



# Zoning Conditional Use Permits

Discretionary Permits

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## What are Zoning Conditional Use Permits?

**Conditional uses** are those uses that are not normally permitted in a given zoning designation, but which may be approved at the discretion of the Hearing Examiner. Conditional use permits require public notice, agency review, and a public hearing. They are subject to certain restrictions and conditions imposed by the reviewing agencies, PDS staff and the Hearing Examiner. The Critical Areas Administrator, Whatcom County Plans Examiner, Whatcom County Department of Engineering, and the Whatcom County Fire Marshal also review conditional uses. In most cases they require a SEPA determination by the Whatcom County SEPA Official. An example of another agency that may impose conditions on the permit is the Washington State Department of Transportation, which must review permits for projects accessing or near state highways.

## What is the conditional use process?

In order to determine if a project qualifies for a CUP, the applicant must provide Planning and Development Services with the Assessor's tax parcel number for the subject property. This 12-digit number, usually followed by four zeros, can be found on the property tax notice. This number identifies the property on section maps

and determines the parcel location, zoning designation and property size.

## Do I need an appointment for submittal?

Yes. At your appointment, the staff will review the application forms with you, and will explain the conditional use processes, including fees, timelines and types of review. Following that appointment, you will be required to complete the application and obtain any additional documentation, deed, easement agreement, survey, plans, written verification of public water and sewer or septic availability, fire and school approvals, names, addresses and parcel numbers of adjoining property owners, and any other information required as part of the application submittal. Public notices are sent to the Bellingham Herald and to all persons owning property within 300 feet (if parcel is located in an Urban Growth Area) or 1000 feet (if parcel is located outside of an Urban Growth Area) from the boundaries of the subject site. In addition, you will schedule a second appointment for the actual submittal.

## What information do I need to provide at the first appointment?

- Tax parcel number.
- Vicinity map showing the size, shape, and dimensions of the property as well as abutting access roads.

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## **When and where is the public hearing held?**

Public hearings are currently held in the Council Meeting room in the Whatcom County Courthouse at 311 Grand Avenue, Bellingham. The Hearing Examiner's Office will notify you in writing of the date and time of the hearing, and they will also provide you with notices to be posted on the property in a location visible to public roads. You or your agent are required to attend the public hearing.

## **Can I sell the Conditional Use Permit to a new owner?**

Yes. However, the new owner will be held to the same conditions and the same timelines as the original applicant.

## **Fees**

Please refer to the current Whatcom County Unified Fee Schedule.

## **Information**

Due to the administrative complexity of these regulations, it is usually best to visit with PDS staff or contact a Planner to answer any additional questions.

Planning and Development Services  
5280 Northwest Drive  
Bellingham, Washington 98226 USA  
E-mail: [pds@co.whatcom.wa.us](mailto:pds@co.whatcom.wa.us)

Staff Contact: Planner  
Phone: (360) 676-6907