

ORDINANCE 1685

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTER 17.25, RESIDENTIAL RECREATION AND COMMON SPACE REQUIREMENTS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend provides regulations pertaining to the provision of parks and open space land and facilities within new residential development through North Bend Municipal Code (“NBMC”) Chapter 17.25, *Residential Recreation and Common Space Requirements*; and

WHEREAS, Amendments are proposed to NBMC Chapter 17.25 to limit the placement of stormwater and floodplain compensatory storage features within residential recreation and common space areas, amend the basis for determining required residential recreation and common space areas to be on units rather than property size, require wider trails within major trail corridors, require lighting along the Tanner Trail, and other associated amendments; and

WHEREAS, the Parks Commission reviewed the Amendments at its November 28, 2018 and February 28, 2019 meetings; and

WHEREAS, the Planning Commission reviewed the Amendments at its January 24 and February 28, 2019 meetings; and

WHEREAS, following a public hearing held jointly before the Parks Commission and Planning Commission on February 28, 2019, the Parks Commission and Planning Commission each provided a recommendation of approval of the Amendments, as provided in the Planning Commission and Parks Commission Findings, Conclusion, and Recommendation report signed on March 6, 2019; and

WHEREAS, in accordance with WAC 365-196-630, a *Notification of Intention to Adopt Comprehensive Plan and Municipal Code Amendments* was sent to the State of Washington Department of Commerce and to other State agencies on February 21, 2019, for a required 60-day review period; and

WHEREAS, an environmental review of the Amendments was conducted in accordance with the requirement of the State Environmental Policy Act (“SEPA”), and a non-project SEPA Determination of Non-significance was issued for the Amendments on February 8, 2019, which was transmitted to relevant State and local agencies, published in the Snoqualmie Valley Record, and posted in public places; and

WHEREAS, the public process for the proposed Amendments provided for early and continuous public participation opportunities, including posting the draft amendments on the City’s website for public review and holding a public hearing before the Parks Commission and Planning Commission; and

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

WHEREAS, the Amendments have been prepared in compliance with applicable City policy and State laws;

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

Section 1. The City Council adopts the Amendments to Chapter 17.25 of the North Bend Municipal Code, attached hereto as Exhibit A.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF APRIL, 2019.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Eileen M. Keiffer, City Attorney

ATTEST/AUTHENTICATED:

Published: April 12, 2019
Effective: April 17, 2019

Susie Oppedal, City Clerk