



Permit Center

210 Lottie Street, Bellingham, WA 98225
Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382
Email: permits@cob.org Web: www.cob.org/permits

Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

Grid of permit checkboxes including: Accessory Dwelling Unit (9), Binding Site Plan, Clearing Permit, Conditional Use Permit, Critical Area Permit, etc.

Project Information

Project Address, Zip Code, Tax Assessor Parcel Number (s), Project Description

Applicant / Agent

Primary Contact for Applicant checkbox

Name, Mailing Address, City, State, Zip Code, Phone, Email

Owner (s)

Applicant, Primary Contact for Applicant checkboxes

Name, Mailing Address, City, State, Zip Code, Phone, Email

Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications.

Signature by Owner/Applicant/Agent, Date

City and State where this application is signed: City, State



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SHORT SUBDIVISION APPLICATION (Process Type II, III-A or III-B)

This application is for all short subdivisions and short cluster subdivisions that require a Type II or III-A process as stipulated in BMC 21.10.040(C), (D) and (E) including the following by process type:

Type II:

1. 5-9 lot short subdivision that does not include use of the cluster provisions;
2. Short cluster subdivision consisting of up to 4 lots not utilizing a density bonus; (Director may require Process Type III-A); and
3. Type I short subdivision application requiring a SEPA checklist.

Type III-A:

1. Short subdivision utilizing the rounding provision pursuant to BMC 23.08.040(D)(2) and not requiring a Type III-B process.

Pre-Application Steps:

- Pre-Application conference or waiver when critical areas permit is required. Identify permit number: PRE_____
- Transportation concurrency certificate, if applicable. Identify permit number: CON_____

Application Requirements:

- A completed Land Use Application form.
- A completed Short Subdivision Application form, including all information required by this form.
- N/A A completed Legal Lot Application form, unless specifically waived.
- Written response to the performance criteria pursuant to BMC 23.08.030.
- Written response to the decision criteria pursuant to BMC 23.12.030.
- N/A Written response to criteria that is applicable to the proposal specifically for the rounding provision and/or use of cluster provision.
- N/A A completed Departure application form, if a departure and/or variance is requested.
- SEPA Checklist, if applicable.
- Application fee payment(s).
- Mailing list and labels as described in the attached mailing list instructions.

Project Data:

1. Name of Short Subdivision _____

2. Number of Lots _____

3. Description of proposal and intended use of the proposed lots:

4. Developer information, if different than owner or applicant:

Name: _____

Address: _____

Phone number: _____

Email: _____

5. Civil Engineer information:

Name: _____

Address: _____

Phone number: _____

Email: _____

6. Surveyor information:

Name: _____

Address: _____

Phone number: _____

Email: _____

Submittal Requirements:

All submittal requirements required by this application shall be prepared and submitted in electronic format as a .pdf document that conforms to the provisions of Title 23 BMC, unless otherwise determined by the city. The Short Subdivision Application form shall include the following:

- The application submittal materials required by this form.
 - A vicinity map that clearly identifies the proposal in relation to the surrounding land for a distance of at least a quarter of a mile and additional area, as necessary, to show connecting streets or arterials.
 - The names of all property owners adjacent to the proposed preliminary plat.

- A short plat map that includes the following:
 - Scale between 1" = 10' and 1" = 20'.
 - Proposed lots that are identified and labeled as Lot 1, Lot 2, etc.
 - Proposed area of each lot.
 - Existing and proposed public rights of way, state highways and public open space tracts, trails and parks pursuant to BMC 23.08.030(E), (F) and (G).
 - Existing and proposed utility easements that affect the land proposed for division.

- N/A Critical areas on and affecting the site, including buffers and building setbacks.
- Existing structures on-site and their distances to proposed and existing property lines.
- Location and dimensions of existing on-site parking areas.
- Topography at 5-foot intervals.

- A preliminary clearing and grading plan pursuant to BMC 23.08.030(C) and (D) that shows retention of natural features and existing and proposed grades of lots and public rights of way.

- Preliminary stormwater management report consistent with Chapter 15.42 BMC for proposals that will generate 5,000 square feet of new or replaced impervious surfaces.

- Legal description of the area being subdivided.

- All other applications determined necessary to process the proposed preliminary plat consistent with the Bellingham Municipal Code.

- Additional material as determined by the city to review the proposal consistent with the Bellingham Municipal Code.



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CONDITIONAL USE PERMIT - SUBMITTAL REQUIREMENTS
(PROCESS TYPE III-A)

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

Pre-Application Steps:

- Pre-application conference or waiver, if applicable – see pre-application form
- Pre-application neighborhood meeting or waiver
- Transportation Concurrency Certificate, if applicable

Application Requirements:

- A completed Land Use Application form
- All of the materials and information required by this form
- SEPA Checklist, if applicable
- Application fee payment
- Mailing list and labels for 500 foot radius

Project Data:

Your application will be judged against the following criteria. Please answer these questions thoughtfully and attach additional pages as needed.

1. Address of Subject Property _____
2. Nature of Request (be specific) _____

3. Site area of subject property is _____ square feet
4. Total gross floor area of new construction is _____ square feet
5. Legal Description of Property _____

Explain why the proposed use will:

6. Promote the health, safety and general welfare of the community _____

7. Satisfy the purpose and intent of the land use zone in which it is located _____

8. Not be detrimental to the surrounding neighborhood _____

Explain how the proposed use will:

9. Be harmonizing with the general policies and specific objectives of the Comprehensive Plan
(ask Planning Staff for assistance) _____

10. Enable the continued orderly and reasonable use of adjacent properties by providing a
means for expansion of public roads, utilities, and services _____

11. Be designed so as to be compatible with the essential character of the neighborhood _____

12. Be adequately served by public facilities and utilities including drainage provisions _____

13. Not create excessive vehicular congestion on neighborhood collector or residential access

14. Not create a hazard to life, limb, or property resulting from the proposed use, or by the
structures used therefore, or by the inaccessibility of the property or structures thereon _____

15. Not create influences substantially detrimental to neighboring uses. "Influences" shall
include, but not necessarily be limited to: noise, odor, smoke, light, electrical interference,
and/or mechanical vibrations _____

16. Not result in the destruction, loss, or damage to any natural, scenic, or historic feature of
major consequence _____



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ACCESSORY DWELLING UNIT (ADU) APPLICATION (Process Type I, II, or III-A)

(PLEASE TYPE OR PRINT CLEARLY IN BLUE OR BLACK INK)

Accessory dwelling unit applications are processed through a Type I, II, or III-A process as stipulated in BMC [21.10.040](#) as follows:

Type I: All ADU applications that don't require a Type II or Type III-A review process.

Type II: An ADU application that: 1) includes a request for a modification pursuant to BMC [20.10.036\(B\)\(3\)](#), or 2) requiring a SEPA checklist.

Type III-A: A Type III-A Conditional Use Permit process is additionally required per BMC [20.10.036\(B\)\(6\)\(c\)](#) if an applicant proposes to build a new detached accessory building exceeding 1,000 SF that includes a Detached ADU.

Pursuant to BMC [16.80.040](#), ADUs are not permitted in the Lake Whatcom Watershed that drains to Basin One.

Owner occupancy is required for ADUs located within residential-single zoned areas per BMC [20.10.036\(B\)\(4\)\(b\)](#).

In residential single zoned areas, Short Term Rentals (STR) are not permitted in Detached ADUs. See BMC [20.10.037](#) for additional restrictions for STRs that may apply to ADUs.

The rental of an ADU may be subject to the Landlord Tenant Act, RCW [59.18](#).

Application Submittal Requirements:

- A completed Land Use Application form. **Fill out one (1) form for each ADU proposed on site.**
- A completed ADU Permit Application form, including all information required by this form.
- Project Data Worksheet, attached to this application.
- N/A A completed Legal Lot Application form, unless specifically waived.
- N/A Written response to the minor modification criteria pursuant to BMC [20.10.036\(B\)\(3\)](#), for Type II applications.
- N/A A complete Conditional Use Permit Application, for Type III-A applications.
- Information requested on this form.
- Application fee payment(s).
- Mailing list and labels as described in the attached mailing list instructions for Type II and III-A applications.

Project Data Worksheet:

For eight attached ADU units, Lots A-D & Lots F-I,
each ADU is identical

1. Zoning Data:

Neighborhood: Birchwood Subarea: 1 Zoning: RS, Detached & Mixed

2. ADU Type:

- Attached ADU (A-ADU)**
- Detached ADU (D-ADU)**
- Detached ADU (D-ADU) within/attached to Detached Accessory Building**

3. Primary residence is:

- Single Family in a Residential Single zone
- Single Family in a Residential Multi zone
- Infill Toolkit housing unit

4. Owner occupancy is required. Yes No

The property owner is required to live on site if the ADU is in a residential-single zone. An affidavit of owner occupancy is required to be submitted to PCDD prior to issuance of building permit. Templates are available at the Permit Center or through the [PCDD Permit Portal](#).

5. Floor area of:

- Primary residence: 1,280 sq. ft.
- ADU: 960 sq. ft.
- Combined floor area of ADU/accessory bldg.: 2240 sq. ft.

6. Height of D-ADU: N/A

7. Number of bedrooms (BRs) in the proposed ADU:

- Studio
- 1-Bedroom
- 2-Bedrooms
- _____-Bedrooms

8. Open space provided: 98,497 Sq. ft; 18.5% Percent of lot

9. Number of parking spaces provided:

- Primary residence: F on site _____ on street
- ADU: F on site _____ on street
- None provided. The ADU is located within one-half mile walking distance to a **major transit route**
- Waiver with minor modification requested.

10. Minor modification(s) requested for ADU? Y / **(N)**

- If yes, provide a separate sheet explaining how each requested modification individually satisfies the minor modification criteria in BMC [20.10.036\(B\)\(3\)](#).

Project Data Worksheet: For one detached ADA ADU unit, Lot E

1. Zoning Data:

Neighborhood: Birchwood Subarea: 1 Zoning: RS, Detached & Mixed

2. ADU Type:

Attached ADU (A-ADU)

Detached ADU (D-ADU)

Detached ADU (D-ADU) within/attached to Detached Accessory Building

3. Primary residence is:

Single Family in a Residential Single zone

Single Family in a Residential Multi zone

Infill Toolkit housing unit

4. Owner occupancy is required. Yes No

The property owner is required to live on site if the ADU is in a residential-single zone. An affidavit of owner occupancy is required to be submitted to PCDD prior to issuance of building permit. Templates are available at the Permit Center or through the [PCDD Permit Portal](#).

5. Floor area of:

Primary residence: 992 sq. ft.

ADU: 992 sq. ft.

Combined floor area of ADU/accessory bldg.: 1984 sq. ft.

6. Height of D-ADU: N/A

7. Number of bedrooms (BRs) in the proposed ADU:

Studio

1-Bedroom

2-Bedrooms

_____-Bedrooms

8. Open space provided: 98,497 Sq. ft; 18.5% Percent of lot

9. Number of parking spaces provided:

Primary residence: F on site _____ on street

ADU: F on site _____ on street

None provided. The ADU is located within one-half mile walking distance to a **major transit route**

Waiver with minor modification requested.

10. Minor modification(s) requested for ADU? Y / N

If yes, provide a separate sheet explaining how each requested modification individually satisfies the minor modification criteria in BMC [20.10.036\(B\)\(3\)](#).



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CRITICAL AREA PERMIT

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

The intent of the Critical Area Ordinance (Bellingham Municipal Code 16.55) is to designate and classify environmentally sensitive and hazardous areas and to protect, maintain, and restore these areas and their functions and values while also allowing for reasonable use of public and private property. To determine if a proposed activity or area is subject to the ordinance contact the Planning Division staff.

SUBMITTAL CHECKLIST – Your application will not be accepted unless all of the following are submitted:

- Pre-Application conference or waiver
 - Required for applications that include a SEPA checklist (*Type II*).
- Land Use Application form and associated information outlined in the Critical Area Permit Packet
 - All requested information must be provided.
- Filing fee
 - Applicable fee as calculated by Planning staff. (*See separate Fee Schedule*)
- List of surrounding property owners (*For Type II & Type III-A applications only*)
 - Complete the attached Names and Mailing Addresses of Surrounding Property Owners for property **within 500 feet**.
- SEPA Environmental checklist
 - Submit if required (*including any wetland impacts – consult Planning Staff*)
- Critical Area Report & Maps (*Two 11" x 17" or larger scaled copies and one 8 ½" x 11" reduction*)
 - See the attached Critical Area Report and Map Checklist for requirements.
- Specific Report
 - The following reports are required depending on the type of critical area(s) impacted:
 - Wetlands and their buffers Frequently flooded areas Geologically hazardous areas
 - Fish and wildlife habitat conservation areas (*including streams*)
 - Reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area. (*See the specific checklist for report requirements*)
- Associated Land Use Applications
 - Consult with Planning staff to determine if other land use permits are required.
 - All Type II applications must be submitted concurrently.



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CRITICAL AREA REPORT CHECKLIST

A Critical Area Report is required for all applications (BMC 16.55.210). The report must be prepared by a “qualified professional”, as defined in BMC 16.55.510. All reports may require additional information as determined by the Planning Director. The Planning Director may approve a Critical Area Report supplemented by or composed of any previous studies required by other laws and regulations.

At a minimum, the report shall contain the following (BMC 16.55.210 C):

- The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
- Maps and site plans (*Two 11” x 17” or larger scaled copies and one 8 ½” x 11” reduction*)
 - Vicinity map clearly showing the location of the property.
 - Critical areas map showing all critical areas, required buffers, and existing topography based on City or surveyed data.
 - Site plan detailing the development proposal (including stormwater facilities) and the limits of construction. This map should be overlaid on the critical area/topographical map.
 - Topography map showing the location and extent of all grading, cut and fill, and post construction contours.
- The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site;
- Identification and characterization of all critical areas, water bodies, and buffers adjacent to the proposed project area;
- A statement specifying the accuracy of the report, and all assumptions made and relied upon;
- An assessment of the probable cumulative impacts to critical areas resulting from development of the site and the proposed development;
- N/A An analysis of site development alternatives including a no development alternative;
- N/A A description of reasonable efforts made to apply mitigation sequencing pursuant to *Mitigation Sequencing* [Section 16.55.250] to avoid, minimize, and mitigate impacts to critical areas;
- N/A Plans for adequate mitigation to offset any impacts, in accordance with *Mitigation Plan Requirements* (BMC 16.55.260) and additional requirements specified for each critical area.
- N/A A discussion of the performance standards applicable to the critical area and proposed activity;
- N/A Financial guarantees to ensure compliance; and
- Any additional information required for the critical area as specified in the corresponding chapter.



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SPECIFIC REPORT REQUIREMENT – GEOLOGICALLY HAZARDOUS AREAS

In addition to the Critical Area Report, submit a specific report based on the type of critical area. This supplemental report must also be prepared by a “qualified professional”, as defined in BMC 16.55.510. All reports may require additional information as determined by the Planning Director.

- Critical Area Report and Maps (See separate requirement checklist)
- Site and Construction Plans.
 - All geologically hazardous areas within the zone or distance of potential significant influence, as determined by a professional engineer/geologist
 - The type and extent of geologic hazard areas, any other critical areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/ geologist,
 - Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;
 - The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and
 - Clearing limits.
- Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:
 - A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;
 - A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
 - A description of the vulnerability of the site to seismic and other geologic events.
- Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
- Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis.
- Provide information described in BMC 16.55.430 E when relevant, in addition to the Mitigation Report Requirements checklist.

Where a valid Critical Area Report has been prepared, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required Critical Area Report, if deemed still valid and appropriate by a professional engineer or geologist. The applicant shall submit a Hazards Assessment detailing any changed environmental conditions associated with the site based on best professional judgment of the engineer/ geologist.

In addition to the above information, additional technical information must be provided for the following specific hazards (BMC 16.55.440):

- Erosion and landslide hazard areas
- Seismic hazard areas
- Mine hazard areas
- Other geologically hazardous areas