



CITY COUNCIL MEETING*

June 17, 2025 – Agenda

City Hall, 920 SE Cedar Falls Way, North Bend, Washington

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

CONSENT AGENDA:

			Pg.#
1) Minutes	City Council Workstudy of May 27, 2025, Special City Council Meeting of May 29, 2025 & City Council Meeting of June 3, 2025		1
2) Payroll	June 5, 2025 – 77278 through 77289, in the amount of \$405,382.32		
3) Checks	June 17, 2025 – 77290 through 77425, in the amount of \$368,164.40		
4) AB25-065	Motion – Approving Purchase Order with Core & Main	Mr. Rigos	13
5) AB25-066	Ordinance – Amending NBMC Chapter 2.86 Credit Card Policy	Ms. Morse	17
6) AB25-067	Motion – Authorizing Lease with DFW for CED Annex Building	Mr. Rigos	21

AUDIENCE PARTICIPATION: (Please restrict comments to 3 minutes)

COMMISSION AND COMMITTEE REPORTS:

Planning Commission	Community & Economic Development – Councilmember Elwood
Parks Commission	Finance & Administration – Councilmember Gothelf
Economic Development Commission	Public Health & Safety – Councilmember Rustik
Regional Committees	Transportation & Public Works – Councilmember Koellen
	Mayor Pro Tem – Councilmember Joselyn
	Eastside Fire & Rescue Board – Councilmember Gothelf

MAIN AGENDA:

7) AB25-068	Public Hearing Cont., Resolution – Adopting Six Year TIP 2026-2031	Mr. Rigos	35
8) AB25-069	Motion – Confirming Appointment of City Administrator	Mayor Miller	53
9) AB25-070	Motion – Authorizing City Administrator Employment Contract	Ms. Escobar	55
10) AB25-071	Ordinance – Amending NBMC Chapter 18.34 RE Design Standards	Ms. Hepworth	71
11) AB25-072	Ordinance – Amending Form Based Code	Ms. Hepworth	187
12) AB25-073	Resolution – Acknowledging Completion of 2024 Periodic Update	Mr. McCarty	291
13) AB25-074	Motion – Authorizing 1 st Amendment to Sallal Water Supply Agreement	Mr. Rigos	297

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 potential litigation, pursuant to RCW 42.30.110(1)(i)

ADJOURNMENT:



***PLEASE NOTE:** Members of the public may choose to attend the meeting in person or by teleconference. Members of the public attending the meeting in-person will have an opportunity to provide public comment and if attending the meeting by teleconference may submit written comments via in-person drop off, mail, fax, or e-mail to Clerks@northbendwa.gov. All written comments must be received by 5 p.m. on the day of the scheduled meeting and may not exceed 350 words. If an individual requires accommodation to allow for remote oral comment because of a difficulty attending a meeting of the governing body, the City requests notice of the need for accommodation by 5:00 p.m. on the day of the scheduled meeting. Participants can request accommodation to be able to provide a remote oral comment by contacting the City Clerk's Office in person, by phone (425) 888-1211 or by email: Clerks@northbendwa.gov. No other remote public comment will be permitted.

Those wishing to access the meeting by teleconference will be required to have a registered Zoom account and display your full name to be admitted to the online meeting.

Zoom Meeting Information:

To Sign Up for a Zoom Account: <https://zoom.us/join>

Meeting ID: 409 007 2718

Call In Phone Number: 1-253-215-8782

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CITY OF NORTH BEND
CITY COUNCIL WORKSTUDY NOTES

May 27, 2025

City Hall, 920 SE Cedar Falls Way, North Bend, WA

Mayor Pro Tem Joselyn called the meeting to order at 7:00 p.m.

Councilmembers Present: Brenden Elwood, Alan Gothelf, Mark Joselyn, Heather Koellen, Christina Rustik, Suzan Torguson and Errol Tremolada.

Staff Present: Mayor Mary Miller, Interim City Administrator Bob Larson, Community & Economic Development Director James Henderson, Finance Director Martin Chaw, Administrative Services Director Lisa Escobar, Deputy Public Works Director Tom Mohr, Deputy Finance Director Elaine Morse, Planning Manager Mike McCarty, Communications Manager Bre Keveren, Human Resource Manager and Emergency Management Coordinator Erin DeBerg, IT Manager Phillip Davenport, Deputy City Clerk Jennifer Bourlin.

Fiscal Sustainability – Downtown Retail & City Branding

Finance Director Chaw provided a presentation regarding an updated financial forecast that included an updated cost of police services and 2025-2030 financial forecast. Regarding the 2027-2028 budget planning, he provided several options for closing funding gaps including instituting a hiring freeze and freeze on non-essential spending. Councilmanic one time revenue options included utilizing the General Fund reserves, drawing down the fund balance to minimum reserves or borrow from another fund that would need to be repaid within 3 years with prevailing interest. Mr. Chaw then reviewed levy lid lift assumptions that needed to be approved by voters in the 2026 General Election, a multi-year levy lid lift to exceed the 1.0% statutory limit (five years with 5.0% levy limit factor). Mr. Chaw reviewed a handout with detailed existing and remaining revenue options available.

Community & Economic Development Director James Henderson continued the presentation and reviewed the City's economic development strategy and goals as follows:

- Economic Development Goals:
 - Healthy, Thriving Businesses
 - Fiscal Sustainability
 - Housing Opportunities
 - Leverage Tourism, Arts & Recreation
 - Increase Walkability
- Economic Development Strategy
 - Strengthen & Diversify Economic Base
 - Increase & Diversify Housing
 - Invest in Infrastructure

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- Make North Bend a Desirable Place to do Business

Mr. Henderson reviewed local and national risk assessments including Washington State budget shortfalls, unemployment rate and non-farm employment decrease. He stated United States tariffs on imports were at historically high-levels and the International Monetary Fund downgraded it's global growth forecast for 2025 from 3.3% to 2.8%. At the locally City level there are concerns about falling retail sales as tariffs take hold, stubborn vacancies in downtown, Outlet Mall, and Mountain Valley Center in addition to a stagnated housing market in 2024 that resulted in a reduction of permit fees and impact fees to the City. Mr. Henderson then reviewed economic development opportunities along West North Bend Way, East North Bend Way and within the Urban Growth Area including long-term net fiscal impact per capita and impact fee and general facility charge revenue. He also discussed redevelopment sites at Interstate 90 Exit 31 and downtown core on North Bend Way from the 300 block of W North Bend Way to 600 block of E North Bend Way.

Ordinance Amending Residential Impact Fees

Planning Manager Mr. McCarty explained that in 2023, State Legislature passed SB5258 that required cities to scale residential impact fees by June 30, 2025, requiring cities to scale their impact fees for residential construction based on either square footage, number of bedrooms, or vehicle trips generated; examples included condominiums, townhomes, and apartments to make housing more attainable and address housing affordability in Washington State.

Mr. McCarty explained that the City contracted with FCS Group to determine how the City's park and transportation impact fees and bicycle and pedestrian mitigation fees should be scaled to comply. The FCS study scaled impact fees based on residential square footage as it was part of submission requirements for a building permit and is simpler to determine then counting bedrooms or estimating number of generated trips by a new residence. Mr. McCarty concluded by reviewing current impact fees, the scaled impact fee and the difference. The scaled fee structure met the intent of the State because it provides proportionally lower impact fees for smaller residential units. Mr. McCarty stated that this item will be on the main agenda at the June 3, 2025 City Council Meeting.

Interim City Administrator Contract Extension

Administrative Services Director Lisa Escobar explained the reasoning behind extending Interim City Administrator Robert Larson's contract and answered clarifying questions. Ms. Escobar stated that this item will be on the main agenda at the June 3, 2025 City Council Meeting.

Mayor Pro Tem Joselyn recessed the meeting for an Executive Session at 8:36 p.m. to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee (However, subject to RCW 42.30.140(4), discussion by

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a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public), pursuant to RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

No action was anticipated as a result of the Executive Session, which was expected to last thirty minutes and recording of the meeting ceased.

At 9:06 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional thirty minutes.

At 9:36 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional thirty minutes.

At 10:06 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional ten minutes.

At 10:16 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional ten minutes.

The Workstudy was reconvened at 10:27 p.m.

Adjournment

The Workstudy closed at 10:27 p.m.

ATTEST:

Mark Joselyn, Mayor Pro Tem

Jennifer Bourlin, Deputy City Clerk

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NORTH BEND SPECIAL CITY COUNCIL MINUTES

May 29, 2025

City Hall, 920 SE Cedar Falls Way, North Bend, WA

CALL TO ORDER, ROLL CALL:

Mayor Pro Tem Joselyn called the Special Meeting to order at 3:00 p.m.

Councilmembers Present: Elwood, Gothelf, Joselyn, Koellen, Rustik, Torguson (arrived at 3:02 p.m.) and Tremolada.

EXECUTIVE SESSION:

Mayor Pro Tem Joselyn recessed the regular meeting for an Executive Session at 3:02 p.m., to start at 3:06 p.m., to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency, pursuant to RCW42.30.110(1)(i). The Executive Session was expected to last twenty minutes, action may follow and recording of the meeting was paused at this time.

At 3:26 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional 20 minutes.

At 3:46 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional 10 minutes.

At 3:56 p.m. it was announced to audience members outside the adjournment room that the Executive Session was expected to last an additional 5 minutes.

The meeting was called back to order at 4:01 p.m.

Mayor Pro Tem Joselyn recessed the meeting at 4:01 p.m. for a ten minute break. The meeting was reconvened at 4:23 p.m.

Motion Authorizing Police Services Interlocal Agreement

Audio: 00:02

The following individual commented on the agenda item:
Cat Cotton, Councilmember, City of Snoqualmie

Councilmember Elwood **MOVED**, seconded by Councilmember Gothelf to authorize the Mayor Pro Tem to sign an Interim Agreement between the City of Snoqualmie and the

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City of North Bend Regarding Police Services as proposed by the City of Snoqualmie with one revision to Section II(A) to read as follows:

To maintain the status quo of police services, the Parties agree that following sections of the 2019 Renewal Agreement are in effect: II.1, II.2, II.7, II.8, II.9, II.11, II.12, II.13, and II.14. The parties reserve the rights to enforce provisions of the 2019 Renewal Agreement not herein identified. This will remain in effect until terminated with sixty (60) days notice. While this Agreement is effective, the City of North Bend will pay the City of Snoqualmie \$219,849.00 each month to maintain the status quo; the City of North Bend acknowledges this amount may be challenged by the City of Snoqualmie.

The motion **PASSED** 7-0.

ADJOURNMENT:

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

The meeting adjourned at 4:47 p.m.

ATTEST:

Mark Joselyn, Mayor Pro Tem

Jennifer Bourlin, Deputy City Clerk

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NORTH BEND CITY COUNCIL MINUTES

June 3, 2025

City Hall, 920 SE Cedar Falls Way, North Bend, Washington

CALL TO ORDER, ROLL CALL:

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

Councilmembers Present: Elwood, Gothelf, Joselyn, Koellen, Rustik, Torguson and Tremolada.

CONSENT AGENDA:

Minutes – City Council Meeting of May 20, 2025

Payroll – May 20, 2025 – 77229 through 77231, in the amount of **\$319,851.10**

Checks – June 3, 2025 – 77232 through 77277, in the amount of **\$930,291.86**

AB25-053 – Resolution 2150 Authorizing Property Purchase for 2025 Sidewalk Gaps Project

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

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

AB25-054 – Appointments to Salary Commission

Audio: 2:40

Mayor Miller recommended the appointments of Terry Pottmeyer to Position No. 1, Tad Haas to Position No. 2, and Susan Sill to Position No. 3 on the Salary Commission.

Councilmember Joselyn **MOVED**, seconded by Councilmember Torguson to approve AB25-054, confirming the appointment of Terry Pottmeyer to Position #1, Tad Haas to Position #2, and Susan Sill to Position #3 on the Salary Commission, with all terms expiring on June 3, 2026. The motion **PASSED** 7-0.

INTRODUCTIONS:

AB25-055 – Resolution 2151 Awarding Contract for Meadowbrook Improvements Project

Audio: 10:13

Deputy City Administrator/Public Works Director Rigos provided the staff report. City Attorney Mike Kenyon and Bond Counsel Deanna Gregory were on hand to answer questions.

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The following individual commented on the agenda item:

Tyler Litzenberger, Vector Development Company

Councilmember Koellen **MOVED**, seconded by Councilmember Rustik to approve AB25-055, a resolution accepting bids and awarding the construction contract for the Meadowbrook Improvements Project to Northwest Construction, Inc. The motion **PASSED** 7-0.

AB25-056 – Motion Authorizing Amendment No. 2 to G&O Contract **Audio: 42:03**

Deputy City Administrator/Public Works Director Rigos provided the staff report.

Councilmember Koellen **MOVED**, seconded by Councilmember Rustik to approve AB25-056, authorizing the Mayor to execute Amendment No. 2 to the contract with G&O for construction management and inspection services for the Meadowbrook Improvements Project, in an amount not to exceed \$1,160,540, in a form and content approved by the City Attorney. The motion **PASSED** 7-0.

AB25-057 – Ordinance 1830 Authorizing Water & Sewer Revenue Note for Meadowbrook ULID **Audio: 45:46**

Finance Director Chaw provided the staff report.

Councilmember Gothelf **MOVED**, seconded by Councilmember Torguson to approve AB25-057, an ordinance authorizing the issuance and sale of a Water and Sewer Revenue Note related to construction of Meadowbrook ULID No. 7, as a first and final reading. The motion **PASSED** 7-0.

AB25-058 – Public Hearing, Ordinance Amending NBMC 18.34 RE Design Standards **Audio: 48:57**

Associate Planner Hepworth & Planning Manager McCarty provided the staff report.

Mayor Miller opened the Public Hearing on an Ordinance Amending NBMC 18.34 Relating to Design Standards at 8:04 p.m.

Mayor Miller announced a five minute recess at 8:05 p.m.

Mayor Miller called the meeting back to order at 8:10 p.m.

There was no public comment and Mayor Miller closed the hearing at 8:10 p.m.

Councilmember Elwood **MOVED**, seconded by Councilmember Tremolada to postpone to the June 17, 2025 City Council meeting AB25-058, an ordinance amending NBMC Chapter

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18.34 relating to Design Review Standards and Guidelines & Commercial/Mixed Use/Industrial Design Standards and Guidelines, as a first and final reading. The motion **PASSED** 7-0.

AB25-059 – Public Hearing, Ordinance Amending Form Based Code **Audio: 1:12:16**

Associate Planner Hepworth provided the staff report.

Mayor Miller opened the Public Hearing on an Ordinance Amending Form Based Code at 8:20 p.m.

There was no public comment and Mayor Miller closed the hearing at 8:20 p.m.

Councilmember Elwood **MOVED**, seconded by Councilmember Tremolada to postpone to the June 17, 2025 City Council meeting AB25-059, an ordinance amending the North Bend Form-Based Code Regulating Plan, as a first and final reading. The motion **PASSED** 7-0.

AB25-060 – Ordinance 1831 Amending Taxes, Rates & Fees Schedule & NBMC Title 17 RE Impact Fees **Audio: 1:16:24**

Planning Manager McCarty provided the staff report.

Councilmember Gothelf **MOVED**, seconded by Councilmember Torguson to approve AB25-060, an ordinance amending the Taxes, Rates & Fees Schedule and amending NBMC Chapter 17.36, Park Impact Fees; amending NBMC Chapter 17.38, Transportation Impact Fees; amending NBMC Chapter 17.42, Methods to Mitigate Development Impacts, as a first and final reading. The motion **PASSED** 7-0.

AB25-061 – Resolution Acknowledging Completion of 2024 Periodic Update **Audio: 1:21:05**

Planning Manager McCarty provided the staff report.

Councilmember Elwood **MOVED**, seconded by Councilmember Tremolada to postpone to the June 17, 2025 City Council meeting AB25-061, a resolution acknowledging completion of the 2024 Periodic Update consistent with Washington State Growth Management Act. The motion **PASSED** 7-0.

AB25-062 – Ordinance Adopting NBMC 20.09.035 Permit Fee Waivers **Audio: 1:23:20**

Community & Economic Development Director Henderson provided the staff report.

Councilmember Elwood **MOVED**, seconded by Councilmember Tremolada to postpone to the June 17, 2025 City Council meeting AB25-062, an ordinance establishing permit fee

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waivers, as a first and final reading. The motion **FAILED** 0-7 (Elwood, Gothelf, Joselyn, Koellen, Rustik, Torguson, Tremolada).

Councilmember Joselyn **MOVED**, seconded by Councilmember Torguson to postpone to the July 15, 2025 City Council meeting AB25-062, an ordinance establishing permit fee waivers, as a first and final reading. The motion **PASSED** 7-0.

AB25-063 – Resolution 2152 Awarding 2025 Sidewalk Gaps Project

Audio: 1:39:35

Deputy Public Works Director Mohr provided the staff report.

Councilmember Koellen **MOVED**, seconded by Councilmember Rustik to approve AB25-063, a resolution accepting bids and awarding the construction contract for the 2025 Sidewalk Gaps Project to Fury Site Works. The motion **PASSED** 7-0.

AB25-064 – Motion Authorizing Amendment to Interim City Administrator Employment Contract

Audio: 1:45:56

Administrative Services Director Escobar provided the staff report.

Councilmember Joselyn **MOVED**, seconded by Councilmember Koellen to approve AB25-064, authorizing the Mayor to execute a First Amendment to the Employment Agreement with Interim City Administrator Robert Larson, in a form and content acceptable to the City Attorney. The motion **PASSED** 4-3 (Gothelf, Rustik, Torguson).

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Gothelf requested everyone respect the speed limits when driving in town, particularly in areas where children are playing.

Councilmember Rustik noted the Public Health & Safety Committee discussed the problems residents were encountering with e-bikes in the City and requested residents reach out to King County Councilmember Sarah Perry regarding the issue.

Councilmember Joselyn thanked Communications Manager Keveren for her continuing dedication to the City and her incredible efforts on press releases related to last week's actions regarding police services. Additionally, he mentioned the opening of the Farmers Market this Thursday from 4 to 8 p.m. at Si View Park.

Councilmember Tremolada echoed Councilmember Joselyn's comments regarding Ms. Keveren and thanked her for her professionalism.

Councilmember Koellen echoed fellow Councilmembers' comments regarding Ms. Keveren and addressed the issue of e-bikes in the City and suggested educational efforts through local schools.

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Councilmember Torguson echoed fellow Councilmember's comments regarding Ms. Keveren and the continuing issue of e-bikes in the City and suggested community involvement on the issue.

Councilmember Elwood echoed fellow Councilmember's comments regarding Ms. Keveren and discussed the benefit of having alternate motions on agenda bills available for Council consideration. Additionally, he encouraged all to attend the production "The Comedy of Errors" currently playing at Valley Center Stage.

Interim City Administrator Larson encouraged all to attend the June 4th Reception for the City Administrator candidates being held from 6 to 8 p.m. in the Council Chambers at City Hall. Additionally, he echoed Councilmember comments regarding Ms. Keveren

Mayor Miller spoke regarding the following items:

- City Administrator Candidate Reception – June 4th 6 – 8 p.m. @ City Hall
- North Bend Farmers Market – Every Thursday from June 5th – September 11th 4 – 8 p.m. @ Si View Park
- Yard Waste Recycling – June 7th 8 a.m. to Noon @ Public Works
- June 20th Application Deadline for Youth Member Vacancy on Parks Commission

ADJOURNMENT:

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

The meeting adjourned at 9:22 p.m.

ATTEST:

Mary Miller, Mayor

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-065	
Motion Approving a Blanket Purchase Order with Core & Main for Water Meter Replacement Supplies		Department/Committee/Individual			
		Mayor Mary Miller			
		Interim City Administrator – Bob Larson			
		City Attorney – Kendra Rosenberg			
		City Clerk – Susie Oppedal			
		Administrative Services – Lisa Escobar			
		Comm. & Economic Development – James Henderson			
		Cost Impact: \$187,381.23		Finance – Martin Chaw	
Fund Source: Water Operating (401)		Public Works – Mark Rigos, P.E.			
Timeline: Immediate					
Attachments: Purchase Order					
<p>SUMMARY STATEMENT:</p> <p>In 2019 the City began its Water Meter Replacement Program in which aging customer-side water meters were to be replaced with new meters. At the time it was suspected that the meters that were in place were under-registering, not accounting for all of the water that was flowing through them. The goal of the program was to reduce the calculated distribution system leakage (DSL) and reduce lost revenue. Since that time the DSL has dropped from approximately 23% of total water production to approximately 12%. This drop in DSL is due, in part, to the replacement of aging water meters, with aggressive leak detection and repairs as well as an aggressive water main replacement program also providing significant contributions to the reduction. The 2025 approved budget for this water main replacement program is \$187,381.23.</p> <p>The City uses Neptune-brand water meters that are only available through our local supplier, Core & Main. Approval of this purchase order will authorize City staff to purchase the meters and other supplies necessary to continue this program, up to the amount budgeted of \$187,381.23. As of the end of April 2025, approximately 75% of the customer-side meters have been replaced. The program is expected to take an additional two years to complete.</p>					
<p>APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.</p>					
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Transportation and Public Works Committee reviewed this item on May 27, 2025 and recommended approval and placement on the Consent Agenda.</p>					
<p>RECOMMENDED ACTION: MOTION to approve AB25-065, a motion approving a blanket purchase order with Core & Main for water meter replacement supplies, in an amount not to exceed \$187,381.23.</p>					
RECORD OF COUNCIL ACTION					
<i>Meeting Date</i>		<i>Action</i>		<i>Vote</i>	
June 17, 2025					



PURCHASE ORDER

CITY OF NORTH BEND

920 SE Cedar Falls Way
NORTH BEND, WA 98045
(425) 888-1211

TO:
Core & Main Branch 301
10013 MLK JR Way South Seattle, WA 98178
206-722-4800
email: mark.thommasen@coreandmain.com
attn: Mark Thommasen

SHIP TO:
City of North Bend
Attn: Jake Thompson
920 SE Cedar Falls Way
North Bend, WA 98045
(425) 888-1211

P.O. NUMBER:
No. 2025-10
[The P.O. number must appear on all related correspondence, shipping papers, and invoices]

P.O. DATE	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
6/18/2025	Donald DeBerg			Net 30 Days

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
1	CALC	Various sized water meters, gaskets, fasteners, meter boxes, lids, and other supplies	\$171,751.81	\$171,751.81
		necessary to perform work for the Water Meter Replacement Program		
		List three bids, sole source explanation, or contract information (If required):		
		Sole-source supplier for Neptune meters that are compatible with meter reading		
		software and hardware.		Click here to
		Click here to enter text.		Click here to

SUBTOTAL	\$171,751.81
SALES TAX 9.1%	\$15,629.42
SHIPPING AND HANDLING	Included
INSTALLATION	N/A
TOTAL	\$187,381.23

1. Please send two copies of your invoice.
2. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
3. Please notify us immediately if you are unable to ship as specified.
4. Send all correspondence and invoices to:
City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045
425-888-1211
425-831-6200

City of North Bend Authorized Signature 6/18/2025

The following terms and conditions are applicable to all purchase orders issued to a Vendor and entered into by and between the City of North Bend, Washington, referred to as City, and Vendor which are included by reference herein.

1. **Acceptance:** Vendor's acceptance of this order will be presumed unless Vendor acknowledges exception, in writing, to the City within ten (10) calendar days after the date of order.
2. **Anti-Discrimination:** Vendors doing business with the City are prohibited from discriminating against any employee, applicant for employment, or client because of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental or physical handicap.
3. **Assignment:** Vendor cannot assign or subcontract any part of this order without prior written consent of City.
4. **Compliance with Laws:** Vendor shall comply with all applicable federal, state, and City regulations, codes, and laws; and be liable for all required insurance, licenses, permits and bonds; and pay all applicable federal, state, and city taxes.
5. **Default:** In the event of default by the Vendor, the City may procure the goods or services covered by the purchase order from other sources and hold the Vendor responsible for any excess costs and may seek other remedies under law or equity.
6. **Deliveries:** Deliveries are to be made during hours 8:00 a.m. to 4:30 p.m. Monday through Thursday, and 8:00 a.m. to Noon on Friday, excluding holidays, unless otherwise stipulated. Vendor shall notify the City of deliveries that require special handling and/or assistance for off-loading. Failure to notify the City concerning this type of delivery will result in the billing to Vendor of any add-on redelivery, storage, or handling charges.
7. **Excusable Delays:** The City may grant additional time for any delay or failure to perform hereunder if the delay will not adversely impact the best interest of the City and is due to causes beyond the control of the Vendor. The Vendor must provide the City with prompt notification of such delays and the reason for same on or before the time set for performance.
8. **Indemnification:** To the fullest extent permitted by law, the Vendor shall indemnify, defend and hold harmless the City, its agents, officers, employees and volunteers, from and against any and all claims, injuries, damages, losses, suits or liability, (including but not limited to attorney fees and costs of litigation), relating to, arising out of or in connection with the acts, errors, mistakes, omissions, work or services of the Vendor, its employees, agents, subcontractors or assignees in performance of and pursuant to the terms of the purchase order. Should a court of competent jurisdiction determine that this purchase order is subject to RCW 4.24.115, then in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Vendor and the City, its officers, officials, employees, and volunteers, the Vendor's liability hereunder shall be only to the extent of the Vendor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Vendor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this purchase order.
9. **Independent Contractor:** The Vendor shall be and act as an independent contractor, and under no circumstances shall this purchase order be construed as one of agency, partnership, joint venture or employment between the Parties.
10. **Insurance:** If the Vendor is required to go on City property to perform work or services, the Vendor shall assume full responsibility and incur expense to obtain all necessary insurance as required by the City. The Vendor must have secured, maintained and provide the required amount of \$1,000,000 General Liability and \$500,000 Automobile Liability limits and must list the City as an additional insured. The Vendor must have Worker's Compensation coverage as required by law. Any exception to the above stated limits or other requirements must be endorsed and approved by the City Administrator.
11. **Invoice:** Vendor must provide to the City an original invoice in duplicate to the Finance Department. The invoice shall contain the invoice number, item descriptions, quantities, unit prices, and extended totals in addition to any other information specified elsewhere herein. If invoices subject to cash discount are not mailed on the date of shipment, discount period will be calculated from the date the invoice is received.
12. **Jurisdiction:** This purchase order shall be governed, construed and interpreted by, through and under the laws of the State of Washington.
13. **Liability-copyright/patent/trademark:** Vendor shall save and hold harmless the City, its employees and agents from liability for infringement of any United States patent, trademark or copyright for or on account of the use of any product sold to the City or used in the performance of this purchase order.
14. **Litigation Venue:** In the event of any litigation between them, the parties specifically understand and agree that venue shall take be properly laid in King County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit.
15. **Modifications/Changes:** No modifications, substitutions, and/or changes shall be binding upon the City unless approved in writing by the City through a revised purchase order.
16. **Payment:** The City shall pay to the Vendor the price or prices specified in the purchase order upon delivery of the materials, equipment, or supplies and acceptance thereof by the City, or upon completion of the work to be performed and the acceptance thereof, as specified in the purchase order.
17. **Payment Changes:** Payments will only be made to the Vendor at the address as set forth on the invoice unless the Vendor has requested a change thereto on official company letterhead, signed by an authorized officer of the company and approved by an authorized City official.
18. **Price:** Vendor shall charge the City the lowest and best price. If prices decline before receipt of shipment, the revised prices shall govern. Otherwise, invoices shall be approved for payment only at the prices of quotations agreed upon or prevailing at the time the order was placed, unless the City is notified immediately upon receipt of the purchase order and prior to shipment or any increase in price, whereupon the City shall have the right and privilege to cancel the order.
19. **Purchase Order Number:** The purchase order number must appear on all invoices, packing slips, shipping notices, freight bills and correspondence concerning the purchase order.
20. **Quantities:** Quantities specified in the order cannot be changed without City approval. Goods shipped in excess of quantity designated may be returned at Vendor's expense.
21. **Rejections/Reimbursements:** If, within a reasonable time after delivery, the City finds the goods ordered to be defective in workmanship or material or otherwise not in conformity herewith, the City may, in addition to other rights, reject and return such goods at Vendor's expense and such goods may not be replaced by Vendor without written authorization from the City.
22. **Recurring Purchase Order:** If the purchase order is continuing in nature, the City shall pay to the Vendor after receipt of invoices for material, equipment or supplies furnished, or work completed and accepted, as herein provided. The purchase order shall remain open until the not to exceed authorized amount has been depleted.
23. **Severability:** If any part of this purchase order is found by a court to be unenforceable, the remaining provisions shall nonetheless be enforceable to the extent allowed by law.
24. **Shipping and Handling:** All invoices shall include all freight, packing and handling charges. All goods delivered and services shall be free from all liens. Vendor is required to prepay charges and list such on the invoice.
25. **Terms:** By accepting the purchase order, the Vendor agrees that payment terms shall be Net 30 days unless otherwise stated. Payment will be made in accordance with the City's policies and procedures.
26. **Title:** Title for goods and materials shall pass when the goods and materials are inspected and accepted by the City.
27. **Waiver:** Any waiver by the Vendor or the City of a condition in any shipment or breach of any provision of this purchase order by the other party will not be considered a waiver of any other terms of this purchase order or that condition for subsequent shipments or subsequent breach by either party or prevent either party from enforcing any such provision.
28. **Warranty:** For a minimum of one (1) year after delivery to and acceptance by the City, the Vendor warrants that the goods and services furnished hereunder shall conform to the requirements and specifications of this order and shall be of good workmanship and quality, free of all defects and fit for the purpose for which they are intended. Disclaimers of express or implied warranties and limitations of liability from or in connections with Vendor's products ordered hereby will be of no effect unless assented to in writing by City.



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-066
Ordinance Amending North Bend Municipal Code Sections 2.86.020 and 2.86.050 Relating to City's Credit Card Policy		Department/Committee/Individual		
		Mayor Mary Miller		
		Interim City Administrator – Bob Larson		
		City Attorney – Kendra Rosenberg		
		City Clerk – Susie Oppedal		
		Administrative Services – Lisa Escobar		
		Comm. & Economic Development – James Henderson		
		Finance – Elaine Morse		X
Cost Impact: n/a		Public Works – Mark Rigos		
Fund Source: n/a		Information Technology – Phillip Davenport		
Timeline: immediate				
Attachments: Ordinance				
<p>SUMMARY STATEMENT:</p> <p>RCW 43.09.2855 authorizes local governments to use credit cards for making purchases and acquisitions. The City of North Bend Credit Card Policy (“Policy”) is set forth in North Bend Municipal Code (“NBMC”) Chapter 2.86. Updating the Policy to allow for restrictions to authorized use of the credit card and updating payment restrictions related to credit card use will allow flexibility to staff when vendors request or require credit card payment of invoices.</p> <p>Consistent with state statutes, NBMC Chapter 2.86 authorizes City use of credit cards for the purchase of City goods and services. The Finance Department is responsible for the citywide management and issuance of credit cards. The City currently has one credit card account and 22 authorized users. The Policy was initially adopted by Ordinance 1097 in 2000 and updated in part in 2011 and 2013. The current credit card limit is conservative, with a maximum of \$3,000 per user for any one month, with a \$20,000 Citywide limit for any one month.</p> <p>The proposed code updates include a provision to expressly allow the City Administrator or Finance Director to suspend or permanently revoke credit card privileges at any time for misuse, failure to follow policy, or failure to submit required documentation. Further, the proposed code modification will add additional restrictions to NBMC 2.86.050 to prohibit certain credit card purchases such as personal purchases, alcoholic beverages, and purchases that violate City standards, policies and contracts, while allowing for payment of invoices or statements received by the City.</p> <p>Since the enactment of this code chapter in 2000 (25 years ago), the way the City conducts business has changed dramatically and credit cards are routinely used to purchase goods and services. For example, it has become more commonplace for vendors to request payment online for subscription and membership renewals, classes and training courses. There are also instances when payment needs to be made expeditiously, and the use of a credit card allows for greater staff efficiency.</p> <p>RECOMMENDATION:</p> <p>Staff recommend the City Council pass the attached ordinance that will amend NBMC 2.86.020 and .050 to allow restrictions on authorized use and to remove the prohibition from the use of credit cards to pay City invoices or statements.</p>				
APPLICABLE BRAND GUIDELINES: Economic viability balanced budget.				
COMMITTEE REVIEW AND RECOMMENDATION: The Finance and Administration Committee reviewed this item at their May 13, 2025 and June 10, 2025 meetings, and recommended approval and placement on the Consent Agenda.				

City Council Agenda Bill

RECOMMENDED ACTION: MOTION to approve AB25-066, an ordinance amending North Bend Municipal Code Sections 2.86.020 and 2.86.050 related to the City's Credit Card Policy, as a first and final reading.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 17, 2025		

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SECTIONS 2.86.020 AND 2.86.050 RELATING TO CITY CREDIT CARD PURCHASING RESTRICTIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, North Bend Municipal Code (“NBMC”) Chapter 2.86 sets forth City of North Bend (“City”) credit card policy; and

WHEREAS, NBMC 2.86.050 sets forth purchasing restrictions on the use of City credit cards and prohibits credit card payment of invoices or statements received by the City; and

WHEREAS, to provide greater efficiency and flexibility in the payment of City expenses, the City Council now desires to allow for the payment of invoices and statements by credit card consistent with the City’s Purchasing Policy;

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

Section 1. NBMC 2.86.020 (Authorization to use credit cards), Amended: North Bend Municipal Code Section 2.86.020 (Authorization to use credit cards) is amended to read as follows:

2.86.020 Authorization to use credit cards.

Officials, city department heads, and other employees of the city of North Bend, Washington are authorized to use credit cards for official government travel expenses and purchases. Such credit cards are to be used when a purchase order cannot be used and an open charge account is not available. The City Administrator or Finance Director may suspend or permanently revoke credit card privileges at any time for misuse, failure to follow policy, or failure to submit required documentation.

Section 2. NBMC 2.86.050 (Purchasing Restrictions), Amended: North Bend Municipal Code Section 2.86.050 (Purchasing restrictions) is amended to read as follows:

2.86.050 Purchasing restrictions.

The following credit card uses are not authorized:

- A. Cash advances of any kind.
- B. Personal purchases of any kind.
- C. Alcoholic beverages.

- D. Purchases that violate established City standards, policy, contractual agreements, or that may bind the City to contracts without proper authorization.
- ~~B. Payment of invoices or statements received by the city.~~

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 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 17TH DAY OF JUNE, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published:

Effective:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025	AB25-067
Motion Authorizing a Lease Agreement with Washington State Department Fish and Wildlife for Partial Use of the Former Community & Economic Development Annex Building	Department/Committee/Individual		
	Mayor Mary Miller		
	Interim City Administrator – Bob Larson		
	City Attorney – Kendra Rosenberg		
	City Clerk – Susie Oppedal		
	Administrative Services – Lisa Escobar		
	Comm. & Economic Development – James Henderson		
Cost Impact: \$16,800 (Revenue generating for the City)	Finance – Martin Chaw		
Fund Source: General	Public Works – Mark Rigos, P.E.		X
Timeline: July 1, 2025 – June 30, 2026			
Attachments: Lease Agreement, Exhibit A – Floorplan, Vicinity Map			
<p>SUMMARY STATEMENT:</p> <p>The City of North Bend (“City”) owns the building and property at the former Community & Economic Development (“CED”) Annex site located at 126 East 4th Street, North Bend, WA 98045 (tax parcel number 380800-0052). The site area is 3,905 square feet (0.90 acres). The former CED Annex building was built in 1958 and the internal office area is 2,736 square feet. It contains a mini kitchen, two restrooms, approximately seven office areas, several closets, and three common areas. Before it was used as the CED Annex, it served as the City’s library for several decades.</p> <p>Starting in May 2021, the former CED Annex has been leased to Washington State Department of Fish and Wildlife (“DFW”). The current lease includes two offices, a conference room, a large closet functioning as a storage room, and use of common areas including break rooms, a kitchenette, and other common open areas. Exhibit A shows the floorplan of the building’s current uses. The building is located across the street from King County Library and has a white roof (see Vicinity Map).</p> <p>With the new lease agreement, the City will continue to pay HVAC (electrical), janitorial, solid waste, water, sanitary sewer and outdoor maintenance (such as lawn mowing) costs.</p> <p>The proposed lease term is for one year, running from July 1, 2025, to June 30, 2026. City staff is proposing a 5% rate increase from the previous year, from \$16,000/year to \$16,800/year. Because this is only a one-year lease term, a formal market analysis was not conducted. The market analysis performed in late 2021 was the basis for the rate charged in 2022, 2023 and 2024.</p> <p>Snoqualmie – North Bend Police Department previously used this space for a couple years but relocated to the North Bend Outlet Mall about 1.5 years ago. WDF does not use the entire building; the unleased portions are used for storage of City supplies or can be leased to another outside public agency. The property covenant stipulates that the space can only be used by a public entity. At this time, no other public agency has expressed interest to the City in leasing the unused areas of the building.</p> <p>Council approval of this lease agreement is required because the Council body must authorize dispositions of real property interests, including real property leases. The proposed yet to be signed lease agreement is attached.</p> <p>ALTERNATIVES:</p> <p>Alternative #1: Do not approve. Description: Do not renew lease. Financial Impacts: City would forego lease revenue and the building would sit vacant.</p>			

City Council Agenda Bill

<u>Recommendation:</u> Do not recommend.		
Alternative #2: Approve new lease agreement.		
<u>Description:</u> Extends lease to Washington State DFW for another year through June 30, 2026.		
<u>Financial Impacts:</u> City continues to receive lease revenue; continues positive relationship with Washington State DFW.		
<u>Recommendation:</u> Recommend Council approval.		
APPLICABLE BRAND GUIDELINES: Economic viability/balanced budget; Consistent delivery of quality basic services.		
COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the February 25 th , 2025 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.		
RECOMMENDED ACTION: MOTION to approve AB25-067, authorizing the Mayor to execute and administer a Lease Agreement with Washington State Department of Fish and Wildlife for use of the former CED Annex Building, in a form and content approved by the City Attorney.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 17, 2025		

LEASE AGREEMENT

THIS LEASE AGREEMENT (“Agreement”) is entered into by and between the City of North Bend, a municipal corporation, hereinafter referred to as (“Lessor”), and the Washington State Department of Fish and Wildlife, hereinafter referred to as the (“Lessee”), for the purpose of leasing a portion of the City’s Community and Economic Development Annex (“Annex”).

WHEREAS, Lessor agreed to lease to Lessee a portion of the City-owned Annex beginning in 2021; and

WHEREAS, thereafter the parties entered into three lease extensions for said Annex with, the current lease expiring on June 30, 2025, and the parties would like to enter into a new agreement for the lease of the Annex as set forth below:

1. Description of Premises. Lessor hereby leases to Lessee, upon the terms and conditions herein set forth, a 162-square foot portion of the City’s Community and Economic Development Annex (“CED Annex”), located at 126 E. Fourth Street situated in the City of North Bend, King County, Washington. The 162-square foot portion of the CED Annex which is the subject of this Agreement shall hereinafter be referred to as the “Premises”. A depiction of the Premises and its layout within the CED Annex is attached hereto as **Exhibit A** and by this reference fully incorporated herein.

2. Rent. For use of the Premises, Lessee shall pay Lessor the sum of \$16,8000 per year as Base Rent. Base Rent shall be due and payable in equal monthly amounts. Rate for this term has increased by 5%. Lessee shall also be responsible for and shall pay with and in addition to its Base Rent payment a statutory leasehold excise tax of 12.84% of the monthly Base Rent required under RCW 82.29A. Base Rent and Leasehold Excise Tax are collectively referred to as “Rent.” Rent shall be due and payable in full not later than the fifth day of each calendar month during the term of this lease. A \$25.00 late charge shall accrue for any late rent payment.

3. Lease Term. The term of this Agreement shall be for a period of one year, commencing on the 1st day of July, 2025 (“Effective Date”), and ending on the expiration of the 30th day of June, 2026 (“Expiration Date”), unless otherwise renewed, extended, terminated or otherwise modified. At any time prior to the expiration of the Agreement, this Agreement may be renewed upon written mutual agreement between the parties hereto.

4. Ownership. The real property and all improvements and/or permanent fixtures constructed in compliance with Section 10 of this Agreement shall become and remain the property of the Lessor. Upon expiration or termination of this Agreement, the Lessor may require the Lessee to remove at Lessee’s expense any or all improvements or permanent fixtures constructed or installed on the Premises by the Lessee.

5. Default. Failure to comply with any provision of this Agreement renders this Agreement null and void, and gives Lessor the right to terminate Lessee's use of the Premises upon thirty (30) days written notice.

6. Recording. This Agreement may be recorded in the real estate records for King County, Washington.

7. Permitted Uses.

A. Lessee. The portion of the Premises leased to Lessee shall include and be used as follows:

- i. A 10' x 13' office space, without a door, for occupancy by two Lessee enforcement staff;
- ii. A 7' x 9' evidence room to be shared between Lessor and Lessee, with Lessee's portion of the evidence space to account for 32 square feet;
- iii. No on-site parking is permitted by Lessee, its officers, employees, agents, representatives, customers or others who visit the Premises.; and
- iv. No other purposes without the written consent of the Lessor.
- v. Street parking is available on a first come first serve basis

8. Acceptance of Premises. Lessee has examined the Premises and accepts them in their present condition. If the need for emergency repairs to the Premises should occur, including natural disasters, Lessee shall notify Lessor immediately.

9. Reserved to Lessor. Lessor reserves all air rights over the Premises, and the right to install, maintain, use, repair and replace pipes, ducts, conduits and wires as they touch and concern the Premises in a manner that will not materially interfere with Lessee's use thereof of the Premises.

10. Improvements. Lessor reserves the right at any time to make alterations or additions to the Premises; provided, no such actions shall be undertaken in a manner that materially interfere with Lessee's use of the Premises. Lessor also reserves the right to construct other buildings or improvements on the parcel where the Premises is located, to make alterations thereof or additions thereto, and to relocate common areas and to grant easements with respect thereto; provided, no such actions shall be undertaken in a manner that materially interfere with Lessee's use of the Premises. Any construction and/or improvements to the Premises shall be approved by the Lessor and done in conformance with federal, state and local law. Should an improvement be made without the permission of Lessor, Lessor has the right to direct Lessee to remove the improvement within 30 days at Lessee's cost. If the improvement is not removed within 30 days, Lessor may remove the improvement and bill Lessee for all related direct and indirect costs of removal and shall be entitled to full payment

Lease Agreement

for those costs by Lessee. No existing buildings and/or improvements on the Premises may be removed without the approval of the Lessor.

11. Indemnification. Lessee shall defend, indemnify, and hold harmless the Lessor, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Lessee's use of Premises, or from the conduct of Lessee's business, or from any activity, work or thing done, permitted, or suffered by Lessee in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the Lessor. It is further specifically and expressly understood that the indemnification provided herein constitutes the Lessee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated and agreed to by the Lessee and Lessor. The provisions of this section shall survive the expiration or termination of this Lease. The Lessee upon notice from the Lessor, covenants to resist or defend any such action or proceeding by attorneys reasonably satisfactory to the Lessor. The Lessee shall not suffer or give cause for the filing of any lien against the Premises.

12. Insurance. The Lessee shall procure and maintain for the duration of the Lease, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Lessee's operation and use of the leased Premises.

Lessee shall maintain insurance on its own personal property.

13. Insurance Term. The Lessee shall procure and maintain for the duration of the Lease, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Lessee's operation and use of the leased Premises.

14. Minimum Scope of Insurance. The Lessee shall obtain insurance of the types and coverage described below:

- a. Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover premises and contractual liability. The Lessor shall be named as additional insured on Lessee's Commercial General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.
- b. Property insurance shall be written on an all risk basis.

15. Minimum Amounts of Insurance. The Lessee shall maintain the following insurance limits:

- a. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.

Lease Agreement

- b. Property insurance shall be written covering the full value of Lessee's property and improvements with no coinsurance provisions.

16. Other Insurance Provisions. The Lessee's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the Lessor. Any insurance, self-insurance, or self-insured pool coverage maintained by the Lessor shall be excess of the Lessee's insurance and shall not contribute with it.

17. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

18. Verification of Coverage. The Lessee shall furnish the Lessor with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Lessee.

19. Waiver of Subrogation. Lessee and Lessor hereby release and discharge each other from all claims, losses and liabilities arising from or caused by any hazard covered by property insurance on or in connection with the Premises or said building. This release shall apply only to the extent that such claim, loss or liability is covered by insurance.

20. Lessor's Property Insurance. Lessor shall purchase and maintain during the term of the Lease all-risk property insurance covering the Building for its full replacement value without any coinsurance provisions.

21. Notice of Cancellation. The Lessee shall provide the Lessor with written notice of any policy cancellation within two business days of their receipt of such notice.

22. Failure to Maintain Insurance. Failure on the part of the Lessee to maintain the insurance as required shall constitute a material breach of lease, upon which the Lessor may, after giving five business days notice to the Lessee to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Lessor on demand.

23. Lessor Full Availability of Lessee Limits. If the Lessee maintains higher insurance limits than the minimums shown above, the Lessor shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Lessee, irrespective of whether such limits maintained by the Lessee are greater than those required by this Lease or whether any certificate of insurance furnished to the Lessor evidences limits of liability lower than those maintained by the Lessee.

13. Assignment. Neither party shall assign or sublet its rights or responsibilities under this Agreement, with regard to the whole or any part of the Premises without the written authorization of the other party.

14. Hazardous Substances. Lessee shall not, without first obtaining Lessor's prior written approval, generate, release, spill, store, deposit, transport, or dispose of (collectively "Release") any hazardous substances, sewage, petroleum products, radioactive substances, medicinal, bacteriological, or disease-producing substances, hazardous materials, toxic substances or any pollutants or substances defined as hazardous or toxic in accordance with applicable federal, state, and local laws and regulations in any reportable quantities (collectively "Hazardous Substances") in, on or about the premises. Lessee will attach a separate list of Hazardous Substances it proposes to store on site and Lessor must accept the list in writing or the Hazardous Substances cannot be stored on site. In the event, and only in the event, Lessor approves in writing a release of Hazardous Substances on the Premises, Lessee agrees that such Release shall occur safely and in compliance with all applicable federal, state and local laws and regulations. Lessee shall indemnify, hold harmless and defend Lessor from any and all claims, liabilities, losses, damages, clean up costs, response costs, and expenses, including reasonable attorneys fees, arising out of or in any way related to the release by Lessee, or any of its agents, representatives, or employees, or to the presence of such Hazardous Substances in, on or about the Premises occurring at any time after the effective date of this Agreement to the full extent of Lessee's liability therefore.

15. Maintenance and Upkeep. Lessee shall be responsible for maintaining the Premises, and keeping them clean and in a good state of repair at all times; provided, however, Lessor shall provide and pay for janitorial services to the Premises at the same level of service as provided to other City properties. Lessee shall be responsible to immediately report to Lessor all hazardous or potentially dangerous conditions at the Premises or otherwise at the CED Annex building.

16. Condition of Premises upon Termination.

Lessee shall, upon the termination of this Lease, surrender the Premises to Lessor broom clean, in good condition and repair, except for ordinary wear and tear and for damage covered by Lessor's fire and extended coverage insurance. All or any of the alterations or improvements to the Premises as chosen by Lessor (excluding trade fixtures installed by Lessee) shall, at Lessor's option, either (a) become part of the Premises and belong to Lessor and shall be surrendered with the Premises without disturbance upon the termination of the Lease, or (b) be removed by Lessee prior to the termination of this Lease, in which event Lessee shall restore the area to the condition it was in immediately prior to the date Lessee took possession of the Premises.

17. Liens. Lessee shall keep the Premises free from liens arising out of obligations incurred by Lessee. Upon written request from Lessor, Lessee will furnish written proof of payment of any charge which, if not paid, could provide the basis for a lien on the Premises.

Lease Agreement

18. Access for Inspection and Upkeep. Lessor reserves the right to inspect the premises at a reasonable time and with or without reasonable notice. Lessee may be present during such times.

19. Compliance with all Laws and Regulations. In using the Premises, Lessee shall comply with all applicable laws, ordinances and regulations from any and all authorities having jurisdiction.

20. Utilities and Taxes. The Lessor shall pay for all utility services relating to use of the Premises.

21. Severability. If any provision of this Agreement is held to be invalid, the remainder shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable law, and shall continue in force and effect

22. Waiver. It is hereby agreed that no waiver of any condition or covenant in this Agreement, or any breach thereof, shall be taken to constitute a waiver of any subsequent breach.

22. Destruction of Premises. If the Premises are completely or partially destroyed by fire or other casualty, or if they are damaged by an uninsured casualty, or by an insured casualty to such an extent that the damage cannot be repaired within sixty (60) days of the occurrence, Lessor shall have the option to restore the Premises or to terminate this Agreement on thirty (30) days written notice, and Lessee shall have the option to terminate this Agreement on thirty (30) days written notice, effective as of any date not more than sixty (60) days after the occurrence. If this Section becomes applicable, Lessor shall advise Lessee within thirty (30) days after such casualty whether Lessor elects to restore the Premises or to terminate this Agreement. If Lessor elects to restore the Premises, it shall commence and prosecute the restoration work with diligence. For the period from the date of the casualty until completion of the repairs (or the date of termination of this Agreement if Lessor elects not to restore the Premises), the monthly minimum rent shall be abated in the same proportion that the untenable portion of the Premises bears to the whole thereof, unless the casualty results from Lessee's negligence or its breach of its obligations under this Agreement

23. Authority to Execute Agreement. The Mayor of North Bend, Washington (Lessor), and the Michele Brady, Facilities Manager, of the Washington State Department of Fish and Wildlife (Lessee) warrant that they are each authorized to execute this Agreement.

24. Notice. Any written notice required or permitted be given herein shall be made registered or certified U.S. mail, or by delivery in person to the party which is the intended recipient of the notice, at the following addresses or to such other respective addresses as either party hereto may from time to time designate in writing.

Lease Agreement

Notices to the Lessor shall be sent to the following address:

City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045

Notices to the Lessee shall be sent to the following address:

Michele Brady, Facilities Manager
Washington State Department of Fish and Wildlife
600 Capital Way North
Olympia, WA 98502

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

CITY OF NORTH BEND

WASHINGTON STATE DEPARTMENT
OF FISH AND WILDLIFE

By: _____
Mary Miller, Mayor

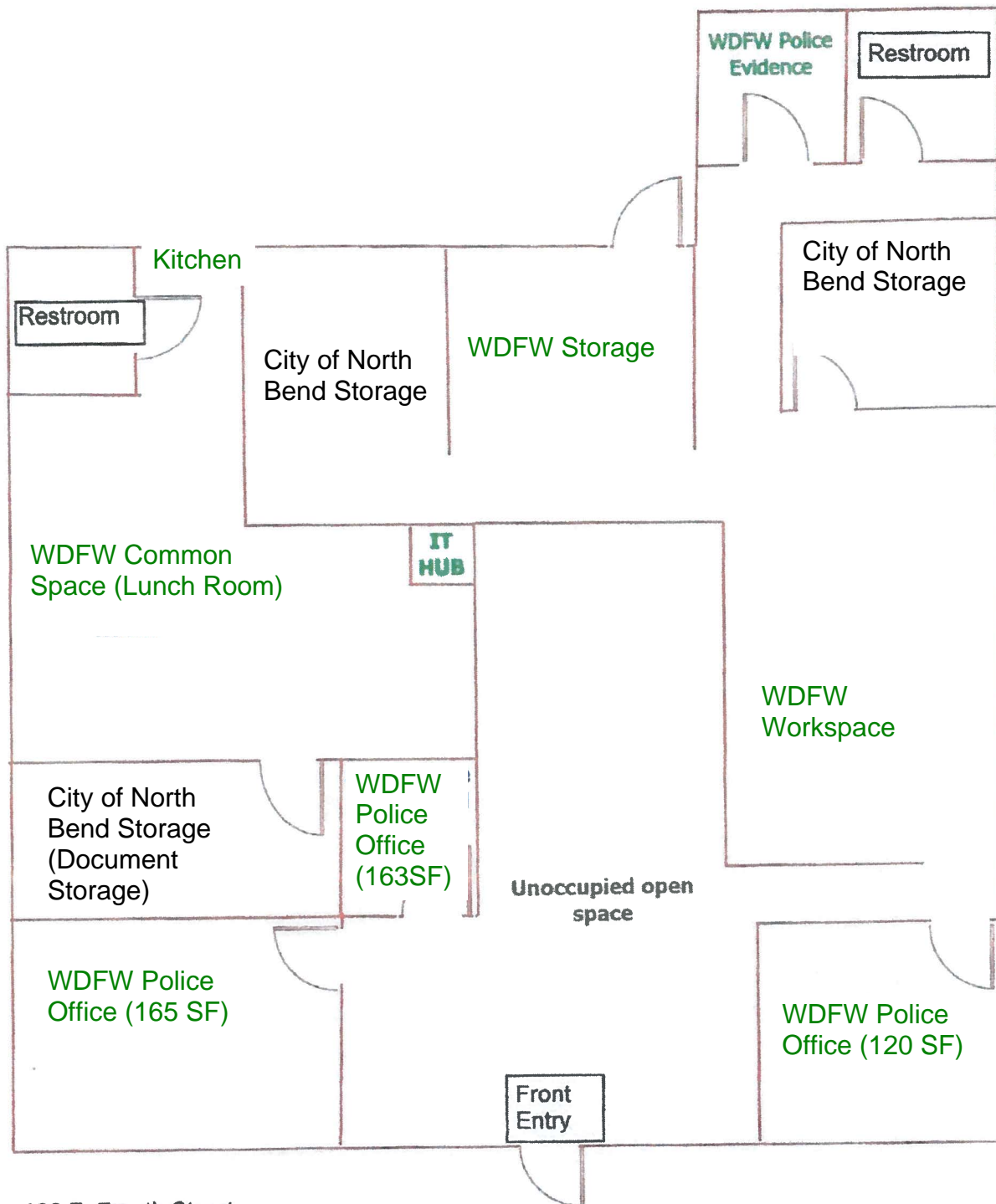
By: _____
Michele Brady, Facilities Manager

Approved as to Form:

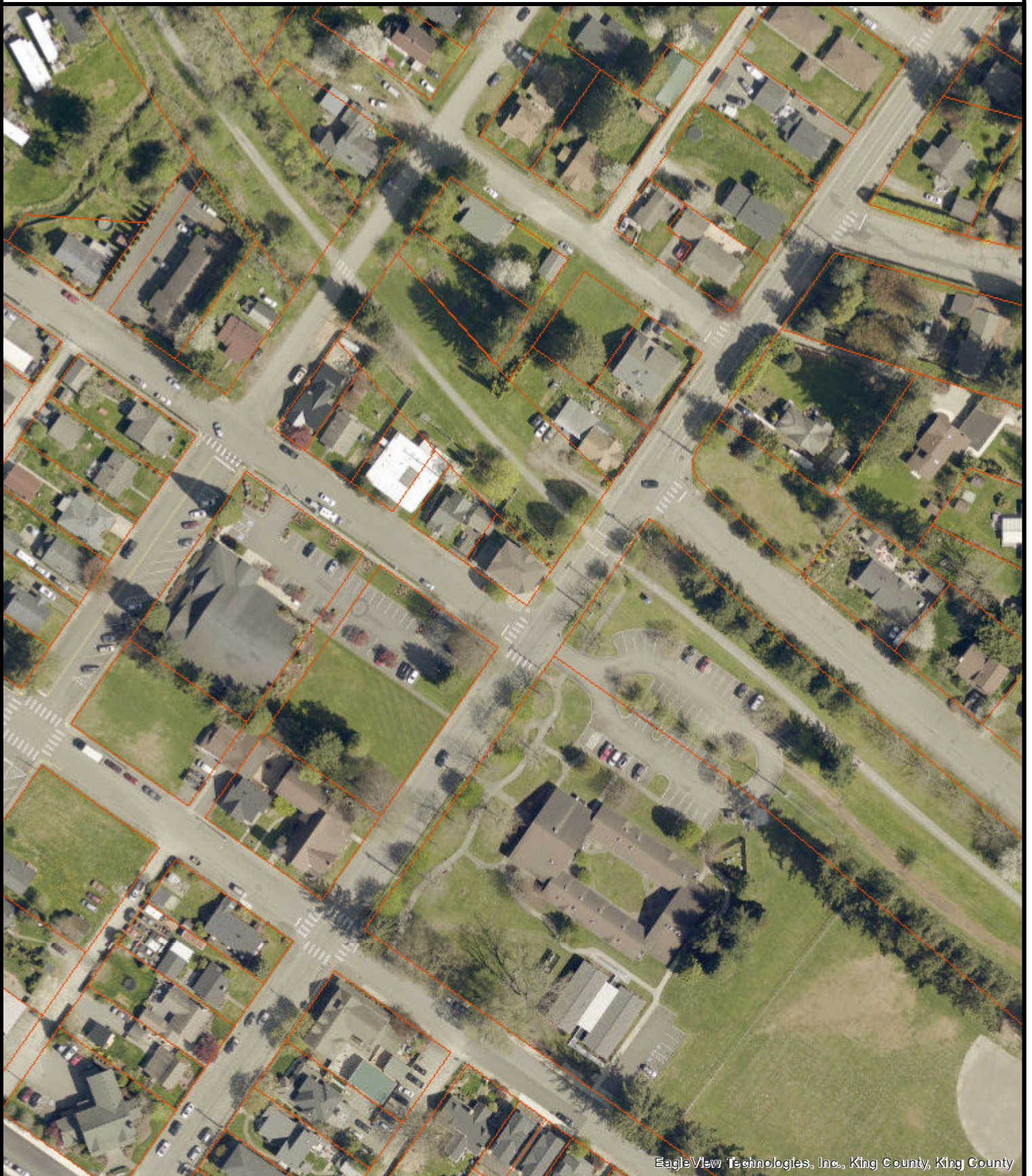
Kendra Rosenberg, City Attorney

Exhibit A - Depiction of Leased Premises

Lease Agreement



126 E. Fourth Street
North Bend WA 98045



EagleView Technologies, Inc., King County, King County

The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 2/19/2025

Notes:



King County



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-068	
Public Hearing Cont., Resolution Adopting 2026-2031 6-Year Transportation Improvement Plan (TIP)		Department/Committee/Individual			
		Mayor Mary Miller			
		Interim City Administrator – Bob Larson			
		City Attorney – Kendra Rosenberg			
		City Clerk – Susie Oppedal			
		Administrative Services – Lisa Escobar			
		Comm. & Economic Development – James Henderson			
		Finance – Martin Chaw			
Cost Impact: Approximately \$68.6 Million		Public Works – Mark Rigos, P.E.		X	
Fund Source: TIF, TBD, Storm, Streets, REET, Grants					
Timeline: Immediate					
Attachments: Resolution, TIP Table, TIP Narrative, TIP Map, Public Hearing Notice					
SUMMARY STATEMENT:					
<p>Every year as required by Washington State law, RCW 35.77.010, each city in Washington must develop and adopt a 6-Year Transportation Improvement Plan (TIP). This program lays out a plan for improving and maintaining each respective city’s transportation system encompassing streets, trails and mass transit. Associated with each project is a financial program to support the proposed improvements. The TIP is a planning tool required by State law to ensure that each city continually has available advanced plans as a guide in carrying out a coordinated transportation plan. The law requires that each city holds an annual public hearing to adopt a 6-year TIP. The adopted TIP is then sent out to adjacent local jurisdictions and utility districts to coordinate projects, as well as to the State for incorporation into the Statewide TIP (STIP).</p>					
<p>There are several benefits derived from the annual update and adoption of a TIP. These include:</p> <ul style="list-style-type: none">• The TIP is a management tool for city council and city staff.• It provides valuable information to committees, commissions, citizens, developers and businesses interested in the development of the city.• It assists in leveraging available resources through improved timing of projects and improved coordination of city projects with those of private and other public entities.• It helps to protect a city’s current infrastructure and to plan for new infrastructure.• Many grant sources require that projects be adopted in the city’s TIP prior to grant application.					
<p>The City of North Bend’s (“City”) 2026-2031 TIP is part of the framework for the City’s Capital Investment Program (CIP). The TIP is included in the City’s overarching CIP as the CIP includes parks projects, facilities projects, water projects, sanitary sewer/WWTP projects, and surface water / storm drainage projects. Essentially, the TIP is a plan to improve public transportation facilities. North Bend’s TIP is a 6-year plan that identifies capital projects, their costs, and funding sources. Staff prepares the TIP and presents it to City Council each year for review and adoption.</p>					
<p>Back in 2013, City staff assigned a project number to each transportation capital project. The ‘T-xxx’ numbers shown below are not project priorities, they are tracking numbers. Project priority numbers are different, as they change from year-to-year depending upon what projects were completed, what projects were removed, and changing priorities from City Council and City staff. Priority numbers are shown on the attached TIP Map and TIP Table. Below is a list of projects that have been completed in recent years (I), active construction projects (II), and significant changes from last year’s TIP (III).</p>					

City Council Agenda Bill

I. Substantially Completed Recent Transportation Projects (year completed) are:

- T-062: Railroad Crossing Improvements (2025)
- T-030: NW 14th Street Widening and Reconstruction West of Bendigo Blvd (Phase 2) (2025)
- NA: 2025 Sidewalk Gaps
- T-001: SE 140th Street Sidewalk on North Side (Eagles Nest Pl SE to Mori Estates) (2025)
- T-063: SR202 Sidewalk Gap Project (RR crossing to North Bend Way) (2025)
- T-059: North Bend Way Bridge 3 and 4 Deck Replacement (2025)
- T-032: Orchard Drive Sidewalk between Meadow Dr. and Riverside Dr. - South Side (2024)
- T-047: North Bend Way Re-Channelization West of Tanner Road Intersection (2024)
- T-057: SE 140th Street Sidewalk on North Side (NBW to Tanner Falls Frontage) (2024)
- T-054: Old Si View to New Si View Pedestrian Connection (2024)
- T-039: Roundabout at 436th Avenue SE / SE 136th Street intersection (2023)
- T-031: Cedar Falls Way / Stilson Avenue Sidewalk and Crosswalks (2023)
- T-050: Cedar Falls Way / Maloney Grove Ave. Crosswalk Improvements (2023)
- T-026: Alm Way Bridge Removal (2023)
- T-033: Mid-Block Crosswalk Across Maloney Grove Avenue Near Cedar Falls Plat (2023)
- T-019: Roundabout at North Bend Way / 436th Avenue SE Intersection (2022)
- T-048: Mid-Block Crosswalk across NBW for Snoqualmie Valley Trail (2022)
- T-013: 2nd Street Sidewalk and Storm Drainage Improvements (2022)
- T-007: North Bend Way C&G/Landscape South Side (2022)
- T-040: Left Turn Pocket on Park Street to Bendigo Blvd. (2022)
- T-035: Park Street Mid-Block Pedestrian Crossing at Healy Ave (2020)
- T-008: Roundabout at North Bend Way / Park Street / Downing Avenue (2020)
- T-043: Paved Walk from Cedar Falls Way / Maloney Grove Ave Inter. to City Hall (2019)
- T-002: Re-alignment of Tanner Road Intersection with North Bend Way (2019)
- T-009: NE 12th Street Widening from Ballarat Avenue to Pickett Avenue (2018)
- T-003: Downtown Plaza at NBW and Main Avenue (2017)
- T-006: North Bend Way C&G/Landscape (Ballarat Ave to Downing Ave) North Side (2017)
- T-010: Right Turn Lane, Northbound Bendigo Blvd. at Park Street (2016)
- T-014: NW 14th Street Widening from Bendigo Blvd. to Boalch Avenue (2016)
- T-011: Cedar Falls Way Separated Walkway (2016)

II. Active Transportation Projects (in design or construction) are:

- T-045: Roundabout at SR-202 and Mt Si Blvd Intersection
- T-021A: South Fork Ave. Ext. – Bendigo to NW 8th Street Roundabout (Nintendo Bypass)
- T-021B: South Fork Avenue Levee Setback
- T-056: Roundabout (Starfish)) at North Bend Way / NW 8th Street Intersection
- T-017: Roundabout at 468th Avenue SE / Middle Fork Road / SE 140th Street Intersection
- T-061: Tanner Trail Phases 2 and 3 Construction
- T-020: Roundabout at North Bend Way / Mt Si. Road Intersection
- T-044: SR-202 Shared Use Path with Ped. Bridge over SF Snoq. River (WWTP Frontage)
- T-046: McClellan Alley Improvements and Bendigo Sidewalks

III. Significant Changes from 2025-2030 TIP to 2026-2031 TIP are:

- Completing construction of several projects in 2025 (see above) and removed them from the next 6-year TIP. The TIP is a forward looking document.
- Moved 2 RRFB's at Park Street Roundabout from priority #12 to #7
- Moved project T-055 Cedar Falls Way Pedestrian Improvements up the priority list
- Moved project T-034 Park and Main Intersection Improvements up the priority list

City Council Agenda Bill

- Added 2026 Sidewalk Gaps Project to the list. Projects TBD later in 2025.

Before the new 6-year TIP is adopted by City Council (which is scheduled for June 17, 2025), a public hearing was held on May 20, 2025 and remains open to solicit public input on this year's TIP.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: The Transportation and Public Works Committee reviewed this item on April 22, 2025 and May 27, 2025 and recommended approval and placement on the Main Agenda for discussion

RECOMMENDED ACTION: **MOTION to approve AB25-068, a resolution adopting the 6-Year Transportation Improvement Plan 2026 – 2031, as a final reading.**

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
May 20, 2025	Public Hearing & 1 st Reading	7-0
June 17, 2025		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING THE 2026-2031 6-YEAR TRANSPORTATION IMPROVEMENT PLAN

WHEREAS, State Law (RCW 35.77.010) requires that the City adopt and annually update a 6-Year Transportation Improvement Plan (TIP); and

WHEREAS, RCW 35.77.010 also requires that a public hearing be held prior to the adoption or update of the TIP, and requires that the adopted TIP be filed with the Washington State Department of Transportation; and

WHEREAS, on May 20, 2025, the City Council held a public hearing on the proposed 2026-2031 TIP;

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

Section 1. The City Council does hereby approve the 2026-2031 6-Year Transportation Improvement Program, a copy of which is attached hereto and incorporated herein by this reference.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF
JUNE, 2025.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

Effective:
Posted:

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk

City of North Bend 6-Year Transportation Improvement Plan (TIP) 2026-2031

City TIP Project #	2025 TIP Priority #	Year Planned (2025-2030)	2026 TIP Priority #	Year Planned (2026-2031)	Project Name	Estimated Costs for 2026-2031 TIP			Estimated Costs Beyond 2031	Funding Breakdown					
						Design Costs	Construction Costs	Total Costs		Design and Construction Costs	Federal	State	County	Local	
2025 TIP Approved by City Council 6/18/24						2026 TIP will be Presented to City Council 6/17/25									
T-044	2	2025	1	2025/2026	SF202 Shared Use Path with Pedestrian Bridge over SF Snoqualmie (WWTP Frontage)	\$ 467,597	\$ 5,000,000	\$ 5,467,597	\$ -	\$ 404,471	\$ -	\$ -	\$ 5,063,126		
T-021A	6	2026	2	2026	South Fork Ave Extension - Bendigo to NW 8th Street (Nintendo Bypass)	\$ 600,000	\$ 5,050,000	\$ 5,650,000	\$ -	\$ -	\$ -	\$ -	\$ 5,650,000		
T-056	5	2026	3	2026	North Bend Way/NW 8th Street Roundabout (Starfish Roundabout)	\$ 600,000	\$ 4,250,000	\$ 4,850,000	\$ -	\$ -	\$ 4,244,612	\$ -	\$ 605,388		
T-055	17	>2030	4	2026/2027	Cedar Falls Way Pedestrian Improvements (Maloney Grove Ave to 438th Ave SE)	\$ 332,000	\$ 3,118,000	\$ 3,450,000	\$ -	\$ -	\$ 2,494,400	\$ -	\$ 955,600		
T-020	3	2026	5	2026	Roundabout at North Bend Way / SE Mount St Road Intersection	\$ 500,000	\$ 2,300,000	\$ 2,800,000	\$ -	\$ 2,422,000	\$ -	\$ -	\$ 378,000		
T-061	9	2025	6	2026	Tanner Trail Phase 2 and 3 Construction	\$ 225,000	\$ 1,350,000	\$ 1,575,000	\$ -	\$ 1,962,375	\$ -	\$ -	\$ 212,625		
T-070	NA	NA	7	2026/2027	2 RRBs at Park Street Roundabout	\$ 25,000	\$ 200,000	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ 225,000		
T-034	12	2028	8	2028	Park Street Corridor Re-Channelization (add center turn lane and relocate 1 sidewalk) (possibly acquire ROW and relocate sidewalk) Includes Park and Main Project	\$ 400,000	\$ 3,000,000	\$ 3,400,000	\$ -	\$ -	\$ 2,720,000	\$ -	\$ 680,000		
T-046	4	2027	9	2027	McClellan Alley Improvements and Bendigo Sidewalks	\$ 1,200,000	\$ 7,000,000	\$ 8,200,000	\$ -	\$ 7,093,000	\$ -	\$ -	\$ 1,107,000		
T-045	1	2026	10	2027	Roundabout at SR202 and Mt. St Blvd.	\$ 1,380,610	\$ 5,800,000	\$ 7,180,610	\$ -	\$ 6,211,228	\$ -	\$ -	\$ 969,382		
TBD	37	2025	11	2028	2028 Sidewalk Gap Project(s)	\$ 150,000	\$ 850,000	\$ 1,000,000	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000		
T-017	10	2027	12	2028	Roundabout at 488th Avenue SE / Middle Fork Road Intersection	\$ 400,000	\$ 2,400,000	\$ 2,800,000	\$ -	\$ 2,422,000	\$ -	\$ -	\$ 378,000		
T-049	8	2028	13	2029	NW 8th Street Widening and Sidewalk between NBW and Bendigo Blvd	\$ 500,000	\$ 2,250,000	\$ 2,750,000	\$ -	\$ 2,376,750	\$ -	\$ -	\$ 371,250		
T-038	11	2029	14	2030	Downtown Parking Lot/Garage	\$ 400,000	\$ 2,800,000	\$ 3,200,000	\$ -	\$ -	\$ -	\$ -	\$ 3,200,000		
T-071	15	2026	15	2026	Pedestrian Level Lighting along Tanner Trail (Downtown to Cedar Falls Way)	\$ 25,000	\$ 175,000	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ 200,000		
T-021B	7	2026	16	2031	South Fork Lewis Subback	\$ 1,700,000	\$ 7,500,000	\$ 9,200,000	\$ -	\$ -	\$ 4,350,000	\$ 4,350,000	\$ 500,000		
T-072	16	2027	17	2027	City Wide Intersection Lighting Study and Prioritized Projects	\$ 100,000	\$ 900,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000,000		
T-015	18	>2030	18	>2031	Ballarat Avenue Widening and Sidewalk from NE 6th to NE 12th Street	\$ -	\$ -	\$ -	\$ 1,550,000	\$ -	\$ 775,000	\$ -	\$ 775,000		
T-052	28	>2030	19	>2031	Tanner Road Improvements (north of North Bend Way)	\$ -	\$ -	\$ -	\$ 900,000	\$ -	\$ -	\$ -	\$ 900,000		
T-025	20	>2030	20	>2031	SE 146th Street Reconstruction from 488th Ave SE to East City Limits	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ 400,000	\$ -	\$ 400,000		
T-064	31	>2030	21	2026	North Bend Way Complete Streets Seg 1 (Western City Limits to SF Snoqualmie Bridge)	\$ 120,000	\$ 1,102,584	\$ 1,222,584	\$ -	\$ -	\$ 1,002,519	\$ -	\$ 220,065		
T-065	32	>2030	22	>2031	North Bend Way Complete Streets Seg 2 (SF Snoqualmie Bridge to Park Street Roundabout)	\$ -	\$ -	\$ -	\$ 1,569,304	\$ -	\$ 1,000,000	\$ -	\$ 569,304		
T-066	33	>2030	23	>2031	North Bend Way Complete Streets Seg 3 (Park Street Roundabout to Cedar Falls Way Roundabout)	\$ -	\$ -	\$ -	\$ 607,971	\$ -	\$ 500,000	\$ -	\$ 107,971		
T-067	34	>2030	24	>2031	North Bend Way Complete Streets Seg 4 (Cedar Falls Way Roundabout to SE 140th Street)	\$ -	\$ -	\$ -	\$ 17,132,273	\$ 10,279,364	\$ 1,000,000	\$ -	\$ 5,852,909		
T-068	35	>2030	25	>2031	North Bend Way Complete Streets Seg 5 (SE 140th Street to 488th Ave SE)	\$ -	\$ -	\$ -	\$ 12,172,659	\$ 7,303,595	\$ 1,000,000	\$ -	\$ 3,869,064		
T-022	25	>2030	26	>2031	South Fork Ave SE Extension - New Bridge across SF Snoqualmie River (Mt. St Blvd to Maloney Grove Avenue SE) including separated pedestrian walkway	\$ -	\$ -	\$ -	\$ 23,000,000	\$ 11,000,000	\$ 10,000,000	\$ -	\$ 2,000,000		
T-069	36	>2030	27	>2031	SF Snoqualmie River Pedestrian Bridge Upstream of Bendigo Blvd near Senior Center	\$ -	\$ -	\$ -	\$ 4,000,000	\$ 3,460,000	\$ -	\$ -	\$ 540,000		
T-041	23	>2030	28	>2031	Left Turn Pocket on 438th Avenue to Cedar Falls Way, including Sidewalks	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000		
T-024	22	>2030	29	>2031	SE 18th Street Extension (Maloney Grove Ave SE to 438th Ave SE)	\$ -	\$ -	\$ -	\$ 3,600,000	\$ -	\$ 1,800,000	\$ 1,100,000	\$ 700,000		
T-027	13	2029	30	>2031	Bendigo Blvd. Traffic Reconfiguration (3rd Street to NBW)	\$ -	\$ -	\$ -	\$ 350,000	\$ -	\$ -	\$ -	\$ 350,000		
T-023	24	>2030	31	>2031	SE 146th Street / 468th Avenue SE Intersection Improvements	\$ -	\$ -	\$ -	\$ 2,800,000	\$ -	\$ 1,400,000	\$ -	\$ 1,400,000		
T-042	26	>2030	32	>2031	Roundabout at Cedar Falls Way / Maloney Grove Avenue Intersection	\$ -	\$ -	\$ -	\$ 2,800,000	\$ 2,422,000	\$ -	\$ -	\$ 378,000		
T-028	21	>2030	33	>2031	North Bend Way / Ballard Ave All Way Stop or Traffic Signal	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ -	\$ -	\$ 800,000		
T-051	27	>2030	34	>2031	NE 8th Street Storm and Reconstruction Project	\$ -	\$ -	\$ -	\$ 850,000	\$ -	\$ -	\$ -	\$ 850,000		
NA	NA	NA	35	>2031	Cedar Falls Way North Side Paved Shoulder Widening (City Hall to Maloney Grove Avenue)	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000		
					Sidewalk Trip Hazard Elimination - Annual funding \$200k	\$ -	\$ 1,200,000	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ 1,200,000		
					Pavement Overlay Program - Annual funding \$445k	\$ -	\$ 2,670,000	\$ 2,670,000	\$ -	\$ -	\$ -	\$ -	\$ 2,670,000		
					Pavement Maintenance including crack seal, chip seal, sealcoat, etc. - Annual funding \$30k	\$ -	\$ 180,000	\$ 180,000	\$ -	\$ -	\$ -	\$ -	\$ 180,000		
					Alley Reconstruct and Paving - Annual funding \$69k	\$ -	\$ 414,000	\$ 414,000	\$ -	\$ -	\$ -	\$ -	\$ 414,000		
					Totals	\$ 9,125,207	\$ 59,509,584	\$ 68,634,791	\$ 73,632,207	\$ 56,756,783	\$ 33,186,531	\$ 5,450,000	\$ 46,871,684		

City of North Bend 6-Year Transportation Improvement Plan (TIP) 2026-2031

Completed Projects thru 2025 or Removed Projects		
T-042	2025	Railroad Crossings Improvements
T-030	2025	NW 14th Street Widening and Reconstruction West of Bendigo Blvd. (Phase 2)
NA	2025	2025 Sidewalk Gaps Projects (5th, 6th, Main, Thrasher, North Bend Way (Dallgren to SVT), North Bend Way (Tanner to 140th))
T-001	2025	SE 140th Street Sidewalk on North Side (Eagles Nest Pl SE to Mont Estates)
T-063	2025	SR202 Sidewalk Gap Project (RR Crossing to North Bend Way)
T-059	2025	North Bend Way Bridge 3 and 4 Deck Replacement
NA	2024	Overhead to Underground of Power/Communications from Park Street Roundabout to Entrance to Torguson Park - included with T-066
T-057	2024	SE 140th Street Sidewalk on North Side (North Bend Way to Tanner Falls Frontage)
T-063	2024	CRW South Side Sidewalk (Mountain View Blvd SE to Mt. Teneriffe Dr SE)
T-047	2024	North Bend Way Rechannelization between SVT and Tanner Road
T-032	2024	Orchard Drive Sidewalk between Meadow Dr and Riverside Dr. on South Side
T-033	2023	Mid-Block Crosswalk across Maloney Grove Avenue near Cedar Falls Plat entrance
T-054	2023	Old St View to New St View Pedestrian Connection
T-050	2023	Cedar Falls Way / Maloney Grove Avenue Crosswalks
T-031	2023	Mid-Block Crosswalk across Cedar Falls Way near Silson Ave. and Silson Ave Sidewalk to Opstad Elementary School
T-026	2023	Alm Way Bridge Removal
T-039	2023	Roundabout at 436th Avenue SE / SE 136th Street Intersection
T-048	2022	Mid-Block Crosswalk across North Bend Way for Shoo, Valley Trail near Tanner Road
T-019	2022	Roundabout at North Bend Way / 436th Avenue SE Intersection
T-013	2022	2nd St Sidewalk and Storm Drain Improvements (Ballarat Avenue to Bendigo Blvd)
T-007	2022	North Bend Way C&Glandscaper (Ballarat to Downing) South Side
T-040	2022	Left Turn Pocket on Park St to Bendigo Blvd. and Traffic Signal Re-calibration
T-035	2020	Park Street Pedestrian Crossing at Healy
T-016	2023	Roundabout at Bendigo Blvd/4th Street Intersection
T-029	2020	Picket Avenue Extension
T-018	2019	SW Mount St Blvd Reconstruct with concrete
T-035	2018	NSW 4 Travel Lanes & Planter Median between CF RAB and Park St RAB
T-008	2019	Roundabout at North Bend Way / Park Street / Downing Avenue Intersection
T-002	2019	Tanner Road Realignment with North Bend Way (Developer Project)
T-037	2019	Volition Alley Improvements
T-043	2019	Cedar Falls Way Separated Walkway between Maloney Grove Ave and City Hall
T-009	2018	NE 12th Street Widening (Ballarat to Pickett)
T-003	2017	Downtown Plaza (NSW and Main Avenue)
T-006	2017	North Bend Way curb, gutter, sidewalk, landscape (Ballarat Ave to Downing Ave) north side only
T-010	2016	Right Turn Lane from Bendigo Blvd. onto Park Street
T-014	2016	NW 14th Street Widening from Bendigo Blvd. to Boalch Ave NW
T-011	2016	Cedar Falls Way Separated Walkway

City of North Bend's 6-Year (2026 – 2031) Transportation Improvement Plan (TIP) Project Narrative

I. Projects listed below will be completed in 2025 and are being removed from the City's 2026 – 2031 CIP.

T-001: SE 140th Street Sidewalk on North Side (Eagles Nest PL SE to Mori Estates) - Project constructs sidewalk and provides improved pedestrian connectivity to nearby Twin Falls Middle School on north side of SE 140th Street from Eagles Nest Pl SE to Mori Estates. Project is anticipated to be constructed in Q3 2025.

T-063: SR202 Sidewalk Gap Project (RR Crossing to North Bend Way) – Project widens the sidewalk along the west side of SR-202 from North Bend Way south approximately 200 feet to the railroad crossing. Project is scheduled to be constructed in Q2 2025.

T-062: Railroad Crossing Improvements – Project replaces existing concrete panels, tracks, crossing gates, signals, and cantilevered flashing lights at 3 locations within city limits. It also relocates the existing train tracks between Bendigo (SR-202) and Main Avenue to the south by approx. 15 feet along McClellan Avenue. A future project removes the north side parallel tracks between Main Ave and Train Depot leaving the tracks on the southside. Project is being managed by the Railway Museum.

T-030: NW 14th Street Widening and Reconstruction West of Bendigo Blvd (Phase 2) – Project reconstructs and slightly widens NW 14th Street. Currently, NW 14th St is in poor condition. The new road was designed in 2024 and is scheduled to be constructed at the same time as the Meadowbrook Sewer ULID in 2025 but under a different bid schedule.

T-XXX: 2025 Sidewalk Gap Projects: Once funding was dedicated by City Council several years ago, then specific projects were determined in 2023, 2024 and now in 2025. Engineering is often done in Year 1 and construction is done in Year 2. 2025 sidewalk gap projects include:

- Thrasher Avenue south of NBW
 - North Bend Way south side Dahlgren to Snoqualmie Valley Trail
 - North Bend Way south side Tanner Road to SE 140th St
 - 5th Street, 6th Street and Main Avenue
-

II. Projects listed below are active projects or upcoming projects scheduled to begin in the next six years.

TIP Priority Number is the first number listed below.

The Capital Project # has a T-#

Newly added projects to this year's 6-year TIP are highlighted in yellow below.

Highest Rated Projects:

1. T-044: SR202 Shared-Use Path and Pedestrian Bridge over South Fork Snoqualmie River:

Project constructs a 200 hundred foot long bridge that will provide much safer access for the public over South Fork Snoqualmie River compared to the existing SR-202 bridge. New bridge will also function as a utility (sewer pipe) carrier. As such, the bridge is a highly rated transportation capital project, because the bridge will carry the important Meadowbrook sewer pipe which is planned to be built in 2025. Bridge is located north of vehicular SR-202 bridge. Bridge is located west of the WWTP frontage. Bridge will be owned, operated and maintained by the City.

2. T-021A: South Fork Avenue Extension - Bendigo to NW 8th Street (Nintendo Bypass) – Project extends South Fork Avenue to the north from the existing south Nintendo Gate to the intersection of North Bend Way and NW 8th Street to the proposed Starfish Roundabout. New road is approximately half mile long and is 60 percent grant funded.

3. T-056: Roundabout at North Bend Way / NW 8th St Intersection (Starfish Roundabout) – Project is a 5-leg roundabout (Starfish) at the intersection of NBW and NW 8th Street. One leg of the roundabout is a new road currently in design called the South Fork Avenue Extension (“Nintendo Bypass”). Project is partly grant funded.

4. T-055: Cedar Falls Way Pedestrian Improvements (Maloney Grove Ave to 436th Ave SE) – Substantial public safety project constructs new sidewalk along south side of Cedar Falls Way from Maloney Grove Ave to 436th Ave SE. Project also adds street lights along the roadway and at intersections.

5. T-020: Roundabout at North Bend Way / Mt Si Road Intersection – This transportation congestion relief project serves an increasing number of vehicles traveling east/west on NBW and also provides an improved and safer vehicular movement turning left from Mt Si Road onto NBW. Project will decrease likelihood of dangerous T-bone type collisions.

6. T-061: Tanner Trail Phases 2 & 3 Construction – Project consists of continuing Tanner Trail to the east, parallel to North Bend Way from its current location near City Hall to connect with Snoqualmie Valley Trail. Trail extension is more than 1 mile long. Paved trail will be 10 feet wide.

7. T-070: 2 RRFBs at Park St Roundabout – This is a newly created project in the interest of public safety to install 2 RRFBs on the North Bend Way crosswalks at the roundabout. RRFBs would not be included on the Downing Avenue or Park Street approaches.

8. T-034: Park Street Corridor Re-channelization – The Park Street corridor between Bendigo Blvd (SR-202) and the NBW / Park Street roundabout currently has 2 parking shoulders, 2 travel lanes and 2 sidewalks. This corridor may be modified, widened, and/or improved to create more capacity, enhance public safety, and/or improve pedestrian conditions. This may include multiple projects. One of the projects currently being designed is the Main Avenue / Park Street Intersection Improvements.

9. T-046: McClellan Alley Improvements – Project is in the early stages of planning and engineering design. Goal is to create a one-way travel lane with angle parking, shared use path, improved storm drainage collection and conveyance, provide a fats/oils/grease interceptor vault(s) for downtown restaurants, undergrounding of power and communication lines, create shared trash enclosures for businesses, improve landscaping / screening conditions and widen the sidewalk.

10. T-045: Roundabout at SR-202 / Mt Si Blvd Intersection – Project replaces an existing traffic signalized intersection that lacks full mobility with a 2-lane roundabout and ADA compliant ramps and walkways; it improves crosswalks; it constructs a landscaped central island and medians; and it improves walkability and bicycle access for increased access to local businesses, the outlet mall and the future hotel. Transportation mobility will be greatly increased. Project is tracking the timeline of the hotel at the outlet mall.

Medium High Rated Projects:

11. T-XXX: 2026 Sidewalk Gap Projects: Once funding was dedicated by City Council several years ago, then specific projects were determined in 2023, 2024 and now in 2025. Engineering is often done in Year 1 and construction is done in Year 2. Potential 2026 sidewalk gap projects include:

- Sidewalk on eastside of Mt. Si Road north of the Mt Si Road / NBW Roundabout
- Stilson Avenue between North Bend Way and Cedar Falls Way

12. T-017: Roundabout at 468th Avenue SE / Middle Fork Road Intersection – Project constructs a roundabout as a truck turnaround to include provisions for pedestrian and bicycle travel such as sidewalks and bike lanes. Project is located at the SE 140th Street terminus. Engineering design has been completed. ROW acquisition and construction are outstanding items. Middle Fork Development who has a Development Agreement with the City may choose to build this roundabout and request a TIF credit.

13. T-049: NW 8th Street Widening and Sidewalk between North Bend Way and Bendigo Blvd. - Project provides an improved and safer connection from NBW to SR-202 that is more aligned with the City's Public Works Standards than the current condition. Project includes a sidewalk, improved pavement, storm drainage collection and storm drainage conveyance.

14. T-038: Downtown Parking Lot / Garage – Project is very conceptual at this time. It could create 50-100 new parking stalls at an unidentified location downtown. Parking could be at grade with land acquisition or could be a parking garage (smaller footprint). Location has not been determined. Project could be split into two or three separate parking projects.

15. T-071: Pedestrian Level Lighting along Tanner Trail (Downtown to Cedar Falls Way) – Project adds low level or bollard type lighting adjacent to Tanner Trail from Downtown NB to Cedar Falls Way as a safety improvement.

16. T-021B: South Fork Levee Setback – Project removes existing left bank levee between SR-202 and North Bend Way and sets the levee back to create more flood storage area. The City currently owns the property to set the levee back. Project has received some grant funding and staff continues applying for grant funding via WA State Floodplains by Design and King County Flood Control District.

17. T-072: City Wide Intersection Lighting Study and Prioritized Projects – This project conducts lighting level studies on intersections throughout the city to make sure adequate lighting is available for all users followed by a prioritized list of projects and implementation of those projects.

18. T-015: Ballarat Ave Widening and Sidewalk from NE 6th to NE 12th Streets – Project reconstructs Ballarat Ave including enlarging culverts and related stormwater facilities. Adds a widened shoulder to possibly fit combined bike lane / walking shoulder (no parking). Road may have thickened edge section. Project may not get built until public sewer is constructed first.

19. T-052: Tanner Road Improvements (north of North Bend Way) - Project would result in a safer pedestrian corridor on Tanner Road from residential area (Cascade Canyon) to the north down to its intersection with NBW. Road could possibly be widened, as current pavement width is only 20 feet.

20. T-025: SE 146th Street Reconstruction from 468th Ave SE to east city limits – Project reconstructs deteriorated 2-lane roadway with pavement suited to heavy vehicle loads. Thicker pavement section is necessary to handle truck traffic.

21. T-064: Complete Streets Segment 1 North Bend Way (Western City Limits to SF Snoqualmie River Bridge) - Improvements along this NBW segment could include a shared use path, angle parking, reduction in travel lanes from 4 to 2. This segment is west of the proposed Starfish Roundabout. City has obtained a \$1,002,519 TIB grant for engineering design.

Medium Rated Projects:

22. T-065: Complete Streets Segment 2 North Bend Way (SF Snoqualmie River Bridge to Park Street Roundabout) - Placeholder for potential future improvements along this NBW segment.

23. T-066: Complete Streets Segment 3 North Bend Way (Park Street Roundabout to Cedar Falls Way Roundabout) - Placeholder for potential future improvements along this NBW segment.

24. T-067: Complete Streets Segment 4 North Bend Way (Cedar Falls Way Roundabout to SE 140th Street) - Placeholder for potential future improvements along this NBW segment.

25. T-068: Complete Streets Segment 5 North Bend Way (SE 140th Street to 468th Avenue SE) - Placeholder for potential future improvements along this NBW segment.

26. T-022: South Fork Avenue Extension – New Vehicular Bridge across SF Snoqualmie River (Mt Si Blvd to Maloney Grove Avenue SE) – Very large project requires ROW to extend road as a collector street to serve future residential development from Mt Si Blvd to Maloney Grove Ave. This is an extremely large and expensive \$25 million project that includes a new vehicular bridge over South Fork Snoqualmie River. Project is partly inside and outside City Limits.

27. T-069: SF Snoqualmie River Pedestrian Bridge Upstream of Bendigo Blvd near Senior Center - New bridge (could be shared use for peds and bikes) will provide access across South Fork Snoqualmie River. Bridge will be located south of SR-202, but final decision has not been made on exact location. It could be near the Shamrock Park / Si View MPD Facility or further south toward Old Si View / New Si View neighborhoods. This ped. bridge would access the area west of the South Fork which includes the Safeway complex. Project is conceptual at this time. Project is just outside City Limits.

28. T-041: Left Turn Pocket on Northbound 436th Avenue SE to Cedar Falls Way including Sidewalks – Project was added based on recommendation from 2017 LOS Study by Pertee. Existing channelization of 436th Avenue between the 2 constructed roundabouts will be evaluated.

29. T-024: SE 16th Street Extension from Maloney Grove Ave SE to 436th Ave SE – Project reserves public right-of-way (ROW) to extend a collector street from Maloney Grove Ave to Stilson Ave to serve future residential development. Project connects with SE 16th Street running east to west through Cedar Landing Plat built in 2021. This project is partly outside City Limits.

30. T-027: Bendigo Blvd Traffic Reconfiguration – 3rd Street to North Bend Way – Due to traffic congestion at North Bend Way / Bendigo Blvd intersection, better queuing configurations for through and turning movements will be developed. Work will consist of restriping and resigning the corridor and creating time-restricted parking areas related to peak traffic hours.

31. T-023: SE 146th Street / 468th Avenue SE Intersection Improvements– Project is for intersection control improvements yet to be defined.

32. T-042: Roundabout at Cedar Falls Way / Maloney Grove Ave Intersection – Project was added based on recommendation from 2017 LOS Study by Pertteet. ROW is quite wide here. Acute turning angles are present. Project unnecessary until there are substantially more trips at the intersection. Project is scheduled for the 2030's.

33. T-028: North Bend Way / Ballarat Avenue All Way Stop or Traffic Signal – Project is tentative, awaiting outcome of traffic redistribution as a result of other projects in the downtown area. If implemented, and due to recent level of service below city LOS standard “D” on Ballarat Avenue leg of intersection with North Bend Way, a signal could be installed to decrease traffic congestion. Signal would be installed using poles and mast arms at each corner. Signal would be interconnected and synchronized with signal at NBW / Bendigo Blvd intersection. All-way stop can also be considered. Doing nothing is also being considered.

34. T-051: NE 8th Street Storm and Reconstruction Project – Project installs storm drainage infrastructure and roadway reconstruction from Ballarat Ave to Thrasher Ave. Project likely won't be done until public sewer is built first.

35. T-073: Cedar Falls Way North Side Paved Shoulder Widening (from City Hall to Maloney Grove Avenue) - Existing paved shoulder is ~4 feet wide. New shoulder would be 9 feet wide, so project would increase width by 5 feet. New shoulder would be ~400 feet long. New shoulder would result in safer overflow parking to City Hall during once per year (or more) City Council Meetings. Shoulder parking would create nearly 20 additional stalls. Currently, the overflow is for City staff and Council to park in the PW parking lot. Small project cost anticipated to be \$200,000.

Re-Occurring Projects (As funding allows)

- **Pavement Overlay Program** - To protect the city's investment in its roadway system, regular maintenance is required. One of the maintenance components includes providing overlays to extend the life of the street surfaces and protect the roadway bases. The ideal program would provide \$540k/year of overlay work to maintain City's current Pavement Management Index (PMI) of 76. As of 2023, the City is budgeting \$475k/year. City typically receives grants every other year from the Transportation Improvement Board (TIB) on arterial roadways to cover the revenue.
- **Crack Sealing** - The City provides annual crack sealing in various locations to preserve the City's roadways. Public Works staff has done this work internally and it has been contracted out too.
- **Sidewalk Trip Hazard Elimination** - Trip hazards in the existing sidewalk system will be systematically repaired through either removal of affected sidewalk panels, removing the cause of the problem, re-pouring the panels, or by grinding the problem areas and resurfacing the affected areas. Budget was \$200k/year, but was dropped off for 2024-2026.

- **Inactive: Alley Reconstruction and Overlay** - Various locations. Develop an annual program to reconstruct and overlay alleys to reduce maintenance costs. Back in 2017, this program was funded for 1 year, and several designs were completed, but funding for construction has not been budgeted.



City of North Bend 2026 - 2031 TIP Projects

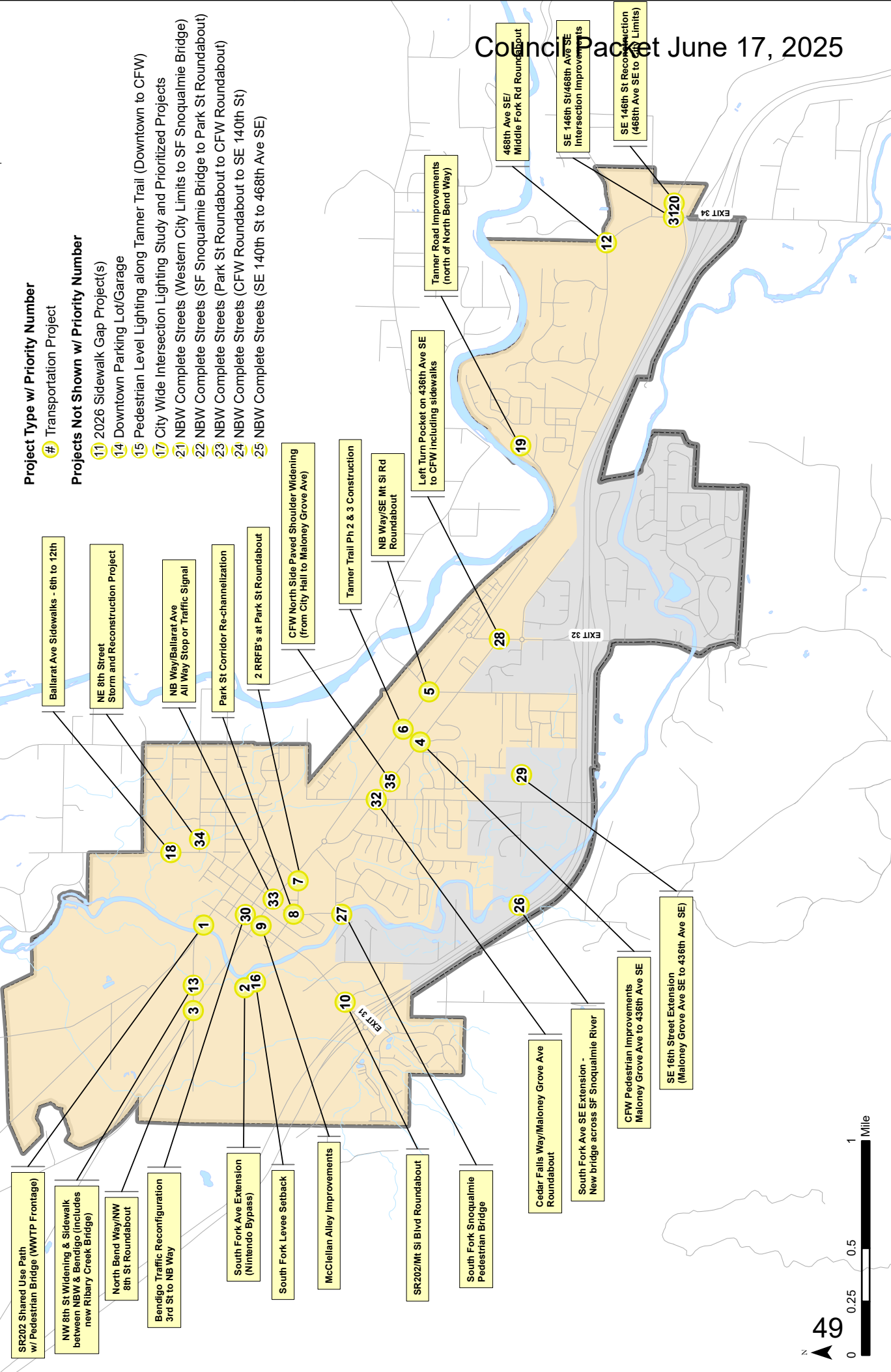
Updated: 06/20/25

Project Type w/ Priority Number

- # Transportation Project

Projects Not Shown w/ Priority Number

- 11 2026 Sidewalk Gap Project(s)
- 14 Downtown Parking Lot/Garage
- 15 Pedestrian Level Lighting along Tanner Trail (Downtown to CFW)
- 17 City Wide Intersection Lighting Study and Prioritized Projects
- 21 NBW Complete Streets (Western City Limits to SF Snoqualmie Bridge)
- 22 NBW Complete Streets (SF Snoqualmie Bridge to Park St Roundabout)
- 23 NBW Complete Streets (Park St Roundabout to CFW Roundabout)
- 24 NBW Complete Streets (CFW Roundabout to SE 140th St)
- 25 NBW Complete Streets (SE 140th St to 468th Ave SE)



NOTICE OF PUBLIC HEARING Six-Year Transportation Improvement Plan (TIP)

NOTICE IS HEREBY GIVEN that the North Bend City Council has scheduled a hearing to solicit public input and comments on the proposed Six-Year Transportation Improvement Plan (TIP). The public hearing will take place during a Regular City Council Meeting on Tuesday, May 20, 2025, at 7:00 p.m. at City Hall, 920 SE Cedar Falls Way, North Bend, WA.

Comments may be presented orally at the public hearing or submitted in writing to the Deputy Public Works Director at 920 SE Cedar Falls Way North Bend, WA, 98045, or by e-mail to: tmohr@northbendwa.gov prior to 5:00 PM, Monday, May 19, 2025. Upon the request of an individual who will have difficulty attending the public hearing and providing comment in person by reason of disability, limited mobility, or for any other reason that makes physical attendance difficult, a teleconference option using Zoom Meetings will be available with detailed meeting access instructions to be provided on May 15, 2025, on the City website calendar item for the [May 20, 2025 City Council meeting](#). Questions may be submitted to the Deputy Director at tmohr@northbendwa.gov.

A copy of the draft Six-Year (2026 – 2031) Transportation Improvement Plan (TIP) will be available for viewing under Public Notices on the City of North Bend website at www.northbendwa.gov.

North Bend does not discriminate on the basis of disabilities. If you need special accommodation, please contact City Hall within three business days prior to the public hearing at (425) 888-7627.

Posted: May 9, 2025

Published in the Snoqualmie Valley Record: May 9, 2025



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-069	
Motion Confirming the Mayoral Appointment of Amber Emery as City Administrator		Department/Committee/Individual			
		Mayor Mary Miller			
		Interim City Administrator – Bob Larson			
		City Attorney – Kendra Rosenberg			
		City Clerk – Susie Oppedal			
		Administrative Services – Lisa Escobar		X	
		Comm. & Economic Development – James Henderson			
		Finance – Martin Chaw			
Cost Impact: N/A		Public Works – Mark Rigos			
Fund Source: N/A					
Timeline: Immediate					
Attachments:					
<p>SUMMARY STATEMENT:</p> <p>Mayor Miller is pleased to appoint Ms. Amber Emery to the position of City Administrator for the City of North Bend, subject to the City Council’s confirmation.</p> <p>Amber Emery is an experienced and professional leader who has served in the private and public sectors for the past 17 years. She has devoted the last 11 years to public service in Washington and Oregon. She has served as the Criminal Court Operations Manager and the Court Executive Officer in Vancouver, Washington, and is currently the Deputy County Manager for Clark County, Washington. She holds a Master of Advanced Study in Criminology, Law, and Society from the University of California, Irvine, and a bachelor’s degree in Social Sciences, Criminal Justice and Sociology from Washington State University, Vancouver. She is a member of the International City/County Management Association and the League of Women in Government.</p> <p>Consistent with North Bend Municipal Code 2.06.010, the appointment of a City Administrator is subject to confirmation by a majority of the City Council. At this time, Mayor Miller requests confirmation of Ms. Emery’s appointment as City Administrator. Ms. Emery’s start date will be July 21, 2025.</p>					
<p>APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services.</p>					
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Finance and Administration Committee reviewed this item at its June 10, 2025, meeting and recommended approval and placement on the Main Agenda for discussion.</p>					
<p>RECOMMENDED ACTION: MOTION to approve AB25-069, confirming the Mayor Miller’s appointment of Amber Emery as City Administrator.</p>					
RECORD OF COUNCIL ACTION					
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>			
June 17, 2025					



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-070	
Motion Authorizing the Mayor to Execute and Administer an Employee Agreement for City Administrator Amber Emery		Department/Committee/Individual			
		Mayor Mary Miller			
		Interim City Administrator – Bob Larson			
		City Attorney – Kendra Rosenberg			
		City Clerk – Susie Oppedal			
		Administrative Services – Lisa Escobar		X	
		Comm. & Economic Development – James Henderson			
		Cost Impact: N/A		Finance – Martin Chaw	
Fund Source: N/A		Public Works – Mark Rigos			
Timeline: Immediate					
Attachments: Employee Agreement, Exhibit A					
<p>SUMMARY STATEMENT:</p> <p>Retaining highly qualified and experienced City Administrators is critical to providing continuity of public services, leadership to City staff members and support to the City Council and Mayor. It is in the best interest of the City to have clear expectations and employment terms included in an executed employment agreement with the appointed City Administrator.</p> <p>Several King County cities, including Auburn, Kirkland, Des Moines, Maple Valley and Issaquah offer employee agreements to upper-level administrators.</p> <p>Ms. Emery will join the City staff as a full-time employee and will be entitled to receive the same employment benefits as any full-time City employee, in addition to other benefits specifically identified in the Employment Agreement.</p>					
<p>APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services.</p>					
<p>COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the Finance and Administration Committee on June 10, 2025. The Finance and Administration Committee recommended approval and placement on the Main Agenda for discussion.</p>					
<p>RECOMMENDED ACTION: MOTION to approve AB25-070, authorizing the Mayor to execute and administer an Employment Agreement with Amber Emery in a form approved by the city attorney.</p>					
RECORD OF COUNCIL ACTION					
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>			
June 17, 2025					

**CITY OF NORTH BEND
CITY ADMINISTRATOR EMPLOYMENT AGREEMENT**

THIS EMPLOYMENT AGREEMENT (“Agreement”) is made and entered into between the CITY OF NORTH BEND, a Washington municipal corporation (the “City”), and Amber Emery, City Administrator, to describe the terms and conditions of the employment by the City as its City Administrator.

RECITALS

WHEREAS, Amber Emery has the skills, experience and qualifications necessary to perform the duties of City Administrator as set forth in the job description attached hereto as Exhibit A; and

WHEREAS, Amber Emery agrees to serve in the capacity of City Administrator subject to the terms and conditions set forth in this Agreement; and

WHEREAS, Amber Emery acknowledges that the 2025 Cost of Living Increase to wages shall serve as adequate consideration for this Agreement.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF the above recital and of other good and valuable considerations, the receipt and adequacy of which is hereby acknowledged, City Administrator and the City agree as follows:

AGREEMENT

1. Employment. The City hereby employs Amber Emery to serve in the position of City Administrator for the City. The duties of said position shall perform all duties assigned to the position of City Administrator as provided in the job description attached hereto as Exhibit A, the North Bend Municipal Code (“NBMC”), and Washington State law, together with such other and further duties and special projects as may be assigned to the City Administrator by the City’s Mayor or designee. The Employee shall serve as City Administrator at the pleasure of and at the discretion of the Mayor.
2. Duration of Employment. This Agreement shall become effective upon the date of the last signature and shall remain in full force and effect until terminated pursuant to the terms of this Agreement.
3. “At Will” – Termination by the City. The City Administrator shall at all times during their employment be considered an “at Will” employee, subject to termination by the City’s Mayor at any time with or without cause. Nothing in the Agreement shall be construed to be anything other than an “at Will” employment relationship between the City and the City

North Bend City Administrator

Employment Agreement

Page 1 of 7

Administrator and the City Administrator expressly acknowledges that no contrary representations have been made by the City.

4. Resignation or Retirement. The City Administrator reserves the right to resign or retire from employment by the City at any time with or without cause. The City Administrator agrees to give the City not less than thirty (30) days' notice prior to the effective date of any such resignation or retirement.
5. Compensation. Employee shall be compensated during the term of this Agreement as follows:

- a. Base Salary. The City Administrator shall receive a monthly salary of \$17,711 per month. The rate of pay may be adjusted annually thereafter consistent with the salary range and steps established for their position and equal to the cost-of-living and/or cost-of-market increases given to City Director level positions or higher.

The City will also pay a one-time payment of \$10,000 with the first full paycheck as a signing incentive and reimbursement for various travel and moving expenses. In the event employment is terminated within 12 months of commencing work, Amber Emery agrees to repay this one-time payment to the City with her final paycheck.

- b. Benefits. The City Administrator shall be entitled to sick leave accrual and paid holidays as set forth in the City's Personnel Policies, and 12 paid holidays, plus 1 floating holiday chosen by mutual agreement with dates to be pre-approved by the Mayor prior to use, to total 13 paid holidays annually. The City Administrator shall be entitled to vacation leave accrual as set forth in the City Personnel Policies at a rate of 13.34 hours per month. The City Administrator shall receive a balance of 40 hours vacation and 40 hours of sick leave upon hire. The City Administrator shall also receive all other benefits provided by the City to non-represented FLSA exempt employees as follows:

- Medical insurance, premium paid 95% and 90% paid for spouse and dependent children.
- Dental insurance, premium paid 95% and 90% paid for spouse and dependent children.
- Vision insurance, premium paid 100% and 100% paid for spouse and dependent children.
- Standard Insurance life insurance policy of \$50,000 paid for employee only.
- Enrollment in Public Employees Retirement System (PERS) retirement system.

North Bend City Administrator

Employment Agreement

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- A pro-rated Executive Leave bank of 52 hours for 2025 and 90 hours beginning in 2026 and thereafter annually.
- All other benefits provided to City of North Bend regular employees as they exist now or may be modified in the future.

The City Administrator shall also be entitled to elect other voluntary benefit options as they exist now or as they are modified by the City in the future.

The following describes the voluntary benefits as they exist on the effective date of the agreement:

- Self-paid individual and/or family supplemental insurance coverage for Short-term Disability, Cancer Care, and Critical Illness.
 - Pre-tax deductions for Unreimbursed Medical expenses and/or Dependent Day Care
 - Additional self-paid Voluntary Group Life Insurance.
 - Self-paid enrollment in the choice of 3 Deferred Compensation Plans.
- c. Timing of Monthly Payments-Deductions. All monthly payments and benefits shall be made at the same time and on the same date as the City's regular payroll. All such monthly payments shall be subject to all required state and federal deductions, including income tax, social security, and any other deductions required and authorized by law.
6. Work Schedule. The City Administrator is a confidential, exempt employee for purposes of the Federal Fair Labor Standards Act and as such shall not work a fixed forty (40) hour per week schedule. Employee shall generally work at North Bend City Hall during regular business hours of the City, Monday through Friday, provided, The City Administrator shall receive time off for sick and vacation leave and holidays according to the holiday schedule customarily observed by the City consistent with the City's Personnel Policies. The City Administrator shall attend all meetings of the North Bend City Council and such other council committee, city board, commission and staff meetings as requested by the Mayor or as required by the duties of the Director as described in Section 1 of this Agreement.
7. Other Activities. The City Administrator shall focus their professional time, ability, and attention to City business during the term of this Agreement. The City Administrator shall not engage, without the express prior written consent of the City Council, in any other business duties or pursuits whatsoever, or directly or indirectly render any services of a business, commercial, or professional nature to any other person or organization, whether for compensation or otherwise, that is or may be competitive with the City, that might cause a conflict-of-interest with the City, or that otherwise might interfere with the business or operation of the City or the satisfactory performance of the

North Bend City Administrator

Employment Agreement

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functions and duties of the City Administrator.

8. City Documents. All data, studies, reports and other documents prepared by the City Administrator while performing their duties during the term of this Agreement shall be furnished to and become the property of the City, without restriction or limitation on their use. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials either created by or provided to the City Administrator in connection with the performance of this Agreement shall be held confidential by the City Administrator to the extent permitted by applicable law, except as may be required by any governmental agency or court of competent jurisdiction. Such materials shall not be used by Employee, without the prior written consent of the City Council, for any purposes other than the performance of their duties. Additionally, no such materials may be disclosed to any person or entity not connected with the performance of services under this Agreement, except as required by (a) law, (b) any governmental agency, (c) subpoena, or (d) an order issued by a court of competent jurisdiction.
9. Severance Package.
 - a. Severance for At Will Termination. In the event the City Administrator employment with the City is terminated for any reason other than those set forth in Subsection (b) below, the City will authorize the City Administrator to remain on paid administrative leave for a period of six (6) months and to receive the Employee's base salary, less mandatory payroll deductions, and six (6) months equivalent medical and dental coverage (employer plus employee portions and to include spouse and dependents, if enrolled at the time of termination) within thirty (30) working days of the effective date of termination. The severance payment and insurance payment will be paid monthly for six (6) months following at will termination.
 - b. Termination by Resignation, Retirement or for Cause. The severance package provided for in Subsection (a) above shall not be available to the City Administrator if the termination of the Employee's employment with the City is due to:
 - i. Resignation/Retirement. The City Administrators voluntary resignation or retirement from employment. For purposes of this Section, "voluntary resignation" means a resignation of employment resulting from the free choice of the City Administrator and not the result of anything that could be reasonably construed as a suggestion to resign in lieu of termination made by any appointed or elected agent of the City;
 - ii. Misconduct. Criminal conduct, commission of any crime, abuse of public office, illegal acts involving personal gain, malfeasance, or other gross

misconduct, including, but not limited to, fraud, deceit, embezzlement, theft of funds or property, assault, or sexual, racial, or other harassment; or

- iii. Job Performance. Insubordination or incompetence in the performance of the duties of the City Administrator as set forth in Section 1 of this Agreement.
 - c. Construction. The severance package provided in Subsection (a) above shall not be construed as an extension of the City Administrators' employment beyond the termination date. The City Administrator shall not, during the period of time between the termination date and the date of the last severance payment, accrue any additional sick, vacation or other benefit accorded by active City employees.
10. Hold Harmless. The City agrees to hold harmless and indemnify the City Administrator from any and all costs, risk or liability associated with or arising out of acts or failures to act which are performed within the scope of their employment as the City Administrator, including the reasonable cost of legal defense by counsel appointed by the City or its insurance carrier, as applicable. This promise to indemnify shall exclude only criminal acts of the City Administrator and acts or failure to act which would constitute an intentional tort or intentional wrongdoing knowingly committed by the City Administrator outside the scope of their duties or without the express direction of the Mayor, Mayor's designee, or City Council. This promise to hold harmless and indemnify shall survive beyond the employment of the City Administrator with the City in order that the City Administrator shall be held harmless, indemnified, and defended in the future for all acts taken in their position as the City Administrator subject to the limitations contained herein.
11. General Provisions.
- a. Provisions Severable. Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the Agreement.
 - b. Rights and Remedies. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude nor waive its rights to use any or all other remedies. Any rights provided to the

parties under this Agreement are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

- c. Attorney's Fees. In the event of any dispute with regard to the interpretation or enforcement of this Agreement, the parties shall bear their own costs and fees.
- d. Entire Agreement. This Agreement contains the entire agreement between the parties respecting the matters herein set forth and supersedes all prior agreements between the parties hereto respecting such matters.
- e. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Washington; venue for any dispute shall be in King County, Washington.
- f. No Waiver. No waiver of any breach by either party of the terms of this Agreement shall be deemed a waiver of any subsequent breach of the Agreement.
- g. Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- h. Amendment. No amendment of this Agreement shall be effective unless the amendment is in writing, signed by each party.

Dated this _____ day of _____, 202__.

EMPLOYEE:

Amber Emery

CITY OF NORTH BEND:

Mary Miller, Mayor

Attest:

Susie Oppedal, City Clerk

Approved as to Form:

Kendra Rosenberg, City Attorney



CITY OF NORTH BEND, WASHINGTON

POSITION DESCRIPTION

Class Title: City Administrator
Department: Administration
Salary: \$14,857 - \$18,421 per month, DOQ
 Non-Union, FLSA Exempt

POSITION SUMMARY:

This management/professional position is the Chief Administrative Officer for the City of North Bend under the direction and authority of the Mayor. This position has the overall responsibility for the professional day-to-day administration of City government and implementation of Council policy through effective management of available human, financial and material resources. Work requires mature judgment and the application of management techniques and practices in a wide variety of administrative, fiscal and related areas. This is an “at-will” position. The ideal candidate will be a proactive communicator who ensures there are no surprises and is equally responsive to the Mayor, Councilmembers, City staff and the community. Fosters and organization culture that recognizes the benefits of work-life balance for a healthy, productive environment. committed to outstanding customer service.

ESSENTIAL FUNCTIONS include but are not limited to:

- Assures the effective and efficient utilization of City employees, funds, materials, facilities and time. Directs and controls the overall operations of the City to assure optimum services to the community. Represents the City to the community, state legislature, congress and other governmental agencies. Interacts directly with elected officials to ensure the smooth and efficient running of the City organization and the handling of important issues and concerns of a highly political nature. Works under the stresses of a highly sensitive and responsible position and environment. On a day-to-day basis, this position has the full responsibility to see that all functions of the City are carried out efficiently and effectively.
- Assures the development of short- and long-term plans to meet the goals and objectives of the City; presents policy recommendations to the City Council regarding all aspects of City programs and services; implements the policies established by the City Council.
- Assures efficient and responsible City operations by providing managerial leadership and direction; designs and maintains organizational structure, establishes major operational objectives, monitors progress and takes necessary corrective action; assigns or performs project and program responsibilities to or with department heads and works with them in developing administrative and departmental goals.
- Along with the Mayor, reviews and approves or disapproves of the hiring, termination or

changes in status of employment and salaries for City employees; oversees labor relations function of the City and recommends bargaining guidelines and settlements to the Mayor and City Council. The City Administrator oversees all personnel of the City of North Bend and regularly reviews the City's personnel policies and recommends changes. Recommends appointment of department heads to Mayor, subject to the confirmation of the City Council, if required, and evaluates department head performance.

- In consultation with the Mayor and Mayor Pro Tem, oversees preparation of the agenda for City Council meetings. Works with department heads to identify appropriate issues to include on the agenda; reviews and approves staff reports and recommendations.
- Provides primary interface between City Council and City staff; keeps the City Council informed of City program activities and events affecting City services. Requires frequent attendance at evening meetings and responds to the media and other organizations as necessary.
- Oversees preparation of the City's biennial operating budget; establishes administrative objectives for the budget and identifies budgetary constraints; evaluates budget proposals submitted by department heads, develops final budget recommendations for consideration by the Mayor and City Council, and makes oral presentations at budget hearings regarding specific budget proposals.
- Monitors the City's financial condition by regularly evaluating revenue/expenditure trends and authorizing specialized studies, recommending to the City Council changes in service levels or in user fees, utility rates and taxes as necessary to maintain a sound financial condition; plans and prepares data for grants and funded programs; establishes and maintains intergovernmental coordination related to available funding.
- Reviews the City codes on a regular basis and assures that the codes, rules, and procedures of the City and City Council are up to date and the City's on-going procedures are in compliance with the laws of the State of Washington. This duty requires the Administrator to maintain a working knowledge of the Revised Code of the State of Washington, the Washington Administrative Code, the Open Public Meetings Act, the Public Records Act and applicable codes of ethics.
- Oversees the City's intergovernmental relations function representing the City with federal, state, county and regional agencies; advocates City positions on proposed legislation and program regulations and reviewing grant applications prepared by City staff.
- Assures City participation in intergovernmental and inter-community groups and takes an active role in representing the City; may serve as board member on intergovernmental agencies, committees and commissions.
- Provides for citizen awareness of City goals and operations by maintaining close contact with citizens, responding to questions and making public presentations.
- In times of emergency, this position shall partner in the City's incident command team.
- Meets with a wide variety of civic and business leaders and community groups regarding their concerns, program priorities, and City services.
- Interacts cooperatively and establishes and maintains effective working relationships with the Mayor, Mayor Pro Tem, City Council, other employees, community organizations and the general public.

DESIRED MINIMUM QUALIFICATIONS:**Education and Experience:**

- Bachelor's degree in public administration, business administration or related field, and
- Seven years of progressively responsible management experience in public administration.
- Master's degree in public administration or related field is desirable.
- An equivalent combination of experience, education and training may be substituted that would provide the desired level of skills, knowledge and ability, required to perform the essential duties and responsibilities of the position.

• Necessary Knowledge, Skills, and Abilities:

- Comprehensive knowledge of the principles and practices of municipal government management.
- Thorough knowledge of effective managerial principles, practices and methods.
- Working knowledge of municipal government financing.
- Considerable knowledge of short- and long-range planning processes. Must have strong leadership and organizational skills.
- Excellent written and verbal communication skills, including public speaking and presentation skills, and the ability to communicate professionally, clearly and effectively with the Mayor, City Council, City staff, and the public.
- Ability to develop and monitor work procedures and budget guidelines.
- Ability to establish and maintain effective working relationships with the City Council, elected officials, government agencies, other employees, and the general public.
- Experience analyzing problems, identifying alternative solutions, projecting consequences and implementing recommendations in support of Council and Mayor goals.
- Skill at being politically astute, respectful and resourceful understanding the political balance of issues and personalities. Ability to build trust between administration and the Council.
- Willingness to keep the Mayor and City Council continuously informed, advised, and updated in writing and verbally regarding the City's financial condition and the current status of all ongoing and proposed plans, projects and activities. Must respond quickly to requests from the Mayor and City Council for information and details on various issues and projects.
- Ability to tactfully handle sensitive or confidential materials.
- A strong work ethic, a history of integrity in performance of work and ability to earn the trust of the Mayor, Council, staff and citizens.
- Must be a strong leader who can clearly communicate with City employees and provide effective direction and inspiration to those employees as necessary to successfully implement the decisions and policy directions of the Mayor and City Council.
- Approaches duties with empathy and understanding, while remaining firm when necessary.

- Understands the importance of maintaining professional boundaries and expects the same from others.
- Experience with economic development and familiarity with Washington land use policies.
- Knowledge of labor relations, and experience negotiating collective bargaining agreements.
- Ability to develop, organize, and direct comprehensive citywide goals, objectives, and administrative operations.

LICENSE AND CERTIFICATION REQUIREMENTS:

- Valid Washington State Driver's License or ability to obtain upon employment.
- Must have a driving history acceptable to the City and maintain an insurable driving record.
- Must be bondable.

SUPERVISION:

Work is performed under the supervision of the Mayor and requires a high degree of initiative, independent judgment, and professional expertise.

TOOLS AND EQUIPMENT USED:

Knowledge and use of applicable tools, instruments, calculators, computers, Microsoft Office applications, phones, copiers, printers, fax machines, other general office equipment, and automobiles.

WORK ENVIRONMENT AND PHYSICAL DEMANDS:

The work environment and physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this position.

Work is typically performed in a fast-paced office environment or public setting. Work involves moderate noise typical of an office environment including ringing phones, multiple conversations and operating office machines. Noise and hazards outside of a typical office environment are limited but may be moderately loud while in the field. There may be possible interactions with irate or difficult individuals.

Work involves sitting for long periods of time, walking, climbing stairs, talking, hearing, using hands to handle, feel or operate objects, tools or controls and reach with hands and arms. Vision abilities required by this position include close vision, distance vision, peripheral vision, depth perception and the ability to adjust focus. The employee may be required to push, pull, lift and/or carry up to 50 pounds. Work may periodically require the employee to climb, balance, bend stoop, kneel, crouch and/or crawl. Some local traveling is involved in public relations activities, attending meetings and visiting city departments and facilities. The employee may be required to work in outside weather conditions, in wet, cold, hot and/or

humid conditions. Employee will be required to wear safety protective gear when necessary.

AUXILIARY DUTIES:

Performs such other duties as may be prescribed by the Mayor. On occasion an employee in this classification may perform duties of a Department Director as needed.

SELECTION GUIDELINES:

Formal application, rating of education and experience, oral interview and reference check, and job-related tests may be required.

EQUITY STATEMENT

The City of North Bend strives to be a diverse workforce that is representative of the community we serve. We value a variety of perspectives and life experiences and encourage people of all backgrounds to apply. Applicants are considered for employment without regard to race, color, gender, sexual orientation, gender identity or expression, religion, national origin, marital status, age, disability, veteran status, genetic information, or any other protected status under federal, state and local laws. We believe diversity and inclusion among our teammates is critical to the success of our City operations.

ADDITIONAL INFORMATION:

Reasonable accommodation will be made as required by the Americans with Disabilities Act to enable a person with a disability to perform the essential functions of this position. This description is not a contract of employment and is intended only to provide a general description of duties performed by an employee in this classification, other duties may be assigned, and this description may be amended as needed.

APPLICANT INSTRUCTIONS:

The City must receive a **completed City of North Bend Application Packet**. Incomplete, or late application packets or supplemental information may not be accepted. **A completed application packet consists of the following: a completed City of North Bend Application; Letter of Interest; Resume; and any supplemental education or training information that you wish us to consider that relates to this position.** Signed application packets may be emailed to edeberg@northbendwa.gov to be accepted as complete. Application materials and additional information is available on the City's website at www.northbendwa.gov.



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025	AB25-071
Ordinance Amending NBMC Chapter 18.34 Relating to Design Review Standards and Guidelines & Commercial/Mixed Use/Industrial Design Standards and Guidelines		Department/Committee/Individual	
		Mayor Mary Miller	
		Interim City Administrator – Bob Larson	
		City Attorney – Kendra Rosenberg	
		City Clerk – Susie Oppedal	
		Community & Economic Development – James Henderson	
		Finance – Martin Chaw	
		Public Works – Mark Rigos	
Cost Impact: N/A		Planning Manager – Mike McCarty	X
Fund Source: N/A			
Timeline: Immediate			
Attachments: Ordinance, Exhibit A, Exhibit B, Staff Report & Planning Commission Recommendation, Staff Memo – Design Standards & Form Based Code Amendments			
<p>SUMMARY STATEMENT:</p> <p>Amendments are proposed to the City of North Bend Design Standards and Guidelines set forth in North Bend Municipal Code (“NBMC”) Subsections 18.34.030(C), NBMC 18.34.050(H), and NBMC 18.34.060(D) (Exhibit A). Additional amendments are proposed throughout the <i>Commercial/Mixed Use/Industrial Design Standards and Guidelines</i> (Exhibit B).</p> <p>The proposed code amendments are in response to recent amendments to RCW 36.70A.630 and RCW 36.70B.160 passed by the Washington State Legislature through Engrossed Senate House Bill (“ESHB”) 1293. ESHB 1293 updated standards and laws that local governments can impose on design review and design standards, with the intent of streamlining the permitting process and requiring specific objective standards for architectural design.</p> <p>Consistent with State law, the proposed NBMC Chapter 18.34 (Design Standards and Guidelines) amendments adjust or remove vague language in architectural standards as well as consolidate Downtown Commercial (DC) specific standards into the Form Based Code and remove language that is redundant in other applicable NBMC code sections.</p> <p>The Planning Commission held a Public Hearing on May 7, 2025, and made a recommendation to the City Council to approve the proposed NBMC Chapter 18.34 amendments with minor modifications.</p> <p>A public hearing on this item was held at the City Council meeting on Tuesday, June 3, 2025 and Council voted to postpone a vote on this ordinance until the next regular City Council meeting on Tuesday, June 17, 2025.</p> <p>The draft amendments are necessary for conformance with State law and staff recommend approval. The following are the decisions available to Council:</p> <p><u>Alternative 1:</u> Approve AB25-071, an ordinance amending the North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines in accordance with ESHB 1293 as a first and final reading.</p> <p><u>Alternative 2:</u> Provide feedback to staff regarding the amendments, for placement and consideration at the July 15, 2025 City Council meeting for approval as a third reading. Action would put the City out of compliance with the Growth Management Act until the ordinance is adopted.</p>			

City Council Agenda Bill

<p>APPLICABLE BRAND GUIDELINES: The proposed NBMC Chapter 18.34 amendments support the City's brand statement of being a highly livable small town with sustainability managed growth. The amendments remove confusing, redundant, or vague design standards, consolidate requirements, and address architectural design barriers. Adjustments to the code and design standards may alleviate developer uncertainties when proposing new non-residential and residential projects.</p>		
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this item at its May 20, 2025 meeting and recommended approval and placement on the Main Agenda for discussion. The Committee requested a reduced number of changes proposed to only meet the intent of ESHB 1293.</p>		
<p>RECOMMENDED ACTION: MOTION to approve AB25-071, an ordinance amending NBMC Chapter 18.34 relating to Design Review Standards and Guidelines & Commercial/Mixed Use/Industrial Design Standards and Guidelines, as a first and final reading.</p>		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 3, 2025	AB25-058 - Postponed to 6/17/25 CC	7-0
June 17, 2025		

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH BEND,
WASHINGTON, AMENDING NORTH BEND MUNICIPAL
CODE SECTIONS 18.34.030(C), 18.34.050(H), AND
18.34.060(D) RELATING TO DESIGN STANDARD
DEVIATIONS AND RESIDENTIAL DESIGN STANDARDS;
AMENDING THE COMMERCIAL/MIXED-
USE/INDUSTRIAL DESIGN GUIDELINES AND
STANDARDS; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, during its 2023 session, the Washington State Legislature passed, and the Governor signed, ESHB 1293, codified as Revised Code of Washington (RCW) 36.70A.630 and 36.70B.160, which intends to streamline development regulations with regard to design standards and review; and

WHEREAS, ESHB 1293 impacts the City of North Bend, since it restricts a jurisdiction's ability to enact architectural design regulations and requires design standards to be clear and objective; and

WHEREAS, the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards currently regulates non-residential design with some restrictions, but some of those restrictions are duplicative of North Bend Municipal Code ("NBMC") provisions or conflict with this new state law; and

WHEREAS, the NBMC currently regulates residential design with some restrictions, but some of those restrictions are duplicative of the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards or conflict with this new state law; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on April 18, 2025; and

WHEREAS, a State Environmental Policy Act ("SEPA") Determination of Non-Significance was issued for the proposed amendments on April 18, 2025; and

WHEREAS, the North Bend Planning Commission held a public hearing on the proposed amendments at its May 7, 2025, meeting to receive testimony on the proposed amendments; and

WHEREAS, the Planning Commission, by motion on May 7, 2025, recommended approval of the proposed amendments to NBMC Subsections 18.34.030(C), 18.34.050(H), and 18.34.060(D)

and the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards as detailed in its findings, conclusions and recommendations; and

WHEREAS, the City Council, held a public hearing on the proposed amendments at its June 3, 2025 meeting to receive testimony on the proposed amendments; and

WHEREAS, the City Council, by motion at the June 3, 2025 City Council meeting, requested additional time to review the proposed amendments and moved a decision to the June 17, 2025 City Council meeting; and

WHEREAS, the North Bend City Council finds that the proposed amendments are consistent with the requirements of ESHB 1293, RCW 36.70A.630 and RCW 36.70B.160; and

WHEREAS, the North Bend City Council finds that the public interest and welfare would be satisfied by amending NMBC Subsections 18.34.030(C), 18.34.050(H), and 18.34.060(D);

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

Section 1. NBMC Section 18.34.030(C) (Applicability, Exemptions, Relation to Other Codes, and Effect), Amended: North Bend Municipal Code Subsection 18.34.030(C) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 2. NBMC Section 18.34.050(H) (Single-Family and Cottage Residential), Amended: North Bend Municipal Code Subsection 18.34.050(H) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 3. NBMC Section 18.34.060(D) (Multifamily Residential), Amended: North Bend Municipal Code Subsection 18.34.050(D) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 4. North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards, Amended: The North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards is hereby amended to read as shown in Exhibit B attached hereto and by this reference incorporated herein.

Section 5. 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 6. 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 17TH DAY OF JUNE,
2025.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published:

Effective:

Susie Oppedal, City Clerk

EXHIBIT A**Proposed Amendments to NBMC 18.34****NBMC 18.34.030 Applicability, exemptions, relation to other codes, and effect.**

- A. Applicability. As necessary, compliance with design standards is checked at both the conceptual land use approval stage and the building permit stage. The design standards apply to:
1. All new residential and nonresidential construction and exterior tenant improvements (TIs) that require a building permit under the International Building Code (IBC), except as noted under subsection B of this section, must follow these standards and guidelines.
 2. Exterior-only nonresidential building or structure tenant improvements that require a building permit, where such improvements equal or exceed 20 percent of the King County assessed valuation of a building or structure.
 3. Exterior-only multifamily residential building or structure tenant improvements that require a building permit, where such improvements equal or exceed 20 percent of the assessed valuation of a building or structure.
 4. In addition to building permits, design standards apply to site plan approvals that precede issuance of building- or construction-related permits. For example, the standards apply to parking and landscaping reviews, subdivisions, short subdivisions, binding site plans, development agreements, conditional use permits and variances. The degree of application depends on the specific land use action.
 5. Clearing/grading permits. Where a clearing/grading permit is required, the clearing and grading plan shall be reviewed for compliance with applicable design standards.
 6. Where any single development project element triggers the design standards, the standards apply to all project improvements proposed. The purpose of this provision is to ensure that development improvements properly complement and coordinate with one another.
- B. Exemptions.
1. All development that does not require a building permit under the International Building Code (IBC).
 2. Developments listed as exempt from other construction permits (e.g., exempt from clearing and grading permit).
 3. Interior-only tenant improvements.
 4. Exterior tenant improvements that do not meet threshold guidelines noted in subsections (A)(2) and (A)(3) of this section.
 5. Exterior tenant improvements that are "in-kind" maintenance and/or repair only.
 6. Manufactured home design is regulated under NBMC performance standards, Table 18.10.050(1.12).

Applicants are encouraged to consult with city staff at the preapplication meeting or earlier to determine applicability and exemptions. In cases where these standards conflict with a concomitant or development agreement (existing at the time of adoption of these

EXHIBIT A

standards), the principles set forth in the concomitant or development agreement supersede these standards.

- C. Deviation from Standards. An applicant may request a deviation from strict conformance to provisions of the design standards and guidelines set forth in NBMC [18.34.010](#) through [18.34.090](#).

In approving deviations from the standards, the community and economic development director shall prepare written findings that the proposed deviation is justified based on one of the following, and must find that the deviation is otherwise consistent with the purpose and intent of the provision from which the deviation is being sought, as well as the purpose and intent of the design standards and guidelines as a whole:

1. Site-specific limitations that prevent a building design from adhering to the design standards and guidelines;
 2. The deviations better accommodate or improve the existing physical conditions of the subject property in the sole discretion of the community and economic development director; or
 3. The deviations enable implementation of low impact or sustainable design techniques that may not otherwise be possible under strict conformance to the design standards and guidelines.
 - 3.4. The deviation is necessary to ensure that the design standards as otherwise applied do not violate RCW 36.70A.630(b).
- D. Relation to Other Codes. The design standards supplement and/or complement the city's zoning code (this title), critical areas regulations (Chapters [14.05](#) through [14.12](#) NBMC), International Building Code (NBMC Title [15](#)), and other land use regulations. // Where design standards conflict with other land use regulations, or where uncertainty exists regarding the interpretation of the standards, respective provisions of NBMC [18.04.020](#), Conflicting regulations, and NBMC [18.04.030](#), Interpretation, shall apply. // Residential and nonresidential developments often use covenants, conditions and restrictions (i.e., CC&Rs). CC&Rs typically address any number of design-related matters, for example, building colors, roof materials, sign guidelines, or otherwise. CC&Rs for development projects shall not be inconsistent with the design standards. As part of city review, the CC&Rs for development projects shall be reviewed by the city for consistency with the design standards. Project-related permits shall not be issued where CC&Rs would be inconsistent with design standards.
- E. Effect. The design standards and design guidelines carry the full effect of the police power to regulate the public health, safety, and welfare per enabling authority outlined in NBMC [18.34.010](#).

Design standards are obligatory and utilize the terms "shall," "must," "required" and like synonyms, as well as antonyms such as "prohibited" or "not allowed." City staff and/or affected decision makers have authority to deny development projects where design standards are not followed.

EXHIBIT A

Applicants are encouraged to follow design guidelines which utilize the terms “should,” “preferred,” “recommended” and like synonyms, as well as antonyms “discouraged,” “not preferred” and the like. City staff and/or affected decision makers shall not have authority to deny development projects where design guidelines are not summarily or cumulatively followed in a development project.

NBMC 18.34.050 Single-family and cottage residential.

H. Lot Layout and Design. The following standards shall be applied to the layout and design of subdivisions and short subdivisions:

1. Lots shall front to a public street, a park or a common open space tract owned by the city or the applicable homeowners association, unless infeasible due to the shape of existing lot lines or the presence of topographic constraints.
2. A shared driveway/access is allowed in limited circumstances when approved by the director, and shall not be used to serve more than four residences. Where access to more than four residences is needed, a public street shall be provided, constructed to the applicable minimum planning/design street standard in Chapter [19.01](#) NBMC and the city of North Bend public works standards.
3. Lots with double frontages (where streets other than an alley exist on opposing property lines) are permitted only when all of the following circumstances apply:
 - a. When such lots are adjacent to a collector or arterial street or where necessary due to topography or other site limitations;
 - b. When limited to a maximum of 250 linear feet of double frontage for all applicable lots along such collector or arterial street;
 - c. If rear lot lines within a subdivision face a street, a minimum 15-foot landscape buffer shall be required between the rear lot line and the adjacent street right-of-way or easement. Said landscape buffer shall consist of Type 2 landscaping per the landscape regulations in Chapter [18.18](#) NBMC and, when provided for a subdivision, shall be placed in a tract owned and maintained by the applicable homeowners association or otherwise in collective ownership and maintenance of all homeowners within the development.
- ~~4. Subdivisions shall additionally meet the following lot size and width variation criteria:~~
 - ~~a. Lot Width. No more than two adjacent residential lots shall have the same width. Variation shall be not less than 10 feet.~~
 - ~~b. Lot Size. Single family lot sizes shall vary. Not more than two adjacent lots shall be of the same size (“same size” is defined as within 500 square feet in area relative to each other) and shall vary as follows:~~
 - ~~i. Thirty three percent of the total number of lots shall vary from the minimum lot size by a minimum of 2,000 additional square feet. Thirty three percent of the total number of lots shall vary from~~

EXHIBIT A

~~the minimum lot size by a minimum of 4,000 additional square feet.~~

NBMC 18.34.060 Multifamily residential.

- D. Building Mass and Scale. To ensure that residential building mass and scale is appropriate to North Bend's small city context and is human in scale.

Articulation and/or modulation of primary facades and facades in public view shall be used to break up building mass and scale. Unmodulated primary and publicly viewable facades should not extend more than 30 feet. Modulation should be sufficient to break up wall planes. Roofline articulation should also be utilized, and can be accomplished with multigabled roofs, stepped roofs, or otherwise.

Facade and roofline articulation should be complemented with other architectural features as appropriate to architectural style, including variation in building materials; variation in fenestration; variation in building color; and elements like porches, chimneys, and finer details.

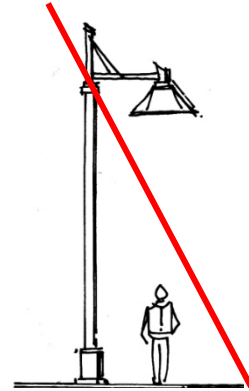
Building location on a lot, including subtle variations in front yard and side yard setbacks, should be utilized to reduce building mass and bulk, especially on larger development projects. For example, front yard setbacks might vary by five feet (see single-family and cottage performance standards in NBMC).

~~All structures shall have a maximum building height of 35 feet. A mix of density and building types is encouraged, but in no case shall individual buildings contain over 10 dwelling units.~~

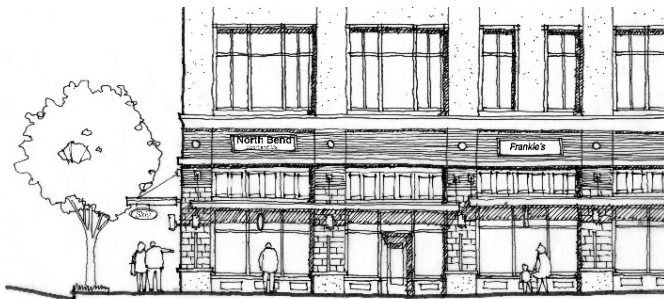
CITY OF NORTH BEND

Commercial / Mixed Use / Industrial Design Standards and Guidelines (Excluding Historic District)

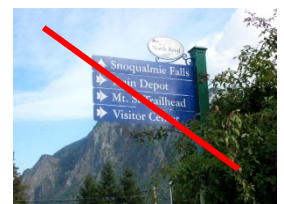
NBMC 18.34.050



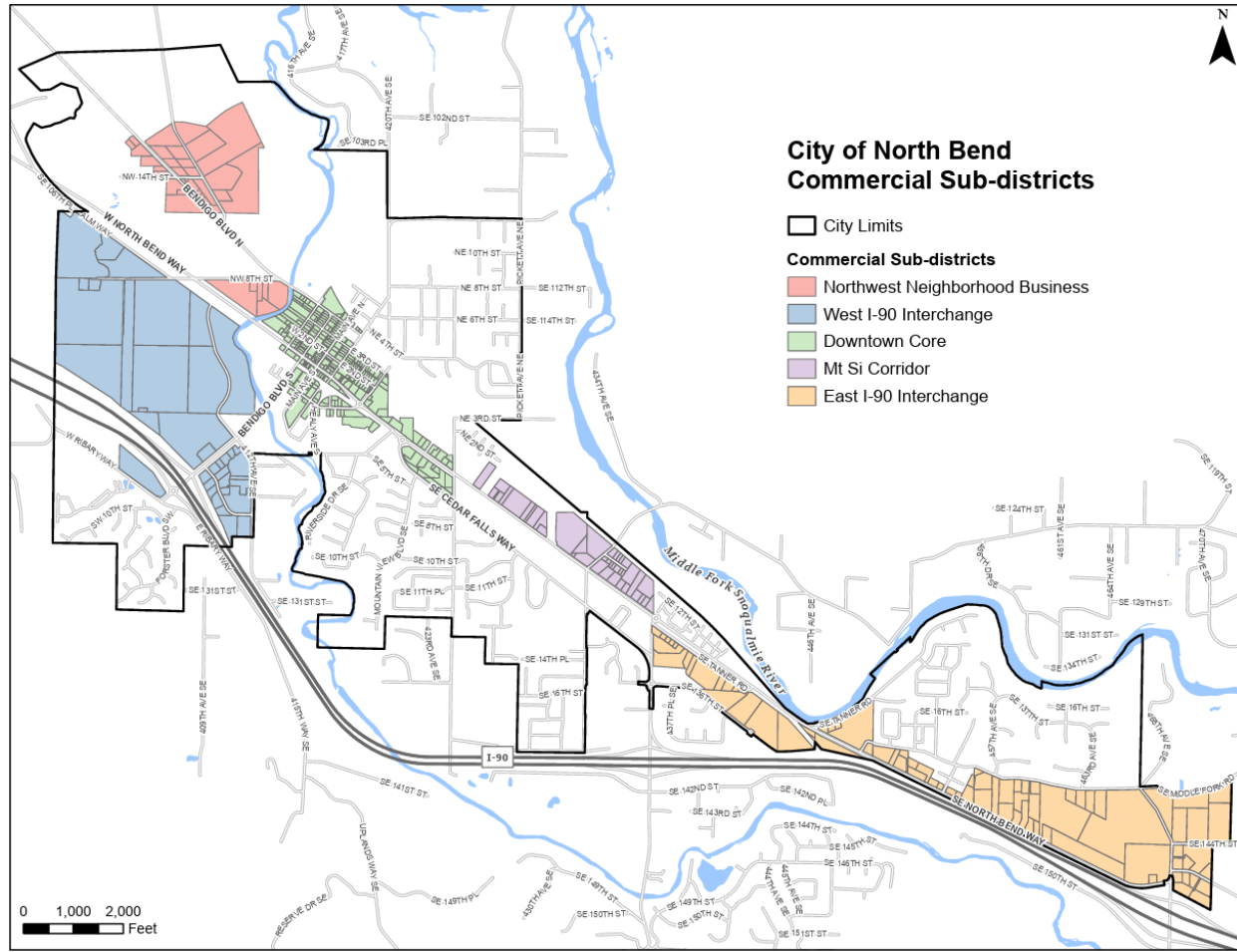
Above: Desired sidewalk and streetscape character demonstrating appropriate tree spacing, sidewalk amenities, and building facades oriented toward the street with preferred architectural characteristics.



Above Left: An architectural rendering of preferred ground floor level details, including high transparency, pedestrian scale signage, separate base materials below storefront windows, and pedestrian level awnings that protect users from inclement weather. **Above Right:** A physical example of preferred ground floor level details.



Above Left: Blank, uninterrupted walls are not permitted and should instead be treated with art, murals, or non-invasive plants. **Above Right:** Maintaining natural views such as Mt. Si is critical to maintaining the desired character and aesthetic of North Bend.



Applicability

The Commercial/Mixed-use/Industrial Design Standards and Guidelines apply to all commercial and industrial zoning designations shown on the above map including: Downtown Commercial (excluding Historic District), Interchange Commercial, Interchange Mixed Use, Neighborhood Business, Neighborhood Mixed Use, Employment Park 1 and 2, and Business Park.

INTRODUCTION

The purpose of this document is to meet a number of objectives of commercial property in the city and urban growth area of North Bend. These objectives include:

- Enhancing the distinct natural and historical character that defines the City
- Encouraging high quality buildings and landscapes
- Supporting pedestrian movement
- Maintaining an appropriate scale and texture of development in the identified districts
- Directing context sensitive infill

1. Commercial and Industrial Zoning District Definitions

- Downtown Commercial (DC):** DC is intended to provide specialty retail goods and a range of business, professional and other services consistent-complimentary with historic uses and consistent to the scale of the downtown area. Pedestrian orientation and amenities are emphasized and residential development is encouraged in dwelling units above commercial uses.
- Neighborhood Business (NB):** Intended as -general commercial areas that allow buildings that are smaller in scale than other districts. NB is a lower-intensity character for commercial areas west of the South Fork

Snoqualmie River. The NB zone accommodates a variety of specialized residential uses and other land uses including limited light manufacturing when conducted in isolation from residential zoning districts.

- **Neighborhood Mixed Use (NMU):** Intended as a supplementary general commercial area with a greater variety of residential uses permitted on the second story or above.
- **Interchange Commercial (IC):** Intended to accommodate commercial business that serve travelers off of the I-90 interchange. Buildings are permitted to be larger in scale than other districts and can operate on a 24-hour basis in some cases.
- **Interchange Mixed Use (IMU):** Intended to provide a transitional area between the interchange commercial zoning district IC zone and residential zoning districts. IMU accommodates permitted residential and commercial development to maximize compatibility with adjacent land uses. Buildings are smaller in scale than the IC districts.
- **Employment Park-1 (EP-1) Business Park (BP):** Intended to provide areas for a variety of light industrial uses that are compatible with adjoining land uses. Second-story residential uses are permitted when mixed with compatible first-floor uses and limited commercial uses are permitted when needed to support employees of BPEP-1 districts.
- **Employment Park-2 (EP-2):** Intended to provide areas for a variety of industrial uses including manufacturing, fabrication, and processing of natural and manmade materials. Large-scale and specialized industrial and commercial operations are permitted.

2. Commercial and Industrial Sub-District Definitions

- **Downtown Commercial Core District:** The central hub of North Bend zoned downtown commercial and identified by its small-town character and small historic district. There is a vibrant retail community and pedestrian friendly amenities.
- **West I-90 Interchange District:** The area off of the western I-90 interchange zoned as BP, IC and IMU and defined by larger commercial businesses that typically cater to travelers and visitors to North Bend.
- **Mt. Si Corridor District:** The corridor along North Bend Way to the east of the commercial core with access to Mt. Si, Torguson Park and abundant views of natural amenities. The area is primarily zoned as NMU. There is access to housing and an opportunity for more commercial development to target visitors to Mt. Si.
- **Northwest Neighborhood Business District:** The area to the northwest of the commercial core zoned as NB and defined by its abundant open space and natural setting. There are development opportunities here and potential to improve access to community amenities.
- **East I-90 Interchange District:** The area off of the eastern I-90 interchange zoned as IC, NMU, EP-1 and EP-2. The interchange is largely undeveloped but there is some industrial use and there are large lots that allow for development flexibility.

3. Architectural and Land Use Definitions

- a. **Anchor Store:** A retailer or restaurant with a significant ability to attract frequent and abundant local and regional customers.
- a-b. **Architecturally Finished Concrete (or Architectural Concrete):** Exposed concrete that will be permanently exposed to view and requires special care in selection of materials, forming, placing, and finishing to obtain an architecturally finished appearance.
- b-c. **Awning:** A shelter that provides weather protection, usually constructed of non-rigid canvas or canvas-like materials on a supporting framework that projects from the exterior wall of a building.
- c-d. **Bay:** Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.
- e. **Bioretention Swale:** A filtration system to treat stormwater runoff modeled after the biological and physical characteristic of an upland terrestrial forest or meadow ecosystem. They use vegetation, such as trees, shrubs or grasses, to remove pollutants from stormwater runoff constructed directly into a drainage channel or a swale.
- d-f. **Building Height:** The vertical dimension of a structure measured from the base elevation to the top of the highest parapet wall, cornice, or coping of a flat roof. For sloping roofs, the height shall be measured to the midpoint of the highest gable or sloped plane. Where a building with multiple occupancies is located on a site which exceeds a slope of five percent, the calculation of height may be determined independently for each separately occupied space.

- e-g. Building Massing:** The mass of a building is its three-dimensional form, bulkiness and relationship to exterior spaces. Massing that is “broken-up” to reduce bulkiness is preferred to a building form appearing oppressive or overly bulky.
- f-h. Building Modulation (Horizontal and Vertical):** Design technique that breaks the massing of large buildings down into smaller units by providing varying depths for exterior walls.
- Vertical Modulation: Used to make large buildings appear to be an aggregation of smaller buildings or to add visual relief to long stretches of monotonous facades. Techniques can include the use of architectural features, setbacks or varying rooflines.
 - Horizontal Modulation: Used to reduce the mass of multi-story buildings and provide continuity at the ground level of a large building. Building facades can be divided with horizontal elements so that the façade appears less massive than those with sheer, flat surfaces. Techniques can include stepbacks, balconies, and roof treatment.
- g-i. Build-To Line:** A front boundary setback expressed as a required distance from the street edge of the building envelope. In urban areas, the build-to line often corresponds to a zero front setback.
- h-j. Canopy:** An architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. A canopy is comprised of a rigid structure over which a rigid covering is attached.
- k. Class 1/Class 2 Pedestrian Street:** Roadways identified as key pedestrian areas along arterials, collector roads, and local roads. These classified routes are critical to the community’s vision of the function, use, and visual aesthetic of the downtown core and supplementary commercialized areas. A classification map is located in Exhibit A at the end of this document.
- i-l. Clerestory Windows:** Windows located above either the plinth or canopy line of a building.
- j-m. Common Space (Interior):** Those spaces of the interior of a building that are shared in common by all tenants and visitors to the building. Common space includes by way of example, hallways, stairways, elevator shafts, un-staffed lobby areas, vestibules and common atriums.
- k-n. Cornice:** The decorative section just below the roofline. The cornice may be simple or ornate depending on building style.
- l-o. Court Yard:** An “outdoor room” or public gathering place created by at least three sides of a building or several buildings, generally at the building scale.
- m-p. Fore-Court:** An open area in front of a building’s main entrance.
- n-q. Floor Area Ratio:** The gross floor area of all buildings permitted on a lot divided by the area of the lot. The permitted building floor area is calculated by multiplying the maximum FAR specified by the zoning district by the total area of the parcel. A permitted FAR of 2 would allow the construction of 80,000 square feet of floor space on 40,000 square feet of land ($40,000 \times 2 = 80,000$).
- r. Gateway:** A community entry point into the downtown core that is often accompanied by visual characteristics (such as landscaping, signage, pedestrian pathway design, building frontages, etc.) that distinguish the downtown core from other areas of the community and create a sense of place.
- o-s. Grocery Store:** A store that predominantly sells general food supplies, pharmaceuticals and certain non-edible articles of everyday household use, such as cleaning products, soaps and paper products. Grocery stores do not include large or extensive sections dedicated to the sale of apparel, electronics, shoes, furniture or other goods.
- p-t. Kickplate:** A plate applied to the face of the lower rail of a door or sidelight to protect against abrasion or impact loads.
- q-u. Light Cut-Off:** An artificial outdoor lighting fixture designed to direct light downward and prevent light from being emitted outside the designed lighting area.
- r-v. Lintel:** A horizontal structural beam above an opening, such as a window or door, which may be expressed externally as an architectural feature.
- s-w. Lobby:** An entrance hall or foyer immediately inside the door of a building.
- x. Massing:** See “Building Massing”
- t-y. Mixed Use (Horizontal and Vertical):** Provision of a mix of complementary uses, such as residential, community and leisure uses, on a site or within a particular area.
- Vertical mixed use refers to the uses being stacked on top of each other in a multi-story building.
 - Horizontal mixed use refers to uses arranged next to one another on the same parcel, either attached or detached.
- z. Modulation:** See “Building Modulation”

- ~~u~~-aa. **Parapet:** The upper part of a wall, often used to hide roofs and decorated for architectural interest.
- ~~v~~-bb. **Pervious Paving (Also Porous Pavement or Permeable Paving):** A paving method for roads, parking lots and walkways that allows the movement of water and air through the paving material. Pervious materials allow precipitation to percolate through areas that would traditionally be impervious and instead infiltrates the stormwater through the soil below. Examples include: porous asphalt, concrete, paving stones, or bricks and grass pavers.
- ~~w~~-cc. **Plaza:** A paved open square or market place in a city or town for use by the public.
- ~~x~~-dd. **Plinth:** The base or platform upon which a wall, column, pedestal, statue, monument, or structure rests.
- ~~y~~-ee. **Rain Garden:** A planted depression that is designed to absorb rainwater runoff from impervious urban areas like roofs, driveways, walkways and compacted lawn areas. Rain Gardens are similar to bio-retention swales, but do not slope to a destination.
- ~~z~~-ff. **Roofs (Gable, Hipped, Shed):**
- Gabled Roof: Gabled refers to a roof identified by the straight slope falling from ridge to eave, creating a peak or triangle on the side or front façade. Gabled houses have rakes on the gable facades and eaves on the non-gabled facades.
 - Hipped Roof: Hipped roofs avoid having a peak or triangle at the roof junction by breaking the roof plane along the slope line, allowing the roof to bend or wrap around the house and eaves on all sides.
 - Shed Roof: A gabled roof with a single roof face falling away from the main building. Shed roofs are often used for porches and additions.
- ~~g~~g. **Scoring:** A technique used to break up a sidewalk by patterning grooves in the concrete for aesthetics, and in some cases, to provide traction for pedestrians.
- ~~aa~~-hh. **Shall:** Mandatory and not discretionary.
- ~~ii~~. **Single-user:** A single user **shall** mean a single establishment that shares checkstands, management, controlling ownership interest, storage areas, or shared ingress and egress into the establishment.
- ~~bb~~-jj. **Should:** Recommended and discretionary, but not required.
- ~~ee~~-kk. **Sun Screen/Sun Shade:** Attached projecting, architectural feature designed to provide shading from the sun. A sun screen/ sun shade is a rigid structure and can add a decorative element to building design, but provides a functional energy conservation benefit to the building by deflecting solar heating away from building windows or walls.
- ~~dd~~-ll. **Transom Windows:** A window above a door that is usually hinged to a horizontal crosspiece over the door.

Basic Development Standards

A. Floor Area Ratio

Floor Area Ratio (FAR) is the amount of floor area within a building as a multiple of the lot area to regulate bulk and density for all uses. FAR offers design flexibility and, when paired with design standards and guidelines, provides an effective tool for meeting neighborhood and business district urban design goals whenever new development is proposed.

A-1 Base FAR Standards, Per District

The following FAR standards represent the basic allowable FAR that can be developed within each applicable zoning district, without FAR bonuses.

Zone	Basic Allowable "As of Right"	
	Non-Residential	Residential
NB	.75	1.0
<u>NMU</u>	<u>.75</u>	<u>2.0</u>
DC	1.5	2.0
IC	1.0	1.0
IMU	.75	1.0
EP-1BP	.75 exclusive professional office	-
EP-2	.75	-

A-2 Maximum FAR Standards, Per District

The following table provides the maximum allowable FAR developable when FAR bonuses are used.

Zone	NB	NMU	DC	IC	IMU	EP-1BP	EP-2
District							
Northwest Business	1.0/2.0	<u>1.0/2.0</u>	=	=	=	-	-
West I-90 Interchange	=	=	=	1.5/2.0	1.0/2.0	=	=
Downtown Commercial	1.0/2.0	<u>1.0/2.0</u>	2.0/3.0	=	=	=	=
Mt. Si Corridor	1.0/2.0	<u>?1.0/2.0</u>	=	=	=	=	=
East I-90 Interchange	=	=	=	=	=	=	=

Non-Residential/combined Residential and Non-Residential uses

Notes:

1. The following **shall** be excluded from floor area calculation:

- Space below grade
- Space dedicated to parking
- Mechanical spaces
- Elevator and stair shafts
- Unstaffed lobbies and common spaces, including atriums
- Space used for any bonused feature

2. Hotels **shall** be considered residential for the purpose of this chart.

A-3 FAR Bonuses

Contributing bonus features from the table below, where appropriate and applicable within the context of the specific design guidelines for the district, will allow a development proposal to meet the Maximum FAR identified in Table A-2, above.

Bonus Features Allowing Increased Floor Area Ratio

Feature	Additional Floor Area for each Feature
Street level retail, including all elements from Guideline C-3b, Ground Level Facades	100 sf of floor area for each lineal foot of retail frontage
Additional Streetscape Features:	
Public Plaza	5 sf of floor area for each sf of plaza
Public Art	10 sf of floor area for each \$100 of valuation
Structured Parking	0.5 sf of floor area for each sf of required parking above grade
Below Grade Parking	1 sf of floor area for each sf of required parking below grade
Sustainable Design:	
Pervious pavement (porous pavers, grasscrete, etc.)	1 sf of floor area for each sf of pervious pavement
Green Roof	2 sf of floor area for each sf of green roof
Sun Screens	4 sf of floor area for each sf of sun screen
Rain Garden	1 sf of floor area for each 3 sf of rain garden area

B. Maximum Building Height

Maximum building height **shall** be as established in Chapter 18.10 of the North Bend Municipal Code.

C. Ground Floor Commercial Tenant Space

Zoning District	Maximum Ground Floor Commercial Tenant Space
DC	Any single user of ground floor retail or commercial space shall not exceed 7,500 sq. ft., except a grocery store, which shall not exceed 50,000 sq. ft., or anchor store of approximately 12,500 sq. ft. through a Conditional Use Permit (CUP) approval.
NB, NMU	Any single user of ground floor retail or commercial space shall not exceed 15,000 sq. ft., except a grocery store, which shall not exceed 50,000 sq. ft.
IC, IMU	Any single user of ground floor retail or commercial space shall not exceed 18,000 sq. ft., except a grocery store, which shall not exceed 55,000 sq. ft.
EP-1BP , EP-2	Any single user of ground floor retail space shall not exceed 20,000 sq. ft., except a grocery store, which shall not exceed 55,000 sq. ft.

Notes:

- ~~1. DC zone: Lots of 7,000 sq. ft. or less in the locations listed below are exempt from on-site parking requirements. Expansion or enlargement of existing structures on lots of any size within this location shall meet the requirements set forth in NBMC 18.16.040 or as amended.~~

~~— Along North Bend Way between Main Ave. and Ballarat Ave.; and between Sydney Ave. N and Bendigo Blvd.~~

- ~~2.1.~~ Single-user: “A single user **shall** mean a single establishment that shares check stands, management, a controlling ownership interest, storage areas, or shared ingress and egress into the establishment.”

- ~~3.2.~~ A single user may extend their use to upper floors, provided that the overall square footage of the use may not exceed the size limitation prescribed above for the ground-floor use.

A. Site Design

A-1 Responding to Site Characteristics and Significant Natural Features

Intent

To ensure structures built on a site are located and designed in response to specific site conditions and opportunities such as unusual topography, significant landscape, prominent intersections, views or other natural features.

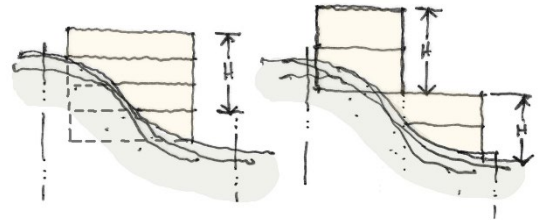
1. Consideration **should** be given in the site design to the following:



Shown Above: Significant ~~Tree~~ tree retained with development.

Shown Below: Careful site planning can help preserve natural features and protect sensitive conditions on a site.

- a. ~~Significant trees, as defined in the clearing and grading regulations, Existing trees should be~~ incorporated into the design of projects when feasible. Tree-protection and preservation regulations and clearing and grading permit guidelines are found in North Bend's Landscape Regulations and Clearing and Grading Regulations.
- b. New development **should** incorporate existing features related to the culture and history of the site or geographic area where practical. For example, historic sites and buildings and/or cultural locations **should** be preserved and included as part of the project.
- c. Adjustments to the siting and massing of a building **should** enable the preservation of public or private views of local features such as Mt. Si, Rattlesnake Mountain, National Scenic Byway viewshed and Snoqualmie River tributaries. A number of techniques can be used to achieve this (e.g., tree preservation, building location, building design, roof forms).
- d. Development within the immediate view shed of Interstate-90, a National Scenic Byway, **should** be located and designed using techniques that blend and/or maximize compatibility of structures with the forest and pastoral landscapes of North Bend.
- e. Reflect, rather than obscure, natural topography. For instance, buildings **should** be designed to "step up" hillsides, rather than cut and fill, to accommodate significant changes in topography.
- f. ~~Site buildings and parking to lessen or avoid the impact of development on environmentally critical areas such as steep slopes, wetlands and stream corridors.~~
- g-f. Buildings and parking **should** be clustered on a site to preserve open space and view corridors.



Shown Above: Example of minimal slope disturbance.

A-2 Sensitivity to Adjacent Land Uses

Intent

Maintain privacy of single family residential areas, and reduce the potential adverse impacts of commercial development.

1. ~~Transitional Landscape Area (TLA), as identified in the North Bend Comprehensive Plan City's Landscape Regulations, includes specific locations along I-90, SE 140th, and North Bend Way which require appropriate landscape transitions to help maintain and enhance community character, buffer incompatible uses, and support the goals of the National Scenic Byway along the I-90 corridor.~~
2. Landscape Buffers Abutting Uses in Transition Areas. For projects adjacent to residential zones and less intensive area, refer to Chapter 18.18.080 Landscaping types, for appropriate buffer techniques abutting particular uses.

Type 1: Sight Barrier



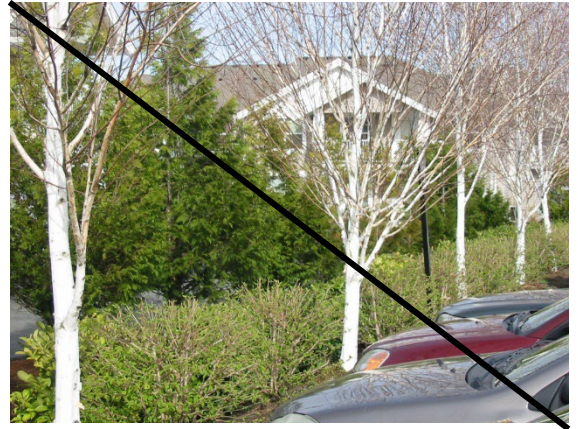
Shown Above: The TLA is intended to preserve the forested character of areas such as this along SE 140th and provide better transitions between incompatible uses.

Shown Below: Landscape buffer between commercial and residential development provides visual screening.

Type 2: Visual Separation

Type 3: Visual Buffer

- ~~3. Solar orientation. The placement of a structure on the site **should** enhance solar exposure for the project and minimize shadow impacts on adjacent structures and public areas.~~
- ~~4. Lighting. All exterior lighting **shall** be designed in conformance with NBMC Chapter 18.40, Exterior Lighting Standards.~~



A-23 Streetscape Design

Intent

To locate and orient buildings to define public streets and civic spaces, such as plazas.

1. Build-to line. To reinforce an active pedestrian experience appropriate for different types of business districts, and to set the appropriate street façade precedent in other areas, the following “build-to” lines are required.

Standards:

Required Street Façade Building Line (RBL) by Zone:

DC: ~~Street Façade shall be built out to not less than 75 percent of the RBL for the first 10 feet of the depth of the lot. The remaining 25% may not be set back more than 10 feet from the RBL. See Form Based Code.~~

NB and NMU: Street Façade **shall** be built out to no less than 50% of the RBL for the first 10 feet of the depth of the lot. The remaining 50% may not be set back more than 10 feet from the RBL.

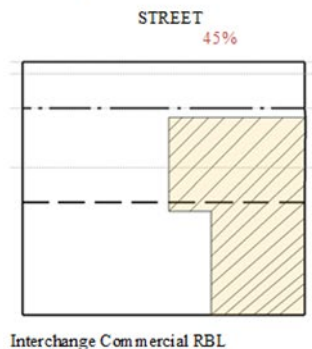
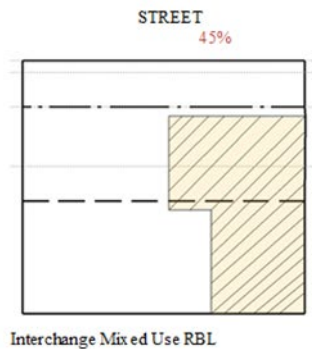
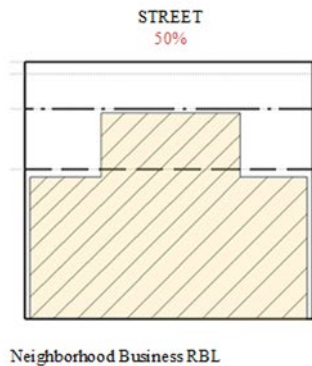
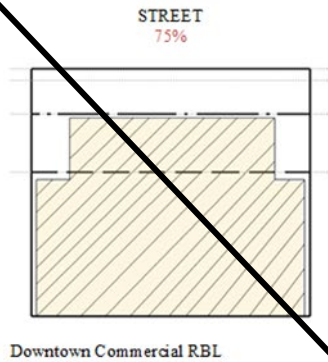
IMU: Street façade **shall** be built out to no less than 45% of the RBL for the first 30 ft of the depth of the lot.

IC: Street façade **shall** be built out to no less than 45 percent of the RBL for the first 30 ft of the depth of the lot.

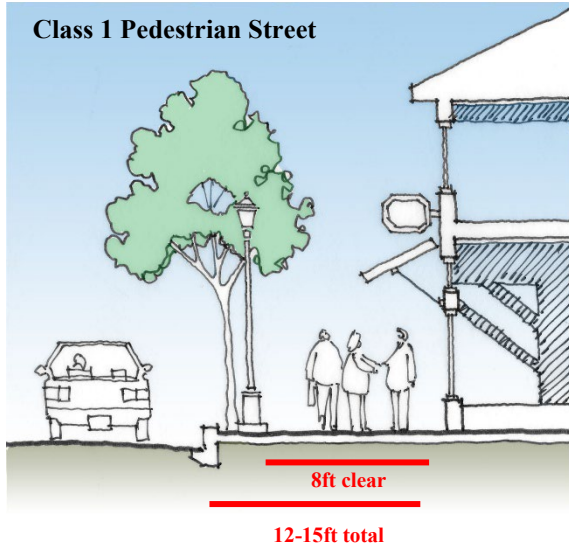
EP-1BP and EP-2: n/a

Notes:

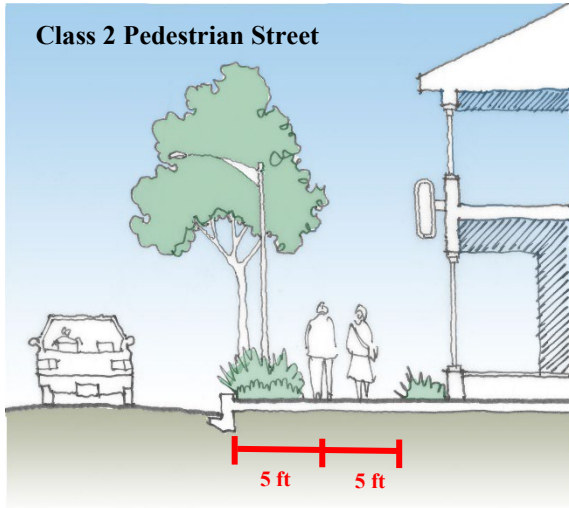
1. Plazas or fore-courts at street level and abutting the sidewalk **shall** be allowed to encroach into the Building Line as long as at least 60% of the buildings linear frontage meets the RBL and lot depth requirement. Please refer to guideline A-4, Pedestrian Open Space, for further guidance



Class 1 Pedestrian Street



Class 2 Pedestrian Street

**A-23a Sidewalks****Intent**

To provide safe, comfortable streets and sidewalks that encourage walking.

1. On Class 1 Pedestrian Streets: New buildings **shall** be set back at sufficient distance to a minimum of 12' and a maximum of 15' of sidewalk, with a clear zone of at least 8 feet for pedestrian travel. Street trees **shall** be provided in tree pits of a minimum size of 4-feet by 6-feet.
2. On Class 2 Pedestrian Streets: Sidewalk area **shall** maintain a clear zone of 5 feet for pedestrian travel and 5 feet for street tree area or planter strip.

All sidewalks **shall** be constructed using a broom finish, unless otherwise approved under standard 4, below.

3. Within the DC zone, along Bendigo Blvd and North Bend Way, sidewalks **shall** be broom finished, and scored with square patterned joints measuring 2 foot square, to match the existing sidewalk pattern established within this district.

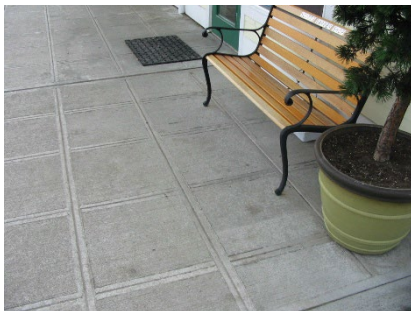
Notes:

1. Refer to Map in Appendix for specific Class 1 and 2 street designations.

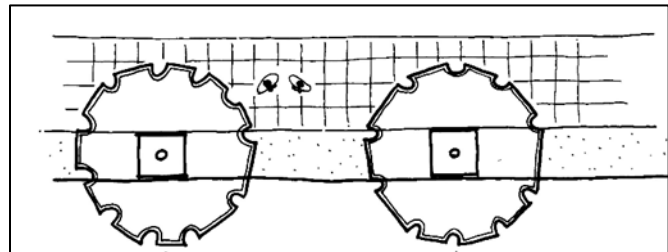
A-23b Street Trees**Intent**

To support the natural setting as fundamental to the character of North Bend.

1. Street trees **shall** be placed equivalent of one every 30 feet in tree grates or 4-foot-wide planted area. In less formal commercial areas, trees may be grouped.



Shown Above: Example of broom-finished, 2' by 2' scored sidewalk



30 ft on center

A-23cd Streetscape Amenities



Shown Above: Examples of street furnishings.

Shown Below: North Bend downtown pedestrian-scaled streetlight.



Shown Above: Mature forested vegetation within the right-of-way contributes to the rural natural character of many areas of North Bend and **should** be preserved wherever possible.

Intent

To reinforce a cohesive image and ensure that streetscape elements can be well maintained without excessive costs.

A-23cd.1 Street Furnishings

1. Use City-approved standardized fixtures for benches, trash receptacles and bike racks located in the public right-of-way.

A-3d.2. Lighting

1. In addition to the following standards, all street lighting **shall** be designed in accordance with NBMC Chapter 19.06, Design and Construction Standards for Electrical and Street Lighting.

2. Use City approved standardized fixtures for sidewalk lighting.

3. Pedestrian street light pole heights **shall** be a maximum of 18 feet in IC and IMU districts and 14 feet in DC, NMU, and NB districts.

4. The type, materials, and location of light fixtures (including poles) **shall** be selected and coordinated relative to the facility, area or node being served.

5. Full cut off luminaries **shall** be used to minimize light glare and light trespass (including vertical and horizontal trespass), except along Ballarat Ave and North Bend Way within the downtown, to match existing light standards.

6. Luminaries **should** be chosen with lamp life in mind. Longer lamp lives promote energy efficiency and cut down on maintenance costs.

A-23cd.32 Exceptions to Street Design Standards and Street Improvement Standards

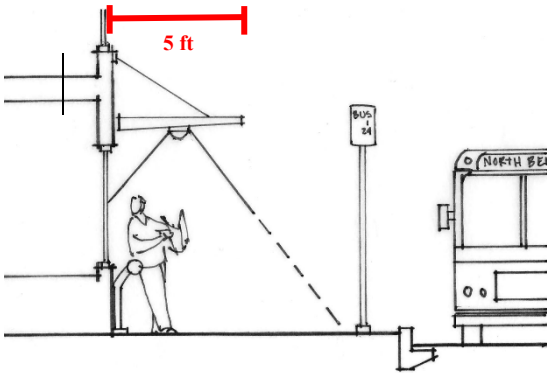
1. Where street design width and street improvements are required from a development project pursuant to this section, but such improvements are not feasible due to existing constraints, the City Engineer may approve an alternate design and/or layout to accommodate for the constraint, provided that the overall intent of these standards is met.

2. Where mature, healthy forested vegetation exists within an existing right-of-way and frontage improvements are required, the applicant **shall**, where possible in consideration of other constraints such as utilities, place the sidewalk such that the vegetation may be preserved. This may require further dedication of right-of-way. The City may waive on street parking lanes or accommodate reduced street widths to preserve such vegetation.



Shown Above: Clear pedestrian connections from internal site to existing sidewalk.

Shown Below: Example of easily accessible transit shelter adjacent to sidewalk within a landscaped setting.



Shown Above: Appropriately scaled canopy as shelter space, defined by the height and depth (min 5 ft), for bus riders on a transit route.

Lighting is an important consideration when opaque material is used for a canopy. The illumination of light-colored undersides is important to increase security after dark.

A-23de Pedestrian and Transit Connections

Intent

- Design the site access and circulation routes with pedestrian comfort and ease of access in mind.
- Create parking lots and building service ways that are efficient and safe for both automobiles and pedestrians.
- Provide direct and safe access along, through and to driveways and adjacent developments or city streets.
- Encourage the use of mass transit by providing easy access to pleasant waiting areas.

1. Pedestrian building entries **shall** connect directly to the public sidewalk. Entries **shall** also connect to adjacent developments if feasible.
2. Internal pedestrian routes **shall** extend to the property line and connect to existing pedestrian routes if applicable. Potential future connections **shall** also be identified such that pedestrian access between developments can occur without walking in the parking or access areas. Walkways **shall** be a minimum 5 feet in width.
3. On-site open space **shall** be linked to public open space on adjacent or nearby sites unless otherwise approved by the City. Linkages to designated public open space and recreation areas and to opportunity areas identified in the North Bend Parks ~~Plan~~ Element **should** be established.

A-23ef Transit stops/ Bus stops

1. Transit stops and improvements **should** be provided where appropriate to meet the intensity of use and expected demand. Transit stops **should** include shelters, seating areas, and wider (e.g., eight feet or wider) sidewalks. Development proposals adjacent to existing or proposed transit stops are encouraged to provide canopies, lean bars and/or benches integrated into the design of the structure in lieu of separate shelter structures. ~~See FAR Bonus Chart for bonus provided for such features.~~

- 2.1. When a transit stop is located in front of or adjacent to a parcel, pedestrian connections linking the transit stop directly to the new development **shall** be provided.

A-34 Pedestrian Open Space

Intent

To encourage conforming, accessible, and aesthetically pleasing public gathering places that cater to pedestrians and meet the needs of the intended users.

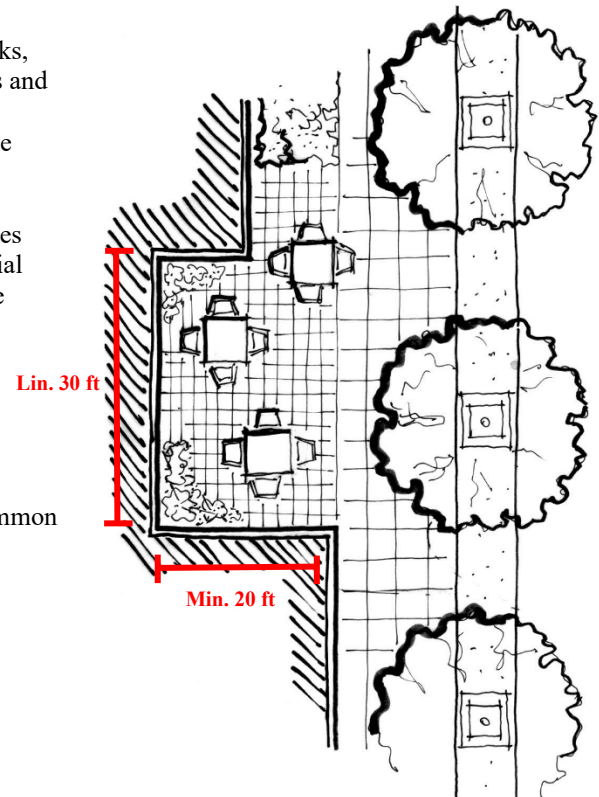
A-34a Plazas, Courtyards, and Seating Areas

1. Plazas or Courtyards **shall** be constructed when required under A-4b, below, or when utilized for the optional FAR bonus. Plazas, courtyards and seating areas are encouraged in larger-scale buildings or developments, particularly when restaurants or retail uses are anticipated.
2. Such space **shall** be located where it is visible and accessible from either a public sidewalk or a pedestrian connection within or adjacent to the site. Such space **shall** have a minimum width of 30 feet and a minimum depth of 20 feet, unless otherwise approved by the City due to site constraints.
3. Oriented amenities:
 - a. Hardened surfaces with enhanced treatment, such as concrete with decorative brick pavers, or permeable pavement surfaces;
 - b. Benches and/or other seating (e.g., seating integrated with landscape plantings or tables with built-in seating);
 - c. Pedestrian-scale lighting for area use and security; and
 - d. Landscaping, including shade trees.
4. Optional plaza features include outdoor sculptures, fountains, kiosks, etc. Seating **should** be located for maximum solar exposure, views and proximity to activity centers such as building entries or walkway intersections. Seating opportunities for small groups **should** also be available.
5. Safety. Site design **should** allow pedestrians to see the public spaces and activities occurring on a site and **should** avoid creating potential entrapment areas. Buildings **should** be arranged on the site to have visual access and/or overlook pedestrian routes, and plazas.



Shown Above: Corner pocket plaza along public sidewalk.

Shown Below: Plazas create spaces at street level for pedestrian-oriented activities. Take the “indoors” outdoors by spilling interior space (e.g. dining areas, merchandise displays) onto plazas and bringing the “outdoors” into the private realm by opening spaces up to sunlight and views of sidewalk activity.



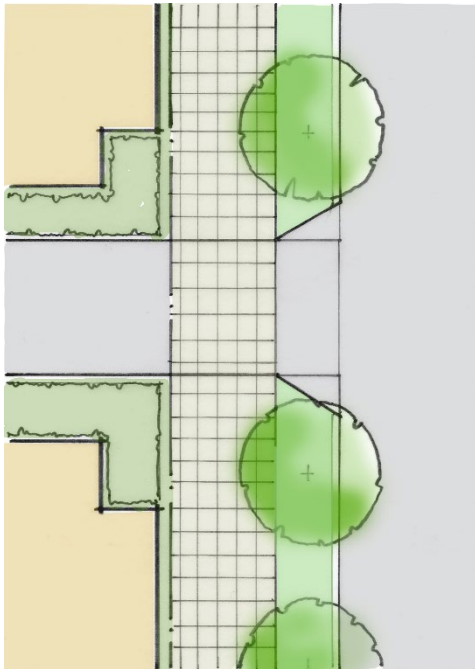
A-34b Mixed Use Building with Residential Component

1. Any residential unit within a mixed-use building **shall** provide common space as provided per Chapter 17.25 of the North Bend Municipal Code.

A-45 Vehicular Access

Intent

- Reduce the number of driveways (curb cuts) in order to improve pedestrian, bicycle and auto safety by reducing the number of potential points of conflict
 - Improve the streetscape character to enhance pedestrian activity in retail/multi-family/commercial areas.
1. Vehicle access **shall** be provided in the following order of priority:
 - a. Alley, where feasible;
 - b. For corner parcels, access **should** be off the secondary street;
 - c. Share the driveway with an adjacent property
 2. ~~Limit curb cuts to one two-way vehicular access point per project if possible (or two separated one-way vehicular access points). Two-way driveway width **shall** not exceed 24 feet. One-way width **shall** not exceed 12 feet.~~
 3. ~~Whenever possible, separate curb cuts by a 100-foot linear distance from another access drive, and by a 150-foot distance from the intersection of an arterial or collector street.~~
 4. ~~2.~~ Drive-thru lanes **shall not** be allowed between the building and the public right-of-way

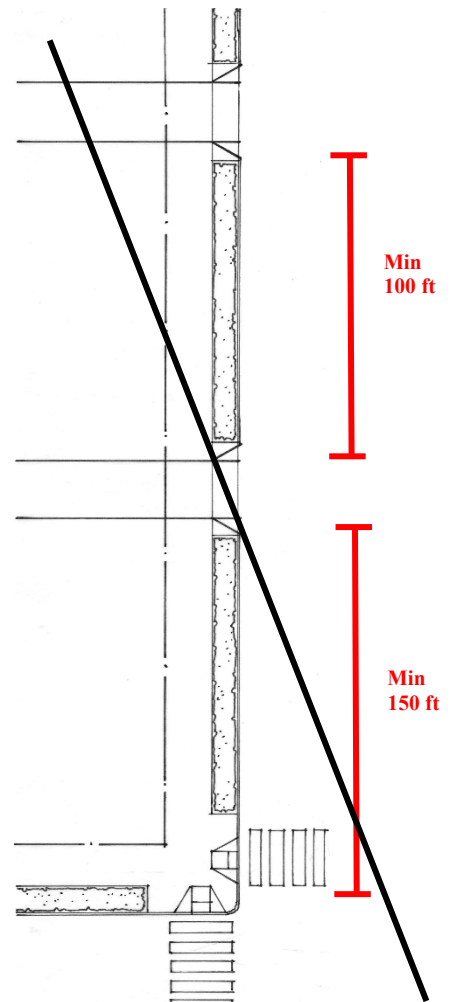


Shown Above: Driveway dimensions design, and distance from streetscape elements.



Shown Above: Shared driveway for commercial use.

Shown Below: Required curb cut spacing on typical block.



A-56 Location and Layout of Parking

Intent

- Create adequate parking for each development, but keep the cars from dominating the streetscape.
- Improve pedestrian access from the street by locating buildings closer to the street and defining the street edge.
- Provide direct pedestrian access from the street, sidewalk, and parking.
- Integrate pedestrian and vehicular access between adjacent developments.



Shown Above: Pedestrian connection through parking lot.

A-54a Plazas, Courtyards, and Seating Areas

1. In addition to the following standards, all parking **shall** be designed in accordance with NBMC Chapter 18.16, Parking Regulations.
2. Locate parking behind, to the side or under buildings, unless unfeasible due to environmental constraints. Within the ~~EP-1-BP~~ and EP-2 districts, locate the majority of the parking to the rear or side of the building. On Class 1 Pedestrian-oriented streets parking is not permitted between the building and the street. For each zoning designation, there is a maximum percent of total parking spaces that may front the primary street:

Shown Below: Parking located to the rear of a commercial building.

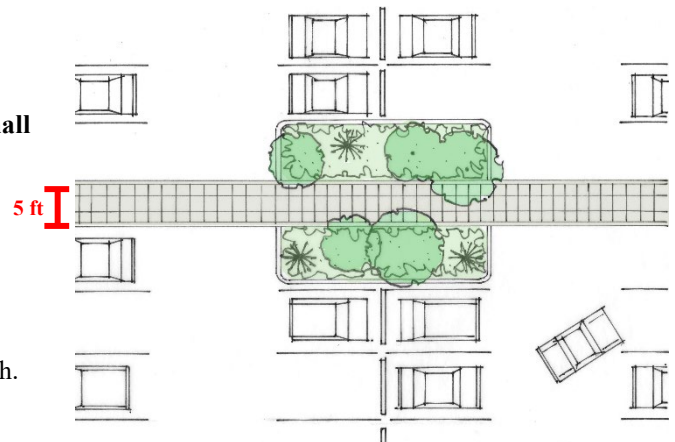


Zone	Max Parking Area Fronting the Primary Street
DC	Not Allowed
NB/NMU	Not Allowed
IMU	45%
IC	45%
EP-1-BP , EP-2 –	Not Applicable

3. No parking lots may be on corner locations adjacent to public streets.
4. FAR Bonus for structured and below grade parking

A-54b Paths within Parking Lots

1. Pedestrian walkways in parking lots larger than 50 stalls **shall** be delineated by separate paved routes that meet federal accessibility requirements and use a variation in textures and/or colors as well as landscape material.
2. Pedestrian routes **shall** be provided at least every 120 feet within parking lots larger than 50 stalls.
3. Pedestrian pathways **shall not** be less than five feet in width.



4. Where possible to facilitate internal traffic circulation between the parking areas of adjacent developments, allow a two-lane access lane, not exceeding a total width of 24 feet, located behind the front façade.

A-54c Parking Lot Landscaping

1. Surface parking lots **shall** meet the requirements set forth in NBMC Chapter 18.18, Landscaping Regulations.
2. Surface parking along public streets must be screened by one or a combination of the following:
 - a. To visually break up the expanse of large parking lots, larger consolidated landscape islands **should** be used in place of greater numbers of smaller landscape islands, to accommodate groves of larger tree species such as native evergreens.
 - b. Raised planter walls planted with a minimum 80% evergreen shrubs not exceeding a total height of 3 feet.
 - c. A 15-foot type-II landscape buffer, as described in NBMC Chapter 18.18.
3. All screening elements **shall** provide clear views between 3 and 8 feet above the sidewalk for surveillance purposes.
4. To visually break up the expanse of large parking lots, larger consolidated landscape islands **should** be used in place of greater numbers of smaller landscape islands, to accommodate groves of larger tree species such as native evergreens.

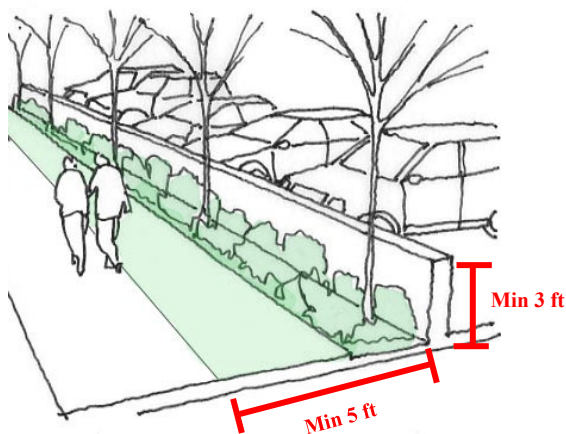


Shown Above: Example of low wall and landscaping.

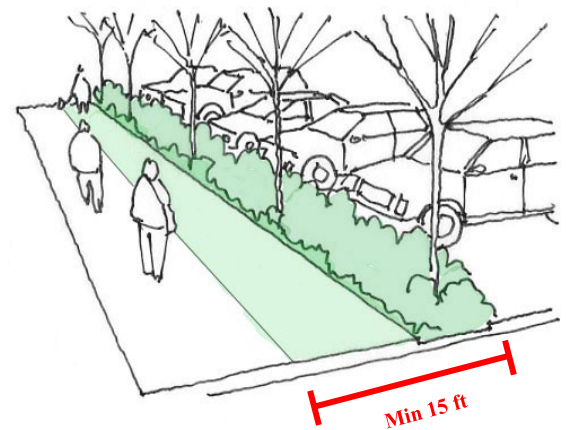
Shown Below: Consolidated landscape island in a large office park parking lot.



Ex: Combination of Low Wall and Landscaping



Ex: Landscape Buffer Meeting Screening Requirements

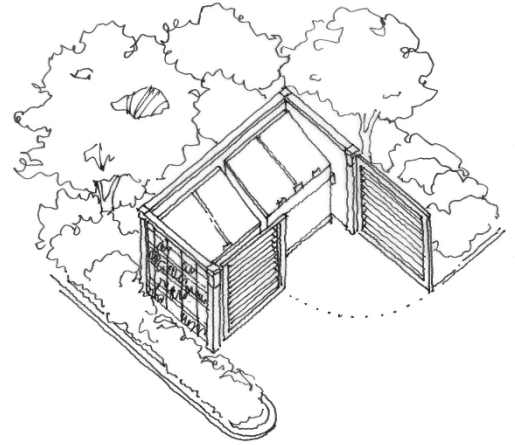


A-67 Screening of Site Utilities, Storage, Trash, and Service Areas

Intent

To screen service, loading and trash storage areas and rooftop mechanical equipment from public view, and minimize noise and odor.

1. Trash and recycling storage, utility vaults, and other above grade utilities **shall** be enclosed and screened from view by:
 - a. Masonry or heavy timber walls, or
 - b. Combination of fencing and 3-ft. wide landscaping the height of objects being concealed, or
 - c. Three feet wide landscaping the height of objects being concealed, or
 - d. An evergreen non-invasive vine covered trellis minimum 5 feet high.
2. Trash containers, dumpsters and recycling areas **should** be located near and accessed from the alley if one exists.
3. Where feasible, build a trash room within the building.
4. Where feasible, attach utility/mechanical areas to the building structure as part of the massing of the building.
5. If adjacent to single family zones, trash, recycling, utility and mechanical equipment **shall not** be placed within the required setback.
6. Chain link fencing is not allowed for screening site utilities, storage, and trash and service areas.
7. Rooftop mechanical equipment **shall** be set back and screened from view using colors and materials consistent with those on the building.
8. For those areas of outdoor storage yards fronting to a public street that are not located behind a building, a landscape buffer **shall** be provided between the storage yard and street, as described in the land use performance standards in NBMC 18.10.050.



Screening with generous landscaping and combination of heavy wood and vine covered trellis.



Example of a dumpster enclosure incorporated within the building.



Commercial building using a setback parapet, or "utility penthouse," to screen mechanical equipment.

A-7a8 Landscaping

Intent

To screen service, loading and trash storage areas and rooftop mechanical equipment from public view, and minimize noise and odor.

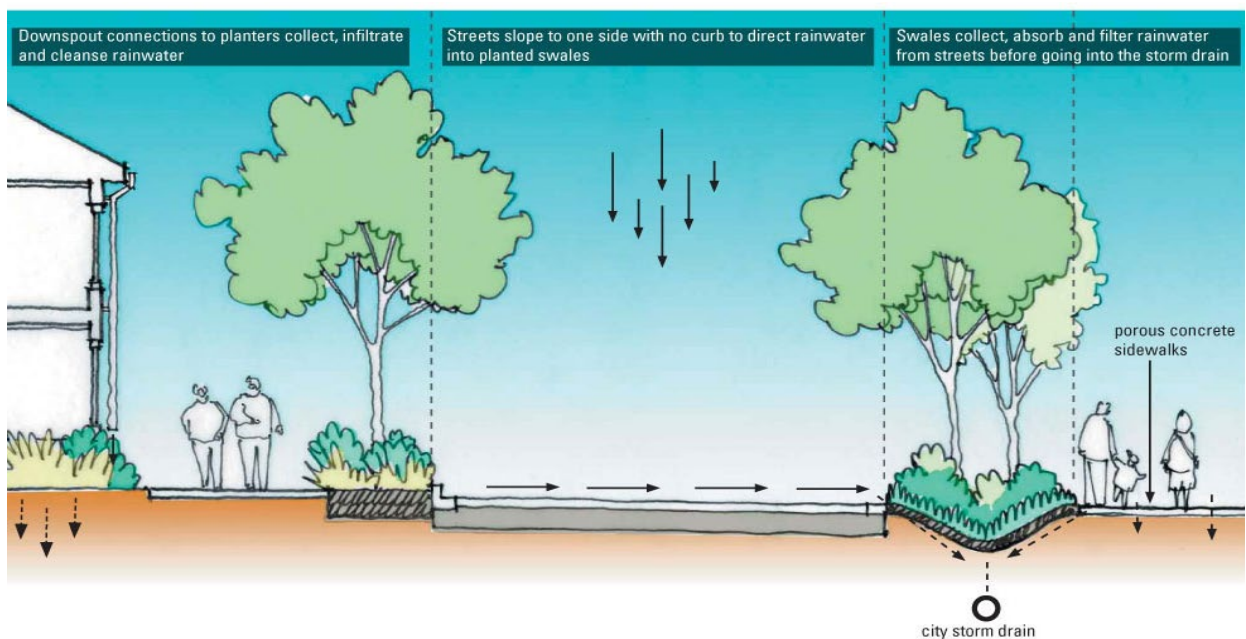
1. All landscaping **shall** be designed in accordance with NBMC Chapter 18.18, Landscaping Regulations.
2. Fencing along the front of a property **shall** be located behind any required frontage landscaping.
3. Where site topography reveals unattractive areas such as parking lots or storage or service areas, the type of landscaping **should** be considered consistent with the topographic factor to adequately screen such areas.



Frontage landscaping is less effective when located behind fencing.

A-7b Landscaping for Stormwater Management

1. Natural landscaping **should** be incorporated into biofiltration swale design so the swale is located and designed as a positive landscape feature.
2. Trees are encouraged and **should** be planted such that they will not inhibit vegetative growth within the swale.
3. Drainage swales **should** be planted with native plantings or grasses (e.g., sedges) which are tolerant to water or wet conditions.



Low Impact Development (LID) Methods for capturing and filtering storm water run-off in an urban setting.

B. Building Form

Building height and modulation guidelines are essential to create diversity in building forms, minimize shadows cast by taller buildings and to ensure compliance with the city's Comprehensive Plan. Preserving views to the mountains are an important part of North Bend's character and urban form, and these guidelines aim to contribute to this quality.

B-1 Massing

Intent

- Encourage human scale elements in building design
- Reduce bulk and mass of buildings
- Masses may be subdivided vertically or horizontally

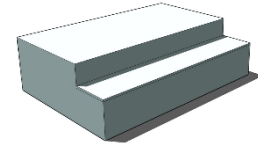
Standards:

Building Size	Footprint	Required Massing
Small	<10,000sf	One building mass
Medium	<20,000sf	2 building mass (fig. a and b)
Large	>20,000sf	3 building mass (fig. c-e)

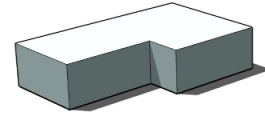
- No single building mass or volume may exceed 75 percent of the total volume of the building, defined by the building footprint multiplied by the building height.

- Building massing relying on differing roof heights must have an offset height of at least 2 feet.
- The applicant **shall** provide massing information on floor plans, building elevations, roof plans, and any 3D images or axonometric drawings.

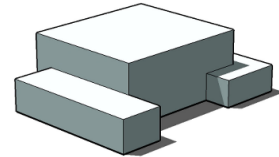
- Building size limitations **shall** be adhered to (see Table).
- Elements being used to count as massing **shall** not be used as wall modulation elements.
- The preferred order for the use of massing options is as follows:
 - setbacks above the ground or at the second level;
 - offsets from the main structure of 10 feet that break up the foundation line to define each mass;
 - distinctive volumes defined by roof forms and/or 2-foot minimum parapets.
- Base/Middle/Top. In order to reduce the apparent bulk and maintain pedestrian scale of three story or taller buildings and taller and maintain pedestrian scale, and walls of industrial buildings greater than 18 feet in height, a sense of "base", "middle", and "top" shall be provided through the use of differing materials, textures and colors using aesthetically balanced vertical composition.
- Upper-level building setbacks. Provide a minimum 5-foot setback or other form of articulation of massing from the primary building façade for any floors above the second floor to help create human scaled environments and prevent over-shading the street.
- For buildings with an east-west façade greater than 150 feet in length fronting to North Bend Way, at least 40% of the street facing façade of the building **shall** be offset by a minimum of 25 feet from the rest of the



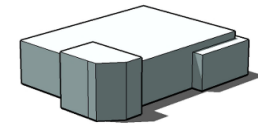
A. Step-Back



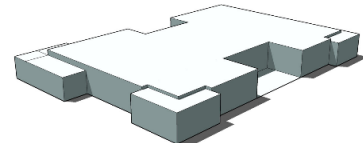
B. Building Jog



C. Separate Volumes



D. Separate Volumes



E. Separate Volumes (large one-story building)

building to reduce the apparent mass of the building and preserve views of surrounding topography from public street.



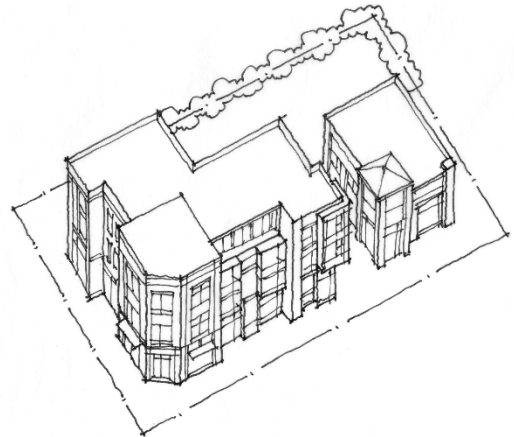
Shown Above: A massing offset in height and façade depth helps break down the apparent mass of this commercial/industrial building.

Shown Below: Large development site meeting massing requirement with two buildings rather than one: a small commercial building and a medium building with two masses (corner volume and building jog).



Shown Above: Larger commercial building that is broken into distinct masses to reduce its scale.

Shown Below: Orient building massing to the corner to create a commercial activity nodes.



B-2 Alternative to Building Massing

1. Creation of Public Open Space. A project, excluding a mixed-use building containing a residential component, may exchange one building mass requirement for the creation of a public open space of a minimum of 1,500 square feet. In commercial zones, this open space **shall** be a plaza with amenities, benches, tables, trees and other elements. The plaza **shall** extend to the sidewalk and provide direct access to building entries. In more residential areas, open space may be a pocket park.



Pocket plaza with landscaping and seating areas.

B-3 Roof Forms and Modulation

Intent

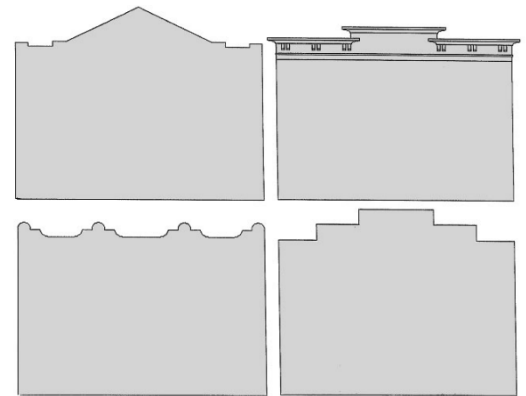
- To break up the overall massing of the roof
- Create human scale in the building
- Use roof forms to identify different functional areas within the building

Roof Form

1. Flat, unembellished rooflines on street-facing facades **shall not** be allowed. Buildings with a linear frontage longer than 60 feet **shall** modulate the roofline with differing heights or parapets, different type of roof forms, or other significant roof articulation on the primary façade.
2. Roofs must be modulated, interrupted or punctuated through a variety of elements appropriate to the building's use(s) and the site's context. Consider the following when applying the above standards to the design of a project:
 - a. Projections, overhangs, cornices, trellises, stepbacks, brackets holding overhangs, and changes in material which give design attention to roof edges;
 - b. Pitched roof forms, with a slope between 4:12 and 12:12 can help reduce the bulk and scale of a commercial building and create transition to residential zones, where appropriate. ~~In the core of the DC zoning district a parapet front design should be used, as parapet (false front) roofs are the dominant historic type. Parapet shapes should be chosen from a variety that are traditional to commercial architecture, such as pediments, use of cornice molding, cresting, or stepped 'false front' designs. If a decorative parapet is not used, roofline compatibility with adjacent buildings must be ensured.~~
 - c. In the IC district, larger buildings are generally assumed to use a flat roof. ~~As with the DC district, A~~ a decorative parapet **should** be used to articulate such rooflines.
 - d. In the EP-1BP and EP-2 districts, larger buildings are generally assumed to use a flat roof. In such cases, buildings ~~should~~ **shall** incorporate measures to differentiate unbroken roof planes (e.g., well-defined cornices and parapet designs).
3. The tallest buildings allowed (55 ft) **shall** employ a steep pitched roof form (not less than a 6:12 average for those portions above 45 ft in height) to reduce the appearance of bulk and mass.



A corner turret interrupts this otherwise flat roof.



roof parapet treatments:
top left - pediment
top right - cornice molding
bottom left - cresting
bottom right - stepped front



A well-modulated roof line with distinctive features such as dormers can break up an otherwise long façade and lead the eye down the street. A turret or other special roof feature can help emphasize a corner location.

B-4 Wall Modulation

Intent

- To let more light and air into the building
- Break up large building mass and scale of a façade
- To avoid stark and imposing building facades.
- To create a pedestrian scale appropriate to North Bend
- To become compatible with the surrounding built environment

1. Retail and Office Buildings:

Medium Buildings (50-100 ft of linear façade):

- There **shall** be a maximum of 30 feet between wall modulation elements on the street-facing façade.
- Modulation elements **shall** have a minimum of a 3-foot projection or recession from the façade and be a minimum of 8 feet in length

Large Buildings (>100ft of linear façade):

- There **shall** be a maximum of 30 feet between wall modulation elements on the street-facing façade. There **shall** be a maximum of 50 feet between wall modulation elements on the street-facing façade.
- Modulation elements **shall** have a minimum 6-foot projection or recession from the façade and be a minimum of 12-feet in length.

2. Warehousing and Large Industrial Buildings:

Because of the nature of warehousing and large industrial buildings and need for greater flexibility of space, wall modulation on the street-facing façade **shall** be provided by a combination of at least three of the following measures:

- Modulation elements consistent with that required for large retail and office buildings above, only modulation elements **shall** either have a minimum 1-foot projection or recession from the façade, and/or use a different color, texture and material from the rest of the façade;
- Modulation of roof cornice treatments, with a maximum of 50 feet between modulations;
- Sunscreens on a minimum of 40% of windows on the street facing façade;
- A minimum of 30% transparent windows and openings for the office portion of the building facing the street;
- A 20' deep x 15' wide foundation landscape area planted with Type I landscaping for every 75 feet of building wall.

3. Wall modulation elements may include, but are not limited to:

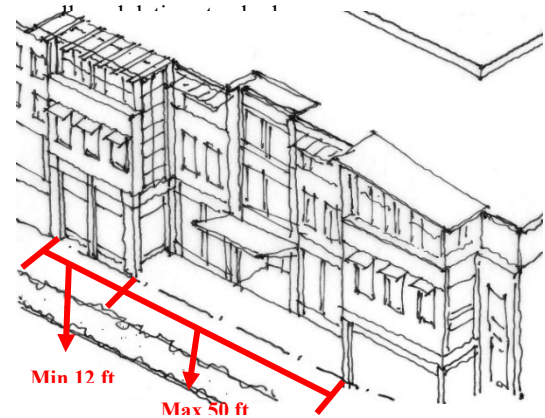
- Bays
- Entries
- Balconies or decks

4. Infill development in close proximity to historic buildings **shall** be compatible with the scale, architectural qualities and traditional uses of these resources.



Shown Above: Example of smaller scale wall modulation standard.

Shown Below: Example of larger scale commercial



Façade broken up with balconies, bays, and materials.

C. Building Façade

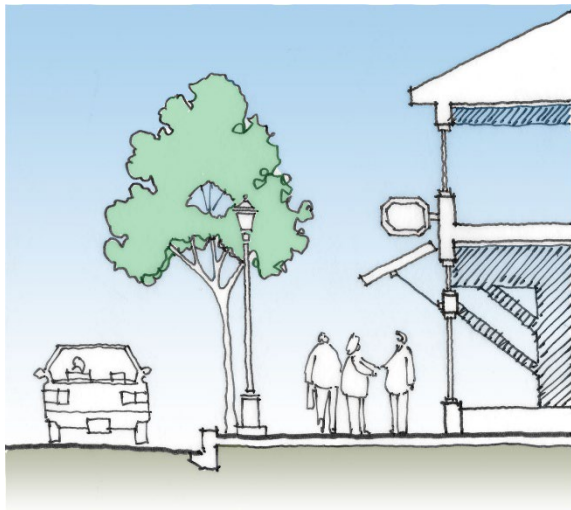
Building facade guidelines ensure that the exterior of buildings, the portion of buildings that defines the character and function of a place, is of high quality and demonstrates the strong sense of place and integrity valued by the residents of North Bend.



Front façade addressing pedestrian-oriented street.



Canopies provide weather protection and facilitate outdoor display of merchandise.



Min. 12ft linear floor-to-ceiling height

C-1 Orientation to the Street

Intent

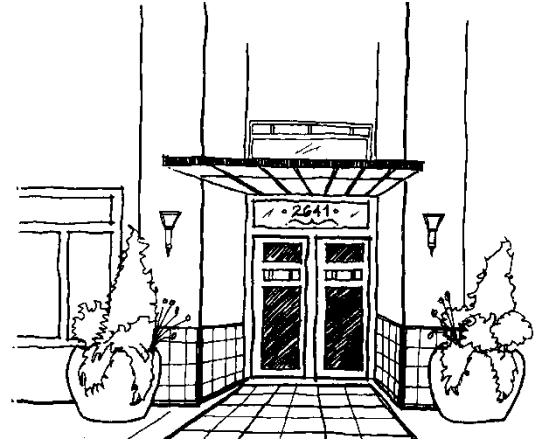
To reinforce the character of the streetscape by encouraging the greatest amount of visual interest along the ground level of buildings facing pedestrian streets.

Building Set to Back of Sidewalk

1. The front building facade and main entrance to all residential and nonresidential buildings **shall** be oriented toward a primary street and set to the back of the sidewalk, with the exception of providing open space for public use such as plazas, courtyards and seating areas, or the required sidewalk width. Within the ~~EP-1BP~~ and ~~EP-2~~ zones, non retail buildings **shall** be oriented to the primary street, but may be set back from the sidewalk pursuant to the district specific standards of this Chapter.
2. Minimum height of ground level retail space **shall** be 12 feet floor-to-ceiling. However, all ground level commercial space within the ~~DC~~ NMU and NB zones along Class 1 Pedestrian Streets **shall** provide no less than 12-foot floor-to-ceiling height.
3. Where adjacent to a sidewalk, buildings **shall** provide a canopy or a significant covered recess to provide weather protection to pedestrians, at a depth of not less than 5 feet.
4. Accessory buildings do not need to meet street orientation requirements so long as they are located behind a primary building on the property and are not primarily visible from the street.

C-2 Entrances

1. The primary (front) building facade and main entry of nonresidential buildings **shall** be oriented toward and face the primary public street.
2. Such entries **shall** be made visually prominent and receive architectural emphasis. A variety of techniques to accomplish this standard can include:
 - a. Recessed entries
 - b. Projecting entries
 - c. Elevated entries with stairways
 - d. Entry-related cover and/or roofline articulation (e.g., canopy articulation; parapet-roof articulation)
 - e. Arched entries
 - f. Use of awnings, canopies, marquees
 - g. Decorative lintels or molding above doorways
 - h. Entry lighting
 - i. Landscape treatment and emphasis
 - j. Surface treatment, (e.g., paver or tiles)
 - k. Entry courtyard
 - l. Transom windows
 - m. Signage
 - n. Complementary upper story treatments (e.g., balcony)
 - o. Other techniques as appropriate
3. Entries **shall** be lighted and protected from weather.
4. Secondary entries that receive high use **should** also receive appropriate architectural emphasis, using techniques listed above.



Prominent pedestrian-oriented entry.

C-3 Ground Level Facades

Intent

- To provide a visual connection between activities inside and outside of buildings
- To reinforce the character of the streetscape

C-3a Transparency

1. Along Class 1 Pedestrian Streets, a minimum of 65% of any ground floor façade visible from the street **shall** be comprised of windows with clear, “vision” glass.
2. Along Class 2 Pedestrian Streets, a minimum of 55% of any ground floor façade visible from the street **shall** be comprised of windows with clear, “vision” glass.

C-3b Ground Level Details

1. Facades of commercial and mixed-use buildings that face the street **shall** be designed to be pedestrian-friendly through the inclusion of at least four of the following elements:
 - a. kickplates for storefront windows
 - b. projecting window sills
 - c. pedestrian scale signs
 - d. pedestrian scale lights (eg, goose neck fixtures above a sign band)
 - e. containers for seasonal plantings
 - f. a separate base material such as tile, cultured stone, etc. that forms a distinct base below the windows.
 - g. 75% ground floor transparency
 - h. clerestory windows
2. ~~FAR Retail Bonus for ground level retail meeting all of the elements above: 100 sq ft of floor area for each linear foot of retail frontage.~~



Transparency



C-4 Building Materials

Intent

To provide a quality, unified appearance for commercial development throughout the city by promoting long-lasting materials and finishes appropriate for commercial and industrial buildings.

1. Materials encouraged as appropriate for finishing primary exterior commercial buildings walls include brick, stucco and wood clapboard siding. Additional materials that are appropriate as accent finish materials include brick, stone, cultured stone and tile.
2. Materials encouraged as appropriate for finishing primary exterior industrial building walls include architecturally finished concrete, architecturally finished concrete masonry units, and the materials identified above for commercial buildings.
3. Vinyl siding is not allowed on commercial and industrial buildings, as it lends a residential rather than commercial appearance, and requires a higher degree of maintenance and upkeep to remain clean and attractive.
4. Steel siding and painted concrete ~~are~~ is not allowed as the sole material on the primary façade of commercial and industrial buildings. Steel siding and painted concrete may be applied when used in combination with other finish materials.
5. White-framed vinyl windows and horizontal-sliding windows are not permitted on commercial buildings, as they lend a residential appearance inconsistent with commercial character and uses.
5. ~~Residential style windows (characterized by smaller sizes, higher sills, white vinyl frames, and/or artificial mullions fully bisecting the plane) are not allowed on commercial and industrial buildings, as they provide a more residential appearance inconsistent with commercial character and uses.~~



Shown Above: A mix of appropriate commercial building materials and finishes.

Shown Below: A brick base, dark window frames, and a fabric awning soften the appearance of the steel siding on this commercial/industrial building.



AVOID

Small, horizontal sliding white vinyl windows give this commercial building a residential appearance, inappropriate for a commercial area.

C-5 Blank Wall Treatments

Intent

To ensure that buildings do not display blank, unattractive walls to the abutting street or public areas.

- Blank walls are not allowed on the façade facing the primary street.
- On side facades facing a secondary street, blank walls longer than façade length corresponding to the table below fronting a public street **shall** incorporate two or more of the following throughout the length of the blank wall:

Building Size	Façade Length
Smaller (<20,000sf)	30 ft
Larger (>20,000sf)	50 ft

- vegetation, such as trees, shrubs, ground cover and/or non-invasive vines adjacent to the wall surface;
- artwork, such as bas-relief sculpture, murals or trellis structures;
- seating area with special paving; and/or
- architectural detailing, reveals, contrasting materials or other special interest.

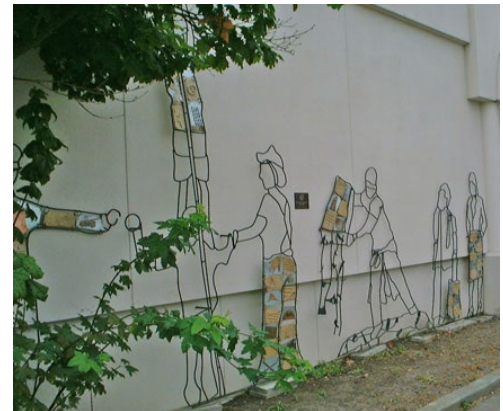


Ground cover and non-invasive vines helps soften a flat façade.



Shown Above: Architectural elements including building base, columns, lighting, trellis, and faux windows.

Shown Below: Artwork can provide visual relief.

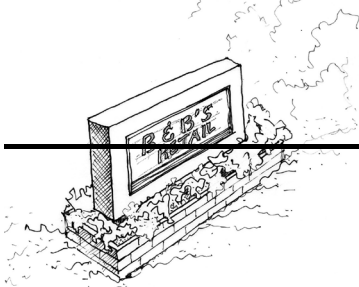
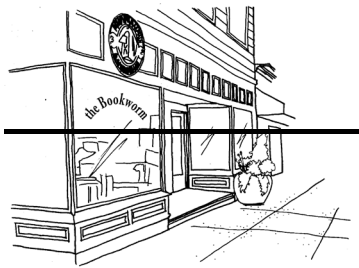


Murals can provide visual interest on blank walls and can reveal a place's culture and history.

C-6 Sign Design



Unique pedestrian signs for businesses help personalize a business district



Free-standing signs **should** add interest to the street level and **should** be oriented and scaled for both pedestrians on the sidewalk and drivers on the street.



Integrate signs with the design of the building façade

Intent

- To ensure that signage is part of the overall design approach to a project and not an additive element or an afterthought
- To encourage interesting, creative and personalized elements in the public realm

1. All signs **shall** be designed in accordance with NBMC Chapter 18.20, Sign Regulations, including other applicable sign standards adopted under that chapter.
2. _____
3. Signs **should** be designed to be consistent with the architecture of the building, utilizing sizes, colors, textures and materials that complement the appearance of the building as a whole.
4. _____
5. Blade signs mounted perpendicular to the building are encouraged in addition to wall mounted signs to provide visibility of the business to pedestrians on the sidewalk.
6. _____
7. Building mounted signs are preferred over free standing pole or monument signs, as they do not inhibit visibility and sight distance for pedestrians and vehicles.
8. _____
9. In order to be scaled and oriented for both pedestrians and vehicles, freestanding pole or monument signs **shall not** exceed 4 feet in height in DC, NMU, and NB zones, and 8 feet in IC, IMU, BPEP 1 and EP 2 zones.

District-Specific

Design Standards and Guidelines

District-specific design standards and guidelines will augment the Citywide design standards and guidelines to ensure that development proposals respond to the unique district and corridor identities throughout the City.

A. Downtown Core Commercial District

For standards specific to the Downtown Commercial District, see the City of North Bend Form-Based Code.

~~North Bend has a compact, active and walkable center, and has maintained its small town identity with valuable resources downtown. The Downtown Core design guidelines allow the downtown to maintain its cultural, recreational and historic assets and become the North Bend central meeting place while encouraging a vibrant and economically robust downtown environment.~~

A-1 Streetscape

- ~~1. Pedestrian Linkages. Clear, safe and inviting pedestrian walkways **should** be promoted to improve access to and within the Downtown Core District. The following **should** be incorporated into the streetscape design to ensure that residents and visitors are encouraged to walk in the Downtown Core District:~~
 - ~~a. Pedestrian corridors **should** be established and connected to ensure access to and within the downtown core. Specifically, streetscape and sidewalk improvements along Ballarat Avenue are encouraged to provide an important pedestrian link between the downtown core and the train depot.~~
 - ~~b. New buildings **shall** be set back and designed accordingly to allow for at least 12' of sidewalk, but not more than 15' on all downtown core streets with a clear zone of 8' for pedestrian travel.~~
 - ~~c. Wayfinding signs **should** be placed at all major intersections and public gathering places to increase awareness of appropriate and safe walkways.~~
 - ~~d. All sidewalks **should** incorporate broom finish, seared, stamped, aggregate or other textured or patterned concrete to encourage safe, comfortable pedestrian access.~~
 - ~~e. Adequate lighting **shall** be placed at a minimum of 30' apart in a staggered cadence with street trees.~~
- ~~2. Sidewalk Cafes. Outdoor sidewalk cafes are encouraged on downtown core streets to enhance public gathering places and pedestrian activity. Sidewalk areas **shall** maintain a clear zone of at least 5' wide for pedestrian travel in these locations.~~
- ~~3. Identity Elements. Public art and other unique streetscape elements such as informational signage **should** be used to provide visual interest, create a downtown identity and provide an opportunity to describe North Bend's unique history.~~
- ~~4. Landscaping and Street Trees. To support the natural setting of Downtown North Bend, street trees **shall** be placed a minimum of one every 30'. Appropriate landscaping and hanging planters are encouraged near significant intersections and at public gathering places.~~



Outdoor sidewalk café area.



Downtown Precedent: informational wayfinding signs help orient visitors.

5. Gateway Locations. Figure 1 identifies key gateway locations for the Downtown Core District. Refer to the Citywide Guidelines for methods and techniques that are appropriate for enhancing these locations.

- a. A graduated gateway approach **should** be used to draw visitors to the downtown core with increasing tree and pedestrian lighting frequency to alert motorists and pedestrians that they are entering a more intensive, pedestrian-oriented business district. For example: along Bendigo Way between South Fork Avenue and the Snoqualmie River, trees **should** be spaced 40' apart; between the Snoqualmie River and East Park Street, they **should** be spaced 35'; and between East Park Street and North Bend Way, they **should** be spaced 30' (see figure 2).



Downtown Precedent: frequent cadence of storefronts and varied roofline contributes to a walkable downtown district.

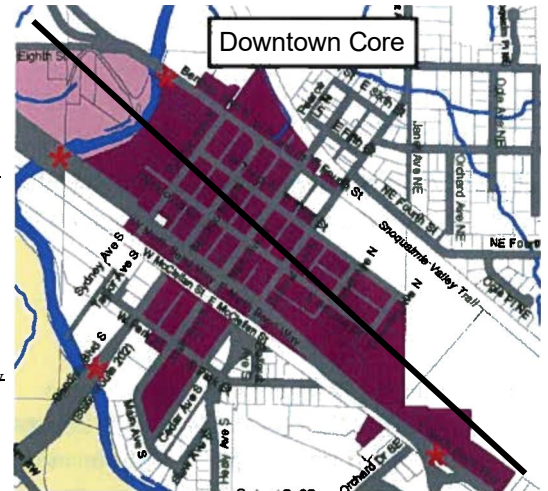
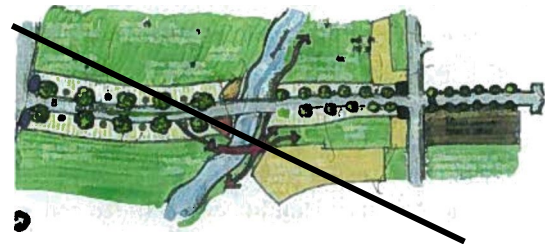


Figure 1: Downtown Core District and Gateway Locations

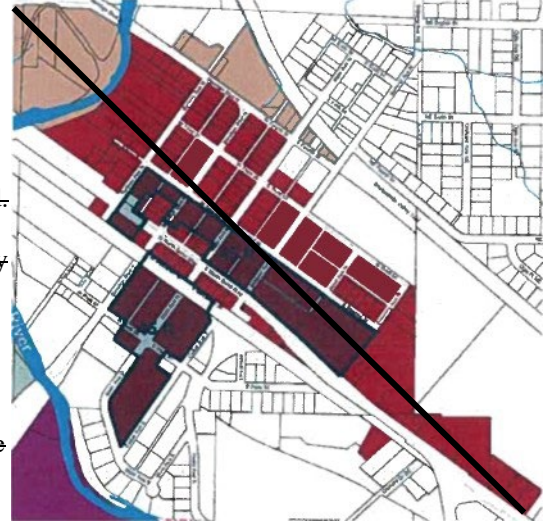


Example of a graduated gateway.

A-2 Building Form

1. Downtown Core Architectural Context. The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.
 - a. Architecture in the downtown core **should** maintain a harmonious transition between newer and older buildings. Compatible design **should** respect the scale, massing and materials of adjacent buildings and landscape.
 - b. Complement the architectural character of an adjacent historic building or area.
 - c. Complement the architectural character of an adjacent historic building or area.
2. Downtown Core Architectural Context. The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.

3. ~~Roof Form.~~ In the Downtown Core District, a parapet front design **should** be used, as parapet (false front) roofs are the dominant historic type. Parapet shapes **should** incorporate a variety of architectural styles such as pediments, use of cornice molding, cresting or stepped false front' designs. If a decorative parapet is not used, roof line compatibility with adjacent buildings must be ensured.
4. ~~Ancillary Commercial Structures.~~ Structures accessory to the primary building intended to support a commercial use **shall** be limited to 50% of the primary structure's lot coverage or 500 sq. ft., whichever is less.
5. ~~Building Height.~~ In the Downtown Core District, the maximum building height **shall** be 45 feet from Sydney Ave N to Downing Ave N, south of W Second Street (see map). The maximum height in all other areas, including the Historic District, **shall** be 35 feet.



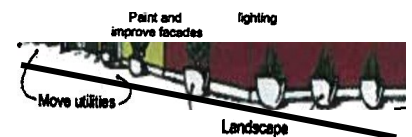
Downtown core building heights.

A-3 Orientation to the Street

1. ~~Downtown Core Architectural Context.~~ The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.
 - a. ~~75 percent of ground floor facade along North Bend Way.~~
 - b. ~~A minimum of 60 percent of any other ground floor facade visible from any street in the downtown core.~~
2. ~~Screening Parking Lots, Loading Areas and Trash Storage Areas.~~ Because of the negative impact of negative odor, sound and visual impacts from these uses, trash, parking and loading areas **shall** be screened in the downtown core as designated in the City-wide Design Standards, section A-7. Additionally, trash rooms **should** be incorporated into building design in the downtown core to ensure that trash is separated from the streetscape whenever possible.
3. ~~Develop the Alley Façade.~~ Rear facade improvements are encouraged by implementing lighting, landscaping, painting, street furniture and public art elements. Specifically, streetscape improvements along the alleyway located behind the train depot and North Bend Way would improve the pedestrian link between North Bend Way and McClellan.



Multiple large storefront windows creates a more active streetscape by providing visibility to action not inside and outside of buildings.



Vision sketch from Downtown Master Plan illustrating improvements to the alley facades of McClellan St.

A-4 Plazas

1. ~~For redevelopment of the northeast corner of Main Ave and North Bend Way, a minimum 600 square foot plaza **shall** be provided in a south facing location. The City will waive parking requirements for the first 10,000 square feet of building area to accommodate the space required for the plaza. At a minimum, the plaza **shall** include features as required under section A-4a of these standards. Additional amenities such as public art or gathering features are encouraged.~~
2. ~~Buildings located adjacent to the plaza **shall** contain entrances that open to the plaza.~~

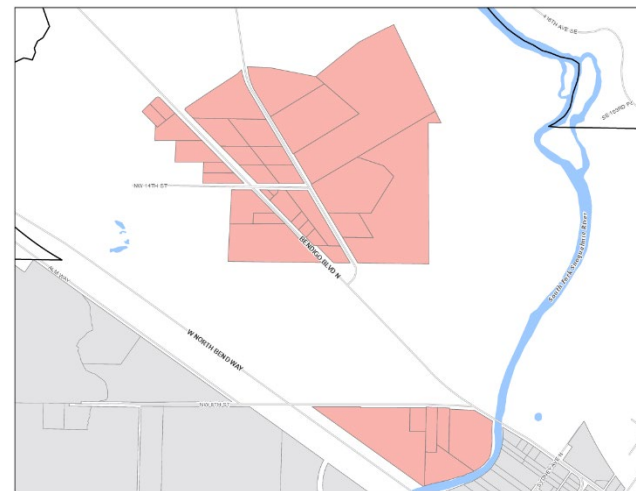


~~Plaza with landscape features and seating areas.~~

B. Northwest Neighborhood Business District

The Northwest Neighborhood Business District (NWBD) is defined by its abundant open space and natural setting. There are development opportunities here and potential to improve access to community amenities. Maintaining natural viewsheds and developing in a way that is sensitive to the surrounding natural features are critical when considering the future of the NWBD.

Northwest Neighborhood Business District



B-1 Responding to Site Characteristics and Significant Natural Features

~~The Urban Separator Overlay District (USOD). The USOD was created to maintain the identity of North Bend and provide visual breaks in the urban landscape while linking open space and environmentally sensitive features. Site coverage in the USOD NWBD is limited to 80% in all cases and maximum impervious surfaces for commercial use cannot exceed 55% of lot area unless pervious paving techniques are used in which case a 10% bonus is allowed. Surface area for green roofs is not included in surface area calculations.~~

1. Specific site conditions such as: significant topography or landscapes, prominent intersections, view or other natural features **shall** be considered to ensure that sites are located and designed in keeping with the principals of the ~~USOD~~ NWBD.
2. The following Low Impact Development (LID) techniques are encouraged for site planning to ensure that sensitive areas in the NWBD are protected and maintained:
 - a. Minimize impervious surface for all development and use pervious pavement and concrete whenever feasible.
 - b. Implement stormwater retention techniques that capture stormwater close to where it falls to mimic natural systems wherever possible. Examples include: bioretention swales and ponds, stormwater capture and vegetated roofs.
 - c. Floor area incentives **shall** be provided for natural drainage systems, pervious pavements and vegetated roofs.

Shown Above: Northwest Neighborhood Business District.

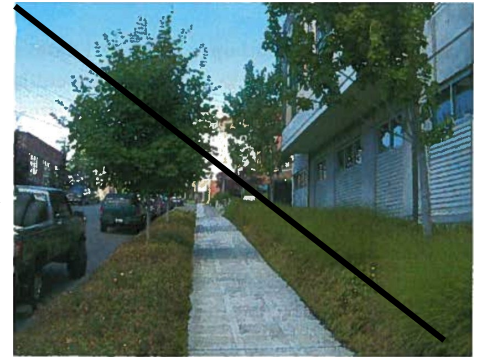
Shown Below: Rain gardens with native plantings integrated into an urban streetscape.



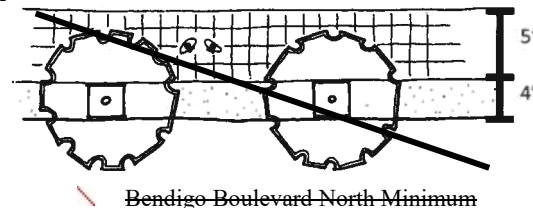
B-2 Responding to Site Characteristics and Significant Natural Features

Currently the NWBD is served by two streets (Boalch Ave NW and Bendigo Blvd N), and one local access road (NW 14 St). The district's street network will expand and improve as new development occurs. The following implements the North Bend street type classification system to recommend improvements to existing streets and designs for new ones when new development is proposed:

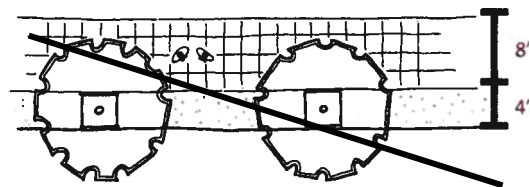
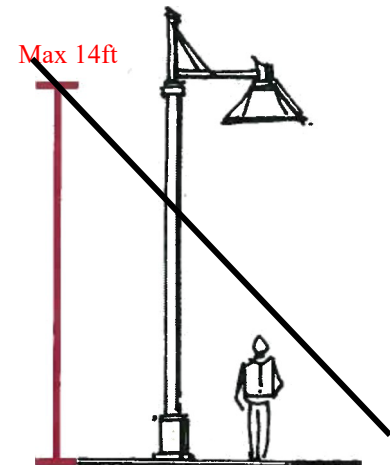
1. ~~Bendigo Blvd North: Class 2 Pedestrian Street. This is the principal arterial corridor through the NWBD. It is the only connector to downtown North Bend. In order to enhance its role as an arterial while considering the needs of pedestrians, the following guidelines shall be met:~~
2. ~~Planting Strips: Continuous 4 to 6 foot 4 to 6 foot planting strip zones shall be incorporated between the street curb and sidewalk and planted with ground cover and appropriate street trees.~~
3. ~~Sidewalk Widths. Sidewalks no less than 5 feet shall be included.~~
4. ~~Pedestrian Lighting. Regularly spaced pedestrian lights should be 14 feet high.~~
5. ~~—~~
6. ~~Boalch Ave NW: Class 1 Pedestrian Street. As a secondary arterial street serving the Northwest Neighborhood Business District, Boalch Ave NW should be designed to support commercial development with pedestrian access in mind.~~
7. ~~Planting Strips: Continuous 4 foot 4 foot planting strip zones shall be incorporated between the street curb and sidewalk and planted with ground cover and appropriate street trees.~~
8. ~~Sidewalk Widths and Bike Lanes. Sidewalks no less than 8 feet shall be included and bike lanes no less than 5 feet wide.~~
9. ~~Pedestrian Lighting. Regularly spaced pedestrian lights shall be 14 feet high.~~
10. ~~—~~
11. ~~Neighborhood Streets: Class 2 Pedestrian Street. New streets providing local vehicular access to residential and mixed use development off of Bendigo and Boalch should be encouraged as development increases. These streets are smaller, visually pleasing and speeds and volumes are relatively low to encourage pedestrian access.~~
 - a. ~~Streets. One travel lane each direction with parallel parking.~~
 - b. ~~Sidewalks: 5 feet wide, plus a 4 foot wide 4 foot wide planting zone along the curb.~~
12. ~~1. Gateway Location at Boalch and Bendigo. This NWBD serves as the northern gateway to North Bend. In addition to identity features at this location such as landscaping and "welcome to North Bend" and way finding signs, buildings at these points should hold the corner with prominence and visual expression.~~
 - a. ~~The transit stop at Boalch and Bendigo should be built and highlighted to further establish the gateway location upon entry into North Bend.~~



Continuous planting strip along sidewalk.



Bendigo Boulevard North Minimum



Boalch Ave. Minimum Dimensions

B-3 Landscaping

1. The landscape of the NWBD is defined by open space and semi-rural character. Open meadows and agricultural lands are framed by views of the nearby mountains. New development **should** maintain view corridors and implement landscaping that enhances this existing character.
 - a. Development that is clustered on one section of the lot can maximize open space and retain viewsheds.
 - b. Planting trees in clustered groves will match the existing pattern.



Open space and view Torridon help define the character of the Northwest Neighborhood Business District.

B-4 Building Design and Massing

1. Massing. The NWBD has a small-scale neighborhood setting. Buildings **shall** match this setting by breaking down the size of the developments into clusters of smaller buildings.
- ~~2. Mixed Use. Mixed use development is anticipated to occur in the NWBD and is encouraged as an appropriate use. Mixed use development can be either horizontal or vertical depending on the preference of the developer.~~
- ~~3. Cottage housing is encouraged in the NWBD because it utilizes principals of small buildings sharing communal open space without large building masses.~~



Traditional pitched roof on a large-scale building.

B-5 Roof Forms and Modulation

1. For compatibility with the surrounding landscape, views of Mt. Si, and desired small scale neighborhood setting, all parts of the primary roof above 18 feet **should** be pitched at a minimum rise of 6:12.
2. If a flat roof is used for a commercial building, the following features are required to ensure that it matches the character of the neighborhood:
 - a. Corner treatments, when located on a corner, through the use of architectural articulation such as recesses, turrets, bays, upper facade fenestration, canopies or special storefront design.
 - b. Parapets, including pediment, cornice molding, cresting, or stepped fronts.
 - c. In addition to the above requirements, green roofs are encouraged.

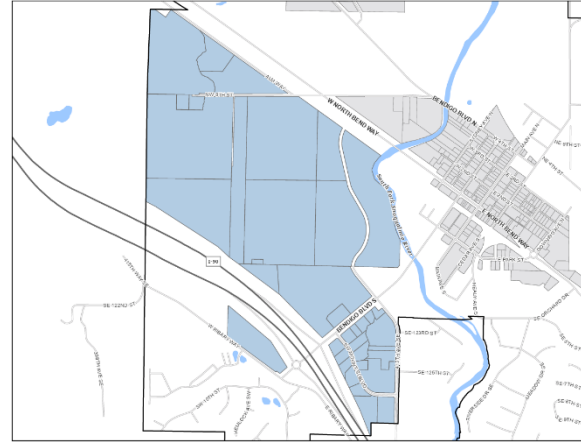


Semi-rural character expressed in the form and roof line of a commercial building to help reduce apparent bulk.

C. East and West I-90 Interchange District

The East I-90 Interchange District contains land within the employment park zone, neighborhood mixed-use zone, and a small interchange commercial zone. The district caters to business park and campus style development with the commercial area supporting the workforce and nearby residential areas. The employment park development is characterized by buildings diverse in style, size and use balanced by consideration for the natural setting, consistent streetscapes, buffers and generous landscape treatments.

The West I-90 Interchange District is particularly important because it is the immediate entry point into North Bend. The West I-90 Interchange District contains land within the business park zone, interchange commercial zone, and interchange mixed use zone. These district is mostly retail and franchise commercial uses and lower intensity buffer uses between the commercialized zones and adjacent residential zones. The West I-90 Interchange District should be developed in a way to ensure that these uses do not conflict with the small-town character of North Bend.

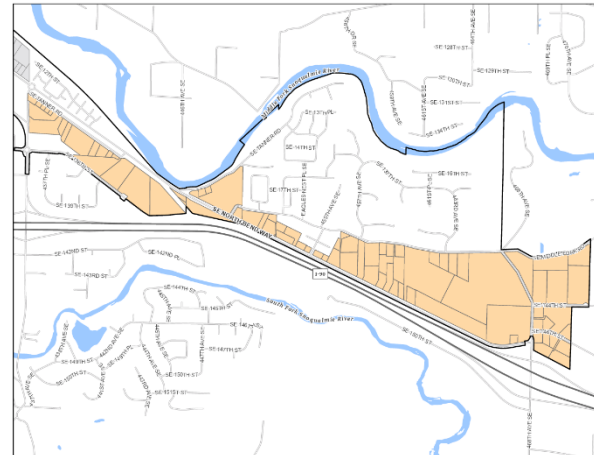


Shown Above: East and West I-90 Interchange District

Shown Below: East I-90 Interchange District

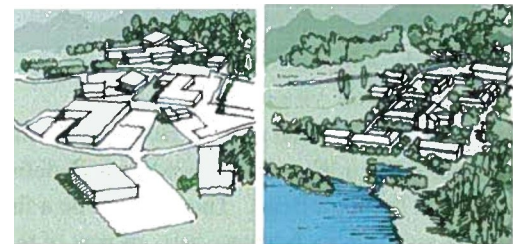
C-1 Responding to Site Characteristics and Significant Natural Features

1. It is strongly encouraged those natural features, such as significant trees, and community landmarks be preserved by concentrating and clustering buildings and parking on land of least natural significance. Significant features such as sensitive topography and views from prominent public places including parks, plazas and street view termini **shall** be considered for site design in the East I-90 district.
2. Low Impact Development is encouraged to preserve the valuable sensitive areas in the East I-90 district and minimize the impact of development.
3. Building location and orientation **should** frame views of Mt. Si and the surrounding natural landscape from prominent public places, including parks, plazas and street view termini, not block them.



C-2 Sensitivity to Adjacent Land Uses

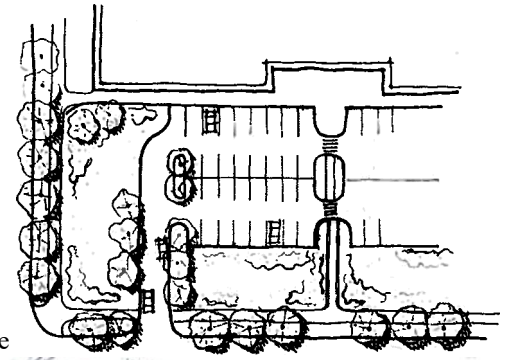
1. ~~A Type 1 Sight Barrier (as defined in Landscaping Regulations Ch 18.18.080) shall be required between industrial uses and residential areas in the East I 90 district.~~
2. ~~All lighting for service and loading areas shall be directed towards the property and away from residential areas.~~
3. ~~1. All service and loading areas shall be located to the rear of the property and away from residential zoned areas to the best extent possible.~~
4. ~~2. Where possible on larger sites, applicants should provide multiple smaller buildings rather than a singular large building to provide better compatibility to adjacent smaller scale uses.~~



Utilizing multiple smaller buildings on a site helps to complement view sheds and surrounding built and natural character.

C-3 Streetscape Design and Orientation

1. Individual sites along North Bend Way in the East I-90 District **shall** be developed to create visual interest along the street and to allow for view corridors of North Bend's natural assets by meeting the following standards:-
 - a. The primary building entrance **shall** be oriented to the street. Within the ~~EP-1BP~~ and ~~EP-2~~ districts, the primary building entrance **shall** face the street and be located generally no more than 200 feet from the public sidewalk.
 - b. Within the ~~EP-1BP~~ and ~~EP-2~~ Districts, buildings **should** be clustered on larger lots in a campus-like configuration to allow for more open space and larger view corridors while keeping entrance visible and accessible to the street.
2. Direct and clearly distinguished pedestrian walkways **shall** be provided from the primary or other main building entrances to the public street. In locations where driveways extend directly from the street to a primary or main building entrance, walkways **should** parallel the driveway.
3. Entry features **shall** be scaled to the pedestrian and used to reduce the mass of the building. While entry features may contain larger, multi-story elements to reflect the overall scale of the building, they **shall**, at a minimum, contain pedestrian scale elements such as porticos, porches or overhangs.
4. Encourage the use of highly crafted materials or civic art pieces to further enhance the appearance and prominence of entries.
5. Buildings and landscaping **should** be oriented with consideration given to the visual impact from the perspective of the driver on the primary roadway. From the south on North Bend Way, business parks help define major entry points to North Bend. There **should** be a first impression of a high-quality business park, as part of the City's overall community character and identity by including the following:
 - a. Business parks may have double fronting and corner lots. The design guidelines require buildings to be developed with principal facades on the primary street.



Orientation to the street via a prominent entrance facing the street and a direct pedestrian connection to the public sidewalk.



Entry feature scaled to the pedestrian helps de-emphasize the mass of the building.

C-4 Parking Areas

1. Parking areas **shall** be located to the side or back of buildings away from primary roads whenever possible. A minimum setback of 15 feet from street rights-of-way **shall** be required.
2. Use of pervious pavers and other low impact methods of stormwater runoff infiltration in the design of parking areas can be counted towards the interior landscaping for parking lots, not to exceed half of the required landscaping.



Landscaped "fingers" break up the expanse of asphalt.

C-5 Consolidated Driveways and Access Lanes

1. To minimize curb cuts and resulting hazards to traffic and pedestrian safety, new access points to all lots within the East I-90 Interchange District **should** be from shared driveways and shared access lanes located at the property boundary adjacent to the adjoining parcel, unless infeasible due to the location of existing improvements or intersections, or the presence of significant trees, or other similar site constraints.
 - a. To encourage the use of shared driveways and access lanes, perimeter landscaping **shall not** be required in areas occupied by driveways and access lanes at the edge of a property, so long as the applicant signs a commitment to allow an access easement to the adjoining property owner for use of the shared driveway or access lane.



C-6 Screening of Site Utilities, Storage, Trash, and Service Areas

1. All service, loading and trash/recycling collection areas **shall** be screened from public view with solid evergreen plant material or architectural treatment similar to the design of the adjacent building.
2. Loading and service areas **shall not** face any residential district, unless no other location is possible.
3. Outdoor storage areas **should** be consolidated into a single area, and screened from the street and/or neighboring uses by buildings and/or landscaping.
 - a. To provide adequate screening and reduce the visual impact of large paved service areas and docked semi trailers, a row of three or more of truck bays visible from a public street **shall** be screened on each end by a landscape island projecting out from the building. The landscape island **shall** consist of Type I landscaping and **shall** be a minimum of 30 feet long by 10 feet wide. No more than 8 bays may be located in a row without an additional landscape island.

Example of where a shared driveway could be used to reduce traffic and pedestrian hazards.



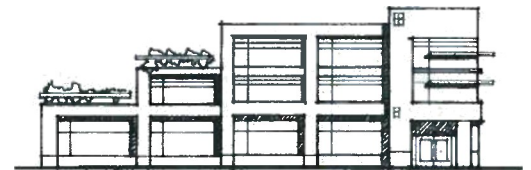
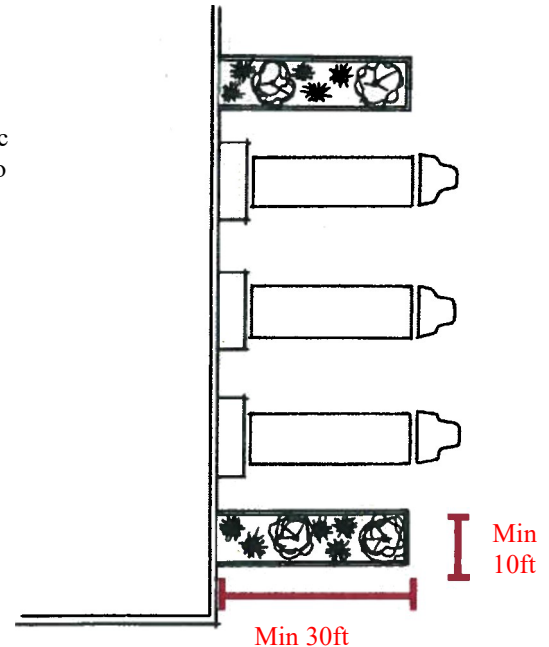
Examples of landscaping screening methods employed in a truck docking area

C-7 Building Massing and Design

1. The form and articulation of office and employment park buildings in the BP and EP zone **should** take a campus like form to avoid monolithic buildings and to enhance viewsheds. Larger buildings are encouraged to be broken up into detached smaller buildings or buildings attached by interior corridors.
2. For properties fronting to North Bend Way, where possible given the layout of a site, buildings **should** be oriented with the longer side running north-south, so as to maintain views of surrounding mountains from the public street.



Differing building sizes and heights together with significant landscaping break up the mass of an office park development.



Terracing provides visual relief and amenity.

C-8 Roof Forms and Modulation

1. Roof types **should** frame the natural views, not compete with them. Pitched roofs that complement and enhance viewsheds are encouraged.
2. Flat roofs are permitted on large one-story industrial buildings, but **should-shall** be avoided on small one-story industrial buildings. Roof line modulation, such as pitched roof forms, parapet modulation, and/or breaks in the roof line that are consistent with overall façade design, such as eaves or cornices, **should** be used.
 - a. Large one-story industrial buildings are defined as buildings with high ceilings (over 20ft) and multiple dock-high (48in) loading doors.
 - a.b. Small one-story industrial buildings are defined as any industrial building with ceilings less than 20ft.



Deep eaves and brackets add visual interest and help to ground the building.

- 2.3. All rooftop elements such as HVAC units and vents **shall** be screened by walls, parapets, or other methods which are architecturally consistent with the overall building design.

C-9 Wall Modulation: Façade Form and Style

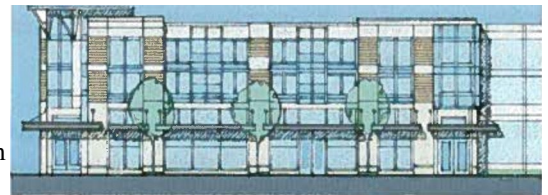
1. Building walls which face a public street **shall** be architecturally emphasized through window design and placement, projections and wall detailing. The architectural treatment of the front facade **shall** be continued, in its major features and materials, around all visible sides of the building.
2. Wall detailing, such as change in texture and/or the use of reveals, offsets, projecting ribs, cornices and awnings ~~shall~~**should** be provided such that visible shadow lines are created.



Extensive use of window glass reduces the bulk of this commercial/industrial building.

C-10 Windows and Glass

1. The design and placement of windows **shall** be an integral part of the overall building design.
2. Glass **should** be ~~non-~~untinted or lightly tinted, in “natural” tones such as brown, blue, green or gray. Black glass and mirrored glass are prohibited.
3. Windows/glass **shall** be dispersed across the facade in an architecturally consistent manner and **shall** avoid continuous horizontal or vertical strip window bands.



Well designed arrangement of windows, columns, bays and spandrel.

C-11 Colors

1. Primary and trim colors **shall** be natural tones of tan, brown, gray, brick red, green and blue. Creams and whites **should** be avoided.
2. Roof colors **shall** be natural “dark” tones of tan, brown, gray. Creams and whites are not allowed.

C-12 Sign Design

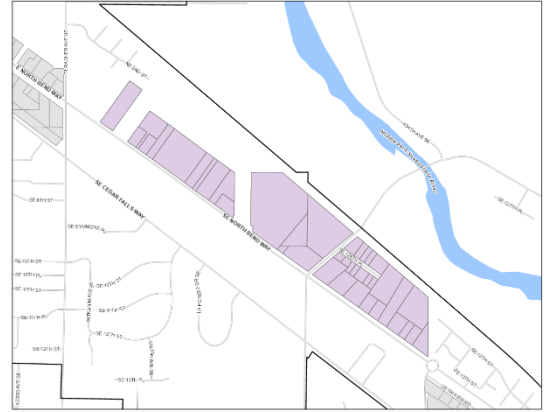
1. ~~Primary and trim colors shall be natural tones of tan, brown, gray, brick red, green and blue. Creams and whites should be avoided. Building face signage shall be below the roofline, contained within the wall surface or dedicated sign fascia and be individually illuminated or backlit.~~
2. ~~All signage on individual lots should be designed as an integral element of the building and landscape design with respect to size, location, color and materials.~~



Acceptable height and scale for monument sign.

D. Mount Si Corridor District

The Mount Si District is characterized by a mix of commercial businesses along North Bend Way just east of the Downtown Core District. The corridor layout of the district provides opportunity for improved streetscape orientation to ensure that drivers and pedestrians along North Bend Way experience the character of the City upon entry from the east. The Mount Si District offers access to natural parks and Mount Si and these natural amenities must be taken into consideration when developing.



Shown Above: Mount Si Corridor District

1. Development **shall** be done with consideration to the valuable natural assets in the Mount Si District including Mount Si, the Middle Fork of the Snoqualmie River and Torguson Park, and siting **should** be adjusted to ensure public views of the natural features are enhanced.
2. Commercial development in the Mount Si Neighborhood Business District, especially at the Mt. Si Road / North Bend Way intersection, **should** be encouraged to target visitors by incorporating existing features related to the culture and natural geography of the area.

D-2 Plaza Design

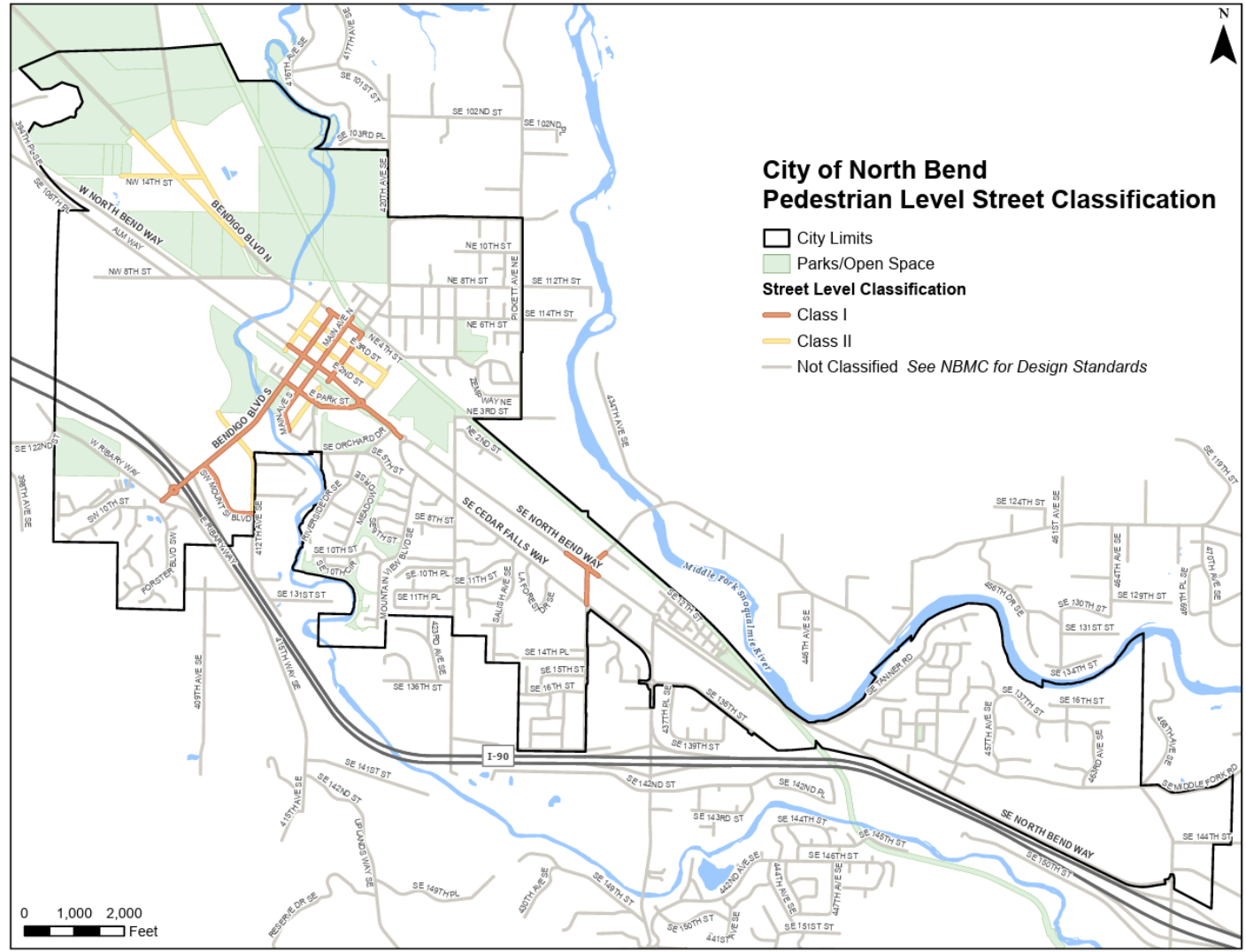
1. Due to the relationship of the intersection of North Bend Way and the Mt. Si Road to the Mt. Si recreation area and the potential for significant recreational and tourist commercial uses at this location, development at the intersection **shall** incorporate a plaza feature into the design of the site. Plaza design **shall** be consistent with section A-4 of the Citywide Design Standards and Guidelines.



intersection of North Bend Way and Mt. Si Road – the future focus area of the district

D-3 Consolidated Driveways and Access Lanes

1. To minimize curb cuts and resulting hazards to traffic and pedestrian safety, new access points to all lots within the Mount Si Corridor District **should** be from shared driveways and shared access lanes located at the property boundary adjacent to the adjoining parcel, unless infeasible due to the location of existing improvements or intersections, or the presence of significant trees, or other similar site constraints.
 - a. To encourage the use of shared driveways and access lanes, perimeter landscaping **shall not** be required in areas occupied by driveways and access lanes at the edge of a property, so long as the applicant signs a commitment to allow an access easement to the adjoining property owner for use of the shared driveway or access lane.

APPENDIX EXHIBIT A

Community and Economic Development Department Staff Report



Proposal: Amendments to the Design Review standards in NBMC 18.34.030(C), NBMC 18.34.050(H), and NBMC 18.34.060(D) and amendments to the Commercial/Mixed Use/Industrial Design Standards

Date: May 7, 2025

Proponent: City of North Bend

Staff Recommendation:

A motion to approve of the proposed amendments to NBMC 18.34.030(C), NBMC 18.34.050(H), and NBMC 18.34.060(D) and amendments to the Commercial/Mixed Use/Industrial Design Standards.

A. PROPOSED AMENDMENTS:

Amendments are proposed to the City of North Bend Design Review standards concerning deviations in NBMC 18.34.040(C), single-family and cottage residential development in NBMC 18.34.050(H), multifamily residential in NBMC 18.34.060(D), and amendments throughout the Commercial/Mixed-Use/Industrial Design Guidelines and Standards. The amendments are intended to do the following:

- Remove duplicative regulations that are addressed in other sections of the municipal code;
- Remove ambiguous, vague, or conflicting standards that do not provide clear objectives and architectural standards;
- Remove design standards that have not been utilized since the inception of the design guidelines document;
- Add key definitions that are referenced but not clearly defined;
- Improve the readability and clarity of design standards; and
- Consolidate design standards in more logical locations in the municipal code or Commercial/Mixed-Use/Industrial Design Guidelines and Standards.

The proposed code amendments are in response to recent legislative amendments to RCW 36.70A.630(b) passed by the legislature through ESHB 1293, which updates standards and laws that local governments can impose on design review and design standards. Subject to the amendments to RCW 36. 70A.630(b) under ESHB 1293, cities that architectural design standards for residential or non-

residential development may be implemented at a local level so long as regulations are clear and objective.

This gives the City of North Bend the opportunity to update its own design standards and regulations on to remove or address confusing, conflicting, or vague language to help increase residential and non-residential development. Staff are therefore proposing amendments to the NBMC 18.34 Design Review and the Commercial/Mixed-Use/Industrial Design Guidelines and Standards.

Associated amendments to NBMC 18.34.030(C) add an additional criterion for deviation approval that requires deviations to be compliant with RCW 36.70A.630(b).

Additionally, there are amendments to NBMC 18.34.050(H) regarding single-family and cottage residential design removes standards on lot width and size requirements, which are already described in the subdivision lot layout and design standards in NBMC 17.08.105 and underlying zone bulk and dimensional standards in NBMC 18.10.040.

Similarly, there are amendments to NBMC 18.34.060(D) regarding multifamily residential uses removes height limitation standards already described within underlying zone bulk and dimensional standards in NBMC 18.10.040.

Amendments are also proposed throughout the Commercial/Mixed-Use/Industrial Design Guidelines and Standards removing ambiguous and vague standards, unused design standards, remove standards redundant to the municipal code or Public Works Standards, and remove standards redundant to the Form Based Code. Amendments to the design guidelines additionally include new definitions clarifying key terms, amended language of standards exemplifying clearer architectural standards, and adding additional design standards that refine desired design outcomes for commercial, mixed-use, and industrial projects.

The proposed municipal code and design standard amendments are provided within the attached Exhibit A and Exhibit B.

B. FINDING AND ANALYSIS:

1. **Public Hearing:** A public hearing is scheduled for the May 7th, 2025 Planning Commission Meeting.
2. **Municipal Code Amendment Process:** Municipal code amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated below.
 - a. **Impacts of Proposed Amendment**
NBMC 20.08.070 and .080 requires that municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- i. **Environmental Impacts.** No environmental impacts are anticipated from revising the residential and nonresidential design standards. Regulations protecting critical areas, managing storm water runoff (including maximum impervious surface limits per property based on zoning), and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of development that occurs on a site. Such review will occur upon submittal of an application for development.
 - ii. **Economic Impacts.** The amendments have a positive economic impact for the City of North Bend by streamlining design standards for nonresidential and residential projects that can provide the city with more housing stock and encourage greater nonresidential development throughout the community. New nonresidential development will increase local opportunities for jobs as well as bring new businesses and uses to the community. New residents, businesses, and tenants would add to the city's tax base supporting new projects and programs.
 - iii. **Cultural Impacts.** No significant cultural impacts are anticipated from the proposed amendments. The amendments reduce redundancies in the code, provide greater clarity in the application of standards, and removes standards that are not actively utilized but create a barrier to development. There are no significant changes proposed to the architectural design standards that impact the desired character and aesthetic of new residential and nonresidential developments.
- b. **Impacts to Surrounding Properties.** The proposed amendments are not specific to any particular properties. Individual projects will be evaluated under the Municipal Code, Public Works Standards, Form Based Code, and/or Commercial/Mixed Use/Industrial Design Standards and Guidelines to assess for potential impacts and appropriate mitigation.

3. Compatibility of Proposed Amendment with North Bend Comprehensive Plan

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

The North Bend Comprehensive Plan includes numerous goals, policies, strategies, and objectives that align with the purpose of design review amendments. The Economic Development Element, Land Use Element, and Housing Element each include components that support the implementation of ESHB1293: to support efficient development or redevelopment, streamline design standards, and remove ambiguous standards may cause barriers to development.

The proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

Economic Development Goal 2: The City of North Bend is able to meet its financial obligations, promotes efficient development, and creates the conditions for development to be successful.

Economic Development Objective 1: Pursue actions that entice and support businesses and build upon North Bend's brand and identity.

Economic Development Strategy 1.1: To encourage incremental development, the creation of an easy-to-understand guide and designated staff support will help facilitate the development review process for smaller developers and businesses. In addition, clarification of incentives offered to targeted development types that meet specific requirements will improve transparency, predictability, and desirable development outcomes for both the city and small-scale developers.

Land Use Goal 3: Maintain residential quality and neighborhood livability suitable for residents of North Bend.

Land Use Policy 3.3: Utilize adopted multi-family and single-family design guidelines which help to promote high quality residential development.

Land Use Policy 4.1: Implement a high level of design and retention of the City's unique visual quality to areas zoned for commercial or industrial land uses through review and implementation of the adopted Commercial and Industrial Design Standards.

Housing Policy 6.6: Encourage and support accessible design and housing strategies, such as ADUs, that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

4. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, application for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code.

The amendments, which bring North Bend's municipal code regarding design standards and the Commercial/Mixed-Use/Industrial Design Guidelines and Standards up to state law.

5. Consistency with NBMC 20.08.100

Pursuant to NBMC 20.08.100, the City Council shall consider the proposed amendment against the criteria in NBMC 20.08.100 (B). A staff analysis is provided in italics under each criterion below.

1. Is the issue already adequately addressed in the Comprehensive Plan?

The amendments are to the North Bend Municipal Code and Commercial/Mixed-Use/Industrial Design Standards, and not the Comprehensive Plan. See further description on compatibility of the proposed amendments to the Comprehensive Plan above.

2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?

Yes. As described further under section A, the amendments are proposed to clarify applicable design standards to residential, commercial, mixed-use, and industrial projects and streamline design standards to remove ambiguous or unclear language. The proposed amendments are intended to remove barriers to develop within the community; the amendments are also needed to meet state requirements for local design regulations and review.

3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments are the best means to meet recent state legislative amendments with regard to design review and design standards.
4. Will the proposed change result in a net benefit to the community
Yes. The proposed regulations will result in a net benefit to the community by allowing for greater interest and follow through on residential, commercial, mixed-use, and industrial development projects that will generate greater tax revenue and funding to North Bend.

C. SUMMARY FINDINGS

- 1) Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on April 18, 2025.
- 2) A State Environmental Policy Act Determination of Non-significance on the proposed amendments was issued on April 18th, 2025 and noticed appropriately.
- 3) The Planning Commission considered the proposed draft amendments at their April 16th, 2025 Commission meetings and held a public hearing on the draft regulations at their May 7th, 2025 meeting.
- 4) The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.
- 5) The amended design standards will result in a benefit to the community by enabling greater development of residential, commercial, mixed-use, and industrial uses consistent with state law, which can help to increase the supply of housing units and jobs throughout the community.

D. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the development regulation amendment procedures in NBMC 20.08 and is supported by policies within the Comprehensive Plan. Staff recommends approval of the amendments to the Design Standards Applicability, Exemptions, Relation to Other Codes, and Effect subsection in NBMC 18.34.030(C), Single-Family and Cottage Residential standards in NBMC 18.34.050(H), Multifamily standards in NBMC 18.34.060(D) and amendments to the Commercial/Mixed Use/Industrial Design Standards.

Planning Commission Recommendation

Based on the findings above and after consideration of the public comment received at the public hearing, the North Bend Planning Commission recommends **approval** of the proposed amendments to the Design Standards Applicability, Exemptions, Relation to Other Codes, and Effect subsection in NBMC 18.34.030(C), Single-Family and Cottage Residential standards in NBMC 18.34.050(H), Multifamily standards in NBMC 18.34.060(D) and amendments to the Commercial/Mixed Use/Industrial Design Standards.

Exhibits:

Exhibit A: Municipal Code Amendments

Exhibit B: Commercial/Mixed Use/Industrial Design Standards Amendments

Proposed Amendments to NBMC 18.34**NBMC 18.34.030 Applicability, exemptions, relation to other codes, and effect.**

- A. Applicability. As necessary, compliance with design standards is checked at both the conceptual land use approval stage and the building permit stage. The design standards apply to:
1. All new residential and nonresidential construction and exterior tenant improvements (TIs) that require a building permit under the International Building Code (IBC), except as noted under subsection B of this section, must follow these standards and guidelines.
 2. Exterior-only nonresidential building or structure tenant improvements that require a building permit, where such improvements equal or exceed 20 percent of the King County assessed valuation of a building or structure.
 3. Exterior-only multifamily residential building or structure tenant improvements that require a building permit, where such improvements equal or exceed 20 percent of the assessed valuation of a building or structure.
 4. In addition to building permits, design standards apply to site plan approvals that precede issuance of building- or construction-related permits. For example, the standards apply to parking and landscaping reviews, subdivisions, short subdivisions, binding site plans, development agreements, conditional use permits and variances. The degree of application depends on the specific land use action.
 5. Clearing/grading permits. Where a clearing/grading permit is required, the clearing and grading plan shall be reviewed for compliance with applicable design standards.
 6. Where any single development project element triggers the design standards, the standards apply to all project improvements proposed. The purpose of this provision is to ensure that development improvements properly complement and coordinate with one another.
- B. Exemptions.
1. All development that does not require a building permit under the International Building Code (IBC).
 2. Developments listed as exempt from other construction permits (e.g., exempt from clearing and grading permit).
 3. Interior-only tenant improvements.
 4. Exterior tenant improvements that do not meet threshold guidelines noted in subsections (A)(2) and (A)(3) of this section.
 5. Exterior tenant improvements that are "in-kind" maintenance and/or repair only.
 6. Manufactured home design is regulated under NBMC performance standards, Table 18.10.050(1.12).

Applicants are encouraged to consult with city staff at the preapplication meeting or earlier to determine applicability and exemptions. In cases where these standards conflict with a concomitant or development agreement (existing at the time of adoption of these

standards), the principles set forth in the concomitant or development agreement supersede these standards.

- C. Deviation from Standards. An applicant may request a deviation from strict conformance to provisions of the design standards and guidelines set forth in NBMC [18.34.010](#) through [18.34.090](#).

In approving deviations from the standards, the community and economic development director shall prepare written findings that the proposed deviation is justified based on one of the following, and must find that the deviation is otherwise consistent with the purpose and intent of the provision from which the deviation is being sought, as well as the purpose and intent of the design standards and guidelines as a whole:

1. Site-specific limitations that prevent a building design from adhering to the design standards and guidelines;
 2. The deviations better accommodate or improve the existing physical conditions of the subject property in the sole discretion of the community and economic development director; or
 3. The deviations enable implementation of low impact or sustainable design techniques that may not otherwise be possible under strict conformance to the design standards and guidelines.
- 3.4. The deviation is necessary to ensure that the design standards as otherwise applied do not violate RCW 36.70A.630(b).

- D. Relation to Other Codes. The design standards supplement and/or complement the city's zoning code (this title), critical areas regulations (Chapters [14.05](#) through [14.12](#) NBMC), International Building Code (NBMC Title [15](#)), and other land use regulations. // Where design standards conflict with other land use regulations, or where uncertainty exists regarding the interpretation of the standards, respective provisions of NBMC [18.04.020](#), Conflicting regulations, and NBMC [18.04.030](#), Interpretation, shall apply. // Residential and nonresidential developments often use covenants, conditions and restrictions (i.e., CC&Rs). CC&Rs typically address any number of design-related matters, for example, building colors, roof materials, sign guidelines, or otherwise. CC&Rs for development projects shall not be inconsistent with the design standards. As part of city review, the CC&Rs for development projects shall be reviewed by the city for consistency with the design standards. Project-related permits shall not be issued where CC&Rs would be inconsistent with design standards.
- E. Effect. The design standards and design guidelines carry the full effect of the police power to regulate the public health, safety, and welfare per enabling authority outlined in NBMC [18.34.010](#).

Design standards are obligatory and utilize the terms "shall," "must," "required" and like synonyms, as well as antonyms such as "prohibited" or "not allowed." City staff and/or affected decision makers have authority to deny development projects where design standards are not followed.

Applicants are encouraged to follow design guidelines which utilize the terms “should,” “preferred,” “recommended” and like synonyms, as well as antonyms “discouraged,” “not preferred” and the like. City staff and/or affected decision makers shall not have authority to deny development projects where design guidelines are not summarily or cumulatively followed in a development project.

NBMC 18.34.050 Single-family and cottage residential.

H. Lot Layout and Design. The following standards shall be applied to the layout and design of subdivisions and short subdivisions:

1. Lots shall front to a public street, a park or a common open space tract owned by the city or the applicable homeowners association, unless infeasible due to the shape of existing lot lines or the presence of topographic constraints.
2. A shared driveway/access is allowed in limited circumstances when approved by the director, and shall not be used to serve more than four residences. Where access to more than four residences is needed, a public street shall be provided, constructed to the applicable minimum planning/design street standard in Chapter [19.01](#) NBMC and the city of North Bend public works standards.
3. Lots with double frontages (where streets other than an alley exist on opposing property lines) are permitted only when all of the following circumstances apply:
 - a. When such lots are adjacent to a collector or arterial street or where necessary due to topography or other site limitations;
 - b. When limited to a maximum of 250 linear feet of double frontage for all applicable lots along such collector or arterial street;
 - c. If rear lot lines within a subdivision face a street, a minimum 15-foot landscape buffer shall be required between the rear lot line and the adjacent street right-of-way or easement. Said landscape buffer shall consist of Type 2 landscaping per the landscape regulations in Chapter [18.18](#) NBMC and, when provided for a subdivision, shall be placed in a tract owned and maintained by the applicable homeowners association or otherwise in collective ownership and maintenance of all homeowners within the development.

~~4. Subdivisions shall additionally meet the following lot size and width variation criteria:~~

- ~~a. Lot Width. No more than two adjacent residential lots shall have the same width. Variation shall be not less than 10 feet.~~
- ~~b. Lot Size. Single-family lot sizes shall vary. Not more than two adjacent lots shall be of the same size (“same size” is defined as within 500 square feet in area relative to each other) and shall vary as follows:~~
 - ~~i. Thirty-three percent of the total number of lots shall vary from the minimum lot size by a minimum of 2,000 additional square feet. Thirty-three percent of the total number of lots shall vary from~~

~~the minimum lot size by a minimum of 4,000 additional square feet.~~

NBMC 18.34.060 Multifamily residential.

- D. Building Mass and Scale. To ensure that residential building mass and scale is appropriate to North Bend's small city context and is human in scale.

Articulation and/or modulation of primary facades and facades in public view shall be used to break up building mass and scale. Unmodulated primary and publicly viewable facades should not extend more than 30 feet. Modulation should be sufficient to break up wall planes. Roofline articulation should also be utilized, and can be accomplished with multigabled roofs, stepped roofs, or otherwise.

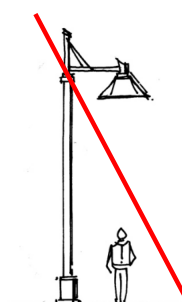
Facade and roofline articulation should be complemented with other architectural features as appropriate to architectural style, including variation in building materials; variation in fenestration; variation in building color; and elements like porches, chimneys, and finer details.

Building location on a lot, including subtle variations in front yard and side yard setbacks, should be utilized to reduce building mass and bulk, especially on larger development projects. For example, front yard setbacks might vary by five feet (see single-family and cottage performance standards in NBMC).

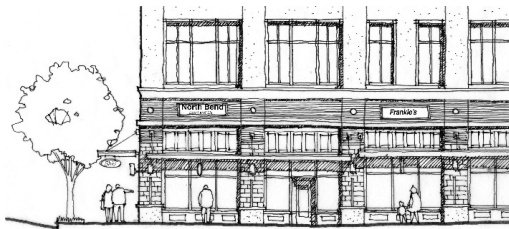
~~All structures shall have a maximum building height of 35 feet. A mix of density and building types is encouraged, but in no case shall individual buildings contain over 10 dwelling units.~~

CITY OF NORTH BEND
Commercial / Mixed Use / Industrial Design Standards and Guidelines
(Excluding Historic District)

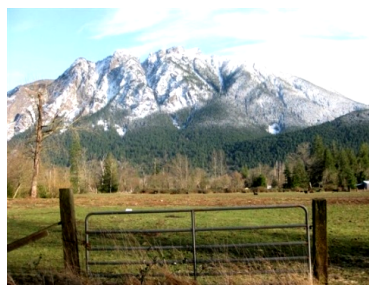
NBMC 18.34.050



Above: Desired sidewalk and streetscape character demonstrating appropriate tree spacing, sidewalk amenities, and building facades oriented toward the street with preferred architectural characteristics.



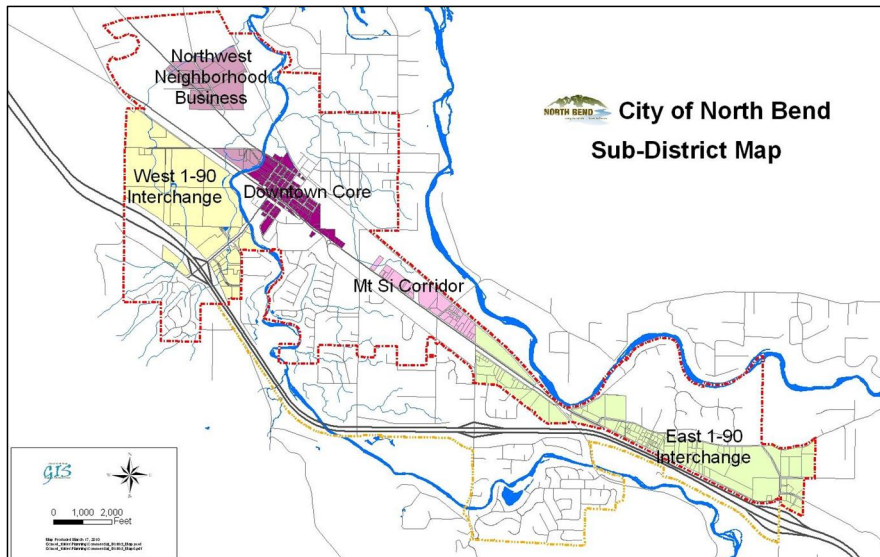
Above Left: An architectural rendering of preferred ground floor level details, including high transparency, pedestrian scale signage, separate base materials below storefront windows, and pedestrian level awnings that protect users from inclement weather. **Above Right:** A physical example of preferred ground floor level details.



Above Left: Blank, uninterrupted walls are not permitted and should instead be treated with art, murals, or non-invasive plants.

Above Right: Maintaining natural viewsheds such as Mt. Si is critical to maintaining the desired character and aesthetic of North Bend.

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Applicability

The Commercial/Mixed-use/Industrial Design Standards and Guidelines apply to all commercial and industrial zoning designations shown on the above map including: Downtown Commercial (excluding Historic District), Interchange Commercial, Interchange Mixed Use, Neighborhood Business, Neighborhood Mixed Use, Employment Park ~~1 and 2~~, and Business Park.

INTRODUCTION

The purpose of this document is to meet a number of objectives of commercial property in the city and urban growth area of North Bend. These objectives include:

- Enhancing the distinct natural and historical character that defines the City
- Encouraging high quality buildings and landscapes
- Supporting pedestrian movement
- Maintaining an appropriate scale and texture of development in the identified districts
- Directing context sensitive infill

1. Commercial and Industrial Zoning District Definitions

- **Downtown Commercial (DC):** ~~DC is~~ intended to provide specialty retail goods and a range of business, professional and other services ~~consistent-complimentary~~ with historic uses and ~~consistent to the~~ scale of the downtown area. Pedestrian orientation and amenities are emphasized and residential development is encouraged in dwelling units above commercial uses.
- **Neighborhood Business (NB):** Intended as -general commercial areas that allow buildings that are smaller in scale than other districts. ~~NB is a lower-intensity character for commercial areas west of the South Fork Snoqualmie River. The NB zone accommodates a variety of specialized residential uses and other land uses including limited light manufacturing when conducted in isolation from residential zoning districts.~~
- **Neighborhood Mixed Use (NMU):** ~~Intended as a supplementary general commercial area with a greater variety of residential uses permitted on the second story or above.~~
- **Interchange Commercial (IC):** Intended to accommodate commercial business that serve travelers off of the I-90 interchange. Buildings are permitted to be larger in scale than other districts and can operate on a ~~24-hour~~ 24-hour basis in some cases.

Commented [CH1]: Changes to definitions of Commercial and Industrial Zoning Districts comes from NBMC 18.10 and to align with the 2024 Zoning Map zones.

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- **Interchange Mixed Use (IMU):** Intended to provide a transitional area between the ~~interchange commercial zoning district~~ **IC zone** and residential ~~zoning districts~~ **zoning districts**. IMU accommodates permitted residential and commercial development to maximize compatibility with adjacent land uses. Buildings are smaller in scale than the IC districts.
- **Employment Park-1 (EP-1) Business Park (BP):** Intended to provide areas for a variety of light industrial uses that are compatible with adjoining land uses. Second-story residential uses are permitted when mixed with compatible first-floor uses and limited commercial uses are permitted when needed to support employees of **BPEP-1 districts**.
- **Employment Park-2 (EP-2):** Intended to provide areas for a variety of industrial uses including manufacturing, fabrication, and processing of natural and manmade materials. Large-scale and specialized industrial and commercial operations are permitted.

2. Commercial and Industrial Sub-District Definitions

- **Downtown Commercial ~~Core~~ District:** The central hub of North Bend zoned downtown commercial and identified by its ~~small-town~~ **small-town** character and small historic district. There is a vibrant retail community and pedestrian friendly amenities.
- **West I-90 Interchange District:** The area off of the western I-90 interchange zoned as **BP**, **IC** and IMU and defined by larger commercial businesses that typically cater to travelers and visitors to North Bend.
- **Mt. Si Corridor District:** The corridor along North Bend Way to the east of the commercial core with access to Mt. Si, Torguson Park and abundant views of natural amenities. **The area is primarily zoned as NMU.** There is access to housing and an opportunity for more commercial development to target visitors to Mt. Si.
- **Northwest Neighborhood Business District:** The area to the northwest of the commercial core zoned as NB and defined by its abundant open space and natural setting. There are development opportunities here and potential to improve access to community amenities.
- **East I-90 Interchange District:** The area off of the eastern I-90 interchange zoned as IC, **NMUB**, **EP-1** and **EP-2**. The interchange is largely undeveloped but there is some industrial use and there are large lots that allow for development flexibility.

Commented [CH2]: Changes to Sub-District definitions are primarily to recognize the applicable zones from the 2024 Zoning Map.

3. Architectural and Land Use Definitions

- a. **Anchor Store:** A retailer or restaurant with a significant ability to attract frequent and abundant local and regional customers.
- a-b. **Architecturally Finished Concrete (or Architectural Concrete):** Exposed concrete that will be permanently exposed to view and requires special care in selection of materials, forming, placing, and finishing to obtain an architecturally finished appearance.
- b-c. **Awning:** A shelter that provides weather protection, usually constructed of non-rigid canvas or canvas-like materials on a supporting framework that projects from the exterior wall of a building.
- e-d. **Bay:** Any division of a building between vertical lines or planes, especially the entire space included between two adjacent supports.
- c. **Bioretention Swale:** A filtration system to treat stormwater runoff modeled after the biological and physical characteristic of an upland terrestrial forest or meadow ecosystem. They use vegetation, such as trees, shrubs or grasses, to remove pollutants from stormwater runoff constructed directly into a drainage channel or a swale.
- d-f. **Building Height:** The vertical dimension of a structure measured from the base elevation to the top of the highest parapet wall, cornice, or coping of a flat roof. For sloping roofs, the height shall be measured to the midpoint of the highest gable or sloped plane. Where a building with multiple occupancies is located on a site which exceeds a slope of five percent, the calculation of height may be determined independently for each separately occupied space.
- e-g. **Building Massing:** The mass of a building is its three-dimensional form, bulkiness and relationship to exterior spaces. Massing that is "broken-up" to reduce bulkiness is preferred to a building form appearing oppressive or overly bulky.
- f-h. **Building Modulation (Horizontal and Vertical):** Design technique that breaks the massing of large buildings down into smaller units by providing varying depths for exterior walls.

Commented [CH3]: This definition was recommended by Leroy Gant, who helped originally develop the Design Standards document. This definition helps clarify the desired finish described in Building Façade, section C-4.

Commented [CH4]: This definition was recommended by Leroy Gant, who helped originally develop the Design Standards document. This definition helps clarify the desired applicability/measurement of building height for industrial buildings in the East and West I-90 Interchange District standards, Section C-8.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

- i. Vertical Modulation: Used to make large buildings appear to be an aggregation of smaller buildings or to add visual relief to long stretches of monotonous facades. Techniques can include the use of architectural features, setbacks or varying rooflines.
 - ii. Horizontal Modulation: Used to reduce the mass of multi-story buildings and provide continuity at the ground level of a large building. Building facades can be divided with horizontal elements so that the façade appears less massive than those with sheer, flat surfaces. Techniques can include stepbacks, balconies, and roof treatment.
- g-i. **Build-To Line:** A front boundary setback expressed as a required distance from the street edge of the building envelope. In urban areas, the build-to line often corresponds to a zero front setback.
- h-j. **Canopy:** An architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. A canopy is comprised of a rigid structure over which a rigid covering is attached.
- k. **Class 1/Class 2 Pedestrian Street:** Roadways identified as key pedestrian areas along arterials, collector roads, and local roads. These classified routes are critical to the community's vision of the function, use, and visual aesthetic of the downtown core and supplementary commercialized areas. A classification map is located in Exhibit A at the end of this document.
- i-l. **Clerestory Windows:** Windows located above either the plinth or canopy line of a building.
- j-m. **Common Space (Interior):** Those spaces of the interior of a building that are shared in common by all tenants and visitors to the building. Common space includes by way of example, hallways, stairways, elevator shafts, un-staffed lobby areas, vestibules and common atriums.
- k-n. **Cornice:** The decorative section just below the roofline. The cornice may be simple or ornate depending on building style.
- l-o. **Court Yard:** An "outdoor room" or public gathering place created by at least three sides of a building or several buildings, generally at the building scale.
- m-p. **Fore-Court:** An open area in front of a building's main entrance.
- n-q. **Floor Area Ratio:** The gross floor area of all buildings permitted on a lot divided by the area of the lot. The permitted building floor area is calculated by multiplying the maximum FAR specified by the zoning district by the total area of the parcel. A permitted FAR of 2 would allow the construction of 80,000 square feet of floor space on 40,000 square feet of land ($40,000 \times 2 = 80,000$).
- r. **Gateway:** A community entry point into the downtown core that is often accompanied by visual characteristics (such as landscaping, signage, pedestrian pathway design, building frontages, etc.) that distinguish the downtown core from other areas of the community and create a sense of place.
- s. **Grocery Store:** A store that predominantly sells general food supplies, pharmaceuticals and certain non-edible articles of everyday household use, such as cleaning products, soaps and paper products. Grocery stores do not include large or extensive sections dedicated to the sale of apparel, electronics, shoes, furniture or other goods.
- p-t. **Kickplate:** A plate applied to the face of the lower rail of a door or sidelight to protect against abrasion or impact loads.
- q-u. **Light Cut-Off:** An artificial outdoor lighting fixture designed to direct light downward and prevent light from being emitted outside the designed lighting area.
- r-v. **Lintel:** A horizontal structural beam above an opening, such as a window or door, which may be expressed externally as an architectural feature.
- s-w. **Lobby:** An entrance hall or foyer immediately inside the door of a building.
- x. **Massing:** See "Building Massing"
- t-y. **Mixed Use (Horizontal and Vertical):** Provision of a mix of complementary uses, such as residential, community and leisure uses, on a site or within a particular area.
 - i. Vertical mixed use refers to the uses being stacked on top of each other in a multi-story building.
 - ii. Horizontal mixed use refers to uses arranged next to one another on the same parcel, either attached or detached.
- z. **Modulation:** See "Building Modulation"
- u-aa. **Parapet:** The upper part of a wall, often used to hide roofs and decorated for architectural interest.
- v-bb. **Pervious Paving (Also Porous Pavement or Permeable Paving):** A paving method for roads, parking lots and walkways that allows the movement of water and air through the paving material. Pervious materials allow precipitation to percolate through areas that would traditionally be impervious and

Commented [CH5]: Class 1 and Class 2 Pedestrian Streets are described on the map within Exhibit A of the guidelines and are mentioned throughout this document. This new definition helps refine how we define a Class 1 and Class 2 Pedestrian Street.

Commented [CH6]: Gateways are described in the Northwest Neighborhood Business District in B-2. The definition is added to refine how we define a gateway and what visual characteristics typically accompany it

instead infiltrates the stormwater through the soil below. Examples include: porous asphalt, concrete, paving stones, or bricks and grass pavers.

ww-cc. Plaza: A paved open square or market place in a city or town for use by the public.

xx-dd. Plinth: The base or platform upon which a wall, column, pedestal, statue, monument, or structure rests.

yy-ee. Rain Garden: A planted depression that is designed to absorb rainwater runoff from impervious urban areas like roofs, driveways, walkways and compacted lawn areas. Rain Gardens are similar to bio-retention swales, but do not slope to a destination.

zz-ff. Roofs (Gable, Hipped, Shed):

- i. Gabled Roof: Gabled refers to a roof identified by the straight slope falling from ridge to eave, creating a peak or triangle on the side or front façade. Gabled houses have rakes on the gable facades and eaves on the non-gabled facades.
- ii. Hipped Roof: Hipped roofs avoid having a peak or triangle at the roof junction by breaking the roof plane along the slope line, allowing the roof to bend or wrap around the house and eaves on all sides.
- iii. Shed Roof: A gabled roof with a single roof face falling away from the main building. Shed roofs are often used for porches and additions.

gg. Scoring: A technique used to break up a sidewalk by patterning grooves in the concrete for aesthetics, and in some cases, to provide traction for pedestrians.

aa-hh. ~~Shall~~ Mandatory and not discretionary.

ii. Single-user: A single user **shall** mean a single establishment that shares checkstands, management, controlling ownership interest, storage areas, or shared ingress and egress into the establishment.

bb-jj. ~~Should~~ Recommended and discretionary, but not required.

ee-kk. Sun Screen/Sun Shade: Attached projecting, architectural feature designed to provide shading from the sun. A sun screen/ sun shade is a rigid structure and can add a decorative element to building design, but provides a functional energy conservation benefit to the building by deflecting solar heating away from building windows or walls.

dd-ll. Transom Windows: A window above a door that is usually hinged to a horizontal crosspiece over the door.

Commented [CH7]: This definition was recommended for purposes of bringing clarity of requirements to adhere to standards by Planning Commission.

Commented [CH8]: This definition was recommended for purposes of bringing clarity of requirements to adhere to standards by Planning Commission.

Basic Development Standards

A. Floor Area Ratio

Floor Area Ratio (FAR) is the amount of floor area within a building as a multiple of the lot area to regulate bulk and density for all uses. FAR offers design flexibility and, when paired with design standards and guidelines, provides an effective tool for meeting neighborhood and business district urban design goals whenever new development is proposed.

A-1 Base FAR Standards, Per District

The following FAR standards represent the basic allowable FAR that can be developed within each applicable zoning district, without FAR bonuses.

Zone	Basic Allowable "As of Right"	
	Non-Residential	Residential
NB	.75	1.0
NMU	.75	2.0
DC	1.5	2.0
IC	1.0	1.0
IMU	.75	1.0
EP-1BP	.75 exclusive professional office	-
EP-2	.75	-

Commented [CH9]: Amendments to the FAR standards are amended to reflect the 2024 Zoning Map

A-2 Maximum FAR Standards, Per District

The following table provides the maximum allowable FAR developable when FAR bonuses are used.

Commented [CH10]: Amendments to the FAR standards are amended to reflect the 2024 Zoning Map

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

Zone	NB	NMU	DC	IC	IMU	EP-1BP	EP-2
District							
Northwest Business	1.0/2.0	1.0/2.0	-	-	-	-	-
West I-90 Interchange	-	-	-	1.5/2.0	1.0/2.0	-	-
Downtown Commercial	1.0/2.0	1.0/2.0	2.0/3.0	-	-	-	-
Mt. Si Corridor	1.0/2.0	?1.0/2.0	-	-	-	-	-
East I-90 Interchange	-	-	-	-	-	-	-

Non-Residential/combined Residential and Non-Residential uses

Notes:

1. The following **shall** be excluded from floor area calculation:

- Space below grade
- Space dedicated to parking
- Mechanical spaces
- Elevator and stair shafts
- Unstaffed lobbies and common spaces, including atriums
- Space used for any bonused feature

2. Hotels **shall** be considered residential for the purpose of this chart.

A-3 FAR Bonuses

Contributing bonus features from the table below, where appropriate and applicable within the context of the specific design guidelines for the district, will allow a development proposal to meet the Maximum FAR identified in Table A-2, above.

Bonus Features Allowing Increased Floor Area Ratio

Feature	Additional Floor Area for each Feature
Street level retail, including all elements from Guideline C-3b, Ground Level Facades	100 sf of floor area for each lineal foot of retail frontage
Additional Streetscape Features:	
Public Plaza	5 sf of floor area for each sf of plaza
Public Art	10 sf of floor area for each \$100 of valuation
Structured Parking	0.5 sf of floor area for each sf of required parking above grade
Below Grade Parking	1 sf of floor area for each sf of required parking below grade
Sustainable Design:	
Pervious pavement (porous pavers, grasscrete, etc.)	1 sf of floor area for each sf of pervious pavement
Green Roof	2 sf of floor area for each sf of green roof
Sun Screens	4 sf of floor area for each sf of sun screen
Rain Garden	1 sf of floor area for each 3 sf of rain garden area

B. Maximum Building Height

Maximum building height **shall** be as established in Chapter 18.10 of the North Bend Municipal Code or within the Form Based Code for the Downtown Commercial zone.

C. Ground Floor Commercial Tenant Space

Zoning District	Maximum Ground Floor Commercial Tenant Space
DC	Any single user of ground floor retail or commercial space shall not exceed 7,500 sq. ft., except a grocery store, which shall not exceed 50,000 sq. ft., or anchor store of approximately 12,500 sq. ft. through a Conditional Use Permit (CUP) approval.

Commented [CH11]: Mike: The FBC does not cover this topic. This will need to remain.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

NB, NMU	Any single user of ground floor retail or commercial space shall not exceed 15,000 sq. ft., except a grocery store, which shall not exceed 50,000 sq. ft.
IC, IMU	Any single user of ground floor retail or commercial space shall not exceed 18,000 sq. ft., except a grocery store, which shall not exceed 55,000 sq. ft.
EP-1BP , EP-2	Any single user of ground floor retail space shall not exceed 20,000 sq. ft., except a grocery store, which shall not exceed 55,000 sq. ft.

Notes:

1. ~~DC zone: Lots of 7,000 sq. ft. or less in the locations listed below are exempt from on-site parking requirements. Expansion or enlargement of existing structures on lots of any size within this location shall meet the requirements set forth in NBMC 18.16.040 or as amended.~~

~~Along North Bend Way between Main Ave. and Ballarat Ave.; and between Sydney Ave. N and Bendigo Blvd.~~

- 2-1. Single user: "A single user **shall** mean a single establishment that shares check stands, management, a controlling ownership interest, storage areas, or shared ingress and egress into the establishment."

- 3-2. A single user may extend their use to upper floors, provided that the overall square footage of the use may not exceed the size limitation prescribed above for the ground-floor use.

A. Site Design

A-1 Responding to Site Characteristics and Significant Natural Features

Intent

To ensure structures built on a site are located and designed in response to specific site conditions and opportunities such as unusual topography, significant landscape, prominent intersections, views or other natural features.

1. Consideration **should** be given in the site design to the following:
 - a. ~~Significant trees, as defined in the clearing and grading regulations; Existing trees~~ **should** be incorporated into the design of projects when feasible. Tree-protection and preservation regulations and clearing and grading permit guidelines are found in North Bend's Landscape Regulations and Clearing and Grading Regulations.
 - b. New development **should** incorporate existing features related to the culture and history of the site or geographic area where practical. For example, historic sites and buildings and/or cultural locations **should** be preserved and included as part of the project.
 - c. Adjustments to the siting and massing of a building **should** enable the preservation of public or private views of local features such as Mt. Si, Rattlesnake Mountain, National Scenic Byway viewshed and Snoqualmie River tributaries. A number of techniques can be used to achieve this (e.g., tree preservation, building location, building design, roof forms).



Shown Above: Significant ~~Tree~~ retained with development.

Shown Below: Careful site planning can help preserve natural features and protect sensitive conditions on a site.

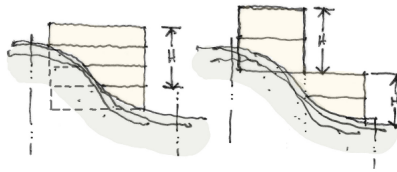


Commented [CH12]: Parking location standards for the DC zone are duplicative with standards in the FBC. Parking locations are described in the FBC under Table RP.1 Zoning District Intent.

Commented [CH13]: Tree removal standards are described in NBMC 19.10. Standard is clarified to request consideration of existing trees into the project design.

~~Adopted May 18, 2010~~ Revised TBD, 2025, Ord.1391, Ord. TBD

- d. Development within the immediate view shed of Interstate-90, a National Scenic Byway, **should** be located and designed using techniques that blend and/or maximize compatibility of structures with the forest and pastoral landscapes of North Bend.
- e. Reflect, rather than obscure, natural topography. For instance, buildings **should** be designed to “step up” hillsides, rather than cut and fill, to accommodate significant changes in topography.
- f. ~~Site buildings and parking to lessen or avoid the impact of development on environmentally critical areas such as steep slopes, wetlands and stream corridors.~~
- g.f. Buildings and parking **should** be clustered on a site to preserve open space and view corridors.



Shown Above: Example of minimal slope disturbance.

Commented [CH14]: Consideration to critical areas is described in Title 14.

A-2 Sensitivity to Adjacent Land Uses

Intent

Maintain privacy of single family residential areas, and reduce the potential adverse impacts of commercial development.

1. ~~Transitional Landscape Area (TLA), as identified in the North Bend Comprehensive Plan City's Landscape Regulations, includes specific locations along I-90, SE 140th, and North Bend Way which require appropriate landscape transitions to help maintain and enhance community character, buffer incompatible uses, and support the goals of the National Scenic Byway along the I-90 corridor.~~
2. ~~Landscape Buffers Abutting Uses in Transition Areas: For projects adjacent to residential zones and less intensive area, refer to Chapter 18.18.080 Landscaping types, for appropriate buffer techniques abutting particular uses.~~

Type 1: Sight Barrier

Type 2: Visual Separation

Type 3: Visual Buffer

3. ~~Solar orientation. The placement of a structure on the site **should** enhance solar exposure for the project and minimize shadow impacts on adjacent structures and public areas.~~
4. ~~Lighting. All exterior lighting **shall** be designed in conformance with NBMC Chapter 18.40, Exterior Lighting Standards.~~



Shown Above: The TLA is intended to preserve the forested character of areas such as this along SE 140th and provide better transitions between incompatible uses.

Shown Below: Landscape buffer between commercial and residential development provides visual screening.



Commented [CH15]: Landscaping standards are described in NBMC 18.18.

Commented [CH16]: This standard is a “should” and is not a requirement. Solar orientation is considered in NBMC 18.34.060 Multifamily Residential and 18.18.170 Modifications to standards.

Commented [CH17]: Exterior lighting standards are described in NBMC 18.40 and the Public Works Standards.

A-23 Streetscape Design

Intent

To locate and orient buildings to define public streets and civic spaces, such as plazas.

1. Build-to line. To reinforce an active pedestrian experience appropriate for different types of business districts, and to set the appropriate street façade precedent in other areas, the following “build-to” lines are required.

Standards:

Required Street Façade Building Line (RBL) by Zone:

DC: ~~Street Façade shall be built out to not less than 75 percent of the RBL for the first 10 feet of the depth of the lot. The remaining 25% may not be set back more than 10 feet from the RBL. See Form Based Code.~~

NB and NMU: Street Façade **shall** be built out to no less than 50% of the RBL for the first 10 feet of the depth of the lot. The remaining 50% may not be set back more than 10 feet from the RBL.

IMU: Street façade **shall** be built out to no less than 45% of the RBL for the first 30 ft of the depth of the lot.

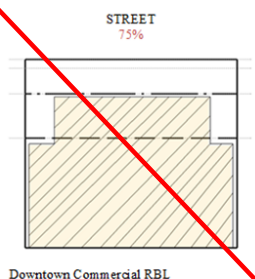
IC: Street façade **shall** be built out to no less than 45 percent of the RBL for the first 30 ft of the depth of the lot.

EP-1BP and EP-2: n/a

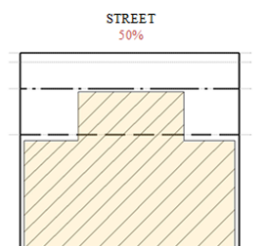
Notes:

1. Plazas or fore-courts at street level and abutting the sidewalk **shall** be allowed to encroach into the Building Line as long as at least 60% of the buildings linear frontage meets the RBL and lot depth requirement. Please refer to guideline A-4, Pedestrian Open Space, for further guidance

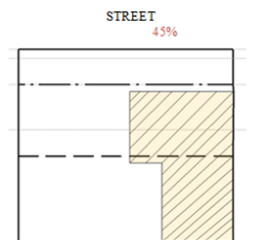
Commented [CH18]: Building setbacks are already described within the form based code under DS.1A Downtown Commercial - Core and DS.1B Downtown Commercial - Mixed Use. The standard is confusing because there are conflicts with the FBC. The FBC allows a building setback between 0-10ft while the Design Standards state there must be variation in the front setback. The FBC already regulates front setback variation through allowed frontage types. The type of building and frontage proposed impacts what kind of level of setback variation that can be achieved.



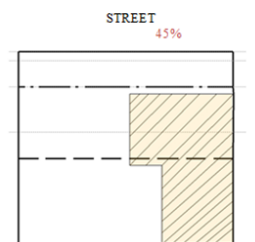
Downtown Commercial RBL



Neighborhood Business RBL

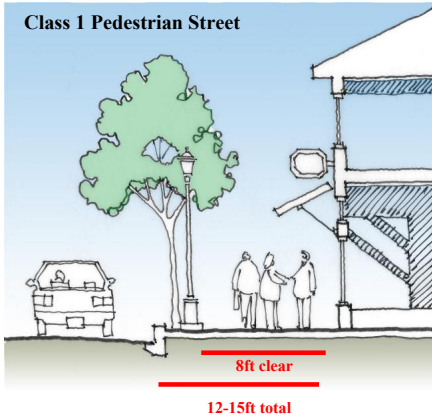


Interchange Mixed Use RBL

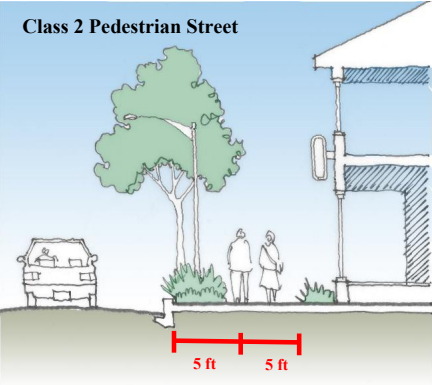


Interchange Commercial RBL

Class 1 Pedestrian Street



Class 2 Pedestrian Street

**A-23ab Sidewalks****Intent**

To provide safe, comfortable streets and sidewalks that encourage walking.

1. On Class 1 Pedestrian Streets: New buildings **shall** be set back at sufficient distance to a minimum of 12' and a maximum of 15' of sidewalk, with a clear zone of at least 8 feet for pedestrian travel. Street trees **shall** be provided in tree pits of a minimum size of 4-feet by 6-feet.
2. On Class 2 Pedestrian Streets: Sidewalk area **shall** maintain a clear zone of 5 feet for pedestrian travel and 5 feet for street tree area or planter strip.

All sidewalks ~~shall be constructed using a broom finish, unless otherwise approved under standard 4, below.~~

3. Within the DC zone, along Bendigo Blvd and North Bend Way, sidewalks **shall** be broom finished, and scored with square patterned joints measuring 2 foot square, to match the existing sidewalk pattern established within this district.

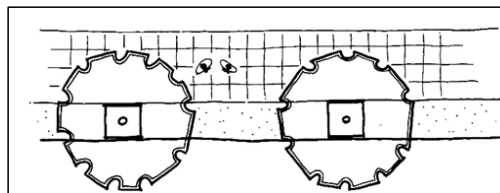
Notes:

1. Refer to Map in Appendix for specific Class 1 and 2 street designations.

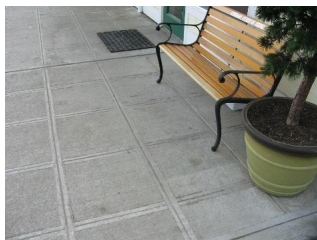
A-23be Street Trees**Intent**

To support the natural setting as fundamental to the character of North Bend.

1. Street trees **shall** be placed equivalent of one every 30 feet in tree grates or 4-foot-wide planted area. In less formal commercial areas, trees may be grouped.



30 ft on center



Shown Above: Example of broom-finished, 2' by 2' scored sidewalk

Commented [CH19]: These standards are duplicative to standards regulated by the Public Works Standards.

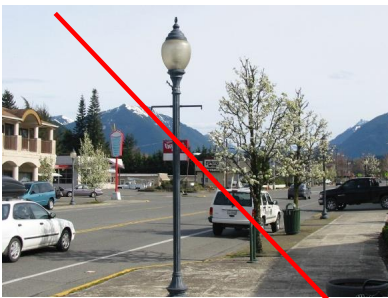
Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

A-23cd Streetscape Amenities



Shown Above: Examples of street furnishings.

Shown Below: North Bend downtown pedestrian-sealed streetlight.



Shown Above: Mature forested vegetation within the right-of-way contributes to the rural natural character of many areas of North Bend and **should** be preserved wherever possible.

Intent

To reinforce a cohesive image and ensure that streetscape elements can be well maintained without excessive costs.

A-23cd.1 Street Furnishings

1. Use City-approved standardized fixtures for benches, trash receptacles and bike racks located in the public right-of-way.

~~A-3d.2. Lighting~~

1. ~~In addition to the following standards, all street lighting **shall** be designed in accordance with NBMC Chapter 19.06, Design and Construction Standards for Electrical and Street Lighting.~~
2. ~~Use City-approved standardized fixtures for sidewalk lighting.~~
3. ~~Pedestrian street light pole heights **shall** be a maximum of 18 feet in IC and IMU districts and 14 feet in DC, NMU, and NB districts.~~
4. ~~The type, materials, and location of light fixtures (including poles) **shall** be selected and coordinated relative to the facility, area or node being served.~~
5. ~~Full cut-off luminaires **shall** be used to minimize light glare and light trespass (including vertical and horizontal trespass), except along Ballarat Ave and North Bend Way within the downtown, to match existing light standards.~~
6. ~~Luminaires **should** be chosen with lamp life in mind. Longer lamp lives promote energy efficiency and cut down on maintenance costs.~~

Commented [CH20]: Lighting standards are described in NBMC 18.40 for exterior on-site lighting and the Public Works Standards for ROW lighting.

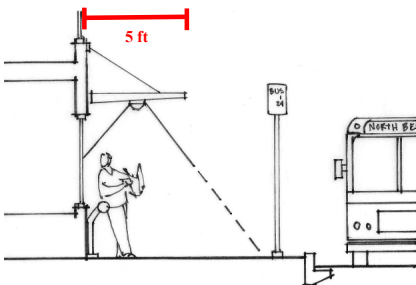
A-23cd.32 Exceptions to Street Design Standards and Street Improvement Standards

1. Where street design width and street improvements are required from a development project pursuant to this section, but such improvements are not feasible due to existing constraints, the City Engineer may approve an alternate design and/or layout to accommodate for the constraint, provided that the overall intent of these standards is met.
2. Where mature, healthy forested vegetation exists within an existing right-of-way and frontage improvements are required, the applicant **shall** where possible in consideration of other constraints such as utilities, place the sidewalk such that the vegetation may be preserved. This may require further dedication of right-of-way. The City may waive on street parking lanes or accommodate reduced street widths to preserve such vegetation.



Shown Above: Clear pedestrian connections from internal site to existing sidewalk.

Shown Below: Example of easily accessible transit shelter adjacent to sidewalk within a landscaped setting.



Shown Above: Appropriately scaled canopy as shelter space, defined by the height and depth (min 5 ft), for bus riders on a transit route.

Lighting is an important consideration when opaque material is used for a canopy. The illumination of light-colored undersides is important to increase security after dark.

A-23de Pedestrian and Transit Connections

Intent

- Design the site access and circulation routes with pedestrian comfort and ease of access in mind.
- Create parking lots and building service ways that are efficient and safe for both automobiles and pedestrians.
- Provide direct and safe access along, through and to driveways and adjacent developments or city streets.
- Encourage the use of mass transit by providing easy access to pleasant waiting areas.

1. Pedestrian building entries **shall** connect directly to the public sidewalk. Entries **shall** also connect to adjacent developments if feasible.
2. Internal pedestrian routes **shall** extend to the property line and connect to existing pedestrian routes if applicable. Potential future connections **shall** also be identified such that pedestrian access between developments can occur without walking in the parking or access areas. Walkways **shall** be a minimum 5 feet in width.
3. On-site open space **shall** be linked to public open space on adjacent or nearby sites unless otherwise approved by the City. Linkages to designated public open space and recreation areas and to opportunity areas identified in the North Bend Parks **Plan Element** **should** be established.

A-23ef Transit stops/ Bus stops

1. Transit stops and improvements **should** be provided where appropriate to meet the intensity of use and expected demand. Transit stops **should** include shelters, seating areas, and wider (e.g., eight feet or wider) sidewalks. Development proposals adjacent to existing or proposed transit stops are encouraged to provide canopies, lean bars and/or benches integrated into the design of the structure in lieu of separate shelter structures. See FAR Bonus Chart for bonus provided for such features.
2. When a transit stop is located in front of or adjacent to a parcel, pedestrian connections linking the transit stop directly to the new development **shall** be provided.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

A-34 Pedestrian Open Space

Intent

To encourage conforming, accessible, and aesthetically pleasing public gathering places that cater to pedestrians and meet the needs of the intended users.

A-34a Plazas, Courtyards, and Seating Areas

- Plazas or Courtyards **shall** be constructed when required under A-4b, below, or when utilized for the optional FAR bonus. Plazas, courtyards and seating areas are encouraged in larger-scale buildings or developments, particularly when restaurants or retail uses are anticipated.
- Such space **shall** be located where it is visible and accessible from either a public sidewalk or a pedestrian connection within or adjacent to the site. Such space **shall** have a minimum width of 30 feet and a minimum depth of 20 feet, unless otherwise approved by the City due to site constraints.
- Oriented amenities:
 - Hardened surfaces with enhanced treatment, such as concrete with decorative brick pavers, or permeable pavement surfaces;
 - Benches and/or other seating (e.g., seating integrated with landscape plantings or tables with built-in seating);
 - Pedestrian-scale lighting for area use and security; and
 - Landscaping, including shade trees.
- Optional plaza features include outdoor sculptures, fountains, kiosks, etc. Seating **should** be located for maximum solar exposure, views and proximity to activity centers such as building entries or walkway intersections. Seating opportunities for small groups **should** also be available.
- Safety. Site design **should** allow pedestrians to see the public spaces and activities occurring on a site and **should** avoid creating potential entrapment areas. Buildings **should** be arranged on the site to have visual access and/or overlook pedestrian routes, and plazas.

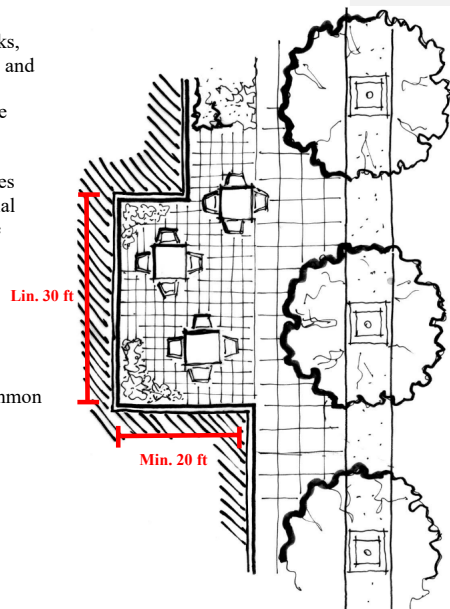
A-34b Mixed Use Building with Residential Component

- Any residential unit within a mixed-use building **shall** provide common space as provided per Chapter 17.25 of the North Bend Municipal Code.



Shown Above: Corner pocket plaza along public sidewalk.

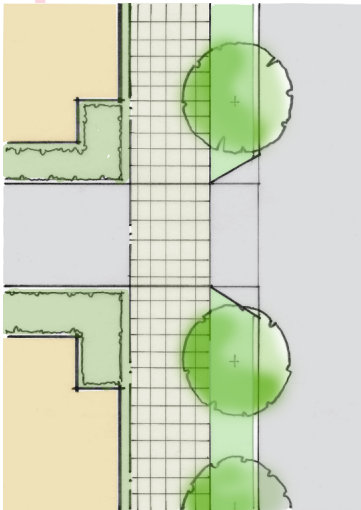
Shown Below: Plazas create spaces at street level for pedestrian-oriented activities. Take the “indoors” outdoors by spilling interior space (e.g. dining areas, merchandise displays) onto plazas and bringing the “outdoors” into the private realm by opening spaces up to sunlight and views of sidewalk activity.



A-45 Vehicular Access

Intent

- Reduce the number of driveways (curb cuts) in order to improve pedestrian, bicycle and auto safety by reducing the number of potential points of conflict
 - Improve the streetscape character to enhance pedestrian activity in retail/multi-family/commercial areas.
1. Vehicle access **shall** be provided in the following order of priority:
 - a. Alley, where feasible;
 - b. For corner parcels, access **should** be off the secondary street;
 - c. Share the driveway with an adjacent property
 2. ~~Limit curb cuts to one two-way vehicular access point per project if possible (or two separated one-way vehicular access points). Two-way driveway width shall not exceed 24 feet. One-way width shall not exceed 12 feet.~~
 3. ~~Whenever possible, separate curb cuts by a 100-foot linear distance from another access drive, and by a 150-foot distance from the intersection of an arterial or collector street.~~
 - 4.2. Drive-thru lanes **shall not** be allowed between the building and the public right-of-way

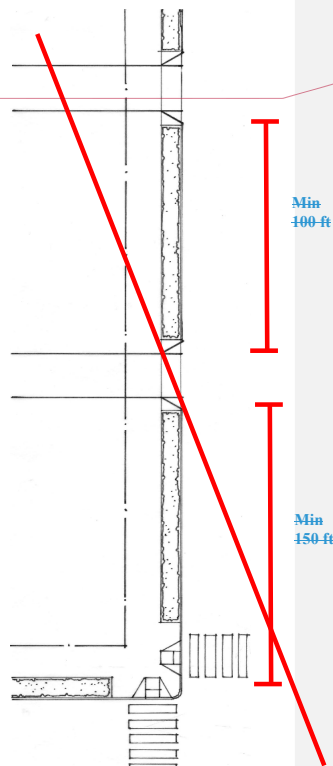


Shown Above: Driveway dimensions design, and distance from streetscape elements.



Shown Above: Shared driveway for commercial use.

Shown Below: Required curb cut spacing on typical block.



Commented [CH21]: These standards are duplicative to the Public Works Standards and NBMC Title 19.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

A-56 Location and Layout of Parking

Intent

- Create adequate parking for each development, but keep the cars from dominating the streetscape.
- Improve pedestrian access from the street by locating buildings closer to the street and defining the street edge.
- Provide direct pedestrian access from the street, sidewalk, and parking.
- Integrate pedestrian and vehicular access between adjacent developments.



Shown Above: Pedestrian connection through parking lot.

A-54a Plazas, Courtyards, and Seating Areas

1. In addition to the following standards, all parking **shall** be designed in accordance with NBMC Chapter 18.16, Parking Regulations.
2. Locate parking behind, to the side or under buildings, unless **un**feasible due to environmental constraints. Within the **EP-4BP** and **EP-2** districts, locate the majority of the parking to the rear or side of the building. On Class 1 Pedestrian-oriented streets parking is not permitted between the building and the street. For each zoning designation, there is a maximum percent of total parking spaces that may front the primary street:

Shown Below: Parking located to the rear of a commercial building.

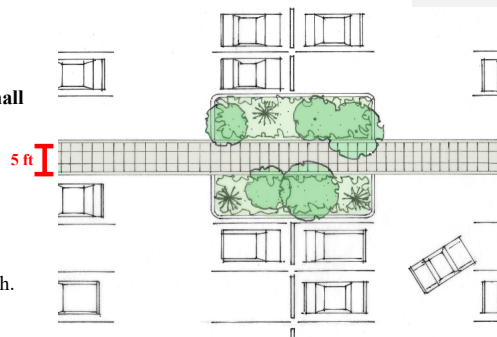


Zone	Max Parking Area Fronting the Primary Street
DC	Not Allowed
NB/NMU	Not Allowed
IMU	45%
IC	45%
EP-4BP, EP-2 –	Not Applicable

3. No parking lots may be on corner locations adjacent to public streets.
4. FAR Bonus for structured and below grade parking

A-54b Paths within Parking Lots

1. Pedestrian walkways in parking lots **larger than 50 stalls** **shall** be delineated by separate paved routes that meet federal accessibility requirements and use a variation in textures and/or colors as well as landscape material.
2. Pedestrian routes **shall** be provided at least every 120 feet within parking lots **larger than 50 stalls**.
3. Pedestrian pathways **shall not** be less than five feet in width.



Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

4. Where possible to facilitate internal traffic circulation between the parking areas of adjacent developments, allow a two-lane access lane, not exceeding a total width of 24 feet, located behind the front façade.

A-54c Parking Lot Landscaping

1. Surface parking lots **shall** meet the requirements set forth in NBMC Chapter 18.18, Landscaping Regulations.
2. Surface parking along public streets must be screened by one or a combination of the following:
 - a. To visually break up the expanse of large parking lots, larger consolidated landscape islands **should** be used in place of greater numbers of smaller landscape islands, to accommodate groves of larger tree species such as native evergreens.
 - b. Raised planter walls planted with a minimum 80% evergreen shrubs not exceeding a total height of 3 feet.
 - c. A 15-foot type-II landscape buffer, as described in NBMC Chapter 18.18.
3. All screening elements **shall** provide clear views between 3 and 8 feet above the sidewalk for surveillance purposes.
4. To visually break up the expanse of large parking lots, larger consolidated landscape islands **should** be used in place of greater numbers of smaller landscape islands, to accommodate groves of larger tree species such as native evergreens.

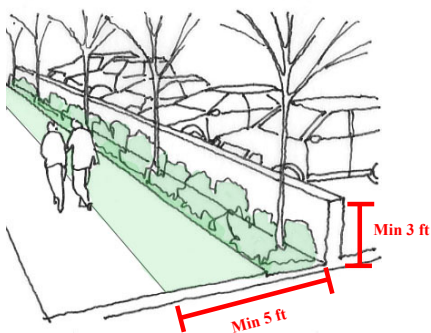


Shown Above: Example of low wall and landscaping.

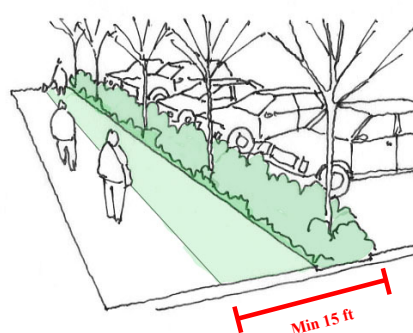
Shown Below: Consolidated landscape island in a large office park parking lot.



Ex: Combination of Low Wall and Landscaping



Ex: Landscape Buffer Meeting Screening Requirements



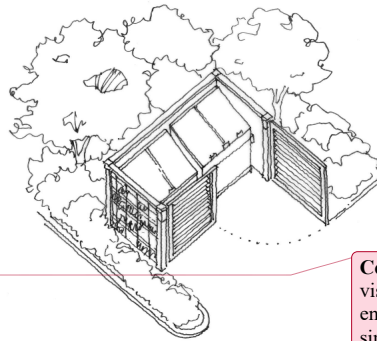
Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

A-67 Screening of Site Utilities, Storage, Trash, and Service Areas

Intent

To screen service, loading and trash storage areas and rooftop mechanical equipment from public view, and minimize noise and odor.

1. Trash and recycling storage, utility vaults, and other above grade utilities **shall** be enclosed and screened from view by:
 - a. Masonry or heavy timber walls, or
 - b. Combination of fencing and 3-ft. wide landscaping the height of objects being concealed, or
 - ~~c. Three feet wide landscaping the height of objects being concealed, or~~
 - d.c. An evergreen non-invasive vine covered trellis minimum 5 feet high.
2. Trash containers, dumpsters and recycling areas **should** be located near and accessed from the alley if one exists.
3. Where feasible, build a trash room within the building.
4. Where feasible, attach utility/mechanical areas to the building structure as part of the massing of the building.
5. If adjacent to single family zones, trash, recycling, utility and mechanical equipment **shall not** be placed within the required setback.
6. Chain link fencing is not allowed for screening site utilities, storage, and trash and service areas.
7. Rooftop mechanical equipment **shall** be set back and screened from view using colors and materials consistent with those on the building.
8. For those areas of outdoor storage yards fronting to a public street that are not located behind a building, a landscape buffer **shall** be provided between the storage yard and street, as described in the land use performance standards in NBMC 18.10.050.



Commented [CH22]: This standard is the least visually impactful out of the other options for enclosure screening. The other 3 options have a more similar result in screening.

Screening with generous landscaping and combination of heavy wood and vine covered trellis.



Example of a dumpster enclosure incorporated within the building.



Commercial building using a setback parapet, or "utility penthouse," to screen mechanical equipment.

A-7a8 Landscaping

Intent

To screen service, loading and trash storage areas and rooftop mechanical equipment from public view, and minimize noise and odor.

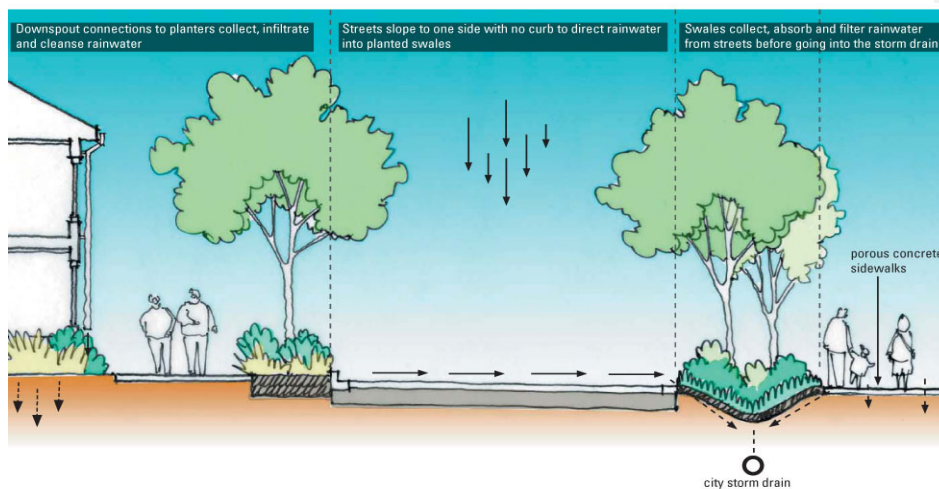
1. All landscaping **shall** be designed in accordance with NBMC Chapter 18.18, Landscaping Regulations.
2. Fencing along the front of a property **shall** be located behind any required frontage landscaping.
3. Where site topography reveals unattractive areas such as parking lots or storage or service areas, the type of landscaping **should** be considered consistent with the topographic factor to adequately screen such areas.



Frontage landscaping is less effective when located behind fencing.

A-78b Landscaping for Stormwater Management

1. Natural landscaping **should** be incorporated into biofiltration swale design so the swale is located and designed as a positive landscape feature.
2. Trees are encouraged and **should** be planted such that they will not inhibit vegetative growth within the swale.
3. Drainage swales **should** be planted with native plantings or grasses (e.g., sedges) which are tolerant to water or wet conditions.



Low Impact Development (LID) Methods for capturing and filtering storm water run-off in an urban setting.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

B. Building Form

Building height and modulation guidelines are essential to create diversity in building forms, minimize shadows cast by taller buildings and to ensure compliance with the city's Comprehensive Plan. Preserving views to the mountains are an important part of North Bend's character and urban form, and these guidelines aim to contribute to this quality.

B-1 Massing

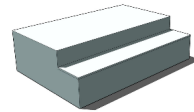
Intent

- Encourage human scale elements in building design
- Reduce bulk and mass of buildings
- Masses may be subdivided vertically or horizontally

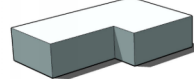
Standards:

Building Size	Footprint	Required Massing
Small	<10,000sf	One building mass
Medium	<20,000sf	2 building mass (fig. a and b)
Large	>20,000sf	3 building mass (fig. c-e)

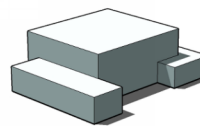
- No single building mass or volume may exceed 75 percent of the total volume of the building, defined by the building footprint multiplied by the building height.
 - Building massing relying on differing roof heights must have an offset height of at least 2 feet.
 - The applicant shall provide massing information on floor plans, building elevations, roof plans, and any 3D images or axonometric drawings.
- Building size limitations shall be adhered to (see Table).
- Elements being used to count as massing shall not be used as wall modulation elements.
- The preferred order for the use of massing options is as follows:
 - setbacks above the ground or at the second level;
 - offsets from the main structure of 10 feet that break up the foundation line to define each mass;
 - distinctive volumes defined by roof forms and/or 2-foot minimum parapets.
- Base/Middle/Top. In order to reduce the apparent bulk and maintain pedestrian scale of three story or taller buildings and taller and maintain pedestrian scale, and walls of industrial buildings greater than 18 feet in height, a sense of "base", "middle", and "top" shall be provided through the use of differing materials, textures and colors using aesthetically balanced vertical composition.
- Upper-level building setbacks. Provide a minimum 5-foot setback or other form of articulation of massing from the primary building façade for any floors above the second floor to help create human scaled environments and prevent over-shading the street.
- For buildings with an east-west façade greater than 150 feet in length fronting to North Bend Way, at least 40% of the street facing façade of the building shall be offset by a minimum of 25 feet from the rest of the



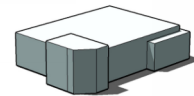
A. Step-Back



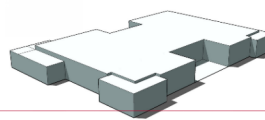
B. Building Jog



C. Separate Volumes



D. Separate Volumes



E. Separate Volumes (large one-story building)

Commented [CH23]: Recommended by Leroy Gant. Staff did not previously define building mass/volume. Addition further refines what the design standards are seeking out in massing variation.

Commented [CH24]: Recommended edit by Leroy Gant. Reflects amendment in B-1.1.b.

Commented [CH25]: Recommended edit by Leroy Gant for clarification. Industrial 1-story buildings can be as high as non-industrial 3-story buildings, and this gets argued. The guidelines need to recognize what "tall industrial buildings" are as well. Mr. Gant recommended to include something regarding the scale of the building because a 2' base does nothing when it's a large 35' (or taller surface) building face, whereas a 4' base does. Rewording and incorporating "aesthetically balanced vertical composition" between base/middle/top helps clarify our desired visual design with large industrial buildings.

building to reduce the apparent mass of the building and preserve views of surrounding topography from public street.



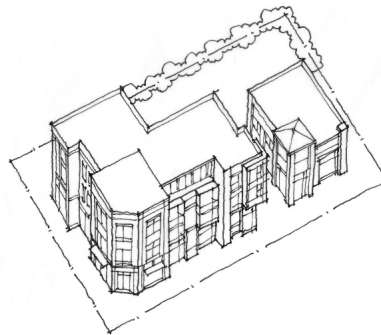
Shown Above: A massing offset in height and façade depth helps break down the apparent mass of this commercial/industrial building.

Shown Below: Large development site meeting massing requirement with two buildings rather than one: a small commercial building and a medium building with two masses (corner volume and building jog).



Shown Above: Larger commercial building that is broken into distinct masses to reduce its scale.

Shown Below: Orient building massing to the corner to create a commercial activity nodes.



B-2 Alternative to Building Massing

1. Creation of Public Open Space. A project, excluding a mixed-use building containing a residential component, may exchange one building mass requirement for the creation of a public open space of a minimum of 1,500 square feet. In commercial zones, this open space **shall** be a plaza with amenities, benches, tables, trees and other elements. The plaza **shall** extend to the sidewalk and provide direct access to building entries. In more residential areas, open space may be a pocket park.



Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

Pocket plaza with landscaping and seating areas.

B-3 Roof Forms and Modulation

Intent

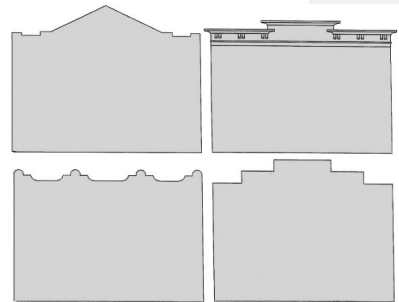
- To break up the overall massing of the roof
- Create human scale in the building
- Use roof forms to identify different functional areas within the building

Roof Form

1. Flat, unembellished rooflines on street-facing facades **shall not** be allowed. Buildings with a linear frontage longer than 60 feet **shall** modulate the roofline with differing heights or parapets, different type of roof forms, or other significant roof articulation on the primary façade.
2. Roofs must be modulated, interrupted or punctuated through a variety of elements appropriate to the building's use(s) and the site's context. Consider the following when applying the above standards to the design of a project:
 - a. Projections, overhangs, cornices, trellises, setbacks, brackets holding overhangs, and changes in material which give design attention to roof edges;
 - b. Pitched roof forms, with a slope between 4:12 and 12:12 can help reduce the bulk and scale of a commercial building and create transition to residential zones, where appropriate. In the core of the DC zoning district a parapet front design **should** be used, as parapet (false-front) roofs are the dominant historic type. Parapet shapes **should** be chosen from a variety that are traditional to commercial architecture, such as pediments, use of cornice molding, cresting, or stepped 'false-front' designs. If a decorative parapet is not used, roofline compatibility with adjacent buildings must be ensured.
 - c. In the IC district, larger buildings are generally assumed to use a flat roof. As with the DC district, a decorative parapet **should** be used to articulate such rooflines.
 - d. In the ~~EP-1BP~~ and EP-2 districts, larger buildings are generally assumed to use a flat roof. In such cases, buildings ~~should~~ **shall** incorporate measures to differentiate unbroken roof planes (e.g., well-defined cornices and parapet designs).
3. The tallest buildings allowed (55 ft) **shall** employ a steep pitched roof form (not less than a 6:12 average for those portions above 45 ft in height) to reduce the appearance of bulk and mass.



A corner turret interrupts this otherwise flat roof.



roof parapet treatments:
top left - pediment
top right - cornice molding
bottom left - cresting
bottom right - stepped front



A well-modulated roof line with distinctive features such as dormers can break up an otherwise long façade and lead the eye down the street. A turret or other special roof feature can help emphasize a corner location.

B-4 Wall Modulation

Intent

- To let more light and air into the building
- Break up large building mass and scale of a façade
- To avoid stark and imposing building facades.
- To create a pedestrian scale appropriate to North Bend
- To become compatible with the surrounding built environment

1. Retail and Office Buildings:

Medium Buildings (50-100 ft of linear façade):

- There **shall** be a maximum of 30 feet between wall modulation elements on the street-facing façade.
- Modulation elements **shall** have a minimum of a 3-foot projection or recession from the façade and be a minimum of 8 feet in length

Large Buildings (>100ft of linear façade):

- There **shall** be a maximum of 30 feet between wall modulation elements on the street-facing façade. There **shall** be a maximum of 50 feet between wall modulation elements on the street-facing façade.
- Modulation elements **shall** have a minimum 6-foot projection or recession from the façade and be a minimum of 12-feet in length.

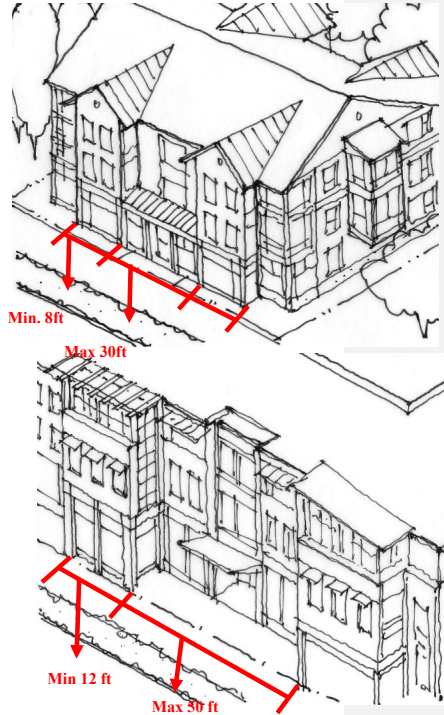
2. Warehousing and Large Industrial Buildings:

Because of the nature of warehousing and large industrial buildings and need for greater flexibility of space, wall modulation on the street-facing façade **shall** be provided by a combination of at least three of the following measures:

- Modulation elements consistent with that required for large retail and office buildings above, only modulation elements **shall** either have a minimum 1-foot projection or recession from the façade, and/or use a different color, texture and material from the rest of the façade;
- Modulation of roof cornice treatments, with a maximum of 50 feet between modulations;
- Sunscreens on a minimum of 40% of windows on the street facing façade;
- A minimum of 30% transparent windows and openings for the office portion of the building facing the street;
- A 20' deep x 15' wide foundation landscape area planted with Type I landscaping for every 75 feet of building wall.

3. Wall modulation elements may include, but are not limited to:

- Bays



- b. Entries
- c. Balconies or decks

Façade broken up with balconies, bays, and materials.

4. Infill development in close proximity to historic buildings **shall** be compatible with the scale, architectural qualities and traditional uses of these resources.

C. Building Façade

Building facade guidelines ensure that the exterior of buildings, the portion of buildings that defines the character and function of a place, is of high quality and demonstrates the strong sense of place and integrity valued by the residents of North Bend.



Front façade addressing pedestrian-oriented street.



Canopies provide weather protection and facilitate outdoor display of merchandise.

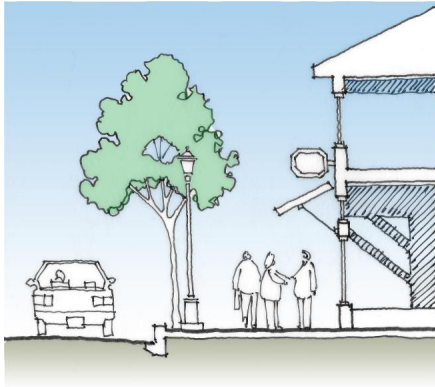
C-1 Orientation to the Street

Intent

To reinforce the character of the streetscape by encouraging the greatest amount of visual interest along the ground level of buildings facing pedestrian streets.

Building Set to Back of Sidewalk

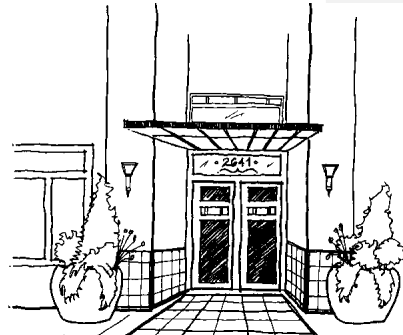
1. The front building facade and main entrance to all residential and nonresidential buildings **shall** be oriented toward a primary street and set to the back of the sidewalk, with the exception of providing open space for public use such as plazas, courtyards and seating areas, or the required sidewalk width. Within the ~~EP-4BP~~ and EP-2 zones, non retail buildings **shall** be oriented to the primary street, but may be set back from the sidewalk pursuant to the district specific standards of this Chapter.
2. Minimum height of ground level retail space **shall** be 12 feet floor-to-ceiling. However, all ground level commercial space within the ~~DC NMU~~ and NB zones along Class 1 Pedestrian Streets **shall** provide no less than 12-foot floor-to-ceiling height.
3. Where adjacent to a sidewalk, buildings **shall** provide a canopy or a significant covered recess to provide weather protection to pedestrians, at a depth of not less than 5 feet.
4. Accessory buildings do not need to meet street orientation requirements so long as they are located behind a primary building on the property and are not primarily visible from the street.



Min. 12ft linear floor-to-ceiling height

C-2 Entrances

1. The primary (front) building facade and main entry of nonresidential buildings **shall** be oriented toward and face the primary public street.
2. Such entries **shall** be made visually prominent and receive architectural emphasis. A variety of techniques to accomplish this standard can include:
 - a. Recessed entries
 - b. Projecting entries
 - c. Elevated entries with stairways
 - d. Entry-related cover and/or roofline articulation (e.g., canopy articulation; parapet-roof articulation)
 - e. Arched entries
 - f. Use of awnings, canopies, marquees
 - g. Decorative lintels or molding above doorways
 - h. Entry lighting
 - i. Landscape treatment and emphasis
 - j. Surface treatment, (e.g., paver or tiles)
 - k. Entry courtyard
 - l. Transom windows
 - m. Signage
 - n. Complementary upper story treatments (e.g., balcony)
 - o. Other techniques as appropriate
3. Entries **shall** be lighted and protected from weather.
4. Secondary entries that receive high use **should** also receive appropriate architectural emphasis, using techniques listed above.



Prominent pedestrian-oriented entry.

C-3 Ground Level Facades

Intent

- To provide a visual connection between activities inside and outside of buildings
- To reinforce the character of the streetscape

C-3a Transparency

~~Adopted May 18, 2010~~ Revised TBD, 2025, Ord.1391, Ord. TBD

1. Along Class 1 Pedestrian Streets, a minimum of 65% of any ground floor façade visible from the street **shall** be comprised of windows with clear, “vision” glass.
2. Along Class 2 Pedestrian Streets, a minimum of 55% of any ground floor façade visible from the street **shall** be comprised of windows with clear, “vision” glass.

C-3b Ground Level Details

1. Facades of commercial and mixed-use buildings that face the street **shall** be designed to be pedestrian-friendly through the inclusion of at least four of the following elements:
 - a. kickplates for storefront windows
 - b. projecting window sills
 - c. pedestrian scale signs
 - d. pedestrian scale lights (eg, goose neck fixtures above a sign band)
 - e. containers for seasonal plantings
 - f. a separate base material such as tile, cultured stone, etc. that forms a distinct base below the windows.
 - g. 75% ground floor transparency
 - h. clerestory windows
2. FAR Retail Bonus for ground level retail meeting all of the elements above: 100 sq ft of floor area for each linear foot of retail frontage.



Transparency





C-4 Building Materials

Intent

To provide a quality, unified appearance for commercial development throughout the city by promoting long-lasting materials and finishes appropriate for commercial and industrial buildings.

1. Materials encouraged as appropriate for finishing primary exterior commercial buildings walls include brick, stucco, cementitious siding that is non-panelized, and wood lapboard siding horizontal and vertical wood siding. Additional materials that are appropriate as accent finish materials include brick, stone, cultured stone and tile.
2. Materials encouraged as appropriate for finishing primary exterior industrial building walls include architecturally finished concrete, architecturally finished concrete masonry units, and the materials identified above for commercial buildings.
3. Vinyl siding is not allowed on commercial and industrial buildings, as it lends a residential rather than commercial appearance, and requires a higher degree of maintenance and upkeep to remain clean and attractive.



Shown Above: A mix of appropriate commercial building materials and finishes.

Shown Below: A brick base, dark window frames, and a fabric awning soften the appearance of the steel siding on this commercial/industrial building.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

- Steel siding and painted concrete are not allowed as the sole material on the primary façade of commercial and industrial buildings. Steel siding and painted concrete may be applied when used in combination with other finish materials.

- White-framed vinyl windows and horizontal-sliding windows are not permitted on commercial buildings, as they lend a residential appearance inconsistent with commercial character and uses.

- Residential-style windows (characterized by smaller sizes, higher sills, white vinyl frames, and/or artificial mullions fully bisecting the plane) are not allowed on commercial and industrial buildings, as they provide a more residential appearance inconsistent with commercial character and uses.



Commented [CH26]: Recommended addition by Leroy Gant to account for a recent common practice that does not align with the North Bend design standards.

Language is more clear and inclusive of an undesired window design than what was previously included.



AVOID

Small, horizontal sliding white vinyl windows give this commercial building a residential appearance, inappropriate for a commercial area.

C-5 Blank Wall Treatments

Intent

To ensure that buildings do not display blank, unattractive walls to the abutting street or public areas.

- Blank walls are not allowed on the façade facing the primary street.
- On side facades facing a secondary street, blank walls longer than façade length corresponding to the table below fronting a public street **shall** incorporate two or more of the following throughout the length of the blank wall:

Building Size	Façade Length
Smaller (<20,000sf)	30 ft
Larger (>20,000sf)	50 ft



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- a. vegetation, such as trees, shrubs, ground cover and/or non-invasive vines adjacent to the wall surface;
- b. artwork, such as bas-relief sculpture, murals or trellis structures;
- c. seating area with special paving; and/or
- d. architectural detailing, reveals, contrasting materials or other special interest.



Ground cover and non-invasive vines helps soften a flat façade.

Shown Above: Architectural elements including building base, columns, lighting, trellis, and faux windows.

Shown Below: Artwork can provide visual relief.



Murals can provide visual interest on blank walls and can reveal a place's culture and history.

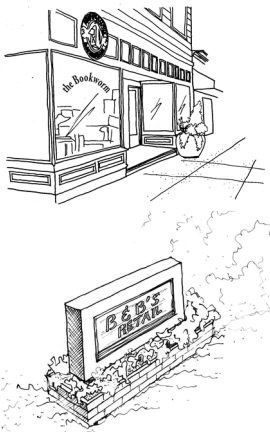
C-6 Sign Design

Commented [CH27]: Redundant to NBMC 18.20

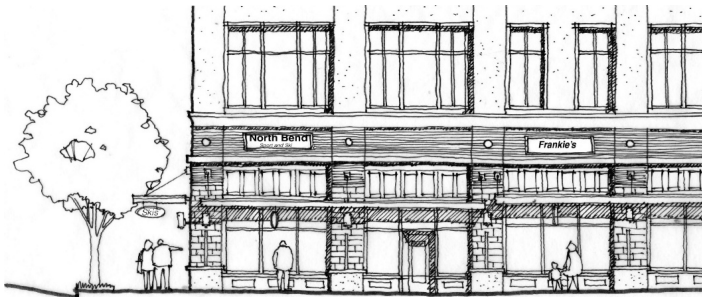
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Unique pedestrian signs for businesses help personalize a business district



Free-standing signs **should** add interest to the street level and **should** be oriented and scaled for both pedestrians on the sidewalk and drivers on the street.



Integrate signs with the design of the building façade

Intent

- To ensure that signage is part of the overall design approach to a project and not an additive element or an afterthought
- To encourage interesting, creative and personalized elements in the public realm

1. All signs **shall** be designed in accordance with NBMC Chapter 18.20, Sign Regulations, including other applicable sign standards adopted under that chapter.

2. _____

3. Signs **should** be designed to be consistent with the architecture of the building, utilizing sizes, colors, textures and materials that complement the appearance of the building as a whole.

4. _____

5. Blade signs mounted perpendicular to the building are encouraged in addition to wall-mounted signs to provide visibility of the business to pedestrians on the sidewalk.

6. _____

7. Building mounted signs are preferred over free-standing pole or monument signs, as they do not inhibit visibility and sight distance for pedestrians and vehicles.

8. _____

9. In order to be scaled and oriented for both pedestrians and vehicles, freestanding pole or monument signs **shall not** exceed 4 feet in height in DC, NMU, and NB zones, and 8 feet in IC, IMU, BPEP-1 and EP-2 zones.

District-Specific

Design Standards and Guidelines

District-specific design standards and guidelines will augment the Citywide design standards and guidelines to ensure that development proposals respond to the unique district and corridor identities throughout the City.

A. Downtown Core-Commercial District

North Bend has a compact, active and walkable center, and has maintained its small town identity with valuable resources downtown. The Downtown Core design guidelines allow the downtown to maintain its cultural, recreational and historic assets and become the North Bend central meeting place while encouraging a vibrant and economically robust downtown environment. For standards specific to the Downtown Commercial District, see the City of North Bend Form-Based Code. See additional development standards applicable to the Downtown Commercial District within the North Bend Form Based Code.

A-1 Streetscape

1. Pedestrian Linkages. Clear, safe and inviting pedestrian walkways should be promoted to improve access to and within the Downtown Core District. The following should be incorporated into the streetscape design to ensure that residents and visitors are encouraged to walk in the Downtown Core District:
 - a. Pedestrian corridors should be established and connected to ensure access to and within the downtown core. Specifically, streetscape and sidewalk improvements along Ballarat Avenue are encouraged to provide an important pedestrian link between the downtown core and the train depot.
 - b. New buildings shall be set back and designed accordingly to allow for at least 12' of sidewalk, but not more than 15' on all downtown core streets with a clear zone of 8' for pedestrian travel.
 - c. Wayfinding signs should be placed at all major intersections and public gathering places to increase awareness of appropriate and safe walkways.
 - d. All sidewalks should incorporate broom finish, scored, stamped, aggregate or other textured or patterned concrete to encourage safe, comfortable pedestrian access.
 - e. Adequate lighting shall be placed at a minimum of 30' apart in a staggered cadence with street trees.
2. Sidewalk Cafes. Outdoor sidewalk cafes are encouraged on downtown core streets to enhance public gathering places and pedestrian activity. Sidewalk areas shall maintain a clear zone of at least 5' wide for pedestrian travel in these locations.
3. Identity Elements. Public art and other unique streetscape elements such as informational signage should be used to provide visual interest, create a downtown identity and provide an opportunity to describe North Bend's unique history.
4. Landscaping and Street Trees. To support the natural setting of Downtown North Bend, street trees shall be placed a minimum of one every 30'. Appropriate landscaping and hanging planters are encouraged near significant intersections and at public gathering



Outdoor sidewalk café area.



Downtown Precedent: informational wayfinding signs help orient visitors.

Commented [CH28]: Staff overall recommends keeping all DC specific standards in the FBC to avoid conflicts, confusion, redundances, and improve the readability of applicable standards.

Commented [CH29]: These statements are "shoulds" and are not required. Pedestrian design is described in the Public Work Standards with some specific requirements for streets in the DC. Additional standards are provided in the FBC under SS.1 Street Standards.

Commented [CH30]: This standard conflicts with the Public Works Standards which have minimum ROW standards for streets within DC.

Commented [CH31R30]: This standard should be placed in PWS to avoid confusion.

Commented [CH32]: Wayfinding signage has been added to the FBC under SS.1D Wayfinding Signage.

Commented [CH33R32]: MIKE FYI - I added this as a new section to the FBC. Placing this in the street standards section of the FBC seemed most appropriate.

Commented [CH34]: This standard is in the Public Works Standards.

Commented [CH35]: This standard is in the Public Works Standards for ROWs and NBMC 18.40 for exterior on-site lighting.

Commented [CH36]: Minimum sidewalk clearance areas are located in the Public Works Standards in accordance with ADA standards.

Commented [CH37]: Public art on ROWs has been added to the FBC under SS.1E Public Art

Commented [CH38R37]: MIKE FYI - I added this as a new section to the FBC. Placing this in the street standards section of the FBC seemed most appropriate.

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places.

5. Gateway Locations. Figure 1 identifies key gateway locations for the Downtown Core District. Refer to the Citywide Guidelines for methods and techniques that are appropriate for enhancing these locations:

- a. A graduated gateway approach **should** be used to draw visitors to the downtown core with increasing tree and pedestrian lighting frequency to alert motorists and pedestrians that they are entering a more intensive, pedestrian-oriented business district. For example: along Bendigo Way between South Fork Avenue and the Snoqualmie River, trees **should** be spaced 40' apart; between the Snoqualmie River and East Park Street, they **should** be spaced 35'; and between East Park Street and North Bend Way, they **should** be spaced 30' (see figure 2).



Downtown Precedent: frequent cadence of storefronts and varied roofline contributes to a walkable downtown district.

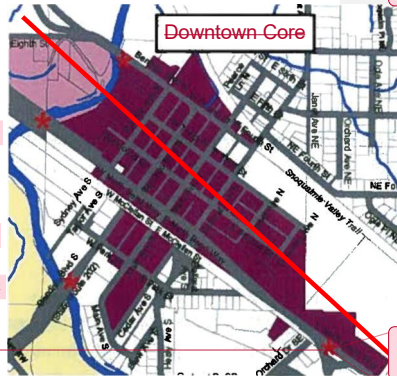
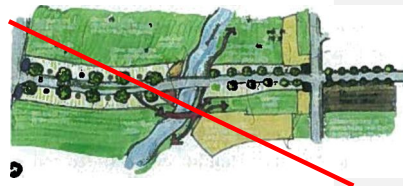


Figure 1: Downtown Core District and Gateway Locations



Example of a graduated gateway.

Commented [CH39]: This standard is redundant to Public Works Standards for ROW landscaping.

Commented [CH40]: Relocated this section to FBC section SS.1F Gateways.

Commented [CH41R40]: MIKE FYI - I added this as a new section to the FBC. Placing this in the street standards section of the FBC seemed most appropriate.

A-12 Building Form

1. Downtown Core Architectural Context. The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.
 - a. Architecture in the downtown core **should** maintain a harmonious transition between newer and older buildings. Compatible design **should** respect the scale, massing and materials of adjacent buildings and landscape.
 - b. Complement the architectural character of an adjacent historic building or area.
 - c. Complement the architectural character of an adjacent historic building or area.
2. Downtown Core Architectural Context. The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past

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architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.

3. **Roof Form.** In the Downtown Core District, a parapet front design **should** be used, as parapet (false-front) roofs are the dominant historic type. Parapet shapes **should** incorporate a variety of architectural styles such as pediments, use of cornice molding, cresting or stepped false-front' designs. If a decorative parapet is not used, roof line compatibility with adjacent buildings must be ensured.
4. **Ancillary Commercial Structures.** Structures accessory to the primary building intended to support a commercial use **shall** be limited to 50% of the primary structure's lot coverage or 500 sq. ft., whichever is less.
5. **Building Height.** In the Downtown Core District, the maximum building height **shall** be 45 feet from Sydney Ave N to Downing Ave N, south of W Second Street (see map). The maximum height in all other areas, including the Historic District, **shall** be 35 feet.



Downtown-core building heights.

Commented [CH42]: Building heights are already described within the Form Based Code under DS.2 and Figure 4.

A-23 Orientation to the Street

1. **Downtown Core Architectural Context.** The downtown has a variety of architectural styles represented. Contemporary methods of building can potentially create conflicts with older buildings due to differences in scale, massing and degrees of articulation. For example, new buildings add exteriors that mimic past architectural styles, creating a sense of unauthentic design. These guidelines emphasize the concept of historical continuity and the relationship of structures over time.
 - a. 75 percent of ground floor facade along North Bend Way.
 - b. A minimum of 60 percent of any other ground floor facade visible from any street in the downtown core.

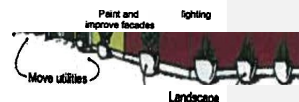


Multiple large storefront windows creates a more active streetscape by providing visibility to action not inside and outside of buildings.

2. **Screening Parking Lots, Loading Areas and Trash Storage Areas.** Because of the negative impact of negative odor, sound and visual impacts from these uses, trash, parking and loading areas **shall** be screened in the downtown core as designated in the City-wide Design Standards, section A-7. Additionally, trash rooms **should** be incorporated into building design in the downtown core to ensure that trash is separated from the streetscape whenever possible.

- 3.2. **Develop the Alley Façade.** Rear facade improvements are encouraged by implementing lighting, landscaping, painting, street furniture and public art elements. Specifically, streetscape improvements along the alleyway located behind the train depot and North Bend Way would improve the pedestrian link between North Bend Way and McClellan.

Commented [CH43]: This section is duplicated in Section A7 Landscaping



Vision sketch from Downtown Master Plan illustrating improvements to the alley facades of McClellan St.

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A-4 Plazas

1. For redevelopment of the northeast corner of Main Ave and North Bend Way, a minimum 600 square foot plaza **shall** be provided in a south-facing location. The City will waive parking requirements for the first 10,000 square feet of building area to accommodate the space required for the plaza. At a minimum, the plaza **shall** include features as required under section A-4a of these standards. Additional amenities such as public art or gathering features are encouraged.
2. Buildings located adjacent to the plaza **shall** contain entrances that open to the plaza.



Plaza with landscape features and seating areas

Commented [CH44]: This section is located in the Form Based Code within OS-1D Open Space Requirements

B. Northwest Neighborhood Business District

The Northwest Neighborhood Business District (NWBD) is defined by its abundant open space and natural setting. There are development opportunities here and potential to improve access to community amenities. Maintaining natural viewsheds and developing in a way that is sensitive to the surrounding natural features are critical when considering the future of the NWBD.

B-1 Responding to Site Characteristics and Significant Natural Features

~~The Urban Separator Overlay District (USOD). The USOD was created to maintain the identity of North Bend and provide visual breaks in the urban landscape while linking open space and environmentally sensitive features. Site coverage in the USOD NWBD is limited to 80% in all cases and maximum impervious surfaces for commercial use cannot exceed 55% of lot area unless pervious paving techniques are used in which case a 10% bonus is allowed. Surface area for green roofs is not included in surface area calculations.~~

1. Specific site conditions such as: significant topography or landscapes, prominent intersections, view or other natural features **shall** be considered to ensure that sites are located and designed in keeping with the principals of the ~~USOD~~ NWBD.
2. The following Low Impact Development (LID) techniques are encouraged for site planning to ensure that sensitive areas in the NWBD are protected and maintained:



Shown Above: Northwest Neighborhood Business District.

Shown Below: Rain gardens with native plantings integrated into an urban streetscape.

Commented [CH45]: The Urban Separator Overlay District was referenced in the original design standards assuming the overlay district would be adopted. It was never adopted and therefore staff recommend removal for consistency.

- a. Minimize impervious surface for all development and use pervious pavement and concrete whenever feasible.
- b. Implement stormwater retention techniques that capture stormwater close to where it falls to mimic natural systems wherever possible. Examples include: bioretention swales and ponds, stormwater capture and vegetated roofs.
- c. Floor area incentives **shall** be provided for natural drainage systems, pervious pavements and vegetated roofs.



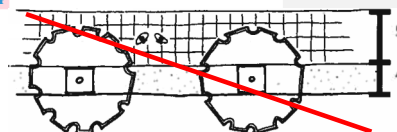
B-2 Responding to Site Characteristics and Significant Natural Features

Currently the NWBD is served by two streets (Boalch Ave NW and Bendigo Blvd N), and one local access road (NW 14 St). The district's street network will expand and improve as new development occurs. The following implements the North Bend street type classification system to recommend improvements to existing streets and designs for new ones when new development is proposed:

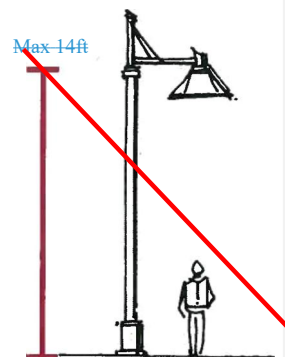
1. **Bendigo Blvd North: Class 2 Pedestrian Street.** This is the principal arterial corridor through the NWBD. It is the only connector to downtown North Bend. In order to enhance its role as an arterial while considering the needs of pedestrians, the following guidelines **shall** be met:
 2. **Planting Strips:** Continuous 4 to 6 foot 4 to 6 foot planting strip zones **shall** be incorporated between the street curb and sidewalk and planted with ground cover and appropriate street trees.
 3. **Sidewalk Widths.** Sidewalks no less than 5 feet **shall** be included.
 4. **Pedestrian Lighting.** Regularly spaced pedestrian lights **should** be 14 feet high.
5. —
6. **Boalch Ave NW: Class 1 Pedestrian Street.** As a secondary arterial street serving the Northwest Neighborhood Business District, Boalch Ave NW **should** be designed to support commercial development with pedestrian access in mind.
7. **Planting Strips:** Continuous 4 foot 4 foot planting strip zones **shall** be incorporated between the street curb and sidewalk and planted with ground cover and appropriate street trees.
8. **Sidewalk Widths and Bike Lanes.** Sidewalks no less than 8 feet **shall** be included and bike lanes no less than 5 feet wide.
9. **Pedestrian Lighting.** Regularly spaced pedestrian lights **shall** be 14 feet high.
10. —
11. **Neighborhood Streets: Class 2 Pedestrian Street.** New streets providing local vehicular access to residential and mixed-use development off of Bendigo and Boalch **should** be encouraged as development increases. These streets are smaller, visually pleasing and speeds and volumes are relatively low to encourage pedestrian access.
 - a. **Streets.** One travel lane each direction with parallel parking.
 - b. **Sidewalks:** 5 feet wide, plus a 4 foot wide 4 foot wide planting zone along the curb.



Continuous planting strip along sidewalk.



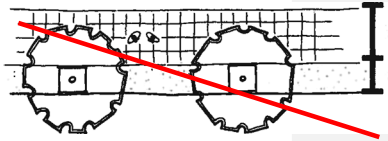
- **Bendigo Boulevard North Minimum**



Commented [CH46]: These standards are all duplicative to the Public Works Standards

12.1. Gateway Location at Boalch and Bendigo. This NWBD serves as the northern gateway to North Bend. In addition to identity features at this location such as landscaping and “welcome to North Bend” and way finding signs, buildings at these points **should** hold the corner with prominence and visual expression.

- a. The transit stop at Boalch and Bendigo **should** be built and highlighted to further establish the gateway location upon entry into North Bend.



• Boalch Ave. Minimum Dimensions

B-3 Landscaping

1. The landscape of the NWBD is defined by open space and semi-rural character. Open meadows and agricultural lands are framed by views of the nearby mountains. New development **should** maintain view corridors and implement landscaping that enhances this existing character.
 - a. Development that is clustered on one section of the lot can maximize open space and retain viewsheds.
 - b. Planting trees in clustered groves will match the existing pattern.



Open space and view Torridon help define the character of the Northwest Neighborhood Business District.

B-4 Building Design and Massing

1. Massing. The NWBD has a small-scale neighborhood setting. Buildings **shall** match this setting by breaking down the size of the developments into clusters of smaller buildings.
2. ~~Mixed Use. Mixed-use development is anticipated to occur in the NWBD and is encouraged as an appropriate use. Mixed-use development can be either horizontal or vertical depending on the preference of the developer.~~
3. ~~Cottage housing is encouraged in the NWBD because it utilizes principals of small buildings sharing communal open space without large building masses.~~



Traditional pitched roof on a large-scale building.

Commented [CH47]: Mixed Use buildings are not permitted in the underlying zones of the NWBD and therefore staff recommend removal.



Commented [CH48]: Cottage housing is not permitted in underlying zones of the NWBD and therefore staff recommend removal.

B-5 Roof Forms and Modulation

1. For compatibility with the surrounding landscape, views of Mt. Si, and desired small scale neighborhood setting, all parts of the primary roof above 18 feet **should** be pitched at a minimum rise of 6:12.
2. If a flat roof is used for a commercial building, the following features are required to ensure that it matches the character of the neighborhood:

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- a. Corner treatments, when located on a corner, through the use of architectural articulation such as recesses, turrets, bays, upper facade fenestration, canopies or special storefront design.
- b. Parapets, including pediment, cornice molding, cresting, or stepped fronts.
- c. In addition to the above requirements, green roofs are encouraged.

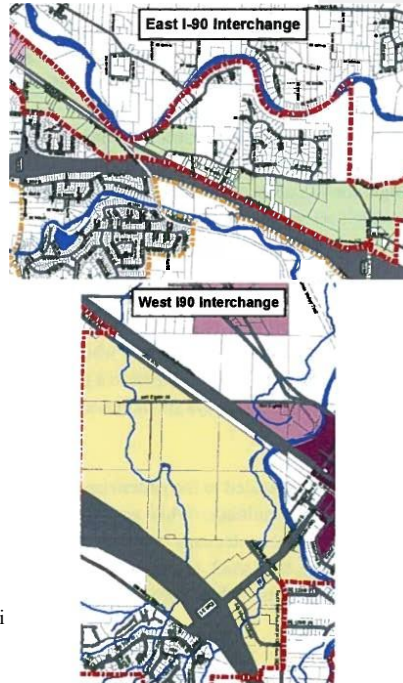


Semi-rural character expressed in the form and roof line of a commercial building to help reduce apparent bulk.

C. East and West I-90 Interchange District

The East I-90 Interchange District contains land within the employment park zone, neighborhood mixed-use zone, and a small interchange commercial zone. The district caters to business park and campus style development with the commercial area supporting the workforce and nearby residential areas. The employment park development is characterized by buildings diverse in style, size and use balanced by consideration for the natural setting, consistent streetscapes, buffers and generous landscape treatments.

The West I-90 Interchange District is particularly important because it is the immediate entry point into North Bend. The district contains land within the business park zone, interchange commercial zone, and interchange mixed use zone. The district is mostly retail and franchise commercial uses and lower intensity buffer uses between the commercialized zones and adjacent residential zones. The West I-90 Interchange District should be developed in a way to ensure that these uses do not conflict with the small-town character of North Bend.



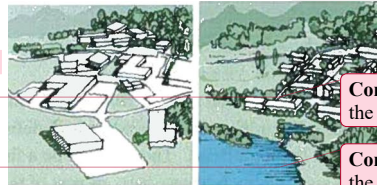
East and West I-90 Interchange District

C-1 Responding to Site Characteristics and Significant Natural Features

1. It is strongly encouraged those natural features, such as significant trees, and community landmarks be preserved by concentrating and clustering buildings and parking on land of least natural significance. Significant features such as sensitive topography and views from prominent public places including parks, plazas and street view termini **shall** be considered for site design in the East I-90 district.
2. Low Impact Development is encouraged to preserve the valuable sensitive areas in the East I-90 district and minimize the impact of development.
3. Building location and orientation **should** frame views of Mt. Si and the surrounding natural landscape from prominent public places, including parks, plazas and street view termini, not block them.

C-2 Sensitivity to Adjacent Land Uses

1. A Type I Sight Barrier (as defined in Landscaping Regulations Ch 18.18.080) shall be required between industrial uses and residential areas in the East I-90 district.
2. All lighting for service and loading areas shall be directed towards the property and away from residential areas.
- 3.1. All service and loading areas **shall** be located to the rear of the property and away from residential zoned areas to the best extent possible.
- 4.2. Where possible on larger sites, applicants should provide multiple smaller buildings rather than a singular large building to provide better compatibility to adjacent smaller scale uses.



Utilizing multiple smaller buildings on a site to complement view sheds and surrounding built and natural character.

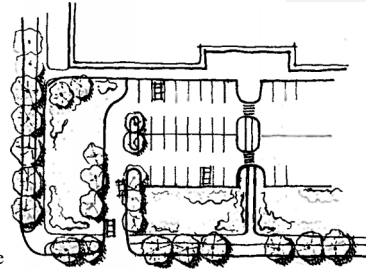
Commented [CH49]: This standard is duplicative to the landscaping regulations in NBMC 18.18

Commented [CH50]: This standard is duplicative to the exterior lighting standards described in NBMC 18.40.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

C-3 Streetscape Design and Orientation

1. Individual sites along North Bend Way in the East I-90 District **shall** be developed to create visual interest along the street and to allow for view corridors of North Bend's natural assets by meeting the following standards:-
 - a. The primary building entrance **shall** be oriented to the street. Within the **EP-1BP** and **EP-2** districts, the primary building entrance **shall** face the street and be located generally no more than 200 feet from the public sidewalk.
 - b. Within the **EP-1BP** and **EP-2** Districts, buildings **should** be clustered on larger lots in a campus-like configuration to allow for more open space and larger view corridors while keeping entrance visible and accessible to the street.
2. Direct and clearly distinguished pedestrian walkways **shall** be provided from the primary or other main building entrances to the public street. In locations where driveways extend directly from the street to a primary or main building entrance, walkways **should** parallel the driveway.
3. Entry features **shall** be scaled to the pedestrian and used to reduce the mass of the building. While entry features may contain larger, multi-story elements to reflect the overall scale of the building, they **shall**, at a minimum, contain pedestrian scale elements such as porticos, porches or overhangs.
4. Encourage the use of highly crafted materials or civic art pieces to further enhance the appearance and prominence of entries.
5. Buildings and landscaping **should** be oriented with consideration given to the visual impact from the perspective of the driver on the primary roadway. From the south on North Bend Way, business parks help define major entry points to North Bend. There **should** be a first impression of a high-quality business park, as part of the City's overall community character and identity by including the following:
 - a. Business parks may have double fronting and corner lots. The design guidelines require buildings to be developed with principal facades on the primary street.



Orientation to the street via a prominent entrance facing the street and a direct pedestrian connection to the public sidewalk.



Entry feature scaled to the pedestrian helps de-emphasize the mass of the building.

C-4 Parking Areas

1. Parking areas **shall** be located to the side or back of buildings away from primary roads whenever possible. A minimum setback of 15 feet from street rights-of-way **shall** be required.
2. Use of pervious pavers and other low impact methods of stormwater runoff infiltration in the design of parking areas can be counted towards the interior landscaping for parking lots, not to exceed half of the required landscaping.



Landscaped "fingers" break up the expanse of asphalt.

Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

C-5 Consolidated Driveways and Access Lanes

1. To minimize curb cuts and resulting hazards to traffic and pedestrian safety, new access points to all lots within the East I-90 Interchange District **should** be from shared driveways and shared access lanes located at the property boundary adjacent to the adjoining parcel, unless infeasible due to the location of existing improvements or intersections, or the presence of significant trees, or other similar site constraints.
 - a. To encourage the use of shared driveways and access lanes, perimeter landscaping **shall not** be required in areas occupied by driveways and access lanes at the edge of a property, so long as the applicant signs a commitment to allow an access easement to the adjoining property owner for use of the shared driveway or access lane.



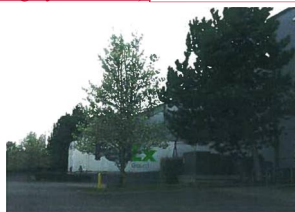
C-6 Screening of Site Utilities, Storage, Trash, and Service Areas

1. All service, loading and trash/recycling collection areas **shall** be screened from public view with solid evergreen plant material or architectural treatment similar to the design of the adjacent building.
2. Loading and service areas **shall not** face any residential district, unless no other location is possible.
3. Outdoor storage areas **should** be consolidated into a single area, and screened from the street and/or neighboring uses by buildings and/or landscaping.
4. To provide adequate screening and reduce the visual impact of large paved service areas and docked semi trailers, a row of three or more of truck bays visible from a public street **shall** be screened on each end by a landscape island projecting out from the building. The landscape island **shall** consist of Type I landscaping and **shall** be a minimum of 30 feet long by 10 feet wide. No more than 8 bays may be located in a row without an additional landscape island.
 - a. If the developer can demonstrate the screening standard of C-6.4 is not feasible, the city shall accept an alternative proposal achieving the intent of C-6 and providing an in-like-kind alternative of 300sf (30ft long by 10ft wide).

Example of where a shared driveway could be used to reduce traffic and pedestrian hazards.



Examples of landscaping screening methods employed in truck docking area



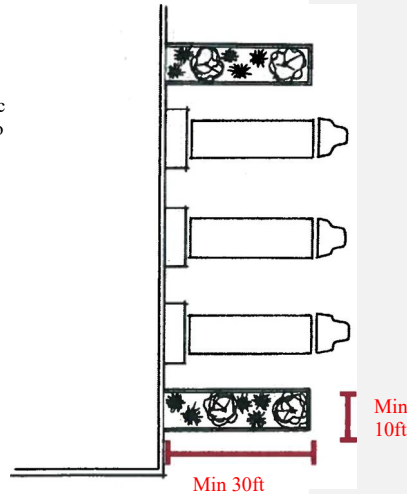
Commented [CH51]: This is a recommendation from Leroy Gant. A 10 by 30ft planter is typically a challenge to accommodate due to trucks commonly found in light industrial zones and needed backup/turnaround space needed to circulate safely throughout the property. This addition provides a mechanism for the applicant to provide an in-like-kind method of screening service areas.

C-7 Building Massing and Design

1. The form and articulation of office and employment park buildings in the BP and EP zone **should** take a campus like form to avoid monolithic buildings and to enhance viewsheds. Larger buildings are encouraged to be broken up into detached smaller buildings or buildings attached by interior corridors.
2. For properties fronting to North Bend Way, where possible given the layout of a site, buildings **should** be oriented with the longer side running north-south, so as to maintain views of surrounding mountains from the public street.



Differing building sizes and heights together with significant landscaping break up the mass of an office park development.



Terracing provides visual relief and amenity.

C-8 Roof Forms and Modulation

1. Roof types **should** frame the natural views, not compete with them. Pitched roofs that complement and enhance viewsheds area encouraged.
2. Flat roofs are permitted on large one-story industrial buildings, but **should-shall** be avoided on small one-story industrial buildings. Roof line modulation, such as pitched roof forms, parapet modulation, and/or breaks in the roof line that are consistent with overall façade design, such as eaves or cornices, **should** be used.

a. Large one-story industrial buildings are defined as buildings with high ceilings (over 20ft) and multiple dock-high (48in) loading doors.

a.b. Small one-story industrial buildings are defined as any industrial building with ceilings less than 20ft.

- 2.3. All rooftop elements such as HVAC units and vents **shall** be screened by walls, parapets, or other methods which are architecturally consistent with the overall building design.



Deep eaves and brackets add visual interest and help to ground the building.

Commented [CH52]: Additions are proposed by Leroy Gant. . Roof standards have been amended to clarify how to city defines large vs small industrial buildings and which instances a flat roof is permissible.

C-9 Wall Modulation: Façade Form and Style

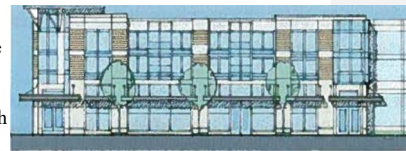
1. Building walls which face a public street **shall** be architecturally emphasized through window design and placement, projections and wall detailing. The architectural treatment of the front facade **shall** be continued, in its major features and materials, around all visible sides of the building.
2. Wall detailing, such as change in texture and/or the use of reveals, offsets, projecting ribs, cornices and awnings **shall** be provided such that visible shadow lines are created.



Extensive use of window glass reduces the bulk of this commercial/industrial building.

C-10 Windows and Glass

1. The design and placement of windows **shall** be an integral part of the overall building design.
2. Glass **should** be ~~non-untinted~~ or lightly tinted, in “natural” tones such as brown, blue, green or gray. Black glass and mirrored glass are prohibited.
3. Windows/glass **shall** be dispersed across the facade in an architecturally consistent manner and **shall** avoid continuous horizontal or vertical strip window bands.



Well designed arrangement of windows, columns, bays and spandrel.

C-11 Colors

1. Primary and trim colors **shall** be natural tones of tan, brown, gray, brick red, green and blue. Creams and whites **should** be avoided.
2. Roof colors **shall** be natural “dark” tones of tan, brown, gray. Creams and whites are not allowed.

C-12 Sign Design

1. Primary and trim colors **shall** be natural tones of tan, brown, gray, brick red, green and blue. Creams and whites **should** be avoided. Building face signage **shall** be below the roofline, contained within the wall surface or dedicated sign fascia and be individually illuminated or backlit.
2. All signage on individual lots **should** be designed as an integral element of the building and landscape design with respect to size, location, color and materials.



Acceptable height and scale for monument sign.

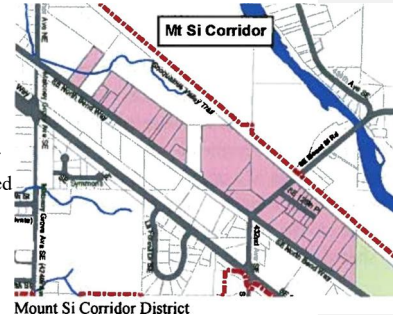
Commented [CH53]: This section is duplicative to signage standards in NBMC 18.20.

D. Mount Si Corridor District

The Mount Si District is characterized by a mix of commercial businesses along North Bend Way just east of the Downtown Core District. The corridor layout of the district provides opportunity for improved streetscape orientation to ensure that drivers and pedestrians along North Bend Way experience the character of the City upon entry from the east. The Mount Si District offers access to natural parks and Mount Si and these natural amenities must be taken into consideration when developing.

D-1 Responding to Site Characteristics and Significant Natural Features

1. Development **shall** be done with consideration to the valuable natural assets in the Mount Si District including Mount Si, the Middle Fork of the Snoqualmie River and Torguson Park, and siting **should** be adjusted to ensure public views of the natural features are enhanced.
2. Commercial development in the Mount Si Neighborhood Business District, especially at the Mt. Si Road / North Bend Way intersection, **should** be encouraged to target visitors by incorporating existing features related to the culture and natural geography of the area.



D-2 Plaza Design

1. Due to the relationship of the intersection of North Bend Way and the Mt. Si Road to the Mt. Si recreation area and the potential for significant recreational and tourist commercial uses at this location, development at the intersection **shall** incorporate a plaza feature into the design of the site. Plaza design **shall** be consistent with section A-4 of the Citywide Design Standards and Guidelines.



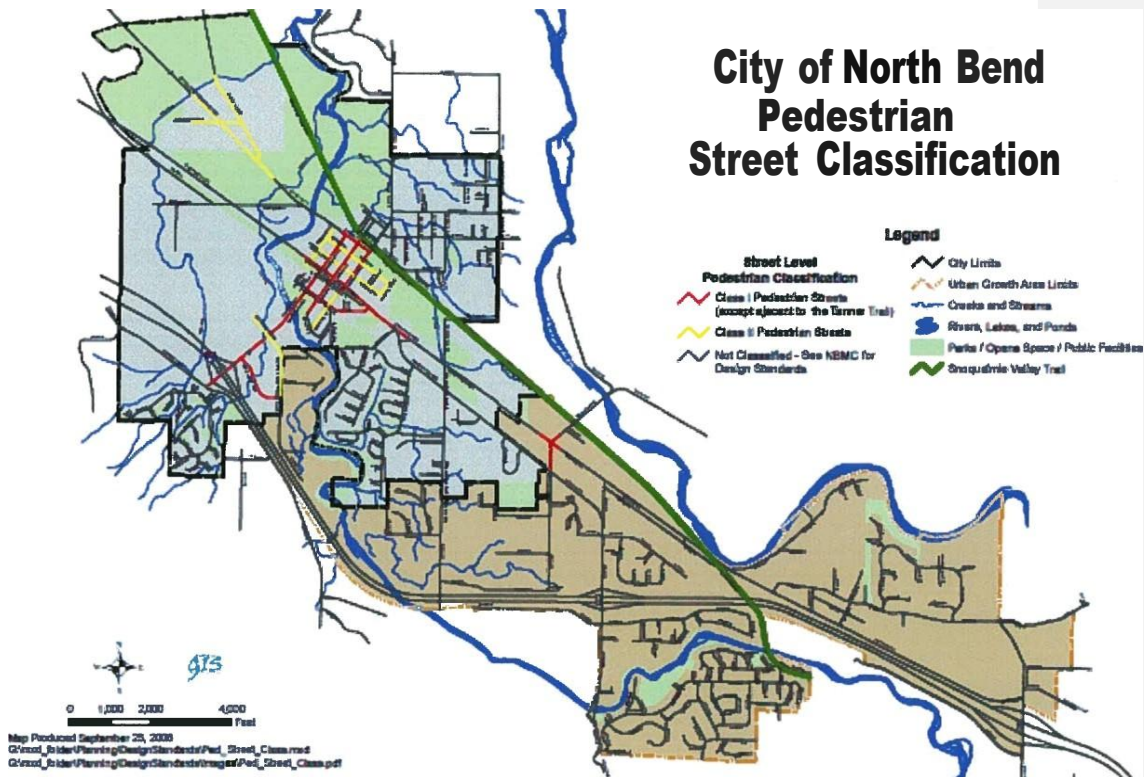
intersection of North Bend Way and Mt. Si Road – the future focus area of the district

D-3 Consolidated Driveways and Access Lanes

1. To minimize curb cuts and resulting hazards to traffic and pedestrian safety, new access points to all lots within the Mount Si Corridor District **should** be from shared driveways and shared access lanes located at the property boundary adjacent to the adjoining parcel, unless infeasible due to the location of existing improvements or intersections, or the presence of significant trees, or other similar site constraints.
 - a. To encourage the use of shared driveways and access lanes, perimeter landscaping **shall not** be required in areas occupied by driveways and access lanes at the edge of a property, so long as the applicant signs a commitment to allow an access easement to the adjoining property owner for use of the shared driveway or access lane.

APPENDIX-EXHIBIT A

City of North Bend Pedestrian Street Classification



Adopted May 18, 2010 Revised TBD, 2025, Ord.1391, Ord. TBD

MEMO

To: City Council

From: Planning Division

Re: Design Standard and FBC Amendments - ESHB



Dear City Council,

City staff have processed amendments to the Zoning Code, *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*, and the Form Based Code in response to ESHB 1293. This memo is intended to clarify the requirements of ESHB 1293 and provide guidance to the City Council for the proposed amendments.

Engrossed Senate House Bill 1293 (ESHB 1293)

ESHB 1293 was signed by the Governor on May 8, 2023 amending RCW 36.70B.160 and adding a new section to RCW 36.70A with regard to streamlining development regulations for architectural design.

Property development is experiencing heightened challenges, and the state has sought to make a number of changes to stimulate greater development for residential and non-residential uses alike. As such, the state codified legislation that requires jurisdictions planning under the Growth Management Act (GMA) to revise architectural and building form standards to provide for “clear and objective regulations to the exterior design of new development, except for designated landmarks or historic districts” and to encourage expedient architectural review of proposed projects

Amendments specify the requirement for coordinated and expedited design review permit processes for low- or moderate-income housing. This portion of the state amendment does not impact North Bend, as design review is not a permit type offered by the city and is bundled into other land use application types (such as Site Plan Review).

Amendments to the state law also call for design standards to be “clear and objective”. Requiring the implementation of “clear and objective” design standards is applicable to North Bend as the city has adopted local standards on architectural and exterior building design.

While the state does not define “clear and objective”, the City’s staff, legal team, and consulting architect have agreed the interpretation of “clear and objective” generally refers to standards that are vague, conflicting, or subjective regulations

Intention of ESHB 1293

The intention of ESHB 1293 is to help stimulate growth (both residential and non-residential) by removing barriers that may exist within local design standards. Barriers, in this case, refers to unclear, conflicting, confusing, or subjective regulations that may be open to interpretation, do not provide explicit guidance on design requirements, and ultimately present a legal risk in instances of conflicting interpretations of standards. When standards are not clear or accessible to property

owners or developers, it creates confusion, resulting in longer feasibility periods, increased engineering and architectural costs due to project comments, and longer permitting periods. Greater development costs are passed on to subsequent property owners, renters, and leasees or result in slower redevelopment.

Relationship to GMA and Comprehensive Plan

The state's amendments amend RCW 36.70B.160 which regulates local project reviews. This portion of ESHB 1293 is not related to the GMA.

State amendments to RCW 36.70A.630 is the portion of ESHB 1293 that is part of the GMA and regulates how jurisdictions may implement local design review.

Impact on AB25-061

The Comprehensive Plan, passed on December 3, 2024, was certified as complete by the Department of Commerce pending the adoption of GMA related municipal code amendments, including ESHB 1293. If the Council wishes to further review proposed amendments to the Design Standards and Form Based Code, the resolution proposed under AB25-061 cannot be adopted until proposed changes under AB25-059 (Design Standards and NBMC 18.34) and AB25-060 (Form Based Code) are approved by the City Council for adoption.

Intention of the City's Proposed Amendments

The amendments are intended to address the requirement to provide for "clear and objective" design standards by proposing amendments to NBMC 18.34, the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*, and the Form Based code. Amendments generally do the following:

- Remove duplicative regulations that are addressed in other sections of the municipal code or adopted plans;
- Remove ambiguous, vague, or conflicting standards that do not provide clear design objectives and architectural standards;
- Add key definitions that are referenced but not clearly defined in subject adopted documents or the Zoning Code;
- Improve the readability and clarity of design standards; and
- Consolidate design standards in more logical locations in the municipal code, Commercial/Mixed-Use/Industrial Design Guidelines and Standards, or Form Based Code.

Proposed Changes to Design Guidelines

Within the agenda packet for the 6/3/2025 for City Council (pg. 163-205), a redlined version of the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines* describing the intention of changes proposed. Below is a brief summary of the changes proposed and how it relates to provisions of ESHB 1293.

Packet Pg (6/17 TBD)	Section	Subject Standard	Description of Change	Applicable Provisions of ESHB 1293
	Introduction 1	Definitions	Definitions are refined and added as it aligns with the Zoning Code, 2024 Zoning Map, and recommended definitions by the city's consulting architect.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)). Clean-up provision for consistency with current zoning map/Comp Plan update.
	Basic Development Standards, Section A-1 and A-2	FAR Standards	Additions are made to recognize new or revised zones to the 2024 Zoning Map.	Clean-up provision for consistency with current zoning map/Comp Plan update.
	Basic Development Standards, Section C, Note 1	Parking standards for the DC zone.	See NBMC 18.16 <i>Parking Regulations</i> and Form Based Code Table RP.1 <i>Zoning District Intent</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of "clear and objective").
	Section A-1.1.f	Critical area requirements for site design	All consideration with regard to critical areas is in NBMC 14.05-14.11.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of "clear and objective").
	A-2.1-2.2	Transitional landscaping requirements	Transitional landscaping is described in NBMC 18.18.130.	Eliminates conflicts and/or redundancy with other existing

				development regulations addressing the topic (within intent of “clear and objective”).
	A-2.3	Solar orientation	Solar orientation requirements for multifamily residential is described in NBMC 18.34.060.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-2.4	Exterior lighting	Exterior lighting on-site is described in NBMC 18.40 <i>Exterior Lighting</i> and for off-site lighting within the Public Works Standards.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3a under Standards	DC zone building setbacks	Building setbacks in the DC zone are described in and somewhat conflict with the Form Based Code.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3b.3	DC sidewalk standards	Sidewalk standards are covered under the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3d.1	Off-site lighting standards	ROW lighting standards are covered under the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent

				of “clear and objective”).
	A-5.2-3	Curb cuts	Curb cuts into the ROW are described in NBMC Title 19 <i>Development Standards</i> and the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	B-1.1a-b	Building mass and volume	The provision refines how the city is interpreting building mass.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	B-1.5	Vertical composition of industrial buildings	The provision refines the existing standard by defining how the city wants “base”, “middle”, and “top” design of large industrial buildings to be visually broken up.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	C-4.5	Building Materials for Windows	Refined prohibitive language on vinyl and horizontal sliding windows for commercial buildings to be more explicit and specific	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	C-6	Sign Standards	Redundant to NBMC 18.20 <i>Sign Code</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-1	DC District Streetscape Standards	Redundant with conflicting/competing standards with the Form Based Code, Public Works Standards, NBMC 18.40 <i>Exterior Lighting</i>	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific	DC District Building Heights	Conflicts with Form Based Code under DS.2 and Figure 4.	Eliminates conflicts and/or redundancy with other existing

	Standard – A-2.5			development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-3.2	DC District Screening Standards for Parking	Duplicated in Section A-7 Landscaping	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-4	DC District Plaza Standards	Moved to the Form Based Code, Section OS.1E	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	Northwest Neighborhood Business District Specific Standard - B-1	Urban Separator Overlay District	Removed language on the Urban Separator Overlay District because the overlay does not exist.	Clean-up provision for consistency with current zoning map/Comp Plan update.
	Northwest Neighborhood Business District Specific Standard - B-2	Right of way standards	Duplicative of or conflicting with Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	Northwest Neighborhood Business District Specific Standard - B-4	Building Design and Massing	Removed references to mixed use and cottage housing because these are prohibited uses in the underlying zones of the NWBD.	Clean-up provision for consistency with current zoning map/Comp Plan update.

	East and West I-90 Interchange District Specific Standards C-2.1 -2	Landscaping and screening standards	Redundant to landscaping regulations in NBMC 18.18 and exterior lighting standards in NBMC 18.40.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	East and West I-90 Interchange District Specific Standards C-12	Signage Standards	Redundant to NBMC 18.20 <i>Sign Code</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).

Proposed Changes to Form Based Code

Within the agenda packet for the 6/3/2025 for City Council (pg. 260-300), a redlined version of the Form Based Code describing the intention of changes proposed. Below is a brief summary of the changes proposed and how it relates to provisions of ESHB 1293.

Packet Pg (6/17 TBD)	Section	Subject Standard	Description of Change	Applicable Provisions of ESHB 1293
	DS.1A	Allowed frontage types within the DC-C subdistrict.	Duplicative to Design Standards Table FS.1.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DS.1A	Required building step backs within the DC-C subdistrict	Projects may have height and scale impacts for required step backs that are due to the height and setback of buildings on adjacent properties. In practice, standards should not be determined as required based on the height	Provision violated restriction on reducing density, height or scale below what is otherwise allowed in the zone (RCW 36.70A.630(2)(b)).

			of buildings off the subject site.	
	DS.1B	Allowed frontage types within the DC-MU subdistrict.	Duplicative to Design Standards Table FS.1.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DS.1B	Required building step backs within the DC-MU subdistrict	Projects may have height and scale impacts for required step backs that are due to the height and setback of buildings on adjacent properties. In practice, standards should not be determined as required based on the height of buildings off the subject site.	Provision violated restriction on reducing density, height or scale below what is otherwise allowed in the zone (RCW 36.70A.630(2)(b)).
	BS.2.A.1	Description of Duplex/Multiplex	Addition of Duplexes to the Multiplex section in general. Duplexes, in the zoning code, are defined separately as multiplexes. When the design standards were developed, all multi-unit forms of housing were lumped into “multiplex”. Addition provides inclusivity of duplex as intended in the original standards.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.A.4	Parking standards and vehicle access standards for duplexes and multiplexes.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.C.1	Description of Row Houses	Adjusts and clarifies language on where row houses are permitted to be placed in the DC zone.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).

	BS.2.C.4	Parking standards and vehicle access standards for row houses.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.F.4	Parking standards and vehicle access standards for hybrid courts.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	FS.1 under <i>Front Yard</i>	Minimum front yard depth/building setback.	Conflicts within setback standards described in DS.1A and DS.1B for DC-C and DC-MU which has a minimum front setback of 10ft.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	SS.1D-F	New sections with regard to gateways, public art, and wayfinding signage.	Standards are not new, but relocated from the District Specific Standards for the Downtown Commercial Zone (Section A) of the <i>Commercial/Mixed-Use/Industrial Design Standards and Guidelines</i> document. Intended to consolidate downtown standards between different documents.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	OS.1E under <i>Plaza</i>	Design of plazas in the DC zone.	This duplicates standards within Section A.2C, A.3A, and A.5A of the <i>Commercial/Mixed-Use/Industrial Design Standards and Guidelines</i> document.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	OS.1E under <i>Master Planning</i>	Describes the master planning process for large properties in the DC zone.	This section is somewhat duplicative to Development Agreement process in NBMC 18.27. While Development	Eliminates conflicts and/or redundancy with other existing development regulations

	<i>Provision for Large Parcels</i>		Agreements are optional, there is no separate master planning process recognized in the municipal code. Master Plan would be processed as a Development Agreement.	addressing the topic (within intent of “clear and objective”).
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City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025	AB25-072
Ordinance Amending the North Bend Form-Based Code Regulating Plan in Accordance with ESHB 1293		Department/Committee/Individual	
		Mayor Mary Miller	
		Interim City Administrator – Bob Larson	
		City Attorney – Kendra Rosenberg	
		City Clerk – Susie Oppedal	
		Community & Economic Development – James Henderson	
		Finance – Martin Chaw	
		Public Works – Mark Rigos	
Cost Impact: N/A		Planning Manager – Mike McCarty	X
Fund Source: N/A			
Timeline: Immediate			
Attachments: Ordinance, Exhibit A - Form-Based Code Regulating Plan, Staff Report & Planning Commission Recommendation, Staff Memo – Design Standards & Form Based Code Amendments			
<p>SUMMARY STATEMENT:</p> <p>Amendments are proposed to the City of North Bend Form Based Code. The proposed Form-Based Code Regulating Plan amendments are in response to recent amendments to RCW 36.70A.630 and RCW 36.70B.160 passed by the Legislature through Engrossed Senate House Bill 1293, which updates standards and laws that local governments can impose on design review and design standards, with the intent of streamlining the permit process and requiring specific objective standards for architectural design.</p> <p>Consistent with state law, the amendments are proposed to adjust or remove vague language in architectural and urban design standards consistent with state law, as well as to remove language that is redundant to other applicable code sections or regulation documents (such as the zoning code, sign regulations, landscape regulations, or Public Works Standards).</p> <p>The Planning Commission held a Public Hearing on May 21, 2025, and recommended approval.</p> <p>Additional minor amendments were made following the Planning Commission recommendation and CED Committee review to ensure that provisions removed from the Design Standards applicable specifically to the Downtown Commercial (DC) Zone were provided within the Form Based Code, which applies to the DC Zone. These additional amendments have been highlighted in yellow within the exhibit to the Planning Commission staff report for reference.</p> <p>A public hearing was held on this item at the Tuesday, June 3, 2025 City Council meeting and Council voted to postpone a vote on this ordinance until the next regular City Council regular on Tuesday, June 17, 2025.</p> <p>The draft amendments are necessary for conformance with State law and staff recommend approval. The following are the decisions available to Council:</p> <p><u>Alternative 1:</u> Approve AB25-072, an ordinance amending the North Bend Form-Based Code Regulating Plan in accordance with ESHB 1293, as a first and final reading.</p> <p><u>Alternative 2:</u> Provide feedback to staff regarding the amendments, for placement and consideration at the July 15, 2025 City Council meeting for approval as a third reading. Action would put the City out of compliance with the Growth Management Act until the ordinance is adopted.</p>			

City Council Agenda Bill

APPLICABLE BRAND GUIDELINES: The proposed amendments support the City's brand statement of being a highly livable small town with sustainability managed growth. The amendments remove confusing, redundant, or vague design standards, consolidate requirements, and address architectural design barriers. Adjustments to the Form Based Code may alleviate developer uncertainties when proposing new non-residential and residential projects.

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this item at their May 20, 2025 meeting and recommended approval and placement on the Main Agenda for discussion at the June 3, 2025 City Council meeting, with the possibility to extend Council deliberation to the June 17, 2025 City Council meeting for time to discuss the amendments.

RECOMMENDED ACTION: MOTION to approve AB25-072, an ordinance amending the North Bend Form-Based Code Regulating Plan, as a first and final reading.

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 3, 2025	AB25-059 - Postponed to 6/17/25 CC	7-0
June 17, 2025		

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING THE NORTH BEND FORM-BASED CODE REGULATING PLAN RELATING TO DOWNTOWN COMMERCIAL ZONE DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, during its 2023 session, the Washington State Legislature passed, and the Governor signed, ESHB 1293, codified as Revised Code of Washington (“RCW”) 36.70A.630 and 36.70B.160, intended to streamline development regulations with regard to design standards and review; and

WHEREAS, ESHB 1293 impacts Washington municipalities, including the City of North Bend, because it restricts a jurisdiction’s ability to enact architectural design regulations and requires design standards to be clear and objective; and

WHEREAS, the North Bend Form-Based Code Regulating Plan currently regulates architectural design and urban form of the Downtown Commercial zone with some restrictions, however some of those restrictions are duplicative of provisions already adopted in the North Bend Municipal Code or may conflict with RCW 36.70A.630 and 36.70B.160; and

WHEREAS, the proposed amendments to the North Bend Form-Based Code Regulating Plan were submitted to the Washington State Department of Commerce for review on May 1, 2025, and the City received no comments; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on May 2, 2025; and

WHEREAS, the North Bend Planning Commission held a public hearing on the proposed amendments at its May 21, 2025 meeting to receive testimony on the proposed amendments; and

WHEREAS, the Planning Commission, by motion on May 21, 2025, recommended adoption of the proposed amendments to the North Bend Form-Based Code Regulated Plan as detailed in its findings, conclusions and recommendations; and

WHEREAS, the City Council held a public hearing on the proposed amendments at its June 3, 2025, meeting to receive testimony on the proposed amendments; and

WHEREAS, the City Council, by motion at its June 3, 2025 City Council meeting, requested additional time to review the proposed amendments and moved a decision to the June 17, 2025 City Council meeting; and

WHEREAS, the North Bend City Council finds that the proposed amendments are consistent with the requirements of ESHB 1293, RCW 36.70A.630 and RCW 36.70B.160;

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

Section 1. North Bend Form-Based Code Regulating Plan, Amended: The North Bend Form-Based Code Regulating Plan is hereby amended to read as shown in 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 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 17TH DAY OF JUNE, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published:

Effective:

Susie Oppedal, City Clerk

City of North Bend Form-Based Code



Adopted by Reference in North Bend Municipal Code 18.12

Effective June 16, 2021

Revised June X, 202



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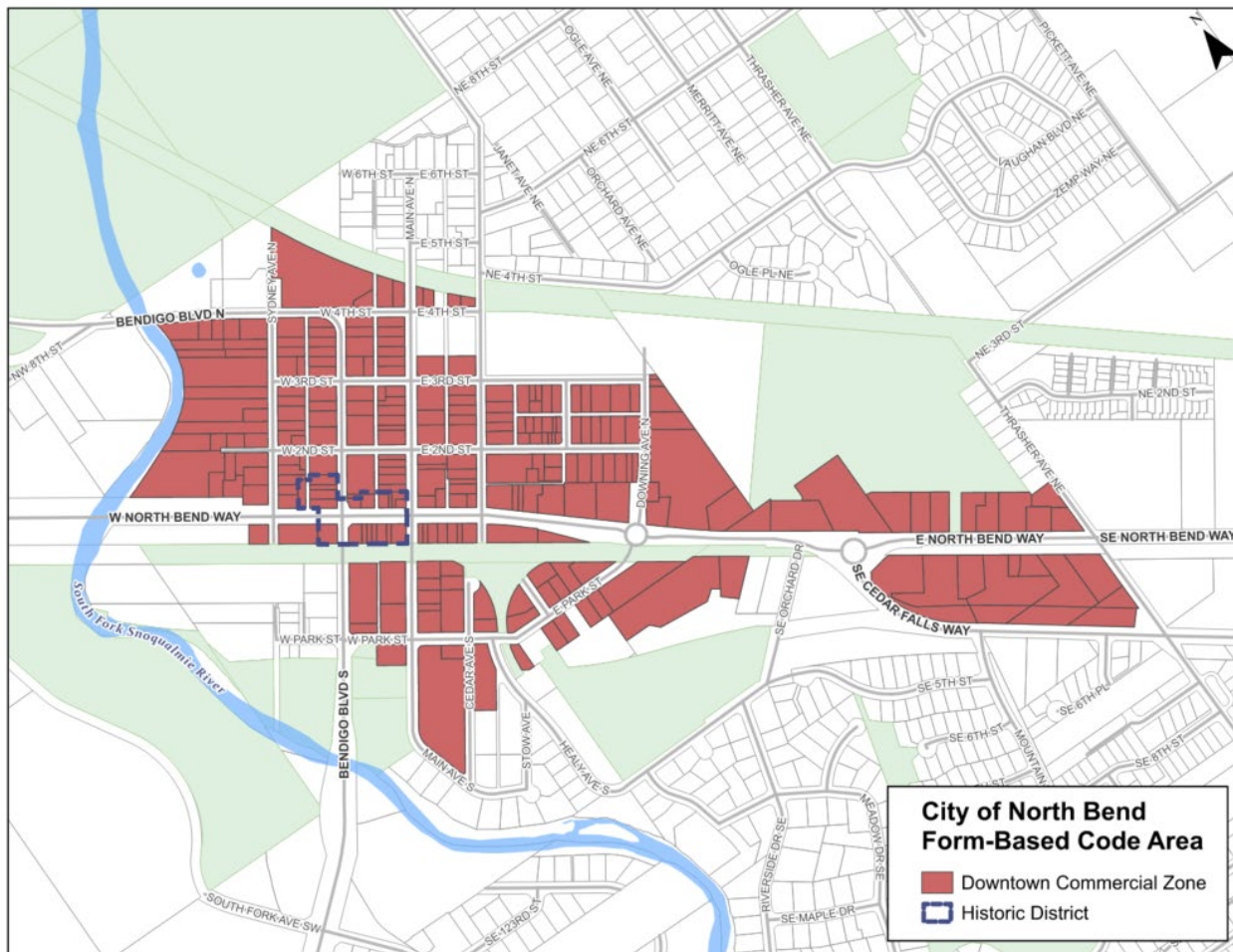
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Introduction

North Bend's Form-Based Code (FBC) provides a unified development ordinance to address the desired character of the Downtown Commercial (DC) Zone. The FBC fosters predictable built results and a high-quality public realm by using physical form, rather than separation of uses. The FBC helps ensure that new development is in scale and character with the City's existing downtown area. The FBC is an alternative to zoning with less focus on density and allowable uses, and more focus on building form and relationship to the public spaces (e.g., sidewalks). The primary review focus for City approval is the outside of the building and its relationship with the surroundings, by focusing on building form and transects as summarized below. *Figure 1* shows the area to which the FBC applies, and where historic district considerations must be made if redevelopment occurs.

The goal of the FBC is to further enliven the downtown as a social, cultural and entertainment destination, while increasing the overall supply of more affordable housing options. The regulations and standards in the FBC are presented in both words and clearly drawn diagrams and other visuals to help property owners and the public best understand and implement these provisions.

Figure 1: Map of Form-Based Code Area:



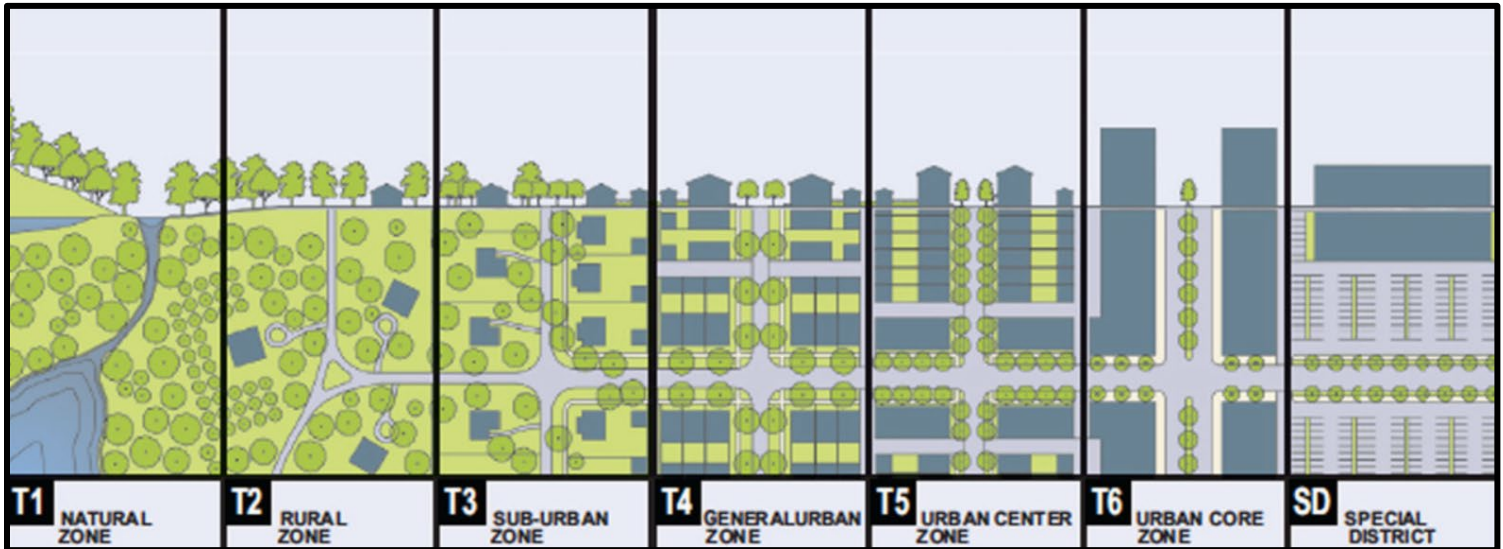
The FBC aims to:

- Explain classifications of different types of buildings to produce more predictable results with better guidance to architects;
- Fit context of both historical core and desired building types of other downtown areas; and
- Provide for pedestrian friendly streets and open space.

Subdistricts from the Concept of Transects

The concept of Transects, from the Center of Transect Studies, provides a framework for coding the elements in the built environment on a scale from rural to urban. The FBC aims to expand choices for projects, instead of using a one-size-fits-all regulation. The use of transects allows for a range of development characters and intensity to fit within the vision of North Bend. The typical full range of transects used for the FBC is shown below, which includes seven classifications that progress from natural to urban core zones and include a special district classification.

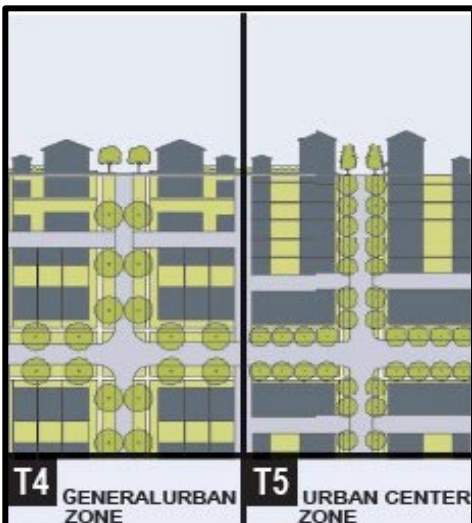
All possible transects within the FBC:



Typical Rural-Urban Transect, with Transect Zone. *Source: Center for Applied Transect Studies, 2008*
Source: Center for Applied Transect Studies, 2008.

This DC Zone focuses on the T4 General Urban Zone and T5 Urban Center Zone, with greatest influence from T5 in the context of infill and redevelopment.

The ~~FBC~~ Center of Transect Studies transects that are most applicable within North Bend's DC Zone:



T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single-family, small apartment buildings, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks. The T-4 transect zone generally represents the characteristics of DC-MU subzoneSubdistrict.

T-5 Urban Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree plantings, and buildings set close to the sidewalks, which are conditions that **currently exist throughout the DC-C Zone-Subdistrict.**

Source: Center for Applied Transect Studies, 2008.

~~T-4 General Urban Zone, T-5 Urban Center
Zone~~

~~Source: Center for Applied Transect Studies, 2008.~~

~~Building off the existing urban fabric and valued aesthetics of downtown North Bend is key; thus, two custom transects are implemented, the Downtown Commercial Core SubdistrictsZone (DC-C) and the Downtown Commercial Mixed-Use SubdistrictsZone (DC-MU). These are the two transects created within the current DC Zone subdistricts and are explained in section RP-1.~~

Purpose and Application

I.1A: Intent of the FBC

It is the intent of the FBC to implement comprehensive plan goals for the Downtown Commercial ~~Neighborhood Zone~~ and build from the Downtown Master Plan. In support of this intent, the following principles are identified as key to the FBC:

1. **Transects** – The transects applying to the FBC, as outlined in the Introduction, were chosen as the most fitting to North Bend's downtown. These transect zones shall constitute the intent of the FBC regarding the general character of this environment.
- 1-2. **Downtown Scale** – North Bend's downtown should be compact, pedestrian-oriented, and mixed use, to create a vibrant community for both residents and businesses, encouraging walkability and the patronage of guests. Building densities shall be provided consistent with North Bend's existing downtown character, enhancing redevelopment potential. Existing as well as programmed and potential open spaces, including parks, squares, and playgrounds, should be considered in site designs.
- 2-3. **Block and Building Scale** – Buildings and landscaping should contribute to the physical definition of thoroughfares and civic spaces. Development should adequately accommodate automobiles while respecting the pedestrian and spatial form of public areas. Architecture and landscape design should grow from local climate, history, and building practice, emphasizing mountain views for both building residents and pedestrians, with adequate measures for hazards mitigation, including the floodplain. Buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- 3-4. **Walkability** – North Bend's downtown should encourage active pedestrian spaces and activity.

I.1B: Relationship to Existing Plans and Standards

The Form Based Code (FBC) builds upon the groundwork of other adopted plans and codes, and is intended to be a complimentary addition. While the FBC is specific to the Downtown Commercial zone, there are other adopted documents that regulate the zone. Below is a summary of the adopted materials that influence the design and development of the downtown core:

1. **Comprehensive Plan** – North Bend's downtown is described in the Land Use Element of the Comprehensive Plan as the mixed-use center of North Bend's community, where jobs, housing, and services may be readily available to the residents. Redevelopment in this area should be walkable and compact, comprised of buildings of various scales, and preserve adjacent natural areas.
2. **Commercial/Mixed-Use/Industrial Design Standards and Guidelines (Design Standards)** - All new development shall comply with North Bend's ~~Commercial, Mixed-Use and Industrial Design Standards~~, Design Standards and where appropriate, preserve and restore the historic character of the Downtown Commercial Historic District. There are no Downtown Commercial district-specific standards in the Design Standards; However there are applicable components to the Downtown Commercial zone within Basic Development Standards (Section A) and the Building Form (Section B).
3. **Downtown Master Plan** – The FBC should help encourage the elements of the Downtown Master Plan that have yet to be realized but remain in effect.
4. **North Bend Zoning Code:** The FBC is adopted as a new North Bend Municipal Code Chapter ("NBMC") 18.12., referred to as "North Bend Form-Based Code," or "FBC," and The FBC supersedes previous content related to the DC Zone set forth in NBMC Chapter 18.10. While the FBC supersedes any conflicting standards within the Zoning Code, there are supplementary standards in the Zoning Code that may apply to subject projects, such as but not limited to parking (NBMC 18.16), land use performance standards (NBMC 18.10.050), and signage (NBMC 18.20).

Additionally, terms not otherwise defined in the FBC shall be accorded their commonly accepted meanings. In the event of conflicts between such definitions and those of NBMC Title 18 as currently adopted or hereinafter amended, the definitions of the FBC shall take precedence.

3.5. Public Works Standards: The Public Works Standards regulate the design of infrastructure, utilities, roadways, and other fixtures within the public right-of-way or public easements.

4.6. City Brand – The FBC and resulting development shall fit the City’s adopted Brand Implementation Guidelines and Brand Statement: “We are a highly livable small town that is the premier outdoor recreation destination in the Puget Sound Region.” Within the adopted branding document are eight spokes that will be enhanced by the FBC, including but not limited to: sustainable managed growth, design standards, affordability, quality basic services including transportation and traffic management, and economic viability.

~~I.1C: Relationship to Existing Municipal Code~~

~~The FBC is adopted as a new North Bend Municipal Code Chapter (“NBMC”) 18.12, referred to as “North Bend Form-Based Code,” or “FBC,” and supersedes previous content related to the DC Zone set forth in NBMC Chapter 18.10, which has been repealed.~~

I.2A: Use of FBC

The FBC is administered by the Mayor, who may delegate to North Bend’s Community and Economic Development Director or others.

I.2B: Applicability to Municipal Code

The FBC applies to all property within North Bend’s Downtown Commercial (DC) Zone, including structures, land uses, and other physical improvements like signs, landscaping, and lighting within the regulated boundaries outlined herein. When used in the FBC, “shall” means when required; “should” means when recommended; and “may” means when optional.

The provisions of the FBC, when in conflict with those of other codes, ordinances, regulations, and standards, shall take precedence, except for NBMC Title 14, Environmental Protection, including but not limited to Chapter 14.12 Floodplain Management, as well as applicable state and federal law. Redevelopment within the Historic District shall involve review by the King County Historic Preservation Program, per interlocal agreement. Capitalized terms used throughout the FBC may be defined in the final chapter titled Definitions. This section contains regulatory language that is integral to the FBC.

~~Terms not otherwise defined in the FBC shall be accorded their commonly accepted meanings. In the event of conflicts between such definitions and those of NBMC Title 18 as currently adopted or hereinafter amended, the definitions of the FBC shall take precedence.~~ The metrics provided in the standards sections are an integral part of the FBC. The diagrams and illustrations that accompany them, however, should be considered guidelines rather than requirements, except for the tables found in Chapter RP of the FBC, compliance with which is required. Where in conflict, numerical metrics shall take precedence over graphic metrics.

Zone and Regulating Plan

RP.1: Zoning Districts and Overlays

RP.1A: Purpose and Establishment of subdistricts within the existing DC Zone

This section establishes the zoning subdistricts of the DC to implement the FBC. Property and Rights-of-Way (ROW) subject to the FBC shall be divided into the following zones and overlays, which shall be applied to all property as shown on *Figure 1*.

RP.1B: ~~Transects~~ Downtown Commercial Subdistricts

The following ~~transects-subdistricts~~ are established and apply to property within the boundaries of the current DC Zone, shown spatially in *Figure 2*.

Commercial Core (DC-C):

The DC-C includes building types, styles, materials, and sizes that fit and enhance the current Historic District as shown in *Figure 3*, below, and shown in Attachment A of Ordinance 1113 (2001) adopted by reference in NBMC 19.24.030. The DC-C measures to maintain mountain viewsheds from street-level and enhance open space for future community events, while promoting redevelopment. The outlook of this zone is to serve as North Bend's cultural center.

Mixed-Use (DC-MU):

The DC-MU allows greater flexibility and diverse buildings fitting North Bend's existing design standards. This area is projected to receive more infill overall and more residential units. Considerations to adjacent residential character should be made to the redevelopment occurring adjacent to residential zones.

RP.1C: Note of Design Standards

All developments outside of the Historic District must meet the then-current City of North Bend Commercial/Mixed-Use/Industrial Design Standards and Guidelines, and specifically the Basic Development Standards (Section A) and ~~Downtown Core District sections~~ Building Form (Section B).

RP.1D: Note on Floodplain Management

The entire DC Zone is within the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Special Flood Hazard Area. This means special design considerations must be made regarding regulatory flood heights. More details on floodplain considerations to design can be found in NBMC Chapter 14.12, Floodplain Management. Design considerations shall be based on what zone exists within the lands being developed, and which height above this base flood elevation is currently required. The latest ~~Federal Emergency Management Agency~~ FEMA documentation on mixed-use and multi-family development in the floodplain should be used to define building parameters during the design process.

RP.2: Regulating Plan

RP.2A: Purpose and Establishment of Regulating Plan

This section establishes the Regulating Plan Map, *Figure 3*, that identifies and implements the various intentions and principles of the vision for the area. *Table RP.1* defines the zoning districts overlays and standards for site development, design, and land use through the following: building placement; allowed building types; allowed frontage types; building height and size; allowed encroachments into required yards; parking placement and site access; required parking; and allowed land uses.

Figure 2: Downtown Commercial Transect Subdistrict Locations

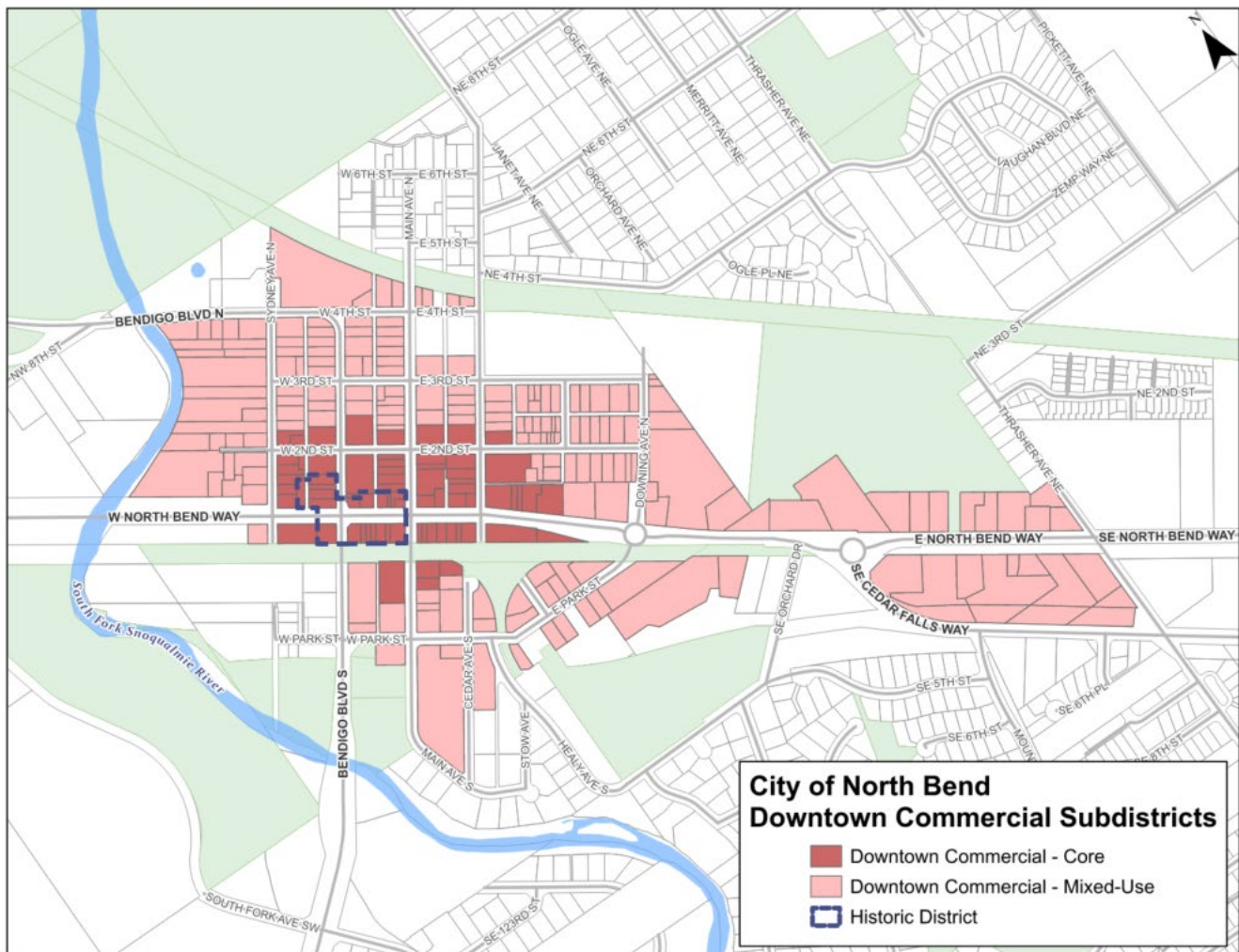
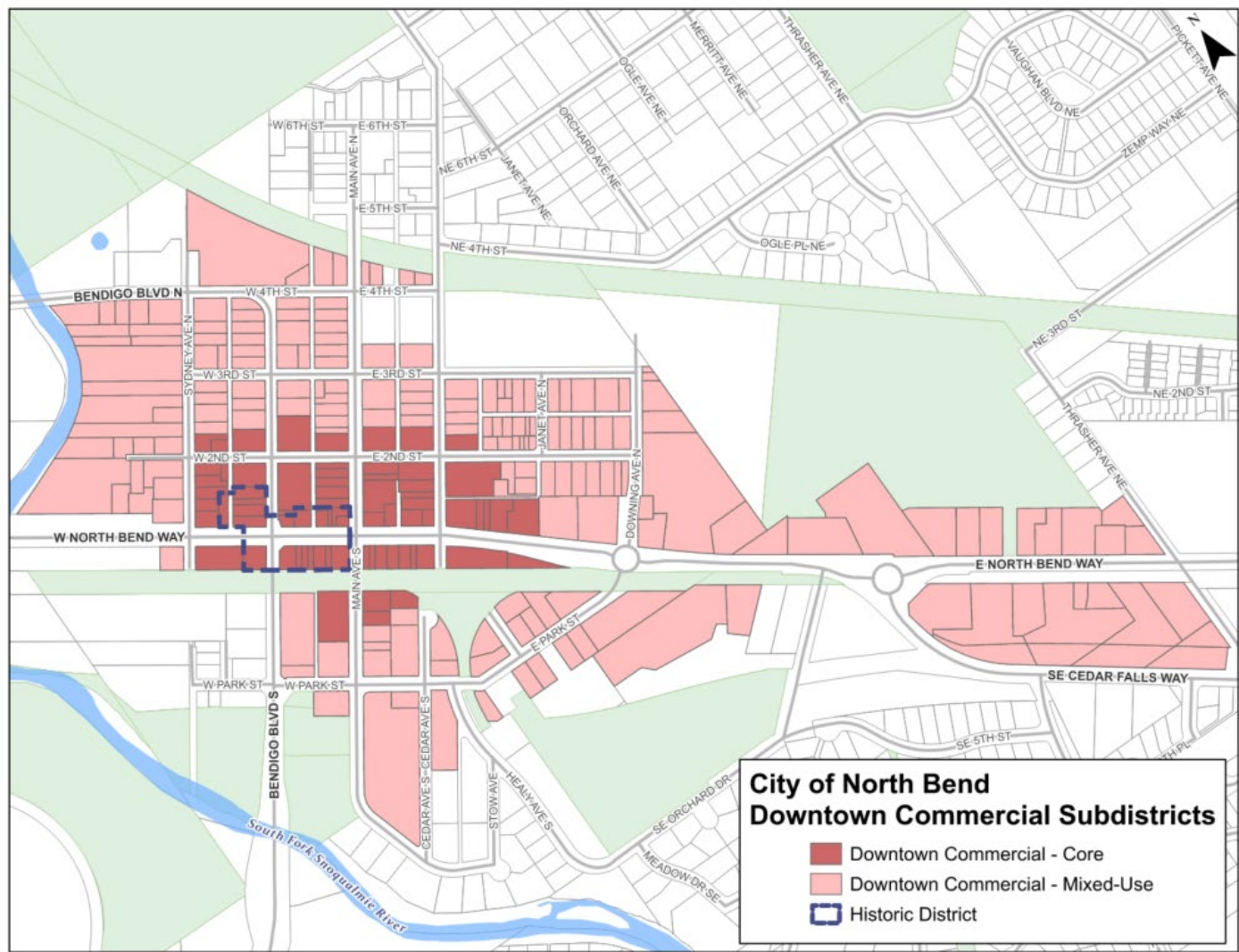




Figure 3: Larger Scale Regulating Plan Map



p

Table RP.1: Zoning District Intent

	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Example Pictures		
Desired Form	New buildings within the DC-C shall meet character of the downtown area and comply the City's Design Standards. Additionally, buildings within the Historic District shall fit the character of the existing historic buildings as determined by King County Historic Preservation. Site design shall add to public realm and enhance this small district as North Bend's cultural center. New buildings shall be similar in scale to existing structures sharing property lines and are not more than 45 feet in height. Balconies and terracing on upper levels shall be used to retain mountain views.	New buildings shall comply with North Bend's design standards, using modern architecture that fits the character of recently constructed buildings within the DC Zone. New buildings shall range from smaller multifamily complexes to mixed-used developments up to 45 feet in height, located at the front of the property line, with active frontages along the ground level. Building mass steps down to 35 feet when adjacent to single story or historic buildings. Balconies and terracing on upper levels shall be used to retain mountain views.
Streetscape and Public Realm Improvements	Active streetscapes shall encourage activity and be inviting to pedestrians. Commercial frontages such as shopfronts, arcades, or galleries; wide sidewalks; and street trees should support safe, welcoming and comfortable walking environment.	A range of tree-lined walkable streets should be a result of new development. Commercial frontages such as shopfronts, arcades, or galleries; wide sidewalks; and street trees should encourage interesting, safe, and comfortable walking environment. Residential frontages should consist of yards, porches, stoops, to promote privacy.
Parking	Parking shall consist of on-site spaces located either behind buildings or in structures. On-street public parking spaces may be available for commercial patrons.	Parking shall consist of on-site spaces located either behind buildings or in parking structures. On-street public parking spaces may be available as well.
General Use	Ground-floors of buildings should be occupied by retail, office, service, and other active uses along commercial corridors. Upper floors and back spaces from streetscape should include a wide variety of uses, including office, housing, lodging.	Buildings may be occupied with ground floor retail, office, service, and other active uses. Residential uses on the ground floor should, where permitted off North Bend Way, have frontages ensuring privacy for the units. Units shall be accessed directly from the street, unless determined infeasible due to specific site constraints. Upper floors and back spaces from streetscape should include a wide variety of uses, including office, housing, lodging.

Development Standards by Transect Subdistrict

DS.1: Introduction

The subdistrict~~transect~~ zone standards are calibrated by means of exemplary existing and intended conditions, through field survey, public input, and recommendation from the Planning Commission and approval by City Council. The purpose is to shape the future public realm of North Bend's downtown core by focusing on the outside portions of development (i.e., that which faces the street). Developments within these ~~transects~~ subdistricts are subject to the other relevant chapters of NBMC Title 18 and Title 19 including but not limited to:

- 18.16 Parking Regulations
- 18.18 Landscaping Regulations
- 18.20 Sign Regulations
- 18.34 Design Standards and Guidelines
- 18.40 Exterior Lighting Standards
- NBMC 19.10.091 through .095 relating to tree retention and protection.

Sketch demonstrating a vision of the DC-C Transect Subdistrict redevelopment



Features of note in this DC-C illustration include:

- Enhanced open space that adds to the public realm;
- Building character to enhance and blend in with the current Historic District;
- New buildings of similar scale to existing buildings;

- Substantial glazing;
- Balconies and rooftop patios;
- Housing above commercial/retail storefronts;
- Wide sidewalks and street trees;
- Heavy building bases with detailing that adds interest to the Historic District;
- Canopies and awnings that provide cover and shade;
- Pedestrian oriented signage and building lighting;
- Amenities that add interest to the public realm such as benches, bike racks, potted seasonal plantings.

Sketch demonstrating a vision of the DC-MU ~~Transect~~ Subdistrict redevelopment



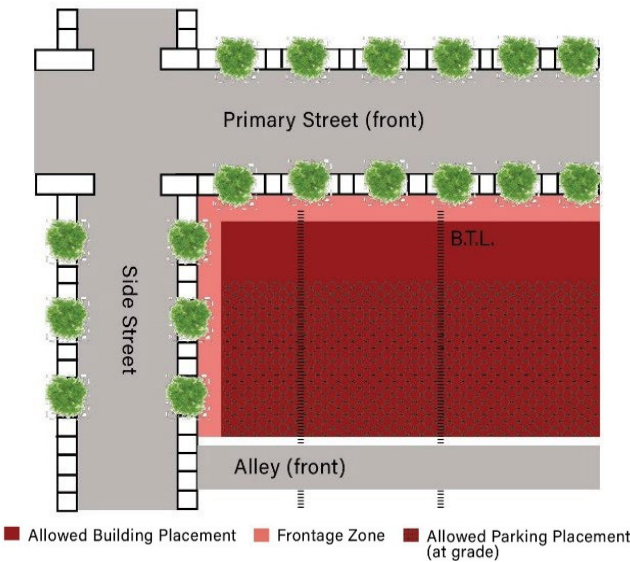
Features of note in this DC-MU illustration include:

- A mixed use or residential building character that fits into existing neighborhoods and the surrounding built environment;
- Balconies, terraces, and rooftop patios;
- Commercial frontages with wide sidewalks and street trees that add interest to the public realm;
- Comfortable and safe pedestrian walking environment;
- Residential frontages that promote privacy;
- The use of wood products as building materials;
- Large overhangs that provide interest and protection from the elements.

DS.1A: Downtown Commercial – Core (DC-C)



Building Placement



Setback	Building setback from PL		
	Frontage Zone	Side/Rear	
	Min. (ft)	Max. (ft)	Min. (ft)
Primary street	None	10	None
Side street	None	10	None
Side interior	None	None	
Rear yard with alley	None	5'-	5
Rear yard without alley	None	None	15

Allowed Frontages - (See Table FS.1, page 26)

- Arcade • Gallery • Shopfront

Special Considerations

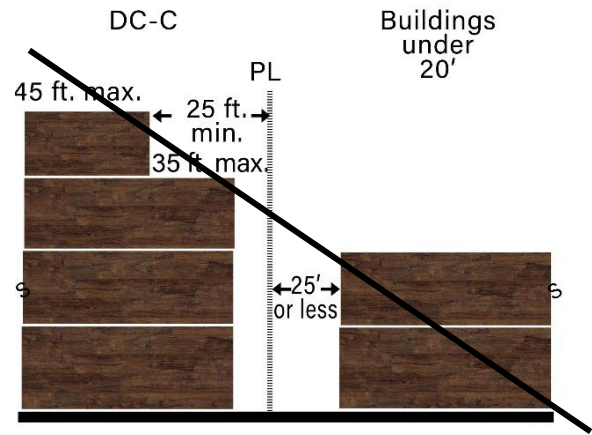
All development reviews within this transect-subdistrict shall fit Historic District character.

No outdoor storage or outdoor vehicular uses is allowed.

Maximum Size for Residential Units

No residential dwelling unit shall be larger than 1,000 square feet. See DS.3 (page 15) for exceptions.

Required Building Step-Backs



Buildings in DC-C shall not exceed 35 feet in height for a depth of 15 feet from the property line when the lot is adjacent to buildings under 20 feet, if the adjacent building is within 25 feet of the property line adjacent to the proposed building. For all street-facing building facades along North Bend Way, each story third level and above shall be stepped back a minimum of 10 feet from the story below.

Interior Ceiling Height

Ground Floor

12-foot minimum, unless there is ground floor residential except for exclusively residential building typologies.

Parking - See parking standards in NBMC Chapter 18.16.

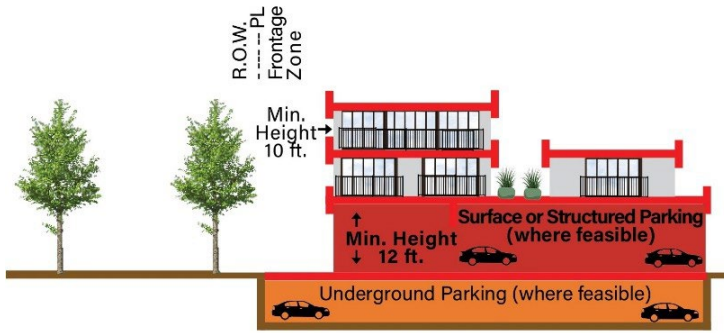
Parking garages should be designed to have levelled floors that can facilitate redevelopment for another use, such as commercial, when parking demand lessens.

Encroachments

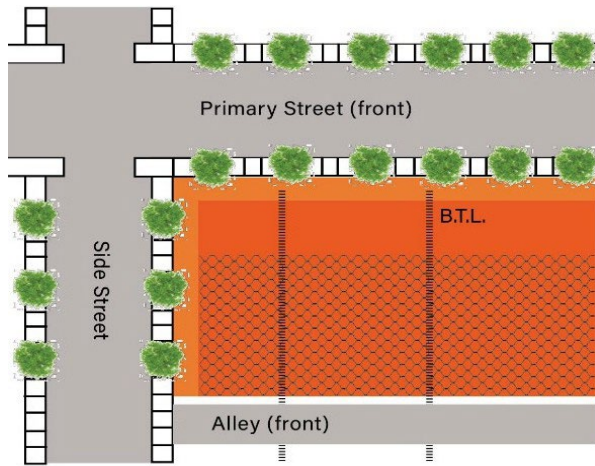
Architectural features may encroach into the required setbacks subject to the following requirements:

	Encroachment		
	Horizontal		Vertical
	Rear	Side	
Arcade, Gallery, Awning	Min. 5' from PL	Not allowed	Min. 8' clear
Balcony Bay Window		Min. 5' from PL	
Eave	Min. 3' from PL	Min. 3' from PL	

DS.1B: Downtown Commercial – Mixed Use (DC-MU)



Building Placement



■ Allowed Building Placement ■ Frontage Zone ■ Allowed Parking Placement (at grade)

Setback	Building setback from PL		Side/Rear Min. (ft.)
	Frontage Zone Min. (ft)	Max. (ft)	
Primary street	0/None	10	None
Side street	0/None	10	None
Side interior	5'	None	
Rear yard with alley	None/5'	None	5
Rear yard without alley	10'/None	None	15

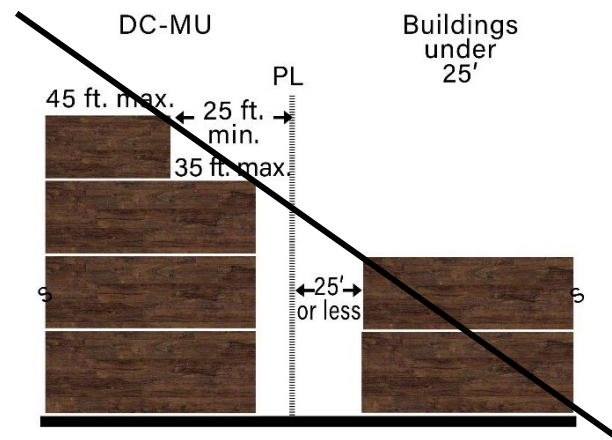
Allowed Frontages - (See Table FS.1, page 26)

- Stoop • Lightcourt • Dooryard
- Front Yard • Forecourt • Porch & Fence
- Shopfront • Gallery • Arcade

Maximum Size for Residential Units

No residential dwelling unit shall be larger than 1,200 square feet, except as provided for in DS.3 herein.

Required Building Step-Backs



Buildings in DC-MU shall not exceed 35 feet in height for a depth of 15 feet from the adjacent building when the lot is located adjacent to buildings that are under 25 feet in height, if the adjacent building is within 25 feet of the property line adjacent to the proposed building. For all street-facing building facades along North Bend Way, each story third level and above shall be stepped back a minimum of 10 feet from the story below.

Interior Ceiling Height

Ground Floor 12-ft min, unless there is ground floor residential except for exclusively residential building typologies.

Parking - See parking standards in NBMC Chapter 18.16.

Parking garages should be designed to have levelled floors that can facilitate redevelopment for another use, such as commercial, when parking demand lessens.

Encroachments

Architectural features and signs may encroach into the required setbacks subject to the following requirements:

	Encroachment Horizontal		Vertical
	Rear	Side	
Balcony Bay Window	Min. 5' from PL	Min. 5' from PL	Min. 8' clear
Eave	Min. 3' from PL	Min. 3' from PL	

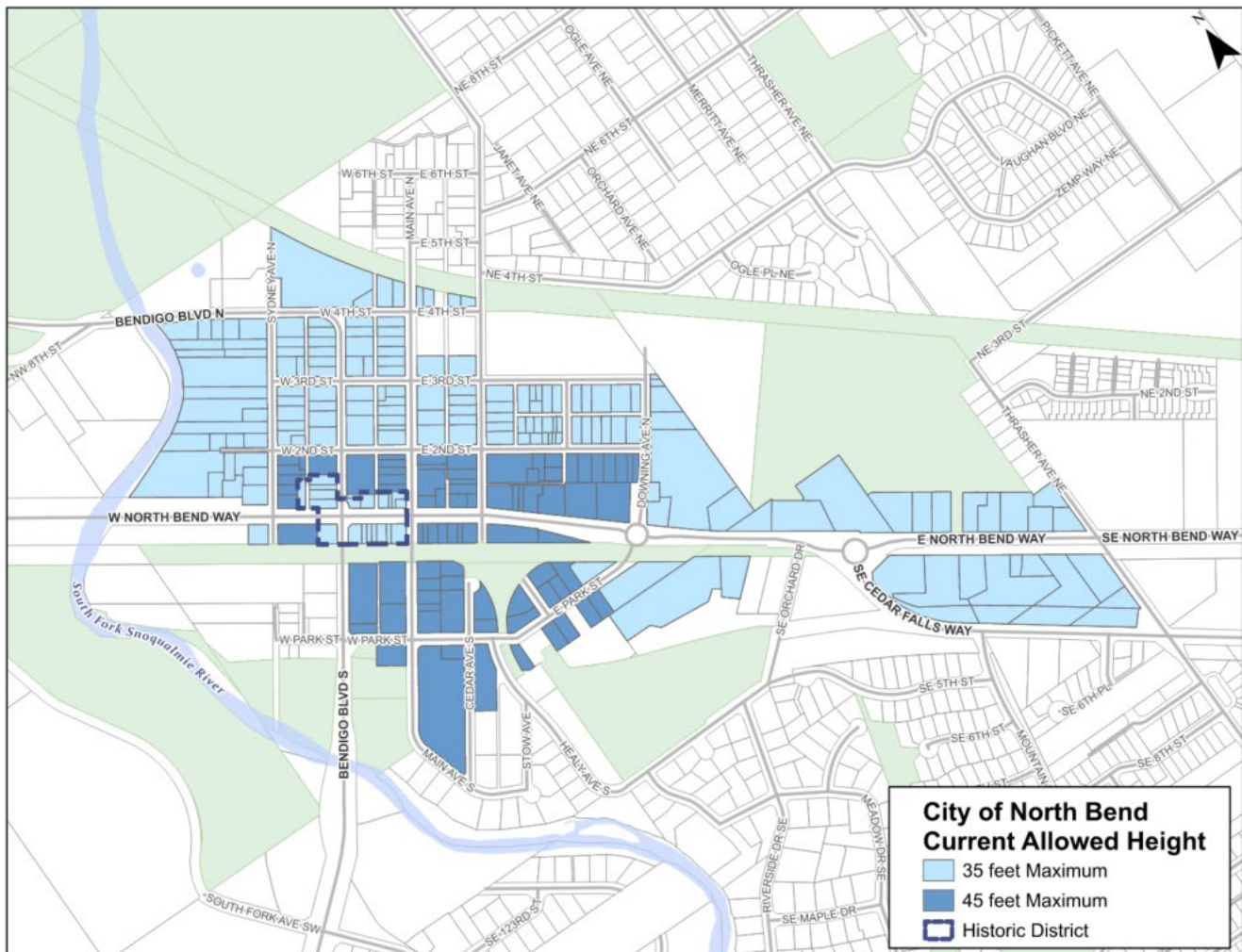
DS.2: Downtown Commercial – Allowable Heights

Where the DC-C and DC-MU Transect subdistricts represent a core and periphery pattern of the downtown aesthetic to maximize historic character, where allowable the building heights are a different spatial pattern to maximize mountain views.

Building heights in the southern portion of the DC Zone are slightly higher than those in the northern and eastern portions. *Figure 4* illustrates the maximum heights allowed per parcel.

Note: Redevelopment of historic buildings must undergo King County Historic Preservation Program review prior to approval to ensure retention of historic character.

Figure 4: Maximum Allowable Heights



DS.3: Affordable Housing Provision for Increase to Maximum Size for Residential Units

The maximum size for all residential units within a development may be increased if deed restricted affordable housing is a part of the development. Specifically, if a certain percentage of the units are deed restricted to be below the level of cost burden (less than 30% of the income) of the equivalent of a 60% area median family income (AMI), that percentage may be applied to increasing the size of all units. For example, if 10% of units are deed restricted, the maximum square footage of all units may be increased by 10%.

Example Scenario 1:

A proposed development in the DC-C ~~Transect~~ subdistrict is planning to include 20% deed restricted affordable housing. The 1,000 sf maximum area per unit in this ~~subdistrict~~ transect is increased to 1,200 sf ($1,000 \text{ sf} * 1.2$).

Example Scenario 2:

A proposed development in the DC-MU ~~Transect~~ subdistrict is planning to include 30% deed restricted affordable housing. The 1,200 sf maximum area per unit in this ~~transect~~ subdistrict is increased to 1,560 sf ($1,200 \text{ sf} * 1.3$).

To obtain the AMI, please query income limits for the Seattle/Bellevue region on the U.S. Department of Housing and Urban Development website.

BS.1: Building Standards

BS.1A: Purpose

This section provides design standards for individual buildings to ensure that proposed development is consistent with the community's vision for the DC Zone as it pertains to building form, physical character, land use, and quality.

BS.1B: Applicability

All buildings and lots within the DC Zone shall be governed by the FBC. All buildings are required to comply with NBMC Title 15, Building and Construction, which adopts by reference the International Building and Fire Codes, and the design standards of NBMC Chapter 18.34.

BS.1C: Allowable Uses

The DC Zone is open to residential, commercial, office-related, public, and quasi-public, and light industrial uses that can be contained within and cause no public nuisance outside of existing buildings or proposed development. Uses prohibited in all zoning districts as set forth in NBMC 18.10.030, in addition to new single-family residential units, outdoor storage or outdoor vehicle sales are specifically prohibited in the DC Zone, continue to be prohibited. Nuisances as set forth in NBMC Chapter 8.08 are prohibited, including hazardous materials and uses that produce noises above what lawful as set forth in NBMC Chapter 8.26.

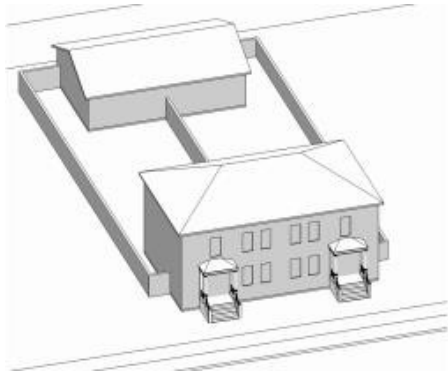
Each proposed building or existing building modification may be designed as one of the building types allowed for the ~~transect-subdistrict~~ applicable to the site as identified in the ~~table~~ Table BS.1 below. Other building types are possible and shall meet North Bend's Design Standards. Redevelopment of buildings within the Historic District are subject to a King County Historic Preservation Program review.

Table BS.1: Allowed Building Types per ~~Transect~~ Subdistrict

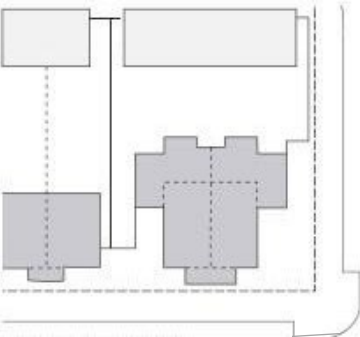
Building Type (<u>ordering generally reflects increasing density</u>)	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Duplex and Multiplex		X✓
Cottages & Bungalow Court Apartment		X✓
Row House		X✓
Live-Work		X✓
Court	X✓ (with ground-floor commercial only)	X✓
Hybrid Court	X✓	X✓
Liner Building	X✓	X✓
Flex Building	X✓	X✓

BS.2: Building Type Sheets

BS.2.A Duplex and Multiplex



Illustrative Axonometric Diagram



Illustrative Plan Diagram



Illustrative Photos of Multiplex



- 1) Description** A Duplex or Multiplex Building Type is a medium-sized structure that consists of side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. The Duplex and Multiplex Building Type has the appearance of a large-sized family home. While a Duplex is appropriate for a low or medium density neighborhood, the Multiplex is appropriately scaled to fit well within medium-density neighborhoods. These building types are important for providing missing middle housing and promoting walkability.

- 2) Pedestrian Access** Main entrance location: Primary street

- 3) Frontages** Porch
Stoop
Dooryard

- 4) Vehicle Access & Parking** Parking spaces may be enclosed, covered, or open.

- 45) Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.

- 56) Building Size & Massing** Length along frontage: Duplex: 36-ft max.
Length alongside yard: Multiplex: 50-ft max.
80-ft max.

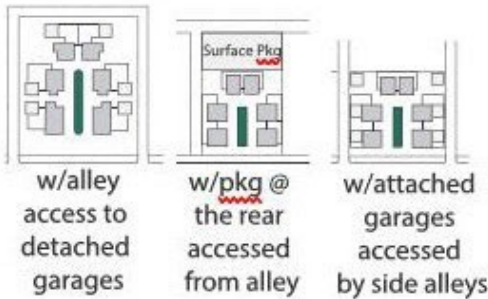
The footprint area of an accessory structure may not exceed the footprint area of the principal structure.



BS.2.B Cottages and Bungalow Court Apartment



Illustrative Axonometric Diagram



Illustrative Plan Diagram

Illustrative Photos of Cottage



- 1) Description** A Cottage Building Type is a group of six or more single dwellings arranged in a linear manner along either side of surrounding a common green space. Having the same right-of-way width as a narrow neighborhood street, the Cottage Type (in contrast to the Bungalow Court Type) must connect two parallel streets. Pedestrian access to the building entrances are accessed from the common green and/or primary street. Cottages are prohibited on corner lots.

A Bungalow Court Building Type: A group of four or more single dwellings arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard and/or fronting street. The courtyard is wholly open to the street and parking is placed in the rear of the lot or behind each unit. Bungalow Courts are prohibited on corner lots that do not have alley access.

- 2) Pedestrian Access** Main entrance location: Common courtyard

- 3) Frontages** Porch Stoop
Dooryard

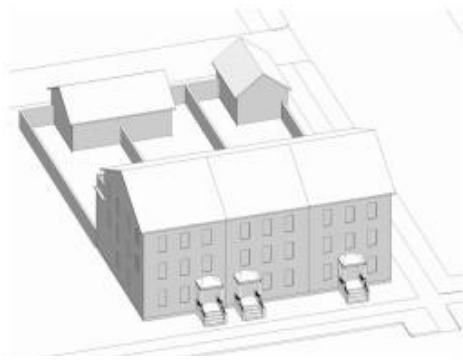
- | | | | |
|------------------------------|-----------------|-----------------|-------------------------|
| 4) Private Open Space | Width 8-ft min. | Depth 8-ft min. | Area 100-square ft min. |
|------------------------------|-----------------|-----------------|-------------------------|

- | | | |
|----------------------------|-------------|--------------------------------------|
| 5) Common Courtyard | Width Depth | 20-ft min. clear
50-ft min. clear |
|----------------------------|-------------|--------------------------------------|

Also see MDR housing standards in NBMC Chapter 18.11.

Illustrative Photos of Bungalow Court



BS.2.C Row House*Illustrative Axonometric Design**Illustrative Plan Diagram**Illustrative Photos of Row Houses*

- 1) **Description** A Row House Building Type is a small- to medium-sized building comprised of three or more attached dwelling units arrayed side by side, with the ground floor raised above grade to provide privacy for ground floor rooms. The primary building sits at the front of the property, with the garage at the rear, separated from the primary building by a rear yard. Each dwelling unit is directly accessed from the front yard/street. ~~Garages must be located and accessed from the rear of the lot.~~ This type is typically located within medium-density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street adjacent to the edge of the DC zone near single-family residential uses. This type enables appropriately scaled, well-designed higher densities and is important for providing a broad choice of missing middle housing types and promoting walkability.
- 2) **Pedestrian Access** Main entrance location: Primary street
- 3) **Frontages** Porch
Stoop
Dooryard
- 4) **Vehicle Access & Parking** Parking spaces may be enclosed, covered, or open.
Garages must be located and accessed from the rear of the lot.
- 5) **Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.
- 6) **Building Size & Massing** Width per rowhouse: 18-ft min. 36-ft max.

The front elevation and massing of each Row House building may be either symmetrical or asymmetrical, repetitive or unique in disposition, as long as the delineation of each individual unit is evident. The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

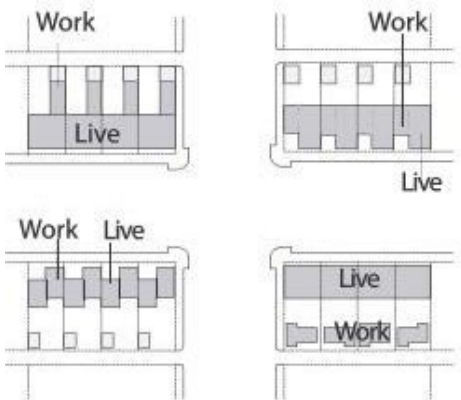
Also see MDR housing standards in NBMC Chapter 18.11.



BS.2.D Live-Work



Illustrative Axonometric Design



Illustrative Plan Diagram

- 1) Description** A Live-Work Building Type is a small- to medium-sized attached or detached structure that consists of single dwelling unit above and/or behind a flexible ground floor space that can be used for home-office uses such as residential, personal and general service, small-scale craft production or retail uses. Both the ground-floor flex space and the unit above are owned by one entity. This type is typically located within medium-density neighborhoods or in a location that transitions from a neighborhood into a urban neighborhood street. It is especially appropriate for incubating neighborhood-serving retail and service uses and allowing neighborhood main streets to expand as the market demands.

Garages must be located and accessed from the rear of the lot. The workspace is accessed directly from the primary street, and the living space at the rear or above is accessed directly or indirectly from the working space.

- 2) Pedestrian Access** Main entrance location: Primary street
Ground floor space and upper unit shall have separate exterior entries.
- 3) Frontages** Forecourt
Dooryard
Shopfront
Lightcourt
Gallery
- 4) Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.
- 5) Building Size & Massing** Width per unit: 18-ft min. 36-ft min.

The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

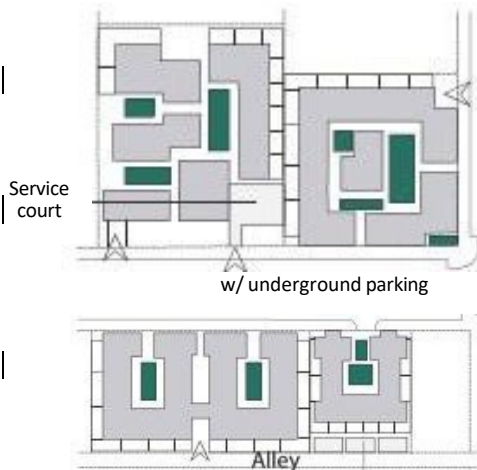
Illustrative Photos of Live-Work



BS.2.E Court



Illustrative Axonometric Design



Illustrative Plan Diagram



Illustrative Photos of Court



- 1) **Description** A Court Building Type is a group of dwelling units arranged to share one or more common courtyards. The courtyard is intended to be a semi-public outdoor room that is an extension of the public realm. Court buildings may accommodate ground floor commercial/flex uses in either a live-work configuration or as solely commercial/retail space in qualifying zones facing the primary street. This type enables the incorporation of high-quality, well-designed density within a walkable neighborhood.
- 2) **Pedestrian Access** The main entry to ground level units should be from the courtyard or from the street. Access to second story units should be directly from the courtyard through stairs. Elevator access, if any, should be provided between the underground garage and courtyard-podium only.
- 3) **Frontages** Porch
Stoop
Dooryard
- 4) **Vehicle Access & Parking** From alley.
For lots without an alley, via a driveway, 12-ft wide maximum, located as close to side yard property line as possible.
- 5) **Private Open Space**

<u>Width:</u>	<u>Depth:</u>	<u>Area:</u>
8-ft min.	8-ft min.	100-square ft min.

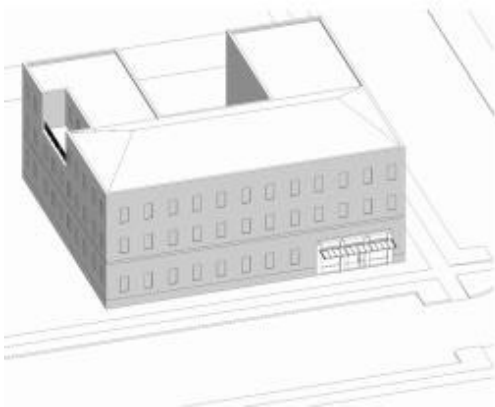
This open space is exclusive of the courtyard and may be located in a side or rear yard.
- 6) **Common Courtyard**

<u>Recommended width/depth/height ratio:</u>	1:1 approx.
<u>Width and depth:</u>	20-ft min.
- 7) **Building Size & Massing**

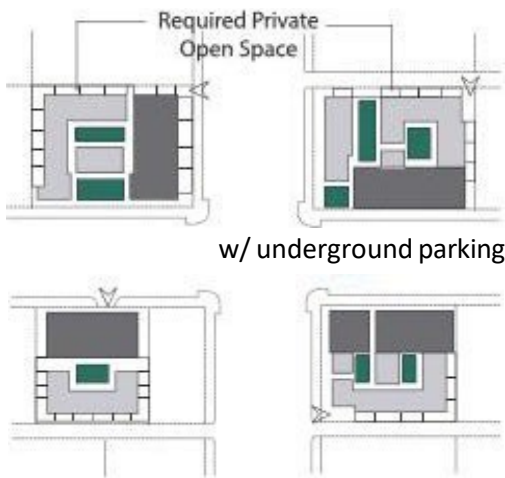
<u>Length along frontage:</u>	200-ft min.
<u>Length alongside yard:</u>	140-ft max.

The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

BS.2.F Hybrid Court



Illustrative Axonometric Design



Illustrative Plan Diagram



Illustrative Photo of Hybrid Court

1) Description A Hybrid Court Building Type combines a point- access portion of the building with a walk-up portion. The building may be designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors also configured for those uses or for residences.

2) Pedestrian Access The main entrance to all ground floor units should be directly from the street.

Entrance to the stacked dwelling element can be through a dedicated street level lobby, or through a dedicated podium lobby accessible from the street or through a side yard.

Access to units above the second level in the stacked dwelling element not accessed from the podium may be through interior access points.

For other units, access is directly from a common courtyard or through stairs serving up to three dwellings.

3) Frontages Porch
Stoop
Dooryard

4) ~~Vehicle Access & Parking~~ ~~Underground garage, surface parking, tuck under parking, or a combination of any of the above.~~

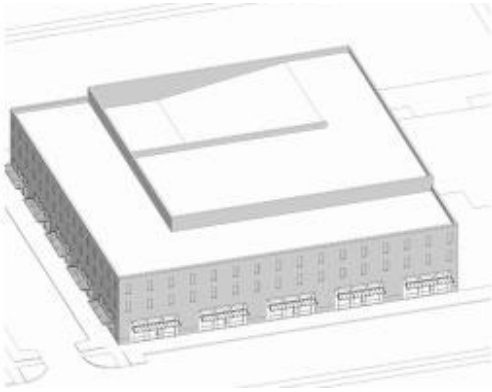
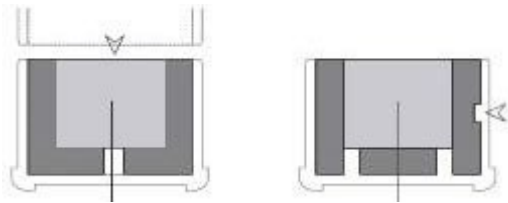
45) Private Open Space	<u>Width:</u> 8-ft min.	<u>Depth:</u> 8-ft min.	<u>Area:</u> 100-square ft min.
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This open space is exclusive of the courtyard and may be located in a side or rear yard.

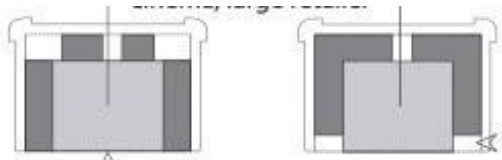
56) Common Courtyard	<u>Recommended width/depth/height ratio:</u>	1:1 approximate
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Width and depth: 20-ft min.

67) Building Size & Massing	<u>Width per unit:</u>	18-ft min. 36-ft min.
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BS.2.G Liner*Illustrative Axonometric Design*

Surface
parking,
parking garage,
cinema, large
retailer



Rear alley access
to parking

Parking access
from side street

Illustrative Plan Diagram

- 1) **Description** A Liner Building Type conceals a garage, or other large-scale faceless building such as a movie theater, or “big box” store designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. The access corridor, if applicable, is included in the minimum depth.
- 2) **Lot Size**

Width: 300-ft max.

Depth: 120-ft max.
- 3) **Pedestrian Access** Direct access from sidewalk. Upper floors accessed from street level lobby.
- 4) **Frontages**

Forecourt
Shopfront
Gallery
Arcade
- 5) **Vehicle Access & Parking** Required parking is accommodated in an underground or above-ground garage, tuck under parking, or a combination of any of the above.
- 6) **Private Open Space** Private open space is required for each residential unit and shall be no less than 50 square feet with a minimum dimension of five feet in each direction.
- 7) **Shared Open Space**

The primary shared common space is the rear or side yard designed as a courtyard. Courtyards can be located on the ground, or on a podium, or on a parking deck, and must be open to the sky. Side yards can also be formed to provide outdoor patios connected to ground floor commercial uses.

Recommended width/depth/height ratio: 1:1 approx.

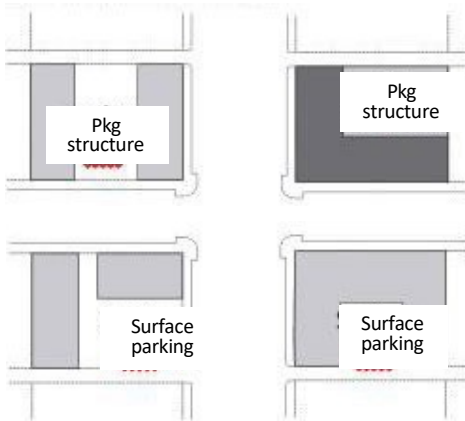
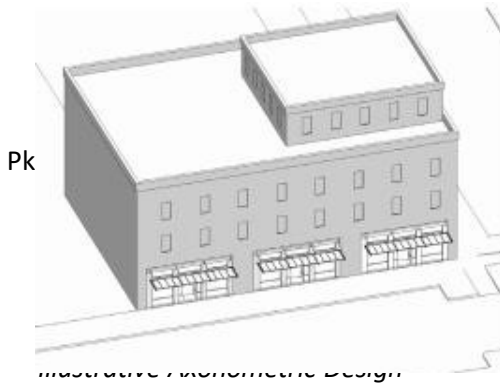
Width and depth: 20-ft min.
- 8) **Building Size & Massing**

Length along frontage: 300-ft max.

Length over 180 ft must provide massing break

Illustrative Photos of Liner

BS.2.H Flex Building



Illustrative Plan Diagram



Illustrative Photos of Flex Buildings



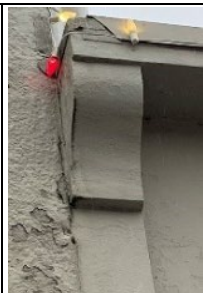

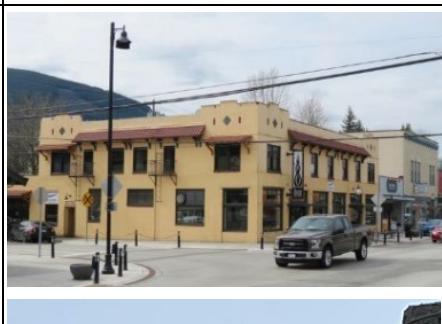
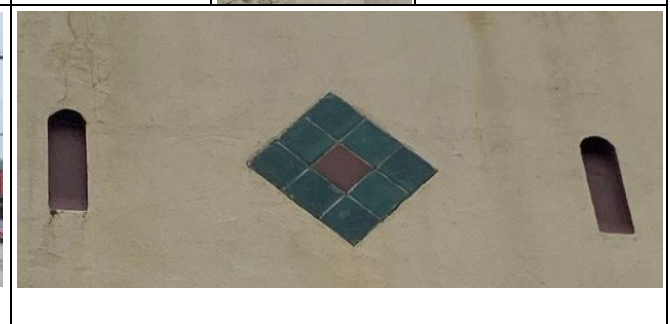

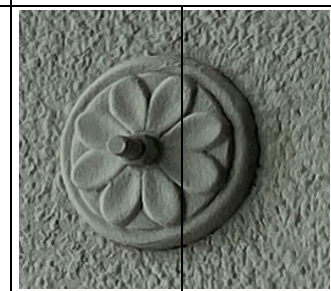



- 1) **Description** A Flex Building Type is designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Second floor units may be directly accessed from the street through stairs; upper floors are accessed through a street level lobby.
- 2) **Lot Size** Width: 300-ft max.
Depth: 120-ft max.
- 3) **Pedestrian Access** Direct access from sidewalk. Upper floors accessed from street level lobby.
- 4) **Frontages** Forecourt
Shopfront
Gallery
Arcade
- 5) **Vehicle Access & Parking** Required parking is accommodated in an underground or above-ground garage, tuck under parking, or a combination of any of the above.
- 6) **Private Open Space** Private open space is required for each residential unit and shall be no less than 50 square feet with a minimum dimension of five feet in each direction.
- 7) **Shared Open Space** The primary shared common space is the rear or side yard designed as a courtyard. Courtyards can be located on the ground, or on a podium, or on a parking deck, and must be open to the sky. Side yards can also be formed to provide outdoor patios connected to ground floor commercial uses.

Recommended width/depth/height ratio: 1:1 approx.

Width and depth: 20-ft min.
- 8) **Building Size & Massing** Length along frontage: 300-ft max.
Length over 120 ft must provide massing break

BS.3: Local Historic Building Façade Features and Building Adornments Encouraged

<p>Sunset Garage (201 W North Bend Wy): Built in the 1920s, portions of the Sunset Garage were restored in 2019, resulting in a 2019 Spellman Award for Historic Preservation.</p>				
<p>McGrath Building (101 W North Bend Wy): Built in 1922, The McGrath building was added to the National Register of Historic Places in 2002.</p>				
<p>Other Architectural Features Found in the Downtown Core of North Bend</p>				

FS.1: Frontage Standards

FS.1A: Purpose

Frontages are the components of a building that bridge the building's transition and interface to the public realm, whether it is the side of a building, patio, or yard. The standards for allowed frontage types set forth in this section are intended to ensure proposed developments are consistent with the City's goals for building form as it relates to the public realm and desired use.

FS.1B: Applicability

Frontage standards work in combination with the development and building standards set forth throughout the FBC, and are applicable to private frontages abutting public lands, such as right-of-way and designated open space. Frontages are not limited to the below list, but all must meet North Bend's Design Standards.

Sketch demonstrating the components of a commercial frontage



Table FS. 1: Allowed Frontage Types by Transect Subdistrict

Frontage Types*	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Front Yard		X✓
Porch & Fence		X✓
Dooryard (Terrace)	X✓	X✓
Stoop		X✓
Forecourt	X✓	X✓
Shopfront	X✓	X✓
Gallery	X✓	X✓
Arcade	X✓	X✓
Lightcourt		X

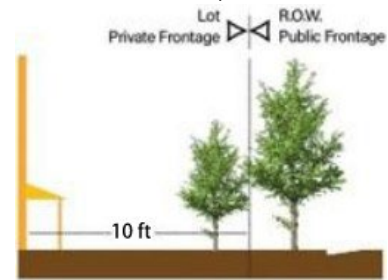
*Note: all commercial buildings must have frontages that are compliant with the American Disabilities Act.

Front Yard

Description The main facade of the building has a large, planted setback from the frontage line providing a buffer from the street. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages.

Size Depth: 20-10 ft

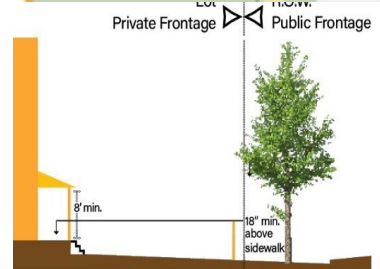
Design Standards The front yard created should be visually continuous with adjacent yards, supporting a common landscape. The setback can be densely landscaped to buffer from the higher speed thoroughfares. The yard is the first impression of a home and therefore should be carefully landscaped, preferably with drought-resistant plants.

**Porch & Fence**

Description This type of frontage provides a physical transition from the sidewalk to the private lot and building while maintaining visual connection between buildings and the public space of the street. The porch frontage consists of a building with a front set back from the property line and a porch encroaching into that front setback.

Size Width: 8-ft min.
Depth: 8-ft min.
Height: 8-ft min.
Pathway: 3-ft wide min.
 Finished level above sidewalk: 18-inch min.

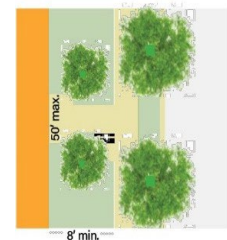
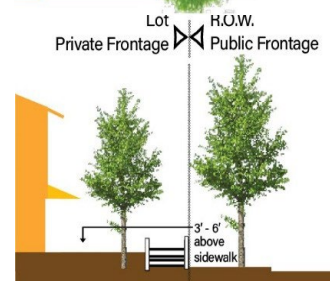
Design Standards Projecting porches must be open on three sides and have a roof.

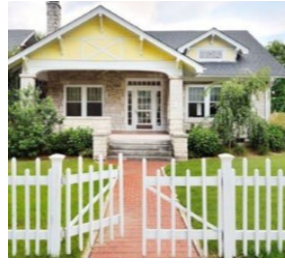
**Dooryard (Terrace)**

Description The main facade of the building is set back a small distance and the frontage line is defined by a low wall or hedge, creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground-floor residential.

Size Width: 8-ft min.
Length: 50-ft max.
Pathway: 3-ft min.
Finished level above sidewalk: 3'-6" max

Design Standards For live/work, retail and service uses, these standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Dooryard Frontage Type standards shall prevail.





Captions Left to Right:

*Illustrative Photo of
Dooryard (Terrace)*

*Illustrative Photo of Front
Yard*

*Illustrative Photo of Porch and
Fence*

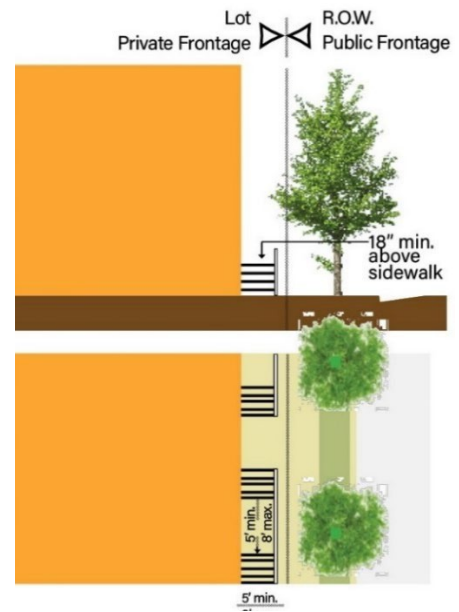
Stoop

Description The main facade of the building is near the frontage line and the elevated stoop engages the sidewalk. The stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs or ramps from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.

Size Width & Depth: 5-ft min.; 8-ft max. Finished level above sidewalk: 18-in min.

Design Standards

- 1) Stairs may be perpendicular or parallel to the building arcade.
- 2) Lamps shall be parallel to façade or along the side of the building.
- 3) Entry doors are encouraged to be covered or recessed to provide shelter from the elements.

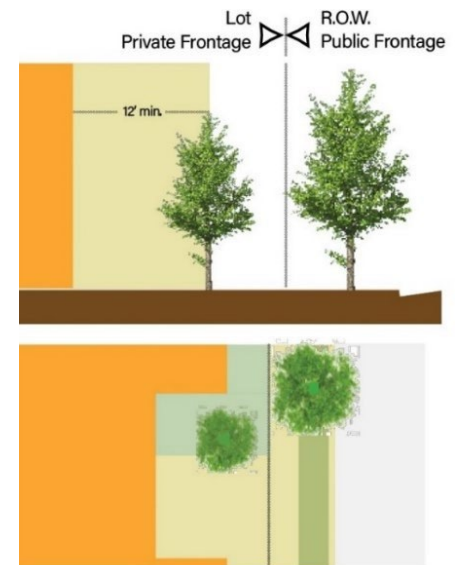


Forecourt

Description The main facade of the building is at or near the frontage line and a small percentage is set back, creating a small court space. The space may be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area.

Size Width & Depth: 12-ft min. Ratio, height to width: 2:1 max.

Design Standards The proportions and orientation of these spaces should be carefully considered for solar orientation and user comfort.



Illustrative Photo of Stoop



Illustrative Photo of Forecourt

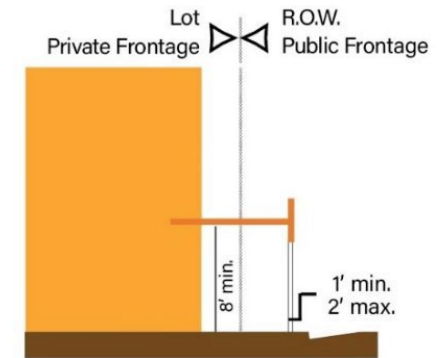
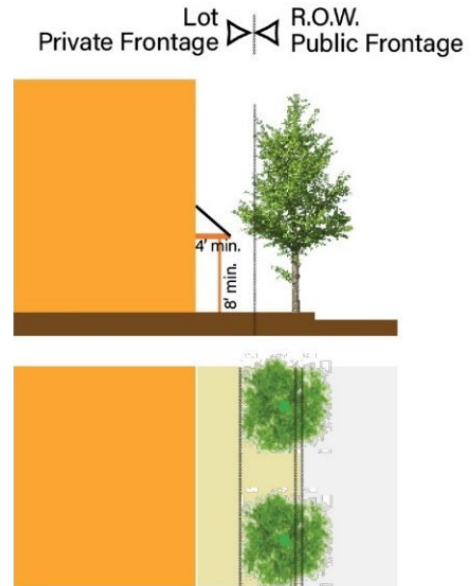
Shopfront

Description The main facade of the building is at or near the frontage line with an at-grade entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and typically includes an awning that may overlap the sidewalk. It may be used in conjunction with other frontage types. An awning that extends over the sidewalk requires an encroachment permit.

Size Ground Floor Transparency: 75% of frontage minimum

Awning Depth: 4-foot minimum
Setback from curb: 2-ft min.
Height, clear: 8-ft max.

- Design Standards**
- 1) Shopfront glass shall be clear without reflective glass frosting or dark tinting.
 - 2) Shopfront windows may have clerestory windows (horizontal panels) between the shopfront and second floor/top of single-story parapet. Glass in clerestory may be of a character to allow light, while moderating it such as stained glass, glass block, painted glass, or frosted glass.
 - 3) Shopfronts with accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.
 - 4) Operable awnings are encouraged.



Gallery

Description A roof or deck projecting from the facade of a building, supported by columns located just behind the street curb. Galleries shelter the sidewalk with a roof or unenclosed, accessible, out-door space making them ideal for retail use. Galleries may be one- or two-stories in height, functioning as covered or uncovered porches at the second floor. Railing on top of the gallery is only required if the gallery roof is accessible as a deck.

Size Depth: 8-ft min.
Ground floor height: 12-ft min.
Setback from curb: 1-ft min.; 2-ft max.



Illustrative Photo of Shopfront



Illustrative Photo of Shopfront



Illustrative Photo of Gallery

SS.1: Street Standards

SS.1A: Purpose

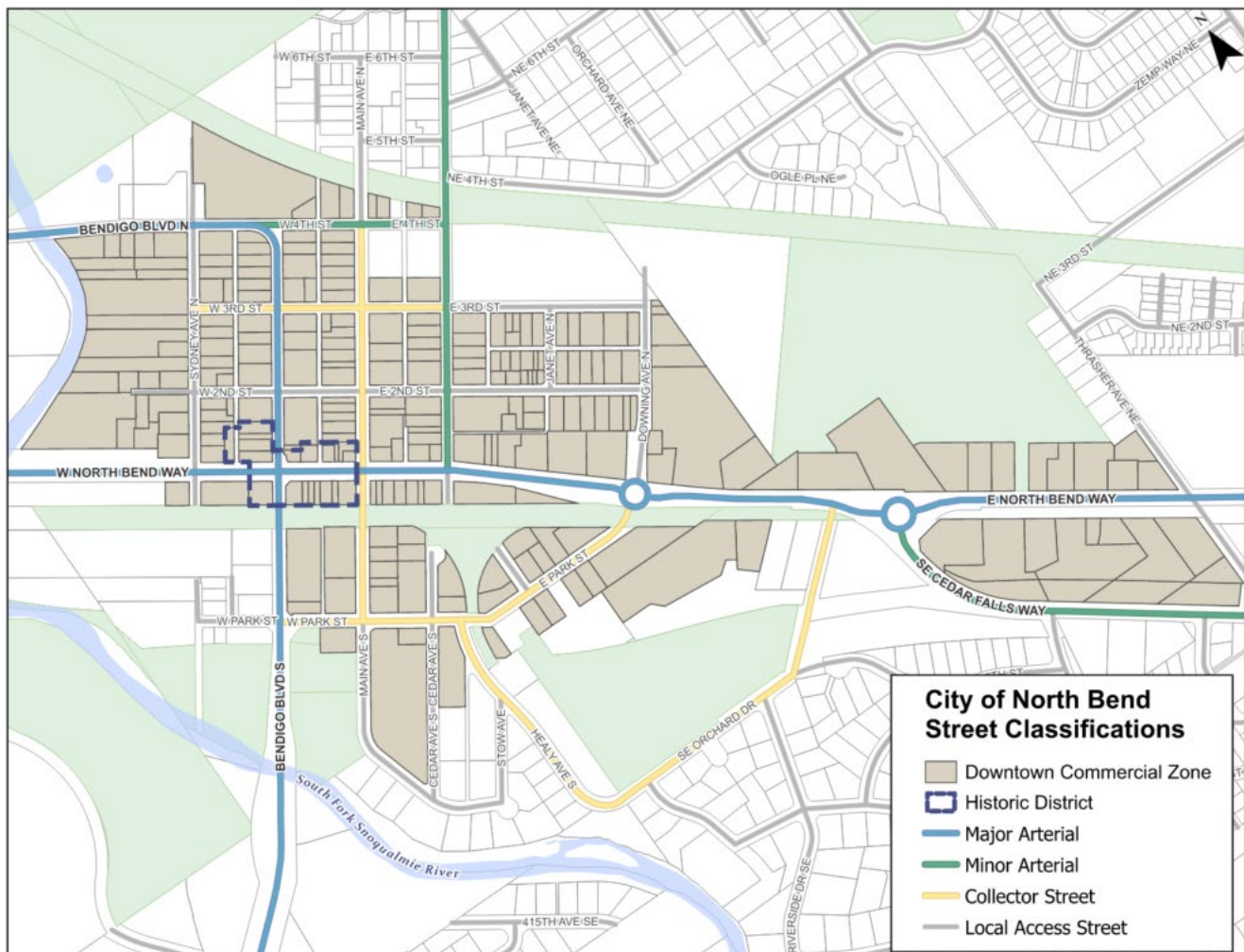
This section is to ensure that all proposed developments within the DC Zone are designed in accordance with the City's adopted Public Works Standards, and any approved complete streets design efforts in the future. The City's Public Works Standards do not currently specify differences between Local and Collector streets within North Bend's DC Zone and other areas throughout the City. This section is therefore an extension of those standards. See Figure 5 below for street classifications for the purposes of the FBC.

The Right-Of-Way (ROW) sections of the DC Zone shall support the intended physical character, land use activity, and quality of the neighborhood. These streets should contribute to the look, feel, and experience of the DC Zone, in addition to providing efficient and safe movement of people, goods and services.

SS.1B: Applicability

This section describes the unified standard for Local and Collector street segments within the DC Zone. The standard is the same throughout the zone, without differences between the two ~~transsects~~ subdistricts. Additional street assemblies can be integrated into this section when approved by the City.

Figure 5: Map of street classifications and main thoroughfares



SS.1C: Design Objectives

As the interface between private development and public space, streets are an important element of the DC Zone. The goals of this portion of future development include:

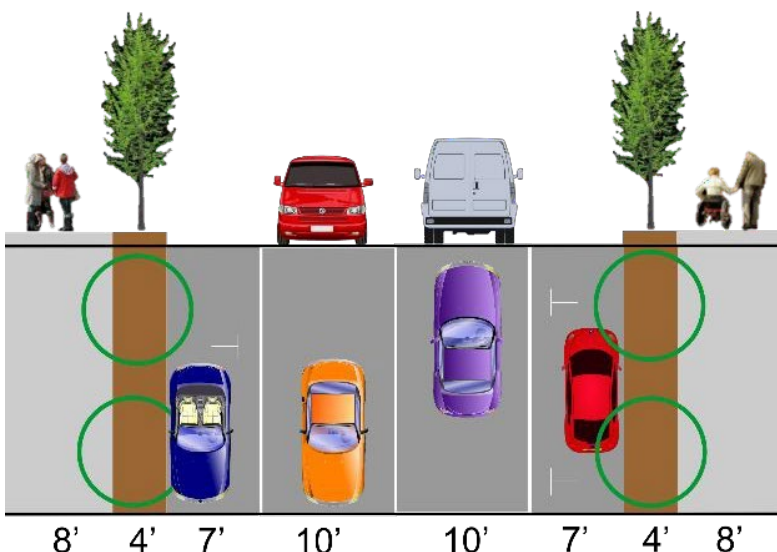
- Function - ensuring access for both patrons and delivery and support for businesses through effective use of curb space and upgrading/undergrounding utilities.
- Mobility - walkability for residents and visitors, as well as reliable movement for support services.
- Livability - enabling the public realm to support a community that works for both businesses and residents, with space for community activities.

All the elements of the streets are context based. Overall width and pavement width, the number of lanes, and the lanes' specific sizes are listed. Street edges include planter type, lighting type, walkway type, and curb radii at intersections.

The street sections in this section suggest quality and intent. The dimensions in the street sections consider information gleaned from aerials and field observations of existing conditions plus desired outcomes resulting from redevelopment. If the pavement width is larger than the width range shown below (27 – 34 ft), angle parking can be used in lieu of parallel parking on one or both lanes. All final designs must be approved by the Public Works Director.

DC Zone Collector and Local Street Standards*

DC Zone Collector Local Streets			
Assembly		Transportation Way	
Type	Feeder with parking	Vehicle Lanes	2 lanes; 1 lane each direction
Right-of-way	51 – 58 ft	Lane Width	10 ft
Pavement	27 – 34 ft	Parking Lanes	Parallel; one or both sides, unless available ROW is larger than standard, where angle parking may be used
Public Frontage		Movement Type	Slow
Curb Type	Vertical curb; 10 ft radius	Median Width	NA
Walkway Width	12 ft with 4-ft tree wells and contrasting pavement strips	Median Planting	NA
Walkway Surface	Concrete and pavers	Median Surface	NA
Planter	Shade trees limbed for visibility and pedestrian access	Target Speed	20 mph
		Bicycle Provisions	Marked sharrows
		Transit	No transit



**The exception to this section is Park Street from Healy Avenue S to North Bend Way shown on Table 4.4 (pg. 4-11) of North Bend's Public Works Standards.*

SS.1D: Wayfinding Signage

Wayfinding signage **should** be placed at all major intersections and public gathering places to increase awareness of appropriate and safe walkways.

SS.1E: Public Art

Public art and other unique streetscape elements **should** be used to provide visual interest, create a downtown identity, and provide an opportunity to describe North Bend's unique history.

SS.1F: Gateways

Figure 1 identifies key gateway locations for the Downtown Core District. Refer to the Citywide Guidelines for methods and techniques that are appropriate for enhancing these locations. A graduated gateway approach **should** be used to draw visitors to the downtown core with increasing tree and pedestrian lighting frequency to alert motorists and pedestrians that they are entering a more intensive, pedestrian oriented business district. For example: along Bendigo Way between South Fork Avenue and the Snoqualmie River, trees **should** be spaced 40' apart; between the Snoqualmie River and East Park Street, they **should** be spaced 35'; and between East Park Street and North Bend Way, they **should** be spaced 30' (see figure 2).



Figure 1: Downtown Core District and Gateway Locations

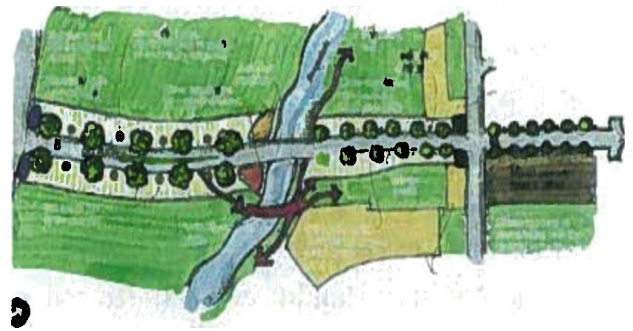


Figure 2: Tree spacing along gateways.

OS.1: Public Open Space Standards

OS.1A: Purpose

The purpose of this section is to provide a catalog of pre-approved public open space types and planned open space improvements within the DC Zone, to enhance the public realm and non-motorized transportation within this area.

OS-1B: Applicability

This section describes the guidelines for development of public open spaces in the DC Zone. The standards shall apply to all proposed development within the DC Zone and shall be considered in combination with the other zone standards. Additional open spaces can be integrated into this section as they are approved by the City.

OS-1C: Design Objective

Open spaces play an important role in placemaking. Their standards must be considered alongside building form, building types, frontage types, and thoroughfares in creating urban environments.

OS-1D: Open Space Requirements

All proposed developments including a corner within the DC-C ~~subdistrict~~ Transect but outside of the designated Historic District shall have a plaza created at such corner. Plaza requirements for these corners can be found in NBMC 18.34.070 City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines, specifically section A-4A (page 13).

Each proposed development that involves at least two acres, requires a minimum five percent of the net land area to be

dedicated as park or open space. The required open space shall be designed in compliance with the applicable requirements from *Table OS.1*, or commensurately enhance the open spaces shown in Map OS.1, as determined by the Community and Economic Development Director. All proposed developments comprising less than two acres shall comply with the provisions set forth in NBMC Chapter 17.25, Residential Recreation and Common Space Requirements. Specifically, refer to NBMC 17.25.040 for multi-family developments, and NBMC 17.25.050 for mixed-use developments with residential components. Parks must contain the minimum components described in NBMC 17.25.060.

Proposed developments that require the creation of public open space shall be required to develop the green, square, plaza or playground open space type in accordance with the applicable design concept shown in *Table OS.1*. If a proposed development applicant intends to submit an application to the City, and an urban design concept has not been prepared and adopted in the FBC for the applicable open space type and location specified in the Regulating Plan Diagram, the applicant shall fund the preparation of a conceptual plan under the direction of the City. The City may opt to retain the services of a qualified firm to complete the plan with funding to be provided by the applicant.

Per NBMC 18.34.070, City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines standard for plazas in the Downtown Core District, a plaza shall be created on the northeast corner of Main Ave and North Bend Way when this parcel is redeveloped. ~~Please refer to Section A. Downtown Core District, A-4 Plazas (page 32) of the City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines for more details.~~

Each proposed development application that is adjacent to a public open space, as indicated in *Figure 6* below, shall create site designs oriented to these open spaces, where the facades of buildings that face these spaces provide a greater level of articulation than may be typical to the rear or side of a building.

Figure 6: City Programmed Public Open Space, Parks, and Plazas

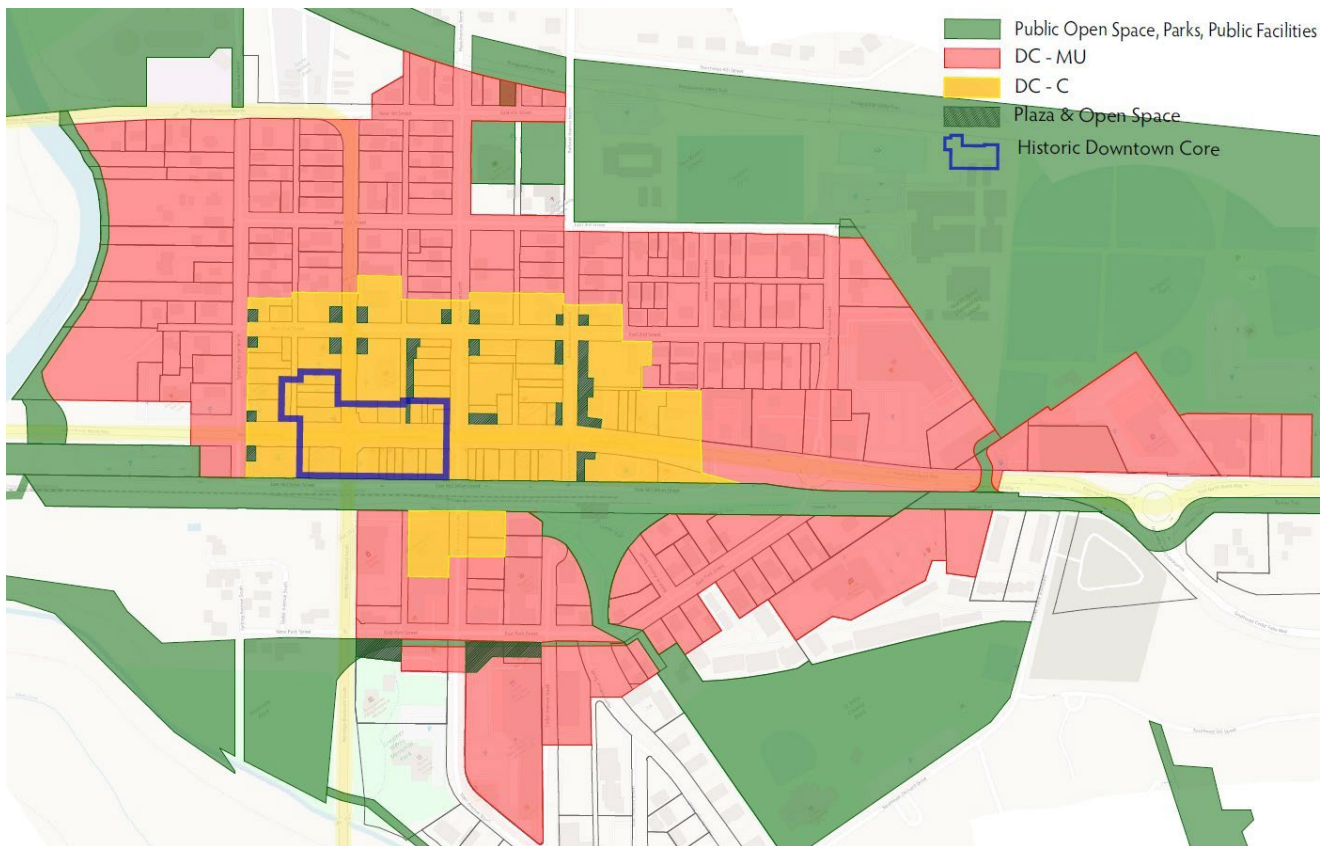


Figure 7: (Inset of Figure 6) Future Plaza Locations in the DC-C Transect Subdistrict as Parcels Develop

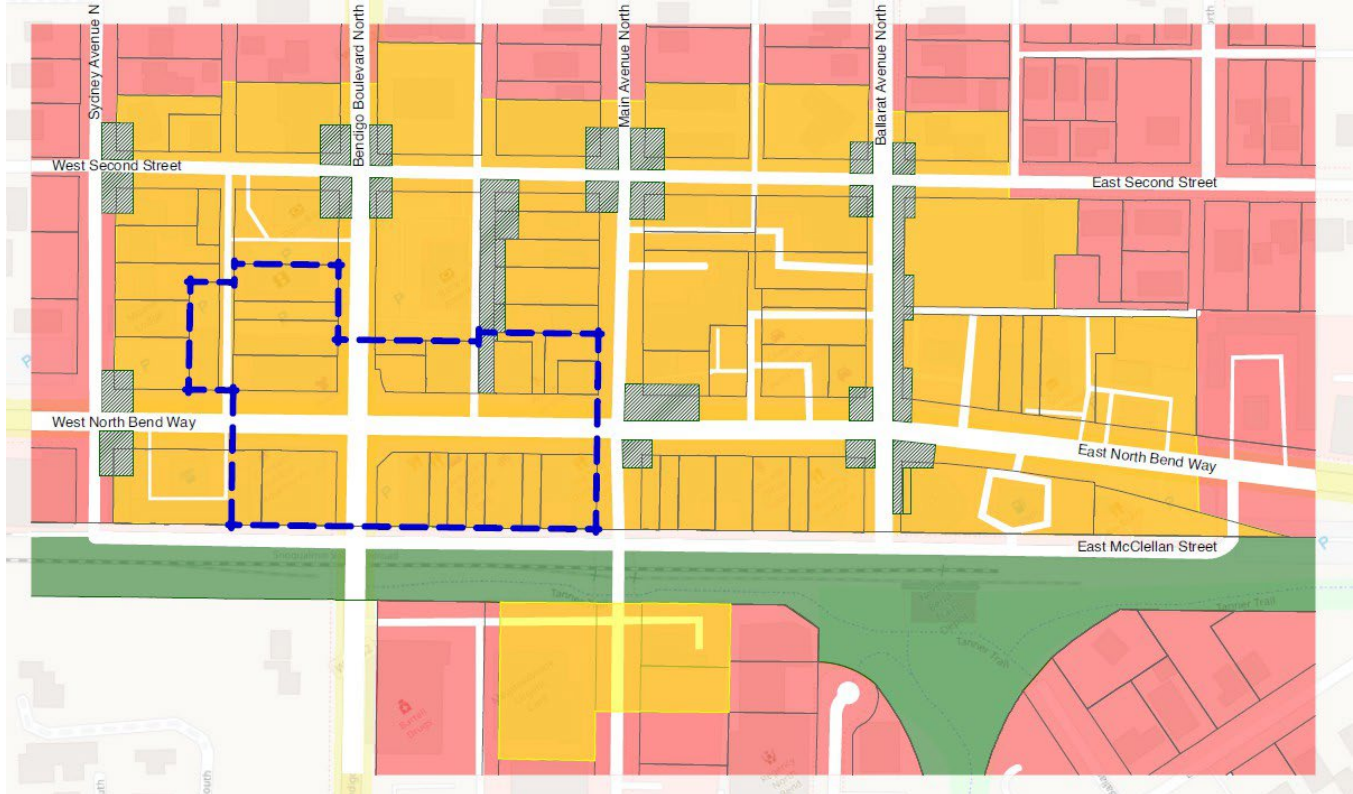
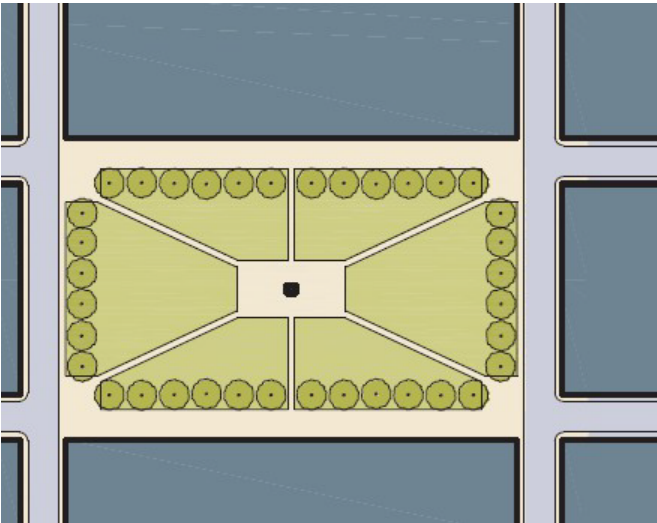


Table OS.1: Open Space Types Accepted

OS.1 E: Open Space Types Accepted

Square

An open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be five acres.



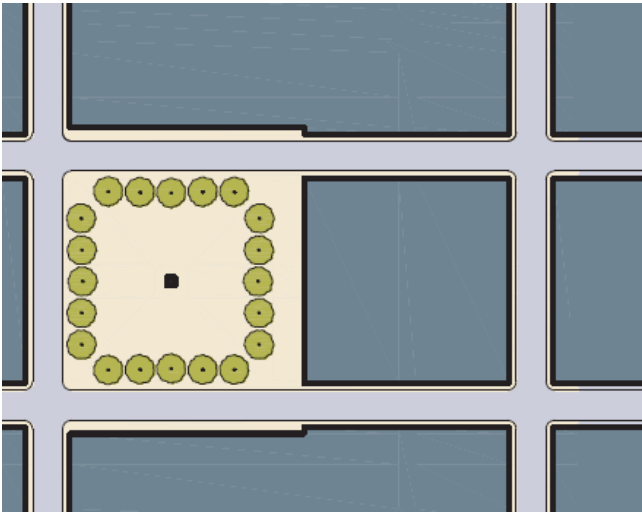
Scalable Examples:



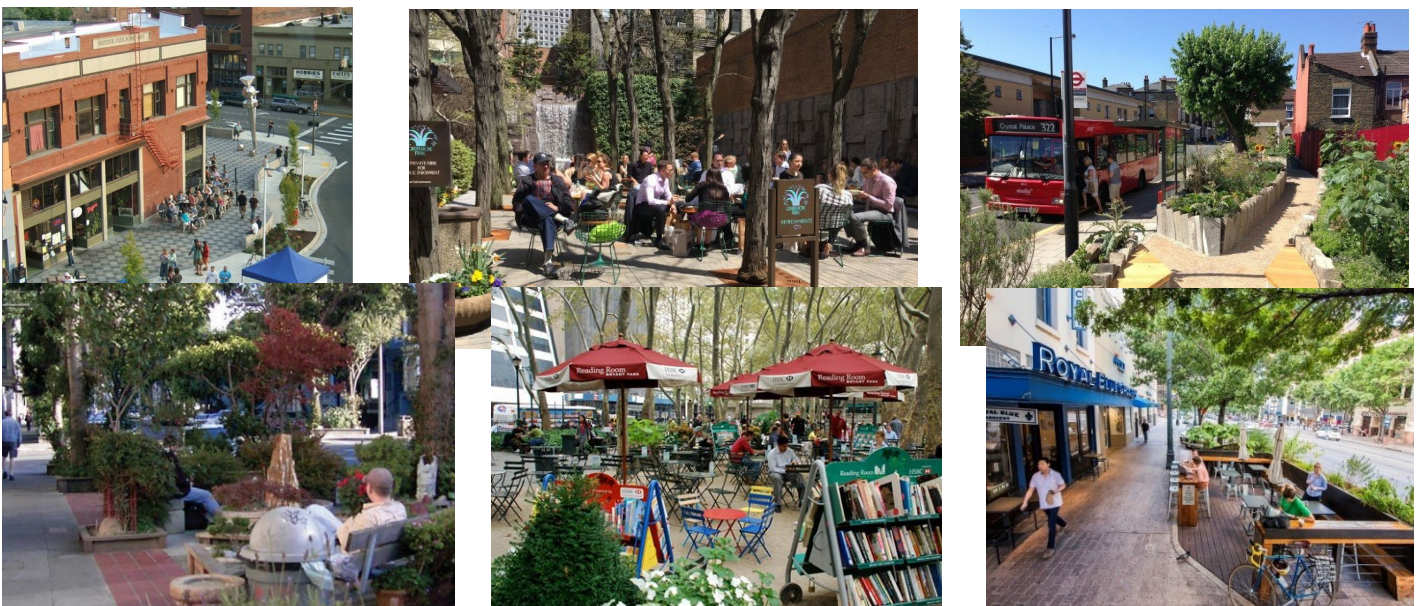
Plaza

An open space available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. For greater detail on plaza requirements please refer to Section A.2C (Streetscape Amenities), A.3A (Plazas, Courtyards, and Seating Areas), A.5a (Plazas, Courtyards and Seating Areas) Downtown Core District, A-4 Plazas (page 32) of the City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines for more details.

Additionally, for redevelopment of the northeast corner of Main Ave and North Bend way, a minimum 600sf plaza **shall** be provided in a south facing location. The City will waive parking requirements for the first 10,000sf of a building area to accommodate the space required for the plaza. At a minimum, the plaza **shall** include features as noted in the above referenced sections to the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*. Additional amenities such as public art or gathering features are encouraged. Buildings located adjacent to the plaza **shall** contain entrances that open to the plaza.

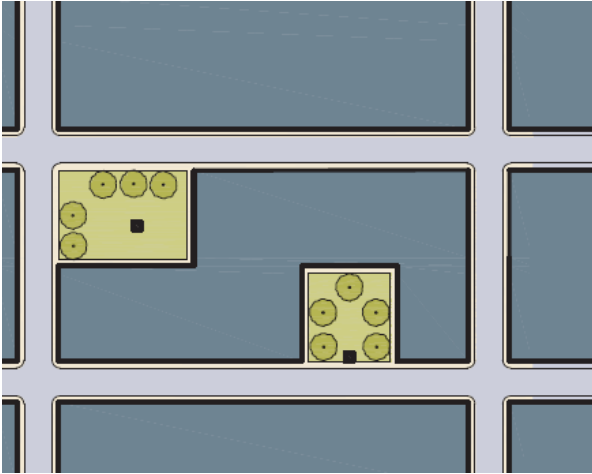


Scalable Examples:



Playground

An open space designed and equipped for the recreation of children. Playgrounds shall be interspersed within primarily residential areas and may be placed within a block. Playgrounds may be included within larger parks and open spaces. There shall be no minimum or maximum size. For more detail on playground requirements please refer to NBMC 17.25.060.

**Acceptable Playground Examples & Features:**

Master Planning Provision for Large Parcels

The owner of a parcel or abutting parcels totaling over two acres or more of contiguous lots within the DC Zone may apply to prepare a subarea plan. In consultation with the Community and Economic Development Director, a subarea plan may assign new transect zones, open spaces, thoroughfare designs, and building designs, provided public works approvals are granted and appropriate transitions to abutting areas are provided. The subarea plan must complete a public process including public notification of a Planning Commission recommendation, and City Council approval.

Community and Economic Development Department Staff Report



Proposal: Amendments to North Bend Form Based Code

Date: May 21, 2025

Proponent: City of North Bend

Staff Recommendation:

A motion to approve of the proposed amendments to Form Based Code.

A. PROPOSED AMENDMENTS:

Amendments are proposed to the City of North Bend Form Based Code. The amendments are intended to do the following:

- Remove duplicative regulations that are addressed in other sections of the municipal code;
- Remove ambiguous, vague, or conflicting standards that do not provide clear objectives and architectural standards;
- Revise maps to reflect the current boundaries of the Downtown Commercial zone;
- Remove design standards that have not been utilized since the inception of the design guidelines document;
- Revised terminology to enhance clarity of intent or to be in alignment with terms defined the Zoning Code;
- Improve the readability and clarity of design standards; and
- Consolidate design standards in more logical locations in the municipal code or Form Based Code.

The proposed code amendments are in response to recent legislative amendments to RCW 36.70A.630(b) passed by the legislature through ESHB 1293, which updates standards and laws that local governments can impose on design review and design standards. Subject to the amendments to RCW 36. 70A.630(b) under ESHB 1293, cities that architectural design standards for residential or non-residential development may be implemented at a local level so long as regulations are clear and objective.

This gives the City of North Bend the opportunity to update its own design standards and regulations on to remove or address confusing, conflicting, or vague language to help increase residential and non-residential development. Staff are therefore proposing amendments to the Form Based Code.

Amendments are proposed throughout the Form Based Code removing ambiguous and vague standards, unused design standards, remove standards redundant to the municipal code or Public Works Standards, and consolidate standards redundant to the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*. Amendments to the Form Based Code additionally clarifying terminology, amended language of standards exemplifying clearer architectural standards, and adding additional design standards that refine desired design outcomes within the Downtown Commercial zone.

The proposed form based code amendments are provided within the attached Exhibit A.

B. FINDING AND ANALYSIS:

1. **Public Hearing:** A public hearing is scheduled for the May 21st, 2025 Planning Commission Meeting.
2. **Municipal Code Amendment Process:** Municipal code amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated below.
 - a. **Impacts of Proposed Amendment**

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

 - i. **Environmental Impacts.** No environmental impacts are anticipated from revising the residential and nonresidential design standards. Regulations protecting critical areas, managing storm water runoff (including maximum impervious surface limits per property based on zoning), and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of development that occurs on a site. Such review will occur upon submittal of an application for development.
 - ii. **Economic Impacts.** The amendments have a positive economic impact for the City of North Bend by streamlining design standards for nonresidential and residential projects that can provide the city with more housing stock and encourage greater nonresidential development throughout the community. New nonresidential development will increase local opportunities for jobs as well as bring new businesses and uses to the community. New residents, businesses, and tenants would add to the city's tax base supporting new projects and programs.
 - iii. **Cultural Impacts.** No significant cultural impacts are anticipated from the proposed amendments. The amendments reduce redundancies in the code, provide greater clarity in the application of standards, and removes standards that are not actively utilized but create a barrier to development. There are no

significant changes proposed to the architectural design standards that impact the desired character and aesthetic of new residential and nonresidential developments.

- b. Impacts to Surrounding Properties.** The proposed amendments are not specific to any particular properties. Individual projects will be evaluated under the Municipal Code, Public Works Standards, Form Based Code, and/or Commercial/Mixed Use/Industrial Design Standards and Guidelines to assess for potential impacts and appropriate mitigation.

3. Compatibility of Proposed Amendment with North Bend Comprehensive Plan

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

The North Bend Comprehensive Plan includes numerous goals, policies, strategies, and objectives that align with the purpose of design review amendments. The Economic Development Element, Land Use Element, and Housing Element each include components that support the implementation of ESHB1293: to support efficient development or redevelopment, streamline design standards, and remove ambiguous standards may cause barriers to development.

The proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

Economic Development Goal 2: The City of North Bend is able to meet its financial obligations, promotes efficient development, and creates the conditions for development to be successful.

Economic Development Objective 1: Pursue actions that entice and support businesses and build upon North Bend's brand and identity.

Economic Development Strategy 1.1: To encourage incremental development, the creation of an easy-to-understand guide and designated staff support will help facilitate the development review process for smaller developers and businesses. In addition, clarification of incentives offered to targeted development types that meet specific requirements will improve transparency, predictability, and desirable development outcomes for both the city and small-scale developers.

Land Use Goal 3: Maintain residential quality and neighborhood livability suitable for residents of North Bend.

Land Use Policy 3.3: Utilize adopted multi-family and single-family design guidelines which help to promote high quality residential development.

Land Use Policy 4.1: Implement a high level of design and retention of the City's unique visual quality to areas zoned for commercial or industrial land uses through review and implementation of the adopted Commercial and Industrial Design Standards.

Housing Policy 6.6: Encourage and support accessible design and housing strategies, such as ADUs, that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

4. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, application for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code.

The amendments, which bring North Bend's Form Based Code up to state law.

5. Consistency with NBMC 20.08.100

Pursuant to NBMC 20.08.100, the City Council shall consider the proposed amendment against the criteria in NBMC 20.08.100 (B). A staff analysis is provided in italics under each criterion below.

1. Is the issue already adequately addressed in the Comprehensive Plan?
The amendments are to the Form Based Code, and not the Comprehensive Plan. See further description on compatibility of the proposed amendments to the Comprehensive Plan above.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. As described further under section A, the amendments are proposed to clarify applicable design standards to projects in the Downtown Commercial zone and streamline design standards to remove ambiguous or unclear language. The proposed amendments are intended to remove barriers to develop within the community; the amendments are also needed to meet state requirements for local design regulations and review.
3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments are the best means to meet recent state legislative amendments with regard to design review and design standards.
4. Will the proposed change result in a net benefit to the community
Yes. The proposed regulations will result in a net benefit to the community by allowing for greater interest and follow through on development projects within the Downtown Commercial zone that will generate greater tax revenue and funding to North Bend. Additionally, the project helps further to community's goal of having an attractive, vibrant, economically thriving downtown core.

C. SUMMARY FINDINGS

- 1) Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on May 1, 2025.
- 2) A State Environmental Policy Act Determination of Non-significance on the proposed amendments was issued on May 2, 2025 and noticed appropriately.
- 3) The Planning Commission considered the proposed draft amendments at their May 21st, 2025 Commission meetings and held a public hearing on the draft regulations at their May 21st, 2025 meeting.

- 4) The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.
- 5) The amended design standards will result in a benefit to the community by enabling greater development of residential, commercial, mixed-use, and industrial uses consistent with state law, which can help to increase the supply of housing units and jobs throughout the community.

D. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the development regulation amendment procedures in NBMC 20.08 and is supported by policies within the Comprehensive Plan. Staff recommends approval of the amendments to the Form Based Code.

Planning Commission Recommendation

Based on the findings above and after consideration of the public comment received at the public hearing, the North Bend Planning Commission recommends **approval** of the proposed amendments to the Form Based Code.

Exhibits:

Exhibit A: Form Based Code Amendments

City of North Bend Form-Based Code



Adopted by Reference in North Bend Municipal Code 18.12

Effective June 16, 2021

Revised June X, 2022



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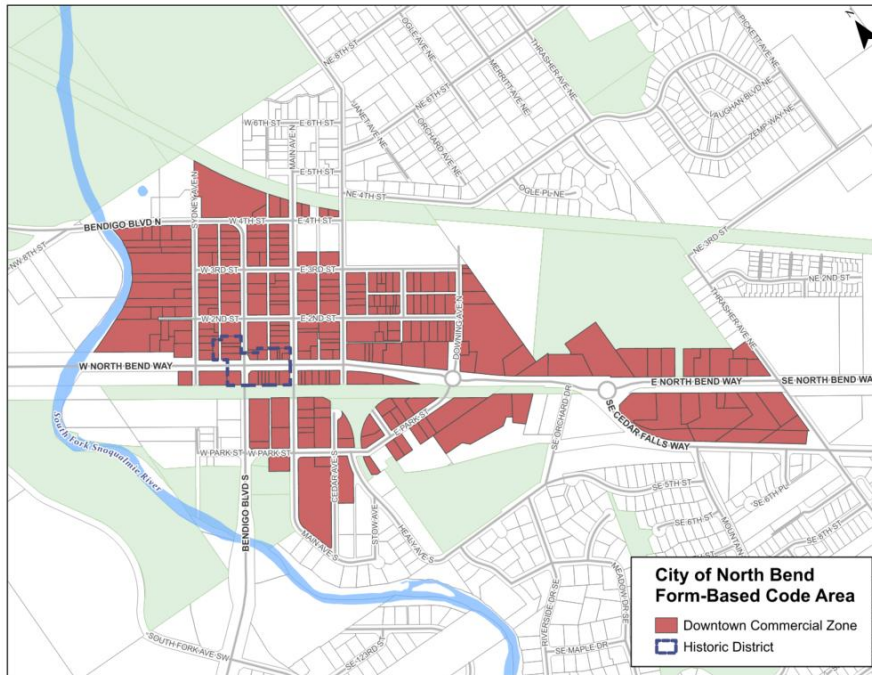
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Introduction

North Bend's Form-Based Code (FBC) provides a unified development ordinance to address the desired character of the Downtown Commercial (DC) Zone. The FBC fosters predictable built results and a high-quality public realm by using physical form, rather than separation of uses. The FBC helps ensure that new development is in scale and character with the City's existing downtown area. The FBC is an alternative to zoning with less focus on density and allowable uses, and more focus on building form and relationship to the public spaces (e.g., sidewalks). The primary review focus for City approval is the outside of the building and its relationship with the surroundings, by focusing on building form and transects as summarized below. *Figure 1* shows the area to which the FBC applies, and where historic district considerations must be made if redevelopment occurs.

The goal of the FBC is to further enliven the downtown as a social, cultural and entertainment destination, while increasing the overall supply of more affordable housing options. The regulations and standards in the FBC are presented in both words and clearly drawn diagrams and other visuals to help property owners and the public best understand and implement these provisions.

Figure 1: Map of Form-Based Code Area:



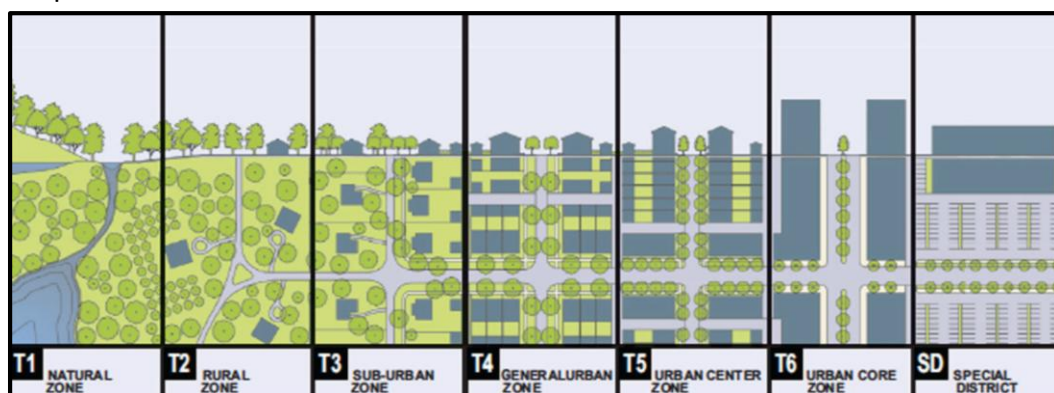
The FBC aims to:

- Explain classifications of different types of buildings to produce more predictable results with better guidance to architects;
- Fit context of both historical core and desired building types of other downtown areas; and
- Provide for pedestrian friendly streets and open space.

Subdistricts from the Concept of Transects

The concept of Transects, from the Center of Transect Studies, provides a framework for coding the elements in the built environment on a scale from rural to urban. The FBC aims to expand choices for projects, instead of using a one-size-fits-all regulation. The use of transects allows for a range of development characters and intensity to fit within the vision of North Bend. The typical full range of transects used for the FBC is shown below, which includes seven classifications that progress from natural to urban core zones and include a special district classification.

All possible transects within the FBC:

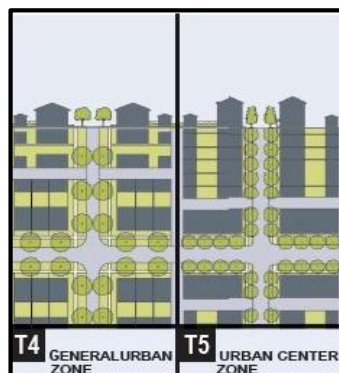


Typical Rural-Urban Transect, with Transect Zone. [Source: Center for Applied Transect Studies, 2008](#)

[Source: Center for Applied Transect Studies, 2008.](#)

This DC Zone focuses on the T4 General Urban Zone and T5 Urban Center Zone, with greatest influence from T5 in the context of infill and redevelopment.

The [FBC-Center of Transect Studies](#) transects that are most applicable within North Bend's DC Zone:



T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single-family, small apartment buildings, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks. [The T-4 transect zone generally represents the characteristics of DC-MU subzoneSubdistrict.](#)

T-5 Urban Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses, and apartments. It has a tight network of streets, with wide sidewalks, steady street tree plantings, and buildings set close to the sidewalks, which are conditions that **currently exist throughout the DC-C Zone-Subdistrict.**

[Source: Center for Applied Transect Studies, 2008.](#)

~~T-4 General Urban Zone, T-5 Urban Center Zone~~
~~Source: Center for Applied Transect Studies, 2009.~~

~~Building off the existing urban fabric and valued aesthetics of downtown North Bend is key; thus, two custom transects are implemented, the Downtown Commercial Core Subdistrict Zone (DC-C) and the Downtown Commercial Mixed-Use Subdistrict Zone (DC-MU). These are the two transects created within the current DC Zone subdistricts and are explained in section RP-1.~~

Purpose and Application

I.1A: Intent of the FBC

It is the intent of the FBC to implement comprehensive plan goals for the Downtown Commercial ~~Neighborhood Zone~~ and build from the Downtown Master Plan. In support of this intent, the following principles are identified as key to the FBC:

- ~~1.~~ **Transects** – The transects applying to the FBC, as outlined in the Introduction, were chosen as the most fitting to North Bend's downtown. These transect zones shall constitute the intent of the FBC regarding the general character of this environment.
- ~~1-2.~~ **Downtown Scale** – North Bend's downtown should be compact, pedestrian-oriented, and mixed use, to create a vibrant community for both residents and businesses, encouraging walkability and the patronage of guests. Building densities shall be provided consistent with North Bend's existing downtown character, enhancing redevelopment potential. Existing as well as programmed and potential open spaces, including parks, squares, and playgrounds, should be considered in site designs.
- ~~2-3.~~ **Block and Building Scale** – Buildings and landscaping should contribute to the physical definition of thoroughfares and civic spaces. Development should adequately accommodate automobiles while respecting the pedestrian and spatial form of public areas. Architecture and landscape design should grow from local climate, history, and building practice, emphasizing mountain views for both building residents and pedestrians, with adequate measures for hazards mitigation, including the floodplain. Buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- ~~3-4.~~ **Walkability** – North Bend's downtown should encourage active pedestrian spaces and activity.

I.1B: Relationship to Existing Plans and Standards

The Form Based Code (FBC) builds upon the groundwork of other adopted plans and codes, and is intended to be a complimentary addition. While the FBC is specific to the Downtown Commercial zone, there are other adopted documents that regulate the zone. Below is a summary of the adopted materials that influence the design and development of the downtown core:

1. **Comprehensive Plan** – North Bend's downtown is described in the Land Use Element of the Comprehensive Plan as the mixed-use center of North Bend's community, where jobs, housing, and services may be readily available to the residents. Redevelopment in this area should be walkable and compact, comprised of buildings of various scales, and preserve adjacent natural areas.
2. **Commercial/Mixed-Use/Industrial Design Standards and Guidelines (Design Standards)** - All new development shall comply with North Bend's ~~Commercial, Mixed-Use and Industrial Design Standards, Design Standards~~ and where appropriate, preserve and restore the historic character of the Downtown Commercial Historic District. There are no Downtown Commercial district-specific standards in the Design Standards; However there are applicable components to the Downtown Commercial zone within Basic Development Standards (Section A) and the Building Form (Section B).
3. **Downtown Master Plan** – The FBC should help encourage the elements of the Downtown Master Plan that have yet to be realized but remain in effect.
4. **North Bend Zoning Code:** The FBC is adopted as a new North Bend Municipal Code Chapter ("NBMC") 18.12, referred to as "North Bend Form Based Code," or "FBC," and The FBC supersedes previous content related to the DC Zone set forth in NBMC Chapter 18.10. While the FBC supersedes any conflicting standards within the Zoning Code, there are supplementary standards in the Zoning Code that may apply to subject projects, such as but not limited to parking (NBMC 18.16), land use performance standards (NBMC 18.10.050), and signage (NBMC 18.20).

~~Additionally, terms not otherwise defined in the FBC shall be accorded their commonly accepted meanings. In the event of conflicts between such definitions and those of NBMC Title 18 as currently adopted or hereinafter amended, the definitions of the FBC shall take precedence.~~

~~3-5. Public Works Standards: The Public Works Standards regulate the design of infrastructure, utilities, roadways, and other fixtures within the public right-of-way or public easements.~~

~~4-6. City Brand – The FBC and resulting development shall fit the City’s adopted Brand Implementation Guidelines and Brand Statement: “We are a highly livable small town that is the premier outdoor recreation destination in the Puget Sound Region.” Within the adopted branding document are eight spokes that will be enhanced by the FBC, including but not limited to: sustainable managed growth, design standards, affordability, quality basic services including transportation and traffic management, and economic viability.~~

~~I.1C: Relationship to Existing Municipal Code~~

~~The FBC is adopted as a new North Bend Municipal Code Chapter (“NBMC”) 18.12, referred to as “North Bend Form-Based Code,” or “FBC,” and supersedes previous content related to the DC Zone set forth in NBMC Chapter 18.10, which has been repealed.~~

~~I.2A: Use of FBC~~

~~The FBC is administered by the Mayor, who may delegate to North Bend’s Community and Economic Development Director or others.~~

~~I.2B: Applicability to Municipal Code~~

~~The FBC applies to all property within North Bend’s Downtown Commercial (DC) Zone, including structures, land uses, and other physical improvements like signs, landscaping, and lighting within the regulated boundaries outlined herein. When used in the FBC, “shall” means when required; “should” means when recommended; and “may” means when optional.~~

~~The provisions of the FBC, when in conflict with those of other codes, ordinances, regulations, and standards, shall take precedence, except for NBMC Title 14, Environmental Protection, including but not limited to Chapter 14.12 Floodplain Management, as well as applicable state and federal law. Redevelopment within the Historic District shall involve review by the King County Historic Preservation Program, per interlocal agreement. Capitalized terms used throughout the FBC may be defined in the final chapter titled Definitions. This section contains regulatory language that is integral to the FBC.~~

~~Terms not otherwise defined in the FBC shall be accorded their commonly accepted meanings. In the event of conflicts between such definitions and those of NBMC Title 18 as currently adopted or hereinafter amended, the definitions of the FBC shall take precedence.~~ The metrics provided in the standards sections are an integral part of the FBC. The diagrams and illustrations that accompany them, however, should be considered guidelines rather than requirements, except for the tables found in Chapter RP of the FBC, compliance with which is required. Where in conflict, numerical metrics shall take precedence over graphic metrics.

Commented [CH1]: Terms not identified in the zoning code or FBC being left up to “commonly accepted meanings” is vague and can be challenged. Leaving this as an administrative interpretation allows for more consistency in how the city regulates all definitions related to the zoning code. It is recommended this section is removed.

Zone and Regulating Plan

RP.1: Zoning Districts and Overlays

RP.1A: Purpose and Establishment of subdistricts within the existing DC Zone

This section establishes the zoning subdistricts of the DC to implement the FBC. Property and Rights-of-Way (ROW) subject to the FBC shall be divided into the following zones and overlays, which shall be applied to all property as shown on *Figure 1*.

RP.1B: ~~Transects~~ Downtown Commercial Subdistricts

The following ~~traverse~~transsects-subdistricts are established and apply to property within the boundaries of the current DC Zone, shown spatially in *Figure 2*.

Commercial Core (DC-C):

The DC-C includes building types, styles, materials, and sizes that fit and enhance the current Historic District as shown in *Figure 3*, below, and shown in Attachment A of Ordinance 1113 (2001) adopted by reference in NBMC 19.24.030. The DC-C measures to maintain mountain viewsheds from street-level and enhance open space for future community events, while promoting redevelopment. The outlook of this zone is to serve as North Bend's cultural center.

Mixed-Use (DC-MU):

The DC-MU allows greater flexibility and diverse buildings fitting North Bend's existing design standards. This area is projected to receive more infill overall and more residential units. Considerations to adjacent residential character should be made to the redevelopment occurring adjacent to residential zones.

RP.1C: Note of Design Standards

All developments outside of the Historic District must meet the then-current City of North Bend Commercial/Mixed-Use/Industrial Design Standards and Guidelines, and specifically the Basic Development Standards (Section A) and ~~Downtown Core District sections~~Building Form (Section B).

RP.1D: Note on Floodplain Management

The entire DC Zone is within the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Special Flood Hazard Area. This means special design considerations must be made regarding regulatory flood heights. More details on floodplain considerations to design can be found in NBMC Chapter 14.12, Floodplain Management. Design considerations shall be based on what zone exists within the lands being developed, and which height above this base flood elevation is currently required. The latest ~~Federal Emergency Management Agency~~FEMA documentation on mixed-use and multi-family development in the floodplain should be used to define building parameters during the design process.

RP.2: Regulating Plan

RP.2A: Purpose and Establishment of Regulating Plan

This section establishes the Regulating Plan Map, *Figure 3*, that identifies and implements the various intentions and principles of the vision for the area. *Table RP.1* defines the zoning districts overlays and standards for site development, design, and land use through the following: building placement; allowed building types; allowed frontage types; building height and size; allowed encroachments into required yards; parking placement and site access; required parking; and allowed land uses.

Figure 2: Downtown Commercial ~~Transect~~Subdistrict Locations

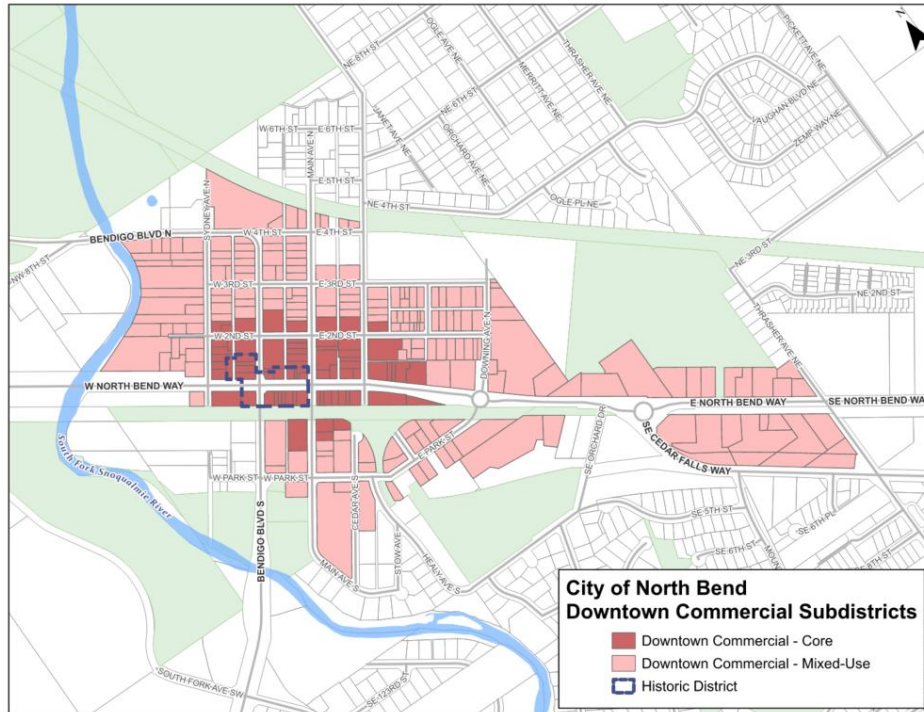


Figure 3: Larger Scale Regulating Plan Map

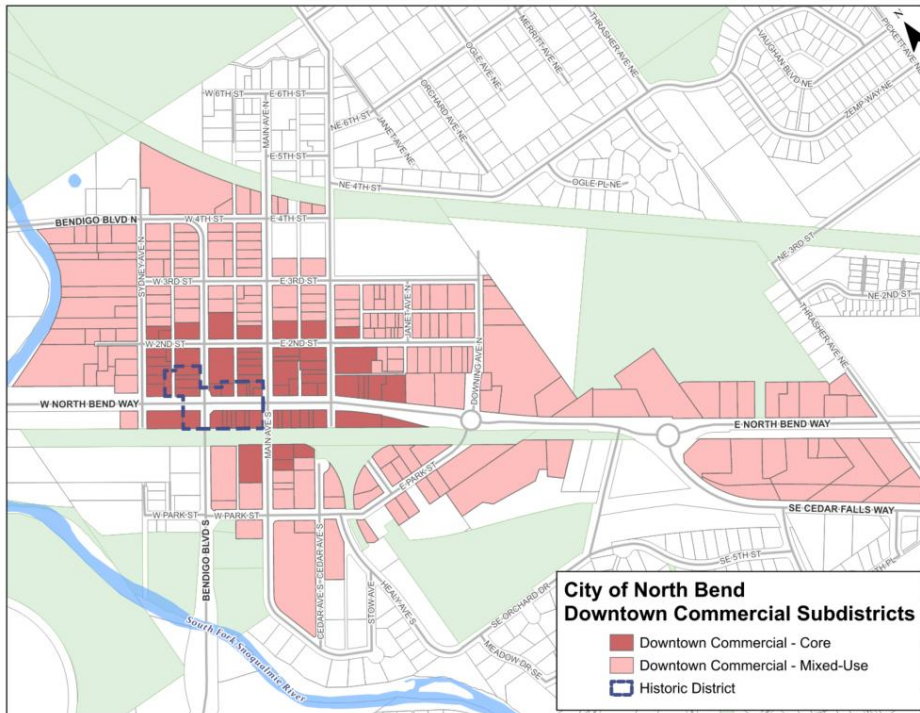




Table RP.1: Zoning District Intent

	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Example Pictures		
Desired Form	New buildings within the DC-C shall meet character of the downtown area and comply the City's Design Standards. Additionally, buildings within the Historic District shall fit the character of the existing historic buildings as determined by King County Historic Preservation. Site design shall add to public realm and enhance this small district as North Bend's cultural center. New buildings shall be similar in scale to existing structures sharing property lines and are not more than 45 feet in height. Balconies and terracing on upper levels shall be used to retain mountain views.	New buildings shall comply with North Bend's design standards, using modern architecture that fits the character of recently constructed buildings within the DC Zone. New buildings shall range from smaller multifamily complexes to mixed-used developments up to 45 feet in height, located at the front of the property line, with active frontages along the ground level. Building mass steps down to 35 feet when adjacent to single story or historic buildings. Balconies and terracing on upper levels shall be used to retain mountain views.
Streetscape and Public Realm Improvements	Active streetscapes shall encourage activity and be inviting to pedestrians. Commercial frontages such as shopfronts, arcades, or galleries; wide sidewalks; and street trees should support safe, welcoming and comfortable walking environment.	A range of tree-lined walkable streets should be a result of new development. Commercial frontages such as shopfronts, arcades, or galleries; wide sidewalks; and street trees should encourage interesting, safe, and comfortable walking environment. Residential frontages should consist of yards, porches, stoops, to promote privacy.
Parking	Parking shall consist of on-site spaces located either behind buildings or in structures. On-street public parking spaces may be available for commercial patrons.	Parking shall consist of on-site spaces located either behind buildings or in parking structures. On-street public parking spaces may be available as well.
General Use	Ground-floors of buildings should be occupied by retail, office, service, and other active uses along commercial corridors. Upper floors and back spaces from streetscape should include a wide variety of uses, including office, housing, lodging.	<u>Ground-floor residential is not allowed on North Bend Way west of the Cedar Falls Way roundabout. Throughout the district, buildings may be occupied with ground floor retail, office, service, and other active uses. Residential uses on the ground floor, other than where restricted above, should, where permitted off North Bend Way, have frontages ensuring privacy for the units. Units shall be accessed directly from the street, unless determined infeasible due to</u>

Commented [MM2]: Planning Commission recommends allowing ground floor residential east of the Cedar Falls Way roundabout, given the distance of this area from the majority of downtown, where ground-floor retail may be more difficult.

		specific site constraints. Upper floors and back spaces from streetscape should include a wide variety of uses, including office, housing, lodging.
--	--	---

Development Standards by ~~Transect~~Subdistrict

DS.1: Introduction

The ~~subdistrict~~~~transect~~ zone standards are calibrated by means of exemplary existing and intended conditions, through field survey, public input, and recommendation from the Planning Commission and approval by City Council. The purpose is to shape the future public realm of North Bend's downtown core by focusing on the outside portions of development (i.e., that which faces the street). Developments within these ~~transects~~-subdistricts are subject to the other relevant chapters of NBMC Title 18 and Title 19 including but not limited to:

- 18.16 Parking Regulations
- 18.18 Landscaping Regulations
- 18.20 Sign Regulations
- 18.34 Design Standards and Guidelines
- 18.40 Exterior Lighting Standards
- NBMC 19.10.091 through .095 relating to tree retention and protection.

Sketch demonstrating a vision of the DC-C ~~Transect~~Subdistrict redevelopment



Features of note in this DC-C illustration include:

- Enhanced open space that adds to the public realm;
- Building character to enhance and blend in with the current Historic District;
- New buildings of similar scale to existing buildings;

- Substantial glazing;
- Balconies and rooftop patios;
- Housing above commercial/retail storefronts;
- Wide sidewalks and street trees;
- Heavy building bases with detailing that adds interest to the Historic District;
- Canopies and awnings that provide cover and shade;
- Pedestrian oriented signage and building lighting;
- Amenities that add interest to the public realm such as benches, bike racks, potted seasonal plantings.

Sketch demonstrating a vision of the DC-MU ~~Transeet~~ Subdistrict redevelopment



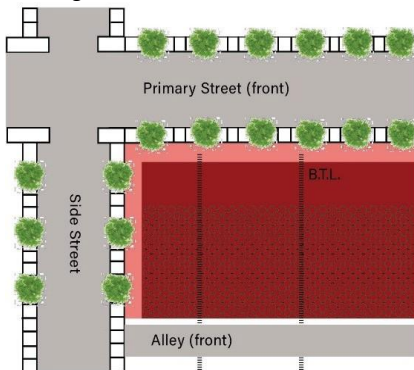
Features of note in this DC-MU illustration include:

- A mixed use or residential building character that fits into existing neighborhoods and the surrounding built environment;
- Balconies, terraces, and rooftop patios;
- Commercial frontages with wide sidewalks and street trees that add interest to the public realm;
- Comfortable and safe pedestrian walking environment;
- Residential frontages that promote privacy;
- The use of wood products as building materials;
- Large overhangs that provide interest and protection from the elements.

DS.1A: Downtown Commercial – Core (DC-C)



Building Placement



■ Allowed Building Placement ■ Frontage Zone ■ Allowed Parking Placement (at grade)

Setback	Building setback from PL		
	Frontage Zone	Side/Rear	
	Min. (ft)	Max. (ft)	Min. (ft)
Primary street	0 None	10	None
Side street	None 0	10	None
Side interior	None	None	
Rear yard with alley	None 5'	None	5
Rear yard without alley	'None	None	15

Allowed Frontages (See Table FS.1, page 26)

• Arcade • Gallery • Shopfront

Special Considerations

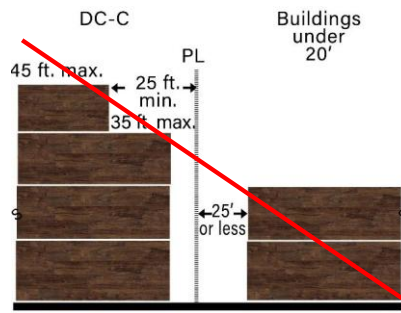
All development reviews within this ~~transact-~~ subdistrict shall fit Historic District character.

No outdoor storage or outdoor vehicular uses is allowed.

Maximum Size for Residential Units

No residential dwelling unit shall be larger than 1,000 square feet. See DS.3 (page 15) for exceptions.

Required Building Step-Backs



~~Buildings in DC-C shall not exceed 35 feet in height for a depth of 15 feet from the property line when the lot is adjacent to buildings under 20 feet, if the adjacent building is within 25 feet of the property line adjacent to the proposed building.~~ For all street-facing building facades along North Bend Way, each story third level and above shall be stepped back a minimum of 10 feet from the story below.

Interior Ceiling Height

Ground Floor

12-foot minimum, ~~unless there is ground floor residential except for exclusively residential building typologies.~~

Parking - See parking standards in NBMC Chapter 18.16.

Parking garages should be designed to have levelled floors that can facilitate redevelopment for another use, such as commercial, when parking demand lessens.

Encroachments

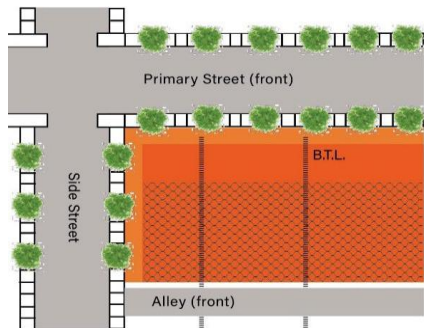
Architectural features may encroach into the required setbacks subject to the following requirements:

	Encroachment		Vertical
	Horizontal Rear	Side	
Arcade, Gallery, Awning	Min. 5' from PL	Not allowed	Min. 8' clear
Balcony Bay Window		Min. 5' from PL	
Eave	Min. 3' from PL	Min. 3' from PL	

Commented [MM3]: Staff recommends deleting this provision as it violates RCW 36.70.630(b) - It results in a reduction of height below that allowed for the applicable zone, and is site-specific based on what the adjacent property existing building height is, rather than zone-wide. The Planning Commission concurred with this recommendation.

DS.1B: Downtown Commercial – Mixed Use
(DC-MU)

Building Placement



■ Allowed Building Placement ■ Frontage Zone ■ Allowed Parking Placement (at grade)

Setback	Building setback from PL Frontage Zone Min. (ft)	Max. (ft)	Side/Rear Min. (ft.)
Primary street	0 None	10	None
Side street	0 None	10	None
Side interior	5'	None	
Rear yard with alley	None 5'	None	5
Rear yard without alley	10' None	None	15

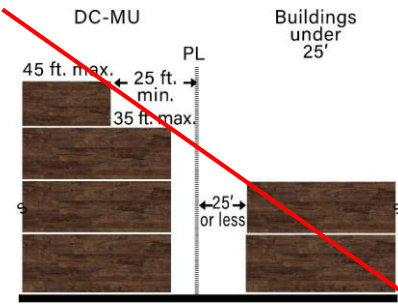
Allowed Frontages - (See Table FS.1, page 26)

- Steep • Lightcourt • Dooryard
- Front Yard • Forecourt • Porch & Fence
- Shopfront • Gallery • Arcade

Maximum Size for Residential Units

No residential dwelling unit shall be larger than 1,200 square feet, except as provided for in DS.3 herein.

Required Building Step-Backs



Buildings in DC-MU shall not exceed 35 feet in height for a depth of 15 feet from the adjacent building when the lot is located adjacent to buildings that are under 25 feet in height, if the adjacent building is within 25 feet of the property line adjacent to the proposed building. For all street-facing building facades along North Bend Way, each story third level and above shall be stepped back a minimum of 10 feet from the story below.

Interior Ceiling Height

Ground Floor 12-ft min. unless there is ground floor residential, except for exclusively residential building typologies.

Commented [MM4]: Staff recommends deleting this provision as it violates RCW 36.70.630(b) - It results in a reduction of height below that allowed for the applicable zone, and is site-specific based on what the adjacent property existing building height is, rather than zone-wide. The Planning Commission concurred with this recommendation.

Parking - See parking standards in NBMC Chapter 18.16.

Parking garages should be designed to have levelled floors that can facilitate redevelopment for another use, such as commercial, when parking demand lessens.

Encroachments

Architectural features and signs may encroach into the required setbacks subject to the following requirements:

	Encroachment		
	Horizontal		Vertical
	Rear	Side	
Balcony	Min. 5'	Min. 5'	Min. 8'
Bay Window	from PL	from PL	clear
Eave	Min. 3'	Min. 3'	
	from PL	from PL	

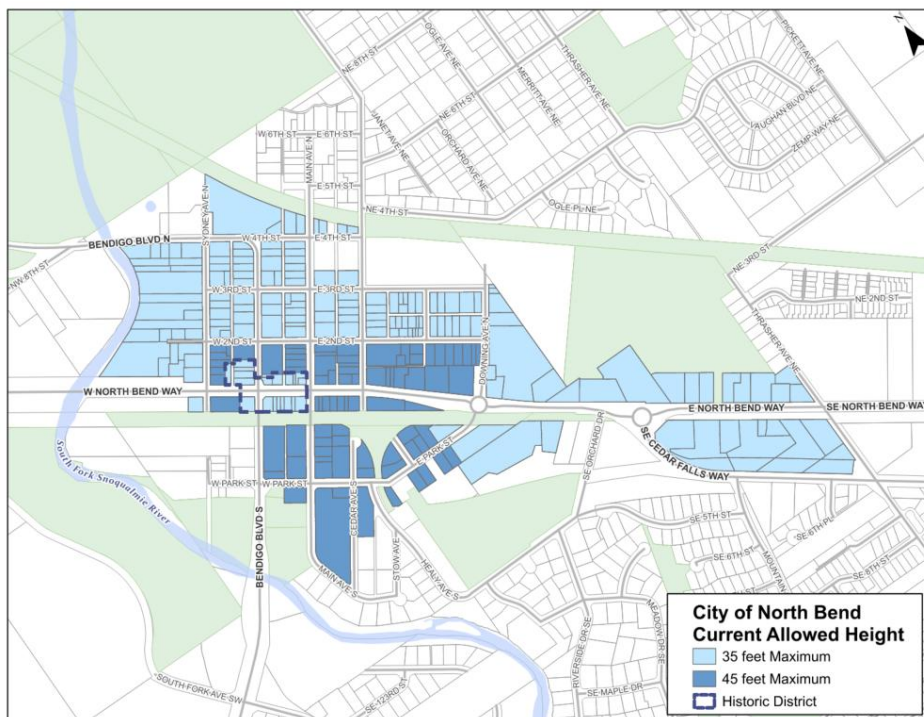
DS.2: Downtown Commercial – Allowable Heights

Where the DC-C and DC-MU Transects-subdistricts represent a core and periphery pattern of the downtown aesthetic to maximize historic character, where allowable the building heights are a different spatial pattern to maximize mountain views.

Building heights in the southern portion of the DC Zone are slightly higher than those in the northern and eastern portions. *Figure 4* illustrates the maximum heights allowed per parcel.

Note: Redevelopment of historic buildings must undergo King County Historic Preservation Program review prior to approval to ensure retention of historic character.

Figure 4: Maximum Allowable Heights



DS.3: Affordable Housing Provision for Increase to Maximum Size for Residential Units

The maximum size for all residential units within a development may be increased if deed restricted affordable housing is a part of the development. Specifically, if a certain percentage of the units are deed restricted to be below the level of cost burden (less than 30% of the income) of the equivalent of a 60% area median family income (AMI), that percentage may be applied to increasing the size of all units. For example, if 10% of units are deed restricted, the maximum square footage of all units may be increased by 10%.

Example Scenario 1:

A proposed development in the DC-C ~~Transect-subdistrict~~ is planning to include 20% deed restricted affordable housing. The 1,000 sf maximum area per unit in this ~~subdistrict~~~~transect~~ is increased to 1,200 sf ($1,000 \text{ sf} * 1.2$).

Example Scenario 2:

A proposed development in the DC-MU ~~Transect-subdistrict~~ is planning to include 30% deed restricted affordable housing. The 1,200 sf maximum area per unit in this ~~transect-subdistrict~~ is increased to 1,560 sf ($1,200 \text{ sf} * 1.3$).

To obtain the AMI, please query income limits for the Seattle/Bellevue region on the U.S. Department of Housing and Urban Development website.

BS.1: Building Standards

BS.1A: Purpose

This section provides design standards for individual buildings to ensure that proposed development is consistent with the community's vision for the DC Zone as it pertains to building form, physical character, land use, and quality.

BS.1B: Applicability

All buildings and lots within the DC Zone shall be governed by the FBC. All buildings are required to comply with NBMC Title 15, Building and Construction, which adopts by reference the International Building and Fire Codes, and the design standards of NBMC Chapter 18.34.

BS.1C: Allowable Uses

The DC Zone is open to residential, commercial, office-related, public, and quasi-public, and light industrial uses that can be contained within and cause no public nuisance outside of existing buildings or proposed development. Uses prohibited in all zoning districts as set forth in NBMC 18.10.030, in addition to new single-family residential units, outdoor storage or outdoor vehicle sales are specifically prohibited in the DC Zone, continue to be prohibited. Nuisances as set forth in NBMC ~~Chapter~~ 8.08 are prohibited, including hazardous materials and uses that produce noises above what lawful as set forth in NBMC ~~Chapter~~ 8.26.

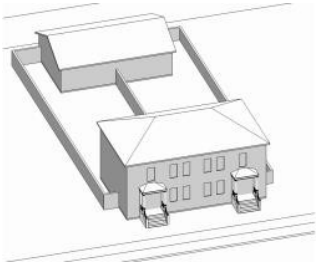
Each proposed building or existing building modification may be designed as one of the building types allowed for the ~~transect-subdistrict~~ applicable to the site as identified in ~~the table~~ Table BS.1 below. Other building types are possible and shall meet North Bend's Design Standards. Redevelopment of buildings within the Historic District are subject to a King County Historic Preservation Program review.

Table BS.1: Allowed Building Types per ~~Transect~~Subdistrict

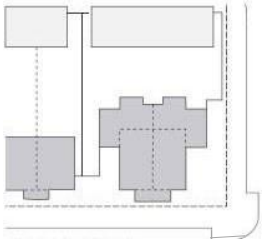
Building Type <u>(ordering generally reflects increasing density)</u>	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Duplex and Multiplex		X✓
Cottages & Bungalow Court Apartment		X✓
Row House		X✓
Live-Work	✓ <u>(prohibited along arterial streets)</u>	X✓
Court	X✓ <u>(with ground floor commercial only ground floor commercial required along arterials)</u>	X✓
Hybrid Court	X✓	X✓
Liner Building	X✓	X✓
Flex Building	X✓	X✓

BS.2: Building Type Sheets

BS.2.A Duplex and Multiplex



Illustrative Axonometric Diagram



Illustrative Plan Diagram



Illustrative Photos of Multiplex



- 1) **Description** A Duplex or Multiplex Building Type is a medium-sized structure that consists of side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. The Duplex and Multiplex Building Type has the appearance of a large-sized family home. While a Duplex is appropriate for a low or medium density neighborhood, the Multiplex ~~and~~ is appropriately scaled to fit well within medium-density neighborhoods. ~~These~~is building types ~~are~~is important for providing missing middle housing and promoting walkability.

- 2) **Pedestrian Access** Main entrance location: Primary street

- 3) **Frontages** Porch
Stoop
Dooryard

- 4) **Vehicle Access & Parking** ~~Parking spaces may be enclosed, covered, or open.~~

- 45) **Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.

- 56) **Building Size & Massing** Length along frontage: Duplex: 36-ft max.
Length alongside yard: Multiplex: 50-ft max.
80-ft max.

The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

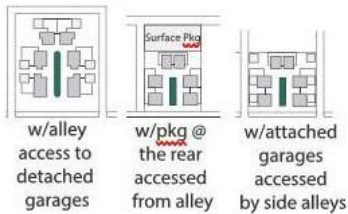


Commented [CH5]: Parking standards are already described in NBMC Chapter 18.16.

BS.2.B Cottages and Bungalow Court Apartment



Illustrative Axonometric Diagram



Illustrative Plan Diagram

Illustrative Photos of Cottage



- 1) **Description** A Cottage Building Type is a group of ~~six~~ **three** or more single dwellings arranged ~~in a linear manner along either side of~~ surrounding a common green space. Having the same right-of-way width as a narrow neighborhood street, the Cottage Type (in contrast to the Bungalow Court Type) must connect two parallel streets. Pedestrian access to the building entrances are accessed from the common green and/or primary street. Cottages ~~are prohibited on corner lots on corner lots shall be accessed from the lower traffic volume public right-of-way (exempt for alleyways).~~

A Bungalow Court Building Type: A group of four or more single dwellings arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard and/or fronting street. The courtyard is wholly open to the street and parking is placed in the rear of the lot or behind each unit. Bungalow Courts are prohibited on corner lots that do not have alley access.

- 2) **Pedestrian Access** Main entrance location: Common courtyard
- 3) **Frontages** Porch Stoop
Dooryard
- | | | | |
|------------------------------|-----------------|-----------------|--------------------------------------|
| 4) Private Open Space | Width 8-ft min. | Depth 8-ft min. | Area 100-square ft min. |
| 5) Common Courtyard | Width | Depth | 20-ft min. clear
50-ft min. clear |

Also see MDR housing standards in NBMC Chapter 18.11.

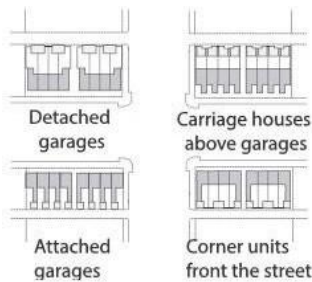
Illustrative Photos of Bungalow Court



BS.2.C Row House



Illustrative Axonometric Design



Illustrative Plan Diagram



Illustrative Photos of Row Houses



- 1) **Description** A Row House Building Type is a small- to medium-sized building comprised of three or more attached dwelling units arrayed side by side, with the ground floor raised above grade to provide privacy for ground floor rooms. The primary building sits at the front of the property, with the garage at the rear, separated from the primary building by a rear yard. Each dwelling unit is directly accessed from the front yard/street. ~~Garages must be located and accessed from the rear of the lot.~~ This type is typically located within medium-density neighborhoods or ~~in a location that transitions from a primarily single-family neighborhood into a neighborhood main street adjacent to the edge of the DC zone near single-family residential uses.~~ This type enables appropriately scaled, well-designed higher densities and is important for providing a broad choice of missing middle housing types and promoting walkability.
- 2) **Pedestrian Access** Main entrance location: Primary street
- 3) **Frontages** Porch
Stoop
Dooryard
- 4) **Vehicle Access & Parking** ~~Parking spaces may be enclosed, covered, or open.~~
Garages must be located and accessed from the rear of the lot.
- 5) **Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.
- 6) **Building Size & Massing** Width per rowhouse: 18-ft min. 36-ft max.

The front elevation and massing of each Row House building may be either symmetrical or asymmetrical, repetitive or unique in disposition, as long as the delineation of each individual unit is evident. The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

Also see MDR housing standards in NBMC Chapter 18.11.

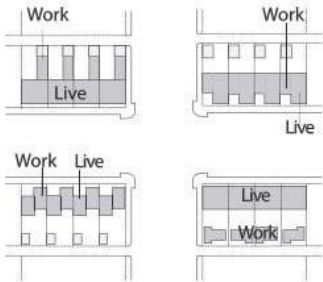


Commented [CH6]: Garage and parking standards are regulated under NBMC 18.16

BS.2.D Live-Work



Illustrative Axonometric Design



Illustrative Plan Diagram

- 1) Description** A Live-Work Building Type is a small- to medium-sized attached or detached structure that consists of single dwelling unit above and/or behind a flexible ground floor space that can be used for home-office uses such as residential, personal and general service, small-scale craft production or retail uses. Both the ground-floor flex space and the unit above are owned by one entity. This type is typically located within medium-density neighborhoods or in a location that transitions from a neighborhood into a urban neighborhood street. It is especially appropriate for incubating neighborhood-serving retail and service uses and allowing neighborhood main streets to expand as the market demands.

Garages must be located and accessed from the rear of the lot. The workspace is accessed directly from the primary street, and the living space at the rear or above is accessed directly or indirectly from the working space.

- 2) Pedestrian Access** Main entrance location: Primary street
Ground floor space and upper unit shall have separate exterior entries.
- 3) Frontages** Forecourt
Dooryard
Shopfront
Lightcourt
Gallery
- 4) Private Open Space** Width: 8-ft min. Depth: 8-ft min. Area: 100-square ft min.
- 5) Building Size & Massing** Width per unit: 18-ft min. 36-ft min.

The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

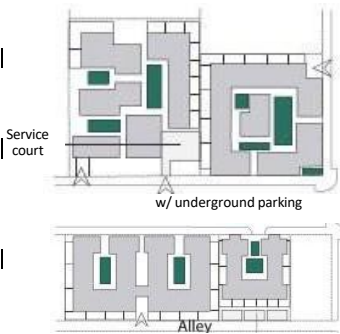
Illustrative Photos of Live-Work



BS.2.E Court



Illustrative Axonometric Design



Illustrative Plan Diagram



Illustrative Photos of Court



- 1) **Description** A Court Building Type is a group of dwelling units arranged to share one or more common courtyards. The courtyard is intended to be a semi-public outdoor room that is an extension of the public realm. Court buildings may accommodate ground floor commercial/flex uses in either a live-work configuration or as solely commercial/retail space in qualifying zones facing the primary street. This type enables the incorporation of high-quality, well-designed density within a walkable neighborhood.
- 2) **Pedestrian Access** The main entry to ground level units should be from the courtyard or from the street. Access to second story units should be directly from the courtyard through stairs. Elevator access, if any, should be provided between the underground garage and courtyard-podium only.
- 3) **Frontages** Porch
Stoop
Dooryard
- 4) **Vehicle Access & Parking** From alley.
For lots without an alley, via a driveway, 12-ft wide maximum, located as close to side yard property line as possible.
- 5) **Private Open Space**

<u>Width:</u>	<u>Depth:</u>	<u>Area:</u>
8-ft min.	8-ft min.	100-square ft min.

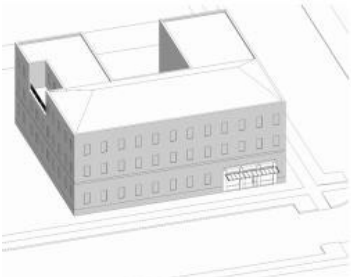
This open space is exclusive of the courtyard and may be located in a side or rear yard.
- 6) **Common Courtyard**

<u>Recommended width/depth/height ratio:</u>	1:1 approx.
<u>Width and depth:</u>	20-ft min.
- 7) **Building Size & Massing**

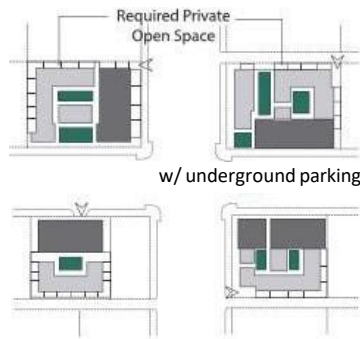
<u>Length along frontage:</u>	200-ft min.
<u>Length alongside yard:</u>	140-ft max.

The footprint area of an accessory structure may not exceed the footprint area of the principal structure.

BS.2.F Hybrid Court



Illustrative Axonometric Design



Illustrative Plan Diagram



Illustrative Photo of Hybrid Court

1) Description A Hybrid Court Building Type combines a point- access portion of the building with a walk-up portion. The building may be designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors also configured for those uses or for residences.

2) Pedestrian Access The main entrance to all ground floor units should be directly from the street.

Entrance to the stacked dwelling element can be through a dedicated street level lobby, or through a dedicated podium lobby accessible from the street or through a side yard.

Access to units above the second level in the stacked dwelling element not accessed from the podium may be through interior access points.

For other units, access is directly from a common courtyard or through stairs serving up to three dwellings.

3) Frontages
Porch
Stoop
Dooryard

4) Vehicle Access & Parking ~~Underground garage, surface parking, tuck under parking, or a combination of any of the above.~~

45) Private Open Space	<u>Width:</u> 8-ft min.	<u>Depth:</u> 8-ft min.	<u>Area:</u> 100-square ft min.
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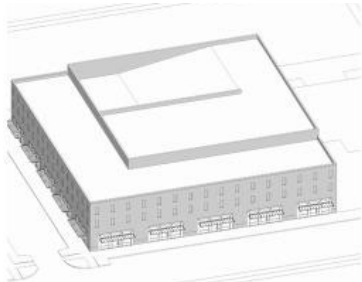
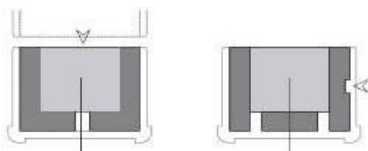
This open space is exclusive of the courtyard and may be located in a side or rear yard.

56) Common Courtyard	<u>Recommended width/depth/height ratio:</u>	1:1 approximate
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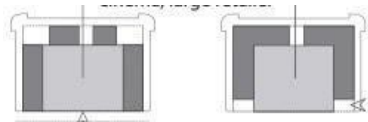
Width and depth: 20-ft min.

67) Building Size & Massing	<u>Width per unit:</u>	18-ft min. 36-ft min.
--	------------------------	--------------------------

Commented [CH7]: Parking standards are already described in NBMC Chapter 18.16.

BS.2.G Liner*Illustrative Axonometric Design*

Surface
parking,
parking garage,
cinema, large
retailer



Rear alley access
to parking

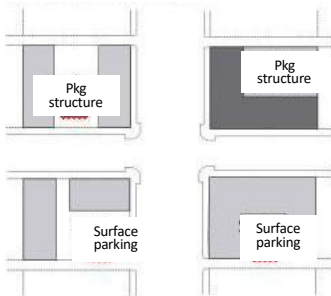
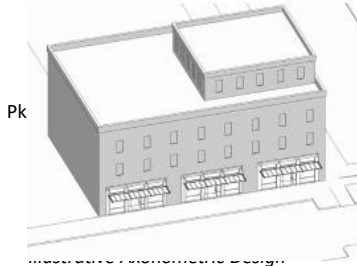
Parking access
from side street

Illustrative Plan Diagram

- 1) **Description** A Liner Building Type conceals a garage, or other large-scale faceless building such as a movie theater, or “big box” store designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. The access corridor, if applicable, is included in the minimum depth.
- 2) **Lot Size** Width: 300-ft max.
Depth: 120-ft max.
- 3) **Pedestrian Access** Direct access from sidewalk. Upper floors accessed from street level lobby.
- 4) **Frontages** Forecourt
Shopfront
Gallery
Arcade
- 5) **Vehicle Access & Parking** Required parking is accommodated in an underground or above-ground garage, tuck under parking, or a combination of any of the above.
- 6) **Private Open Space** Private open space is required for each residential unit and shall be no less than 50 square feet with a minimum dimension of five feet in each direction.
- 7) **Shared Open Space** The primary shared common space is the rear or side yard designed as a courtyard. Courtyards can be located on the ground, or on a podium, or on a parking deck, and must be open to the sky. Side yards can also be formed to provide outdoor patios connected to ground floor commercial uses.
Recommended width/depth/height ratio: 1:1 approx.
Width and depth: 20-ft min.
- 8) **Building Size & Massing** Length along frontage: 300-ft max.
Length over 180 ft must provide massing break

Illustrative Photos of Liner

BS.2.H Flex Building



Illustrative Plan Diagram



Illustrative Photos of Flex Buildings



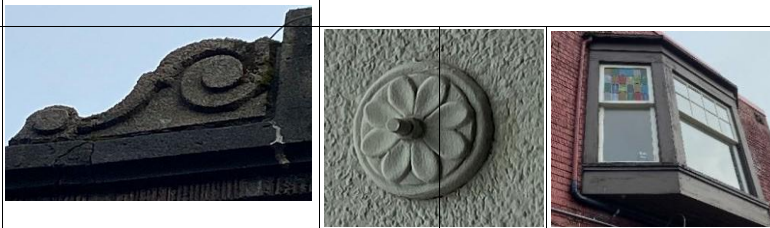


- 1) **Description** A Flex Building Type is designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors configured for retail, service, office, and/or residential uses. Second floor units may be directly accessed from the street through stairs; upper floors are accessed through a street level lobby.
- 2) **Lot Size** Width: 300-ft max.
Depth: 120-ft max.
- 3) **Pedestrian Access** Direct access from sidewalk. Upper floors accessed from street level lobby.
- 4) **Frontages** Forecourt
Shopfront
Gallery
Arcade
- 5) **Vehicle Access & Parking** Required parking is accommodated in an underground or above-ground garage, tuck under parking, or a combination of any of the above.
- 6) **Private Open Space** Private open space is required for each residential unit and shall be no less than 50 square feet with a minimum dimension of five feet in each direction.
- 7) **Shared Open Space** The primary shared common space is the rear or side yard designed as a courtyard. Courtyards can be located on the ground, or on a podium, or on a parking deck, and must be open to the sky. Side yards can also be formed to provide outdoor patios connected to ground floor commercial uses.

Recommended width/depth/height ratio: 1:1 approx.

Width and depth: 20-ft min.
- 8) **Building Size & Massing** Length along frontage: 300-ft max.
Length over 120 ft must provide massing break

BS.3: Local Historic Building Façade Features and Building Adornments Encouraged

<p>Sunset Garage (201 W North Bend Wy): Built in the 1920s, portions of the Sunset Garage were restored in 2019, resulting in a 2019 Spellman Award for Historic Preservation.</p>	
<p>McGrath Building (101 W North Bend Wy): Built in 1922, The McGrath building was added to the National Register of Historic Places in 2002.</p>	
<p>Other Architectural Features Found in the Downtown Core of North Bend</p>	

FS.1: Frontage Standards

FS.1A: Purpose

Frontages are the components of a building that bridge the building's transition and interface to the public realm, whether it is the side of a building, patio, or yard. The standards for allowed frontage types set forth in this section are intended to ensure proposed developments are consistent with the City's goals for building form as it relates to the public realm and desired use.

FS.1B: Applicability

Frontage standards work in combination with the development and building standards set forth throughout the FBC, and are applicable to private frontages abutting public lands, such as right-of-way and designated open space. Frontages are not limited to the below list, but all must meet North Bend's Design Standards.

Sketch demonstrating the components of a commercial frontage



Table FS. 1: Allowed Frontage Types by ~~Transect~~ Subdistrict

Frontage Types*	Downtown Commercial – Core (DC-C)	Downtown Commercial – Mixed-Use (DC-MU)
Front Yard		X✓
Porch & Fence		X✓
Dooryard (Terrace)	X✓	X✓
Stoop		X✓
Forecourt	X✓	X✓
Shopfront	X✓	X✓
Gallery	X✓	X✓
Arcade	X✓	X✓
Lightcourt		X

*Note: all commercial buildings must have frontages that are compliant with the American Disabilities Act.

Front Yard

Description The main facade of the building has a large, planted setback from the frontage line providing a buffer from the street. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages.

Size Depth: 20' 10'

Design Standards The front yard created should be visually continuous with adjacent yards, supporting a common landscape. The setback can be densely landscaped to buffer from the higher speed thoroughfares. The yard is the first impression of a home and therefore should be carefully landscaped, preferably with drought-resistant plants.

Porch & Fence

Description This type of frontage provides a physical transition from the sidewalk to the private lot and building while maintaining visual connection between buildings and the public space of the street. The porch frontage consists of a building with a front set back from the property line and a porch encroaching into that front setback.

Size Width: 8-ft min.
Depth: 8-ft min.
Height: 8-ft min.
Pathway: 3-ft wide min.
 Finished level above sidewalk: 18-inch min.

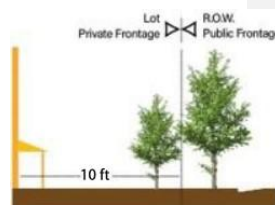
Design Standards Projecting porches must be open on three sides and have a roof.

Dooryard (Terrace)

Description The main facade of the building is set back a small distance and the frontage line is defined by a low wall or hedge, creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground-floor residential.

Size Width: 8-ft min.
Length: 50-ft max.
Pathway: 3-ft min.
 Finished level above sidewalk: 3'-6" max

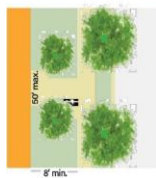
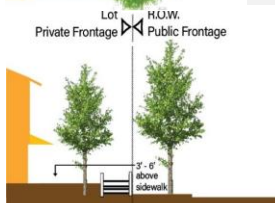
Design Standards For live/work, retail and service uses, these standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Dooryard Frontage Type standards shall prevail.



Commented [MM8]: 20' is inconsistent with setbacks established in DS.1A and DS.1B, which have a maximum setback of 10'.

Commented [MM9R8]: NOTE: NEED TO CORRECT THE 20' SHOWN IN THE GRAPHIC FOR CONSISTENCY.

Commented [CH10R8]: Graphic has been revised





Captions Left to Right:

*Illustrative Photo of
Dooryard (Terrace)*

*Illustrative Photo of Front
Yard*

*Illustrative Photo of Porch and
Fence*

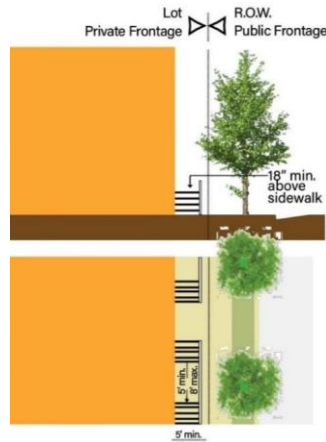
Stoop

Description The main facade of the building is near the frontage line and the elevated stoop engages the sidewalk. The stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs or ramps from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.

Size Width & Depth: 5-ft min.; 8-ft max. Finished level above sidewalk: 18-in min.

Design Standards

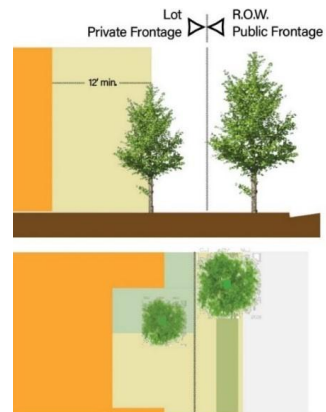
- 1) Stairs may be perpendicular or parallel to the building arcade.
- 2) Lamps shall be parallel to façade or along the side of the building.
- 3) Entry doors are encouraged to be covered or recessed to provide shelter from the elements.

**Forecourt**

Description The main facade of the building is at or near the frontage line and a small percentage is set back, creating a small court space. The space may be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area.

Size Width & Depth: 12-ft min. Ratio, height to width: 2:1 max.

Design Standards The proportions and orientation of these spaces should be carefully considered for solar orientation and user comfort.



Illustrative Photo of Stoop



Illustrative Photo of Forecourt

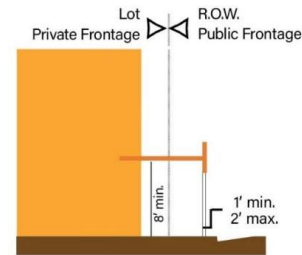
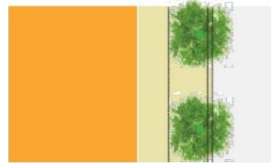
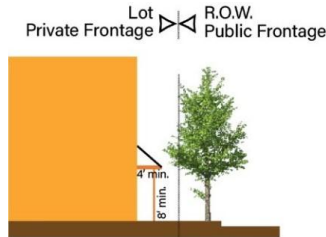
Shopfront

Description The main facade of the building is at or near the frontage line with an at-grade entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and typically includes an awning that may overlap the sidewalk. It may be used in conjunction with other frontage types. An awning that extends over the sidewalk requires an encroachment permit.

Size Ground Floor Transparency: 75% of frontage minimum

Awning Depth: 4-foot minimum
Setback from curb: 2-ft min.
Height, clear: 8-ft max.

- Design Standards**
- 1) Shopfront glass shall be clear without reflective glass frosting or dark tinting.
 - 2) Shopfront windows may have clerestory windows (horizontal panels) between the shopfront and second floor/top of single-story parapet. Glass in clerestory may be of a character to allow light, while moderating it such as stained glass, glass block, painted glass, or frosted glass.
 - 3) Shopfronts with accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.
 - 4) Operable awnings are encouraged.

**Gallery**

Description A roof or deck projecting from the facade of a building, supported by columns located just behind the street curb. Galleries shelter the sidewalk with a roof or unenclosed, accessible, out-door space making them ideal for retail use. Galleries may be one- or two-stories in height, functioning as covered or uncovered porches at the second floor. Railing on top of the gallery is only required if the gallery roof is accessible as a deck.

Size Depth: 8-ft min.
Ground floor height: 12-ft min.
Setback from curb: 1-ft min.; 2-ft max.



Illustrative Photo of Shopfront



Illustrative Photo of Shopfront



Illustrative Photo of Gallery

SS.1: Street Standards

SS.1A: Purpose

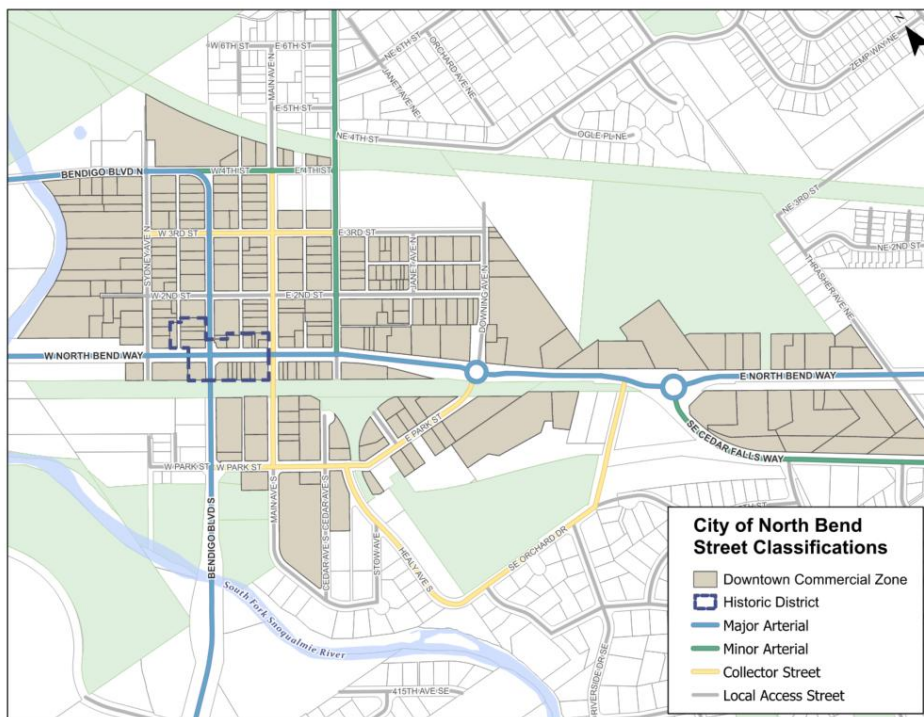
This section is to ensure that all proposed developments within the DC Zone are designed in accordance with the City's adopted Public Works Standards, and any approved complete streets design efforts in the future. The City's Public Works Standards do not currently specify differences between Local and Collector streets within North Bend's DC Zone and other areas throughout the City. This section is therefore an extension of those standards. [See Figure 5 below for street classifications for the purposes of the FBC.](#)

The Right-Of-Way (ROW) sections of the DC Zone shall support the intended physical character, land use activity, and quality of the neighborhood. These streets should contribute to the look, feel, and experience of the DC Zone, in addition to providing efficient and safe movement of people, goods and services.

SS.1B: Applicability

This section describes the unified standard for Local and Collector street segments within the DC Zone. The standard is the same throughout the zone, without differences between the two ~~transsects~~ subdistricts. Additional street assemblies can be integrated into this section when approved by the City.

Figure 5: Map of street classifications and main thoroughfares



SS.1C: Design Objectives

As the interface between private development and public space, streets are an important element of the DC Zone. The goals of this portion of future development include:

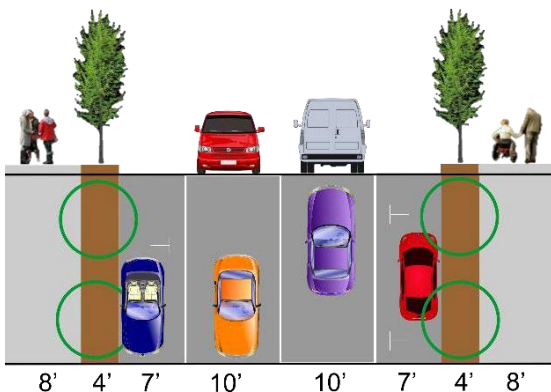
- Function - ensuring access for both patrons and delivery and support for businesses through effective use of curb space and upgrading/undergrounding utilities.
- Mobility - walkability for residents and visitors, as well as reliable movement for support services.
- Livability - enabling the public realm to support a community that works for both businesses and residents, with space for community activities.

All the elements of the streets are context based. Overall width and pavement width, the number of lanes, and the lanes' specific sizes are listed. Street edges include planter type, lighting type, walkway type, and curb radii at intersections.

The street sections in this section suggest quality and intent. The dimensions in the street sections consider information gleaned from aerials and field observations of existing conditions plus desired outcomes resulting from redevelopment. If the pavement width is larger than the width range shown below (27 – 34 ft), angle parking can be used in lieu of parallel parking on one or both lanes. All final designs must be approved by the Public Works Director.

DC Zone Collector and Local Street Standards*

DC Zone Collector Local Streets			
Assembly		Transportation Way	
Type	Feeder with parking	Vehicle Lanes	2 lanes; 1 lane each direction
Right-of-way	51 – 58 ft	Lane Width	10 ft
Pavement	27 – 34 ft	Parking Lanes	Parallel; one or both sides, unless available ROW is larger than standard, where angle parking may be used
Public Frontage		Movement Type	Slow
Curb Type	Vertical curb; 10 ft radius	Median Width	NA
Walkway Width	12 ft with 4-ft tree wells and contrasting pavement strips	Median Planting	NA
Walkway Surface	Concrete and pavers	Median Surface	NA
Planter	Shade trees limbed for visibility and pedestrian access	Target Speed	20 mph
		Bicycle Provisions	Marked sharrows
		Transit	No transit



**The exception to this section is Park Street from Healy Avenue S to North Bend Way shown on Table 4.4 (pg. 4-11) of North Bend's Public Works Standards.*

SS.1D: Wayfinding Signage

Wayfinding signage **should** be placed at all major intersections and public gathering places to increase awareness of appropriate and safe walkways.

SS.1E: Public Art

Public art and other unique streetscape elements **should** be used to provide visual interest, create a downtown identity, and provide an opportunity to describe North Bend's unique history.

SS.1F: Gateways

Figure 1 identifies key gateway locations for the Downtown Core District. Refer to the Citywide Guidelines for methods and techniques that are appropriate for enhancing these locations. A graduated gateway approach **should** be used to draw visitors to the downtown core with increasing tree and pedestrian lighting frequency to alert motorists and pedestrians that they are entering a more intensive, pedestrian oriented business district. For example: along Bendigo Way between South Fork Avenue and the Snoqualmie River, trees **should** be spaced 40' apart; between the Snoqualmie River and East Park Street, they **should** be spaced 35'; and between East Park Street and North Bend Way, they **should** be spaced 30' (see figure 2).

Commented [CH11]: Moved from the DC specific design standards from the *Commercial / Industrial / Mixed Use Design Standards and Guidelines* document.

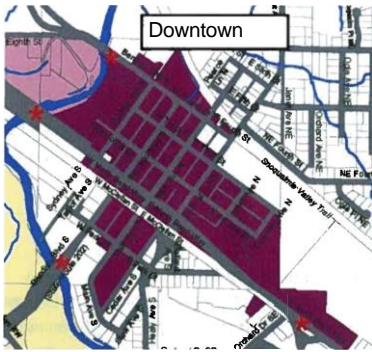


Figure 1: Downtown Core District and Gateway Locations.

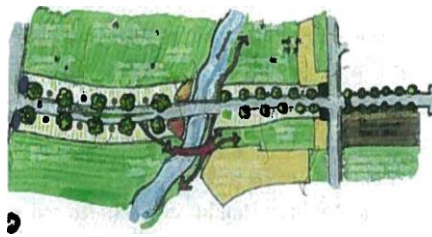


Figure 2: Tree spacing along gateways.

OS.1: Public Open Space Standards**OS.1A: Purpose**

The purpose of this section is to provide a catalog of pre-approved public open space types and planned open space improvements within the DC Zone, to enhance the public realm and non-motorized transportation within this area.

OS.1B: Applicability

This section describes the guidelines for development of public open spaces in the DC Zone. The standards shall apply to all proposed development within the DC Zone and shall be considered in combination with the other zone standards. Additional open spaces can be integrated into this section as they are approved by the City.

OS.1C: Design Objective

Open spaces play an important role in placemaking. Their standards must be considered alongside building form, building types, frontage types, and thoroughfares in creating urban environments.

OS.1D: Open Space Requirements

All proposed developments including a corner within the DC-C ~~subdistrict~~ ~~Transect~~ but outside of the designated Historic

District shall have a plaza created at such corner. Plaza requirements for these corners can be found in NBMC 18.34.070 City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines, specifically section A-4A (page 13).

Each proposed development that involves at least two acres, requires a minimum five percent of the net land area to be dedicated as park or open space. The required open space shall be designed in compliance with the applicable requirements from *Table OS.1*, or commensurately enhance the open spaces shown in Map OS.1, as determined by the Community and Economic Development Director. All proposed developments comprising less than two acres shall comply with the provisions set forth in NBMC Chapter 17.25, Residential Recreation and Common Space Requirements. Specifically, refer to NBMC 17.25.040 for multi-family developments, and NBMC 17.25.050 for mixed-use developments with residential components. Parks must contain the minimum components described in NBMC 17.25.060.

Proposed developments that require the creation of public open space shall be required to develop the green, square, plaza or playground open space type in accordance with the applicable design concept shown in Table OS.1. If a proposed development applicant intends to submit an application to the City, and an urban design concept has not been prepared and adopted in the FBC for the applicable open space type and location specified in the Regulating Plan Diagram, the applicant shall fund the preparation of a conceptual plan under the direction of the City. The City may opt to retain the services of a qualified firm to complete the plan with funding to be provided by the applicant.

Per NBMC 18.34.070, City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines standard for plazas in the Downtown Core District, a plaza shall be created on the northeast corner of Main Ave and North Bend Way when this parcel is redeveloped. ~~Please refer to Section A. Downtown Core District, A-4 Plazas (page 32) of the City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines for more details.~~

Each proposed development application that is adjacent to a public open space, as indicated in *Figure 6* below, shall create site designs oriented to these open spaces, where the facades of buildings that face these spaces provide a greater level of articulation than may be typical to the rear or side of a building.

Figure 6: City Programmed Public Open Space, Parks, and Plazas

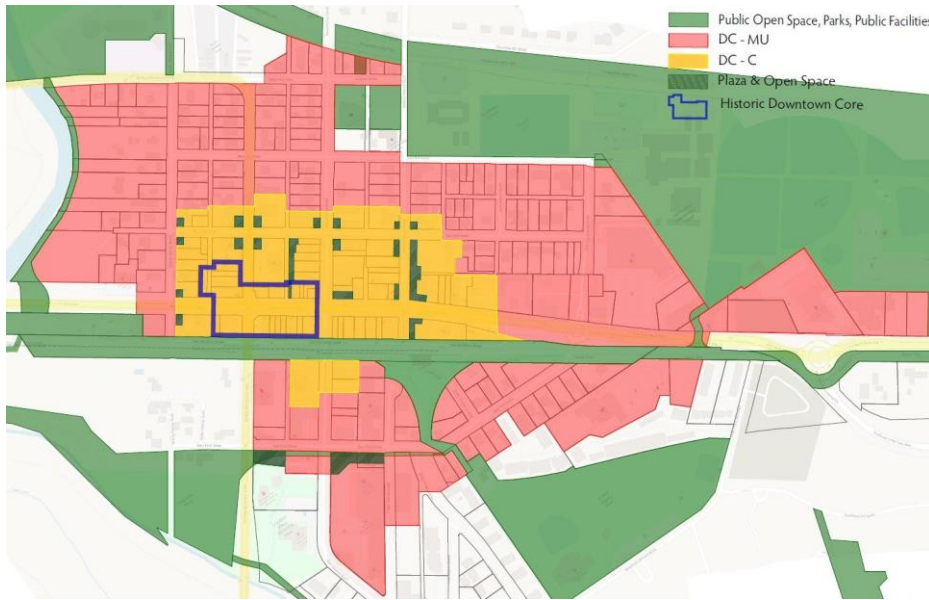


Figure 7: (Inset of Figure 6) Future Plaza Locations in the DC-C ~~Transect~~ Subdistrict as Parcels Develop

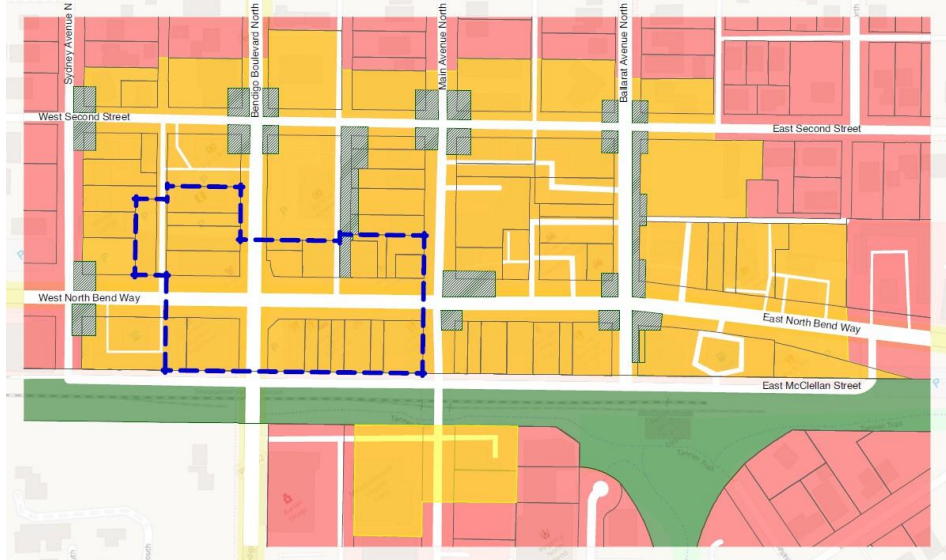
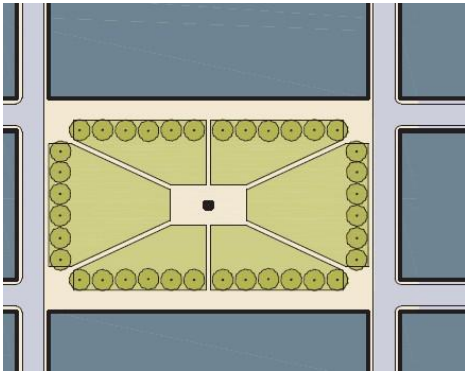


Table OS.1: Open Space Types Accepted

OS.1 E: Open Space Types Accepted

Square

An open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be five acres.



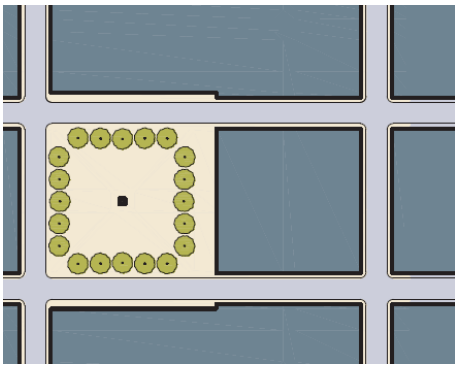
Scalable Examples:



Plaza

An open space available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. For greater detail on plaza requirements please refer to Section [A.2C \(Streetscape Amenities\)](#), [A.3A \(Plazas, Courtyards, and Seating Areas\)](#), [A.5a \(Plazas, Courtyards and Seating Areas\)-Downtown Core District, A-4 Plazas \(page 32\)](#) of the City of North Bend Commercial/Mixed Use/Industrial Design Standards and Guidelines for more details.

Additionally, for redevelopment of the northeast corner of Main Ave and North Bend way, a minimum 600sf plaza shall be provided in a south facing location. The City will waive parking requirements for the first 10,000sf of a building area to accommodate the space required for the plaza. At a minimum, the plaza shall include features as noted in the above referenced sections to the Commercial/Mixed-Use/Industrial Design Standards and Guidelines. Additional amenities such as public art or gathering features are encouraged. Buildings located adjacent to the plaza shall contain entrances that open to the plaza.

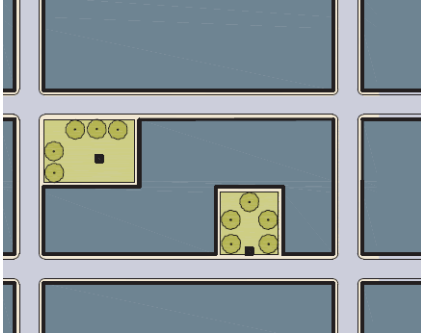


Scalable Examples:



Playground

An open space designed and equipped for the recreation of children. Playgrounds shall be interspersed within primarily residential areas and may be placed within a block. Playgrounds may be included within larger parks and open spaces. There shall be no minimum or maximum size. For more detail on playground requirements please refer to NBMC 17.25.060.



Acceptable Playground Examples & Features:



~~Master Planning Provision for Large Parcels~~

~~The owner of a parcel or abutting parcels totaling over two acres or more of contiguous lots within the DC Zone may apply to prepare a subarea plan. In consultation with the Community and Economic Development Director, a subarea plan may assign new transect zones, open spaces, thoroughfare designs, and building designs, provided public works approvals are granted and appropriate transitions to abutting areas are provided. The subarea plan must complete a public process including public notification of a Planning Commission recommendation, and City Council approval.~~

MEMO

To: City Council

From: Planning Division

Re: Design Standard and FBC Amendments - ESHB



Dear City Council,

City staff have processed amendments to the Zoning Code, *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*, and the Form Based Code in response to ESHB 1293. This memo is intended to clarify the requirements of ESHB 1293 and provide guidance to the City Council for the proposed amendments.

Engrossed Senate House Bill 1293 (ESHB 1293)

ESHB 1293 was signed by the Governor on May 8, 2023 amending RCW 36.70B.160 and adding a new section to RCW 36.70A with regard to streamlining development regulations for architectural design.

Property development is experiencing heightened challenges, and the state has sought to make a number of changes to stimulate greater development for residential and non-residential uses alike. As such, the state codified legislation that requires jurisdictions planning under the Growth Management Act (GMA) to revise architectural and building form standards to provide for “clear and objective regulations to the exterior design of new development, except for designated landmarks or historic districts” and to encourage expedient architectural review of proposed projects

Amendments specify the requirement for coordinated and expedited design review permit processes for low- or moderate-income housing. This portion of the state amendment does not impact North Bend, as design review is not a permit type offered by the city and is bundled into other land use application types (such as Site Plan Review).

Amendments to the state law also call for design standards to be “clear and objective”. Requiring the implementation of “clear and objective” design standards is applicable to North Bend as the city has adopted local standards on architectural and exterior building design.

While the state does not define “clear and objective”, the City’s staff, legal team, and consulting architect have agreed the interpretation of “clear and objective” generally refers to standards that are vague, conflicting, or subjective regulations

Intention of ESHB 1293

The intention of ESHB 1293 is to help stimulate growth (both residential and non-residential) by removing barriers that may exist within local design standards. Barriers, in this case, refers to unclear, conflicting, confusing, or subjective regulations that may be open to interpretation, do not provide explicit guidance on design requirements, and ultimately present a legal risk in instances of conflicting interpretations of standards. When standards are not clear or accessible to property

owners or developers, it creates confusion, resulting in longer feasibility periods, increased engineering and architectural costs due to project comments, and longer permitting periods. Greater development costs are passed on to subsequent property owners, renters, and leasees or result in slower redevelopment.

Relationship to GMA and Comprehensive Plan

The state's amendments amend RCW 36.70B.160 which regulates local project reviews. This portion of ESHB 1293 is not related to the GMA.

State amendments to RCW 36.70A.630 is the portion of ESHB 1293 that is part of the GMA and regulates how jurisdictions may implement local design review.

Impact on AB25-061

The Comprehensive Plan, passed on December 3, 2024, was certified as complete by the Department of Commerce pending the adoption of GMA related municipal code amendments, including ESHB 1293. If the Council wishes to further review proposed amendments to the Design Standards and Form Based Code, the resolution proposed under AB25-061 cannot be adopted until proposed changes under AB25-059 (Design Standards and NBMC 18.34) and AB25-060 (Form Based Code) are approved by the City Council for adoption.

Intention of the City's Proposed Amendments

The amendments are intended to address the requirement to provide for "clear and objective" design standards by proposing amendments to NBMC 18.34, the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines*, and the Form Based code. Amendments generally do the following:

- Remove duplicative regulations that are addressed in other sections of the municipal code or adopted plans;
- Remove ambiguous, vague, or conflicting standards that do not provide clear design objectives and architectural standards;
- Add key definitions that are referenced but not clearly defined in subject adopted documents or the Zoning Code;
- Improve the readability and clarity of design standards; and
- Consolidate design standards in more logical locations in the municipal code, Commercial/Mixed-Use/Industrial Design Guidelines and Standards, or Form Based Code.

Proposed Changes to Design Guidelines

Within the agenda packet for the 6/3/2025 for City Council (pg. 163-205), a redlined version of the *Commercial/Mixed-Use/Industrial Design Standards and Guidelines* describing the intention of changes proposed. Below is a brief summary of the changes proposed and how it relates to provisions of ESHB 1293.

Packet Pg (6/17 TBD)	Section	Subject Standard	Description of Change	Applicable Provisions of ESHB 1293
	Introduction 1	Definitions	Definitions are refined and added as it aligns with the Zoning Code, 2024 Zoning Map, and recommended definitions by the city's consulting architect.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)). Clean-up provision for consistency with current zoning map/Comp Plan update.
	Basic Development Standards, Section A-1 and A-2	FAR Standards	Additions are made to recognize new or revised zones to the 2024 Zoning Map.	Clean-up provision for consistency with current zoning map/Comp Plan update.
	Basic Development Standards, Section C, Note 1	Parking standards for the DC zone.	See NBMC 18.16 <i>Parking Regulations</i> and Form Based Code Table RP.1 <i>Zoning District Intent</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of "clear and objective").
	Section A-1.1.f	Critical area requirements for site design	All consideration with regard to critical areas is in NBMC 14.05-14.11.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of "clear and objective").
	A-2.1-2.2	Transitional landscaping requirements	Transitional landscaping is described in NBMC 18.18.130.	Eliminates conflicts and/or redundancy with other existing

				development regulations addressing the topic (within intent of “clear and objective”).
	A-2.3	Solar orientation	Solar orientation requirements for multifamily residential is described in NBMC 18.34.060.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-2.4	Exterior lighting	Exterior lighting on-site is described in NBMC 18.40 <i>Exterior Lighting</i> and for off-site lighting within the Public Works Standards.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3a under Standards	DC zone building setbacks	Building setbacks in the DC zone are described in and somewhat conflict with the Form Based Code.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3b.3	DC sidewalk standards	Sidewalk standards are covered under the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	A-3d.1	Off-site lighting standards	ROW lighting standards are covered under the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent

				of “clear and objective”).
	A-5.2-3	Curb cuts	Curb cuts into the ROW are described in NBMC Title 19 <i>Development Standards</i> and the Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	B-1.1a-b	Building mass and volume	The provision refines how the city is interpreting building mass.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	B-1.5	Vertical composition of industrial buildings	The provision refines the existing standard by defining how the city wants “base”, “middle”, and “top” design of large industrial buildings to be visually broken up.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	C-4.5	Building Materials for Windows	Refined prohibitive language on vinyl and horizontal sliding windows for commercial buildings to be more explicit and specific	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).
	C-6	Sign Standards	Redundant to NBMC 18.20 <i>Sign Code</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-1	DC District Streetscape Standards	Redundant with conflicting/competing standards with the Form Based Code, Public Works Standards, NBMC 18.40 <i>Exterior Lighting</i>	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific	DC District Building Heights	Conflicts with Form Based Code under DS.2 and Figure 4.	Eliminates conflicts and/or redundancy with other existing

	Standard – A-2.5			development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-3.2	DC District Screening Standards for Parking	Duplicated in Section A-7 Landscaping	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DC District Specific Standard – A-4	DC District Plaza Standards	Moved to the Form Based Code, Section OS.1E	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	Northwest Neighborhood Business District Specific Standard - B-1	Urban Separator Overlay District	Removed language on the Urban Separator Overlay District because the overlay does not exist.	Clean-up provision for consistency with current zoning map/Comp Plan update.
	Northwest Neighborhood Business District Specific Standard - B-2	Right of way standards	Duplicative of or conflicting with Public Works Standards	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	Northwest Neighborhood Business District Specific Standard - B-4	Building Design and Massing	Removed references to mixed use and cottage housing because these are prohibited uses in the underlying zones of the NWBD.	Clean-up provision for consistency with current zoning map/Comp Plan update.

	East and West I-90 Interchange District Specific Standards C-2.1 -2	Landscaping and screening standards	Redundant to landscaping regulations in NBMC 18.18 and exterior lighting standards in NBMC 18.40.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	East and West I-90 Interchange District Specific Standards C-12	Signage Standards	Redundant to NBMC 18.20 <i>Sign Code</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).

Proposed Changes to Form Based Code

Within the agenda packet for the 6/3/2025 for City Council (pg. 260-300), a redlined version of the Form Based Code describing the intention of changes proposed. Below is a brief summary of the changes proposed and how it relates to provisions of ESHB 1293.

Packet Pg (6/17 TBD)	Section	Subject Standard	Description of Change	Applicable Provisions of ESHB 1293
	DS.1A	Allowed frontage types within the DC-C subdistrict.	Duplicative to Design Standards Table FS.1.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DS.1A	Required building step backs within the DC-C subdistrict	Projects may have height and scale impacts for required step backs that are due to the height and setback of buildings on adjacent properties. In practice, standards should not be determined as required based on the height	Provision violated restriction on reducing density, height or scale below what is otherwise allowed in the zone (RCW 36.70A.630(2)(b)).

			of buildings off the subject site.	
	DS.1B	Allowed frontage types within the DC-MU subdistrict.	Duplicative to Design Standards Table FS.1.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	DS.1B	Required building step backs within the DC-MU subdistrict	Projects may have height and scale impacts for required step backs that are due to the height and setback of buildings on adjacent properties. In practice, standards should not be determined as required based on the height of buildings off the subject site.	Provision violated restriction on reducing density, height or scale below what is otherwise allowed in the zone (RCW 36.70A.630(2)(b)).
	BS.2.A.1	Description of Duplex/Multiplex	Addition of Duplexes to the Multiplex section in general. Duplexes, in the zoning code, are defined separately as multiplexes. When the design standards were developed, all multi-unit forms of housing were lumped into “multiplex”. Addition provides inclusivity of duplex as intended in the original standards.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.A.4	Parking standards and vehicle access standards for duplexes and multiplexes.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.C.1	Description of Row Houses	Adjusts and clarifies language on where row houses are permitted to be placed in the DC zone.	Provides clarity to ambiguous provision (RCW 36.70A.630(2)(a)).

	BS.2.C.4	Parking standards and vehicle access standards for row houses.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	BS.2.F.4	Parking standards and vehicle access standards for hybrid courts.	See NBMC 18.16 <i>Parking Regulations</i> .	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	FS.1 under <i>Front Yard</i>	Minimum front yard depth/building setback.	Conflicts within setback standards described in DS.1A and DS.1B for DC-C and DC-MU which has a minimum front setback of 10ft.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	SS.1D-F	New sections with regard to gateways, public art, and wayfinding signage.	Standards are not new, but relocated from the District Specific Standards for the Downtown Commercial Zone (Section A) of the <i>Commercial/Mixed-Use/Industrial Design Standards and Guidelines</i> document. Intended to consolidate downtown standards between different documents.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	OS.1E under <i>Plaza</i>	Design of plazas in the DC zone.	This duplicates standards within Section A.2C, A.3A, and A.5A of the <i>Commercial/Mixed-Use/Industrial Design Standards and Guidelines</i> document.	Eliminates conflicts and/or redundancy with other existing development regulations addressing the topic (within intent of “clear and objective”).
	OS.1E under <i>Master Planning</i>	Describes the master planning process for large properties in the DC zone.	This section is somewhat duplicative to Development Agreement process in NBMC 18.27. While Development	Eliminates conflicts and/or redundancy with other existing development regulations

	<i>Provision for Large Parcels</i>		Agreements are optional, there is no separate master planning process recognized in the municipal code. Master Plan would be processed as a Development Agreement.	addressing the topic (within intent of “clear and objective”).
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City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-073
Resolution Acknowledging Completion of the 2024 Periodic Update Consistent with the Growth Management Act		Department/Committee/Individual		
		Mayor Mary Miller		
		Interim City Administrator – Bob Larson		
		City Attorney – Kendra Rosenberg		
		City Clerk – Susie Oppedal		
		Administrative Services – Lisa Escobar		
		Comm & Econ Development – James Henderson		
		Finance – Martin Chaw		
		Public Works – Mark Rigos, P.E.		
Cost Impact: NA		Planning Manager Mike McCarty		X
Fund Source: NA				
Timeline: Immediate				
Attachments: Resolution				
<p>SUMMARY STATEMENT:</p> <p>Under the Washington State Growth Management Act (“GMA”), cities and counties are required to update their comprehensive plans and development regulations every ten years to comply with the requirements of the GMA. This requirement is referred to as a “periodic update.”</p> <p>The City of North Bend completed an update to its Comprehensive Plan, zoning map, and associated development regulations, adopted by the City Council via Ordinance No. 1824 on December 3, 2024.</p> <p>In addition to updating the Comprehensive Plan, zoning map and associated development regulations, the City also updated its development regulations to comply with state legislation pertaining to accessory dwelling units, impact fees, critical areas, design standards, and form-based code, prior to June 30, 2025, the deadline for such updates.</p> <p>Subject to Council passage of the amendments to the design standards and form-based code at the June 17, 2025 City Council meeting, the City will have met all requirements of the periodic update, as described in the attached Resolution.</p> <p>The Resolution affirms that the City of North Bend has met all requirements of the periodic update under RCW 36.70A.130. Staff recommend approval of the Resolution and its transmittal to the Department of Commerce.</p> <p>APPLICABLE BRAND GUIDELINES: Completing the periodic update to the City of North Bend Comprehensive Plan and development regulations is consistent with and upholds several brand guidelines, including ensuring sustainably managed growth, promoting housing affordability, ensuring consistent delivery of basic services, including transportation and traffic management, commitment to invest in the City and foster community engagement and pride, planning for a variety of recreation opportunities, and promoting economic viability and a balanced budget. Consistency with the legislative requirements of the periodic update ensures the City remains eligible for grant funding from state and Puget Sound Regional Council-managed grant sources that are critical to financing projects on the City’s Capital Improvement Plan to provide and maintain levels of service to residents.</p> <p>COMMITTEE REVIEW AND RECOMMENDATION: The Community & Economic Development Committee reviewed this item at its May 20, 2025, meeting and recommended approval and placement on the Consent Agenda. As the resolution relies on adoption of corresponding ordinances on the Main Agenda at the June 17, 2025 City Council meeting, this item must be placed on the Main Agenda following action on those ordinances.</p>				

City Council Agenda Bill

RECOMMENDED ACTION: **MOTION** to approve AB25-073, a resolution acknowledging completion of the 2024 Periodic Update consistent with Washington State Growth Management Act.

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 3, 2025	AB25-061 - Postponed to 6/17/25 CC	7-0
June 17, 2025		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACKNOWLEDGING COMPLETION OF THE 2024 PERIODIC UPDATE REQUIREMENTS CONSISTENT WITH THE WASHINGTON STATE GROWTH MANAGEMENT ACT

WHEREAS, the Washington State Growth Management Act (“GMA”) is codified in chapter 36.70A RCW and requires that each jurisdiction take legislative action to review and, if needed, revise its comprehensive plan and development regulations, including its critical areas ordinance, to ensure the plan and regulations comply with the requirements of the GMA; and

WHEREAS, on December 3, 2024, the City of North Bend (“City”) City Council adopted Ordinance 1824, adopting its 2024 Comprehensive Plan and associated amendments to its development regulations and zoning map to provide consistency with RCW 36.70A; and

WHEREAS, on March 28, 2025, the City Council adopted Ordinance 1825, to amend North Bend Municipal Code (“NBMC”) provisions pertaining to accessory dwelling units, satisfying the requirements of RCWs 36.70A.680 and 36.70A.681 (passed through Engrossed House Bill 1337, Chapter 334, Laws of 2023); and

WHEREAS, on May 6, 2025, the City Council adopted Ordinance 1827, amending its critical areas regulations and associated mapping in NBMC Chapters 14.05 (Critical Areas – Administration, General Provisions and Definitions), 14.06 (Wetland Critical Areas), 14.09 (Streams and Other Fish and Wildlife Habitat Areas), 14.11 (Geologically Hazardous Areas), and 14.12 (Floodplain Management), and the City’s Critical Areas Map Series, affirming that it is consistent with the best available science and satisfying the requirements of RCW 36.70A.060; and

WHEREAS, on June 3, 2025, the City Council adopted Ordinance 1831 amending NBMC Chapters 17.36 (Park impact Fees), NBMC 17.38 (Transportation Impact Fees), and NBMC 17.42 (Methods to Mitigate Development Impacts), to scale impact fees applicable to residential uses according to dwelling size, consistent with amendments to RCW 82.02.060 (passed through Engrossed Second Substitute Senate Bill 5258, Chapter 337, Laws of 2023); and

WHEREAS, on June 17, 2025, the City Council adopted Ordinance **xxxx** amending NBMC Chapter 18.34 (Design Standards and Guidelines) and amending the City’s Commercial, Mixed Use, and Industrial Design Standards and Guidelines for conformance to requirements in RCW 36.70A.630; and

WHEREAS, on June 17, 2025, the City Council adopted Ordinance **xxxx** amending the City’s Form-Based Code applicable to the Downtown Commercial Zone for conformance to requirements in RCW 36.70A.630; and

WHEREAS, because the City is outside of the contiguous urban growth area, it is not subject to requirements pertaining to middle housing pursuant to the amendments to the RCW passed through Engrossed Second Substitute House Bill 1110 (Chapter 332, Laws of 2023); and

WHEREAS, the City has complied with all other applicable local ordinances, City policies and state laws, including public participation requirements, the State Environmental Policy Act (“SEPA”), and the GMA in preparing the proposed Comprehensive Plan amendments, implementing NBMC amendments, and implementing North Bend Zoning Map amendments; and

WHEREAS, the City sent its comprehensive plan and development regulations to the Washington State Department of Commerce and other state agencies to provide the required 60-day state notification (under RCW 36.70A.106); and

WHEREAS, the City has taken a regional approach to planning, to ensure consistency with King County Countywide Planning Policies and the Puget Sound Regional Council (“PSRC”) Vision 2050, and to engage various agencies in this update including the Washington State Department of Fish and Wildlife, Affordable Housing Committee of King County, the Snoqualmie Tribe and others; and

WHEREAS, the City transmitted each of the draft Comprehensive Plan Elements and NBMC amendments to the State of Washington Department of Commerce, and other agencies, tribes, and interested parties on the following dates:

- a) Transportation Element – August 19, 2022, Transmittal 2022-S-4253
- b) Parks Element – November 22, 2022, Transmittal 2022-S-4552
- c) Economic Development Element – October 26, 2023, Transmittal 2023-S-6566
- d) Franchise Utilities Element – March 19, 2023, Transmittal 2024-S-6953
- e) Shoreline Element – July 27, 2023, Transmittal 2023-S-6278
- f) Critical Areas Element – July 27, 2023, Transmittal 2023-S-6279
- g) Energy and Sustainability Element – May 7, 2024, Transmittal 2024-S-7055
- h) Capital Facilities Element – May 7, 2024, Transmittal 2024-S-7053
- i) Land Use Element – July 1, 2024, Transmittal 2024-S-7189
- j) Housing Element – July 8, 2024, Transmittal 2024-S-7202
- k) Final Draft Comprehensive Plan as a whole – July 11, 2024, Transmittal 2024-S-7241
- l) Zoning map and associated municipal code amendments – November 6, 2024, Transmittal 2024-S-7724
- m) ADU Regulation Amendments – January 27, 2025, Transmittal 2025-S-8048
- n) Critical Areas Regulation Amendments – March 7, 2025, Transmittal 2025-S-8148
- o) Impact Fee Regulation Amendments – April 4, 2025, Transmittal 2025-S-8247 (expedited review)

- p) Design Standards Regulation Amendments – May 2, 2025, Transmittal 2025-S-8358 (expedited review)
- q) Form-Based Code Amendments – May 1, 2025, Transmittal 2025-S-8353 (expedited review); and

WHEREAS, the City transmitted its adopted 2024 Comprehensive Plan to the PSRC on December 9, 2024, which was subsequently approved for certification by the PSRC Executive Board during its April 24, 2025, meeting; and

WHEREAS, the City Council finds that adoption of the 2024 Comprehensive Plan and associated amendments to NBMC and Zoning Map are in the best interest of the public health, safety and welfare;

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

Section 1. The City Council finds that the City of North Bend has fulfilled all requirements of the 2024 Periodic Update process for the City’s Comprehensive Plan and Development Regulations as required by the Growth Management Act pursuant to RCW 36.70A.130.

Section 2. The City Council directs staff to send a copy of this Resolution to the Washington State Department of Commerce pursuant to RCW 36.70A.106 within 10 days of adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17TH DAY OF JUNE, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective:

Posted:

Susie Oppedal, City Clerk



City Council Agenda Bill

SUBJECT:		Agenda Date: June 17, 2025		AB25-074															
Motion Authorizing Amendment No. 1 to the Agreement for the Wholesale Supply of Water with Sallal Water Association		Department/Committee/Individual																	
		Mayor Mary Miller																	
		Interim City Administrator – Bob Larson																	
		City Attorney – Kendra Rosenberg																	
		City Clerk – Susie Oppedal																	
		Administrative Services – Lisa Escobar																	
		Comm. & Economic Development – James Henderson																	
		Finance – Martin Chaw																	
Cost Impact: N/A	Public Works – Mark Rigos, P.E.				X														
Fund Source: N/A																			
Timeline: Immediate																			
Attachments: Amendment #1, Agreement for the Wholesale Supply of Water, Sallal Notice of Completion Dates																			
<p>SUMMARY STATEMENT:</p> <p>On June 6, 2023 the City and Sallal Water Association (Sallal) approved and executed the Agreement for the Wholesale Supply of Water in which the City would supply Sallal with treated domestic water for consumptive use and Sallal would supply the City with untreated water for mitigation use. Sections 4.3.1, 4.3.2, and 5.3.1 of the agreement all describe several items of work that need to be completed to make the Boxley Creek and North Bend Way Interties functional, including construction of piping, installing a variable frequency drive on one of Sallal’s well pumps, construction of a water booster station, and other items needed to create fully functional systems. Each section states that the work is to be completed by June 30, 2025, or other mutually agreed upon date.</p> <p>The work necessary for the Boxley Creek Intertie to function is currently under construction and is anticipated to be completed prior to June 30, 2025. The work necessary for the North Bend Way Intertie to function is behind schedule due to long lead times for electrical items such as motor control centers, control panels, power panels, and various sensors. Sallal is currently anticipating substantial completion to occur in early August. Substantial completion is defined as the date on which Sallal will have full, unrestricted use of the facility with only minor ancillary items remaining to be completed (i.e. landscaping, touch-up painting, etc.). Below is the milestone schedule for the North Bend Way Intertie:</p> <table border="1"> <thead> <tr> <th>Item of Work</th> <th>Date Completed or Anticipated to be Completed</th> </tr> </thead> <tbody> <tr> <td>Begin Design</td> <td>7/19/2023</td> </tr> <tr> <td>Project Advertisement</td> <td>6/17/2024</td> </tr> <tr> <td>Project Award</td> <td>8/22/2024</td> </tr> <tr> <td>Begin Construction</td> <td>3/3/2025</td> </tr> <tr> <td>Anticipated Substantial Completion</td> <td>8/7/2025</td> </tr> <tr> <td>Anticipated Physical Completion</td> <td>10/3/2025</td> </tr> </tbody> </table> <p>This delay is not anticipated to have any effect on the volume of mitigation water the City will be able to obtain from Sallal, nor on the volume of domestic water Sallal will be able to obtain from the City in 2025.</p> <p>The proposed Amendment No. 1 to the Agreement for the Wholesale Supply of Water between the City and Sallal modifies only the completion dates for the work described above to a date that is not anticipated to affect the volume of water able to be exchanged between the two systems in 2025. Because the modified project completion dates are not anticipated to negatively affect the volumes of water able to be exchanged between the two systems, staff recommend approval of Amendment No. 1.</p>						Item of Work	Date Completed or Anticipated to be Completed	Begin Design	7/19/2023	Project Advertisement	6/17/2024	Project Award	8/22/2024	Begin Construction	3/3/2025	Anticipated Substantial Completion	8/7/2025	Anticipated Physical Completion	10/3/2025
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Anticipated Substantial Completion	8/7/2025																		
Anticipated Physical Completion	10/3/2025																		

City Council Agenda Bill

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.		
COMMITTEE REVIEW AND RECOMMENDATION: The Transportation and Public Works Committee reviewed this item on May 27, 2025 and recommended approval and placement on the Main Agenda for discussion.		
RECOMMENDED ACTION: MOTION to approve AB25-074, authorizing Amendment No. 1 to the Agreement for the Wholesale Supply of Water with Sallal Water Association.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 17, 2025		

**FIRST AMENDMENT TO THE
AGREEMENT FOR THE WHOLESALE SUPPLY OF WATER
BY AND BETWEEN THE CITY OF NORTH BEND AND
SALLAL WATER ASSOCIATION**

THIS AMENDMENT to the Agreement for the Wholesale Supply of Water entered into between the City of North Bend and Sallal Water Association effective June 6, 2023 (hereafter the “Agreement”), is made in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. Section 4.3.1 of the Agreement is hereby amended to read as follows:

The Boxley Creek Intertie shall be designed and constructed pursuant to sound engineering judgment and applicable law. The Boxley Creek Intertie shall be located within King County right of way. The Boxley Creek Intertie shall be designed and installed by the City at its sole cost and expense by September 30, 2025, or other mutually agreed date (“City Completion Date”). Sallal shall have the right to review all plans for the work and inspect the work. Upon completion, the Boxley Creek Intertie shall be owned, maintained, and operated by the City; however, Sallal may inspect and access the facilities and read the meter.

2. Section 4.3.2 of the Agreement is hereby amended to read as follows:

Sallal shall (a) design and construct modifications to Well No. 2 to install a variable speed drive and controls to allow Well No. 2 to supply a range of pumping to the Boxley Creek Intertie in quantities between 100 GPM and 1,000 GPM, and (b) use reasonable efforts to connect Well No. 1 to the system of mains that connect to the Boxley Creek Intertie. The modifications described in this Section 4.3.2 shall be completed by September 30, 2025, or other mutually agreed date. The City shall reimburse Sallal for its actual costs of design and construction of the modifications described in this Section 4.3.2 promptly after Salla provides (a) receipts or other written proof of such actual costs and (b) certification that Sallal paid prevailing wages for the construction of such modifications pursuant to RCW 39.12.

3. Section 5.3.1 of the Agreement is hereby amended to read as follows:

All work to design and install the North Bend Way Intertie (and possible piping relocation and future main to North Bend Way) shall be performed by Sallal at its sole cost and expense by no later than September 30, 2025, or other mutually agreed upon date (“Sallal Completion Date”). The City shall have the right to review and approve all plans for the work and inspect the work and any modifications to ensure operational compatibilities. Upon completion, the North Bend Way Intertie shall be owned, maintained, and operated by Sallal but the City may access and inspect the facilities and read the meter.

All other terms and conditions set forth the original Agreement effective June 6, 2023, shall remain in full force and effect.

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DATED this ____ day of _____, 2025.

CITY OF NORTH BEND

SALLAL WATER ASSOCIATION

By: _____
Printed Name: _____
Title: _____

By: _____
Printed Name: _____
Title: _____

Attest/Authenticated:

Attest/Authenticated:

City Clerk

Secretary

Approved as to form:

Approved as to form:

Kendra Rosenberg, City Attorney

Dick Jonson, Jonson and Jonson, PS

**AGREEMENT FOR THE WHOLESALE
SUPPLY OF WATER**

THIS AGREEMENT FOR THE WHOLESALE SUPPLY OF WATER ("Agreement") is entered into by and between the City of North Bend, a municipal corporation of the state of Washington (the "City"), and Sallal Water Association, a member-owned Washington non-profit corporation ("Sallal"), as of the date of last execution below.

I. RECITALS

1.1 The City supplies potable water to customers within its water service area through a public water system. The City operates a production well ("Centennial Well") on the City's public works property located at 1155 E. North Bend Way, North Bend, WA for the purposes of providing potable water for customers and to serve anticipated growth demands inside the City limits and within the City's Urban Growth Area.

1.2 The Centennial Well lies within the Snoqualmie River Basin which does not continuously meet minimum instream flows set forth in WAC 173-507. The Washington State Department of Ecology ("Ecology") issued water right permit No. G1-26617(A) ("Permit") for the Centennial Well which included a mitigation plan designed to ensure that the City meets the minimum instream flow requirements of the Permit. The Centennial Well has been operating to serve City customers since 2008. As required by the Permit, the City must contract for and develop supplies of water for delivery to the Snoqualmie River in amounts required to offset the net stream depletion resulting from withdrawals of water under the Permit when flows are below minimum instream flow levels for control points on the Snoqualmie River. One source of such water identified in the Permit is Seattle Public Utilities' Hobo Springs source ("Hobo Springs Source"), which has been constructed and under contract with Seattle Public Utilities ("SPU") since 2008 and which flows through a pipeline ("Boxley Creek Pipeline") into Boxley Creek and ultimately into the Snoqualmie River.

1.3 The Hobo Springs Source may not always be adequate to meet the total mitigation requirement of the Permit at all times of the year. An additional approved source of water that may be used for stream flow mitigation purposes as identified in the Permit is Sallal's wellfield located adjacent to Rattlesnake Lake. The Permit also provides the City may seek water for stream flow mitigation purposes from other sources subject to additional approvals.

1.4 Sallal supplies potable water to customers within its water service area. Sallal's water service area includes property inside and outside the City limits, and also inside and outside the City's Urban Growth Area which is larger than the City limits. The Permit authorizes the City to sell wholesale water to Sallal so that Sallal may continue to serve its water service area that is within the City's Urban Growth Area.

1.5 Sallal currently lacks sufficient water availability to serve new development within its water service area. In order to ensure sufficient water availability for its customers in the future, Sallal desires to purchase water on a wholesale basis from the City for domestic water supply purposes for service within that portion of Sallal's water service area that is within the City Limits or the City's Urban Growth Area. The City likewise desires to purchase water from Sallal for purposes of instream flow mitigation to assure continued operation of the Centennial Well.

1.6 The parties have negotiated terms for water supply as set forth herein in order to satisfy their respective water supply needs. The parties are willing to supply each other with wholesale water for the purposes and on the terms and conditions provided for herein, and each is willing to purchase wholesale water from the other for such purposes, and on such terms and conditions.

Now, therefore, in consideration of the mutual covenants herein contained, the parties agree as follows.

II. DEFINITIONS

For purposes of this Agreement:

2.1 "AFY" means acre feet per year.

2.2 "Boxley Creek Intertie" shall mean the facilities to connect the Rattlesnake Lake Wellfield (defined below) to the City's existing mitigation water line from Hobo Springs to Boxley Creek. A predesign graphical depiction of the Boxley Creek Intertie is shown on Exhibit A.

2.3 "GPM" means gallons per minute.

2.4 "North Bend Way Intertie" shall mean an intertie between the parties' respective water systems located on City property at a point along East North Bend Way or as otherwise agreed in writing. A map showing two possible alternative locations on City-owned property or right of way for the North Bend Way Intertie is shown on Exhibit B.

2.5 "Mitigation Water" shall mean untreated ground water supplied by Sallal from the Rattlesnake Lake Wellfield to the City through the Boxley Creek Intertie to Boxley Creek for stream flow mitigation purposes identified in the Permit.

2.6 "Municipal Water" shall mean water treated by the City for potable consumption and delivered by the City to Sallal through the North Bend Way Intertie.

2.7 "Rattlesnake Lake Wellfield" shall mean well nos. 1, 2 and 4 collectively (or, respectively "Well No. 1," "Well No. 2" and "Well No. 4") as identified in Sallal's records that are situated upon an easement granted by SPU within SPU's Cedar River Watershed in the vicinity of Rattlesnake Lake.

2.8 “UGA/Annexation Area” shall mean that part of Sallal’s water service area that is inside the City’s municipal boundary or the North Bend Urban Growth Area at any time during the term of this Agreement.

2.9 “WSA” or “water service area” shall mean a water service area shown in a party’s water system plan prepared in accordance with WAC 246-290-100 as it may be adjusted from time to time.

III. INTERTIE MANAGEMENT COMMITTEE AND PLAN

3.1 Intertie Management Committee. Within two weeks of mutual execution of this Agreement, the parties shall each appoint one or more representatives to an Intertie Management Committee (“Intertie Committee”). The Intertie Committee shall be advisory in nature and shall have no legal authority to obligate the parties. The Intertie Committee members shall meet at least once every six months and they may otherwise establish a meeting schedule and a system of governance.

3.2 Water Usage Plan. Intertie Committee members shall meet within thirty (30) days of its formation and commence development of a water usage plan (“Water Usage Plan”) to plan the usage under this Agreement of both Mitigation Water to be supplied to the City and Municipal Water to be supplied to Sallal for use within the UGA/Annexation Area. The Water Usage Plan may include such other provisions as the Intertie Committee deems appropriate. The parties shall use their best efforts to cause the Water Usage Plan to be in place prior to the provision of any water hereunder; provided, however, that the failure of the parties to implement the Water Usage Plan prior to the provision of any water hereunder shall not otherwise affect or excuse the parties’ rights and obligations hereunder. In the event of such failure, this Agreement shall remain in full force and effect. The Water Usage Plan shall be reviewed by the Intertie Committee at least once every year. Such review shall include a review of compliance with Permit requirements. The provisions of this Agreement shall prevail over the terms of the Water Usage Plan.

3.3 Coordination of Water Usage. A primary purpose of the Water Usage Plan shall be to forecast and coordinate the parties’ respective needs for water to maximize both parties’ capabilities to supply their respective customers and minimize the City’s mitigation requirements under the Permit. The Water Usage Plan shall contain guidelines for timing and amounts of withdrawals by both parties and be reviewed and adjusted from time to time as the Intertie Committee deems prudent.

3.4 Reporting and Access to Records. In order to implement best management practices associated with water use by the parties as set forth in this Agreement, each party shall provide the other a copy of its water system plan and water rate studies. Each party shall provide the other with such records during meetings of the Intertie Committee and otherwise as reasonably required to implement this Agreement. Each party shall at least annually report to the other its aggregate water system pumping and usage data.

IV. MITIGATION WATER SUPPLY AND PURCHASE

4.1 Mitigation Water Supply. In consideration of the benefits provided by this Agreement, Sallal shall sell up to and not more than 100 AFY of Mitigation Water to the City subject to the following terms, conditions and limitations:

4.1.1 Mitigation Water shall not be available until both the Boxley Creek Intertie and North Bend Way Intertie are complete and in operation.

4.1.2 Mitigation Water provided to the City combined with Sallal's operational water production needs shall not exceed the withdrawal quantities (both instantaneous and annual) authorized by Sallal's water rights in the amounts of 696 AFY and 1,691 GPM. In order that Sallal's water rights are not exceeded:

(a) The quantity of all Mitigation Water provided to or reserved for use by the City shall be replaced with Municipal Water at the North Bend Way Intertie pursuant to the subsections that follow but no later than the end of the same calendar year in which Mitigation Water is provided or reserved for City use. The Mitigation Water shall be provided or reserved not later than the end of each calendar year during the term of this Agreement;

(b) No later than January 30 of each calendar year that this Agreement is in effect, the Intertie Committee shall forecast the City's need for up to and including 100 AFY of Mitigation Water subject to reasonable adjustment during the course of the year;

(c) Unless doing so would violate Sallal's Rattlesnake Lake Wellfield water right or other law, Sallal shall reserve water rights capacity during each such calendar year in order to reasonably ensure that the forecasted quantity of Mitigation Water is available for use by the City during each such calendar year; and

(d) In addition to the Municipal Water supply provided to Sallal under Article V of this Agreement and in replacing Mitigation Water actually provided to the City, Sallal may utilize and consume Municipal Water in the amount forecasted or reserved pursuant to the above subsections in advance of or subsequent to providing Mitigation Water.

4.1.3 The instantaneous quantity of Mitigation Water shall be at the rate requested by the City up to the following maximum amounts:

(a) Maximum Pump Capacity: 700 GPM when only Well No. 2 in the Rattlesnake Lake Wellfield is connected to the Boxley Creek Intertie; 1,000 GPM when Well No. 1 is also connected.

(b) The maximum daily instantaneous GPM amount of available Mitigation Water shall be further limited by the following formula which Sallal shall calculate and promptly provide to the City each 24-hour period commencing at 8:00 a.m. when Mitigation Water is requested: Sallal's total existing instantaneous water rights of 1,691 GPM minus Sallal's total

instantaneous peak day demand from all of Sallal's members as estimated by Sallal for such 24-hour period.

4.1.4 The level of reliability of Mitigation Water shall reasonably approximate that which Sallal provides within its own distribution system subject to emergencies as set forth below and the understanding that water is transmitted directly from wellhead(s).

4.1.4.1 In the event of a general emergency or water shortage affecting the entire Sallal Water Supply System, Sallal may establish water use restrictions intended to address such emergency. For purposes of this Section, a water shortage shall mean a physical or legal limitation on Sallal's ability to withdraw water from its wells at the Rattlesnake Lake Wellfield. Any such restrictions shall be applied equally to Sallal's distribution system and its customers, including the sale of Mitigation Water under this Agreement. Sallal may develop and amend from time to time an emergency water shortage plan for such purpose. To the extent such plan applies to the City or to the purchase and sale of Mitigation Water, Sallal shall provide a written copy to the City at least thirty (30) days prior to implementation of such plan or any amendment thereto. The City shall support reasonable emergency curtailment measures included in such plan.

4.1.4.2 In the event of localized emergency problems, Sallal may impose temporary, localized service interruptions for the duration of the emergency. A localized emergency shall consist of water system emergencies or the lawful demands of federal or state resource agencies to install equipment, make repairs and replacements, conduct investigations and inspections, or to perform other maintenance work on the Sallal Water Supply System. Except in cases of emergency, and in order that the City's operations will not be unreasonably interrupted, Sallal shall give the City reasonable notice of any such interruption or reduction in deliveries, including the supporting rationale and probable duration. Sallal shall use reasonable efforts to minimize service interruptions to deliveries of Mitigation Water to the City.

4.2 Notice of Changes. Sallal shall provide reasonable advance notice to the City of any proposed changes in operations or future improvements that would likely result in a reduction in the quantities of Mitigation Water available at Rattlesnake Lake Wellfield in order to allow the City adequate time to propose operational changes and/or conservation measures. The City shall provide reasonable advance notice to Sallal of any known or reasonably foreseeable impending reduction in the quantities of Mitigation Water available from Hobo Springs in order to allow Sallal and the City adequate time to propose purchases and sales of water or other operational changes and conservation measures with a goal of minimizing the impact on the water users and ratepayers of both parties.

4.3 Work.

4.3.1 The Boxley Creek Intertie shall be designed and constructed pursuant to sound engineering judgment and applicable law. The Boxley Creek Intertie shall be located within King County right of way. The Boxley Creek Intertie shall be designed and installed by the City at its sole cost and expense by June 30, 2025, or other mutually agreed date ("City Completion Date"). Sallal shall have the right to review all plans for the work and inspect the work. Upon

completion, the Boxley Creek Intertie shall be owned, maintained, and operated by the City; however, Sallal may inspect and access the facilities and read the meter.

4.3.2 Sallal shall (a) design and construct modifications to Well No. 2 to install a variable speed drive and controls to allow Well No. 2 to supply a range of pumping to the Boxley Creek Intertie in quantities between 100 GPM and 1,000 GPM, and (b) use reasonable efforts to connect Well No. 1 to the system of mains that connect to the Boxley Creek Intertie. The modifications described in this Section 4.3.2 shall be completed by June 30, 2025, or other mutually agreed date. The City shall reimburse Sallal for its actual costs of design and construction of the modifications described in this Section 4.3.2 promptly after Sallal provides (a) receipts or other written proof of such actual costs and (b) certification that Sallal paid prevailing wages for the construction of such modifications pursuant to RCW 39.12.

4.4 Ownership. Sallal shall own and operate all of its water system facilities on its side of the Boxley Creek Intertie, and the City shall own and operate all of its water system facilities on its side of the Boxley Creek Intertie. The valve separating the two water systems shall be kept closed except pursuant to a mutually agreed upon maintenance and flushing schedule set forth in the Water Usage Plan established by the Intertie Committee and when Mitigation Water is supplied under this Agreement.

4.5 Notice of Mitigation Water Withdrawals. The City shall give Sallal reasonable notice of its intent to commence withdrawals of Mitigation Water through the Boxley Creek Intertie. In the event of planned, non-emergency usage, the notice shall be not less than three business days in advance. In the event of emergency usage, the notice shall be as prompt as possible under the exigent circumstances at the time. When periods of routine or daily needs for Mitigation Water commences, the parties may mutually agree on alternate notice.

4.6 Conditions of Service Through the Boxley Creek Intertie. The following terms and conditions shall apply to Mitigation Water supplied through the Boxley Creek Intertie.

4.6.1 The Mitigation Water supplied to the City shall not be altered or treated by Sallal in any way that would be inconsistent with the City's intended use of the water for direct discharge to Boxley Creek (which discharges into the South Fork of the Snoqualmie River) for instream flow augmentation.

4.6.2 Sallal shall give the City 120 days' notice of any substantial changes to water treatment, hydraulic gradient, or water pressure from its Rattlesnake Lake Wellfield. Sallal will send water quality testing information to the City as Sallal performs such testing.

4.6.3 The City, at its expense, shall install, own, and operate the City's meter at the Boxley Creek Intertie, including telemetry and SCADA needed to monitor Mitigation Water taken from Sallal's wells. The City's meter shall be calibrated at least once every three years at the City's expense by an independent representative of the meter manufacturer and shall be maintained to be accurate within the manufacturer specifications. Sallal shall have access to the City's intertie meter for inspection and testing at Sallal's expense. Sallal shall read the City's

intertie meter monthly and bill the City for water supplied according to the terms of this Agreement. Sallal may also measure deliveries of Mitigation Water through its own metering equipment. In the event that the parties' metering equipment provides different readings, in the absence of clear error on the part of one or both parties' equipment, the readings shall be averaged.

4.6.4 Sallal may require the Boxley Creek Intertie to have appropriate backflow prevention in order to prevent cross-contamination between the two systems, including but not limited to the City constructing a back-flow preventor vault beyond the new meter. The City shall test and maintain the backflow assembly in accordance with North Bend Municipal Code ("NBMC") Chapter 13.16 or other code provisions applicable at the time of such testing, and all other applicable state and federal laws and regulations.

4.6.5 The parties shall each require that their respective water system operators work with the operators of the other water system to reasonably ensure that the purchase and sale of Mitigation Water and Municipal Water maximizes the availability of water for both Sallal customers and City customers.

V. MUNICIPAL WATER SUPPLY AND PURCHASE

5.1 Municipal Water Supply. In consideration of the benefits provided by this Agreement, the City shall sell Municipal Water to Sallal as follows:

5.1.1 Municipal Water provided to Sallal combined with the City's operational water production needs shall not exceed the withdrawal quantities (both annual and instantaneous) authorized by the Permit in the amounts of 3,094 AFY and 2,646 GPM, or violate the mitigation terms of the Permit.

5.1.2 Municipal Water Source and Quantity. In recognition of Sallal's right and obligation to provide water service within that portion of it WSA that is within the UGA/Annexation Area and subject to Section 5.1.1, the City shall provide Municipal Water to Sallal in instantaneous and annual quantities reasonably determined by Sallal to meet such service needs and to replace Mitigation Water supplied to the City as set forth in Article IV of this Agreement. Municipal Water shall not be available until both the Boxley Creek Intertie and North Bend Way Intertie are complete and in operation.

5.1.3 Municipal Water shall be supplied through the North Bend Way Intertie at an instantaneous flow rate of up to 1,000 GPM. If growth in the UGA/Annexation Area results in increased requirements for instantaneous flows from the North Bend Way Intertie, then the Intertie Committee, or other representatives of the parties as may be necessary, shall confer and cooperate on upsizing the pump to a mutually agreeable size. In such case, the City shall provide receipts or other written proof of its actual costs of such upsizing, and Sallal shall reimburse the City for such actual costs of upsizing.

5.1.4 Municipal Water provided by the City to Sallal shall be supplied in the same manner as the City provides water to its customers and shall meet federal and State of Washington

drinking water standards.

5.1.5 The parties shall use reasonable efforts to forecast and plan withdrawals of Municipal Water through the Intertie Committee.

5.1.6 The supply of Municipal Water shall be subject to operational limits and capacities of the City's wells, pumps, and reservoirs and at a level of service that reasonably approximates the level of service the City provides its own distribution system except as follows:

5.1.6.1 In the event of a general emergency or water shortage affecting the entire North Bend Water Supply System including a shortage of Municipal Water, general restrictions placed upon Municipal Water deliveries to Sallal shall be determined by the City and applied equally to the City's distribution system, its retail customers, and to Sallal's customers in the UGA/Annexation Area. The procedures to be used in the event of a weather-related water shortage, or shortages caused by other factors, shall be as described in the City's Water Conservation Ordinance ("WCO") codified at NBMC Chapter 13.50 as now in effect or as may be amended during the term of this Agreement. To the extent that the City Council amends the WCO during the term of this Agreement and any such amendment applies to Sallal's purchase of Municipal Water, the City shall provide a written copy of the proposed amendment to Sallal at least thirty (30) days prior to final adoption of such amendment. Sallal shall support reasonable emergency curtailment measures that are implemented by the City.

5.1.6.2 In the event of localized emergency problems, the City may impose localized service interruptions for the duration of the emergency. A localized emergency shall consist of system emergencies or the lawful demands of federal or state resource agencies, to install equipment, make repairs and replacements, conduct investigations and inspections, or to perform other maintenance work on the North Bend Water Supply System. Except in cases of emergency, and in order that Sallal's operations will not be unreasonably interrupted, the City shall give Sallal reasonable notice of any such interruption or reduction, including the reasons for and the probable duration. The City shall use reasonable efforts to minimize service interruptions to deliveries of Municipal Water to Sallal.

5.2 Improvements. The City reserves the right to operate and make improvements to its water supply and distribution system for the benefit of all ratepayers including Sallal.

5.3 North Bend Way Intertie and Easement. The City shall grant Sallal an easement ("Easement") and access license at no charge for the term of this Agreement to install, operate, maintain, repair, and replace the North Bend Way Intertie generally consisting of a pump station, controls, and underground piping located on City property at a location approximately depicted on Exhibit B and agreed upon in writing.

5.3.1 All work to design and install the North Bend Way Intertie (and possible piping relocation and future main to North Bend Way) shall be performed by Sallal at its sole cost and expense by no later than June 30, 2025, or other mutually agreed upon date ("Sallal Completion Date"). The City shall have the right to review and approve all plans for the work and

inspect the work and any modifications to ensure operational compatibilities. Upon completion, the North Bend Way Intertie shall be owned, maintained, and operated by Sallal but the City may access and inspect the facilities and read the meter.

5.3.2 The City may require that the North Bend Way Intertie have appropriate backflow prevention in order to prevent cross-contamination between the two systems, including but not limited to Sallal constructing a back-flow preventor vault beyond the new meter. Sallal shall test and maintain the backflow assembly in accordance with NBMC Chapter 13.16 or other code provisions applicable at the time of such testing, and all other applicable state and federal laws and regulations.

5.3.3 If any North Bend Way Intertie facilities located on City property or City right-of-way are abandoned by Sallal, Sallal shall, upon written demand by the City, promptly remove them at Sallal's sole cost and expense and repair the surface of the ground to as good or better condition than existed before the removal of the facilities.

5.4 Notice of Municipal Water Withdrawals. Sallal shall give the City reasonable notice of its intent to commence withdrawals of Municipal Water through the North Bend Way Intertie. In the event of planned, non-emergency usage, the notice shall be not less than three business days in advance. In the event of emergency usage, the notice shall be as prompt as possible under the exigent circumstances at the time. When periods of routine or daily needs for Municipal Water commences, the parties may mutually agree on alternate notice.

5.5 Other Conditions of Service Through the North Bend Way Intertie. The following terms and conditions shall apply to the sale of Municipal Water from the City to Sallal:

5.5.1 Sallal, at its sole cost and expense, shall install, own, and operate the meter at the North Bend Way Intertie, including telemetry and SCADA. The meter shall be calibrated at least once every three years at Sallal's sole cost and expense by an independent representative of the meter manufacturer and shall be maintained to be accurate within the manufacturer's specification. The City shall have access to the intertie meter for reading, inspection, and testing at the City's expense. The City shall read the intertie meter monthly and bill Sallal for water supplied according to the terms of this Agreement. The City may also measure deliveries of Municipal Water through its own metering equipment. In the event that the parties' metering equipment provides different readings, in the absence of clear error on the part of one or both parties' equipment, the readings shall be averaged.

VI. RATES AND CHARGES

6.1 Mitigation and Municipal Water Exchange. There shall be no charge to either party to the extent that Mitigation Water is supplied and replenished (including advancements) with like quantities of Municipal Water within the same calendar year or such other period as the parties may mutually agree. To the extent that Mitigation Water is reserved for City use pursuant to Article IV of this Agreement but is not utilized by the City, Sallal shall not be charged. With respect to purchases by Sallal of Municipal Water in excess of annual quantities of Mitigation

Water supplied to or reserved for the City, the terms below shall apply.

6.2 Invoicing. Each party shall bill the other every two months for water supplied by invoice due and payable thirty (30) days after the date thereof. Each bill shall be comprised of the bi-monthly usage at the applicable water rate as set forth below. Delinquent and unpaid balances shall bear interest at the rate of 12 percent (12%) per annum.

6.3 Rates for Additional Supply. For the supply of water other than as set forth in Section 6.1, each party may charge the other a wholesale rate for such water based on quantity usage and their respective actual cost to produce and transmit such water. Such actual costs shall consist of a reasonable allocation of amounts incurred for operations, repairs, replacements, and maintenance costs attributable to that portion of the selling party's water system facilities used to produce and transmit water to the other. Each party shall have the right to review and audit the other's calculations and backup materials used to generate the wholesale rate.

6.4 Accounting Records. The City shall keep full and complete books of account for sale of Municipal Water described herein in the manner required by the State Auditor. Sallal shall keep full and complete books of account for sale of Mitigation Water described herein in compliance with generally accepted accounting standards as applied to non-profit corporations. Either party may request independent reviews or audits by in-house personnel or consultants at its own expense to review charges and credits made in accordance with or resulting from this Agreement.

VII. CONSERVATION OF WATER RESOURCE

7.1 Conservation of Water Resource. The parties agree that preservation of water, a limited natural resource, benefits both City customers and Sallal members, and that both parties' water systems are subject to the Water Use Efficiency ("WUE") rule at WAC 246-290-800 et seq., including the establishment of distribution system leakage standards, water use efficiency goals, and related requirements. Each party agrees to implement adopted conservation measures and WUE plans consistent with its authority as a municipal water supplier under RCW 90.03.386 and WAC 246-290-810 to govern its own water system operations. Consistent with the WUE rule, the City Council adopted a WCO, codified at NBMC Chapter 13.50. Sallal shall not oppose or object to the application of the WCO and future amendments to the WCO, if any, within the city limits of the City of North Bend as the city limits may exist at any time during the term of this Agreement, including to customers of Sallal's water system residing within the city limits at any time during the term of this Agreement.

7.2 Applicability of City Water Conservation Ordinance. Within 180 days of mutual execution of this Agreement, the Sallal Board of Trustees shall adopt a water conservation policy including material terms that are substantially similar to the WCO presently in effect. Such policy shall remain in place for the duration of this Agreement but may be amended from time to time in the reasonable discretion of Sallal's Board of Trustees.

VIII. GENERAL AND ADMINISTRATION

8.1 Authority. Each party warrants and represents to the other that the person signing this Agreement on the party's behalf has the requisite power and authority to do so and the party's respective governing bodies have duly authorized and approved this Agreement and that each has the right, title, power, and authority to carry out and perform the terms of this Agreement.

8.2 Service Area/Amendment of Planning Documents. Neither party shall serve or attempt to serve water to any project, parcel, firm, or person in the other party's water service area except by mutual written consent or as may otherwise be authorized by the King County Utilities Technical Review Committee ("UTRC") or other agency with jurisdiction. Each party shall seek to amend its water system plan and other applicable planning documents as necessary to authorize the conveyances of water and interties described in this Agreement.

8.3 Franchise Agreement to Use City Right of Way. The provisions of any franchise agreement between Sallal and the City, if any, shall be subordinate to the provisions of this Agreement unless the parties agree otherwise in writing.

8.4 Force Majeure. In the event of loss, damage, or destruction of water system facilities described in this Agreement, the owner of the damaged facility shall use reasonable efforts to repair or replace it as soon as reasonably possible. A party's performance that is prevented by a natural catastrophe, act of terrorism, act of God, or similar unforeseen event not of the parties' own making, shall be excused until the event subsides and performance can be reasonably accomplished.

8.5 Term. This Agreement shall commence on the date of mutual execution hereof and shall remain in effect 40 years from the date of mutual execution of this Agreement.

8.6 Dispute Resolution. Any dispute arising out of the terms and conditions of this Agreement, except for a billing dispute, shall be first submitted for non-binding mediation to a mediator agreed to by the parties. If mediation is unsuccessful, the parties may exercise any applicable judicial remedies. This Agreement shall be governed by the laws of the State of Washington without reference to its choice of law rules or conflicts of law provisions, unless limited or preempted by federal law. Any action relating to the Agreement shall be brought in King County Superior Court, or in the case of a federal cause of action or defense under federal law, in the United States District Court for the Western District of Washington at Seattle. The prevailing party shall be entitled to an award of its reasonable attorneys' fees, including expert witness costs and fees.

8.7 Remedies. The parties have the right to seek any and all of the following remedies, singly or in combination, in the event of breach of this Agreement:

8.7.1 Specific Performance. Each party shall be entitled to specific performance of each and every obligation of the other party under this Agreement without any requirement to prove or establish that such party does not have an adequate remedy at law. The parties hereby

waive the requirement of any such proof and acknowledge that either party would not have an adequate remedy at law for a breach of this Agreement.

8.7.2 Injunction. Each party shall be entitled to restrain, by injunction, the actual or threatened commission or attempt of breach of this Agreement and to obtain a judgment or order specifically prohibiting a violation or breach of this Agreement without, in either case, being required to prove or establish that such party does not have an adequate remedy at law. The parties hereby waive the requirement of any such proof and acknowledge that the other party would not have an adequate remedy at law for the commission of a material default under this Agreement.

8.7.3 Alternative Remedies. Except as otherwise provided herein, neither the existence of other remedies identified in this Agreement nor the exercise thereof shall be deemed to bar or otherwise limit the right of either party to commence an action for equitable or other relief, and/or proceed against the other party and any guarantor for all direct monetary damages, costs, and expenses arising from the breach and to recover all such damages, costs, and expenses, including reasonable attorneys' fees.

8.7.4 Damages. Except as otherwise provided or limited herein, this Agreement does not limit the right of either party to bring a legal action for damages and/or commence an action at law for monetary damages or impose liquidated damages as set forth below or seek other equitable relief.

8.7.5 Remedies Cumulative. The remedies provided in this Agreement are cumulative; the exercise of one shall not foreclose the exercise of others. No provision of this Agreement shall be deemed to bar either party from seeking appropriate judicial relief. Neither the existence of other remedies identified in this Agreement nor the exercise thereof shall be deemed to bar or otherwise limit the right of either party to recover monetary damages, as allowed under applicable law, or to seek and obtain judicial enforcement by means of specific performance, injunctive relief or mandate, or any other remedy at law or in equity. The parties specifically do not, by any provision of this Agreement, waive any right, immunity, limitation, or protection otherwise available to them, their officers, officials, City Council, Boards, commissions, agents, or employees under federal, State, or local law.

8.8 Binding on Successors/No Third-party Beneficiary/Entire Agreement. This Agreement shall inure to the benefit of and be binding upon successors of interest and assigns of the parties. Neither this Agreement nor obligations to perform hereunder may be assigned voluntarily by either party without the other party's written consent. The parties by this Agreement do not intend to confer, and do not confer, rights or benefits upon any third party. This Agreement represents the entire agreement of the parties concerning the subject matter.

8.9 Notice. All notices relating to this Agreement shall be hand-delivered to the then-current physical address of the receiving party or sent to the following addresses, certified mail, return receipt requested, unless the other party is previously notified in writing of a different address:

To the City:
City Administrator
920 SE Cedar Falls Way
North Bend, WA 98045

To Sallal:
Manager
P.O. Box 378
North Bend, WA 98045

Provided, however, that monthly invoices and payments thereof may be delivered by regular mail or electronically.

8.10 Indemnification. Each party agrees to indemnify the other and hold it harmless from and against any loss, cost, damage, or expense of any kind and nature, including reasonable attorneys' fees and expert witness fees, arising out of injury to person or damage to property in any manner caused by the negligence, intentional act, or omission of the party in the performance of its work pursuant to or in connection with this Agreement.

8.11 No Joint Venture. This Agreement is intended to be and is a contract for the purchase and sale of a commodity and no provision hereof shall be construed to make the parties partners or joint ventures. Neither party is the agent of the other nor shall either party be held liable for the acts of the other on a theory of agency or any other representative capacity.

8.12 Mutually Dependent Provisions/Partial Invalidity. The obligation contained in this Agreement for one party to provide water service to the other is mutually dependent on the obligation and performance of the other party to provide water service. If any provision of this Agreement or its application is held by a court of competent jurisdiction to be illegal, invalid, or void, the validity of the remaining provisions shall not be affected; provided, however, if the invalid provision or its application is found to be substantive and to render performance of the remaining provisions infeasible or is found to materially affect the consideration and is inseparably connected to the remainder of the Agreement (such as the obligation of one party to provide water service to the other), the entire Agreement shall be invalid.

8.13 Non-Exclusivity. The parties may pursue sources of water and water rights without restriction in order to supply their respective water supply needs from alternative sources.

8.14 City Public Utility Tax. The City's public utility tax applies to monthly base rates and water usage charges paid by retail customers located within the City. Sallal revenues derived from wholesale sales of Mitigation Water shall not be taxable under the City's public utility tax.

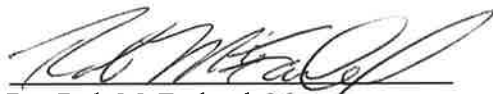
8.15 Non-Waiver. By executing and performing this Agreement, neither party waives any right available at any time during the term of this Agreement under any State or federal law pertaining to municipal powers of eminent domain or other municipal powers nor any defenses thereto including but not limited to defenses provided by and derived from 7 USC 1926(b).


8.16 Membership. In consideration of the benefits provided by this Agreement, Sallal shall issue one membership to the City at no charge, in addition to the City's existing membership resulting from City-owned meters, for use of Mitigation Water.

8.17 Exhibits. Exhibits A and B attached hereto are incorporated by reference as if set forth in full herein.

CITY OF NORTH BEND

SALLAL WATER ASSOCIATION


By: Rob McFarland, Mayor


By: Denise A. Smuty, President

Attest/Authenticated: *Dated June 6, 2023* Attest/Authenticated: *Dated June 6, 2023*


Susie Oppedal, City Clerk


Secretary

EXHIBIT A:
Boxley Creek Intertie Drawing

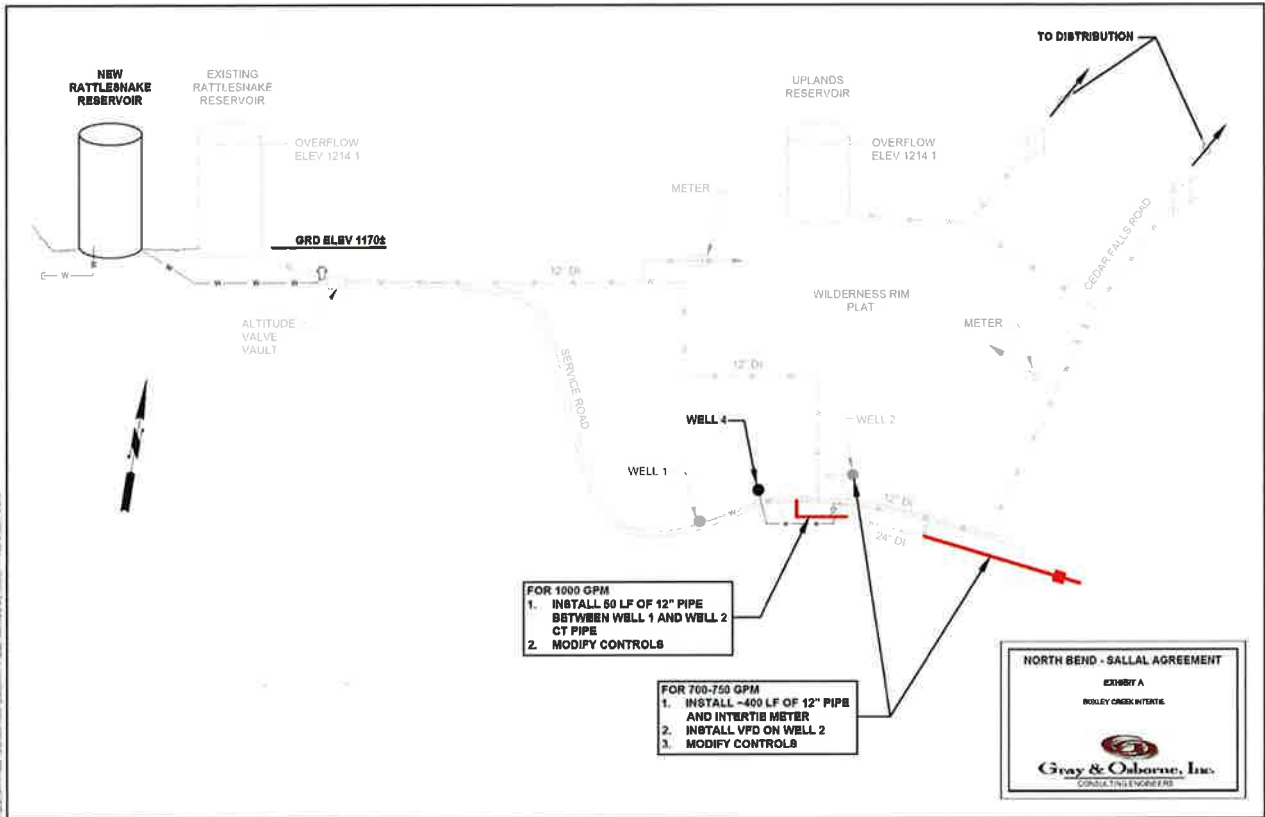


EXHIBIT B:
North Bend Way Intertie Drawing





PO Box 378
North Bend, WA 98045
Office (425) 888-3650
Email admin@sallal.com

To: Bob Larson
City Administrator
City of North Bend

From: Devin Mettler
General Manager
Sallal Water Association

Notice of Completion Date(s) for the North Bend Intertie

05/27/2025

Dear Mr. Larson,

This notice is to update you on the progress of construction of the North Bend Intertie and Booster Station connecting the Sallal Water Association's water system with the City of North Bend's water system for the purpose of supplying treated metro water from the Centennial Well to Sallal Water Association.

Anvil Builders, the General Contractor on the project, updated the projected date for substantial completion to August 7, 2025 and final completion to October 3, 2025.

For reference, Anvil Builders' original schedule listed substantial completion as August 14, 2025 and final completion as October 10, 2025, which were communicated in person during the Intertie Committee meeting in September 2024 and via email to Mark Rigos and Don DeBerg dated September 25, 2024.

In accordance with the Agreement for the Wholesale Supply of Water Section 5.3.1 and in conversations during the Intertie Committee meetings, we trust that these are mutually agreed upon dates.

Please reach out with any questions.

Kindest Regards,

Devin Mettler
General Manager
Sallal Water Association