

# ORDINANCE 1722

## AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING AMENDMENTS TO NORTH BEND MUNICIPAL CODE CHAPTER 18.40, EXTERIOR LIGHTING STANDARDS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

**WHEREAS**, the City of North Bend provides regulations pertaining to exterior lighting provided at new development through North Bend Municipal Code (“NBMC”) Chapter 18.40, *Exterior Lighting Standards*; and

**WHEREAS**, amendments are proposed to NBMC Chapter 18.40 (the Amendments) intended to simplify and clarify the existing regulations, enable simpler submittal by applicants and administration of the regulations by staff, and better address lighting impacts to adjacent properties and the public; and

**WHEREAS**, the Planning Commission reviewed the Amendments at its February 13, February 27, and April 23, 2020 meetings, and held a public hearing on February 27, 2020, for or at which no comment was received; and

**WHEREAS**, on April 23, 2020, the Planning Commission provided a recommendation of approval of the Amendments, as provided in the Planning Commission Findings, Conclusion, and Recommendation report signed on May 12, 2020; 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 January 31, 2020, 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 7, 2020, 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 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, DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1. NBMC Chapter 18.40 (Exterior Lighting Standards), Amended:** North Bend Municipal Code Chapter 18.40, Exterior Lighting Standards, is hereby amended to read as set forth in Exhibit A attached hereto.

**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 2<sup>ND</sup> DAY OF JUNE, 2020.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Michael R. Kenyon, City Attorney**

Published: June 12, 2020  
Effective: June 17, 2020

**ATTEST/AUTHENTICATED:**

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**Susie Oppedal, City Clerk**