



LAND USE MASTER INVOICE

COMMUNITY DEVELOPMENT SERVICES

435 MARTIN STREET, STE. 3000

BLAINE, WA • 98230

PHONE: (360) 332-8311

FAX: (360) 543-9978

Total Fees

\$ _____

FOR OFFICIAL USE ONLY

I, the applicant/owner, certify that this application is being made with the full knowledge and consent of all owners of the property in question. I attest that the information provided on this and supplemental application forms and materials is true and accurate. I also agree to provide access and right of entry to City of Blaine employees, representatives or agents for the sole purpose of application review and any required later inspections. This right of entry shall expire when the City (through the Director or designee) concludes the application has complied with all applicable laws and regulations. Access and right of entry to the applicant's property shall be requested and shall occur only during regular business hours.

Project Name: _____

Site Address/Location/Parcel Number: _____

Contact Person: _____ Phone: _____

Email: _____

Mailing Address for Contact Person: _____

Property Owner Name: _____ Property Owner Signature: _____

PLEASE CHECK ALL THAT APPLY

<input type="checkbox"/> Boundary Line Adjustment - \$275 <input type="checkbox"/> Critical Areas Review (major) - \$275 <input type="checkbox"/> Commercial (Downtown) Design Review - \$200 +\$75/hour <input type="checkbox"/> Covenant to Bind <input type="checkbox"/> Flood Area Development - \$100 <input type="checkbox"/> Land Disturbance (minor) - \$200 <input type="checkbox"/> Land Disturbance (major) - \$500	Hot Key – 243 Hot Key – 048 Hot Key – 022 No Charge Hot Key – 035 Hot Key – 243 Hot Key – 243	<input type="checkbox"/> Pre-Application (1 st free, \$250 after) <input type="checkbox"/> Short Plat - \$525 <input type="checkbox"/> Site Plan Review - \$275 <input type="checkbox"/> Specific Binding Site Plan - \$525 <input type="checkbox"/> Shorelines Exemption - \$50 <input type="checkbox"/> SEPA Review - \$375 <input type="checkbox"/> SEPA Exemption Request - \$75 <input type="checkbox"/> Signs - \$50 for first 3, \$25 per add.	Hot Key – 243 Hot Key – 243 Hot Key – 219 Hot Key – 243 Hot Key – 035 Hot Key – 048 Hot Key – 023
<input type="checkbox"/> Building or Plat Variance - \$300 <input type="checkbox"/> Conditional Use - \$350 <input type="checkbox"/> Shorelines Conditional Use - \$500 <input type="checkbox"/> Shorelines Variance - \$500	Hot Key – 035 Hot Key – 035 Hot Key – 035 Hot Key – 035	<input type="checkbox"/> Shorelines Substantial Development <\$50K - \$275 <input type="checkbox"/> Shorelines Substantial Development ≤ \$250K - \$550 <input type="checkbox"/> Shorelines Substantial Development > \$250K - \$900	Hot Key – 035 Hot Key – 035 Hot Key – 035
<input type="checkbox"/> General Binding Site Plan - \$1,500 + \$100/acre for every acre over 3 <input type="checkbox"/> Planned Unit Development - \$800 + \$100/lot or tract <input type="checkbox"/> Preliminary Long Subdivision \$1,500 + \$100/lot or tract <input type="checkbox"/> Final Long Subdivision \$525 + \$50/lot or tract	Hot Key – 243 Hot Key – 243 Hot Key – 243 Hot Key – 243	<input type="checkbox"/> Annexation - \$1,500 + \$50/acre + <input type="checkbox"/> Comprehensive Plan Amendment – Variable \$ _____ <input type="checkbox"/> Land Use & Development Code Amendment - \$500 <input type="checkbox"/> Zoning Map Amendment – Variable \$ _____	Hot Key – 243 Hot Key – 043 Hot Key – 243 Hot Key – 243

DESCRIPTION OF PROPOSED PROJECT: (Attach supplemental sheets as necessary)



INFORMATION BULLETIN No. 12

City of Blaine

Updated
March 2009

APPEAL OF HEARING EXAMINER DECISION

WHAT IS AN APPEAL OF A TYPE II-HE DECISION ?

An appeal of a Hearing Examiner or Planning Commission decision is a statement that you believe that the decision was made based on incorrect interpretation of the municipal code or an inaccurate understanding of the facts related to the application.

A Type II-HE decision is a decision made by the Hearing Examiner. These decisions may be appealed to the City Council.

When must the appeal be filed?

Final decisions may be appealed only if a complete appeal application is submitted within 14 calendar days from the date of the written decision on the land use application.

HOW IS THE APPEAL PROCESSED?

Appeals before the Blaine City Council for Type II-HE and Type II-PC land use decision reviews are not open to public testimony. It is a "closed record appeal" (RCW 36.70B.020), which means the City Council cannot accept additional public testimony or evidence unless the Council decides to continue the matter to a limited hearing for receipt of oral argument.

The City Council will consider appeals of Type II-HE and Type II-PC land use decisions on the record, including:

1. All materials received in evidence at any previous stage of the review;
2. An audio tape of the prior hearing(s) or transcript of the hearing(s) certified as accurate and complete;
3. The final order being appealed, and,
4. Written argument by the parties.

If Council decides to continue the matter to a limited hearing, the Council will:

HOW DO I APPEAL?

1. You must complete an Appeal of Type II Decision Form and attach a statement including the following:

The case number designated by the City of Blaine and the name of the applicant;
The name and signature of each petitioner and a statement showing that each petitioner is entitled to file the appeal under Blaine Municipal Code (17.06.180) and the Revised Code of Washington.

If multiple parties file a single petition for review, the petition shall designate one party as the contact representative for all contact with the Director of Community Development.

The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error.

2. You must pay the applicable fee.

Applications are submitted by appointment.

Designate the parties or their representatives to present argument, and establish the time limit for testimony in a manner calculated to afford a fair hearing of the issues specified by the Council; and,

At least 15 calendar days before the hearing, provide mailed notice to the parties entitled to notice of the decision being appealed. The notice shall indicate that only legal argument from designated parties will be heard.

The City of Blaine's Community Development Department has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult City of Blaine, CD staff to be sure you understand all requirements before beginning work. It is the applicant's responsibility to ensure that the project meets all requirements of applicable codes and regulations.

(See reverse)

At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the City Council may affirm, reverse, modify or remand an appealed decision. A decision to remand a matter back to the Hearing Examiner or Planning Commission for reconsideration is not appealable. Appeals from a decision on remand shall be treated as any other decision.

If the Council affirms an appealed decision, they shall adopt a final order that contains the conclusions they reached regarding the specific grounds for appeal and the reasons for those conclusions. The Council may adopt the decision of the lower review authority as its decision to the extent that decision addresses the merits of the appeal or may alter that decision. If the Council reverses or modifies an appealed decision, then the Council shall adopt a final order that contains:

- A statement of the applicable criteria and standards in the Blaine Municipal Code and other applicable law relevant to the appeal;
- A statement of the facts that the Council finds showing the appealed decision does not comply with applicable approval criteria or development standards;
- The reasons to modify or reverse the decision; and, the decision to modify or reverse the decision and, if approved, any conditions of approval necessary to ensure the proposed development will comply with applicable criteria and standards.

The City will mail notice of a decision on the merits of an appeal to parties entitled to notice and other parties who appeared orally or in writing before the Council regarding the appeal.

WHO CAN APPEAL A TYPE II-HE DECISION?

For a Type II-HE or Type II-PC land use review decision, only those who have submitted written comments to the Community Development Services Director within the comment period and provided an accurate mailing address or provided spoken testimony at the public hearing on the applications (known as "Parties of Record") as well as the applicant may appeal the decision.

MORE QUESTIONS?

For further information, please call the Community Development Services Department at the City of Blaine (360) 332-8311.



CITY OF BLAINE

COMMUNITY DEVELOPMENT SERVICES

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www.cityofblaine.com

Appeal of Hearing Examiner Decision Application Form

FOR OFFICE USE ONLY

Total Fees \$ _____

Receipt # _____

STAMP IN DATE

APPELLANT INFORMATION

Name of Appellant:		Telephone # (daytime):
Address:	email	
City:	State / Province:	Zip / Postal Code:
Signature:		
Name of Appellant's Representative (if applicable):		Telephone #:
Address:		
City:	State / Province:	Zip / Postal Code:

DECISION BEING APPEALED

Project / Development Name:
Site Address / Description:
File Number:

SUBMITTAL REQUIREMENTS

<input checked="" type="checkbox"/> Please prepare and label as "EXHIBIT A, Appellant Statement" a typed statement addressing the basis for the appeal. Please state the specific aspect(s) of the decision being appealed, the reasons why each is in error as a matter of fact or law, and the evidence now relied on to prove the error.
<input checked="" type="checkbox"/> A copy of the Final Decision being appealed. Copies are available at the City's Community Development Department.
<input checked="" type="checkbox"/> An application fee as set forth in the City of Blaine Unified Fee Schedule

NOTES:

<input checked="" type="checkbox"/> City policy requires that the appellant or the appellant's representative be present at the public hearing.
<input checked="" type="checkbox"/> Pursuant to Section 17.06.180, BMC the appeal form and associated submittal requirements must be submitted within fourteen (14) days of the issuance of the formal written decision. The appellant may submit a more comprehensive statement within thirty (30) days following the issuance of the final decision.
<input checked="" type="checkbox"/> Appeals of Type II-HE Hearing Examiner decision shall be a closed record appeal and will heard by the City Council.