

ORDINANCE 1561

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE CHAPTER 18.34 RELATING TO DESIGN STANDARDS AND GUIDELINES, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 36.70.A.040 requires the City of North Bend to prepare a Comprehensive Land Use Plan under the Growth Management Act (GMA) and to implement the plan with development regulations, including the zoning code, which are consistent with the plan; and

WHEREAS, the City of North Bend provides regulations pertaining to the design of single family homes and cottages constructed within subdivisions, and all multifamily buildings, in North Bend Municipal Code Chapter 18.34; and

WHEREAS, said regulations are intended to ensure a livable community consistent with the goals of the City's Comprehensive Plan, which has specific direction concerning the aesthetic and functional character of the City; and

WHEREAS, RCW 36.70.A.130(4)(a) requires that the City's Comprehensive Plan and development regulations be subject to continuing review and evaluation by the City; and

WHEREAS, amendments to said regulations are necessary to address inconsistencies with other provisions of the Municipal Code, to eliminate regulations deemed unnecessary, and to clarify the language of ambiguous provisions; and

WHEREAS, amendments to said regulations have been provided to better mitigate the visual and functional impacts of multifamily buildings on surrounding development; and

WHEREAS, the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) for the non-project amendments to NBMC Chapter 18.34 on February 12, 2014, and received no comments on the SEPA DNS; and

WHEREAS, the draft amendments were submitted to the Washington Department of Commerce for review on February 13, 2014; and

WHEREAS, the Planning Commission reviewed these amendments on February 13, 2014, February 27, 2014 and March 13, 2014 and conducted a public hearing on the amendments on February 27, 2014. No public comments were received and on March 13, 2014 the North Bend Planning Commission recommended approval of the NBMC amendments dated March 13, 2014; and

WHEREAS, pursuant to the procedures established in NBMC 20.08, notice of the public hearing and SEPA DNS was provided by publication of a legal notice in the Snoqualmie Valley Record, posting at the City’s four official posting locations, and posting of the hearing, SEPA DNS, and proposed amendment language on the City’s website and updated frequently; and

WHEREAS, the Council finds that the proposed NBMC amendments address and are consistent with the requirements of the Growth Management Act; and

WHEREAS, the Council finds that the City followed procedural requirements of NBMC Chapter 20.08 to notify and advertise amendments to the Code to the public and interested agencies, and the Planning Commission and City Council subsequently considered all written and verbal comments received during their respective processes;

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

Section 1. The City Council adopts amendments to North Bend Municipal Code Chapter 18.34 as set forth in Exhibit A, attached hereto and incorporated herein.

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 1ST DAY OF SEPTEMBER, 2015.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Published: September 9, 2015
Effective: September 14, 2015

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk