



Discretionary Permits

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What are discretionary permits?

Discretionary permits are **zoning & subdivision permits** granted or denied at the discretion of the Whatcom County Hearing Examiner and/or the Whatcom County Council. Discretionary permits include the following:

- [Binding Site Plans](#);
- [Long Subdivisions](#)(5 or more lots);
- [Major Development Permits](#);
- [Planned Unit Development Permits](#);
- [Zoning Conditional Use Permits](#);
- [Zoning Variance Permits](#).

All of these permits include public process, meaning there are requirements to notify some neighbors directly, and the public through a notice in the Bellingham Herald. There are two ways the public can comment on a project. During a given comment period, the public may submit written comment, or the public may attend the public hearing and make comment on the record at that time.

Binding site plans (BSP)

Projects such as condominiums, industrial parks and mobile home parks are created by the binding site plan process.

Long subdivision (5 or more lots)

A long subdivision is the division of a parcel into 5 or more lots and requires a conditional use permit. If you wish to divide land into 4 or fewer lots please refer to the Short Subdivision

Handout. Long plats require public notices, agency review, and a public hearing where the Hearing Examiner will make a decision based on staff's findings and public comment.

Major development permit (MDP)

A major development permit is much like conditional use permit, but due to the proposed scale of the development the Public Hearing is held before the Whatcom County Council instead of the Hearings Examiner. Projects permitted under a major development permit are usually large scale. There are criteria listed within the Zoning Ordinance describing thresholds which would trigger requirements for obtaining a major development permit, such as construction costs exceeding \$5 million, a residential development of 300 homes or greater, and whether an Environmental Impact Statement must be prepared.

Planned unit development (PUD)

A planned unit development (PUD) is one, or a group of specified uses, such as residential, resort, commercial or industrial, to be planned and constructed as a unit (within an Urban Growth Area and Short Term Planning Area.) Zoning and subdivision regulations with respect to lot size, building area, etc. may be varied to allow design innovations and special features in exchange for additional/and or superior site amenities or community benefits.

Zoning Conditional Use Permit

Conditional uses are uses and developments which are not normally permitted in a given zoning designation, but which may be approved at the discretion of the Hearing Examiner with conditions (limitations) imposed to insure compatibility with surrounding uses and developments. Conditional use permits require public notice, agency review, and a public hearing.

Zoning Variances

A variance is a request to reduce or change a bulk or dimensional requirement of the Zoning Ordinance in order to allow a permitted use on a property that is unusually constrained by some feature. Examples are decreasing structural setbacks or lot coverage, increasing impervious surface on a property in excess of the maximum allowed amount, or increasing building height requirements in order to accommodate some type of construction.

Variances may not be granted for convenience, but only after showing good cause.

Note: Shoreline Conditional Use Permits, Shoreline Variances are administered according to WCC Title 23, and are included in a separate section.

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 Senior Planner to answer any additional questions.

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