



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, Binding Site Plan, Clearing Permit, Conditional Use Permit, Critical Area Permit, etc.

Project Information

Project Address 2825 Lindshier Ave Zip Code 98226
Tax Assessor Parcel Number (s) 380316 159249 0000
Project Description 4-lot cluster short plat

Applicant / Agent

Name Bill Geyer, AICP
Mailing Address 1008 16th St.
City Bellingham State WA Zip Code 98225
Phone 360-224-6317 Email billgeyer@comcast.net

Owner (s)

Name David Campbell & Kristin Danielson
Mailing Address 1139 Nevada St
City Bellingham State WA Zip Code 98229
Phone 360-399-8014 Email coolrc4@gmail.com

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. If I, at any point during the review or inspection process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent [Signature] Date 5/29/2024
City and State where this application is signed: Bellingham, WA



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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:

Type III-A due to variance per BMC 21.10.040.D.7

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 2024-0028
- 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.
- 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.
- Written response to criteria that is applicable to the proposal specifically for the rounding provision and/or use of cluster provision.
- 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 Cool Runnings Cluster Short Plat

2. Number of Lots 4

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

Residential lots for all housing types and forms as permitted in Barkley Area
29 zoning table BMC 20.00.15, Residential Single BMC 20.30, and Infill
Housing BMC 20.28.

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

Name: Cool Runnings Construction Inc. (owner's company)

Address: 1139 Nevada St., Bellingham, WA 98229

Phone number: 360-399-8014

Email: coolrc4@gmail.com

5. Civil Engineer information:

Name: Martin Kjelstad, PE

Address: 4321 Blackstone Way, Bellingham, WA 98226

Phone number: (360) 510-1333

Email: moakpe@gmail.com

6. Surveyor information:

Name: Jeremy Disch, PLS, POWERTEK

Address: 5426 Barrett Rd, Ste. #104, Ferndale, WA 98248

Phone number: (360) 746-8801

Email: JDisch@powertek.net

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.
 - Critical areas on and affecting the site, including buffers and building setbacks.
 - n/a Existing structures on-site and their distances to proposed and existing property lines.
 - n/a 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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Cool Runnings Short Plat Application Supplement 8/21/2024

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*). *PRE2024-0028 completed*
- 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**.
Submitted with Short Plat App.
- 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;
- An analysis of site development alternatives including a no development alternative;
- 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;
- 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.
- A discussion of the performance standards applicable to the critical area and proposed activity;
- Financial guarantees to ensure compliance; and
- Any additional information required for the critical area as specified in the corresponding chapter.



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To be determined

MITIGATION REPORT REQUIREMENTS

See each Critical Area section for specific mitigation requirements. When mitigation is required, the applicant shall also submit a mitigation plan, prepared by a "qualified professional", as defined in BMC 16.55. The mitigation plan shall include:

- Detailed summary of the project, including the impacts to the critical area, and the proposed mitigation to compensate for lost functions and values to appear in the beginning of the report.
- Rationale for selecting the mitigation site.
- Complete site characterization of the proposed mitigation site to include parcel size, ownership, soils, vegetation, hydrology, topography, and wildlife.
- Goals, objectives, performance standards and dates of completion of the mitigation proposal.
- Report and maps of the critical area to be impacted.
- Monitoring, maintenance, and contingency plan. The monitoring schedule (dates, frequencies and protocols) must be included and a monitoring report submitted accordingly. Monitoring and maintenance shall be required for at least five years unless otherwise stipulated by another government agency.
- Map of development, with scale, shown in relation to critical area.
- Financial guarantees ("surety") for 150 percent of the total costs to ensure the mitigation plan is fully implemented, including, but not limited to, the required monitoring and maintenance periods.



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SPECIFIC REPORT REQUIREMENT – WETLANDS AND WETLAND BUFFERS

In addition to the Critical Area Report and associated maps, 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.

A wetland delineation report shall provide an analysis of all wetlands and buffers on site and within one hundred fifty (150) feet of the lot or parcel boundaries including, at a minimum, the following information:

- Critical Area Report and Maps (See separate checklist for requirements)
- Wetland Delineation Report
 - The wetland boundaries shall be surveyed by a licensed surveyor or using an equivalent method with an accuracy of +/- one (1) foot of a survey.
 - Determination of each wetland size.
 - Description of each wetland class and category.
 - Description of overall water sources and drainage patterns on site.
 - Description of vegetation, hydrologic conditions, and soil and substrate conditions.
 - Description of wildlife and habitat.
 - Topographic elevation, at two-foot contours.
 - Functional assessment of the wetland and adjacent buffer using a local or state agency-recognized method and including the reference of the method and all data sheets.
 - Show the standard buffer requirements for each wetland.
- Wetland Mitigation Requirements – provide information described in BMC 16.55.350 in addition to the Mitigation Report Requirements Checklist.

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Not Applicable

SPECIFIC REPORT REQUIREMENT – FREQUENTLY FLOODED 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)
- Frequently Flooded Area Report
- This report shall include all shoreline areas, floodplains, other critical areas, and related buffers within two hundred (200) feet of the project area.
- The report shall describe the effects of the proposed development on floodplain functions including, but not limited to:
 - Storing and conveying floodwater
 - Reducing peak flows and flow velocities;
 - Reducing redd scour and displacing rearing juvenile fish at the project site and downstream;
 - Maintaining sediment quality in streams;
 - Improving water quality;
 - Development within frequently flooded areas shall be allowed maintaining and improving fish access;
 - The reports shall also include mitigation for adverse effects on floodplain functions – see Mitigation Report Requirements checklist.



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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;
Not applicable. Application is for land division only, not structures.
 - 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

MAILING LIST INSTRUCTIONS:

As you get ready to prepare your labels keep the following checklist in mind:

- The information was acquired from the Assessor's office or database
- Addresses for the following members have been included on the label sheet
 - Property Owner Applicant / Contact for Proposal Bellingham Herald
 - All property owners within the required 500' radius (100' for Home Occupation Applications)
 - Applicable Mayor's Neighborhood Advisory Commission Representatives
 - Applicable Neighborhood Association Representatives (This information can be found at <http://www.cob.org/documents/planning/applications-forms/nbrhd-media-notification-list.pdf>)
- Mailing information has been printed on Avery 5160 labels (*see attached example*)
- All of the information **completely fits** on a single label
- Notarized **Address Information Verification form** has been completed

NOTE: Errors in mailing labels may result in process delays and re-notice fees.

Obtain Property Ownership Information from the Whatcom County Assessor's Office

- The Assessor's Office is located on the first floor of the Whatcom County Courthouse, 311 Grand Avenue, Bellingham, 360-676-6790.
- Bring enough information to identify all of the property in the project site, such as tax parcel numbers, legal descriptions, address(es) or boundary on a plat map. Assessor's Office staff can help you find the Assessor's map(s) containing the project parcel(s).
- Utilize the Assessor's map to measure the required ownership notice distance (listed on the application) and record the parcel number for each property within or partially within the required distance of 500 feet (*100 feet for Home Occupation*) from the boundary of the project parcel. If the owner of the project property owns other property within the notice distance but not included in the project site, contact the Planning Division to determine whether the notice radius must be increased.
- Record the property owner's name and mailing address by accessing each parcel number via the computer terminals at the Assessor's Office or through the Internet by accessing the database under "Real Property Search" at www.whatcomcounty.us/assessor/index.jsp. Click on the parcel number in the first data screen to bring up a screen with the owner's full address and zip code. The maps are also available at this site if you wish to check a parcel number.
- If the site is a condominium, include the owner of each unit.

Print addresses on Avery 5160 labels

- Labels **must** include the address and fit on one Avery 5160 label:
- Please **DO NOT**
 - o **Repeat names** on the mailing list. If someone is listed as owning more than one property, only list the owner's name and address once on the mailing list.
 - o **List** the tax parcel number on the labels

Address Information Verification form:

Form must be notarized and include a copy of the parcel numbers and property owner's name and mailing address information attached.

*See attached files for mailing:
05 - Cool Runnings SP app list cert.05.29.2024
06 - Cool Runnings Short Plat_mailing labels_05.29.2024*



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SUBDIVISION VARIANCE APPLICATION

(Process Type III-A and III-B)

This application form is for variances pursuant to Chapter 23.48 BMC.

Revised 3/21/2025

Application Submittal Requirements:

- A completed Land Use Application form.
- A completed Subdivision Variance Application form including all information required by this form.
- Identification of requested variance(s).
- Written response to the variance criteria pursuant to BMC 23.48.040 for each variance requested.
- Application fee payment.
- Concurrent submittal of a land division application.

Variance Procedures

Subdivision variances are Type III-A or Type III-B processes subject to BMC 21.10.120 and shall be submitted in conjunction with an application for a land division proposal. In all situations, the hearing examiner will consider and make the final permit decision for all land division applications, except binding site plans, when a subdivision variance is proposed.

The applicant is responsible for demonstrating, in writing, how the requested variance meets the variance criteria pursuant to BMC 23.48.040.

Required plans

The requested variance shall be identified on the plans submitted with the land division application.

NOTE:

1. An approved variance shall be valid for the same period of time as the associated decisions for the land division.
2. This is a quasi-judicial proceeding and therefore, the applicant should not discuss the variance request or any associated land use application with the Hearing Examiner prior to the public hearing.
3. The applicant or an authorized representative must be present at the public hearing.

Revised 3/21/2025

Project Data:

Name and/or permit number of land division associated with this request:

COOL RUNNINGS CLUSTER SHORT PLAT, SUB2024-0032, CAP2024-0036, VAR2024-0004

Requested variances.

Provide a list of the requested variances, which includes the following information for each requested variance:

Variance #1 (Requested variance):

Approve reduced extension of utilities and 3/4 street in the Lindshier Ave r.o.w. to approximately 175' NE of Idell Ave. to serve Lot 4 stopping short of Wetland "F" buffer, and approximately 215' SW to serve Lot 1, keeping the existing City stormwater pond operational.

Code provision/regulation: BMC 23.08.070 B & D

Applicant's response to variance criteria: See attached applicant's response to variance criteria.

Variance #2 (Requested variance):

See separate variance No. 2 for simultaneous r.o.w. and lot clearing.

Code provision/regulation: BMC _____

Applicant's response to variance criteria: _____



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SUBDIVISION VARIANCE APPLICATION

(Process Type III-A and III-B)

Cool Runnings Cluster
Short Plat
Variance No. 2 - Clearing

This application form is for variances pursuant to Chapter 23.48 BMC.

Application Submittal Requirements:

- A completed Land Use Application form.
- A completed Subdivision Variance Application form including all information required by this form.
- Identification of requested variance(s).
- Written response to the variance criteria pursuant to BMC 23.48.040 for each variance requested.
- Application fee payment.
- Concurrent submittal of a land division application.

Variance Procedures

Subdivision variances are Type III-A or Type III-B processes subject to BMC 21.10.120 and shall be submitted in conjunction with an application for a land division proposal. In all situations, the hearing examiner will consider and make the final permit decision for all land division applications, except binding site plans, when a subdivision variance is proposed.

The applicant is responsible for demonstrating, in writing, how the requested variance meets the variance criteria pursuant to BMC 23.48.040.

Required plans

The requested variance shall be identified on the plans submitted with the land division application.

NOTE:

1. An approved variance shall be valid for the same period of time as the associated decisions for the land division.
2. This is a quasi-judicial proceeding and therefore, the applicant should not discuss the variance request or any associated land use application with the Hearing Examiner prior to the public hearing.
3. The applicant or an authorized representative must be present at the public hearing.

Project Data:

Name and/or permit number of land division associated with this request:

COOL RUNNINGS CLUSTER SHORT PLAT, SUB2024-0032, CAP2024-0036, VAR2024-0004

Requested variances.

Provide a list of the requested variances, which includes the following information for each requested variance:

Variance #1 (Requested variance):

See separate variance No. 1 for reduced utility and road extension.

Code provision/regulation: BMC _____

Applicant's response to variance criteria: _____

Variance #2 (Requested variance):

Simultaneous clearing the Lindshier Ave. r.o.w. and the clearing limits of Lots 1-4 per attached Exhibits 1 & 2.

Code provision/regulation: BMC 16.60.080.A.1 & A.3; 23.08.030.C & D

Applicant's response to variance criteria: Please see attached applicant's response to variance criteria.
