

## City of Medina 2021 Amendments Summary

Section	Title	Proposed Amendment
MMC 20.22.030	Lot Development Standards	Clarify lots at the end of a terminal street to be allowed a logical orientation, similar to lots on a private lane
MMC 20.22.030	Lot Development Standards	Clarify property line designations figure
MMC 20.22.040	Protrusions into Setback Areas	Allow uncovered decks and patios to protrude into setback ( <i>consistent with shoreline jurisdiction</i> )
MMC 20.30.010	Fences, Walls and Gates	Repeal 5' buffer from property line that limits fence, wall and gate height to 4' (this will make fence height 6' by right)
MMC 20.34.020	Accessory Dwelling Units	Remove minimum square footage requirement for ADUs ( <b>HB2343</b> )
MMC 20.34.020	Accessory Dwelling Unit	Remove ADU owner occupancy requirement ( <b>HB2343</b> )
MMC 20.34.040	Accessory Recreational Facilities	Clarify <i>indoor</i> accessory recreational facilities do not require an administrative special use permit
MMC 20.70.070	Administrative Approvals	Remove owner occupancy requirements from accessory dwelling unit registration ( <b>HB2343</b> )
MMC 20.73.085	Review Procedures and Approvals	Repeal. <i>Section expired December 31, 2014.</i>
MMC 20.73.165	Subdivision Vesting After Approval	Repeal. <i>Section expired December 31, 2014.</i>
MMC 20.80.060	Type 1 Decisions	Amend code of conduct for CAP permits $\leq$ \$499,999
MMC 20.80.060	Type 2 Decisions	Amend CMP Level 1 for CAP $\geq$ \$500,000 and/or on a private lane
MMC 20.80.060	Type 3 Decisions	Repeal CMP Level 2

### Summary of Proposed Amendments

1. MMC 20.22.030 – Lot Development Standards. The purpose of these two amendments is to provide clarification to the code. The first being that lots that are located at the end of a terminal street are allowed the same logical orientation as lots on private lanes and the second is to clarify a property line designation when a lot has three *fronts*.
2. MMC 20.22.040 – Protrusions into Setback Areas. The purpose of this amendment is to provide upland lots the same rights to an on-grade patio that lots in the shoreline jurisdiction are afforded.
3. MMC 20.30.010 – Fences, Walls, and Gates. The purpose of these amendments is to streamline the permitting process for fences along the front property line.
4. MMC 20.34.020 – Accessory Dwelling Units. The purpose of these amendments is to update the Accessory Dwelling Unit section of the code to conform to HB 2343.
5. MMC 20.34.040 – Accessory Recreational Facilities. The purpose of these amendments is to clarify that if an accessory recreational facility is located indoors, an administrative special use permit is not required.

6. MMC 20.70.070 – Administrative Approvals. The purpose of these amendments is to update the Accessory Dwelling Unit section of the code to conform to HB 2343.
7. MMC 20.73.085 – Review Procedures and Approvals. The purpose of this amendment is to repeal an expired section.
8. MMC 20.73.165 – Subdivision Vesting After Approval. The purpose of this amendment is to repeal an expired section.
9. MMC 20.80.060 – Type 1 Decisions. The purpose of this amendment is to replace the construction code of conduct with the CAP process for projects that are equal to or less than \$499,999.
10. MMC 20.80.060 – Type 2 Decisions. The purpose of this amendment is to replace the Level 1 Construction Mitigation Plan with the CAP process for projects that are equal to or greater than \$500,000 and/or are on a private lane or access easement.
11. MMC 20.80.060 – Type 3 Decisions. The purpose of this amendment is to repeal the Level 2 Construction Mitigation Plan.

## Chapter 20.22

### Lot Development Standards

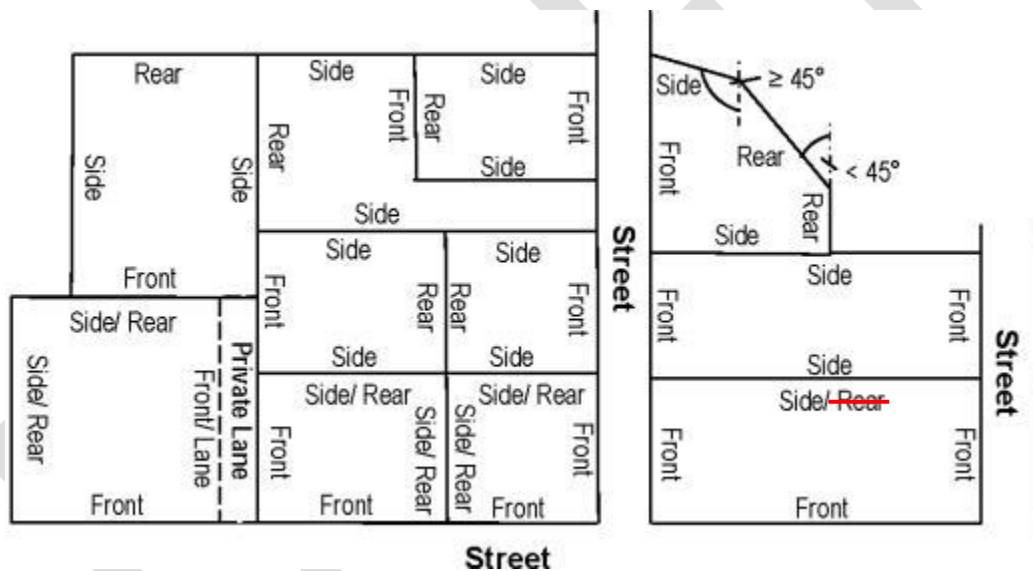
#### 20.22.030 Building and structure setbacks.

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E. Where a lot adjoining a private lane or at the terminal end of the street has a condition where the orientation of the dwelling on the lot, or the orientation of dwellings on adjacent properties, logically suggests setbacks that do not correspond to the longer and shorter dimensions of the lot, the setbacks shall be established using the logical orientation rather than the dimensions of the lot.

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**Figure 20.22.030(B): Setback Property Line Designations**  
(See “Property Line” definitions in Chapter 20.12 MMC)



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#### 20.22.040 Protrusions into setback areas.

The following structures may be located within a setback area, excluding setbacks from Lake Washington, which are subject to Chapter 20.63 MMC:

- A. Utilities which are located underground and accessory to a principal use, except the requirement for undergrounding is not required if the limitation in MMC 20.50.200(I)(6) applies;
- B. Walkways, stairs and steps, and driveways, not including parking spaces, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower;

C. Uncovered decks and patios, provided:

1. No part of the structure exceeds 30 inches in height above the existing or finished grade, whichever grade is lower; and

2. The following setbacks are maintained:

a. A minimum 15-foot setback is maintained from the front property line;

b. A minimum 10-foot setback is maintained from the rear property line; and

c. A minimum side-yard setback equal to one-half (1/2) the required distance pursuant to Table 20.22.030

ED. Window wells that do not project more than six inches above the ground level and do not protrude more than four feet into the setback area;

DE. Fences and freestanding walls which comply with the requirements set forth in MMC 20.30.010;

EF. Irrigation systems at or below finished grade, including yard hydrants, sprinkler heads and similar features that do not exceed 36 inches above the finished grade;

FG. Ramps and similar structures installed to a single-family dwelling to provide access for elderly and/or disabled persons;

GH. Foundation footings where the footing structure does not protrude more than two feet into the setback area and is located entirely below the ground surface;

HJ. Improved surface areas for off-street parking provided:

1. The protrusion is limited to the setback area from a front property line;
2. The parking area is designed in a manner that is clearly distinguishable from the driveway;
3. A minimum 15-foot setback is maintained from the front property line;
4. The top of the parking surface does not exceed 30 inches above the existing or finished grade, whichever is lower;

IJ. A chimney provided:

1. The protrusion is limited to the setback area from a side property line;
2. The maximum horizontal width of the chimney inside the setback area is five feet; and
3. The chimney does not protrude more than two feet into the setback area;

JK. Small accessory structures and outdoor mechanical equipment provided:

1. The protrusion is limited to the setback area from a rear property line;
2. The highest point of the accessory structure or outdoor mechanical equipment does not exceed eight feet in height above the finished grade;
3. The accessory structure or outdoor mechanical equipment does not occupy a footprint greater than 100 square feet;

4. Solid landscape screening pursuant to MMC 20.30.060 is planted that screens the structure or mechanical equipment from adjoining properties; ~~and~~

5. A minimum 15-foot setback from the rear property line is maintained; and

6. All mechanical equipment shall meet the sound requirements set forth in MMC 8.06.

~~KL~~. Open play structures without roofs or walls provided:

1. The protrusion is limited to setback areas from a rear property line;
2. The maximum height of the play structure does not exceed 10 feet above the finished grade;
3. The play structure does not occupy a footprint greater than 100 square feet;
4. A minimum 10-foot setback from the rear property line is maintained;

~~LM~~. Swimming pools, spas and hot tubs as provided for in MMC 20.34.040;

~~MN~~. Raised planting bed boxes, which do not exceed 30 inches above the existing or finished grade, whichever grade is lower;

~~NO~~. Low impact development best management practices or treatment best management practices provided:

1. The best management practice shall be designed, constructed, and maintained in accordance with the stormwater manual adopted under MMC 20.43.200.
2. Best management practices, including associated vegetation, shall be located entirely on private property.
3. The maximum height of any structural element associated with the best management practice shall not exceed 30 inches above the existing or finished grade, whichever grade is lower.
4. The best management practice shall be designed to manage or treat stormwater runoff solely from the building site and from less than 5,000 square feet of impervious surface.
5. Examples of acceptable best management practices, as those practices are defined in Chapter 20.12 MMC, include but are not limited to the following:
  - a. Rain garden;
  - b. Bioretention;
  - c. Dispersion; and
  - d. Biofiltration treatment.

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## **Chapter 20.30**

### **City-Wide Uses**

### **20.30.010 Fences, walls and gates.**

#### **A. General Provisions.**

1. "Walls," as referred to in this section, means freestanding walls meeting the definition in MMC 20.12.070, and retaining walls and rockeries meeting the definitions in MMC 20.12.190.
2. Fences, walls and gates may be located within a setback area provided the fence, wall or gate does not exceed the maximum height requirements set forth in subsection (B) of this section.
3. Fences, walls and gates shall be located entirely inside the property lines of a lot, unless both property owners agree the wall or fence may be placed on a common property line.
4. The property owner is responsible for confirming all fences, walls and/or gates are placed inside the property lines on their property.
5. Gates located near an opened street right-of-way shall be set back from the edge of the pavement pursuant to MMC 20.40.125.
6. All lighting devices shall be subject to the height limitations prescribed by this section.
7. Where a permit is required pursuant to subsection (G) of this section, the director may require the property owner to have a land survey performed to identify the property boundaries if:
  - a. The fence, wall or gate is adjacent to a street right-of-way; or
  - b. In the opinion of the director, it is not clear the proposed fence or wall is located entirely within the property lines on the owner's property.

#### **B. Height (See Figures 20.30.010(B)(1), ~~(B)(2)~~ and (D)).**

~~1. The maximum height of a fence, wall, combination of fence and wall, or gate shall not exceed four feet if the structure is located:~~

~~a. Within a horizontal distance of five feet from a front property line that adjoins a public street not designated as a collector or minor arterial street pursuant to Chapter 10.08 MMC; and~~

~~b. Within a horizontal distance of five feet from any property line that intersects a front property line that adjoins a public street as described in subsection (B)(1)(a) of this section and extending 30 feet from the front property line.~~

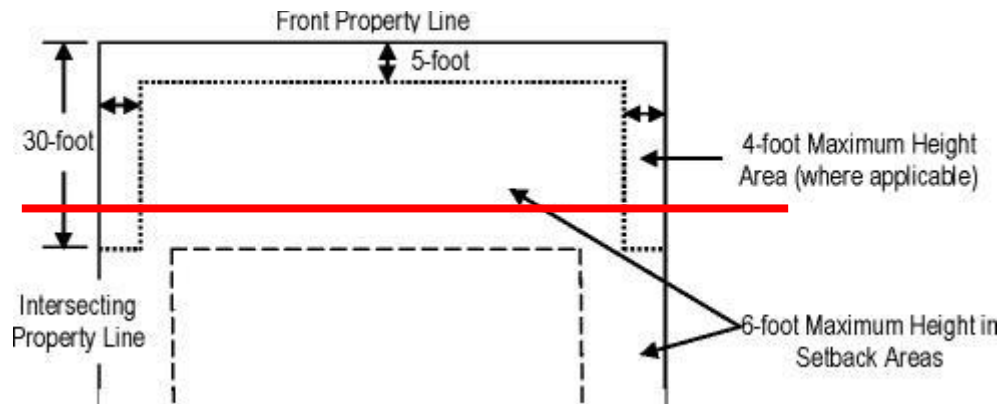
~~21. Except as provided in subsection (B)(1) of this section, t~~The maximum height of a fence, wall, combination of fence and wall, or gate shall not exceed six feet ~~in all other~~ within setback areas.

~~32.~~ Fences, walls and gates not located within setback areas may be constructed to the height limitations of other buildings and structures in the zoning district in which the fence, wall or gate is located.

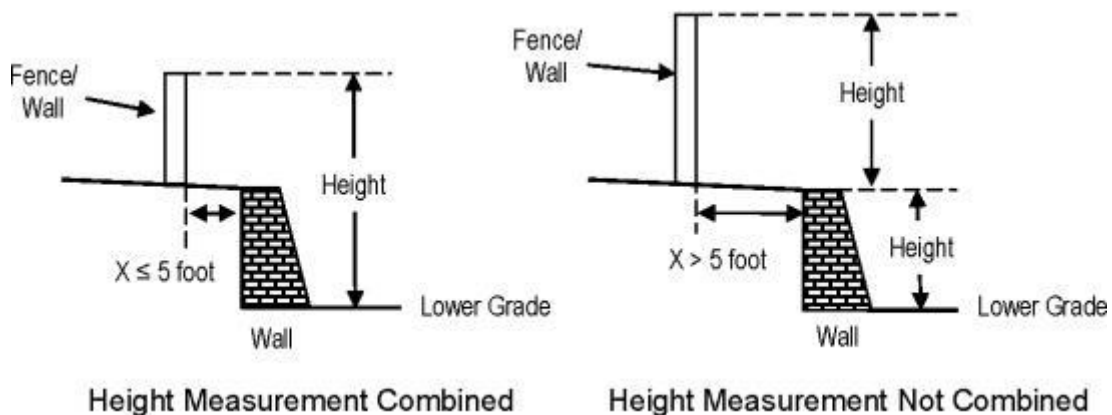
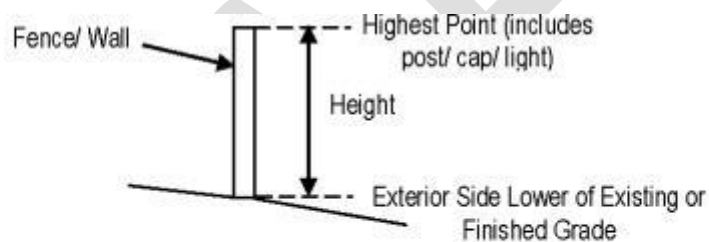
~~43.~~ For purposes of the height maximums set forth in this section, height shall be measured at the exterior side of the fence or wall facing outward from the property, from the lower of the existing or finished grade to the highest point of the fence or wall (including any light fixtures, caps, or other objects mounted on the top of the fence or wall).

54. Fences and walls shall be considered combined for the purpose of measuring height where the horizontal separation is five feet or less between the closest points of the fence and wall; except, if a property line is located between the fence and wall, the fence and wall shall not be considered combined. These requirements shall also apply to gates and walls.

**Figure 20.30.010(B)(1): Height Limits for Fences and Walls**



**Figure 20.30.010(B)(21): Measuring Fence/Wall Height**



C. Fence and Wall Height Exception. The placement of a guard rail on top of a retaining wall may exceed the maximum height for fences and walls by up to four feet provided:

1. The building official determines a guard rail is required pursuant to the building codes set forth in Chapter 20.40 MMC; and

2. The solid component parts of the guard rail are evenly distributed and cover no more than 50 percent of the total surface area of the side elevation of the guard rail.

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#### **20.34.020 Accessory dwelling units.**

This section establishes the development criteria that apply to accessory dwelling units.

A. Accessory dwelling units meeting the requirements of this section are excluded from density and minimum lot area requirements.

B. Accessory dwelling units shall be fully contained within and attached to a single-family dwelling, or must be located within a detached accessory building containing another permitted accessory use.

C. Accessory dwelling units are prohibited as the only use in a detached accessory building.

D. Only one accessory dwelling unit may be permitted on a lot per each single-family dwelling located on the same lot.

~~E. The property owner of record must occupy either the single family dwelling or the accessory dwelling unit as a legal residence. Legal residency must be evidenced by actual residency. Legal residency shall terminate by reason of absence in excess of one year. Legal residency shall immediately terminate upon the payment or receipt of rent for both units.~~

F. Development Standards.

1. The accessory dwelling unit shall comply with the development standards of the zoning where the accessory dwelling unit is located;

~~2. The accessory dwelling unit shall contain not less than 300 square feet of gross floor area;~~

~~3~~2. The accessory dwelling unit shall contain no more than the lesser of 1,000 square feet of gross floor area, or 40 percent of the total square footage of the gross floor area of the single-family dwelling and accessory dwelling unit combined;

~~4~~3. All of the structures on the property shall have the appearance of a single-family dwelling and any other permitted accessory structures;

~~5~~4. The entry door to the accessory dwelling unit shall be screened from the street by portions of the structure or by dense evergreen vegetation;

~~6~~5. There shall be no sign or other indication of the accessory dwelling unit's existence other than an address sign and a separate mail box;

~~7~~6. The exterior finish of the accessory dwelling unit shall be identical to the residence or accessory structure in which it is contained; and

~~8~~7. A certification by city of Bellevue utilities is required indicating that water supply and sanitary sewage are available to adequately serve the accessory dwelling unit.

G. There shall be one off-street parking space provided for the accessory dwelling unit, which shall be in addition to any off-street spaces required for the principal single-family dwelling.



H. Garage space may be converted into an accessory dwelling unit only if the number of covered spaces eliminated by the conversion is replaced by the same number of covered spaces elsewhere on the property.

I. An accessory dwelling unit must contain:

1. Bathroom facilities that include a toilet, sink and a shower or bathtub; and
2. Kitchen or food storage and preparation facilities and a sink.

J. A property owner seeking to establish a legal accessory dwelling unit shall apply to register the dwelling unit with the city pursuant to MMC 20.70.070. The application shall include an agreement by the property owner ~~to occupy either the single family dwelling or the accessory dwelling unit and~~ to maintain the accessory dwelling unit in compliance with the standards set forth in this section.

K. After the accessory dwelling unit is approved, a registration form signed by the record holders of the property shall be recorded with the King County auditor's office. Said registration form shall contain:

1. The street address and legal description of the property; and
- ~~2. Description of the requirement for owner occupancy; and~~
- ~~3.~~ 2. The requirement for maintaining the accessory dwelling unit in compliance with the requirements of this section.

L. The registration of the accessory dwelling unit may be canceled pursuant to MMC 20.70.070 by the property owner by recording a certificate of cancellation in a form satisfactory to the city with the King County department of records and elections. The city may record a notice of cancellation upon failure to comply with the standards set forth in this section.

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#### **20.34.040 Accessory recreational facilities.**

This section establishes the development criteria that apply to outdoor accessory recreational facilities, including minor accessory recreational facilities.

A. Accessory recreational facilities are categorized as either major or minor pursuant to the following:

1. Major accessory recreational facilities include the following and require approval of an administrative special use permit pursuant to MMC 20.71.030, provided a major accessory recreational facility is exempt from this section when completely located within a single-family residence or an accessory building:
  - a. Active sports courts such as tennis, paddle tennis, basketball, and similar facilities;
  - b. Swimming pools;
  - c. Hot tubs and spas, except as allowed in subsection (B) of this section; and
  - d. Other similar sports facilities that provide active outdoor recreational activity and with similar
2. Minor accessory recreational facilities such as a basketball hoop and temporary game nets do not require approval of an administrative special use permit provided:

- a. Installation of the facility does not require additional paved surface area;
- b. No illumination beyond normal house lighting is installed for use of the facility;
- c. The facility is not located inside any setback areas, except as allowed for major recreational facilities in subsection (C)(3) of this section; and
- d. Maximum noise level requirements in Chapter 8.06 MMC are followed.

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#### **20.70.070 Accessory dwelling unit registration.**

A. Applicability. Any owner installing an accessory dwelling unit (ADU) pursuant to MMC 20.34.020 shall apply for an accessory dwelling unit registration.

B. Review Procedures. Approval of an accessory dwelling unit is processed as a Type 1 decision pursuant to the requirements set forth in Chapter 20.80 MMC.

C. Approval Criteria. The decision authority may approve an ADU only when the following criteria are met:

1. The ADU meets the requirements set forth in MMC 20.34.020; and
- ~~2. The property owner enters into a written agreement with the city to occupy the primary single-family dwelling, or the ADU pursuant to subsection (D) of this section; and~~
- ~~3~~2. The property owner agrees to maintain the ADU in compliance with the requirements in MMC 20.34.020.

#### **D. Written Agreement.**

1. Before a certificate of occupancy is issued for the ADU, the property owner shall complete, sign, have notarized, and record an ADU registration form.
2. The contents of the ADU registration form shall include the following:
  - a. The street address and legal description of the property where the accessory dwelling unit is located;
  - ~~b. The written agreement for occupancy as prescribed in subsection (C)(2) of this section;~~
  - ~~e~~b. The written agreement to maintain the ADU as prescribed in subsection (C)(~~3~~2) of this section; and
  - ~~d~~c. Any other relevant information determined necessary by the decision authority.
3. The property owner shall record the ADU registration with King County recorder's office. A copy of the recorded document and recording number shall be provided to the city.
4. The ADU registration may be cancelled under the following conditions:
  - a. The property owner may cancel the ADU registration if:

- i. The ADU is permanently removed from the property; or
  - ii. The property owner provides to the city evidence that the use has been removed and obtains approval from the city to cancel the ADU registration; and
  - iii. The property owner records a certificate of cancellation with King County recorder's office and provides a copy of the recorded certificate of cancellation to the city.
- b. The city may cancel the ADU registration if the property owner fails to comply with the general requirements in MMC 20.34.020. Cancellation of the ADU registration shall be in accordance with the following procedures:
- i. The city provides a notice of cancellation to the property owner who shall have a right to appeal the decision to cancel pursuant to MMC 20.80.220 for a Type 1 decision;
  - ii. Once a decision to cancel becomes final, the city shall record a certificate of cancellation with King County recorder's office;
  - iii. A copy of the recorded certificate of cancellation shall be provided to the property owner after which the use as an accessory dwelling unit shall cease.

E. Lapse of Approval. Approval of an accessory dwelling unit shall expire if the building permit for the accessory dwelling unit expires and substantial construction of the accessory dwelling unit has not started. Approval of an accessory dwelling unit shall also expire if the use is abandoned during its existence, or if a certificate of cancellation is recorded.

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#### **20.73.085 Review procedures and approvals.\***

~~Each lot line adjustment and division of land is processed as a different action type as described in MMC 20.80.060 and summarized as follows:~~

~~A. Approval of a lot line adjustment application is a two-step process, which includes final approval by the director and recording with the King County auditor.~~

~~B. Approval of a division of land is a four-step process including preliminary approval, installation or bonding of required improvements, final approval, and recording with the King County auditor. The process summarizes as follows:~~

~~1. Short Subdivision:~~

~~a. A preliminary short subdivision is processed as a Type 2 decision pursuant to Chapter 20.80 MMC.~~

~~b. Installation of infrastructure improvements as determined by the city, or providing a form of security as determined by the city to ensure such improvements are installed.~~

~~c. A final short subdivision is processed as a Type 1 decision pursuant to Chapter 20.80 MMC.~~

~~d. The final short subdivision shall be submitted to the director within five years of the date that the preliminary approval became final or the short subdivision shall become null and void.~~

~~e. The director's signature is required on the final short plat.~~

~~2. Subdivision:~~

~~a. A preliminary subdivision is processed as a Type 3 decision pursuant to Chapter 20.80 MMC.~~

~~b. Installation of infrastructure improvements as determined by the city, or providing a form of security as determined by the city to ensure such improvements are installed.~~

~~c. A final subdivision is processed as a Type 2 decision pursuant to Chapter 20.80 MMC.~~

~~d. The final subdivision shall be submitted to the director within seven years of the date that the preliminary approval became final or the subdivision shall become null and void.~~

~~e. The following signatures on the final plat are required before the director can submit the final plat to the city council for their action:~~

~~i. Director: whose signature approves compliance with all terms of the preliminary plat approval of the proposed plat subdivision or dedication.~~

~~ii. City engineer: whose signature approves the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems and other structures.~~

~~iii. City of Bellevue utilities: whose signature approves the adequacy of the proposed means of sewage disposal and water supply.~~

~~iv. King County treasurer: whose signature confirms a statement that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.~~

~~v. Property owner: whose signature confirms a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner.~~

~~f. The city council may authorize the mayor to sign an approved final plat.~~

~~\*—This section shall expire December 31, 2014, pursuant to SSB 6544; Chapter 79, Laws of 2010.~~

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**20.73.165 Subdivision vesting after approval.\***

~~Subdivisions shall be governed by the statutes, ordinances, and regulations in effect at the time of complete application for preliminary subdivision and will continue to be vested for a period of seven years after the final subdivision approval. (Ord. 854 § 2, 2010)~~

~~\*—This section shall expire December 31, 2014, pursuant to SSB 6544; Chapter 79, Laws of 2010.~~

**Chapter 20.80**

**Project Permit Review Procedures**

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### 20.80.060 Project permit procedures.

The procedures for processing a project permit application may include a determination of completeness, notice of application, notice of hearing, and notice of decision. The following tables establish the decision type, the person or body authorized to make the decision, the general review procedures, and notice requirements that are applicable to each project permit application.

A. Table 20.80.060(A) sets forth project permits that are categorized as Type 1 decisions with the applicable corresponding review procedures.

**Table 20.80.060(A) – Type 1 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Building, reroof and construction permits not listed/no SEPA	BO	Yes	No	No	Yes
Mechanical permit	BO	Yes	No	No	Yes
Demolition permit/no SEPA	BO	Yes	No	No	Yes
Grading and drainage permit/no SEPA	BO	Yes	No	No	Yes
Fence permit	BO	Yes	No	No	Yes
Final short subdivision	D	No	No	No	No
Administrative tree activity permit	D	Yes	No	No	Yes
Hazardous tree designation	D	Yes	No	No	Yes
Right-of-way permit	E	Yes	No	No	Yes
Lot line adjustment	D	Yes	No	No	Yes
Zoning code interpretation	D	No	No	No	Yes
Accessory dwelling units	D	Yes	No	No	Yes
Administrative sign approval	D	Yes	No	No	Yes
<del>Code of conduct approval</del> Construction activity permit for projects ≤ \$499,000	<del>E</del> D	Yes	No	No	Yes
SEPA letter of exemption	D <sup>1</sup>	No	No	No	Yes
Shoreline letter of exemption	D	No	No	No	Yes
Shoreline master program interpretation	D	No	No	No	Yes
Temporary use permit	D	No	No	No	Yes
Notes: “DOC” – determination of completeness required pursuant to MMC 20.80.100 “NOA” – notice of application required pursuant to MMC 20.80.110 “NOH” – notice of hearing required pursuant to MMC 20.80.120 “NOD” – notice of decision required pursuant to MMC 20.80.200 “BO” means building official has authority to make the decision “D” means the director has authority to make the decision					

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
“E” means the city engineer or designee has authority to make the decision					
1“Director” here means the person designated as the responsible official					

B. Table 20.80.060(B) sets forth project permits that are categorized as Type 2 decisions with the applicable corresponding review procedures.

**Table 20.80.060(B) – Type 2 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Building permit/with SEPA	BO/D <sup>1</sup>	Yes	Yes	No	Yes
Demolition permit/with SEPA	BO/D <sup>1</sup>	Yes	Yes	No	Yes
Grading and drainage permit/with SEPA	BO/D <sup>1</sup>	Yes	Yes	No	Yes
Administrative right-of-way tree activity permit	D	Yes	Yes	No	Yes
Administrative special use permit	D	Yes	Yes	No	Yes
Administrative variance	D	Yes	Yes	No	Yes
Minor deviation	D	Yes	Yes	No	Yes
SEPA threshold determination	D <sup>1</sup>	Yes	Yes <sup>2</sup>	No	Yes
Preliminary short subdivision	D	Yes	Yes	No	Yes
<del>Tailored construction mitigation plan—</del> <u>Level 1 Construction activity permit for projects ≥ \$500,000 and/or on a private lane or joint driveway</u>	D	Yes	Yes <sup>3</sup>	No	Yes
Final subdivision	CC	No	No	No	Yes

Notes:

“DOC” – determination of completeness required pursuant to MMC 20.80.100

“NOA” – notice of application required pursuant to MMC 20.80.110

“NOH” – notice of hearing required pursuant to MMC 20.80.120

“NOD” – notice of decision required pursuant to MMC 20.80.200

“BO” means building official has authority to make the decision

“D” means the director has authority to make the decision

“CC” means the city council makes the decision

“E” means the city engineer or designee has authority to issue a decision

1“Director” here means the person designated as the responsible official

2A NOA is not required for a SEPA threshold determination issued pursuant to WAC 197-11-340(1)

3The NOA for a construction activity permit for projects greater than or equal to \$500,000 and/or projects on a private lane or joint driveway shall include the date and time of the open house pursuant to MMC 20.75.070 and MMC 20.75.080

C. Table 20.80.060(C) sets forth project permits that are categorized as Type 3 decisions with the applicable corresponding review procedures.

**Table 20.80.060(C) – Type 3 Decisions**

Project Permit	Decision Authority	Procedure Requirements			
		DOC	NOA	NOH	NOD
Nonadministrative special use permit	HE	Yes	Yes	Yes	Yes
Conditional use permit	HE	Yes	Yes	Yes	Yes
Historical use permit	HE	Yes	Yes	Yes	Yes
Nonadministrative variance	HE	Yes	Yes	Yes	Yes
Site-specific rezone	PC/CC <sup>1</sup>	Yes	Yes	Yes	Yes
Reasonable use exception	HE	Yes	Yes	Yes	Yes
Nonadministrative right-of-way tree activity permit	HE	Yes	Yes	Yes	Yes
Nonadministrative tree activity permit	HE	Yes	Yes	Yes	Yes
Site plan review	PC	Yes	Yes	Yes	Yes
<del>Tailored construction mitigation plan Level 2</del>	<del>PC</del>	<del>Yes</del>	<del>Yes</del>	<del>Yes</del>	<del>Yes</del>
Preliminary subdivision	HE/CC <sup>2</sup>	Yes	Yes	Yes	Yes
Shoreline substantial development permit	HE	Yes	Yes	Yes	Yes
Shoreline variance	HE <sup>3</sup>	Yes	Yes	Yes	Yes
Shoreline conditional use permit	HE <sup>3</sup>	Yes	Yes	Yes	Yes
<p>Notes:</p> <p>“DOC” – determination of completeness required pursuant to MMC 20.80.100</p> <p>“NOA” – notice of application required pursuant to MMC 20.80.110</p> <p>“NOH” – notice of hearing required pursuant to MMC 20.80.120</p> <p>“NOD” – notice of decision required pursuant to MMC 20.80.200</p> <p>“HE” means the hearing examiner has authority to make the decision</p> <p>“PC” means the Medina planning commission has authority to make the decision</p> <p>“CC” means the city council makes the decision</p> <p><sup>1</sup>The planning commission holds the open-record hearing and makes a recommendation to the city council. The city council decides the rezone at a closed-record meeting.</p> <p><sup>2</sup>Hearing examiner holds the open-record hearing and makes a recommendation to the city council. The city council decides the preliminary subdivision at a closed-record meeting.</p> <p><sup>3</sup>If the hearing examiner’s action on shoreline variances and shoreline conditional use permits is to approve the application, the approval shall be submitted to the Washington State Department of Ecology for approval, approval with conditions, or denial pursuant to WAC 173-27-200.</p>					