



# LAND USE APPLICATION

File Name: \_\_\_\_\_

File No(s): \_\_\_\_\_

Receipt No.: \_\_\_\_\_ Receipt Date: \_\_\_\_\_ Received By: \_\_\_\_\_ Amount.: \$ \_\_\_\_\_

## Instructions for Applicants

**Please read and follow all instructions on your application carefully.** If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items, and a notarized affidavit of ownership (if applicable).

### Specific Type of Land Use Application to be submitted (check all that apply):

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Conditional Use Permit      | <input type="checkbox"/> Lot Line Adjustment / Combination | <input type="checkbox"/> Variance                        |
| <input type="checkbox"/> Critical Areas Review       | <input type="checkbox"/> Secondary Dwelling Unit           | <input type="checkbox"/> Wireless Communication Facility |
| <input type="checkbox"/> Environmental Review (SEPA) | <input type="checkbox"/> Short Subdivision (Short Plat)    | <input type="checkbox"/> Other (please specify): _____   |
| <input type="checkbox"/> Landscape Plan Review       | <input type="checkbox"/> Subdivision (Long Plat)           |  |

### Please Print or Type Legibly

<b>Site Address(es):</b>			
Assessor Parcel Number(s) – (APNs):			
Zoning:		Comp. Plan Designation:	
<b>Applicant:</b>			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
<b>Contact Person, if different:</b>			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
<b>Property Owner(s), if different:</b>			Phone:
Address:			Cell:
City:	State:	Zip:	Fax:
E-Mail:			
<b>Description of Proposal:</b>			



# LAND USE APPLICATION

I certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my knowledge. I understand that this application does not constitute approval of permits and/or work to be performed. I certify that I am or represent the owner and am acting with the owner's full knowledge and consent. I further understand that...

**Initials**

- \_\_\_\_\_ ... This application applies only to the property for which it is approved and is non-transferable.
- \_\_\_\_\_ ... Approval of an application does not in any way replace, modify or waive any requirement for the compliance of the proposal with other applicable standards or regulations. It is the responsibility of the owner / applicant to become aware of the requirements of the BMC. The approval of any plans does not guarantee that all provisions of applicable codes have been met.
- \_\_\_\_\_ ... The burden of proof rests with the applicant.
- \_\_\_\_\_ ... An application may be amended only in writing.
- \_\_\_\_\_ ... Submittal of this application grants the appropriate city officials the right of entry to the project site during reasonable hours.
- \_\_\_\_\_ ... Items with any typewritten information must be 10-point font or larger to ensure legibility of scanned documents.
- \_\_\_\_\_ ... It is the applicant's responsibility to request required inspections a minimum of twenty four (24) hours in advance at (425) 755-5440.
- \_\_\_\_\_ ... By submitting this application, I consent to pay any fees incurred for engineering or outside consultant review.

Signature of Owner/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

FOR CITY USE ONLY		
Date	Action / Notes	Initials



# CRITICAL AREAS REVIEW

File No./Name: \_\_\_\_\_

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

**Critical Areas Review** is required prior to construction on any property with or adjacent to critical areas. Staff strongly encourages applicants to become familiar with the requirements of Brier Municipal Code (BMC) Title 18 – Critical Areas.

Critical areas include, but are not limited to:

- **Wetlands (BMC 18.20):** Land where water is present at or near the surface of the soil for all or part of the year;
- **Critical Aquifer Recharge Areas (BMC 18.30):** Land where surface water recharges an aquifer used for drinking;
- **Frequently Flooded Areas (BMC 18.40):** Land designated by the federal government or the City as frequently flooded;
- **Geologically Hazardous Areas (BMC 18.50):** Land susceptible to erosion, landslide or seismic hazard due to soil composition, previous movement, or steep slopes of 40% or greater;
- **Streams (BMC 18.60):** Perennial or intermittent streams, regardless of salmonid fish habitat; and
- **Fish and Wildlife Habitat Conservation Areas (BMC 18.70):** Any area with the presence of a species that is proposed or listed as endangered, threatened, or sensitive by the federal or state government.

An application for **Critical Areas Review** is complete when it is accompanied by the following items. Additional information may be required. No application shall be considered complete if any of the required information is missing.

## REQUIRED SUBMITTALS

- 1. Land Use Application Cover Sheet, with original signature(s) and Application Deposit: \$500.
- 2. Two (2) copies of a Critical Area Report prepared by a qualified professional as defined in BMC 18.80.170, prepared in compliance with BMC 18.10.160, containing the following:
  - A. A written description of the proposal;
  - B. The dates, names, and qualifications of the person(s) preparing the report and documentation of any fieldwork performed on the site;
  - C. Identification and characterization of all critical areas, wetlands, water bodies, and buffers adjacent to the proposed project area;
  - D. A statement specifying the accuracy of the report, and all assumptions made and relied upon;
  - E. An assessment of the probable cumulative impacts to critical areas resulting from development of the site and the proposed development;
  - F. An analysis of site development alternatives;
  - G. A discussion of the performance standards applicable to the critical area and proposed activity;
  - H. Estimated cost for installation, maintenance and monitoring of any proposed mitigation efforts; and
  - I. Any additional information required for the critical area as specified in the BMC.
- 3. Two (2) copies of a Site Plan prepared by a qualified professional as defined in BMC 18.80.170, prepared in compliance with BMC 18.10.160, containing the following:
  - A. Date, scale, north arrow, vicinity map, property dimensions and size;
  - B. Address, parcel number(s), and legal description of the subject property;
  - C. Name, address and phone number of the property owner and qualified professional;
  - D. Location and dimensions of all existing and proposed structures, driveways, and utilities;
  - E. Locations of all trees with species name and caliper, including those proposed for removal and any diseased or damaged trees;
  - F. Identified critical areas and buffers;
  - G. Limits of any areas to be cleared; and
  - H. A description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations.

For Staff Use ONLY	
Verified	Waived



# CRITICAL AREAS REVIEW

## REQUIRED SUBMITTALS

- 4. If any alteration to the critical area is proposed, provide two (2) copies of a Mitigation Plan prepared by a qualified professional as defined in BMC 18.80.170, prepared in compliance with BMC 18.10.190 and 18.10.200, containing the following:
  - A. A description of the anticipated impacts to the critical areas and the mitigating actions proposed and the purposes of the compensation measures, including the site selection criteria;
  - B. Identification of compensation goals and resource functions;
  - C. Dates for beginning and completion of site compensation construction activities;
  - D. A review of the best available science supporting the proposed mitigation and a description of the report author's experience to date in restoring or creating the type of critical area proposed;
  - E. An analysis of the likelihood of success of the compensation project;
  - F. Measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of Title 18 BMC have been met;
  - G. A written evaluation of each function affected by the alteration to achieve functional equivalency or improvement on a per function basis. Mitigation shall achieve equivalent or greater biologic functions and shall include mitigation for project-related adverse impacts upstream or downstream of the development proposal site;
  - H. Detailed construction plans meeting the requirements of BMC 18.10.200(C);
  - I. A program for monitoring construction of the compensation project, and for assessing a completed project meeting the requirements of BMC 18.10.200(D); and
  - J. Identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.
- 5. For proposals associated with specific types of critical areas, the additional information required by the Brier Municipal Code:
  - A. Wetlands – BMC 18.20.030;
  - B. Critical Aquifer Recharge Areas – BMC 18.30.030;
  - C. Frequently Flooded Areas – BMC 18.40.020;
  - D. Geologically Hazardous Areas – BMC 18.50.050 and BMC 18.50.060;
  - E. Streams – BMC 18.60.020; and/or
  - F. Fish and Wildlife Habitat Conservation Areas – BMC 18.70.030.
- 6. A completed State Environmental Policy Act (SEPA) application, unless the project is categorically exempt from SEPA review.
- 7. A notarized Affidavit of Ownership for all property owner(s), with original signatures.
- 8. One (1) set of reduced copies (no larger than 11x17”) of all plans and oversized documents, plus one (1) electronic copy.

For Staff Use ONLY	
Verified	Waived

FOR CITY USE ONLY	
Date	Action / Notes



# CRITICAL AREAS REASONABLE USE EXCEPTION

File No./Name: \_\_\_\_\_

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

An application for a **Critical Areas Reasonable Use Exception** is complete when it is accompanied by the following items. Additional information may be required. No application shall be considered complete if any of the required information is missing.

Applications are subject to a public hearing with the Planning Commission. Upon completion of the public hearing, the Commission will make a recommendation to City Council. The Council will approve, approve with conditions, or deny the application. The Council will specify a time period that the Reasonable Use Exception must be acted upon or the Reasonable Use Exception will expire.

## REQUIRED SUBMITTALS – ALL REASONABLE USE EXCEPTIONS

- 1. Land Use Application Cover Sheet, with original signature(s) and Application Deposit: \$750.
- 2. A complete Critical Areas Review application.
- 3. A written summary of the proposal, including the goals of the proposal, and the relationship of the proposal to the use of adjacent properties.
- 4. Property owner addresses, map, envelopes and label sheet created using the "Instructions for Obtaining Property Ownership for Snohomish County."

For Staff Use ONLY	
Verified	Waived

## REQUIRED SUBMITTALS – PUBLIC UTILITY REASONABLE USE EXCEPTIONS

- 5. A written statement that briefly and completely addresses the following decision criteria, together with any documents that support the written statement:
  - A. There is no other practical alternative to the proposed utility with less impact on the critical areas;
  - B. The application of Title 18 BMC would unreasonably restrict the ability to provide utility services to the public;
  - C. The proposal does not pose an unreasonable threat to the public health, safety, or welfare, on or off a development proposal site;
  - D. The proposal attempts to protect and mitigate impacts to the critical area functions and values consistent with the best available science; and
  - E. The proposal is consistent with other applicable regulations and standards.
- 6. Two (2) copies of a Temporary Erosion Sedimentation Control plan prepared by a qualified professional.


## REQUIRED SUBMITTALS – ALL OTHER REASONABLE USE EXCEPTIONS

- 7. A written statement that briefly and completely addresses the following decision criteria, together with any documents that support the written statement:
  - A. The application of Title 18 BMC would deny all reasonable economic use of the property;
  - B. No other reasonable economic use of the property has less impact on the critical area;
  - C. The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property;
  - D. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the effective date of this title, or its predecessor;
  - E. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
  - F. The proposal will result in no net loss of critical area functions and values consistent with the best available science; and
  - G. The proposal is consistent with other applicable regulations and standards.




# AFFIDAVIT OF OWNERSHIP

File No./Name: \_\_\_\_\_

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

Property Owner: \_\_\_\_\_

Contact Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Any person with a verifiable interest in the subject property must complete this form. If the above property owner has an express interest in additional parcels involved in the listed project than there is space provided for below, those parcel numbers and associated legal descriptions must be provided on further copies of this form. Full legal descriptions may be attached separately.

Site Address: \_\_\_\_\_ APN: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Site Address: \_\_\_\_\_ APN: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Site Address: \_\_\_\_\_ APN: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## AFFIDAVIT OF OWNERSHIP – To Be Completed in the Presence of a Notary Public

I, \_\_\_\_\_, being duly sworn, depose and say that I am the owner of record of that certain real property identified as Snohomish County Parcel Number(s) \_\_\_\_\_, and that the information provided in this application, including all submittals and attachments, is true and correct to the best of my knowledge.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

) ss.

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

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

NAME (print): \_\_\_\_\_

NAME (sign): \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

Commission Expires: \_\_\_\_\_



# INSTRUCTIONS FOR OBTAINING PROPERTY OWNERSHIP

## Instructions for Applicants

**Please read and follow all instructions on your application carefully.** Most applications require notification of surrounding property owners in order to provide citizens the opportunity to review and comment on applications that may impact them. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner.

1. Contact the Snohomish County Assessor's Office:

*In Person:* 3000 Rockefeller Ave  
1<sup>st</sup> Floor Administration East  
Everett, WA 98201

*By Phone:* (425) 388-3433

*Email:* Jude Boothe, jude.boothe@snoco.org

\* Note: The wait time varies by request type. Requests made in person will take approximately 30 minutes from the time of the request, and requests made by phone or email will take approximately 2-3 business days.

2. Request the property owner information for parcels within 300 feet of the subject parcel(s). You will need to provide both the parcel number(s) and the address(es).

3. The Assessor's Office can provide the information in two formats:

*Option A:* Hard Copy Labels, Address List, Map

\* Note: Requests which generate a large number of label sheets may incur a charge.

*Option B:* Excel Database, Map

- Generate label sheet(s) using the Excel database.

4. Copy the label sheet(s).
5. Using the label sheet(s), create stamped and addressed legal-sized envelopes with no return address.
6. Submit the address list, map, envelopes and copy of the label sheet(s) with your application.