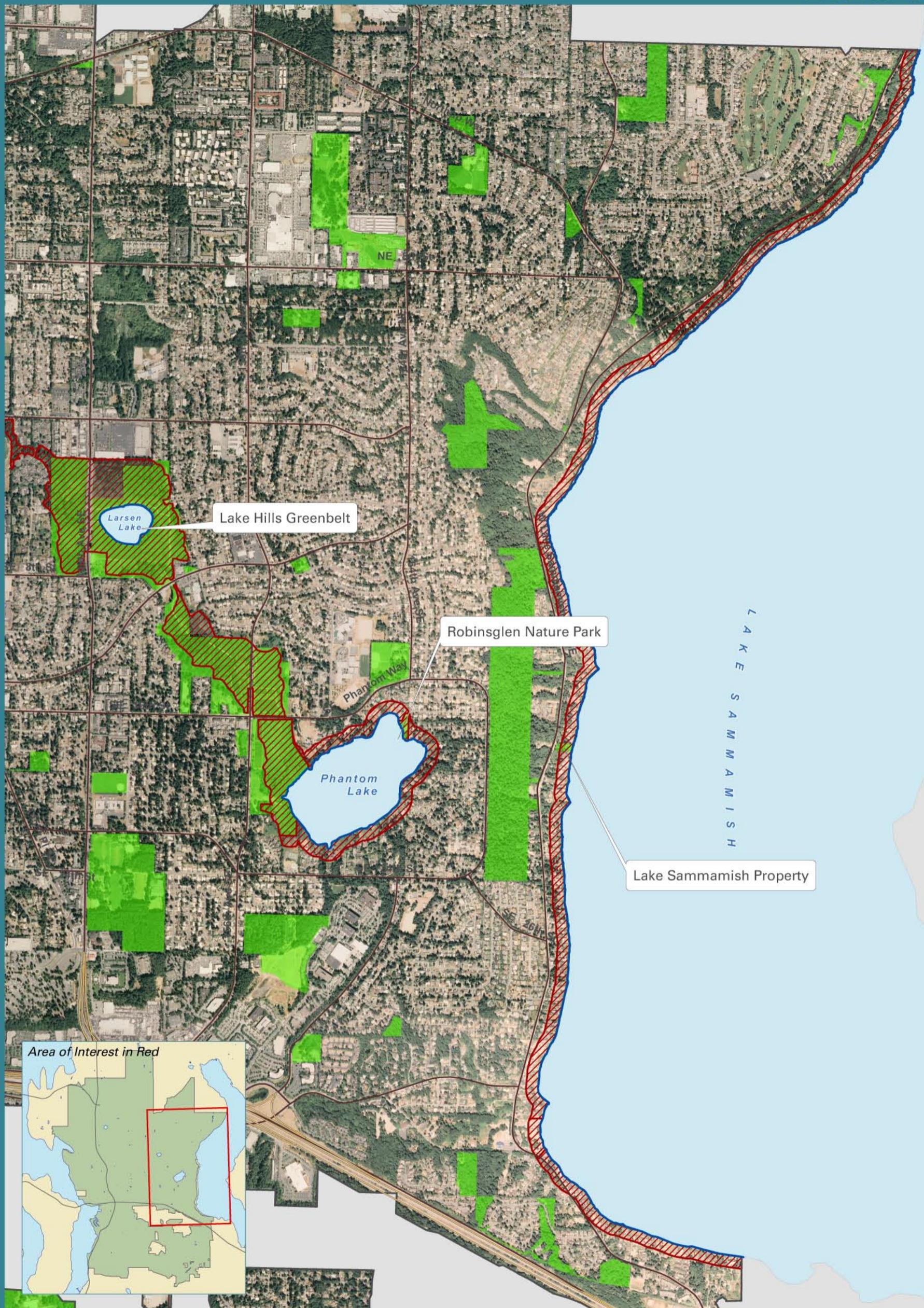
Figure 8b



August 2008
Data: The Watershed Company, City of Bellevue

- Public Access Areas
- Shoreline Jurisdiction
- Ordinary High Water Mark
- Lakes
- City Boundary
- Highways
- Major Streets

Shoreline jurisdiction boundaries depicted on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.

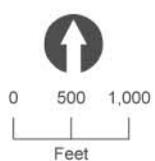


Public Access Areas

Lake Sammamish/Phantom Lake

City of Bellevue Shoreline Master Program

Figure 8c



August 2008
Data: The Watershed Company, City of Bellevue



- Public Access Areas
- ▨ Shoreline Jurisdiction
- Ordinary High Water Mark
- Lakes
- City Boundary
- Highways
- Major Streets

Shoreline jurisdiction boundaries depicted on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.

The full plan can be viewed at:
www.bellevuewa.gov/meydenbauer_project_intro.htm

Meydenbauer Bay

PARK AND LAND USE PLAN

Adopted by Council
December 13, 2010
Resolution No. 8182





A



A *Figure 1.0-1: Historic Ice House and Whaling Building at Bellevue Marina*

CHAPTER 1: EXECUTIVE SUMMARY

The City of Bellevue has long had a vision of connecting the Meydenbauer Bay waterfront to Downtown Park to create a signature park and waterfront destination. In 1953 King County conveyed a small parcel to the City to use for park purposes. With acquisition of a small adjacent parcel soon after, the City improved the existing Beach Park. In 1987 the City’s Park, Recreation, and Open Space Plan identified acquisition of the Meydenbauer Bay waterfront as a major focus to provide unequaled waterfront amenities and connect the waterfront to Downtown Park and the downtown. Since the late 1990s, Bellevue has acquired land along Meydenbauer Bay as it became available, to expand Meydenbauer Beach Park and provide an important recreational opportunity for its citizens. The City Council recognized the need to plan for the ultimate goal of achieving a connection of this key waterfront area to the downtown area and enhancing the surrounding area.

In 2007, the City Council appointed the Meydenbauer Bay Park and Land Use Plan Steering Committee (Steering Committee) to serve in an advisory capacity to the Council, Planning Commission and Parks Board. Representing various neighborhoods and citywide interests, the Steering Committee was charged with guiding staff in public outreach and development of draft alternatives for both the park master plan and the neighboring upland area, evaluating those alternatives, and ultimately recommending final land use and



park master plan alternatives and actions to implement the vision. The Steering Committee's work was guided by broad planning principles approved by the Council for the project.

The City initiated its planning process for the Meydenbauer Bay Park and Land Use Plan (the Plan) in early 2007, which resulted in a Preliminary Preferred Land Use Plan (PPLUP) for land uses and development intensity in the upper block and south of Main Street portion of the study area (Sasaki 2008). When the City continued its planning process with a focus on the new waterfront park in May 2008, it also focused on reintegrating the new park and uplands, with greater attention to the edge condition and relationship of these two important components of the Plan.

The Plan illustrates potential building masses, siting, relationships, and concepts for the upland area that provide pedestrian connections between the new waterfront park and upland areas, as well as physical and interactive spaces and amenities that reinforce the pedestrian experience and the connection of the waterfront to nearby upland areas. The Plan envisions the closure of 100th Avenue SE, and coordinated redevelopment of several parcels of land under different ownerships (including one City-owned parcel). The Plan proposes modest policy and regulatory changes to provide some degree of incentive (other than increasing building height or allowing new uses) that could improve the pedestrian environment along the edges of the upper block.

The Plan calls for the development of a memorable waterfront park that will attract people year round with a variety of uses and thoughtfully designed places that respect the setting, express community environmental values, and sup-

port a range of active and passive activities. The waterfront and park are planned to be both a respite within the city and a connection between the city and the lake. The park will be a pedestrian place that encourages contemplation, socializing, and recreation; welcoming visitors who arrive by boat, car, bus, and bicycle or on foot. Streetscape improvements are recommended for several nearby streets with an emphasis on improving pedestrian amenities, safety, and connections to surrounding neighborhoods, Downtown Park, Old Bellevue, and downtown Bellevue.



A *Figure 1.0-2: Whaling Boats Docked in Meydenbauer Bay, Bellevue, ca. 1937 (Image Courtesy Eastside Heritage Center, L85.39.1)*



B *Figure 1.0-3: Passengers Disembarking from Ferry, Bellevue, 1914 (Image Courtesy Eastside Heritage Center, 1995.123.02)*



C *Figure 1.0-4: Bellevue Ferry Dock, Bellevue, ca. 1917 (Image Courtesy Eastside Heritage Center, 2002.125.03)*



D *Figure 1.0-5: Meydenbauer Park in Bellevue in 1936 (Image Courtesy Eastside Heritage Center, L84.13)*

CHAPTER 9: IMPLEMENTATION

9.1 Implementation Principles

In keeping with Bellevue’s heritage of visionary actions, the plan is bold and audacious. Indeed, the Council’s first planning principle is to create a “Remarkable and Memorable Shoreline Experience”. Given that charge, the complexity of the issues, and the diverse and sometimes competing interests, the Steering Committee did an extraordinary job delivering a plan that meets the expectations set by the Community Vision yet reflects a sincere effort to balance competing interests and address neighborhood concerns. Both the Steering Committee and Park Board acknowledged that there are points of contention that are not resolved to everyone’s satisfaction. The Steering Committee and Park Board understood that, at this early planning stage, it’s not realistic or maybe even advisable to specify precise solutions for every concern. The park will be developed in multiple phases over many years, possibly decades, and therefore needs to be flexible. Subsequent to the Steering Committee and Park Board Recommendation, the following Implementation Principles were developed to guide the implementation of the Meydenbauer Bay Park and Land Use Plan over many years and multiple phases.



A Figure 9.1-1: Restored Shoreline Edge Section



Principle No. 1: Recognize that 100th Avenue will have a pedestrian orientation, and will serve as a gateway to the new park. 100th Avenue SE shall remain open to traffic unless all of the following conditions are met:

- a. The City completes enhancements to the NE 2nd Street corridor or other alternative project(s) that produce similar transportation benefits.
- b. A determination has been made that fire and life safety for the area will not be compromised.
- c. Full access to Ten Thousand Meydenbauer Condominium is maintained, including vehicle access to the “front lobby door” and emergency access.
- d. Coordinated redevelopment of the three upland parcels from Ten Thousand Meydenbauer Condominium allows for multiple means of vehicle access to those parcels.
- e. A traffic study of the Southwest sector of downtown is completed to evaluate the impact of closing 100th Avenue SE under 2030 traffic conditions, to inform a decision on the extent to which traffic movements on 100th Avenue can be limited.
- f. The Council takes action to close 100th Avenue SE to vehicle traffic.
- g. 100th Avenue SE shall be developed in such a way as to highlight the historical nature of the road for park visitors.

Principle No. 2: The park shall be developed in phases, as approved by Council and as funding is available.

Principle No. 3: An activity building is part of the park plan but a number of concerns with the proposed size and potential uses need further consideration. Consideration should be given to designing and sizing the building, and determining the amount of parking for the building and appropriate rules such that the impacts of the building will not unreasonably interfere with other park uses or neighborhood quality of life, especially regarding noise. Public uses of the Whaling Building should also be considered.

Principle No. 4: Staff and consultants should evaluate during the project-level design phase additional options for developing an approach to the overlook that reflects the sensitive transition from Main Street to a more “green park” that is respectful to both view corridors and privacy of the surrounding properties.

Principle No. 5: During the project-level design phase, staff and consultants should evaluate additional options for the design of the marina, curved pier, and associated parking that retain more leased moorage slips than currently envisioned in the plan while still providing for public access to the water, shoreline restoration, at least 14 transient moorage slips, boating safety, and protection of youth sailing, while ensuring financial viability.

Principle No. 6: The City will re-engage with the neighborhood and greater community at each phase of any proposed build-out.

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8182

A RESOLUTION adopting the Meydenbauer Bay Park and Land Use Plan as recommended by the Steering Committee and Parks & Community Services Board, and incorporating Implementation Principles.

WHEREAS, the City has established a goal of increasing public access to Lake Washington and Lake Sammamish waterfronts; and

WHEREAS, the Meydenbauer Bay Park and Land Use Plan contributes to achieving that goal and embodies a City vision that has been reaffirmed in adopted plans for over twenty years; and

WHEREAS, due to this vision's transformative potential and its goal of creating an extraordinary community-wide public asset, Council appointed a Citizen Steering Committee in March 2007 to help accomplish the vision; and

WHEREAS, on November 19, 2009, after an extensive public outreach process over a two-and-one-half year period, the Citizen Steering Committee unanimously voted to recommend approval of the draft Meydenbauer Bay Park and Land Use Master Plan; and

WHEREAS, on February 9, 2010, the Steering Committee's recommended Meydenbauer Bay Park and Land Use Master Plan was presented to the Parks and Community Services Board (Park Board); and

WHEREAS, on April 13, 2010, following a public hearing and receipt of public comments, the Parks and Community Services Board voted 6-1 to recommend approval of the Meydenbauer Bay Park and Land Use Plan; and

WHEREAS, the City Council reviewed the Meydenbauer Bay Park and Land Use Master Plan at the June 7, 2010 study session; and

WHEREAS, as a result of Council discussion staff developed a set of Implementation Principles to help guide the implementation of certain design and operational details that are appropriately addressed at future design and permitting phases; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The Meydenbauer Bay Park and Land Use Plan, as recommended by the Steering Committee and Parks & Community Services Board, and incorporating the Implementation Principles, is hereby adopted; a copy of said

ORIGINAL

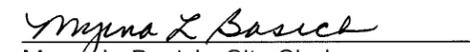
Meydenbauer Bay Park and Land Use Plan and Implementation Principles has been given Clerk's Receiving No. 46985.

Passed by the City Council this 13th day of December, 2010, and signed in authentication of its passage this 13th day of December, 2010.

(SEAL)


Don Davidson, DDS
Mayor

Attest:


Myrna L. Basich, City Clerk