



## **Agricultural Short Subdivision Application**

- 1) An applicant may have the option to divide the property through an Agricultural Short Subdivision per the provisions of **WCC 20.40.252(1)** which provides for the segregation of a farmstead parcel with an existing residence(s) from a remainder parcel used for farming in the agriculture zone. The following restrictions apply:
  - The farmstead home site parcel shall be less than one acre, unless the existing residential structure(s) and/or well and septic constraints require a larger parcel, but shall not exceed three acres; and
  - The remainder parcel shall be equal to or greater than 10 nominal acres; and
  - The remainder parcel shall have no development rights and a condition containing the language as provided in **WCC 20.40.251(3)** shall be included on the short plat for the remainder parcel prior to final approval; and
  - The applicant and his or her heirs provide right of first purchase for a period of not less than 60 days through deed restriction to the original purchaser and subsequent purchasers of the remainder parcel for purchase of the farmstead home site parcel before they are offered on the open market; and
  - A right to farm disclosure statement as provided for in **WCC 14.02.040(B)** will be signed by the farmstead home site owner and subsequent purchasers of the farmstead home site parcel, and recorded as per **WCC 14.02.040(A)(1)** and **14.02.050**; and
  - All land division shall comply with the appropriate map and recording provisions of **WCC Title 21**; and
  - The overall submittal shall comply with **WCC 20.40.250** et seq.
- 2) Prior to an Agricultural Short Subdivision application you must have a pre-application meeting. Please see the **PRE-APPLICATION MEETING** application for requirements.
- 3) After you have had a pre-application meeting and completed all applicable application materials, and all requirements outlined in the pre-application meeting, contact the planner who processed your pre-application to schedule a time for submittal of the agriculture short subdivision application. The applications will be taken in at the front counter and considered vested upon receipt of the applicable fees and issuance of a Determination of Completeness.

### **Agricultural Subdivision Processing Sequence**

- 1) Once your application and fees are submitted staff will review the project, and if all items have been submitted a Determination of Completeness will be issued to the applicant. In addition, the application materials will be routed to the **TECHNICAL REVIEW COMMITTEE** for review of the project.
- 2) When the basic requirements of **WCC 20.40.252** and **21.04.180** appear to be reasonably satisfied, the Technical Review Committee will issue a **NOTICE OF PRELIMINARY APPROVAL** pursuant to **WCC 21.04.034(2)**. This authorizes you to prepare your deed and/or maps.
- 3) The first set of checkprints may be submitted and reviewed with the initial application. The checkprints will be marked up and returned to the applicant with the Notice of Preliminary Approval.

- 4) If there are still items that need to be addressed by the applicant the Technical Review Committee will issue a **NOTICE OF ADDITIONAL REQUIREMENTS (NOAR)**. The applicant shall have 180 days from issuance of the NOAR to submit requested items.
  
- 5) The applicant shall submit the final review packet for the original drawing (mylar) within **TWO YEARS** of receiving the notice of preliminary approval and the applicant shall record the short subdivision original drawing pursuant to **WCC 21.04.160(2)** within **THREE YEARS** of receiving the notice of preliminary approval. If the applicant fails to submit the original drawing or final review packet within these time frames, the short subdivision shall be considered expired (**WCC 21.04.035(2)(c)**). Please see the **FINAL SHORT SUBDIVISION APPLICATION** for submittal requirements.

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive,  
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360-676-6907, TTY 800-833-6384  
360-738-2525 Fax



**David Stalheim**  
Director

**J.E. "Sam" Ryan**  
Assistant Director

## **Agricultural Short Subdivision Application**

Pursuant to WCC 21.04.180 the provisions of WCC20.40.252 (1) provide for the segregation of a farmstead parcel with an existing residence(s) off of a remainder parcel used for farming in the Agricultural Zone. The remainder parcel is restricted to agricultural use only. Because no further residential development can occur on the remainder parcel and an existing residential structure is already on the farmstead parcel, many of the standard short plat requirements are unnecessary. Therefore, a shortened review process has been established. However, any subsequent development must comply with all applicable codes.

**Proposed Short Subdivision Name:**  
Agricultural Short Subdivision

**Second Choice Plat Name:**  
Agricultural Short Subdivision

SSS # (assigned by PDS): \_\_\_\_\_ **Application Date:**  
(Determination of Completeness)

### **Applicant:**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

### **Legal Property Owner:**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

### **Contact Person:**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Surveyor Name \_\_\_\_\_

Site Address \_\_\_\_\_

Tax Parcel Number(s)

Location in Common Language

Zoning Designation  
Fire District

Acreage  
Flood Zone

Yes  No

Proposed Lot Sizes:  
(1- Farmstead Parcel)  
(2- Remainder Parcel)

Nearest Public Road

R.O.W. Width

Private Easement Length

R.O.W. Width

Will Remainder Parcel Require Potable Water?

Yes  No

Water Supply Source

Existing Restrictions and Covenants

Proposed Restrictions and Covenants

Variance Requested

Technical Review Committee (TRC) Meeting Date: \_\_\_\_\_  
(Assigned By PDS)



### Materials Required Prior To Submittal

Applicant Checklist		PDS Checklist
<input type="checkbox"/>	1. Subdivision Guarantee –Also referred to as a Plat Certificate <b>(3 copies)</b>	<input type="checkbox"/>
<input type="checkbox"/>	2. Completed Lot of Record (LOR) Application- <b>For each lot involved.</b>	<input type="checkbox"/>
<input type="checkbox"/>	A. A current title report or update of title report issued no more than 60 calendar days prior to application	<input type="checkbox"/>
<input type="checkbox"/>	B. Complete Deed History provided by Title Company	<input type="checkbox"/>
<input type="checkbox"/>	C. Color-coded map	<input type="checkbox"/>
<input type="checkbox"/>	3. If any of the parcels involved are with the Lake Whatcom watershed, the Lake Samish watershed, or the Lake Padden watershed please provide the following:	<input type="checkbox"/>
<input type="checkbox"/>	A. Amount of impervious surfaces (in square feet) of each lot. Impervious surface includes all gravel areas, driveways, walkways, structure footprints (houses, sheds), impervious decks and roof overhangs greater than 18 inches. The impervious surface areas should also be shown on the map.	
<input type="checkbox"/>	4. An <a href="#">Endangered Species Act (ESA) Checklist</a> is required for any development permit located within the following areas:	<input type="checkbox"/>
	◆ The FEMA designated floodplain and/or floodway	
	◆ The Riparian Buffer Zone (RBZ) as described by the Department of Natural Resources 2007 stream typing system and WDFW's 1997 buffer guidelines	
	◆ Channel Migration Zone (CMZ) plus 50' as identified according to Department of Ecology 2009	
<input type="checkbox"/>	5. A sketch map showing all of the following: (The sketch map shall be on a legal or letter size sheet of paper with a 1 inch border on all sides.)	
<input type="checkbox"/>	A. Name of landowner(s)	<input type="checkbox"/>
<input type="checkbox"/>	B. Name of proposed boundary line adjustment (only if being done by Mylar)	<input type="checkbox"/>
<input type="checkbox"/>	C. General layout of proposed adjustment	<input type="checkbox"/>
<input type="checkbox"/>	D. Common language description of the general location of the boundary line adjustment	<input type="checkbox"/>
<input type="checkbox"/>	E. Approximate locations of existing roads and driveways	<input type="checkbox"/>
<input type="checkbox"/>	F. Approximate location of existing utilities (water supply, sewer/septic)	<input type="checkbox"/>
<input type="checkbox"/>	G. Approximate location of all existing structures (houses, garages, sheds, etc.)	<input type="checkbox"/>
<input type="checkbox"/>	H. Vicinity map	<input type="checkbox"/>
<input type="checkbox"/>	I. Common engineering map scale (i.e. 1" = 100'. 200' or 400") / north arrow/ sheet number (if applicable)	<input type="checkbox"/>
<input type="checkbox"/>	J. Section, township, range, and municipal and county lines in the vicinity	<input type="checkbox"/>

- K. General boundaries of the site with general dimensions shown
- L. DASHED lines marking "old (property) line(s)", BOLD lines showing "new (property) line(s)".
- 6. If the proposed farmstead site exceeds one (1) acre in size, provide written substantive evidence that the proposal fulfills the requirements of WCC 20.40.252
- 7. Submit a set of **three (3) copies** of the original drawings to be routed to the Technical Review Committee

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### **Fee Responsibility**

Venue and Jurisdiction: The parties hereto recognize and agree that the venue of any action involving their rights or obligations related to this application shall be in Whatcom County, and the parties' rights and obligations hereunder shall be determined, in accordance with the laws of the State of Washington.

Fee Guaranty: Notwithstanding that this application has been submitted in the name of a company, I personally guarantee payment of fees accrued according to the terms listed in the Whatcom County Unified Fee Schedule and that my personal guarantee is part of the consideration for review of the application.

I/we, \_\_\_\_\_, hereby certify that the above statements and the information contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge, and that the list of surrounding property owners is complete and current.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated \_\_\_\_\_

Notary Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Notary Public in and for the State of Washington

Residing at \_\_\_\_\_

My appointment expires: \_\_\_\_/\_\_\_\_/\_\_\_\_

Application received by: \_\_\_\_\_

Date: \_\_\_\_\_

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### **Agent Authorization**

If you are authorizing an agent to apply for permits on your behalf you must complete this form, which will provide authorization for a designated agent to apply for permits on your behalf. This form is required for the protection of the property owner. Planning and Development Services will not accept an application that is not either signed by all property owners or accompanied by this form.

I/we, \_\_\_\_\_ the owner(s) of the subject property, understand that by completing this form I hereby authorize to act as my agent. I understand that said agent will be authorized to submit applications on my behalf. I also understand that once an application has been submitted that all future correspondence will be directed to the agent.

Property Owner(s) Printed Name

\_\_\_\_\_  
Property Owner(s) Signature

Date:

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated \_\_\_\_\_

Notary Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Notary Public in and for the State of Washington

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## Lot of Record Application Short Subdivision

### What is a Lot of Record?

WCC 20.97.220 defines "Lot of Record" as "a lot which is described by final plat, short plat, or metes and bounds and is established pursuant to applicable local and state regulations at the date a legal instrument creating the lot is recorded at the Whatcom County auditor's office."

**Note:** "Lot of Record" is in no way synonymous with "buildable lot", it just means that it was legally created/subdivided.

Note: A COMPLETE DEED HISTORY and CORRESPONDING MAP must accompany this application. You may obtain a deed history of your property from any local title company. Use an Assessor's parcel map from the PDS office (You will need to know your Section, Township, and Range) to show the parent parcel and subsequent division/creation of your lot. Color-code the map, deeds and deed list. Do this by showing the pre- 1972 parcel as one color and each subsequent division or alteration with a different color, both on the map, on the deeds and on the deed history chronology on page three. Depending on the complexity of the deed history, you may need professional assistance to do this.

File # (PDS will assign) \_\_\_\_\_ Date: \_\_\_\_\_

1. Applicant Name
2. Contact Name
3. Address City  
State Zip Phone Fax  
E-mail
4. Legal Property Owners(s)  
Address City  
State Zip Phone Fax  
E-mail
5. Site address (if any) or nearest public road:
6. Tax parcel number(s):
7. Acreage/square footage: Current Zoning

9. Current use -  
Vacant, residential, agriculture, other:
10. When was the parcel created?  
(in its current configuration- check deed history)
11. Have there been any subsequent boundary line adjustments, vacations, dedications, foreclosures, etc.? Yes  No   
(If yes, please show on map with corresponding auditor's file numbers)
12. Is it a platted parcel? Yes  No   
If yes, name of plat:
13. Has the property ever been surveyed? Yes  No  If so when?  
(please include record of survey with application). AF#
14. Does the owner of this parcel own any contiguous property? Yes  No   
(If yes, please show on map)
15. Is the parcel located in the Lake Whatcom or Lake Samish watersheds, or other water resource protection overlay district? Yes  No
16. Is the parcel subject to any county conditional use permit? Yes  No   
If yes, CUP #
17. Is the parcel subject to a Forest Practice Application (FPA) from the State Department of Natural Resources? Yes  No   
(If so, please submit a copy of the application with your completed lot of record application)
18. Is the parcel within 330 feet of an area designated as mineral resource land, and/or within 660 feet of a pipeline, and/or within one-half mile of land that is designated forestry, and/or land upon which agricultural operations are being conducted?  
Yes  (which?) No
19. Please list any current county, state, or federal permits affecting the subject property:
20. How many dwelling units (residences) are on the property?  
(show on map)
21. Are there any other structures (barns, shops, sheds, garages, etc.) on the property?  
(show on map)
22. Water source:
23. Sewage disposal method:

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## **DEED HISTORY**

List deeds from oldest to most recent.  
Color-code your section map, deeds and deed list.

### **Auditor's File Number (AF#), Grantor And Grantee Of Pre-1970 Parent Parcel:**

Auditor's File#	Date:
Grantor (From)	Grantee (To)

### **AF# Of Subsequent Conveyances, Adjustments Or Divisions: (You May Need To Include Additional Pages)**

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#	Date:
Grantor (From)	Grantee (To)

Auditor's File#

Date:

Grantor (From)

Grantee (To)

Auditor's File#

Date:

Grantor (From)

Grantee (To)

Auditor's File#

Date:

Grantor (From)

Grantee (To)

Auditor's File#

Date:

Grantor (From)

Grantee (To)

YOU MAY USE THIS SECTION TO DESCRIBE HOW YOUR PARCEL WAS CREATED.

For example:

"Farmer Jones bought 40 acres from Grandpa Smith in 1964 with a deed filed under auditor's file number (AF#) 1234567. Farmer Jones sold 20 of the 40 acres to Cousin Bill in 1976 with AF# 93872980. Bill later divided 5 acres off to give to his daughter in 1998..."