

ORDINANCE 1712

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, RELATING TO FOOD TRUCKS, AMENDING NORTH BEND MUNICIPAL CODE TABLE 18.10.030 (TABLE OF PERMITTED AND CONDITIONAL LAND USES) ROW 2.24; AND ADDITION OF PERFORMANCE STANDARDS TO TABLE 18.10.050 (LAND USE PERFORMANCE STANDARDS); PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council desires to allow food trucks to operate within the City limits as they increase the variety of quality food options available to consumers in the City and improve the experience of residents and visitors to the City; and

WHEREAS, the City Council desires to regulate the location and operations of the food trucks to ensure they do not negatively affect existing brick and mortar establishments; and

WHEREAS, City Staff drafted proposed amendments to NBMC 18.10 Table of Permitted Uses to allow food trucks in all commercial zones in North Bend and added special conditions for the regulation of food trucks; and

WHEREAS, a SEPA Determination of Non-Significance was issued for the proposed amendments on October 25, 2019 and no public comments were received; and

WHEREAS, the City Council held a Public Hearing on December 3, 2019 to hear public comment; and

WHEREAS, the City Council finds the amendments to temporary uses 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 and NBMC Table 18.10.050 (Land Use Performance Standards): NBMC Table 18.10.030 (Table of Permitted and Conditional Land Uses), row 2.24d (Food Trucks) and NBMC 18.10.050 (Land Use Performance Standards) 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. Taxes, Rates, and Fees Schedule, Amended: The City Clerk is directed to update the Taxes, Rates and Fees Schedule to include a food truck fee in Chapter 18.10 of \$12.00 per day, in the next update to the Schedule.

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 3RD DAY OF DECEMBER, 2019.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Eileen M. Keiffer, City Attorney

ATTEST/AUTHENTICATED:

Published: December 13, 2019

Effective: December 18, 2019

Susie Oppedal, City Clerk