

**ACITY OF WHITE SALMON WASHINGTON
ORDINANCE NO. 2016-10-996**

AN ORDINANCE AMENDING WSMC CH 19.10.040 REGARDING PROJECT PERMIT APPLICATION FRAMEWORK AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the White Salmon Planning Commission has met and discussed the current project permit application framework for land use decisions and recommends Council revise the code to clarify notice procedures for City Council hearings; and

WHEREAS, the City feels that the revision to the code are necessary to clarify the process as recommended by the Commission.

NOW, THEREFORE, the City of White Salmon do ordain as follows:

SECTION 1. WSMC Ch. 17.68.130 is hereby amended as follows:

Key: Deleted = ~~strikethrough~~

Added = **bold underlined**

19.10.040 - Project permit application framework.

Table 1—Permits/Decisions

Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Building permits	Site and building plan review (1)	Site and building plan review (1)	Preliminary plat for full subdivision	Final plat	Development regulations
Grading permits	Boundary line adjustment	Short plat	Preliminary PUD	Final PUD	Zoning text and map amendments
Manufactured home placement permit		Conditional use; <u>zoning variances</u>	Site specific rezone		Comprehensive plan text and map amendments

Permitted uses not requiring notice of application					Shoreline Master Program amendments
			Shoreline <u>permits</u> : substantial development, conditional use, or variances <u>permit</u>		Annexations

- (1) The administrator makes the final decision on some site and building plan review applications considering the degree of discretion to be employed. Implementation of clear and objective standards and review of site plans for uses already approved for land use permits will typically be subject to Type I-B review while site plans addressing more subjective concerns and criteria will follow Type II procedure.

Table 2—Action Type

Procedure Project Permit Applications (Type I — IV)						Legislative
	Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Notice of application:	No	Yes	Yes	Yes	Yes	Yes
Recommendation made by: Commission	N/A	N/A	Administrator	Planning Commission	Administrator	Planning
Final decision made by:	Administrator	Administrator	Planning Commission (2)	City Council	City Council	City Council
Open record public hearing	No	No	Yes	Yes (3)	No	Yes (4)

Administrative appeal	Yes (5)	Yes (6), closed record before Planning Commission	Yes (6), closed record before City Council	N/A	N/A	N/A
Judicial appeal	Yes	No	No	Yes	Yes	Yes

- (2) The administrator may make the final decision on some applications, as specified in Chapter 17.81.
- (3) Open record hearings will be held before the planning commission to make recommendations to city council.
- (4) Open record hearings will be held both before planning commission to make recommendations to city council, and before city council for final decision.
- (5) Appeal provisions specified in Section 19.10.290 Appeal of administrative interpretations and approvals.
- (6) The planning commission will hear appeals of staff decisions; the city council will hear appeals of planning commission decisions. Both appeals are closed record hearings.

Summary of Decision Making:

Type I-A — Administrative without notice; administrative appeal by applicant only.

Type I-B — Administrative without notice; administrative appeal by the applicant only; appealable to the planning commission.

Type II — Planning commission review. Notice and open record hearing before the planning commission. Planning commission makes the final decision subject to a right of appeal.

Type III — **Planning commission makes a recommendation to city council. City council makes the final decision.** Notice and open record **public hearings will be held both** before the planning commission **to make recommendations to city council, and before city council for final decision.** ~~Planning commission makes recommendation to city council. City council makes final decision.~~

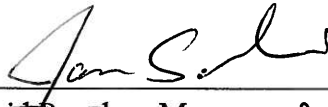
Type IV — Notice and decision by city council during regular council meeting.

Type V — Notice and public hearing before planning commission, with planning commission recommendation to city council. City council also provides notice and public hearing before making final legislative decision.

SECTION 2- SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 - EFFECTIVE DATE. This ordinance shall become effective following passage and publication as provided by law.

PASSED in regular session this 19th day of October, 2016.

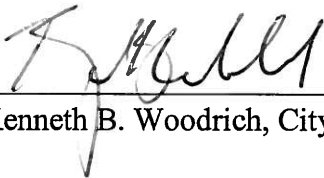


~~David Poucher, Mayor - Pro tem~~
Jason Sabari



Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney