



LAND USE APPLICATION LAND USE REQUEST

COMMUNITY & ECONOMIC DEVELOPMENT

18204 59 Avenue NE • Arlington, WA 98223 • Main Line 360.403.3551

FOR AGENCY USE	Date:	File:	Fee: \$
REQUEST TYPE			
Type of Land Use Request <input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> CPA <input type="checkbox"/> CAPE <input type="checkbox"/> LUCA <input type="checkbox"/> Master Plan Neighborhood		Required Submittals (Check All That Apply) <input type="checkbox"/> Auxiliary Sheet <input type="checkbox"/> Shoreline Substantial <input type="checkbox"/> Design Review – Admin. <input type="checkbox"/> Design Review – Board <input type="checkbox"/> SEPA <input type="checkbox"/> Traffic – City <input type="checkbox"/> Traffic – County <input type="checkbox"/> Traffic – State	
<input type="checkbox"/> Permit Modification - Minor <input type="checkbox"/> Permit Modification – Major <input type="checkbox"/> Permit Extension <input type="checkbox"/> Plat Alteration <input type="checkbox"/> Rezone <input type="checkbox"/> Utility Service <input type="checkbox"/> Variance			
SITE INFORMATION			
Site Address (Use block # if no bldg. #)		Tax Parcel ID Number(s)	
Acreage & Square Footage Of Property		Zoning Classification	
		Use Classification No.	
Water Supply	<input type="checkbox"/> Current <input type="checkbox"/> Proposed	Sewer Supply	<input type="checkbox"/> Current <input type="checkbox"/> Proposed
Existing Use of Property			
On-Site Critical Areas?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Critical Area Type (e.g. wetland, steep slope, etc.)	
	OWNER	APPLICANT	CONTACT
Name			
Full Address			
Phone Number			
E-mail			
Relationship of Applicant to Property (check one)	<input type="checkbox"/> Owner	<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Lessee <input type="checkbox"/> Other: _____
	PROJECT ARCHITECT	PROJECT ENGINEER	PROJECT SURVEYOR
Name			
Full Address			
Phone Number			
E-mail			

ANNEXATIONS ONLY			
Type of Annexation Method	<input type="checkbox"/> Election Method <input type="checkbox"/> Direct Petition Method <input type="checkbox"/> Municipal Method <input type="checkbox"/> Alternative Direct Petition Method <input type="checkbox"/> Interlocal Agreement Method (for areas served by fire district) <input type="checkbox"/> Interlocal Agreement Method (Unincorporated Island)		
Is the Proposed Area Within the City's Urban Growth Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <small>*Only lands within the City's UGA can be considered for annexation.</small>	Total Acreage of Area to Annexed	
		Pre-Zoning Classification	
APPEALS, PERMIT MODIFICATIONS, PERMIT EXENTIONS, & VARIANCES			
Original or Associated Land Use File Number		FOR AGENCY USE	
Date of Original Decision		Date & Time of Submittal	
REZONES ONLY			
Current Zoning Classification		Proposed Zoning Classification	

APPLICANT CERTIFICATION

I certify that I am the Owner or Owner's authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above referenced address for the purpose of filing applications for permits or review under the Arlington Municipal Code and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I do hereby declare under penalty of perjury under the laws of the state of Washington that I have familiarized myself with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my knowledge and belief.

DATED AT _____, Washington on this date: _____

Applicant's Signature: _____

REAL PROPERTY OWNER CERTIFICATION

I do hereby declare under penalty of perjury under the laws of the state of Washington that I am the owner of the subject property or an officer/member of the entity owning the subject property, that it is my desire to seek the subject land use permit, and that I will abide by any requirements and conditions that may be part of the approval of this request. I also hereby grant permission for City employees, agents of the City and/or other agency officials to enter the subject property, if necessary, for the purpose of site inspections.

Note: Applications for Plat Alterations must contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered.

DATED AT _____, Washington on this date: _____

Owner's Signature: _____

AUXILIARY SHEET

A plat alteration is processed when a property owner desires to “alter” an approved subdivision in any way. Common examples of plat alterations are re-subdivision of a parcel in an existing plat, and the extinguishment of easements within an existing plat. Since Arlington Municipal Code (AMC) doesn’t specify a process for plat alterations, the City will utilize the procedure and process specified in the Revised Code of Washington (RCW 58.17.215).

PROCESS OVERVIEW:

1. **Informal Pre-Application Meeting:** This is a suggested but not required step in which the applicant meets one or more times with City staff to discuss City development standards, permit application procedures and any other information that may be pertinent to assist the applicant in filing an application.
2. **Property Owner Consent:** Prior to submitting the Application, the Applicant is required to gather signatures showing support of the proposal by a majority (over 50%) of the property owners within the plat, using instructions and forms provided by the City. The City will not accept any application unless the petition contains signatures of a majority of the property owners within the plat.
3. **Application Submittal:** The applicant submits complete plans, forms, environmental checklists, and appropriate fees to City staff. The specific information that must be submitted is listed in the “Application Submittal Requirements” section, below. Applications lacking the required information will not be accepted. Application fees are due at the time of submittal.
4. **Determination of Completeness:** Staff has 28 days to assess the application materials more thoroughly and send the applicant a written Determination of Completeness. The Determination will state whether the application has been deemed to be complete, or incomplete. If determined to be incomplete, the letter will identify any specific information required to complete the application. Staff may, at any time throughout the review process, request additional materials from the applicant deemed necessary to properly review the application.
5. **Notice of Application:** After the application is determined to be complete, staff will prepare and distribute a Notice of Application for the purpose of notifying the public that an application has been filed with the City in accordance with AMC 20.16.120. The public comment period lasts 14 days. If a SEPA Environmental Review is being processed concurrently, this Notice is sometimes combined with the SEPA notice. The applicant will be provided with a copy of the Notice.
6. **Environmental Review (if applicable):** The City staff issues a determination under the provisions of the SEPA (State Environmental Policy Act). If a determination of significance is made, an EIS (Environmental Impact Statement) must be written and the application process will not move forward until the EIS is complete. If a Determination of Non-Significance (DNS or MDNS) is made, an EIS is not required and the application can move forward to a public hearing. A public notice of the SEPA determination will be prepared by staff and distributed by the applicant prior to the public hearing. The applicant will be provided with a copy of the Notice together with instructions as to how to process the Notice.
7. **Public Hearing Notice:** The City will prepare and distribute a Public Hearing Notice in accordance with AMC 20.24.020. The Applicant will be provided with a copy of the Notice.
8. **Staff Report:** Planning Staff prepares a written report summarizing the request and provides a copy to the City Council and the Applicant prior to the hearing.
9. **City Council Public Hearing:** The City Council conducts an open-record public hearing. This is the opportunity for the public or Applicant to make verbal testimony for the record. All written comments received during the notice of application and notice of public hearing comment period will be made a part of the record. The City Council may issue a decision at the close of the public hearing. A written notice of decision is mailed to the applicant and all parties of record.

10. Appeal: Any aggrieved party of record may appeal a decision of the City Council to the Snohomish County Superior Court.
11. Revision to Plat: The Plat Alteration (if approved) must be formalized in a timely manner through the review, approval, and recording of a revised plat drawing that reflects the changes approved by the City. All costs associated with surveying, preparation of drawings, and recording of the document are the responsibility of the Applicant. The information required to be on the drawing shall be the same as that required for a Final Plat, or as otherwise determined by Staff. After review and approval of the drawings by the City, the Applicant must obtain all applicable signatures of legal parties and submit to the City for signatures. The Applicant will be contacted when all City signatures have been obtained, and be responsible for recording of the document(s), after which one conformed copy must be submitted to the City within 2 days of recording.

APPLICATION FEE:

Arlington's Fee Schedule does not specifically list a fee for a "Plat Alterations". The procedure, however, is very similar to that of a *Major Amendment of a Permit* in terms of staff time necessary to review and process the application. Therefore, the application fee is the same as that of a Major Amendment – currently \$1,067. Application fees go to pay for staff time spent processing the application and cannot be refunded, regardless of the City's final decision. Since the decision will be made by the Arlington City Council, no additional Hearing Examiner fee will be assessed.

REVIEW CRITERIA:

Arlington Municipal Code does not have any specifically listed review criteria, or findings that must be made in order to approve or deny a request for a Plat Alteration. Washington State law (RCW 58.17.215) simply states: "The legislative body shall determine the public use and interest in the proposed alteration and may deny or approve the application for alteration." As a means of assessing the impacts to the public use and interest, it is likely the review criteria for a Preliminary Plat may be used as a means of evaluating the proposed Plat Alteration.

APPLICATION SUBMITTAL REQUIREMENTS:

1. A completed Land Use Application Form (attached)
2. A notarized "Affidavit of Petition Circulation" (attached)
3. A copy of records from the Snohomish County Assessor's office showing the current legal owners of each property within the subdivision (for staff verification of legal owners/signatures on petition)
4. Recent Plat Certificate/Title Report (less than 30 days old) & Lot Closures
5. Two (2) 18" x 24" preliminary drawings of the proposal and two (2) reductions of the same on 11" x 17" sheets, prepared by a licensed surveyor, clearly showing existing and proposed lot configurations, containing the following information:
 - a. The name of the proposed Plat Alteration.
 - b. Vicinity Map, True and Magnetic North Points, and Scale.
 - c. Complete Legal Description (of existing lots to be altered and new lot(s) to be created).
 - d. Lot numbers, dimensions, Area (ft.² & Acreage)
 - e. Location and dimensions of all existing or proposed streets and easements contiguous to the land involved in the Plat Alteration. Show street names, and identify the purpose and grantee of all easements.
 - f. In the case of subdivision, the outer perimeter of all lots involved in the proposed Plat Alteration, marked with bold lines.
 - g. Location and dimensions of all existing buildings on the land in the Plat Alteration.
 - h. A certificate by a surveyor certifying that the Plat Alteration shown is based upon an actual survey in accordance with the requirements of the Survey Recording Act regarding the distances, courses and angles.
 - i. Any other information necessary to show the nature and details of the Plat Alteration, including any explanatory notes, if necessary.

Plat Alteration proposals vary greatly in their nature and can become complex in terms of the legal requirements in order to carry out the intent of the Plat Alteration. It is possible that additional documents in addition, or in lieu of the above may be necessary. Check with Community Development Staff to ensure the above submittal requirements are appropriate for your proposal.

PETITION FOR PROPERTY OWNER CONSENT TO FILE PLAT ALTERATION APPLICATION

Name of Applicant: _____

Name of Plat to be Altered: _____

NOTE TO PETITION SIGNERS: PLEASE READ THE FOLLOWING BEFORE SIGNING THE PETITION

I/We the undersigned agree with all of the following statements:

- ✓ I understand that the Applicant is required to collect signatures of a majority of the legal owners of property within the plat before the City can accept a Plat Alteration application.
- ✓ I/we am/are the legal owners of the below-referenced property.
- ✓ I have signed the petition by my own free will and consent.
- ✓ I understand that the applicant desires approval by the City of Arlington for a Plat Alteration resulting in the changes shown on the attached exhibit, provided by the applicant.
- ✓ I have reviewed the map exhibit, provided by the Applicant, showing the proposed changes to the Plat.
- ✓ I have no objection to the Applicant submitting an application of a Plat Alteration Application to the City of Arlington for consideration of the proposed changes.
- ✓ I understand that the Applicant's processing of a Plat Alteration will involve a Public Hearing of which I will be notified and have further opportunity to make oral or written testimony.

Legal Owner Name (print)	Mailing Address	Phone	Lot #	Tax Parcel #	Physical Address of Lot	Signature

AFFIDAVIT OF PETITION CIRCULATION: PLAT ALTERATION (To be completed by the Applicant)

I, _____, being first duly sworn on oath, depose and say that on the following dates: _____, I circulated the attached "Petition for Property Owner Consent to File Plat Alteration Application" to property owners within the following plat (name of plat)_____.

I further declare that I showed a copy of the attached exhibit to each individual who was asked to sign the petition, prior to their consent, and that each party clearly understood the nature, extent, and location of the Plat Alteration request.

Furthermore, the following items are attached to the Affidavit (check and attach):

- Petition for Property Owner Consent to File Plat Alteration Application
- Any maps or other exhibit(s) that were shown

(Signature of Person who collected Petition Signatures)

Subscribed and sworn before be this _____ day of _____, 20_____

Notary Public in and for the State of Washington

Residing at _____

My Commission Expires on: _____