

ORDINANCE 1778

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING A NEW CHAPTER 20.11 OF THE NORTH BEND MUNICIPAL CODE RELATING TO THE TERMINATION OF PROCESSING OF APPLICATIONS FOR DEVELOPMENT PERMITS AND LAND DEVELOPMENT PROPOSALS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City desires to promote an efficient and predictable process for the City's review of applications for development permits and land development proposals; and

WHEREAS, the City finds that applications for development permits and land development proposals that are incomplete, contain errors, or prevent the City from timely processing such applications should be corrected or supplemented within a 180-day time period from the date of notification by the City of the need to correct or supplement an application in order for the application to remain vested in land use controls in effect as of the date of the filing of a complete application; and

WHEREAS, the City finds that a period of 180 calendar days is a sufficient time period within which an applicant for a development permit or land development proposal can correct or supplement an application upon request by the Department of Community & Economic Development; and

WHEREAS, this Ordinance shall apply to Land Use Applications submitted prior to the passage of this Ordinance; however, the 180-day time period shall not be applied retroactively and day 1 of the 180 day-period shall begin on the Effective Date set forth in Section 3;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. New NBMC Chapter 20.11, Termination of Processing of Land Use Applications, Adopted: A new North Bend Municipal Code Chapter 20.11, to be entitled "Termination of Processing of Land Use Applications," is adopted to read as follows:

20.11.010 Termination of processing of land use applications

Applications for a development permit as defined by NBMC 20.01.002.C or a land development proposal as defined by NBMC 20.01.002.D (hereafter "Land Use Applications")

shall be closed and the City will terminate the processing of Land Use Applications when an applicant fails to submit additional information, revisions, or corrections as requested by the Department of Community & Economic Development (“Department”) within 180 calendar days from the date of the Department’s written request for additional information, revisions or corrections. The Director may extend the response period beyond 180 days if within that time period the applicant provides and subsequently adheres to a schedule approved by the Director setting forth deadlines for submitting complete revisions, corrections, or other requested information.

20.11.020 New application required

If the Director terminates the processing of a Land Use Application pursuant to NBMC 20.11.010, an applicant may reinitiate review by the Department only by submitting a new Land Use Application consistent with the provisions contained in the NBMC in effect at the time of resubmittal.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 7TH DAY OF JUNE, 2022.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Published: June 17, 2022
Effective: June 22, 2022

Susie Oppedal, City Clerk