

RESOLUTION No. 2020-08

**ESTABLISHING COMMUNITY DEVELOPMENT DEPARTMENT GUIDANCE
REGARDING IMPLEMENTATION OF SKAMANIA COUNTY CODE 22.06.060**

THE SKAMANIA COUNTY BOARD OF COUNTY COMMISSIONERS FINDS:

1. The Board of County Commissioners (Board) has adopted Title 22, the Columbia River Gorge National Scenic Area Ordinance, in order to locally administer the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan).
2. The Board is the legislative authority of Skamania County (County) and is responsible for interpreting provisions of the County Code in such as manner as to carry out the intent and purpose of the County Code.
3. The Board wishes to establish guidance for the Community Development Department in interpreting Skamania County Code (SCC) 22.06.060(A)(1)(a)(ix), pertaining to a requirement that a National Scenic Area Land Use Application form include the signature of the "property owner".
4. Section 22.06.060(A)(1)(a)(ix) is a locally adopted requirement, not required by the Management Plan.
5. Based on County history, current practice in Skamania County, standard practices in Washington state generally, Washington case law, and fundamental fairness and liability concerns, the County finds that besides the applicant, only the property owner, meaning the party or parties holding legal title to the property, should be required to sign development applications. These concerns are further detailed in the February 5, 2020 Memo from the Skamania County Community Development Department, which is incorporated by reference, as if set forth herein.

THE SKAMANIA COUNTY BOARD OF COUNTY COMMISSIONERS RESOLVES:

1. SCC 22.06.060(A)(1)(a)(ix) requires that National Scenic Area Land Use Applications include the "Signature of the applicant and property owner, including a statement that authorizes the department reasonable access to the site in order to evaluate the application."
2. For the purpose of implementing SCC 22.06.060(A)(1)(a)(ix), "property owner" shall be interpreted to mean the party or parties who hold legal title to the property. "Property owner" shall not be interpreted to include easement owners or property rights other than title.

PASSED THIS 19th DAY OF February 2020.



**SKAMANIA COUNTY
BOARD OF COUNTY COMMISSIONERS**

J. K. Miller 2/19/20

Chair Date

J. M. Lannon 2/19/20

Commissioner Date

[Signature] 2/19/20

Commissioner Date

ATTEST:

Debbie Shaw 2/19/20

Clerk of the Board Date

APPROVED AS TO FORM ONLY:

[Signature] 2/19/20

Prosecuting Attorney Date