



This packet may be submitted for the following:

- Relief from compliance with the maximum permissible sound levels of MMC 8.06 because of special circumstances that make immediate compliance unreasonable
- Relief is limited to a period not to exceed 14-days during any 12-month consecutive period
- A project may not have more than one administrative noise variance granted for the entire project. A site containing multiple projects occurring during any five-year consecutive period shall be deemed a single project for purposes of qualifying for an administrative noise variance

General Information

- A. A complete application is required at the time of submittal. Please answer all questions on the application clearly and completely.
- B. The City's application form must be used, however, answers to the criteria questions may be submitted on a separate sheet of paper.
- C. A Notice of Complete Application or Notice of Incomplete Application will be issued within twenty-eight (28) days of submittal.

Requirements

I. APPLICATION

- A. The following documents are required at the time of submittal, unless otherwise indicated. A complete application will include:
 1. Completed Administrative Noise Variance Checklist, Administrative Noise Variance Application and Declaration of Agency form
 2. Proof of ownership (copy of deed)
 3. Site Plan with the following:
 - a. Scale and north arrow
 - b. Property lines including corner stakes
 - c. Lot dimensions
 - d. Proposed location of new structure(s) or addition(s)
 - e. Dimensions of existing and new structures
 - f. Setback dimensions from property lines
 - g. All public/private roads
 - h. All easements
 - i. All other structures on the property
 - j. Significant natural features
 - k. Structural calculations, including maximum structural coverage and impervious surface
 - l. Approximate location of structures on abutting properties with distances delineated
- B. State Environmental Policy Act (SEPA) checklist for non-residential uses

- C. A word document formatted to Avery address labels containing the names of property owners and their mailing addresses for all properties within 300 feet or three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. See mailing labels information bulletin for further information.
 - 1. Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.
- D. Any other perspective drawings, renderings, studies, or information the applicant feels is relevant to support the noise variance request.

Procedure

II. ADMINISTRATIVE NOISE VARIANCE PROCESS

- A. Please submit the items listed above and any other information which may be required by the City at the time the application is filed.
- B. **MODIFICATIONS: Changes to an application that has already been submitted and noticed to surrounding property owners may trigger the application to be re-noticed.**
- C. Following receipt of the administrative noise variance application, the City will review the application for completeness and either issue a Notice of Application which includes a public commenting period outlined in MMC 16.80.110(B)(7) or a Notice of Incomplete Application, listing the additional required documentation. Any comments that are received by the public will be forwarded to the applicant for response.
- D. A staff report of the findings and decision shall be issued that includes: 1) A statement granting, granting with conditions, or denying the administrative noise variance 2) A statement of the required findings and 3) A statement advising the applicant of the right to appeal the Director or Designee's decision to the Hearing Examiner within fourteen (14) days of the decision being issued. The decision and findings shall be mailed to the applicant and to all parties of record.

III. CRITERIA FOR APPROVAL

- A. The Director or Designee may approve an administrative noise variance if the request variance does not significantly affect a substantial number of people or endanger public health or safety.
- B. In determining whether to approve an application for an administrative noise variance, evidence of variances granted under similar circumstances shall not be considered.
- C. **CONDITIONS**: Any administrative noise variance may be granted subject to such conditions as necessary to safeguard the public health, general welfare and safety.

IV. APPEALS

- A. Appeals shall be in writing to the Hearing Examiner, including specific objections with the Director or Designee's decision or findings. Appeals may be submitted by the applicant or by a person adversely affected by the decision. Appeals must be filed with the City Clerk within fourteen (14) days of the issuance of the decision and findings. Appeals shall be heard by the Hearing Examiner at an open record hearing. Notice of hearing shall be given as outlined in MMC 16.80.120. Notice shall also be given to all persons who submitted comments to the Director or Designee.

- B. The decision of the Hearing Examiner will be issued to City staff ten (10) working days from the public hearing. The decision is effective upon the date of decision. Notices of Decision will be mailed to applicants and other interested parties as soon as possible.

V. EXPIRATION

- A. An approved administrative noise variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
- B. Expiration of the administrative noise variance is automatic, and notice is not required; and
- C. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.



DEVELOPMENT
SERVICES

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

ADMINISTRATIVE NOISE VARIANCE CHECKLIST

This checklist contains the minimum submission requirements for an administrative noise variance that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

COMPLETE APPLICATION

<input type="checkbox"/>	Administrative Noise Variance Checklist
	Complete Administrative Noise Variance Application: <input type="checkbox"/> Application form <input type="checkbox"/> Signature of applicant/agent <input type="checkbox"/> All questions answered in full
<input type="checkbox"/>	Declaration of Agency form
<input type="checkbox"/>	Proof of Ownership (copy of deed)
<input type="checkbox"/>	Site Plan with required information
<input type="checkbox"/>	State Environmental Policy Act (SEPA) Checklist for non-residential uses (if applicable)
	Mailing labels – Word doc formatted to Avery address labels <input type="checkbox"/> Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet or three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. <input type="checkbox"/> Vicinity map showing the site with the 300’ or three (3) parcels depth minimum buffer of property owners who will be notified of the application.
<input type="checkbox"/>	Perspective drawings, renderings, studies or additional supporting information (if applicable)



DEVELOPMENT SERVICES

ADMINISTRATIVE NOISE VARIANCE APPLICATION

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

- Complete this form for the following:**
- Relief from compliance with the maximum permissible sound levels of MMC 8.06 because of special circumstances that make immediate compliance unreasonable
 - Relief is limited to a period not to exceed 14-days during any 12-month consecutive period

General Information

Owner Name:	
Property Address:	
Legal Description:	Tax Parcel Number:

Agent / Primary contact

Name:	Email:
Contact Phone:	Alternative Phone:
Mailing Address:	City: State: Zip:

Property Information

Lot Size:	Zoning District:
Briefly describe the location of the noise source.	
Identify all noise control provisions from which a variance is sought.	
Briefly describe the proposed activities under this variance application.	
Provide a list of equipment associated with the proposed activities including any noise performance specifications.	

For phased operations, identify the equipment used in each task and the sequence of the work.

Briefly describe what measures are being employed or are proposed to be employed to minimize noise.

Describe a schedule of when the noise is expected to be created including the start date and ending date.

I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.

Signature _____ Owner Agent Date _____

Signature _____ Owner Agent Date _____