



CITY COUNCIL MEETING

February 2, 2016 – Agenda

Mt. Si Senior Center, 411 Main Ave. S., North Bend, Washington

7:00 P.M. – CALL TO ORDER, ROLL CALL, FLAG SALUTE

CONSENT AGENDA:

			Pg.#
1) Minutes	Council Meeting of January 19, 2016		1
2) Payroll	January 20, 2016 – 27416 through 27422, in the amount of \$152,021.17		
3) Checks	February 2, 2016 – 62266 through 62320, in the amount of \$460,710.08		
4) AB16-009	Resolution – Authorizing Sublease with Les Schwab for Torguson Park	Ms. Hyde	5
5) AB16-010	Motion – Authorizing Purchase of Park Signs from RainMaker Signs	Ms. Hyde	17

CITIZEN’S COMMENTS: (Please restrict comments to 3 minutes)

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

6) Presentation	Police Services Update	Police Chief McCulley	
7) Presentation	Community Spirit Award	Mayor Hearing	
**** Ten Minute Break****			
8) Presentation	Relay for Life		

INTRODUCTIONS:

9) AB16-011	Ordinance – Amending NBMC 18.10.025 Special Districts RE Tanner Junction MPOD	Ms. Burrell	21
10) AB16-012	Ordinance – Amending NBMC 18.10.050 RE Cottage Housing Performance Standards	Ms. Burrell	39

MAYOR, COUNCIL & ADMINISTRATOR CONCERNS AND INITIATIVES: (Business and general information presented that may be deliberated upon by the Council. Formal action may be deferred until a subsequent meeting; immediate action may be taken upon a vote of a majority of all members of the Council.)

Executive Session – To Discuss a Collective Bargaining Agreement, pursuant to RCW 42.30.140(4) & Real Estate Acquisition, pursuant to RCW 42.30.110(1)(b)

ADJOURNMENT:

DRAFT

NORTH BEND CITY COUNCIL MINUTES

January 19, 2016

Senior Center, 411 Main Ave. S., North Bend, Washington

CALL TO ORDER, ROLL CALL:

Mayor Hearing called the regular meeting to order at 7:00 p.m.

Councilmembers Present: Elwood, Gothelf, Kostanich, Loudenback, Pettersen, Rosen and Volken.

CONSENT AGENDA:

Minutes – Council Meeting of January 5, 2016

Checks – December 31, 2015 – 62136 through 62239, in the amount of **\$240,172.84**

January 19, 2016 – 62240 through 62265, in the amount of **\$325,037.91**

AB16-005 – Ordinance 1577 Amending NBMC 14.16 RE Surface Water Design Manual

AB16-006 – Motion Authorizing Work Order with Golder for Annual Water Mitigation Report

AB16-007 – Motion Authorizing Contract & Purchase Order with Keithly Electric

Councilmember Gothelf **MOVED**, seconded by Councilmember Loudenback to approve the consent agenda as presented. The motion **PASSED** 7-0.

CITIZEN'S COMMENTS:

Mark Joselyn, 425 SE 5th Street, Si View Metropolitan Park District (MPD) Board Member, thanked City Administrator Lindell for attending the last Si View MPD Board meeting and commented on the benefits to the ongoing partnership between the Park District and the City on various projects.

Steve Weeks, 349 3rd Avenue, reported the alley behind his business located on 3rd Avenue was in bad condition and requested the City to repair it.

COMMISSION AND COMMITTEE REPORTS:

Planning Commission

A report of the January 14th meeting was provided.

Parks Commission

No report – The next meeting is scheduled for January 27, 2016.

DRAFT

Economic Development Commission

No report.

Community & Economic Development Committee – Councilmember Pettersen, Chair

A report of the January 19th meeting was provided.

Finance & Administration Committee – Councilmember Rosen, Chair

No report – The next meeting is scheduled for February 2, 2016.

Public Health & Safety Committee – Councilmember Gothelf, Chair

No report – The next meeting is scheduled for February 9, 2016.

Transportation & Public Works Committee – Councilmember Loudenback, Chair

A report of the January 13th meeting was provided.

Council Workstudy – Mayor Pro Tem Loudenback

No report.

Eastside Fire & Rescue Board Meeting – Councilmember Gothelf

A report of the January 19th meetings was provided.

Police Captain Nick Almquist introduced new Police Officer Chad Ridout.

INTRODUCTIONS:

AB16-008 – Resolution 1709 Declaring Emergency & Authorizing Contracts RE WWTP UV System **Audio: 13:03**

Public Works Director Rigos provided the staff report.

Councilmember Loudenback **MOVED**, seconded by Councilmember Rosen to approve AB16-008, a resolution declaring an emergency at the Wastewater Treatment Plant and authorizing the purchase of equipment from Aquionics and a Small Works Contract with Keithly Electric, in a form approved by the City Attorney. The motion **PASSED** 7-0.

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Loudenback extended birthday wishes to Councilmember Rosen.

City Administrator Lindell mentioned the upcoming January 20th Council Retreat and thanked Councilmember Gothelf for his willingness to volunteer for another year as Chair for the Board of Directors at Eastside Fire & Rescue.

DRAFT

Mayor Hearing spoke regarding the following items:

- Planning Commission Vacancy
- Snoqualmie Valley Teen Closet – January 27th 4 – 6 p.m.
- Mt Si Senior Center Mardi Gras Fundraiser – February 6th 6 to 11 p.m.
- Cancellation of January 26th City Council Workstudy

EXECUTIVE SESSION:

Mayor Hearing recessed the regular meeting for an Executive Session at 7:22 p.m. to discuss a real estate acquisition pursuant to RCW 42.30.110(1)(b) and performance of a public employee pursuant to RCW 42.30.110(1)(g). No action was anticipated as a result of the Executive Session, which was expected to last thirty minutes and videotaping of the meeting ceased.

At 7:50 p.m. City Administrator Lindell announced to audience members outside the Council Chambers that the Executive Session was expected to last an additional 10 minutes.

The regular meeting was reconvened at 8:00 p.m.

ADJOURNMENT:

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Rosen. The motion **PASSED** 7-0.

The meeting adjourned at 8:01 p.m.

ATTEST:

Kenneth G. Hearing, Mayor

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:		Agenda Date: February 2, 2016	AB16-009
A Resolution Authorizing a Sublease with Les Schwab Tire Centers for Expansion of Torguson Park		Department/Committee/Individual	
		Mayor Ken Hearing	
		City Administrator – Londi Lindell	
		City Attorney - Mike Kenyon	
		City Clerk – Susie Oppedal	
		Community & Economic Development – Gina Estep	
		Finance – Dawn Masko	
		Public Works – Mark Rigos	
		CED Associate Planner – Lynn Hyde	
Cost Impact: \$10.00			
Fund Source: N/A			
Timeline: Immediate			
Attachments: Resolution, Sublease, Aerial photo of land to be leased			
<p>SUMMARY STATEMENT:</p> <p>City staff has been working with Les Schwab Tire Centers of Washington, Inc. (the “Company”), which has offered to dedicate at no cost (other than possible recording fees) approximately one quarter of an acre of its property (the “Property”) to the City to be added to Torguson Park (see attached image). The Company is currently unable to dedicate the Property to the City because of the legal ownership status of the Property. The Property is owned by Les Schwab Profit Sharing Retirement Trust, and is leased to Les Schwab Tire Centers of Washington, Inc. The Trust, which owns the Property, cannot gift the Property to the City because it may violate the Employee Retirement Income Security Act (ERISA). The Company has exercised its option to purchase the Property from the Trust, but has informed the City that it will take months or possibly years to clear the purchase of trust assets through the US Department of Labor. Therefore, the Company has prepared a sublease to allow the City to make improvements and use the Property as though the City owns the Property until the transfer of ownership is complete, at which time the Company will dedicate the Property to the City.</p> <p>Staff is requesting approval to enter into the sublease with Les Schwab Tire Centers of Washington, Inc. for the price of \$10.00.</p>			
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee review this agenda bill at their January 19th meeting and recommended approval and placement on the consent agenda.</p>			
<p>RECOMMENDED ACTION: MOTION to approve AB16-009, a resolution authorizing a sublease with Les Schwab Tire Centers for expansion of Torguson Park.</p>			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
February 2, 2016			

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING A SUBLEASE WITH LES SCHWAB TIRE CENTERS OF WASHINGTON, INC., FOR THE EXPANSION OF TORGUSON PARK

WHEREAS, Les Schwab Tire Centers of Washington, Inc. (“Les Schwab”) has offered to dedicate approximately one quarter of an acre of its parcel (“the Property”) to the City of North Bend (“the City”) for the expansion of Torguson Park and to be used solely for park purposes; and

WHEREAS, the City wishes to use and improve the Property as part of Torguson Park for park purposes only; and

WHEREAS, Les Schwab is presently unable to dedicate the Property to the City because of the legal ownership status of the parcel; and

WHEREAS, Les Schwab estimates it will take up to a year or more to transfer legal ownership status to enable dedication of the Property to the City; and

WHEREAS, until the time which the dedication can take place, Les Schwab and the City desire to enter into a sublease for the City’s use and improvement of the Property;

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

Section 1. Authorization. The Mayor is authorized to enter into a sublease with Les Schwab Tire Centers of Washington, Inc., in the form attached hereto as Exhibit A, allowing the City to use and improve the Property for the expansion of Torguson Park.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF FEBRUARY, 2016.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

Susie Oppedal, City Clerk

REAL PROPERTY SUBLEASE

PARTIES:

Les Schwab Tire Centers of Washington, Inc. (“Tenant”)
Attn: David Gibson
Delivery: 20900 Cooley Road, Bend, OR 97701
Mail: PO Box 5350, Bend, OR 97708
Phone: 541.416.5342

Les Schwab Profit Sharing Retirement Trust (“Lessor”)
Attn: David Gibson
Delivery: 20900 Cooley Road, Bend, OR 97701
Mail: PO Box 5350, Bend, OR 97708
Phone: 541.416.5342

City of North Bend (“Subtenant”)
Attn: Lynn Fredenburg
Delivery: 126 E. 4th St, North Bend, WA 98045
Mail: PO Box 896, North Bend, WA 98045
Phone: 425.888.7646

RECITALS:

- A. Tenant leases the real property located at 610 E. North Bend Way, North Bend, WA (“Property”) from Lessor pursuant to a Ground Lease dated September 1, 1988 (as amended, the “Lease”).
- B. Tenant has exercised its option, arising under the terms of the Lease, to purchase the Property. Tenant and Lessor are working together to complete the purchase.
- C. Subtenant desires to improve and utilize a previously unused portion of the Property (defined in **Exhibit A** hereto and referred to herein as the “Park Parcel”) for the purpose of operating a City park. Lessor and Tenant believe the improvement of the Park Parcel will benefit the Property and are willing to permit City to sublease the Park Parcel under the terms set forth herein.

AGREEMENTS:

- 1. **PREMISES.** Tenant hereby subleases the Park Parcel to Subtenant and Subtenant accepts possession of, and responsibility for, the Park Parcel.
- 2. **TERM.** This Sublease shall commence on January 1, 2016 (“Commencement Date”) and, provided the City completes by January 1, 2019, the “Improvements” identified below, shall continue for so long as the City utilizes the Park Parcel for City park purposes. Notwithstanding the foregoing, this Sublease shall terminate upon the termination of the Lease unless Tenant becomes the owner of the Park Parcel, in which case this Sublease shall become a lease.
- 3. **RENT.** Subtenant shall pay the amount of \$10 to sublease the Park Parcel for the term hereof.
- 4. **PURPOSE.** Subtenant may use and occupy the Park Parcel solely for purposes of installing, maintaining, repairing, and replacing landscaping and walking paths to be used in connection with general City park purposes, including parking for vehicles provided the parking spaces are reserved solely for park users. Subtenant shall also construct a fence,

to be approved by the Tenant in the exercise of its reasonable discretion, on the boundary line of the Park Parcel and the remainder of the Property. All of the foregoing work described in this Section 4 is referred to collectively as the "Improvements." Subtenant represents and warrants that its use of the Park Parcel will be in compliance with all applicable laws and without risk to Tenant or Lessor.

5. **UTILITIES.** Lessor and Tenant shall furnish no utilities or services to the Park Parcel.
6. **REPAIRS AND MAINTENANCE.** Subtenant shall, at Subtenant's sole expense, maintain the Park Parcel in good order and condition during the term of this Sublease.
7. **INJURY TO PROPERTY OR PERSON.** Subtenant is responsible for the condition of the Park Parcel during the term of this Sublease and for any damage or injury to property or person resulting from the condition of the Park Parcel, or the activities of Subtenant and Subtenant's agents, employees, or the general public thereon, or any independent contractor hired by Subtenant, or person upon the Park Parcel with the express or implied consent of Subtenant. Subtenant shall indemnify and save Tenant and Lessor harmless from any loss, damage, claim or demand arising out of the condition of the Park Parcel or any activities thereon.
8. **LIABILITY INSURANCE.** At all times during this Sublease, Subtenant shall provide and maintain an occurrence form commercial general liability policy or policies as described in **Exhibit B** hereto, written by companies having an A.M. Best rating of "A-" or better, or equivalent. Landlord and Tenant shall be named as an additional insured in each general liability policy.

On or before the Commencement Date and thereafter during the term of this Sublease, Subtenant shall provide Landlord with current certificates of insurance, executed by a duly authorized representative of each insurer, evidencing the existence of all insurance policies required under this Section. Insurance must be maintained without any lapse in coverage during the Lease Term. Failure of Landlord to demand such certificates or other evidence of full compliance with these insurance requirements or failure of Landlord to identify any deficiency or noncompliance with coverage requirements shall not be construed as a waiver of Subtenant's obligation to maintain the insurance required by this Lease.

9. **PROPERTY LEASE.** Tenant agrees to maintain in compliance with all obligations of it as set forth in the Lease and to expend commercially reasonable efforts to maintain the Lease in full force and effect pursuant to its terms. Tenant will promptly provide to Subtenant any notice of default received by Tenant under the Lease.
10. **PURCHASE OF PROPERTY.** Tenant will expend commercially reasonable efforts to complete its purchase of the Property. Following its purchase of the Property, Tenant shall gift the Park Parcel to the Subtenant.
11. **PRIOR AGREEMENTS.** This Sublease is the entire, final and complete agreement of the parties with respect to the matters set forth in this Sublease, and supersedes and replaces all written and oral agreements previously made or existing by and between the parties or their representatives with respect to such matters.
12. **INTEGRATION.** This Sublease constitutes a final and complete statement of the agreement between the parties as to the Park Parcel, and fully supersedes all prior agreements or negotiations, written or oral.
13. **LEGAL PROCEEDINGS.** In the event any legal proceeding is commenced for the purpose

of interpreting or enforcing any provision of this Sublease, the prevailing party in such proceeding shall be entitled to recover a reasonable attorney's fee in such proceeding, or any appeal thereof, to be set by the court without the necessity of hearing testimony or receiving evidence, in addition to the costs and disbursements allowed by law.

DATED to be effective December 7, 2015.

TENANT:

LES SCHWAB TIRE CENTERS OF WASHINGTON, INC.

By: _____
Corey J. Parks, Secretary

SUBTENANT:

CITY OF NORTH BEND

By: _____
Kenneth G. Hearing, Mayor

LESSOR:

The Les Schwab Profit Sharing Retirement Trust hereby consents to the terms of this Sublease, including the purpose for which the Park Parcel is to be used by Subtenant. The Lessor does not waive or release Tenant from any obligation set forth in the Lease.

LES SCHWAB PROFIT SHARING RETIREMENT TRUST

By: _____
James A. Goad, Trustee

By: _____
Justin T. Phillips, Trustee

EXHIBIT A
Legal Description

The highlighted portion of Lot B shown below:

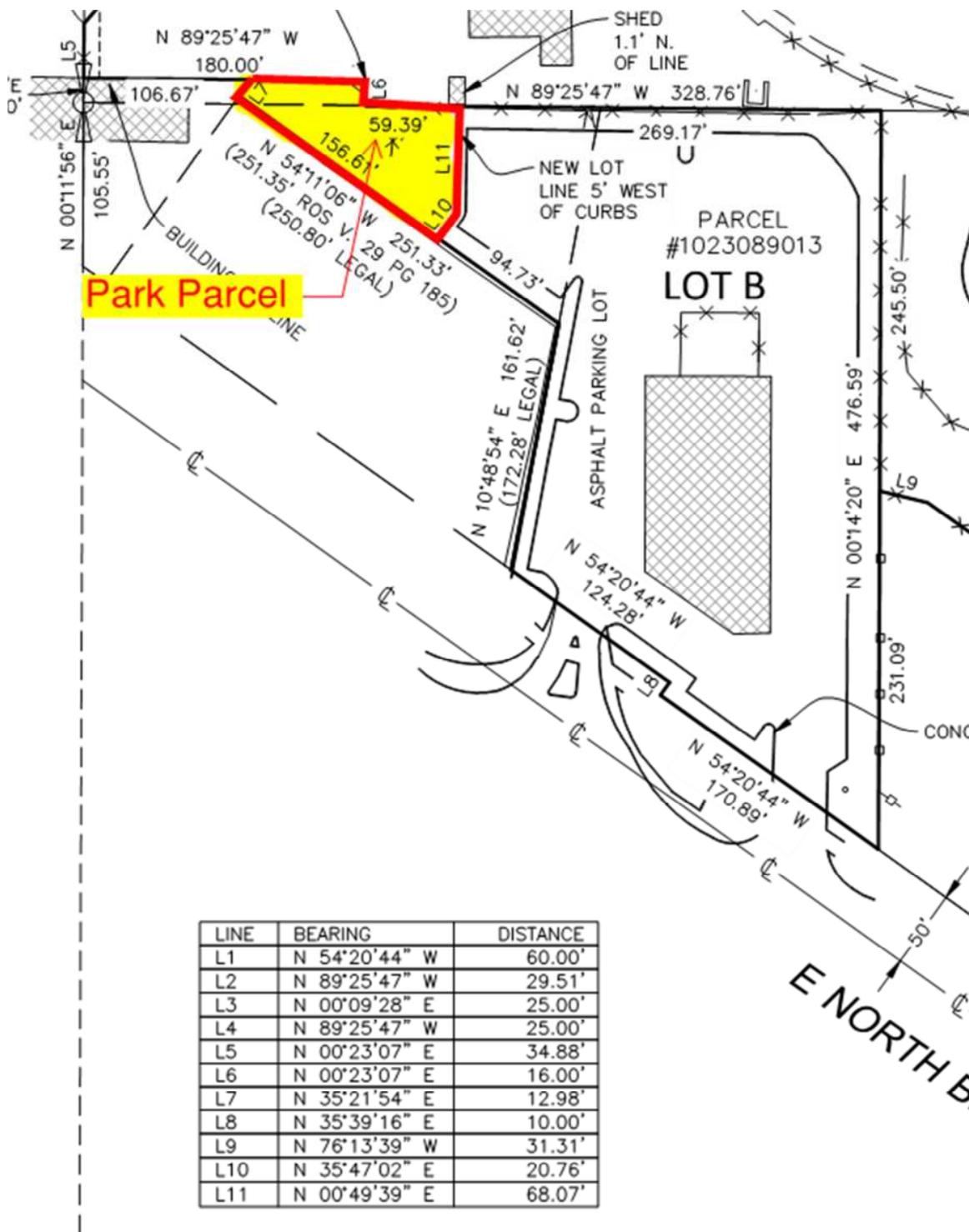


EXHIBIT B
AWC RMSA
2015
Coverage Declarations

Term of Coverage (All Lines)

From: January 1, 2015 at 12:01 A.M. (PST) to January 1, 2016 at 12:01 A.M. (PST)

Limits of Liability

In consideration of the contribution by members, this agreement provides coverage in the following amounts:

Liability Coverage:

\$10,000,000	General and automobile liability, per occurrence
\$10,000,000	Products and completed operations, per occurrence
\$10,000,000	Errors and omissions and employment practices, per occurrence
\$10,000,000	Official police duties, per occurrence
\$15,000,000	Annual aggregate; products liability/General liability/Law enforcement liability
\$5,000	Automobile medical payments, per person

Property Coverage:

\$250,000,000	All risks of direct physical loss or damage to insured property, except as excluded and as described in the policy, subject to sub-limits and deductibles.
ACV	Actual cash value coverage for motor vehicles, trucks, trailers and equipment
Actual loss sustained	Business interruptions

Property Coverage Sub-Limits:

\$50,000,000	Earth movement
\$50,000,000	Flood
\$10,000,000	Flood as respects "Special Flood Hazard Area (SFHA)"
Included	Named storm
\$5,000,000	Accounts receivable
\$10,000,000	Newly acquired property, for a period of 90 days
60 days, not to exceed	Civil or military authority
5,000,000	
\$1,000,000	Contingent time element
\$25,000,000	Builder's risk locations
\$100,000	Computer virus
\$5,000,000 or 25% of loss, whichever is less	Debris removal
\$10,000,000	Demolition and increased cost of construction
\$1,700,000	Docks, piers and wharves
\$5,000,000	Extra expense
\$2,500,000	Fine arts
\$250,000	Fire brigade charges

\$5,000,000	Leasehold interest
\$10,000,000	Miscellaneous unnamed locations (except equipment breakdown)
\$1,000,000	Mold/Fungus named perils
\$5,000,000	Service interruption qualifying period of 24 hours applies
\$2,500,000	Transit
\$5,000,000	Valuable papers and records
\$1,000,000	Watercraft on-land
\$100,000	Watercraft while over water
\$3,500,000	Gross earnings
Included	Ordinary payroll – 90 days, included with gross earnings limit
Included	Rental insurance
60 days	Ingress/Egress not to exceed \$5,000,000
\$5,000,000	Vehicles on premise
\$1,000,000	Vehicle over the road
\$100,000	Animals, not to exceed \$25,000 per animal
\$250,000,000	Certified act of terrorism
\$5,000,000 or 25% of loss, whichever is less	Upgrade to green
180 days	Extended period of indemnity
\$250,000	Professional fees
\$1,000,000	Tunnels, bridges, dams, culverts
\$50,000	Money and securities
\$100,000	Street lights, traffic signs, traffic lights – only to members with values reported for such
\$250,000	Per occurrence and annual aggregate for limited pollution coverage
\$100,000,000	Equipment breakdown

Government Crime:

\$1,000,000 Employee Theft (per loss); Forgery or Alteration; Computer Fraud; Funds Transfer Fraud; Money Orders And Counterfeit Paper Currency

Aviation Liability:

\$2,000,000 Forks Airport; Odessa Municipal Airport; Quillayute Airport; Twisp Municipal Airport; Strom Field Airport; Swanson Airport; Darrington Municipal Airport; Willard Field Airport

Member Deductibles:

Pacific Northwest earthquake zones	3% of Total Insurable Values at the time of the loss at each Location involved in the loss or damage, subject to a minimum of \$250,000 any one Occurrence
Flood	\$100,000 per occurrence, except as follows: \$500,000 per Building, \$500,000 for Contents per Building and \$50,000 for Time Element per Building as respects Locations wholly or partially within Special Flood Hazard Areas, areas of 100-year flooding as defined by FEMA.
Equipment breakdown	\$5,000 24 hour waiting period and within one (1) mile of the premises on Service Interruption and within one (1) mile of the premises on Spoilage

These Coverage Declarations are only a summary of the coverage offered. Certain conditions and exclusions may apply. Please refer to the individual Coverage Agreement and policies for complete details of coverages, deductibles, sub-limits, extensions and exclusions.

Exhibit B

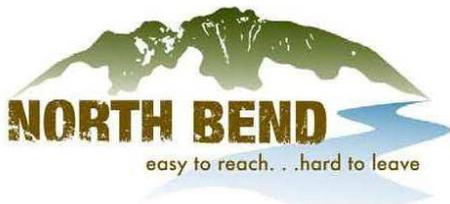
King County iMap



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King County
King County
GIS CENTER

Date: 6/11/2015 Notes:



City Council Agenda Bill

SUBJECT:		Agenda Date: February 2, 2016		AB16-010		
<p>A Motion Authorizing the Purchase and Installation of New Park Signs from RainMaker Signs, Inc.</p> <p>Cost Impact: \$20,000</p> <p>Fund Source: 106-200-000-594-76-63-02</p> <p>Timeline: Immediate</p>		Department/Committee/Individual				
		Mayor Ken Hearing				
		City Administrator – Londi Lindell				
		City Attorney - Mike Kenyon				
		City Clerk – Susie Oppedal				
		Community & Economic Development – Gina Estep				
		Finance – Dawn Masko				
		Public Works – Mark Rigos				
		CED Associate Planner – Lynn Hyde				X
		Attachments: RainMaker Signs, Inc. quote				
<p>SUMMARY STATEMENT:</p> <p>City Council approved a decision card, totaling \$20,000, to fund the replacement of aging park signs in 2016 and 2017. The decision card was to replace the aging entrance signs at Torguson, E.J. Roberts, Gardiner Weeks, and William H. Taylor Park, and install new entry signs to the Si View Neighborhood Park and Tannerwood Park. In addition, smaller entrance signs will be added at notable vehicular and or pedestrian secondary entrances. If funds allow, the project will also provide for orientation kiosks at Torguson and Tollgate Park.</p> <p>A bid request for this work was sent out on December 14, 2015 to three sign companies from the MRSC Small Works Roster, resulting in three quotes. The lowest responsive bid was from RainMaker Signs Inc. for \$20,998. In order to keep the costs below the budgeted \$20,000, signs may be reduced in size, or eliminated as necessary.</p>						
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee review this agenda bill at their January 19th meeting and recommended approval and placement on the consent agenda.</p>						
<p>RECOMMENDED ACTION: MOTION to approve AB16-010, authorizing purchase and installation of new park signs from RainMaker Signs, Inc., in an amount not to exceed \$20,000.</p>						
RECORD OF COUNCIL ACTION						
<i>Meeting Date</i>		<i>Action</i>		<i>Vote</i>		
February 2, 2016						



RainMaker Signs
RainMaker Signs, Inc.
 2020 124th Ave NE, Suite C206
 Bellevue WA 98005
 United States
 Phone: 855-806-7446
 Fax : 425-728-8460
 info@rainmakersigns.com
 http://www.rainmakersigns.com
 EIN # : 46-3105472

Quote 2082 - Park Entrance Signs	Expiration Date : 02/19/2016
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Quote for	Contact	Shipping/Install
City of North Bend P.O. Box 896 126 East Fourth Street North Bend WA 98045	Lynn Fredenburg Phone : (425) 888-7646 Fax : (425) 888-5636 Email : LFREDENBURG@northbendwa.gov Address : P.O. Box 896 126 East Fourth Street North Bend WA 98045	

Quote #	Quote Date	Sales Rep	Payment Terms	PO	PO Date
2082	12/16/2015	Michael McGinn Michael@rainmakersigns.com	50/50		

Items

#	Item	Qty	Unit Price	Total	Tax
1	Main Entrance Signs Graffiti-resistant high pressure laminate (HPL) panel 1/2" exterior CHPL panel, 54" x 24" Upright double post, black powder-coated aluminum	6	\$1,275.00	\$7,650.00	\$673.20
2	Secondary Entrance Signs Graffiti-resistant high pressure laminate (HPL) panel 1/2" exterior CHPL panel, 36" x 12" Upright double post, black powder-coated aluminum	5	\$975.00	\$4,875.00	\$429.00
3	Kiosks Graffiti-resistant high pressure laminate (HPL) panel 1/2" exterior CHPL panel, 72" x 48" Angled triple post pedestal, black powder-coated aluminum	2	\$2,150.00	\$4,300.00	\$378.40
4	Sign Installation 6 Main Entrance signs on upright double-posts 5 Secondary Entrance signs on upright double-posts 2 Kiosks on triple-post angled pedestals	1	\$2,475.00	\$2,475.00	\$217.80

Total

Sub Total	Total Tax (Tax Percentage)	Taxable Amount	Non-Taxable Amount	Final Price
\$19,300.00	\$1,698.40(8.8%)	\$19,300.00	\$0.00	\$20,998.40

Downpayment (50.0 %)	\$10,499.20
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Terms And Conditions

Orders valued above \$300 require a 50% deposit to confirm the order, with the balance due upon completion. Orders valued below \$300 require full payment in advance of work being performed. Any open balance older than 30 calendar days from invoice date will be subject to finance charges, at a rate of 1.5% per month on the open balance. Payment may be made by cash, corporate check, Visa, Mastercard or Discover. We do not accept American Express at this time.

Quoted prices are subject to any limitations specified in the item description(s). Unless project design fees are specified, pricing includes only modest design and layout work, and assumes that Client will provide high-quality artwork and clear design direction. Installation charges assume conditions consistent with those described by Client. Where applicable, city permit fees and lift equipment costs are estimated and may need to be adjusted in the final invoice.

for **City of North Bend**

Signature	Date

We agree to your terms and conditions. Please proceed with the order.



City Council Agenda Bill

SUBJECT:		Agenda Date: February 2, 2016	AB16-011	
<p>An Ordinance Amending North Bend Municipal Code Chapter 18.10.025, Special Districts, as it Pertains to the Tanner Junction Master Plan Overlay District</p> <p>Cost Impact: N/A</p> <p>Fund Source: N/A</p> <p>Timeline: Immediate</p>		Department/Committee/Individual		
		Mayor Ken Hearing		
		City Administrator – Londi Lindell		
		City Attorney - Mike Kenyon		
		City Clerk – Susie Oppedal		
		Community & Economic Development – Jamie Burrell		X
		Finance – Dawn Masko		
		Public Works – Mark Rigos		
<p>Attachments: Ordinance, Exhibit A - Proposed amendments to 18.10.025 C.4 including revised Figure 18.10.025-3, Staff Report, Public Comment</p>				
<p>SUMMARY STATEMENT:</p> <p>On September 2, 2015 Robert E. Hibbs, on behalf of Rexford R. Hibbs Irrevocable Trust, submitted an overlay request to the City. The proposed overlay is on three parcels (consisting of 5.93 acres) currently zoned EP-1 that are located south of SE North Bend Way, at the northeast corner of SE 136th Street to the south and 436th Avenue SE to the west. The overlay district enables residential development that would not otherwise be permitted in the current EP-1 zone, and will provide a transition of uses to the existing single-family residential properties that surround these properties. The applicant also requested an amendment to allow 12 units per building (rather than 10 which is currently allowed in the code) for buildings in this overlay that do not front 136th Street.</p> <p>City staff worked with the applicant/property owner to highlight the important elements of the gateway and preservation at the corner of 436th Avenue SE and SE 136th Street. The setback area will save the bulk of existing trees on this portion of the site and provide a natural gateway to the City. The meandering sidewalks will connect the frontage with the development.</p> <p>The Planning Commission held a public hearing on November 12, 2015 and recommended the attached NBMC changes on December 10, 2015.</p>				
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed the proposed amendments at the January 19, 2016 CED Committee meeting and recommended approval with one amendment to not allow 12 units per building when fronting SE 136th Street.</p>				
<p>RECOMMENDED ACTION: MOTION to approve AB16-011, an ordinance amending North Bend Municipal Code Chapter 18.10.025, Special Districts, as it pertains to the Tanner Junction Master Plan Overlay District, as a first and final reading.</p>				
RECORD OF COUNCIL ACTION				
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>		
February 2, 2016				

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTER 18.10.025, SPECIAL DISTRICTS, C. MASTER PLAN OVERLAY DISTRICTS, SPECIFICALLY BY AMENDING 4. TANNER JUNCTION MASTER PLAN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

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

WHEREAS, RCW 36.70A.130(4)(a) requires that the City of North Bend Comprehensive Land Use Plan and development regulations, including the zoning code, shall be subject to continuing review and evaluation by the City, and

WHEREAS, the City of North Bend Comprehensive Land Use Plan Goal LU-1 calls to preserve North Bend's small town qualities and its natural environment, while allowing for growth and development; and

WHEREAS, Robert E. Hibbs of Rexford R. Hibbs Irrevocable Trust, et al., submitted a complete application for the proposed amendments to the Tanner Junction Master Plan Overlay District, NBMC 18.10.025 C. 4, attached hereto as Exhibit A (Proposed Amendments); and

WHEREAS, the Proposed Amendments are intended to highlight the important elements of the gateway and tree preservation at the corner of 436th Avenue SE and SE 136th Street; and

WHEREAS, the Planning Commission heard public comment at their November 12, 2015 meeting and reviewed one comment letter received on November 5, 2015; and

WHEREAS, the Planning Commission recommended approval of the Proposed Amendments after further deliberation and edits at their December 10, 2015 meeting; and

WHEREAS, the Community and Economic Development Council Committee reviewed the Proposed Amendments and requested that they be brought forward for City Council consideration; and

WHEREAS, the Proposed Amendments were submitted to the Washington Department of Commerce for review on December 3, 2015; and

WHEREAS, the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) for the non-project amendment to NBMC 18.10.025 on October 28, 2015, and received no comments on the SEPA DNS; 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 the Proposed Amendments on the City's website, updated frequently; and

WHEREAS, the Council finds that the Proposed 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 the Proposed Amendments to the public and interested agencies and pursuant to this, the Planning Commission and subsequently the City Council 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 the Proposed Amendments to the Tanner Junction Master Plan Overlay District Chapter 18.10.025 C 4. of the North Bend Municipal Code, hereto attached as Exhibit A.

Section 2. The Community and Economic Development Director is hereby authorized and directed to make necessary edits to the City of North Bend Official Zoning Map to depict the additional areas subject to the Master Plan Overlay District.

Section 3. 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 4. Effective Date: This ordinance shall be published in the official newspaper

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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 2ND DAY OF FEBRUARY, 2016.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Published:
Effective:

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk

18.10.025 Special districts.

C. Master Plan Overlay Districts.

1. Process. A master plan overlay district (MPOD) provides a process by which a specific planned mix of uses and layout may be provided through a master plan to address unique site specific opportunities and constraints.

a. The MPOD layout map shows the approximate location of future land uses, open spaces, public streets and access points.

b. All short plats, subdivisions, binding site plans, site plans or all other development approvals, including construction approvals, shall be generally consistent with the MPOD layout map, and shall conform to specific standards established under the MPOD, and the provisions of this chapter. The road location shown on the MPOD layout map may change in the final development plan, but shall be generally consistent with the layout map.

c. The first and initial land use development application for any parcel within the MPOD shall show the approximate location of all applicable land uses, open spaces, public streets and access points for the entire parcel or application site, allowing for the comprehensive planning intended by the MPOD.

4. Tanner Junction Master Plan Overlay District (Tanner Junction MPOD). The Tanner Junction MPOD includes ~~seven~~ ten commonly owned properties zoned EP-1 that are located between North Bend Way to the north and SE 136th Street and I-90 to the south, and as further depicted on Figure 18.10.025-3.

a. Purpose. ~~Due to the proximity of the single-family low density residential zones immediately to the south and west and the nearby Snoqualmie Valley Trail, the~~ Due to the proximity of the Snoqualmie Valley Trail that passes through the site and the single family low density residential neighborhood immediately across SE 136th Street to the south of the site, certain light industrial and manufacturing uses permitted by the underlying EP-1 zone could be inconsistent with the recreational uses and residential character of the immediate area. A master plan overlay district establishes a site plan and mix of uses more compatible with these adjacencies. Should an applicant wish to propose a site layout or mix of uses alternative to that provided by the MPOD, the applicant may apply for a development agreement pursuant to Chapter 18.27 NBMC. Such development agreement shall not preclude other parcels within the MPOD from achieving conformance to the provisions of the MPOD.

b. Site Circulation. Frontage and Trails. Streets and access locations to be constructed shall at a minimum include the following:

i. Public and private access locations shall include minimum five-foot-wide sidewalks and minimum five-foot-wide planter strips at the public street intersections, and may transition from there to alternative standards within the private development.

ii. There shall be a maximum of two access locations ~~into the primary parcel~~ from North Bend Way, including the collector street described below. The separate triangular shaped eastern parcel ending in 9188 may have shared access with the adjoining parcel to the east onto SE North Bend Way, to allow for adequate separation from Tanner Road. An additional access point may be considered only for emergency access purposes or if warranted by a traffic study.

iii. A public north-south through street shall bisect the site in the western half of the parcel to connect SE 136th Street with North Bend Way, in the location identified on Figure 18.10.025-3.

(A) The north-south through street shall be constructed and dedicated to the city of North Bend with the recording of the final plat, final binding site plan approval (if applicable), prior to final building permit, or other associated permit for a development proposal on the affected property.

(B) The north-south through street shall be constructed according to the standard for collector streets in Chapter 19.05 NBMC, Design and Construction Standards for Streets, or as otherwise determined necessary by the city engineer.

(C) An additional street may be warranted depending on the type of development proposed to bisect the remaining parcel as shown dotted on Figure 18.10.025-3 and aligning with the proposed access points.

iv. The three most westerly parcels shall share one access point, to the extent feasible as determined by the City, from SE 136th Street to line up with 437th Pl. SE. An additional access point may be considered only for emergency access purposes, or if warranted by a traffic study approved by the City. An exit only may be allowed onto 436th Avenue SE at the City discretion.

iv. In order to preserve existing significant trees along the SE 136th Street and 436th Ave SE, the public sidewalk shall meander through the retained significant trees, to the extent feasible as determined by the City. The CED Director may allow flexible building setbacks to accommodate retention of the significant trees along the frontage and within the front yards.

vi. A public trail, constructed per the trail construction standards in NBMC 17.25.065, shall be constructed along the southern boundary ~~of the site~~, and within the TLA, to connect SE 136th Street to the Snoqualmie Valley Trail. A public access trail easement containing the trail corridor shall be provided to the city, prior to final building permit approval for development on the affected parcel.

viii. A 10-foot-wide paved public trail (Tanner Trail) with 10-foot planter strip area containing street trees and associated turf and/or native shrubs and ground cover plantings, constructed per the trail construction standards in NBMC 17.25.065, built to match existing Tanner Trail section located within downtown North Bend, shall be constructed along the SE North Bend Way frontage to connect with the King County Snoqualmie Valley Trail as shown on Figure 18.10.025-3. Existing significant trees shall be retained in this area unless there is conflict with an access point.

c. Any land use permit associated with properties ~~fronting North Bend Way within this overlay zone~~ shall install a pedestrian crossing ~~across~~ North Bend Way providing a connection to Tanner Trail and Snoqualmie Valley Trail. The pedestrian crossing shall include at a minimum: a perpendicular crosswalk at SE North Bend Way with reflective bumps and/or lights. Further safety measures may be determined necessary by the city through the development review process.

i. The applicant shall coordinate with King County Parks and city of North Bend for a safe and efficient at-grade crossing of the Snoqualmie Valley Trail with SE North Bend Way and Tanner Trail.

ii. Trail parking of not less than three spaces shall be provided as part of any development application and shall be constructed in conjunction with the development. A bike rack is also encouraged.

d. Allowable Uses and Bulk and Dimensional Standards.

i. Uses within the Tanner Junction MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure 18.10.025-3. Approximately 350 feet of the southern half of the Parcels No. 1423089183, 1423089185 and 1423089073 and the entire Parcels No. 1423089184, 1423089132, 1423089136 and 1423089135 may be comprised of HDR uses and/or EP-1 uses, except single-family detached, ~~and cottage housing over 1,300 sq. ft. and senior housing~~ is not allowed within this overlay. Any EP-1 uses shall provide a 20-foot type I landscape transition area, pursuant to Chapter 18.18 NBMC Table 1, when located adjacent to HDR use within the site.

ii. Bulk and dimensional standards applicable to residential uses shall be as established for the HDR zone per NBMC Table 18.10.040, Bulk and Dimensional Standards.

iii. Bulk and dimensional standards applicable to commercial and industrial uses shall be as established for the EP-1 zone per NBMC Table 18.10.040, Bulk and Dimensional Standards.

e. Building Size and Orientation. In addition to the provisions of the applicable design standards in Chapter 18.34 NBMC, the following standards shall apply to the layout and orientation of buildings within the Tanner Junction MPOD:

i. Commercial and industrial buildings constructed within the Tanner Junction MPOD shall provide primary frontage to either North Bend Way, SE Tanner Road or to the north-south internal through street, but shall not be oriented to SE 136th Street. The back of buildings shall not be oriented to North Bend Way, SE Tanner Road or the north-south internal through street.

ii. Buffering to LDR. If any area immediately bordering SE 136th Street is used for commercial or industrial buildings rather than residential buildings, the property of the commercial or industrial building shall provide a 30-foot Type 1 landscape buffer along the frontage of SE 136th Street.

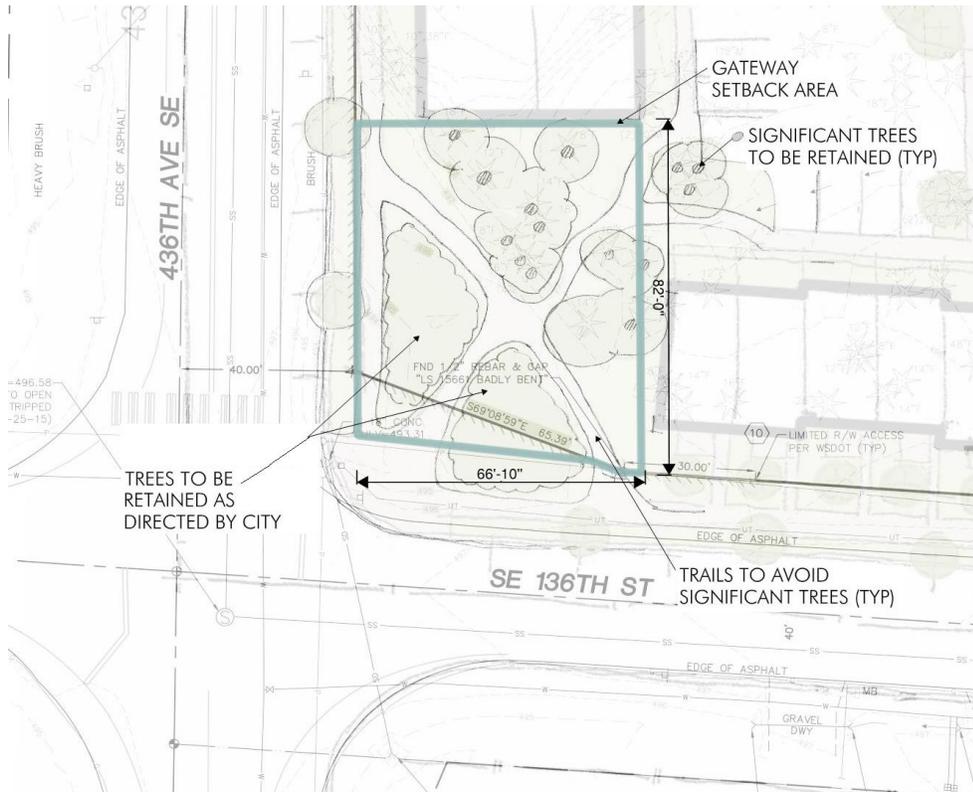
iii. All loading docks shall be located behind the buildings and not be visible from North Bend Way.

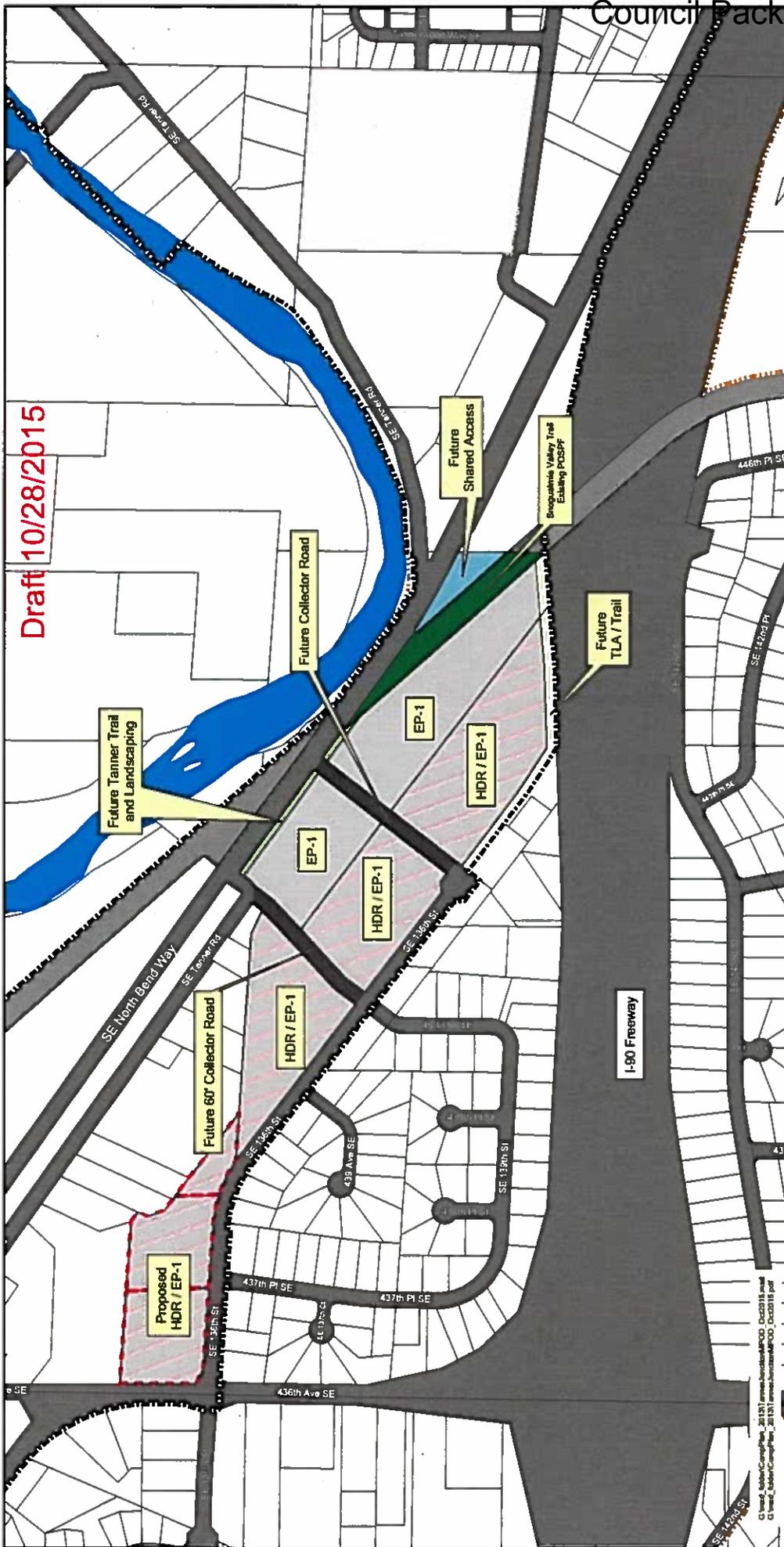
f. Gateway Frontage at 436th Avenue SE and SE 136th Street. The intent of the open space tract at the corner is to retain the forested character, serving as a City gateway. Trees and native vegetation will be retained to the greatest extent possible, with clearing limited to removal of hazard trees and as necessary to accommodate trails and gateway features. The Director may approve deviations to the setback or frontage improvements in order to retain trees. Additional elements for this gateway area shall include

i. The minimum area shall be 66' along SE 136th and 82' along 436th Avenue SE.

ii. Meandering sidewalks, with pedestrian level lighting, through preserved and enhanced native vegetation as depicted below.

iii. This area shall include small signage providing interpretation of natural flora or North Bend historic attributes.





Draft 10/28/2015

City of North Bend
 Tanner Junction Master Planning Overlay District (MPOD)
 Figure 18.10.025-3

Map Updated October 28, 2015
 Map Produced July 16, 2013



Legend

- Proposed HDR / EP-1 Overlay Addition
- Tanner Junction MPOD
 - EP-1
 - HDR / EP-1
 - HDR
 - Future 60' Collector Road
 - Future Tanner Trail
 - TLA / Trail
 - Snoqualmie Valley Trail POSPF
 - Future Shared Access
- North Bend City Limits
- North Bend Urban Growth Area Boundary
- Streams
- Rivers or Lakes
- Parcels

An Amendment to North Bend Municipal Code Chapter 18.10.025, *Special Districts*, to provide an amendment to Master Plan Overlay District

To: CED Committee

Date: January 2016

From: Jamie Burrell, Senior Planner

Description/Summary:

Amendments are proposed to North Bend Municipal Code Chapter 18.10.025 *Special Districts*, C. *Master Plan Overlay Districts*, specifically by amending 4. Tanner Junction Master Plan Overlay District (Tanner Junction MPOD). See the attached draft NBMC language for Planning Commission consideration. Amendments to the Tanner Junction Master Plan Overlay District are shown in track changes.

The proposed master plan overlay district provisions provide a process by which a specific layout and compatible mix of uses may be provided which would not be allowed subject to conformance to the underlying zone. A master plan overlay district enables the city and developers to better plan for and accommodate unique site specific opportunities and constraints. The master plan overlay district provisions include a layout map to show the approximate location of future land uses, open spaces, public streets and access points, and regulations to address site specific factors including site access and circulation, building design and orientation, allowable uses, and bulk and dimensional requirements.

Robert E Hibbs on behalf of Rexford R Hibbs Irrevocable Trust, et al submitted the overlay request to the City on September 2, 2015. The proposed overlay is on three parcels currently zoned EP-1 that are located south of SE North Bend Way, at the northeast corner of SE 136th Street to the south and 436th Avenue SE to the west, consisting of 5.93 acres (see attached Figures). The overlay district enables residential development that would not otherwise be permitted in the current EP-1 zone, and will provide a transition of uses to the existing single-family residential properties that surround these properties.

The overlay district request is driven by the applicant who proposes to develop multi-family housing (to be submitted and reviewed IF the overlay is approved), made up of varying size three-story buildings totaling up to approximately 130 units.

The applicant also requested an amendment to NBMC 18.10.040 11a. to allow 12 units per building (rather than 10 which is currently allowed in the code) for a portion of the buildings proposed for the following reasons:

- The current limit of ten units doesn't allow for an efficient or balanced three story structure, it would limit each building to 3 units per floor, which wouldn't provide for implementing the property's highest and best

use in this scenario. Building three stories conserves the land being built upon and allows for more pervious green space on the site.

- An increased number of units per building creates more energy efficiency with lower exterior wall lineal footage per unit.
- Increasing the units to 12 per building, allows for a slightly larger buildings, which can be spaced farther apart and provide for more green space on the site.

Planning Commission Review and Recommendation

On October 28, 2015 SEPA DNS and notification for the November 12, 2015 Public Hearing was issued for the proposed amendment. There were 3 residents that spoke on the issue with concerns primarily about increased traffic along SE 136th Street. There seemed to be a general consensus that residential could be more compatible than light industrial/loading dock type uses. The Planning Commission discussed this expanded overlay further at their December 10, 2015 meeting and a passed the amendment (5-1). The Planning Commission expressed a strong desire to look at extending the evergreen gateway approach further north along 436th Avenue SE and would like to focus on other city gateway area planning in 2016.

Neighborhood Context

In the immediate vicinity, to the north and to the east, properties are zoned EP-1 Commercial and include light industrial, contractor storage, office and retail. The property adjacent to the southeast has recently been approved for HDR under the existing Tanner Junction MPOD. Low Density Residential (LDR) is zoned to the south and to the west of this property. Historical use of the site has been vacant. There are no structures on site.

The City has approved other Overlay Districts in this area and further east to the city limits. The Tanner Junction Master Plan Overlay District (30acres in total) touches this overlay at the east end of Parcel 142308-9132. The existing Tanner Junction Overlay allowed 15 acres to have the option to develop EP-1 or HDR. The Tanner Landing Overlay encompassed 21.35 acres which was previously all EP-1 and now allows for a mix of residential/office commercial with some light industrial uses allowed as well. The East North Bend Overlay has an underlying zone of EP-2 with additional NB uses also allowed on a small portion. EP-2 uses in this overlay prohibit warehousing automotive/vehicular uses, equipment rental, storage facilities, distribution/assembly centers along the E. North Bend Way frontage only, and limit the amount of commercial truck center to 12.5 acres.

Compatibility of Proposed Amendment with North Bend Comprehensive Plan, Growth Management Act and County Planning Policies

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The proposed amendments to the Comprehensive Plan to allow the MPOD are consistent with the North Bend Comprehensive Plan. The Comprehensive Plan, on page 20 of the LU

Element, calls for minimizing and mitigating incompatible land uses between residential and non-residential properties by way of setbacks, landscaping, and design guidelines, and limitations on permitted uses in specific locations. As considered with the proposed allowed uses and performance standards, the amendments are consistent with the Comprehensive Plan.

The Housing Element of North Bend's Comprehensive Plan was developed in accordance with the Growth Management Act and the King County Planning Policies. The Comprehensive Plan calls for a variety of types of housing, which this new development plans to provide. The conceptual plan for the development is to include a mix of 1, 2 and 3 bedroom and 3 bedroom townhouses with a mix of garages and carports. The townhouses, at some point, may later be available for sale.

The 2010 Census shows that North Bend experienced a 21% increase in population since 2000. Since North Bend just emerged from a 10 year building moratorium in 2009 (since it had exceeded its share of water rights), the supply of new housing is low. The Comprehensive Plan Housing Element also states that much of the City's existing housing was built before 1980, which creates a need for new housing supply. The 2015 Draft Comprehensive Plan shows 335 acres of EP-1 zoned lands in the City and UGA, comprising 11% of the total land area of the City and UGA. If the proposed Overlay develops as residential instead of EP-1 it would take 5.93 acres out of EP-1 use (or .01%).

No changes to the functional plans of the city (water, sewer, storm water or shoreline plans) would be necessary as a result of the MPOD being approved. Development to later occur on the site would involve bringing utilities to the site: water would be provided by the Sallal Water Association and sewer is provided under ULID #6, which is currently being paid by the property owner.

No capital improvements by the City of North Bend would be required as a result of the MPOD being approved.

Impacts of Proposed Amendment

NBMC 20.08.070 and .080 require that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

1. **Environmental Impacts.** No significant environmental impacts are anticipated from this proposal to allow three parcels to be included in a MPOD. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site.
2. **Economic Impacts.** Amending the Comprehensive Plan to allow the MPOD may have a positive economic impact to the overall City and to affected properties. Affected property values may be increased by the added development capacity.

Conformance to the applicable Design Standards, performance standards, and all code regulations will be required.

3. **Cultural Impacts.** No significant cultural impacts are anticipated from amending the Comprehensive Plan to allow the MPOD in the vicinity of these properties.
4. **Impacts to Surrounding Properties.** Potential impacts to surrounding properties include traffic and parking, noise, light glare, and visual scale and disharmony to adjacent uses, each evaluated below.
 - a. **Traffic and On-Street Parking.** Applications for any new development will be required to provide a traffic study identifying the impacts of traffic generated from the use to City streets, which the City uses to require appropriate mitigation measures. A change to allow multi-family uses in addition to the commercial and light industrial uses which area already permitted would likely have no increased impact, except that there might be more nighttime activity.
 - b. **Noise.** The overlay will result in more activity and/or households at build-out but noise levels are not expected to be greater than if the sites were developed commercial or industrial. Additional source of noise would likely be from employees, patrons and residents coming and going and deliveries. Additionally, all uses within the City are subject to the Noise Abatement and Control Regulations in Chapter 8.26 of the NBMC. These regulations establish maximum permissible noise levels measured at a property boundary at any time of the day, and establish a lower maximum between the hours of 10pm and 7am.
 - c. **Light glare.** Multi-family may include exterior lighting for parking areas and security around the perimeter of the building and/or property. This lighting, if not properly designed, could create light glare that could negatively impact adjacent residences at night. The City of North Bend has adopted exterior lighting standards in NBMC Chapter 18.40 of the NBMC. All new development is subject to compliance with the exterior lighting standards, which includes requirements to provide full-cutoff lighting fixtures and limitations on light level spillover at property boundaries, with stronger limitations for uses within 50 feet of residential zones. As subject to these standards, light glare will not be permitted to negatively impact surrounding properties.
 - d. **Visual scale and disharmony to adjacent uses.** Performance standards and design standards as well as bulk and dimensional standards will reduce incompatibilities between adjacent uses. The layout and appearance of the HDR buildings include provisions to ensure compatibility to surrounding uses.

RE: Project - Mountain View Master Plan Overlay District

There are 3 main areas that I would like the Planning Commission to address:

Traffic Impact on SE 136th

How to mitigate any potential negative impact on the existing single family approved development, Alpine Estates

Protect Elk migration corridors

Although the commission is accepting public comments, it is difficult to present comments on a project when I'm not clear on what the proposed project encompasses. I understand that the developer is wishing to include multi-family housing. One potential development scenario involved 10 buildings comprised of 16 housing units each. In addition to those, there would also be some form of commercial use building. My comments are based on this potential, but would also be applicable to other project scenarios.

Traffic:

The increase in traffic from a potential of 160 new households, would have a large negative impact if ingress and egress for the development were to be from SE 136th St. 136th is the only access to Alpine Estates and the traffic increase over such a short distance would be very detrimental. The traffic problem will be further compounded by the already approved (I believe) John Day Homes development on Cedar Falls Road.

Mitigating Potential Negative Impact:

Would the developer be required to provide a buffer, be it trees or other method, so as to minimize its effect on the existing homes adjacent to the property. People have chosen a more rural environment in which to live and wish to see this be protected. Large developments often utilize halogen lighting for their outdoor areas, and there will be more noise.

Elk:

Elk have migrated directly through this area for many years. So I am concerned on how this is being addressed.

Jo Ann Kelly



City Council Agenda Bill

SUBJECT:		Agenda Date: February 2, 2016		AB15-012	
An Ordinance Amending North Bend Municipal Code Section 18.10.050, related to Cottage Housing Performance Standards		Department/Committee/Individual			
		Mayor Ken Hearing			
		City Administrator – Londi Lindell			
		City Attorney – Mike Kenyon			
		City Clerk – Susie Oppedal			
		Community & Economic Development – Gina Estep		X	
		Finance – Dawn Masko			
		Public Works – Mark Rigos			
Cost Impact: N/A					
Fund Source: N/A					
Timeline: Immediate					
Attachments: Ordinance (redline)					
<p>SUMMARY STATEMENT:</p> <p>The City of North Bend is proposing an amendment to correct an existing Cottage Housing Performance Standard codified in Table 18.10.050-1.16(f) of the City Code. The erroneous language in the performance standard fails to implement the Council’s intent to create architectural diversity with regard to size and scale of the homes within a development.</p> <p>The Planning Commission (PC) discussed this topic at their November 12, 2015 meeting and held a public hearing on this topic on January 14, 2016, and recommended approval.</p>					
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed the proposed amendments at their January 19, 2016 meeting and recommended approval.</p>					
<p>RECOMMENDED ACTION: MOTION to approve AB15-012, an ordinance amending NBMC 18.10.050 relating to Cottage Housing Performance Standards, as a first and final reading.</p>					
RECORD OF COUNCIL ACTION					
<i>Meeting Date</i>		<i>Action</i>		<i>Vote</i>	
February 2, 2016					

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH BEND,
WASHINGTON, AMENDING NORTH BEND
MUNICIPAL CODE SECTION 18.10.050-1.16(f),
RELATING TO COTTAGE HOUSING
PERFORMANCE STANDARDS; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the Cottage Housing Performance Standards are intended to provide architectural diversity with regard to the scale of the homes within a development; and

WHEREAS, City staff identified subsection 1.16(f) of Table 18.10.050 of the North Bend Municipal Code as containing erroneous language that requires correction to implement the intent of this particular Cottage Housing Performance Standard (“the Cottage Housing Correction”); and

WHEREAS, the Planning Commission reviewed the Cottage Housing Correction at its November 12, 2015, meeting, and also held a public hearing on the Cottage Housing Correction at its January 14, 2016, meeting, and has recommended approval of the Cottage Housing Revision; and

WHEREAS, the Community and Economic Development Council Committee reviewed the Cottage Housing Correction at its January 19, 2016, meeting and subsequently recommended approval thereof; and

WHEREAS, on December 21, 2015, the Cottage Housing Correction was submitted to the Department of Commerce as required by RCW 36.70A.106, and granted expedited review; and

WHEREAS, on December 30, 2015, the City issued a Determination of Non-Significance (DNS) regarding the Cottage Housing Correction as required by the State Environmental Policy Act (Chapter 43.21C RCW) and the Growth Management Act (Chapter 36.70A RCW);

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

Section 1. Table 18.10.050 (Land Use Performance Standards), Amended:
Subsection 1.16(f) of Table 18.10.050 (Land Use Performance Standards) of the North Bend Municipal Code is hereby amended to read as follows:

- f. ~~The second floor of~~For approximately 30 percent or more of the ~~total number of~~ homes, the total floor area shall not exceed 1.5 times the area of the main floor.

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 2ND DAY OF FEBRUARY, 2016.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published:
 Effective:

Susie Oppedal, City Clerk