



CITY OF BLAINE

COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

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Planning Commission Study Session Report

Amend Title 17 to include permit process improvements

To: City of Blaine Planning Commission

From: Stacy Clauson

Date: December 1, 2022

Re: **2022 Docketed Amendment – Permit Process Improvements – Follow-Up**

Purpose

At the [September 8, 2022 Planning Commission meeting](#), staff introduced several proposed Text Amendments addressing permit processes contained in Title 17 of the Blaine Municipal Code. Concerning proposal, to revise Chapter 17.58 BMC and related provisions to allow up to 9 lots to be created through a short subdivision process, rather than 4 currently permitted, the Planning Commission had several comments and questions regarding public notice. In particular, the Planning Commission inquired about noticing standards for short plats and were recommending that noticing include publication in the Northern Light.

This memorandum is provided in follow-up to these items.

Background

Current Notice Requirements for Short Plats

Under City of Blaine's current permit process contained in [BMC 17.06](#), short plats are classified as a Type I-Administrative Decision (see [Table 17.06A, Division 4](#)). Notice of Application requirements are contained in [BMC 17.06.100](#). Under these provisions, if a short plat had an associated requirement for SEPA review, there would be a notice of application provided via posting at City Hall and on the City's website. If there was no associated SEPA application, then no noticing would be required.

Requirements for Legal Newspaper

At the November 14, 2022 City Council meeting, the Council adopted Resolution 1903-22, designating the Bellingham Herald as the official newspaper for the City of Blaine for the 2023 calendar year. As a code city, the City of Blaine is required by RCW [35A.21.230](#) to designate an official newspaper by resolution. In order to be designated, the newspaper shall be of general circulation in the city and have the qualifications prescribed by chapter [65.16](#) RCW.

The Bellingham Herald meets the qualifications prescribed by chapter 65.16 RCW, and responded in the past when the City did call for bids. The Northern Light does not meet all of the qualifications outlined in the RCWs.

For some public hearings, such as the hearing for the budget, the City Clerk's office will publish the notice of hearing at both the Bellingham Herald and The Northern Light. Traditionally, publication of these notices at the Northern Light have run between \$75 - \$200 depending on size. The content requirements for notice of applications under BMC 17.06 are more extensive, so this fee would likely be larger for this required notice, if the content was the same in both the Herald and Northern Light.

Noticing Requirements in Other Neighboring Communities

The following noticing standards have been adopted for short plats in neighboring communities in Whatcom County:

- City of Ferndale – Short plats, which includes division of land for nine or fewer lots, are processed as an administrative decision (Type I). Ferndale does not require notice of applications for Type I administrative decisions.
- City of Lynden – Short plats, which includes division of land for four or fewer lots, are processed as an administrative decision (Type I), subject to notice. Lynden requires the notice of development application to be posted on the subject property and published once in a newspaper of general circulation.
- City of Bellingham – Short plats have two different review processes, as follows:
 - Short plats of four or fewer lots (not including cluster short plats) are processed as a Type I decision, which is an administrative review and decision by the director. No notice of application is required.
 - Short plats of between 5 and 9 lots are processed as a Type II decision, which is an administrative decision by the Director, where public notice is required. There is a 20-day comment period, and notice of application is provided by mailing and posted notice at the site.
 - There are other provisions in place for cluster subdivisions and rounding of lots, which are not similar to Blaine's regulations.