



ZONE CHANGE (REZONE) APPLICATION

City of Ferndale Community Development Department
2095 Main Street/ PO Box 936
Ferndale, WA 98248 (360) 384-4006
www.cityofferndale.org

- An Appointment is Required to Submit Your Application
- A Master Development Application is Also Required

SUPPLEMENTAL

CITY REVIEW PROCESS:

The following information provides a brief description of the process by which zone change requests are evaluated by the City. For more detailed information concerning zone changes, please refer to Section 18.12.270 of the City of Ferndale Zoning Regulations.

- 1. Application Submittal:** Following submission of a rezone application, the Community Development Director shall review it within twenty-eight (28) days for completeness and for consistency with the Comprehensive Plan and issue a written determination.
 - a. If the application is found to be consistent, the Community Development Director shall place the rezone upon the Planning Commission's next available meeting agenda that will allow sufficient time for public notification in accordance with section 14.09 of the Ferndale Municipal Code. (go to step 2)
 - b. If the application is found to be inconsistent with the Comprehensive Plan, it shall not be considered further until amendments to the Comprehensive Plan have been approved.
- 2. Notice of Application:** Staff must issue a notice of application to apprise the public that an application has been filed with the City. Staff will publish this notice in the newspaper and the applicant is responsible for posting the notice on the property. The notice period must be no less than 14 days and no more than 30 days.
- 3. Environmental Review:** 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 is made, an EIS is not required and the application can be scheduled for public hearing. A notice of the SEPA determination must be published in the newspaper at least 15 days prior to a public hearing.
- 4. Public Hearing Notification:** The Community Development Department shall cause notice of time, date, place and purpose of the hearing to be published in the Westside Record Journal at least (10) days prior to the hearing date.
- 5. Public Hearing Notification:** The applicant shall send Notice of Public Hearing to all property owners within 300 feet of the exterior boundaries of the property at least ten (10) days prior to the hearing date and post the property in a location(s) visible from the adjacent public street. The notices will be prepared by the Community Development Department and available 15 days prior to the meeting. An 'Affidavit of Mailing' (form attached), with the mailing list attached, and an 'Affidavit of Posting' (form attached) must be submitted to the Community Development Department prior to the public hearing.
- 6. Staff Report:** The Community Development Director prepares a written report of the zone change request for the Planning Commission prior to the public hearing.
- 7. Public Hearing Process:** A public hearing to review a proposed Zone Change must be held within sixty (60) days of the issuance of the determination of consistency (see 1A). Regularly scheduled Planning Commission hearings commence at 7:00 PM on the second Wednesday following the first Monday of each month.



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8. The Planning Commission holds a public hearing, receives the staff report prepared by the Community Development Department, hears testimony from the applicant and all interested parties and then enters a recommendation into the record.
9. The Community Development Department shall issue a written notice of the Planning Commission recommendation within ten (10) days of the public hearing. Any aggrieved party has ten (10) days from the date of the written notice to appeal the Planning Commission's decision to the City Council. The notice of appeal shall be in writing, specify the basis for the appeal, the desired result of the appeal, and be accompanied by the processing fee. The appeal shall be decided on the basis of the official record and verbatim transcript of the public hearing held by the Planning Commission. The cost of transcribing the hearing shall be paid by the appellant.
10. The Community Development Department shall place the application, together with the Planning Commission's recommendation, upon the City Council's next available meeting agenda.
11. The City Council at a public meeting may make a decision, taking into consideration the Planning Commission's recommendation, to approve, to approve with conditions, to modify the proposal, to deny the application, or to remand the decision for further public hearings (in accordance with 14.11.050).
12. The Council decision shall be final on the twenty-second (22nd) day following the meeting or hearing at which the decision was reached, unless appealed within twenty-one (21) days, to the Whatcom County Superior Court (I.A.W. procedures set forth in Chapter 14.17 of the Ferndale Municipal Code and RCW Chapter 7.16).

NOTE: Complete Comprehensive Plan Amendment Applications must be received by the 1st of May, to be considered during the City's annual comprehensive plan review process. Any received after that date will not be considered until the next year.

STANDARDS FOR EVALUATION:

The Planning Commission shall make its recommendation to City Council based on the following criteria:

- A. The notice of public hearing was duly published;
- B. The Zone Change will not have significant adverse effects on the environment or other uses, or the Zone change, as modified, will mitigate to the greatest extent possible all significant adverse effects;
- C. The Zone Change is necessary or appropriate to effectuate the goals and objectives of the Comprehensive Plan;
- D. The Zone Change will not designate an area for use which differs completely or is inconsistent with that of the surrounding area; is inconsistent with the Comprehensive Plan; is of benefit to a particular interest only; and is of no benefit to the community as a whole.
- E. The Zone Change will not be materially detrimental to the public welfare.



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Zone Change Application (Rezone)

TO BE COMPLETED BY APPLICANT:

The following information and material is required with all Zone Change Applications. If any or all of the required information or material is missing or incomplete, the application will not be considered complete and will not be scheduled for public hearing until the necessary material is submitted.

Contact Person: _____ Phone # _____

Applicant: _____ Phone # _____

Address: _____

Owner: _____ Phone # _____

Address: _____

Address and/or Location of Property: _____

Legal Description: _____

Existing Use: _____

Existing Zoning: _____ Comp. Plan Designation: _____

Proposed Zoning: _____

Proposed Comp. Plan Designation: _____

(If more than one zone is proposed for the area in question include separate legal descriptions for each zone change.)

Total Area Included in Request (in acres): _____



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Abutting Zones and Uses: North _____ East _____
South _____ West _____

Streets Abutting Property and existing right of way width:

North _____ East _____

South _____ West _____

Reason for Zone Change: _____

Owner's Signature

Site Plan (9 copies at a scale that clearly shows the request).

1. Entire area to be rezoned
2. If more than one zone is requested, show clearly where zones change.
3. Topography.
4. Major natural features (streams, drainage way, marshes).