

# ORDINANCE 1694

## AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, RELATING TO BOAT AND WATERCRAFT SALES; AMENDING NORTH BEND MUNICIPAL CODE TABLE 18.10.030 (TABLE OF PERMITTED AND CONDITIONAL LAND USES), ROW 2.03; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

**WHEREAS**, the City Council desires to allow and encourage a variety of commercial uses and new business; and

**WHEREAS**, the City Council agrees that the use within a building is less important compared to the building meeting City design standards and site improvements; and

**WHEREAS**, City Staff drafted proposed amendments to NBMC Table 18.10.030 (Table of Permitted and Conditional Land Uses) to allow boat and watercraft sales and service within the Neighborhood Business zone; and

**WHEREAS**, a SEPA Determination of Non-Significance was issued for the proposed amendments on June 28, 2018; and

**WHEREAS**, the Planning Commission held a Public Hearing on July 11, 2019 and no public comments were received; and

**WHEREAS**, the City Council finds that amendments to performance standards are consistent with the requirements of the Growth Management Act, RCW 36.70A and followed the procedural requirements of the NBMC;

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

**Section 1. NBMC Table 18.10.030 (Table of Permitted and Conditional Land Uses), Amended:** NBMC Table 18.10.030 (Table of Permitted and Conditional Land Uses), row 2.03a (Boat and Watercraft Sales and Service) is hereby amended to read attached hereto as Exhibit A. The remainder of North Bend Municipal Code Table 18.10.030 (Table of Permitted and Conditional Land Uses) and North Bend Municipal Code Section 18.10.030 shall remain as currently adopted.

**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 20<sup>TH</sup> DAY OF AUGUST, 2019.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Eileen M. Keiffer, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: August 30, 2019  
Effective: September 4, 2019

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**Susie Oppedal, City Clerk**

EXHIBIT A

Table 18.10.030 – Permitted and Conditional Land Uses

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
*	2.03a	Boat and Watercraft Sales and Service			<u>P</u>		P	P	P	P	P		