



REGULAR MEETING AND PUBLIC HEARING OF THE NORTH BEND PLANNING COMMISSION

**Thursday, November 12, 2020, 7:00-9:00 PM
Online Meeting**

The meeting is an online meeting via Microsoft Teams. Click the following link to join the meeting, or dial in via telephone via the number below:

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Conference ID: 853 767 95#

AGENDA

- 1) 7:00 Call to order and roll call**
- 2) 7:01 Opportunity for public comment on non-agenda items (3 minutes per person)**
- 3) 7:04 Approval of Agenda (no items this meeting for Consent Agenda)**
- 4) 7:04 Approval of Minutes of October 22, 2020 Planning Commission Meeting**
- 5) 7:40 Introduction – Amendments to the North Bend Zoning Map and NBMC Title 18, Zoning, to establish a new Medium Density Residential Zone (Mike McCarty)**
 - a) Staff introduction**
 - b) Public Hearing**
 - c) Planning Commission deliberation**
- 6) Adjournment by 9:00 unless otherwise approved by Commission**

Upcoming Agenda Items for December 10 meeting:

- Planning Commission recommendation – New Medium Density Residential Zone (Mike McCarty)

Agenda & Package distribution by hard copy: Planning Commission, City Hall Front Desk.

Agenda & Package distribution by e-mail: Mayor, Council, Planning Commission, Administrator, City Clerk, City Attorney, CED Director, other relevant staff.

Agenda and packet are also available to the general public from Notify Me via the City's website.



GUIDELINES FOR CITIZEN PARTICIPATION At Planning Commission Meetings

Citizen Participation and Contribution. Citizens are welcome and encouraged to attend all Planning Commission meetings and are encouraged to participate and contribute to the deliberations of the Commission. Recognition of a speaker by the Planning Commission Chair is a prerequisite to speaking and is necessary for an orderly and effective meeting. It will be expected that all speakers will deliver their comments in a courteous and efficient manner. At anytime during the meeting anyone making out-of-order comments or acting in an unruly manner will be subject to removal from the meeting.

Right to Speak at Public Hearing. Any person has the right to speak at any Public Hearing on the item on the agenda after the staff report and any clarifying questions of the Planning Commission, but before the Planning Commission has discussed the item and action is taken. Speakers are requested to supply their contact information requested on the sign-in sheet to assist the Clerk with the Minutes.

Manner of Addressing Planning Commission. Each person desiring to address the Planning Commission shall stand, state his/her name and address for the record, and unless further time is granted by a majority of the Planning Commission, must limit his/her remarks to three (3) minutes. All remarks shall be addressed to the Chair of the Planning Commission and not to any member individually. All speakers shall be courteous and shall not engage in, discuss or comment on personalities or indulge in derogatory remarks or insinuations.

Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, delay or interruption of the orderly business of the Planning Commission, whenever any group of persons wishes to address the Planning Commission on the same subject matter, it shall be proper for the Chair of the Planning Commission to request that a spokesperson be chosen by the group to address the Planning Commission.

Items Not on the Agenda (Citizen's Comments). The Chair of the Planning Commission will provide an opportunity for Citizens to speak on any subject that is not part of the Planning Commission Agenda for that night's meeting. Each person desiring to address an item that is not on the Planning Commission Agenda shall stand, state his/her name and address for the record, state the subject he/she wishes to discuss, if he/she is representing a group or organization the name should be stated, and unless further time is granted by a majority of the Planning Commission, must limit his/her remarks to three (3) minutes. Speakers are requested to supply the contact information requested on the sign-in sheet to assist the Clerk with the Minutes.

NORTH BEND PLANNING COMMISSION
- ACTION MEETING MINUTES -
Thursday, October 22, 2020 at 7:00 PM
- Online Meeting -

Please Note: A complete audio recording of this meeting is available on the City of North Bend website, www.northbendwa.gov, under: Government - Boards & Commissions - Planning Commission - Meeting Audio

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Planning Commissioners present: Judy Bilanko, James Boevers, Heather Bush, Scott Greenberg, Olivia Moe, Suzan Torguson, and Gary Towe (Chair). City Staff Present: Mike McCarty, Senior Planner; Jesse Reynolds, Economic Development Manager; and Rebecca Deming, Community & Economic Development Director.

AGENDA ITEM #2: Opportunity for Public Comment

Chair Towe asked if anyone online in attendance would like to comment on any subject.

Mr. Marcus Morrisette made comment on water availability.

AGENDA ITEM #3: Approval of Agenda (no items this meeting for Consent Agenda)

The Agenda for tonight's meeting was Approved.

AGENDA ITEM #4: Approval October 8, 2020 Planning Commission Meeting Minutes

The Minutes from the October 8, 2020 Planning Commission were approved.

AGENDA ITEM #5: Introduction – Amendments to NBMC 18.11 Cottage Residential, to convert it into a Medium Density Residential Zone (Mike McCarty)

a) Seeking recommendation on areas of the North Bend Zoning Map to include within the Medium Density Residential Zone and notify property owners

Mike McCarty advised the Commissioners on areas to consider when deliberating this Agenda Item, including Key area is an existing Low Density Residential (LDR) Zone; Additional LDR areas 1, 2, 3 around the Downtown Commercial (DC) Zone: Area 1 just east of North Bend and Cedar Falls Way; Area 2 just west of the Snoqualmie Valley Trail; Area 3 just west of downtown, across from Bartell's.

b) Planning Commission deliberation on Draft Amendments to NBMC 18.11

There was discussion and deliberation between the Commissions and city staff on this Agenda Item.

Chair Towe requested more data on why the city is considering this change.

There was an idea floated to present at the Public Hearing the question split into two: **a.** areas to include, and **b.** proposed amendments & typologies.

There was a consensus among the Commissioners to include the Tenure Report in the Draft Amendment.

Commissioner Torguson said she will recuse herself from part of the discussion involving properties she owns.

There was continued discussion between the Commissioners and city staff concerning this proposed amendment, including questions, answers, and edit suggestions.

AGENDA ITEM #6: Adjournment by 9:00 PM unless otherwise approved by Commission

1 The meeting was adjourned at 8:40 PM.
2

3 **Upcoming Agenda Items for October 8th Meeting:**

4 • **Public Hearing – Amendments to NBMC 18.11 and North Bend Zoning Map to establish Medium**
5 **Density Residential Zone (Mike McCarty)**
6 • **Introduction – Form Based Code in Downtown Commercial Zone (Jesse Reynolds)**

7 The next Planning Commission meeting will be November 12, 2020 and will be held online.
8

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10 ATTEST:

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13 Gary Towe, Chair

Mike McCarty, City of North Bend



Staff Report

New NBMC Chapter 18.11 Cottage Residential, and Associated Municipal Code Amendments

Date: November 5, 2020

Proponent: City of North Bend

I. Purpose of Proposed Municipal Code Amendments:

Housing affordability is an increasing problem within the City of North Bend, as well as the broader Puget Sound region. Many people that work within North Bend cannot afford to live here, and as the children of our community grow up and wish to return to North Bend, it is important to ensure that the City's zoning accommodates a broad range of housing options for multiple income levels and choices.

To help address this issue, the City of North Bend applied for and received a grant from the Department of Commerce to improve opportunities for the development of more affordable housing options. Under this grant, the City is creating a new Medium Density Residential Zone to enable additional housing typologies that will expand options for North Bend residents that are more affordable than conventional single-family homes.

The idea of the Medium Density Residential Zone is to bridge what is conventionally developed in single-family zoning and what is developed in multi-family zoning. It is characterized principally by smaller building sizes that are compatible with the overall form and character typical to a single-family neighborhood, and a broader variety of building forms and typologies to provide interest and diversity.

Single-family neighborhoods within North Bend's Low Density Residential zone are built at around 3.5-4 units per acre (gross density), and typically result in large homes (2,500 – 3,500 square feet) in the range of \$800,000 to \$1,000,000 on the market. This size of home works for large families, but there is an increasing need for housing for small households of individuals, couples without children, and 1 child families, and North Bend has a shortage of options for such housing.

Of all of the residentially-zoned property within the City (1,643 acres), 94% (1,545 acres) is currently zoned for exclusively single-family residential, leaving only a small area for other housing types, and resulting in an oversupply of large, expensive homes that are out of reach of many within the community and/or which does not meet their needs.

At the other end of the spectrum, the City's High Density Residential enables multifamily development, usually in larger buildings of up to 10-units each and in the range of about 15 to 21 units per acre (gross). While this housing is much more affordable than single-family and provides for smaller units,

many residents do not wish to live in conventional multifamily housing developments, preferring some yard space and the visual diversity and feel of a single-family neighborhood.

As there is a large difference between these two types of zones and their respective conventional housing types, and as not much gets built on the market between these two distinct bookends, this is often referred to as the “Missing Middle.”

The Architecture and Urban Design Firm Opticos has created an excellent webpage that describes this Missing Middle Housing, illustrates its differing typologies, and describes some best practices to get it built. The lower-density forms of the typologies they show on their website would be suitable for North Bend’s context and a new Medium Density Residential Zone. The website can be viewed at: <http://missingmiddlehousing.com/>

A number of examples of these housing types are already found within North Bend neighborhoods, including cottages, 2, 3, and 4-unit buildings that are designed to appear as single-family homes.



Back-to-back duplex, Ballarat. Ave.



Cottages, 2nd Street.



Multi-unit Single-family home, Sydney St.

The housing types articulated in the Missing Middle website are proposed to be permitted within the new Medium Density Residential Zone. This diverse mix of housing types, within buildings that are generally consistent with the scale of larger single-family homes, will help to maintain more of the small town character that has been articulated as central to North Bend’s identity, while increasing choices in the market for singles, childless couples, retirees, etc. who may find conventional multifamily housing unappealing, but who for whom conventional single-family homes are out of reach financially. Expanding the housing choices beyond what is currently permitted in the Cottage Residential Zone (cottages and single-family homes) will provide options that are more affordable than cottages, which generally have a higher cost/square foot ratio given that they are still a single-family unit and therefore don’t reap the economies of scale regarding land and construction costs that multi-unit buildings do.

Further, adding to the diversity of allowed housing types, as well as a proposed required mix for parcels greater than an acre in size, will keep the area from developing in an overly uniform manner (not all cottages).

II. Summary of Proposed Amendments and Allowed Uses

The primary amendments establishing the Medium Density Residential Zone are provided in Chapter 18.11 of the North Bend Municipal Code, through a revision of the current Cottage Residential Zone into the Medium Density Residential Zone. Amendments are attached with this staff report shown in redline format.

Housing types proposed in the new Medium Density Residential Zone include cottages (already permitted), two and three-unit buildings designed to look like single-family homes, 4-unit apartment buildings, 4-unit townhome buildings (including live-work townhomes), carriage houses (one dwelling atop a shared garage building for the parking for other units), as well as a limited number of conventional single-family homes. Each of these housing types are specifically defined in the draft regulations, attached, with photos and illustrations provided.

Building sizes and unit sizes are intentionally limited in order to keep the overall buildings smaller, in keeping with the bulk and dimensional form of single-family homes. The housing types are required to meet either the City's existing single-family residential design standards, or multifamily design standards, depending on the housing type, which address the more detailed design provisions such as eaves, porches, articulation, and materials.

To further promote diversity (keep all of a development from being built as one housing type), for developments that are larger than an acre, a minimum of two housing types are required, and developments more than 3 acres require 3 housing types, with types integrated with one another rather than segregated to different parts of the development.

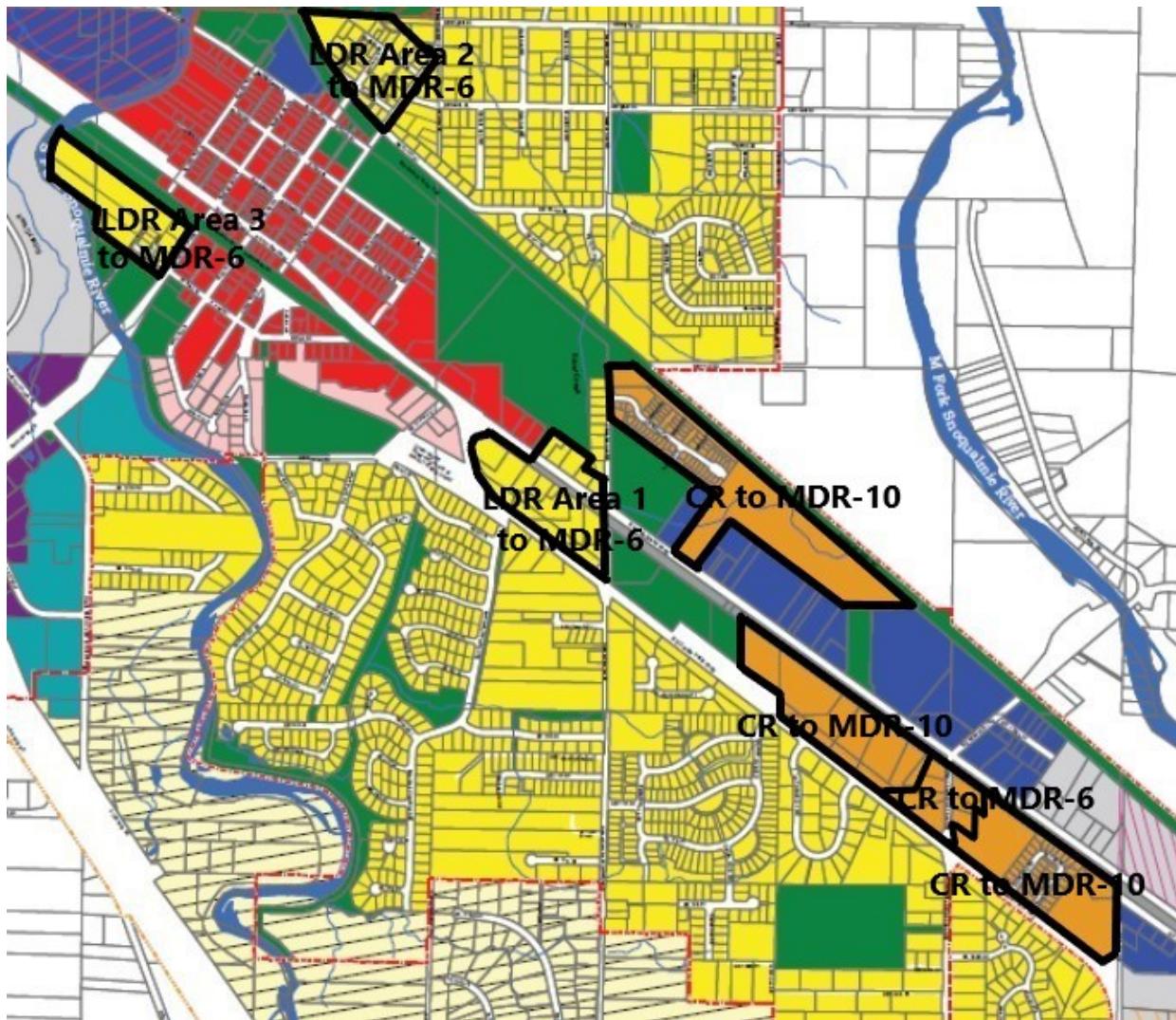
To promote options for housing ownership, a draft provision requires that for parcels over 1 acre in size, a minimum of 70% of units be developed as owner-occupied/for sale product (either as condominiums or fee-simple lots).

Associated amendments are proposed to North Bend Municipal Code Chapters 18.10.030 Table of Uses, 18.10.040 Bulk and Dimensional Standards, 18.10.050 Land Use Performance Standards, 18.18 Landscaping, 18.34 Design Standards, and 17.25 Recreation and Open Space Requirements to replace any existing reference to the Cottage Residential (CR) Zone with a new reference to the Medium Density Residential (MDR) Zone.

The language of the draft amendments is provided in the attached Exhibit A.

III. Areas of Consideration for the MDR Zone

The proposed Medium Density Residential Zone comprises the existing Cottage Residential Zone, and three additional areas currently zoned Low Density Residential, as depicted on the below map.



The area of the new MDR zone containing the existing Cottage Residential Zone is proposed to remain at the same density as currently permitted – 10 units per acre, except that the properties along Stilson Ave. are being considered for allowing 6 units per acre, consistent with the existing lower-density, forested character of that street.

Three additional areas, currently zoned Low Density Residential (LDR) are being considered for a rezone to a new Medium Density Residential Zone at 6-units per acre. (MDR-6). Of note, a limited number of cottage developments are already permitted within these areas at up to 8 units per acre per the City's existing Cottage Residential Zone regulations in NBMC 18.11.040.

Further analysis of why these areas are considered for MDR-6 is provided below.

LDR Area 1. Includes LDR zone properties fronting to E. North Bend Way between the entrance to Torguson Park and Thrasher Ave. NE, and between E. North Bend Way, Maloney Grove Ave. SE, and SE Cedar Falls Way.

LDR Area 1 is being considered because of its close proximity to both the downtown and to Torguson Park, where medium density housing types are appropriate in the context of providing a transition into the downtown, close to shops and services. The area already contains some higher-intensity transitional uses, including a construction company yard adjacent to the roundabout, and a Montessori school adjacent to Maloney Grove Ave. SE. The area also serves as sensible bridge between the higher intensity downtown uses and the current Cottage Residential Zone (proposed MDR-10) further to the east, rather than an isolated island of LDR zone surrounded by higher-intensity uses.



This area, totaling approximately 11.8 acres, contains a number of vacant and underutilized lots. At potential maximum buildout (not accounting for discounts for critical areas, the status of which is unknown), the area could support a total of 47 single-family homes. Under the MDR-6 zoning, it could accommodate 70 dwellings.

LDR Area 2. Includes the LDR Zone just north of downtown, bounded by the Snoqualmie Valley Trail to the south and west, Ballarat Ave. N. to the east, and City property known as the “Tollgate Forest” to the north.

LDR Area 2 is being considered because it has existing lot sizes and land use patterns already consistent with the downtown residential neighborhood immediately to its south. It already contains a few medium-density housing types, including a 4-unit single-story apartment development (in 2 buildings) and a larger single-family home that was originally constructed as a multi-unit building. Infill development of similar medium-density housing types that are consistent with the look and feel of single-family homes would provide an appropriate transition to the higher residential densities allowed within the Downtown Commercial Zone immediately to the south.



Because this area is already substantially built-out, change would be expected to occur very slowly through infill, as it does within the adjacent Downtown residential neighborhood. There is one vacant

parcel within this area, which could accommodate one single-family home under current zoning, or two units under the proposed amendments. Of likely re-developable lots, there is one larger parcel with an existing home that could be redeveloped into 6 single-family homes under current zoning. Under an MDR-6 zone, this could accommodate 9 dwellings. This does not account for possible critical areas, the status of which is unknown.

LDR Area 3. Includes the LDR zone immediately west of the downtown, across Bendigo Boulevard from Bartell Drugs.

LDR Area 3 is being considered because of its very close proximity to the downtown core. Medium density housing types that are consistent with the look and feel of single-family homes would allow additional housing choices close in to downtown shops and services, while the required medium density housing building forms similar to single-family homes would help to maintain the existing character of the neighborhood.

There is only one vacant, developable parcel within this neighborhood, which could accommodate 2 single family homes under the current LDR zoning. Under the MDR-6 zoning, it could accommodate 3 units. While there are three additional larger lots that could be redeveloped with additional units under the new zoning, such redevelopment is unlikely to occur in the short-term future due to the higher value of those existing homes, as well as more extensive floodway and critical area constraints to the rear of those properties nearer to the river.



IV. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for municipal code amendments be evaluated for their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- 1) **Environmental Impacts.** No environmental impacts are anticipated from replacing the existing cottage regulations with the new regulations proposed in NBMC Chapter 18.11 and associated amendments to other municipal code sections cited above. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site.

Of note, the amendments rezoning the areas of the existing Low Density Residential Zone into Medium Density Residential, 6-units per acre, will not occur until improvements to the City's Wastewater Treatment Plant have occurred. The City is currently out of sewer capacity for additional residential development. Planned improvements to the Wastewater Treatment Plant are anticipated to take approximately two years to complete, after which capacity would

be available to accommodate additional residential development which may occur under this zoning.

- 2) **Economic Impacts.** Positive economic impacts are anticipated from the proposed amendments to properties subject to the proposed amendments. The amendments provide greater opportunity for alternative housing forms, making development more feasible than the current Cottage Residential regulations, which only allow for cottages, carriage units, and a limited number of single-family homes. The requirements for units to be visually compatible with the form and character of a single-family neighborhood will ensure compatibility to existing surrounding land uses. The amendments also have the significant economic benefit of enabling additional housing choice for individuals who wish to own homes but cannot afford conventional single-family, and cannot find alternative affordable choices within North Bend. The proposed amendments specifically limit unit size in an effort to promote affordability.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from the amendments. The amendments are proposed to ensure that the various housing types proposed remain consistent with the overall feel of a neighborhood of larger single-family homes, which should therefore provide compatibility to adjacent residential uses, and which helps to ensure compatibility with the small town character identified as important to North Bend per the City's vision statement.
- 4) **Impacts to Surrounding Properties.** No negative impacts to surrounding properties are anticipated from the amendments. The amendments are intended to reduce visual impacts of higher-density residential development to adjacent properties and ensure compatibility with existing single-family residential development patterns. Infill development that may be anticipated over time, particularly within the areas identified for inclusion that are currently zoned Low Density Residential, would be of a form compatible in scale to adjacent single-family homes, as has occurred with infill of similar housing types within the predominantly single-family neighborhoods in the Downtown Commercial zone.

V. Compatibility of Proposed Amendment with North Bend Comprehensive Plan (NBCP)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

In the next major update to the Comprehensive Plan, references to the Cottage Residential Zone will need to be revised to the Medium Density Residential Zone, consistent with the proposed municipal code and zoning map amendments. The Comprehensive Plan describes the existing Cottage Residential Zone as providing for innovative housing types on smaller lot sizes within increased densities to create greater diversity for residents of North Bend. That will also be the case for the proposed Medium Density Residential Zone.

The Comprehensive Plan provides several policies that support the proposed amendments. Here a few relevant policies:

- *LU Policy 1.1: Encourage infill residential development within the existing incorporated area in an effort to reduce sprawl and create more housing options.*

- *LU Policy 3.1: Encourage the development of human-scale neighborhoods planned to be easily accessed by transit for civic, cultural and/or recreational activities.*
- *LU Policy 3.8: Reduce sprawl by creating development regulations that allow smaller lot infill development at a scale and intensity that preserves existing neighborhoods.*
- *Housing Policy 1.2: Encourage the provision of a diversity of housing types and sizes to meet the needs of a wide range of economic levels, age groups and household make-up.*
- *Housing Policy 1.3: Encourage a mix of housing types, models, and densities.*
- *Housing Policy 4.2: Promote opportunities for infill housing within the downtown area that provide a mix of housing types, prices, and densities.*
- *Housing Policy 6.5: Allow people to age in place, be it in their homes or neighborhoods, by encouraging the development of neighborhoods that provide a mix of housing typologies and sizes to accommodate a broad range of lifestyles and abilities.*

VI. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code. NBMC Section 18.10.020(C) establishes the purposes of the Cottage Residential (CR) Zone. This zone would be revised per the draft amendments to be converted into the Medium Density Residential Zone, but the essential purposes of the new MDR zone would remain largely the same as it currently reads for the CR Zone.

VII. Planning Commission Findings and Analysis

Pursuant to NBMC 20.08.100, the Planning Commission shall consider the proposed amendment against the criteria in NBMC 20.08.100 (B). A staff analysis is provided in italics under each criterion below.

1. Is the issue already adequately addressed in the Comprehensive Plan?
The Comprehensive Plan specifically calls for a mix of housing types, sizes and prices to meet the needs of a diverse population (see analysis under the Comp Plan section above). The Comprehensive Plan describes a Cottage Residential Zone to address these purposes, which will need to be amended in the next Comprehensive Plan Update, consistent with the proposed amendments, to convert the Cottage Residential Zone into the Medium Density Residential Zone.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. As described further under section 1, there is a need to provide additional housing options that provide for more affordable alternatives to conventional single-family homes and cottages. The draft amendments address that need.
3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments to the Zoning Map, the draft Medium Density Residential regulations in Chapter 18.11 and associated amendments to existing municipal code sections are the best means for ensuring that the development of additional medium density housing types within North Bend.
4. Will the proposed change result in a net benefit to the community?

Yes. The proposed regulations will result in a net benefit to the community through enabling additional housing types within the areas of the new Medium Density Residential Zone that increase choice on the marketplace, provide more affordable alternatives to conventional single-family homes and cottages, and ensure that such housing remains consistent with the overall feel of a single-family neighborhood.

VIII. Summary Findings:

1. The Planning Commission reviewed the draft regulations at their November 12, 2020 and December 10, 2020 Planning Commission meetings and held a public hearing on the draft regulations at their November 12, 2020 meeting. Public comment is attached with this staff report.
2. Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on October 30, 2020.
3. A State Environmental Policy Act Determination of Non-significance was issued on the draft regulations on (YET TO BE ISSUED.....).
4. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.

Staff Recommendation:

Based on the findings above, and pending consideration of public input to be provided for and at the Public Hearing, staff recommends approval of the draft regulations and amendments as provided in the attached Exhibit A.

Mike McCarty, Senior Planner

Date

Planning Commission Recommendation

Following consideration of the Comprehensive Plan and Development Regulation Amendment process in NBMC 20.08.070 through 20.08.110 and public comment received at the public hearing, the Planning Commission recommends approval/denial of draft regulations and amendments as provided in the attached Exhibit A. (TO BE COMPLETED FOLLOWING PUBLIC HEARING AND PLANNING COMMISSION DELIBERATION)

Planning Commission Chair

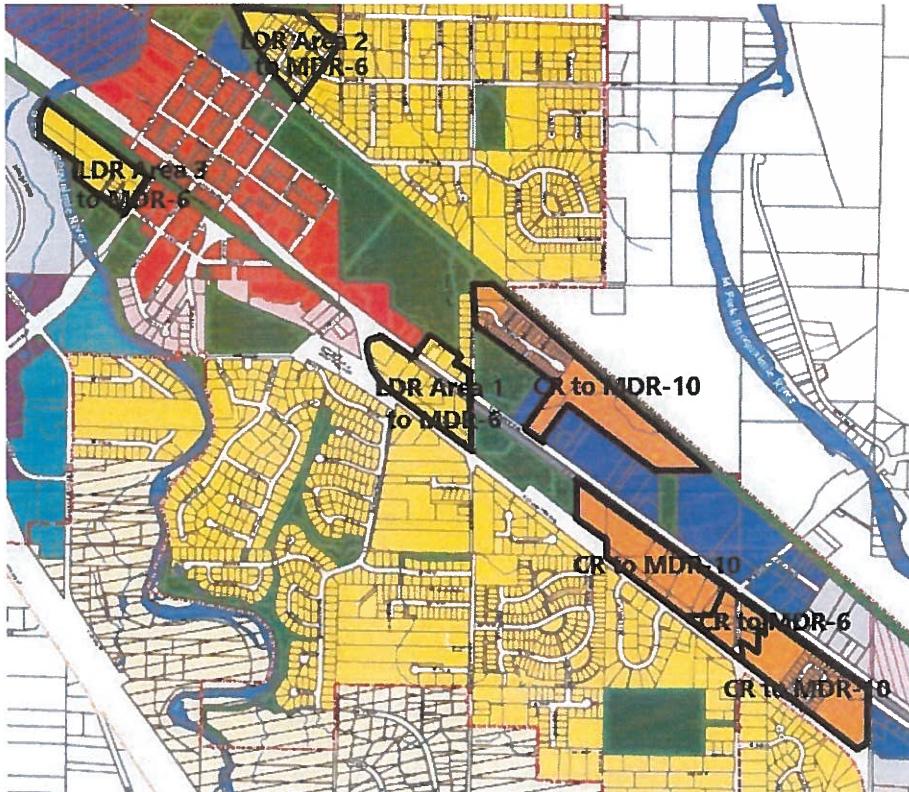
Date

Exhibits

Exhibit A – Draft amendments to the North Bend Municipal Code and North Bend Zoning Map establishing the Medium Density Residential Zone

Exhibit B – Written comments received for the Public Hearing (as of 11/5/2020. Any comments received following the PC Packet transmittal will be emailed to the Planning Commission prior to the hearing).

Section 1. Amendments being considered to the North Bend Zoning Map:



1. Low Density Residential (LDR) Zone Areas 1, 2, and 3 are being considered for rezone to a new Medium Density Residential Zone-6 units per acre (MDR-6), per the draft amendments proposed in Chapter 18.11 of the North Bend Municipal Code.
2. The Cottage Residential (CR) Zone, except for existing parcels fronting to Stilson Avenue SE, is being considered for a rezone to a new Medium Density Residential Zone – 10 units per acre (MDR-10) per the draft amendments proposed in Chapter 18.11 of the North Bend Municipal Code.
3. Cottage Residential Zoned parcels fronting to Stilson Avenue SE are being considered for a new Medium Density Residential Zone-6 units per acre (MDR-6) per the draft amendments proposed in Chapter 18.11 of the North Bend Municipal Code.

Section 2. Amendments being considered to NBMC 18.10.010:

18.10.010 Zoning districts – Established

There are hereby established the following zoning districts. Zoning district locations are delineated on the official zoning map.

District:	Abbreviation:
Constrained Low-Density Residential	(CLDR)
Low-Density Residential	(LDR)
High-Density Residential	(HDR)
<u>Cottage Medium Density Residential</u>	(CRMDR)
Neighborhood Business	(NB)
Downtown Commercial	(DC)
Interchange Commercial	(IC)
Interchange Mixed Use	(IMU)
Employment Park-1	(EP-1)
Employment Park-2	(EP-2)
Parks, Open Space and Public Facilities	(POSPF)

Section 3. Amendments being considered to NBMC 18.10.020:

18.10.020 Zoning districts – Purposes.

In addition to general purposes of the zoning title outlined in NBMC 18.02.020, zoning districts have the following respective purposes in subsections A, B, C, D, E, and F of this section. NBMC 18.10.025(B) describes overlay districts that apply to specific areas.

A. Purposes – LDR and CLDR Districts.

1. Provide for neighborhoods of predominately single-family structures at a gross density of four dwelling units per acre for LDR, with an allowance for cottage housing developments within the LDR of up to eight units per acre under limited circumstances subject to the provisions of Chapter 18.11 NBMC, Cottage Residential, and single-family structures of up to two dwelling units per acre for CLDR, as designated on the zoning map;
2. The CLDR district is recognized for having larger lots or development constraints, such as frequently flooded areas, geologically hazardous areas, river and stream corridors, channel

migration areas, wetlands, and native wildlife and fish habitat. Density in this zone shall not exceed two dwelling units per gross acre. Furthermore, large estate size lots, in excess of 18,000 square feet minimum lot size is the intent within the CLDR district;

3. Accommodate other uses compatible with single-family residences and other types of innovative styles of residential units including accessory dwelling units and cottage housing developments under limited circumstances within the LDR district subject to the provisions of Chapter 18.11 NBMC, Cottage Residential;
4. Maintain the integrity and character of existing neighborhood areas, including requiring that all units be held in fee simple ownership status;
5. Create attractive and satisfying neighborhood environments for family life;
6. Ensure that adequate sewer, water, and other utilities and services are provided;
7. Provide for public amenities such as passive and active recreation areas, open space, and trails and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors;
8. Assure development gives due consideration to existing development or that which can be reasonably anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;
9. Promote a traditional neighborhood development pattern and scale which serves to maintain and enhance existing small-city character and pedestrian orientation; and
10. Implement provisions of the comprehensive plan, including the vision plan, related to residential areas.

B. Purposes – HDR District.

1. Provide for neighborhoods and/or areas of predominantly multifamily structures, but with a mix of housing types including affordable housing units;
2. Accommodate other uses compatible with multifamily residences;
3. Create attractive and satisfying environments for family and household life;
4. Ensure that adequate sewer, water, and other utilities and services are provided;
5. Provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors;
6. Assure development which gives due consideration to existing development or that which can be reasonably anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;
7. Promote a traditional neighborhood development pattern and scale which serves to maintain and enhance existing small-city character and pedestrian orientation;

8. Implement provisions of the comprehensive plan, including the vision plan, related to residential development.

C. Purpose – Cottage Medium Density Residential Districts (CRMDR).

1. Encourage a diverse mix of attached and detached housing, including buildings with multiple units compatible in scale and form with detached single-family homes, pursuant to the provisions of Chapter 18.11 NBMC, Medium Density Residential, innovative housing types of predominantly single family smaller detached housing (i.e., cottage housing), with a limited number of two-unit homes, carriage units, and standard single family homes pursuant to the provisions of Chapter 18.11 NBMC, Cottage Residential;
2. Allow smaller lot sizes and increased densities from six to 10 DU/acre gross as follows to create greater economic choices for homebuyers in North Bend which can provide more affordable alternatives to conventional single-family homes;
 - a. Within the MDR-10 District, allow for gross densities between 6-10 dwelling units per acre.
 - b. Within the MDR-6 District, allow for gross densities between 4-6 dwelling units per acre.
3. Accommodate other uses compatible with residential life;
4. Create attractive and satisfying environments for family and household life;
5. Ensure that adequate sewer, water, and other utilities and services are provided;
6. Provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors;
7. Assure development which gives due consideration to existing development or that which can reasonably be anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;
8. Promote a traditional cottage neighborhood development pattern centered around common open spaces, and a scale which serves to maintain and enhance existing small-city character and pedestrian orientation;
9. Implement provisions of the comprehensive plan, including the vision plan, related to residential development.

Section 4. Amendments being considered to NBMC Chapter 18.11:

Chapter 18.11

COTTAGE MEDIUM DENSITY RESIDENTIAL DEVELOPMENT

Sections:

- 18.11.010 User guide.
- 18.11.020 Standards, intent, and voluntary provisions.
- 18.11.030 Housing types defined.
- 18.11.040 Parameters for cottages, carriage units and two-unit homes.
- 18.11.050 Cottage housing design standards and guidelines.
- 18.11.055 Parameters for other Medium Density Residential housing types.**
- 18.11.060 Low-density residential and standard single-family when mixed within CR-MDR zone.
- 18.11.070 Cottage residentialMedium Density Residential zone-wide design parameters.

18.11.010 User guide.

This chapter provides standards when developing medium-density residential housing types, including small apartment buildings, bungalow courts, small townhouses, live work, cottages, carriage units, and two-unit and three-unit homes in zones where said uses are allowed. If you are interested in proposing development containing a mix of cottage, carriage, or two-unit homes, or you wish to participate in the city's decision on a project including these types of housing units, you should read this chapter.

This chapter also provides provisions regulating the development of low-density residential single-family within the cottage-Medium Density Residential zone, resulting in a mix of housing choices and densities within said zone.

18.11.020 Standards, intent, and voluntary provisions.

For properties located within the cottage residential (CR)Medium Density Residential (MDR) zone, the provisions of this chapter are required and mandated. For properties located within the downtown commercial (DC) zone and the low-density residential (LDR) zone, the certain provisions of this chapter are available as alternatives to the development of typical detached single-family homes, subject to the limitations in this chapter. In the event of a conflict between the standards in this chapter and the standards in other chapters of the North Bend Municipal Code (NBMC), the standards in this chapter shall control. These standards are intended to address the changing composition of households, and the need for smaller, and more diverse housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential development.

18.11.030 Housing types defined.

The following definitions apply to the housing types allowed through the provisions in this chapter:

A. "Bungalow court apartment" means a single-story or one and one-half story multifamily building with units clustered around a common green that fronts to a public street.

B. "Cottage" means a detached, single-family dwelling unit containing 1,500 square feet or less.

BC. "Carriage unit" means a single-family dwelling unit, not to exceed 800 square feet in gross floor area, located above a shared garage structure in a cottage or multi-unit housing development.

D. "Live-work townhouse" means a townhouse that incorporates a ground-floor office space which has an independent exterior entrance, but which is internally connected with the townhouse, and which is intended for the exclusive use of the owner or tenant of the dwelling for his or her personal business or work space.

E. "Small apartment building" means a multifamily structure containing up to 4 dwelling units.

F. "Small townhouse building" means a building containing up to 4 townhouses in a row, and individual units no greater than 1,500 square feet in size.

G. "Standard single-family home" means a detached, single-family dwelling unit containing 1,501 square feet or more.

GH. "Two-unit home" means a form of a duplex structure containing two dwelling units, designed to look like a detached single-family home, which does not exceed 2,000 square feet total for both units, excluding garage space. Units may be side-by-side, back-to-back, or atop one another.

I. "Three-unit home" means a structure form of a triplex containing three dwelling units, designed to look like a detached single-family home, which does not exceed 3,000 square feet for all three units, excluding garage space. Units may be side-by-side, back-to-back, atop one another, or a combination of these.

D. "Standard single-family home" means a detached, single-family dwelling unit containing 1,501 square feet or more.

18.11.035 Medium Density Residential Zone Density Requirements.

A. Within the Medium Density Residential Zone, allowed density for proposed development shall be permitted as follows:

1. Within the MDR-10 area identified on the City's zoning map, gross density shall not exceed 10 units per acre and shall not be less than 6 units per acre.
2. Within the MDR-6 area identified on the City's zoning map, gross density shall not exceed 6 units per acre.

18.11.040 Parameters for cottages, carriage units and two-unit homes.

The following parameters apply to cottages, carriage units, and two-unit homes. See NBMC 18.11.060 for provisions related to the mix and development of standard single-family homes in the cottage residential zone.



18.11.04 Figure A. Example 5-unit cottage cluster. (2nd Street)

A. Density and Floor Area Ratio (FAR).

1. Cottage Development. ~~Density within the CR zone and DC zone~~ Cottage developments shall not exceed 10 dwelling units per acre (DU/acre) for cottages, carriage units, and two-unit homes. On parcels zoned LDR, the maximum density for cottage clusters shall not exceed eight DU/acre. Density within the MDR Zone shall be as provided in 18.11.035 as a part of the development as a whole.
2. ~~When standard single family development is mixed within the CR zone, density in the CR zone for standard single family residential and two-unit homes not associated with a cottage cluster shall not exceed four DU/acre.~~
3. FAR shall not exceed 0.35.

4. ~~Existing detached dwelling units may remain on the subject property and will be counted as units.~~

Commented [MM1]: This is implicit and doesn't need to be stated as a standard.

B. Maximum Structure Size.

1. Cottage Units. A minimum of 75 percent of the units shall be 1,200 square feet or less. Twenty-five percent of the units may be 1,500 square feet or less. An applicant may have an additional eight percent (up to 33 percent) of units sized larger than 1,200 square feet and up to 1,500 square feet, by providing one unit sized 900 square feet or smaller for every one unit larger than 1,200 square feet for all units in excess of the standard limitation of 25 percent of the units at 1,500 square feet or less.

2. Carriage Units. ~~Carriage units shall be no more than 800 square feet in size.~~

3. Two Unit Homes. ~~Two-unit homes may have an average unit size of 1,000 square feet; however, the total structure shall not exceed 2,000 square feet in size.~~

C. Garages. A cottage may include a single attached garage, not to exceed an additional ~~250-300~~ square feet. ~~A two-unit home may include a double attached garage, not to exceed 500 square feet total.~~ Attached garages shall be located to the rear of cottages ~~and two-unit homes~~.

Commented [MM2]: Received comments from prospective developers that 250 square feet only fits a car by itself with no room to move. For cottage, a bit more garage space (5' extra depth) is likely very needed for storage with limited home space.

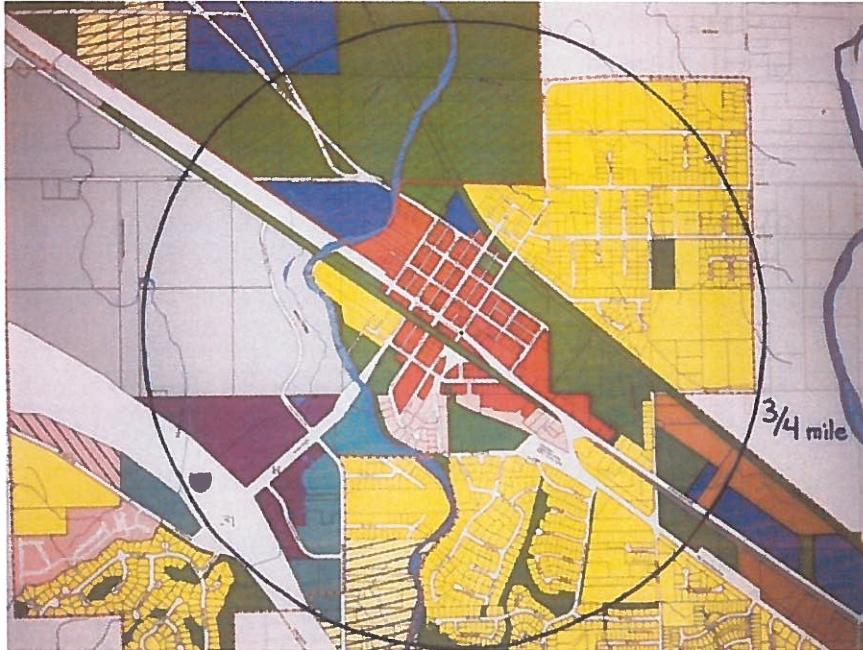
D. Cottage Development Size and Mix.

1. Maximum Development Size.
 - a. Within the cottage residential zone or downtown commercial zone, a cottage development shall not exceed 24 dwelling units (split among two or more clusters), except as may be exceeded with separation pursuant to subsection (E)(3) of this section.
 - b. Within the LDR zone, a cottage development shall not exceed 12 dwelling units.
2. Single-Story Cottage Mix. Each cluster of 12 dwelling units must provide at least one single-story cottage.
3. Not more than one two-unit structure and one carriage unit may be allowed within each cluster of 12 dwelling units.

E. Cottage Cluster Location, Size and Separation.

1. Cottage clusters are allowed in the following locations:
 - a. Within the ~~cottage residential (CR) MDR~~ zone;
 - b. Within the DC zone;
 - c. Within LDR zone in a three-quarter-mile radius from the intersection of Ballarat Avenue N and E. North Bend Way, as depicted in NBMC 18.11.040 Figure A. A minimum of 50 percent of a parcel must be within the three-quarter-mile radius to allow for a cottage cluster, except as authorized under subsection (E)(1)(d) of this section; and
 - d. Within the LDR zone where outside of the three-quarter-mile radius depicted in NBMC 18.11.040 Figure A, through a conditional use permit or development agreement.

NBMC 18.11.040 Figure AB



Commented [MM3]: Note to update this map to reflect current zoning, if MDR zone is expanded to additional areas.

2. Cluster Size.

- a. Minimum units per cluster: A cluster (group of cottages that share a common green) must contain a minimum of four cottages when developed within the cottage residential zone or low-density residential zone.
- b. Maximum units per cluster: 12 units.
- c. Maximum number of clusters per cottage development: No more than two cottage clusters of up to 12 units per cluster each may be located within a cottage development of up to 24 units. Deviation from the two-cluster limit may be authorized from the community and economic development director for cottage developments containing clusters orienting to public trail corridors and/or clusters within cottage developments sharing an enlarged common green under subsection (E)(3)(a)(ii) of this section.



18.11.040 Figure B. Cottage cluster depicting individual units surrounding common open space, bordered by conventional single-family homes.

3. Cottage Development Separation. Each cottage development of up to 24 units shall be separated from another cottage development of up to 24 units by one or more of the following methods:

- a. Within the **CR-MDR** zone:
 - i. A 35-foot average buffer, with a minimum width of not less than 25 feet, containing preserved significant trees and native vegetation. If the existing vegetation does not contain significant trees, the buffer area shall be revegetated to achieve a Type 2 buffer; and/or
 - ii. An enlarged common green extending across the property a minimum of 50 feet in width to which cottages in clusters from different cottage developments (of up to 24 units each) may front and share, as an equivalent separation to that which the buffer under subsection (E)(3)(a)(i) of this section would provide for. The common green shall retain existing significant trees and shall provide for areas of lawn and Type 3 landscaping; and/or
- iii. Other medium density residential housing types as provided under NBMC 18.11.055; and/or
- iv. Standard single-family homes as provided under NBMC 18.11.060. A standard single-family neighborhood, containing up to 20 units. In order to include a standard single-family development, a cottage development of not less than 24 units must be proposed or already exist, except for parcels abutting Stilson Avenue and Cedar Falls Way. Parcels abutting Stilson Avenue and Cedar Falls Way shall be developed per the low-density residential zoning standards of the North Bend Municipal Code.

- b. Within the LDR or DC zones, any cottage development shall be separated from another by not less than 500 feet, as measured by the shortest distance.

F. Minimum Lot Size for Cottage Projects. Beyond density restrictions, there is no required minimum lot size for cottage lots created pursuant to this chapter. (The number of allowed units on the subject property is determined by the density provisions of these standards.) When a project includes a mix of single-family residential homes, cottages, and two-unit homes, or any combination thereof, this provision only applies to the cottage portion of the development.

G. Cottage Parking Requirements.

1. Units under 700 square feet must include one space per unit.
2. Units between 700 and 1,000 square feet must include one and one-half spaces per unit. If the required number of parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next higher whole number.
3. Units over 1,000 square feet must include two spaces per unit.
4. All unit parking must be provided on the subject property. No credit shall be provided for adjacent on-street parking.
5. Guest Parking. In addition to the parking required for the units, additional guest parking shall be required equivalent to a minimum of 10 percent of the total number of required per-unit parking spaces. This guest parking shall be located in a common area accessible by guests. If the required number of guest parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next highest whole number.

H. Minimum Required Building Setbacks (from Exterior Property Lines of Cottage Development).

1. Front: 20 feet;
2. Other: 10 feet; and
3. Abutting property zoned LDR: 25 feet, including a 10-foot Type 2 landscape buffer per the requirements of Chapter 18.18 NBMC.

I. Minimum required building separation: 10 feet.

J. Maximum lot coverage including all impervious surfaces: 50 percent. Lot coverage is calculated using the entire development site.

K. Maximum height: 25 feet to the peak of the roof, measured from average base elevation, for homes with a roof slope of 6:12 or greater for all parts of the roof higher than 18 feet, excluding dormers. Otherwise, the maximum height shall be 18 feet to the peak of the roof measured from average base elevation including one-story cottages. Within the floodplain, height may be measured based on the base flood elevation per the flood insurance rate map in effect at the time of application submission.

L. Tree Retention. Significant trees shall be retained pursuant to Chapter 19.10 NBMC; however, no reduction of the required on-site tree retention shall be allowed under NBMC 19.10.093(D), except in the downtown commercial (DC) zone.

ML. Common Open Space. A minimum of 436 square feet of common open space per unit is required. The common open space shall be in one contiguous and usable piece with a minimum dimension of 20 feet on all sides. See NBMC 18.11.050 for additional provisions. If a community building is included, the area of the community building may be counted toward the common open space requirement.

NM. Private Yard Space. Each dwelling unit, except for a carriage unit, shall contain private front and rear yard space. No dimension of a private front or rear yard space shall be less than nine feet.

ON. Accessory dwelling units are not permitted as part of a cottage development.

PO. Remodel Size Limitation. Within permitted cottage housing developments, any future remodels to a cottage, two-unit home, or carriage dwelling unit shall not result in the dwelling unit exceeding the size limitations for said structure established per subsection B of this section, with cottages allowed up to 1,500 square feet in size. For standalone cottages built on a single lot outside of cottage housing developments, applicants modifying a cottage dwelling to increase its size beyond 1,500 square feet shall pay the difference in impact fees due between a cottage dwelling and standard single-family residential dwelling at the rate in effect per the taxes, rates and fees schedule at the time of building permit issuance.

QP. Community buildings and community space are encouraged in cottage developments, particularly for cottage developments of 12 or more units. If provided, community buildings or space shall be clearly incidental in use and size to the dwelling units and shall meet the following:

1. Building height for community buildings shall be no greater than one story.
2. Community buildings must be located on the same site as the cottage housing development, and be commonly owned by the residents.

18.11.050 Cottage housing design standards and guidelines.

Cottages and cottage housing developments shall meet the following design standards:

A. Applicable Provisions of Chapter 18.34 NBMC, Design Standards and Guidelines. Cottages and carriage units shall comply with NBMC 18.34.050(A) through (E), in addition to the standards in this chapter. Cottages and carriage units shall not be subject to NBMC 18.34.050(F) through (H). **Single family homes and two-unit homes within cottage developments shall comply with all applicable provisions of Chapter 18.34 NBMC. Two-unit homes shall be reviewed as one structure and shall comply with the single-family design standards of Chapter 18.34 NBMC.**

B. Orientation of Dwelling Units. Dwellings within a cottage housing development should be oriented to promote a sense of community, both within the development, and with respect to the larger community, outside of the cottage project. A cottage development should not be designed to “turn its back” on the public street.

Commented [MM4]: This code reference is no longer current. The tree reduction allowances in the previous version of NBMC 19.10 have since been deleted. Tree credits are required with all new development per NBMC 19.10.

1. Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.
2. Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, such as a primary or secondary entrance or porch, oriented to the public right-of-way. For any lot or dwelling unit abutting more than one public right-of-way, NBMC 17.08.105, Lot layout and design, shall apply.
3. All sides of a cottage within a cottage cluster must be architecturally treated with details similar to the front of the dwelling so as to present an attractive face to all surrounding neighborhoods, including details such as window trim, wall articulation, and/or covered patios.

C. Required Common Open Space. Common open space should provide a sense of openness, visual relief, and community for cottage developments. The space must be outside of wetlands, streams and their buffers, and developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

1. Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
2. Required common open space may be divided into no more than two separate areas per cluster of dwelling units.
3. Common open space shall be located in a central area easily accessible to all dwellings within the development.
4. Fences may not be located within required open space areas. Fences located in the front yard shall not exceed four feet in height and shall be a split rail, picket, or other visually penetrable design unless otherwise approved by the homeowners' association.
5. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. To the maximum extent feasible, existing mature trees shall be retained throughout the site.
6. Unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:
 - a. The open space shall be located so that it will be surrounded by cottages or two unit homes on at least two sides; and
 - b. At least 75 percent of the units in the development shall abut a common open space. A cottage is considered to abut an area of open space if there is no structure between the unit and the open space.
7. Surface water management facilities shall not be placed within common open space areas and shall not count toward common open space requirements. Low impact development

~~(LID) features are encouraged, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional stormwater collection and conveyance tools, such as flow control and/or water quality vaults are permitted if located underground.~~

~~8. All common open space areas shall be owned and maintained by the homeowners' association of the development.~~

~~DC.~~ Shared Detached Garages, Carports, and Surface Parking Design. Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single-family character along public streets.

Commented [MM5]: Section C has been relocated to 18.11.070 to apply zone-wide to all typologies and not just cottage developments.

1. Shared detached garage structures may not exceed four garage doors per building, and a total of 1,200 square feet.
2. For shared detached garages or carports, the design of the structure must be similar and compatible to that of the dwelling units within the development.
3. Shared detached garage structures, carports, and surface parking areas must be screened from public streets and adjacent residential uses by landscaping or architectural screening.
4. The covenants, conditions, and restrictions of the homeowners' association of the cottage housing development, or rental contract provisions in the case of rental units, shall require that shared detached garages structures be reserved for the parking of vehicles owned by the residents of the development, and shall prohibit the storage of such quantity of items within garages as to preclude the parking of vehicles.
5. Surface parking areas may not be located in clusters of more than four-six spaces. Clusters must be separated by a distance of at least 10 feet and planted with Type 2 landscaping.

~~E. Low Impact Development. The proposed site design shall incorporate the use of low impact development (LID) strategies where feasible to meet stormwater management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:~~

- ~~1. Preservation of natural hydrology;~~
- ~~2. Reduced impervious surfaces;~~
- ~~3. Treatment of stormwater in numerous small, decentralized structures;~~
- ~~4. Use of natural topography for drainageways and storage areas;~~
- ~~5. Preservation of portions of the site in undisturbed, natural conditions; and~~
- ~~6. Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.~~

F. Pedestrian Flow through Development. Pedestrian connections should link all buildings to the public right of way, common open space, and parking areas. On-site pedestrian walkways shall be a minimum of four feet wide.

Commented [MM6]: Sections E and F have been relocated to section 18.11.070 below to apply zone-wide and not to just cottage developments.

18.11.055 Parameters for other medium density residential housing types

A. Bungalow Court Apartments



18.11.055 Figure A. Example bungalow court apartments (Seattle).

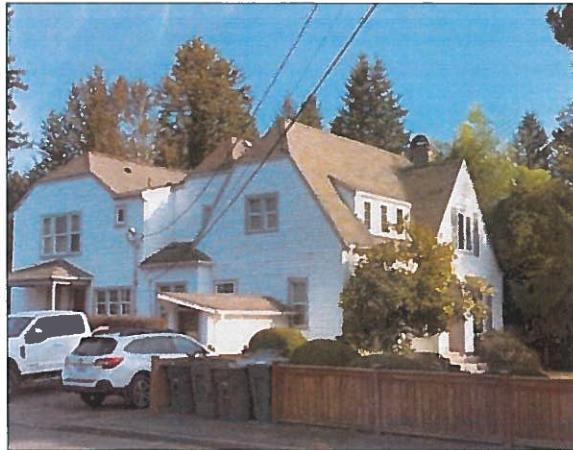
1. Bulk and dimensional requirements:

- a. Minimum lot size: NA - subject to setbacks.
- b. Maximum building footprint: NA
- c. Maximum unit size: 1,200 square feet
- d. Maximum unit count: 10
- e. Maximum building height (as measured per NBMC 18.06.030): 20'
- f. Setbacks: Minimum 10' front, 10' side, 15' rear (no rear setback required at alleys)

2. Design requirements:

- a. Central courtyard: Must meet the standards for Cottage open space per NBMC 18.11.050(B) and 18.11.050(C).
- b. Parking and/or garages: Located to the side or rear of the building only. Garages must meet the criteria in NBMC 18.11.050(D).
- c. Must meet multifamily design standards in NBMC 18.34.060.

B. Small Apartment Buildings



18.11.055 Figure B. Small apartment building designed to appear from the front as a large single-family home, parking to the side (Sydney Ave.)

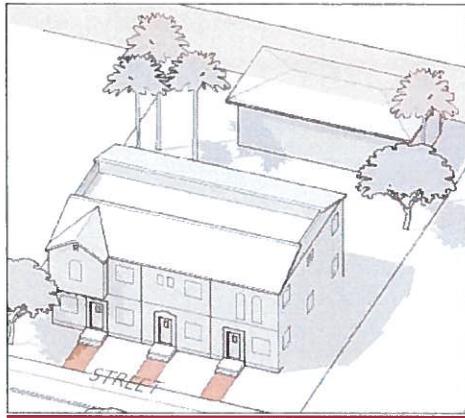
1. Bulk and dimensional requirements:

- a. Minimum lot size: 7,500 square feet
- b. Maximum building size (all units together): 5,000 square feet
- c. Maximum unit size: 1,200 square feet.
- d. Maximum building height (as measured per NBMC 18.06.030): 35'
- e. Maximum building width along street frontage: 55'
- f. Setbacks: Minimum 10' front, 15 combined side (5 minimum one side), 20' rear (no rear setback required at alleys)

2. Design Requirements:

- a. Building must either:
 - i. Be designed to appear as a conventional single-family home, and meet the single-family residential design standards NBMC 18.34.050; or
 - ii. Be designed as a unified multifamily building, consistent with the multifamily design standards in NBMC 18.34.060.
- b. Parking/garages shall be located to the rear of the building accessed from an alley, or a driveway accessed from the front. Where an alley is not available, up to two of the required parking stalls may be located within a garage fronting the street, as typical to a single-family home. Garages must meet the criteria in NBMC 18.11.050(D).

C. Small Townhouse Buildings and Live Work Units



18.11.055 Figure C. Sample townhome building form, parking from rear alley.

1. Bulk and dimensional requirements:

- a. Minimum lot size: NA, subject to setbacks.
- b. Maximum building footprint: NA
- c. Maximum unit size: 1,500 square feet
- d. Maximum building width: 30 feet
- e. Maximum unit count: 4 in a row.
- f. Maximum building height (as measured per NBMC 18.06.030): 35'
- g. Setbacks: Minimum 5' front, 10' side (building ends), 15' rear (no rear setback required at alleys)

2. Design requirements: Must meet multifamily design standards per NBMC 18.34.060.

D. Two and Three Unit Homes (Duplexes and Triplexes)



18.11.055 Figure D. Back-to-back two-unit building that appears from the front as a single-family home, parking from rear alley. (Ballarat Ave.)



18.11.055 Figure E. Three-unit building that appears as a large single-family home, parking from rear alley. (Isaquah highlands)

1. Bulk and dimensional requirements:

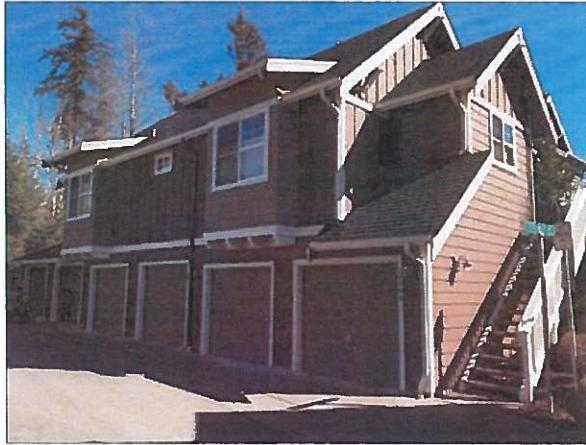
- a. Minimum lot size: NA, subject to setbacks.**
- b. Maximum building footprint: 2,000 square feet for two-unit homes, 3,000 square feet for three-unit homes**
- c. Maximum unit size: 1,200 square feet**

- d. Maximum building width 55' for duplex and 65' for triplex
- e. Maximum building height (as measured per NBMC 18.06.030): 35'
- f. Setbacks: Minimum 5' front, 10' side (building ends), 15' rear (no rear setback required at alleys)

2. Design requirements:

- a. Shall be reviewed as one structure and shall be designed to appear as a conventional single-family home subject to the single-family residential design standards NBMC 18.34.050.
- b. Up to two parking stalls may be located within a garage fronting the public street, as typical for a single-family home. Additional parking must be located to the rear of the building, accessed via an alley or via a driveway from the front.
- a-c. On corner lots, porches and elements of the front of the home shall wrap to the façade facing the side street. To the extent possible, entrances to different units shall be located on different facades.

E. Carriage Units



18.11.050 Figure F. Example carriage house above the garages at the rear of a cottage development (Issaquah Highlands).

Carriage units may be developed together with cottages or other Medium Density Residential housing types as a way to provide additional small housing units above required parking.

1. Bulk and dimensional requirements:

- a. Located only above parking that is required for both the carriage unit and other units within the development.
- b. Maximum unit size: 800 square feet
- c. Maximum unit count: 1 per associated building or development that requires parking.
- d. Maximum building height (as measured per NBMC 18.06.030): 35'
- e. Setbacks: Rear-yard only, 5' side (building ends), no rear setback required at alleys.

2. Design requirements: The design of the carriage unit and the associated garage that it is developed above shall be similar and compatible to that of the dwelling unit(s) with which it is associated.

18.11.060 Low-density residential and standard single-family when mixed within ~~CR-MDR~~ zone.

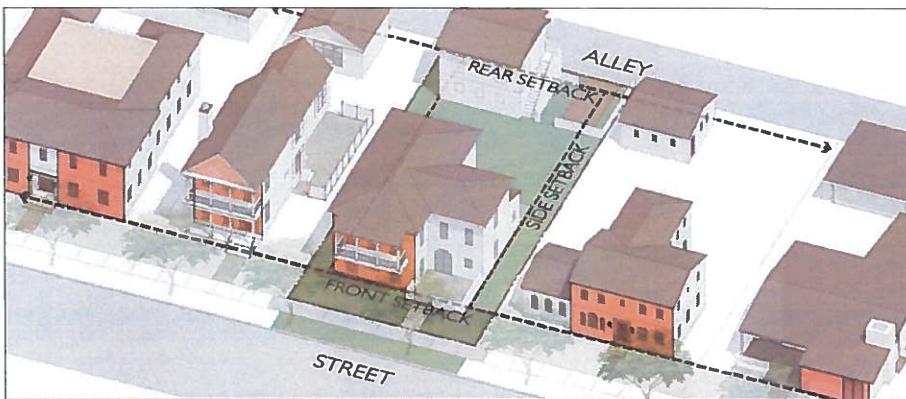
A. To allow for a mix of housing choices and design for developments containing greater than four acres, up to 20 percent of the units may consist of standard single-family homes located to separate the cottage clusters and other medium density residential housing types, subject to the following provisions:

1. Lots shall have a minimum lot size of 8,000 square feet;
2. Density shall not exceed four DU/acre;
3. Height shall not exceed 35 feet, as measured per Chapter 18.06 NBMC;
4. Lot coverage shall not exceed 50 percent;
5. Standard single-family homes and lots shall comply with the North Bend Municipal Code low-density residential zone bulk and dimensional requirements per NBMC 18.10.040 and performance standards per NBMC 18.10.050 unless otherwise provided in this chapter;
6. Twenty percent of the single-family units shall be one story;
7. Two-unit homes are not allowed within any standard single family development;
87. To preserve the significant trees and retain the existing rural character along Stilson Avenue, front yard setbacks shall be not less than 30 feet; and
98. Driveways and access points along Stilson Avenue shall be limited to four per side of road. Shared driveways are highly encouraged.

18.11.070 ~~Cottage residential~~MDR zone-wide design parameters.

A. Mix of housing types required for larger developments.

1. For any development containing more than 1 acre, a minimum of two housing types is required, as defined in 18.11.030. No more than 2/3 of the total number of units may be of the same housing type. No more than two of the same housing types may be adjacent to one another.
2. For any development containing more than 3 acres, a minimum of three housing types is required, as defined in 18.11.030. No more than 1/3 of the total number of units may be of the same housing type. No more than two of the same housing types may be adjacent to one another.
- 4.3. When a mix of housing types is required, the different types shall be intermixed together to the extent possible rather than segregated to different parts of the development. (See figure below).



18.11.070 Figure A. Typical neighborhood pattern. A mix of different housing types developed on the same block provides a diverse character but remains consistent with the scale of a neighborhood of larger single-family homes.

AB. Stilson Avenue (from North Bend Way to Cedar Falls Avenue). To retain the rural character of this existing street, the following provisions shall apply:

All parcels abutting Stilson Avenue SE shall be developed only with single-family detached homes per the low density residential zoning standards per NBMC 18.11.060 or for two or three-unit homes designed to look like single-family homes per NBMC 18.11.055(D), with lot sizes and bulk and dimensional standards for each building no less than that established for a single family home in the Low Density Residential zone per NBMC 18.10.040. The parcels abutting Stilson Avenue SE shall not be subject to the limitation of no more than 20 percent single family homes under NBMC 18.11.060.

Existing significant trees located adjacent to the right-of-way, as depicted in 18.11.070 Figure A, shall be retained. The retained trees shall be considered the planter strip and shall be of a width necessary to preserve the trees. The required sidewalks shall be located behind or meander through the trees. Stormwater improvements shall be provided appropriately to retain trees.

Access locations off Stilson Avenue shall not exceed what currently exists: four per side, unless otherwise unavoidable. Shared driveways are highly encouraged.



18.11.070 Figure A-B – Stilson Avenue – Rural Character and Significant Trees to Be Retained

BC. Cottage-MDR Zone between Cedar Falls Way and North Bend Way. For any development application within the **cottage residential (CR)MDR** zone located between Cedar Falls Way and North Bend Way, to the extent possible as applications are submitted independently for individual properties, the development shall provide for access, connectivity, and view corridors consistent with the following provisions:

1. Cedar Falls Way. A maximum of three access points shall be provided and located to line up with the following existing streets to the south:
 - a. Access Point 1: Salish Avenue SE; and
 - b. Access Point 2: La Forest Drive SE; and
 - c. Access Point 3: La Forest Drive SE; and
 - d. The city may approve additional driveways for parcels abutting Cedar Falls Way if necessary when developed independent of a larger consolidated development.
2. Views, Buffered Street Terminus, and Trails. The following standards shall be followed to the extent possible given the size of the development project submittal:
 - a. From Access Point 1 off Cedar Falls Way, a view corridor and view park to Mt. Si shall be provided allowing for views of Mt. Si and a natural treed terminus. This area shall be no less than 1,000 square feet.

- b. From Access Points 2 and 3 off Cedar Falls Way, a view/buffer terminus providing a vegetated visual appearance when entering the area shall be provided. This area shall be not less than 800 square feet and planted with Type 2 landscaping.
- c. A minimum of three north/south eight-foot paved trails shall be provided through the site connecting with the Tanner Trail.

3. Cedar Falls Frontage Improvements. Frontage improvements for development within the ~~cottage residential~~Medium Density Residential zone along Cedar Falls Way shall comply with the following provisions:

- a. Excess Right-of-Way. A portion of the existing Cedar Falls Way right-of-way (ROW), located on the north side of the road adjacent to the public works site and east to the intersection of Salish Avenue SE across the street, contains excess ROW area and a mature forest. In this ROW area, the existing forest and significant trees shall be retained. An eight-foot meandering multipurpose trail shall be constructed pursuant to the provisions below. Additional trails may be constructed in this area subject to city approval.
- b. Cedar Falls Way Buffer. A minimum 35-foot landscape buffer shall be provided along the northern edge of Cedar Falls Way for parcels zoned cottage residential, and this landscape buffer shall be dedicated to the city of North Bend. This 35-foot landscape buffer shall include the following:
 - i. Existing Sewer Easement. A 15-foot existing sewer easement and sewer line currently exists on the northern edge of Cedar Falls Avenue. This area shall be planted with Type 2 landscaping per Chapter 18.18 NBMC. However, adjustments to said landscaping requirements, to be approved by the city, may be necessary to address planting restrictions over an existing sewer line; and
 - ii. Twenty-Foot Native Frontage Buffer. In addition to the 15-foot existing sewer easement landscaping described above, a 20-foot buffer shall be provided and dedicated to the city of North Bend. This buffer shall preserve the existing native vegetation, trees and significant trees. Where areas within this 20-foot buffer do not achieve a Type 1 landscape standard, supplemental plantings shall be installed to achieve a Type 1 landscape standard per Chapter 18.18 NBMC.
- c. An eight-foot-wide paved trail (per Chapters 17.25 and 19.01 NBMC and the city of North Bend public works standards) shall meander through the 35-foot buffer area preserving significant trees to the maximum extent feasible. This 35-foot buffer and trail are in lieu of the typically required curb/gutter planter strip and sidewalk required on the south side of the road.

ED. Burlington Northern Railway Right-of-Way.

- 1. For development sites located adjacent to the Burlington Northern right-of-way (ROW), the developer may purchase the Burlington Northern ROW and dedicate no less than 40 feet for Tanner Trail and open spaces purposes to the city. Any remaining Burlington Northern

ROW area in excess of the minimum 40 feet may be incorporated into the development. If the developer opts for this, the following shall apply:

- a. A 15-foot Type 2 landscape buffer shall be provided along the rear property line, owned and maintained by the homeowners' association of the development.
- b. The applicant shall construct a trail within the Tanner Trail corridor consistent with the trail standards in Chapter 19.01 NBMC and the city of North Bend public works standards, together with street trees provided consistent with Chapter 19.01 NBMC and the city of North Bend public works standards.
- c. The applicant may receive credit for up to 50 percent of the common open space requirement provided in NBMC 18.11.040(M) if the common open space is designed integrally with the Tanner Trail open space such that the two open spaces function as one.

2. In the event the applicant elects to proceed without acquiring the ROW, then the applicant shall provide the following:

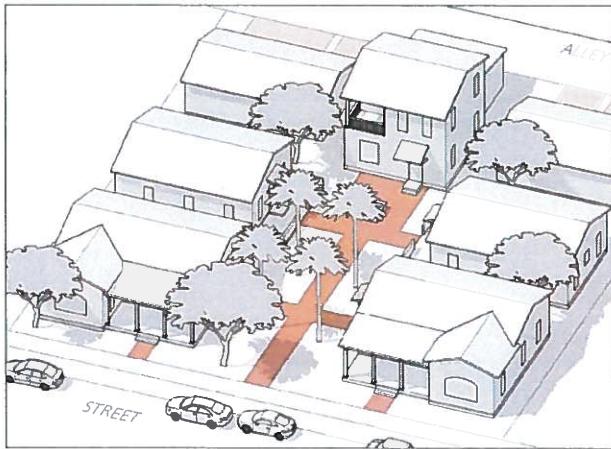
- a. A 15-foot Type 2 landscape buffer shall be provided along the rear property line along North Bend Way, owned and maintained by the homeowners' association of the development; and
- b. The applicant shall construct a trail along this landscape buffer consistent with the trail standards in Chapter 19.01 NBMC and the city of North Bend public works standards.

E. Low Impact Development. The proposed site design shall incorporate the use of low impact development (LID) strategies where feasible to meet stormwater management standards. LID is a set of techniques that mimic natural watershed hydrology by slowing, evaporating/transpiring, and filtering water, which allows water to soak into the ground closer to its source. The design should seek to meet the following objectives:

Commented [MM7]: Sections E and F relocated from Cottage-specific regulations to this section to apply zone-wide to other types as well.

1. Preservation of natural hydrology;
2. Reduced impervious surfaces;
3. Treatment of stormwater in numerous small, decentralized structures;
4. Use of natural topography for drainageways and storage areas;
5. Preservation of portions of the site in undisturbed, natural conditions; and
6. Reduction of the use of piped systems. Whenever possible, site design should use multifunctional open drainage systems such as vegetated swales or filter strips which also help to fulfill landscaping and open space requirements.

F. Pedestrian Flow through Development. Pedestrian connections should link all buildings to the public right-of-way, common open space, and parking areas. On-site pedestrian walkways shall be a minimum of four feet wide.



18.11.070 Figure C. Pedestrian connections linking units to common open space and to the public sidewalk.

G. Required Common Open Space. Common open space shall be provided for any development of five or more dwelling units. Common open space should provide a sense of openness, visual relief, and community for medium density residential developments. The space must be outside of wetlands, streams and their buffers, and developed and maintained to provide for passive and/or active recreational activities for the residents of the development.

Commented [MM8]: This section has been relocated from within the cottage-specific section to apply MDR zone wide to all housing types.

1. Size of common open space: For cottages, see NBMC 18.11.040. For other housing types within a development, common open space shall be provided as required for multiple family developments per NBMC 17.25.040, in addition to the standards below.
2. Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
2. Required common open space may be divided into no more than two separate areas per cluster of dwelling units.
3. Common open space shall be located in a central area easily accessible to all dwellings within the development.

4. Fences may not be located within required open space areas. Fences located in the front yard shall not exceed four feet in height and shall be a split rail, picket, or other visually penetrable design unless otherwise approved by the homeowners' association.

5. Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. To the maximum extent feasible, existing mature trees shall be retained throughout the site.

6. For cottage developments specifically, unless the shape or topography of the site precludes the ability to locate units adjacent to the common open space, the following standards must be met:

a. The open space shall be located so that it will be surrounded by cottages or two-unit homes on at least two sides; and

b. At least 75 percent of the units in the development shall abut a common open space. A cottage is considered to abut an area of open space if there is no structure between the unit and the open space.

7. Surface water management facilities shall not be placed within common open space areas and shall not count toward common open space requirements. Low impact development (LID) features are encouraged, provided they do not adversely impact access to or use of the common open space for a variety of activities. Conventional stormwater collection and conveyance tools, such as flow control and/or water quality vaults are permitted if located underground.

8. All common open space areas shall be owned and maintained by the homeowners' association of the development, or by the management company in the case of a rental complex

H. Owner Occupancy. To provide additional opportunities for home-ownership of medium density residential housing types, any development within the MDR zone that is greater than 1-acre in size shall develop a minimum of 70% of units as owner-occupied units (either as condominiums or on fee-simple lots).

Section 5. Other Associated Reference Amendments to the North Bend Municipal Code to accompany the above proposed amendments:

North Bend Municipal Code Chapters 18.10.030, 18.10.040, 18.10.050, 18.18, 18.34, and 17.25 shall be revised to replace any existing reference to the Cottage Residential (CR) Zone with a new reference to the Medium Density Residential (MDR) Zone.

From: [Suzan Torguson](#)
To: [Mike McCarty](#); [David Miller](#); [Rebecca Deming](#); [Jesse Reynolds](#)
Cc: [Olivia Moe](#); [Judy Bilanko](#); [Scott Greenberg](#); [Gary Towe](#); [James Boevers](#); [Heather Bush](#)
Subject: Research regarding Missing Middle, Medium Density also known as Light Touch Density
Date: Thursday, October 29, 2020 12:12:03 PM

The city of North Bend has an opportunity to make significant changes to the zoning that will have a positive impact years to come. There is a shortage of affordable housing across the US and here in Washington State including North Bend. When the supply is limited, entry level homes become less affordable. It is a supply and demand issue. Zoning also affects the supply. We need to make the zoning feasible so we can transform our city to make availability of housing for income low and middle income families.

Up until the 1920's, various types of 1-4 units residential dwellings (1-unit detached, 1-unit attached (town or row houses), and 2-, 3-, and 4-unit structures) were much more commonly built adjacent to one another. – Ed Pinto, AEI Conference October 7, 2020.

It is **“illegal on 75% of the residential land in many American cities to build anything other than a detached single family home”** – Badger, *New York Times*, “*Cities Start to Question an American Ideal: A Home with a Yard on Every Lot*. June 18, 2019

The American Enterprise Institute (AEI) has been research this topic and on October 7, 2020 they held a conference focused on this topic. I encourage you to view the conference here: <https://www.aei.org/events/ninth-annual-aei-housing-conference/>. There is a wealth of information regarding affordable housing and zoning and examples of what as work and not worked in other cities. Take a look at the [“Panel V: Part 2: Light-touch Density as a Key Solution to Today’s Housing Shortage”](#) as it offers many examples in which Emily Hamilton states “details really matter” referring to making the zoning easy for property owners.

North Bend has been discussing the missing middle and AEI refers to this same type of zoning as Light Density. It is the same concept.

Like many of other US Cities, North Bend does not have zoning that addresses the missing middle and affordable housing. We want to create housing options in between apartment living and \$900,000 plus homes. Light density (medium) zoning can close that gap.

- North Bend has a small supply entry level housing. The low or scarce supply makes housing less affordable. This zoning will increase the supply on existing lots.
- Affordability is improved because the land is shared with existing SFR.
- With Light Density, you are taking advantage of the existing infrastructure such as sewer and streets.
- It requires no subsidies from city or state.

The missing middle, also referred to as Light Touch density, can have significant impacts on improving housing access over time.

- Communities with housing needs would be well served in creating zoning with open zoning verses restrictive.
 - In Minneapolis, Minnesota, they changed the zoning where Single-Family Residences

could be Triplexes. They didn't change the setbacks or lot lines so the zoning was constrained, and property owners could not take advantage of the new zoning.

- Zoning **restrictions** make it economically unworkable and creating more housing solutions for the missing middle does not happen.

And as a result, closing the gap with more available and affordable housing does not happen which is the goal.

Most missing middle additions located on properties with single family residents would be created by property owners, not developers. Creating zoning restrictions would reduce ability of property owners to create more housing options.

Property owners may be renting out grandma's home after she passed away. Adding an addition to the property owner's home creates another livable space and can be used by the homeowner as a rental, helping them to off-set the building costs of said addition.

The property owner can also sell that property as duplex at a later date creating affordable housing.

- Two couples can purchase a duplex together so they can work towards purchasing a larger and more spacious home in the area for their family, versus being forced to leave North Bend.

A grandmother may want to add 2 units to her property.

- She has income in retirement and later it is sold as 3 separate units.

Adding an Accessory Dwelling unit to an aging senior's property allows the senior to age in place. They can rent out their home and have additional income.

- AARP endorses this solution for aging seniors.

There are many scenarios based on the type and size of property located near downtown that could create more than a single home on one piece of property.

Light Touch or Medium density increases housing options which helps the retirement part of population **and** helps house the increase of new family and single adults' population.

Years ago I worked as a real estate appraiser so I contacted the chief appraiser for zoning feedback. He referred me to a case study conducted by the American Enterprise Institute and written by Edward J. Pinto. The article about the case study is below and it specifically states how restrictive zoning has a negative impact versus open zoning which created improved housing access.

Edward J. Pinto is a resident fellow and the director of the AEI Housing Center at the American Enterprise Institute (AEI). He is currently researching how to increase the entry-level housing supply for first-time buyers and renters who earn hourly wages. Before joining AEI, Mr. Pinto was an executive vice president and chief credit officer for Fannie Mae until the late 1980s. Today, he is frequently interviewed on radio and television and often testifies before Congress. His writings have been published in trade publications and the popular press, including in the American Banker, The Hill, RealClearPolitics, and The Wall Street Journal. In addition, as the director of the AEI Housing Center, he oversees the monthly publication of the AEI Housing Market Indicators, which has replaced AEI's monthly Housing Risk Watch and AEI's FHA Watch.

Mr. Pinto has a JD from Indiana University Maurer School of Law and a BA from the University of Illinois at Urbana-Champaign.

Here is the Case Study

New Research Confirms the Benefits of “Light Touch” Density

This article was written by AEI’s Ed Pinto and Up for Growth’s Mike Kingsella

September 14, 2020

The following post was written by Mike Kingsella, the executive director of Up for Growth, a national 501(c)(3) pro-housing policy and research member network and Edward J. Pinto, director of AEI’s Housing Center. Mr. Pinto also serves on Up for Growth’s Advisory Board. To view the original post, please click [here](#).

The nation is in the midst of a major housing crisis, putting tremendous strain on families, individuals, and the economy. At the core of the crisis is a severe undersupply of homes, particularly in job and amenity-rich areas. [Up for Growth research](#) found that from 2000 – 2015, the U.S. fell 7.3 million homes short relative to housing demand. Such high levels of underproduction drive up prices – especially for entry level homes – to unsustainable levels, increases inequity, negatively impacts the environment, and has short- and long-term economic consequences. The underproduction of homes is the result of many policy decisions and economic factors that cumulatively reduce the supply of homes and drive up housing costs. Restrictive zoning laws that ban duplexes, triplexes, quadplexes, and other so-called “missing middle” homes, however, have outsized impact on housing underproduction. A well-functioning housing market allows for the creation of diverse housing products, but restrictive zoning means that it is often illegal to provide a diverse housing stock, even when need for it is high. By creating an artificial scarcity of land, housing costs are driven up. Land is a key cost component of both new and existing homes.

New research by the American Enterprise Institute (AEI) Housing Center helps to quantify the true impacts of restrictive zoning. Using its [Housing Market Indicators](#) data, AEI conducted a case study that quantifies the impact that restrictive zoning laws have on the housing supply and cost of homes. The towns in Bergen County, New Jersey feature a wide variety of zoning codes, making the northern New Jersey county an ideal natural experiment for exploring the impacts that restrictive zoning has on the supply of homes.

One of the towns considered in the analysis, Palisades Park, has allowed for duplexes and single-detached homes “by right” since its zoning code was adopted in 1939. As a result, it has been able to respond to a growing need for housing supply, increasing its housing supply by 30% from 2000 to 2010. The relatively open zoning laws in Palisades Park allowed for population growth in a job and amenity-rich area, just two miles from Manhattan. The key was cutting land cost in half, by allowing two homes on single lots. Neighboring towns like Leonia and Teaneck legally restricted lots to one unit.

Other towns, like Ridgefield and Ridgefield Park, put so many restrictions on the ability to build 2-family homes that they were made economically infeasible. These towns with more restrictive zoning regulations saw flat population growth and higher property taxes relative to Palisades Park. Leonia is the borough that most clearly implemented policies diametrically opposite to those of Palisades Park. In 1997 Palisades Park and Leonia had about the same property tax rate. By 2018, Leonia was virtually unchanged, while Palisades Park’s had dropped by 40%. The AEI study also noted that those purchasing relatively newly built homes in Palisades Park have on average around \$15,000 lower incomes than those purchasing existing homes in Leonia.

The benefits of light touch density are vast. It spreads the increasing cost of land across more units, lowering per-unit land cost. Building new missing middle housing allows more people to access quality jobs, transit, education, and other resources. Light touch density can increase housing options that adequately address the needs of an aging population *and* a growing population of single adults. Perhaps counter intuitively, enabling more housing options can increase property values because the market – not restrictive zoning and land use regulation – determines the highest and best use of an extremely limited resource such as land. And it can keep property taxes lower since each lot with 2, 3, or 4 homes yields more municipal revenue and the infrastructure costs are lower than for greenfield construction. AEI estimates that eliminating restrictive zoning laws would add eight million homes to the country's existing housing stock, over a 20-year period. Such a change could save \$400 billion in infrastructure costs because most of this new development would occur in relatively densely populated areas that require far less new infrastructure to accommodate new homes.

In many ways, prioritizing light touch density is not a new concept; for decades, it was the norm in communities across the U.S. For example, in 1950, duplexes, triplexes, and quadplexes made up 19% of overall housing stock. By 2008, this number had shrunk to just over 8%. Today, 75% of residential land is zoned to exclude anything other than single-detached homes. Such a limited supply of missing middle housing is a significant contributing factor to a drop in Millennial homeownership. There simply is not enough of the type of housing they can afford – or even want – to buy.

There are other, even more important reasons to reform the way we build housing. Restrictive zoning has its origins in racial and ethnic segregation, when federal, state, and local policymakers excluded minority communities from the “most desirable” areas of a given city or town. These laws led to racial inequities that persist to this day, while leaving many cities ill-equipped to meet the growing need for homes. Revising zoning laws to allow for light touch density will have a significant impact on righting the historic wrongs in housing policy.

Local zoning reform and other land use provisions meant to increase light touch density housing production would be encouraged by the common sense policy provisions contained in the Yes In My Backyard (YIMBY) Act. It has already passed the House without opposition; its fate now lies with the Senate.

Light touch density can have significant impacts on improving housing access by tamping down unsustainable home price appreciation and keeping property taxes in check. Communities with housing needs would be well served in adopting these modest, but high impact reforms to accommodate current and future growth.

-Suzan

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