

ORDINANCE 1492

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SECTION 18.10.030, TABLE OF PERMITTED AND CONDITIONAL LAND USES, AND SECTION 18.10.025, SPECIAL DISTRICTS CONCERNING TATTOO PARLORS AND PIERCING STUDIOS AS A PERMITTED USE, AMENDING SECTION 18.10.050(1.53) CONCERNING HOME OCCUPATIONS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend adopted Ordinance No. 1482 on March 5, 2013, establishing interim zoning regulations related to home occupation business licenses; and

WHEREAS, pursuant to state law, the City Council held a public hearing on the interim zoning regulations established by Ordinance No. 1482 on April 16, 2013; and

WHEREAS, the City Council adopted Findings of Fact in Ordinance No. 1482 and reserved the right to adopt additional Findings of Fact after the required public hearing; and

WHEREAS, the City Council did adopt additional Findings of Fact in support of the interim zoning regulations in Ordinance No. 1489, adopted on May 21, 2013; and

WHEREAS, on May 23, 2013 the City of North Bend's Planning Commission considered amendments to North Bend Municipal Code Section 18.10.030, Table of Permitted and Conditional Land Uses, Section 18.10.025C.3. Special Districts, East North Bend Master Plan District concerning tattoo parlors as a permitted use, and Section 18.10.050(1.53) Performance Standards, concerning Home Occupations; and

WHEREAS, the Planning Commission held a public hearing on June 13, 2013 to hear testimony as it pertained to the proposed North Bend Municipal Code amendments; and

WHEREAS, the City Council considered the Planning Commission's recommendation on June 18, 2013 during a public hearing at its regularly scheduled meeting;

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

Section 1. Following a public hearing and after considering Findings of Fact adopted on May 21, 2013, the City Council adopts the amendments to North Bend Municipal Code

Section 18.10.030, Table of Permitted and Conditional Land Uses, Section 18.10.025C.3. Special Districts, East North Bend Master Plan District concerning tattoo parlors as a permitted use, and Section 18.10.050(1.53) Performance Standards concerning Home Occupations, attached hereto as Exhibit A.

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 take effect five (5) days after its publication or publication of a summary of its intent and contents.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON FOLLOWING A PUBLIC HEARING, AT A REGULAR MEETING THEREOF, THIS 18TH DAY OF JUNE, 2013.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: June 26, 2013

Effective: July 1, 2013

Susie Oppedal, City Clerk