



INSTRUCTIONS FOR A SHORELINE CONDITIONAL USE PERMIT

This packet may be submitted for the following:

- Uses listed as a conditional use in the Medina Shoreline Master Program
- Uses within the shoreline jurisdiction which are not classified or specifically prohibited in the Medina Shoreline Master Program or by the zoning ordinance

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, the project narrative and 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.
- D. A Shoreline Conditional Use Permit requires a hearing in front of the Medina Hearing Examiner.

Requirements

I. APPLICATION

- A. The following documents are required at the time of submittal, unless otherwise indicated. A complete application will include:
 1. Completed Shoreline Conditional Use Permit Checklist, Shoreline Conditional Use Permit Application and Declaration of Agency form
 2. Proof of ownership (copy of deed)
 3. Site Plan with the following:
 - a. A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
 - b. Identification of the shoreline water body;
 - c. A general description of the property as it now exists, including physical characteristics and improvements and structures;
 - d. A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
 - e. Identification of the ordinary highwater mark:
 - i. This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;
 - ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;

- f. Existing and proposed land contours with minimum two-foot elevation intervals;
 - g. A general description of the character of vegetation found on the site;
 - h. The dimensions and locations of all existing and proposed structures and improvements;
4. A landscaping and/or restoration plan as applicable;
 5. Mitigation measures, as applicable;
 6. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
 7. Quantity, composition and destination of all excavation and/or dredged material; and
 8. Additional submittal information set forth in the Medina shoreline master program for the use.
- B. State Environmental Policy Act (SEPA) checklist (if applicable)
- 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 conditional use request.

Procedure

II. SHORELINE CONDITIONAL USE PERMIT 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 shoreline conditional use permit 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. A hearing will be schedule with the Medina Hearing Examiner and a Notice of Hearing will be posted, mailed, and published according to the general notice requirements in MMC 16.80.140 at least fifteen (15) days before the hearing date.
- D. **STAFF REPORT AND MEETING AGENDA**: A staff report and meeting agenda will be emailed to the applicant for review a week before the scheduled hearing.

III. PUBLIC HEARING

- A. The Hearing Examiner bases his/her decision on the information provided in the application and testimony given at the public hearing. Information provided to the applicant by City staff or consultants regarding previous actions shall in no way be construed to indicate what the Hearing Examiner's decision will be on a given application.
- B. At the public hearing all evidence for or against the application will be heard in the following order:
 - 1. The Hearing Examiner will introduce the requested application.
 - 2. Testimony will be heard as follows:
 - a. Staff
 - b. Applicant and/or their representatives.
 - c. Audience in attendance.
 - 3. Correspondence applicable to the case will be provided to the Hearing Examiner.
- C. Testimony must be related to the case being considered.

IV. DISPOSITION OF CASES

- A. The Hearing Examiner may be prepared to make a final determination on the case following the conclusion of the hearing or may continue the matter if sufficient reason for such action is found.
- B. Before any shoreline conditional use permit may be granted, the Hearing Examiner shall find that all of the following conditions exist in each case of an application for a shoreline conditional use permit:
 - 1. The proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina shoreline master program; and
 - 2. The proposed use will not interfere with the normal public use of public shorelines; and
 - 3. The proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program; and
 - 4. The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
 - 5. The public interest suffers no substantial detrimental effect.
- C. In the granting of a shoreline conditional use permit, consideration shall be given to the cumulative impact of additional requests for like actions in the area.
- D. The decision authority and the Washington State Department of Ecology may attach reasonable conditions as necessary to prevent undesirable effects of the proposed development and to ensure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.

E. 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 shoreline conditional use permit shall expire as set forth in WAC 173-24-090.



DEVELOPMENT
SERVICES

SHORELINE CONDITIONAL USE PERMIT CHECKLIST

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

This checklist contains the minimum submission requirements for a shoreline conditional use permit 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"/>	Shoreline Conditional Use Permit Checklist
	Complete Shoreline Conditional Use Permit 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"/>	Landscaping and/or restoration plan (if applicable)
<input type="checkbox"/>	Mitigation Measures (if applicable)
<input type="checkbox"/>	Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent (if applicable)
<input type="checkbox"/>	Quantity, composition and destination of all excavation and/or dredged material (if applicable)
<input type="checkbox"/>	Additional submittal information set forth in the Medina shoreline master program for the use
<input type="checkbox"/>	State Environmental Policy Act (SEPA) Checklist (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.



DEVELOPMENT SERVICES

SHORELINE CONDITIONAL USE PERMIT APPLICATION

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

Complete this form for the following:

- Uses listed as a conditional use in the Medina Shoreline Master Program
- Uses within the shoreline jurisdiction which are not classified or specifically prohibited in the Medina Shoreline Master Program or by the zoning ordinance

General Information

Owner Name:

Property Address:

Legal Description:

Tax Parcel Number:

Check this box if this is a revision to an approved shoreline conditional use permit

Agent / Primary Contact

Name:

Email:

Contact Phone:

Alternative Phone:

Mailing Address:

City: **State:** **Zip:**

Property Information

Lot Size:

Critical area(s) located on the property other than Lake Washington (Ch. 16.67 MMC)?
 YES NO

Will work / use occur in Lake Washington?
 YES NO

Shoreline Environment Designation(s) [Check all that apply]:
 Residential
 Urban Conservancy **See MMC 16.61.020**
 Transportation
 Aquatic

Please describe any known nonconforming conditions:

Please provide a complete description of the proposed project (attach additional pages if necessary):

Approval Criteria

The following is the approval criteria for a shoreline conditional use permit application. Please respond to each item by providing as much detailed information as possible to support your request. Attach additional pages if necessary.

1. That the proposed use is consistent with the policies set forth in RCW 90.58.020 and the Medina Shoreline Master Program

a. RCW 90.58

RCW 90.58.020:

- *Foster all reasonable and appropriate uses*
- *Protect against adverse effects to the public health, the land and its vegetation and wildlife*
- *Priority to single-family residences and appurtenant structures*
- *Minimize insofar as practical, any resultant damage to the ecology and environment and interference to the public's use of the water*

b. Comprehensive Plan Goals & Policies (Element 2.1 – Shoreline Management Sub-element)

c. Shoreline Master Program Chapters 16.60 through 16.67 MMC

2. That the proposed use will not interfere with the normal public use of public shorelines.

Approval Criteria (continued)

3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Medina shoreline master program.

4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located.

5. That the public interest suffers no substantial detrimental effect.

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_____