

ORDINANCE 1771

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SECTION 20.08.060 RELATING TO THE CALENDARING FOR AMENDMENTS TO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 36.70A.470(2) states as follows:

Each county and city planning under RCW 36.70A.040 shall include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130[; and]

WHEREAS, the City desires to clarify the timeline and procedure for docketing and considering on an annual basis proposed amendments to the City's Comprehensive Plan (hereafter "Process for Approval of Docket"); and

WHEREAS, clarification of the Process for Approval of Docket will ensure that the City and the Planning Commission are afforded sufficient time to evaluate proposed comprehensive plan amendments prior to preparing ordinances and holding public hearings on the proposed amendments;

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

Section 1. NBMC Section 20.08.060, Calendar for Amendments to Comprehensive Plan, Amended: North Bend Municipal Code Section 20.08.060 (Calendar for Amendments to Comprehensive Plan) is hereby re-titled "Process for Approval of Docket" and amended to read as follows:

~~20.08.060 Calendar for Amendments to Comprehensive Plan~~
20.08.060 Process for Approval of Docket.

A. Suggested changes to the comprehensive plan shall be considered and acted upon pursuant to the calendar

established in this section, provided, the city council may extend the calendar.

B. ~~During the months of November, December and January,~~
~~t~~~~The director shall review and evaluate all suggested changes to the comprehensive plan and prepare a written report to the planning commission containing the director's recommendation as to each item whether it should be considered by the planning commission during the current cycle.~~

C. The planning commission shall ~~during the month of January and/or February~~ establish a work program for the ~~months of February through April, inclusive, for hearings, deliberations and action upon the comprehensive plan docket list current cycle.~~ The planning commission shall consider but not be limited by the recommendation of the director. The planning commission shall ~~hold hearings as required by law including one hearing in April prior to make~~ its final recommendation to the city council by April for the current year planning commission work program and associated docket recommendation. The ~~planning commission~~ director shall forward ~~its~~ the planning commission's final recommendation for ~~amendments to the comprehensive plan~~ the planning commission's docket to city council ~~no later than the last day in April for review and approval.~~ The recommendations of the planning commission may be summarized in a report prepared by the director, and certified by the chair of the planning commission as accurately stating the recommendations of the planning commission.

D. The city council shall deliberate and may thereafter act upon the docket recommendations of the planning commission. The city council shall consider but not be limited by the recommendations of the planning commission.

E. The failure to comply strictly with the calendar established in this section shall not affect the validity of amendments to the comprehensive plan.

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 MARCH, 2022.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: March 11, 2022

Effective: March 16, 2022

Susie Oppedal, City Clerk