

## **RESOLUTION NO. 2011 – 590**

### **Resolution of the City Council for the City of Waitsburg approving a Shoreline Development Permit submitted by the Northwest Open Access Network (NoaNet)**

**WHEREAS,** A regular meeting of the Planning Commission was held on Thursday, December 1, 2011, at 7:00 p.m., for the purpose of considering an application for a Shoreline Substantial Development Permit. A quorum of the Planning Commission was present. The public hearing was conducted pursuant to law and continued from the November 3, 2011 regular meeting where a quorum was not present. No testimony was taken and recorded in the minutes of the meeting due to the fact no one from the public was in attendance. On the basis of the application filed, written comments and the public hearing the Planning Commission makes the following:

#### **FINDINGS OF FACT**

1. The application is complete in accordance with City ordinance and state regulations. It is adequate to describe the nature and purpose of the project.
2. Notice of the application for substantial development permit was given as required by law, and was adequate.
3. City Staff reviewed the application for Shoreline Substantial Development Permit. City Staff approved it and recommended approval to the Planning Commission.
4. During the period for written comments the City received no written comments from the public regarding the application. This was known to the Planning Commission, and made part of the record.
5. At the public hearing, zero (0) people testified. No comments are noted in the minutes of the hearing. The Commissioners considered comments and reviewed all materials submitted.
6. Notice of the Planning Commission hearing has been given as required by law.
7. The project as described is a Utility use that is permitted under the City's Shoreline Management Ordinance.
8. The project is consistent with the policies and procedures of the Washington State Shoreline Management Act.
9. The proposed development is consistent with the administrative regulations adopted by the State of Washington.
10. The proposed development is consistent with the City's Comprehensive Plan and meets the requirements and intent of the Waitsburg Municipal Code.
11. The development makes adequate provision for open space drainage, street and recreation.
12. The development adequately mitigates, impacts and addresses issues identified in Titles 10 and 13 of the Waitsburg Municipal Code.
13. The development is beneficial to the public health, safety and welfare, and is in the public interest.

From the foregoing, the Planning Commission makes the following:

**CONCLUSIONS**

1. The proposed Substantial Development Permit is consistent with the policies and procedures of the State Shoreline Management Act.
2. It is consistent with the provisions of Washington State regulations.
3. It is consistent with the City Shoreline Ordinance adopted for the area.
4. It is consistent with the City Comprehensive Plan and Waitsburg Municipal Code.
5. The proposed development is beneficial to public health, safety and welfare, and is in the public interest.

**WHEREAS**, the Planning Commission recommends to the City Council that they approve the application and issue the Shoreline Substantial Development Permit without condition.

**THEREFORE**, the Waitsburg City Council concurs with the findings and conclusions of the Waitsburg Planning Commission and hereby issues the Shoreline Substantial Development Permit without condition

PASSED, ADOPTED AND APPROVED this 14<sup>th</sup> day of December, 2011.

**APPROVED:**

**ATTEST:**

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Walt Gobel, Mayor

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Randy Hinchliffe, City Clerk

**APPROVED AS TO FORM:**

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Kristian E. Hedine  
City Attorney