



**Permit Center**

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

<input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Binding Site Plan <input type="checkbox"/> Clearing Permit <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Critical Area Permit <input type="checkbox"/> Minor Critical Area Permit <input type="checkbox"/> Design Review <input type="checkbox"/> Grading Permit <input type="checkbox"/> Home Occupation <input type="checkbox"/> Institutional <input type="checkbox"/> Interpretation <input type="checkbox"/> Landmark – Historic Certificate of Alteration <input type="checkbox"/> Legal Lot Determination <input type="checkbox"/> Nonconforming Use Certificate	<input type="checkbox"/> Parking Adjustment Application <input type="checkbox"/> Planned Development <input type="checkbox"/> Rezone <input type="checkbox"/> SEPA <input type="checkbox"/> Shoreline Permit <input type="checkbox"/> Shoreline Exemption <input type="checkbox"/> Subdivision-Short Plat/Lot Line Adjustment <input type="checkbox"/> Subdivision-Preliminary Plat <input type="checkbox"/> Subdivision-Final Plat <input type="checkbox"/> Variance <input type="checkbox"/> Wireless Communication <input type="checkbox"/> Zoning Compliance Letter <input type="checkbox"/> Other: _____	<b>Office Use Only</b> Date Rcvd: _____ Case #: _____ Process Type: _____ Neighborhood: _____ Area Number: _____ Zone: _____ Pre-App. Meeting: _____ Concurrency: _____
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**Project Information**

Project Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Tax Assessor Parcel Number (s) \_\_\_\_\_

Project Description \_\_\_\_\_

**Applicant / Agent**

Primary Contact for Applicant

Name \_\_\_\_\_

Mailing Address 2219 Rimland Drive, Suite 115

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**Owner (s)**

Applicant

Primary Contact for Applicant

Name \_\_\_\_\_

Mailing Address 2219 Rimland Drive, Suite 115

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 certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

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 *John Moulten*, Date \_\_\_\_\_

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



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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 I*).
- 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.** Per Darby Galligan, This is not required at this time
- 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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## 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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(Not Applicable)

## 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





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### **SPECIFIC REPORT REQUIREMENT - FISH AND WILDLIFE HABITAT CONSERVATION AREAS (INCLUDING STREAMS)**

In addition to the Critical Area Report, which is required for all applications, a specific report must be submitted 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.

Certain Critical Area applications may also require a Shoreline Substantial Development Permit as provided under the Shoreline Master Program (BMC 16.40). This may be the case for actions located in, on, over or near Chuckanut Creek, Squalicum Creek, Whatcom Creek, Lake Whatcom, Lake Padden and Bellingham Bay. Verify with Planning staff whether a Shoreline Substantial Development Permit is required for the project.

- Critical Area Report and Maps (**See separate requirement checklist**)
  
- Fish and Wildlife Conservation Report
  - This report shall include all habitat conservation areas and recommended buffers within three hundred (300) feet of the project area.
  - The report shall include all shoreline areas, floodplains, other critical areas, and related buffers within three hundred (300) feet of the project area.
  - Detailed description of vegetation on and adjacent to the project area and its associated buffer;
  - Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species;
  - A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area;
  - A detailed discussion of the direct and indirect potential impacts on habitat by the project, including potential impacts to water quality;
  - A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing habitats and restore any habitat that was degraded prior to the current proposed land use activity and to be conducted in accordance with *Mitigation Sequencing* [Section 16.55.250]; and
  - A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.