

# ORDINANCE 1696

**AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, REVISING THE CITY LIMITS TO INCLUDE ALL OF THE PICKETT AVENUE NE RIGHT-OF-WAY WITHIN THE CITY OF NORTH BEND; AMENDING THE CITY OF NORTH BEND OFFICIAL ZONING MAP; DIRECTING THE CITY GIS DEPARTMENT TO MAKE THE APPROPRIATE ADDRESS CHANGES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City of North Bend (“City”) is currently designing improvements along Pickett Avenue (King County (“County”) name 428<sup>th</sup> Avenue SE). The existing chip seal/partial gravel road will be replaced with a wider asphalt street section to meet fire and emergency vehicle needs. Storm drainage collection and conveyance will also be provided consistent with current code requirements; and

**WHEREAS**, the City’s corporate boundary currently extends along the western half of Pickett Avenue NE and 428<sup>th</sup> Avenue SE extends along the eastern half beginning south of the NE 5th Street intersection north to the intersection at NE 6th Street; and

**WHEREAS**, a waterline will be replaced through a portion of street located in the portion of the right-of-way of Pickett Avenue NE that is currently within the jurisdiction of King County; and

**WHEREAS**, the City and the County have mutually determined that it is beneficial to have the entirety of the Pickett Avenue right-of-way within the City’s corporate limits and under the City jurisdiction so that the City may accomplish the roadway construction improvements under City codes and standards and so that the applicable right-of-way standards and construction and maintenance responsibilities are consistent for the entire right-of-way; and

**WHEREAS**, RCW 35.21.790 allows a revision to corporate boundaries with a public street, road, or highway by substitution of a right-of-way line so as to fully include the right-of-way within one particular jurisdiction upon adoption of an ordinance by both the City and the County;

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

**Section 1. Revision of Corporate Boundaries:** Upon approval of a similar ordinance or resolution by the King County Council, the corporate boundaries of the City of North Bend are and shall be revised to include all of Pickett Avenue NE (428<sup>th</sup> Avenue SE) in King County, Washington, south of NE 5<sup>th</sup> to NE 6<sup>th</sup> Street. The revised right-of-way, all of which is now included within the corporate boundaries of the City of North Bend, is legally described on the attached Attachment “A” and depicted on the map attached hereto as Attachment “B”, both of which exhibits are incorporated herein by this reference as if set forth in full.

**Section 2.** The Official Zoning Map as designated pursuant to Section 18.08.010 of the North Bend Municipal Code shall be amended to reflect incorporation of the real property described in Attachment “A”.

**Section 3.** The City of North Bend GIS Department shall be directed to verify correct property addresses affected and make changes necessary by the proposed roadway name change following Metropolitan King County Council approval.

**Section 4. 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 5. 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 17<sup>TH</sup> DAY OF SEPTEMBER, 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: September 27, 2019  
Effective: October 2, 2019

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**Susie Oppedal, City Clerk**