



REGULAR MEETING AND PUBLIC HEARING OF THE NORTH BEND PLANNING COMMISSION

**Thursday, April 8, 2021, 7:00-9:00 PM
Online Meeting**

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AGENDA

- 1) Call to order and roll call**
- 2) Opportunity for public comment on non-agenda items (3 minutes per person)**
- 3) Approval of Minutes of March 25, 2021 Planning Commission Meeting**
- 4) New NBMC 18.13 Special Districts, and repeal of NBMC 18.10.025, Special Districts (Rebecca Deming)**
 - a) Staff introduction**
 - b) Public hearing**
 - c) Planning Commission deliberation and possible recommendation**
- 5) Adjournment by 9:00 unless otherwise approved by Commission**

Upcoming Agenda Items for April 22 meeting:

- (If deliberation is continued from April 8 meeting): Planning Commission recommendation – NBMC 18.13 Special Districts (Rebecca Deming)
- Introduction – Development Agreement for Downtown Senior Housing Project (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, March 25, 2021 at 7:00 PM
Virtual 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

AGENDA ITEM #1: CALL TO ORDER

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

ROLL CALL

Planning Commissioners present: Judy Bilanko (Chair), James Boevers, Heather Bush, Olivia Moe, and Suzan Torguson. Commissioner Greenberg and Commissioner Towe were unable to attend and have been excused from tonight's meeting. City Staff Present: Bre Keveren, Associate Planner; Mike McCarty, Senior Planner; and Rebecca Deming, Community & Economic Development Director.

AGENDA ITEM #2: Opportunity for Public Comment

Michael Thomas, 1231 LaForest Drive, North Bend, WA, made comment.

AGENDA ITEM #3: Approval March 11, 2021 Planning Commission Meeting Minutes

The Minutes for the March 11, 2021 Meeting were Approved.

AGENDA ITEM #4: New NBMC 18.13 Special Districts, and Repeal of NBMC 18.10.025, Special Districts (Rebecca Deming)

Rebecca Deming, Community & Economic Development Director, introduced to the Commissioners the proposed changes to Special Districts.

After Ms. Deming's introduction, there was discussion, including questions asked and answers given, on the proposed changes to Special Districts between the Commissioners and city staff.

AGENDA ITEM #5: Adjournment by 9:00 unless otherwise approved by the Commission

The Meeting was adjourned at 7:40 PM.

Upcoming Agenda Items for April 8, 2021 meeting:

- Public Hearing on NBMC 18.13 Special Districts.

NEXT PLANNING COMMISSION MEETING:

The next Planning Commission meeting will be April 8, 2021.

ATTEST:

Judy Bilanko, Chair

Mike McCarty Senior Planner City of North Bend



**Staff Report and Planning Commission Recommendation
To Establish Municipal Code Chapter 18.13 to replace Chapter 18.10.025 and associated
amendments establishing a new Master Plan Process**

Date: April 8, 2021

Proponent: City of North Bend

I. Purpose of Proposed Municipal Code Amendments:

This proposal is to establish a new North Bend Municipal Code Chapter 18.13, Special Districts. This chapter will replace the existing NBMC 18.10.025, Special Districts, which will be repealed. The purpose of the new chapter 18.13 is to provide a means for creating master planned developments in any zoning district, and to allow for the application of flexible development standards to encourage and foster creative and innovative planning practices that will result in well-designed, efficient, and functional planned developments.

The new Chapter 18.13 and associated repeal of 18.10.025 will also eliminate provisions currently in 18.10.025 that are redundant with other municipal code sections, eliminate the Tanner Landing Master Plan Overlay District, and simplify provisions of the East North Bend Master Plan Overlay District and Tanner Junction Master Plan Overlay District.

II. Proposed Amendments

A new NBMC Chapter 18.13, Special Districts is created to read as follows:

(Note: The existing NBMC 18.10.025, Special Districts, to be repealed is shown in Exhibit A to this staff report).

18.13 Special districts.

18.13.010. General Overlay Districts.

1. Urban Separator Overlay District (USOD). The urban separator is an area of North Bend which is located in, among and around significant natural features that help to define the community's identity. The USOD, as identified in the North Bend Comprehensive Plan on Figure 1-2 and the North Bend Zoning Map, includes land located predominately north of the Snoqualmie River, east of SR 202, and south of the boundary with the city of Snoqualmie. This area includes both Meadowbrook and Tollgate Farms. The intent of the USOD is to ensure that development occurs consistent with the goals and policies of the comprehensive plan requiring the minimum build-out of the zoning district in which the parcel is located. NBMC 18.10.030, Table of permitted and

conditional uses, identifies the permitted uses within the USOD. The permitted uses within the USOD must also satisfy the criteria stipulated in NBMC 18.10.040 in relation to bulk and dimensional standards, NBMC 18.10.050 in relation to performance standards and Chapter 18.34 NBMC, Design Standards and Guidelines.

18.13.020. Master Plan Overlay Districts.

1. Purpose. The purpose of the Master Plan Overlay Districts (MPOD) are as follows:
 - a. To provide a means for creating master planned developments in any zoning district, and to allow for the application of flexible development standards to encourage and foster creative and innovative planning practices that will result in well-designed, efficient, and functional planned developments.
 - b. To promote infill, and more economical and efficient use of the land, while providing development that provides a variety of housing choices, business opportunities, high level of urban amenities, and is consistent with the goals and policies of the comprehensive plan.
 - c. To encourage the provision of more usable and suitably located recreation facilities and other private and public facilities than would otherwise be provided under conventional land development procedures.
2. Applicability. The master plan overlay is applicable for all zoning districts. The master plan designation is established through an amendment to the city's zoning map and may require an amendment to the comprehensive plan land use map. A master plan may be submitted concurrently with map amendment application, or subsequent to that process.
 - a. Master plans are designated an overlay on the city's zoning map.
 - b. The underlying zoning districts for a master plan's geographic area are depicted on the city's zoning map. If land use designation and zoning changes are proposed as part of the master plan, a comprehensive plan land use, and/or zoning map amendment is necessary.
3. Minimum land area requirement. Each area identified as a master plan shall be a minimum area of ten acres. The site size may be less than ten acres if the director makes specific findings of fact to support the conclusion that a master plan on such smaller site is in the public interest.
4. Application and approval process of master plan:
 - a. Application requirements and review process of master plans shall comply with the provisions of Chapter 20.01.004.
 - b. Prior to submittal of an application for a master plan, the applicant shall hold a public meeting to identify potential community impacts and concerns about the project. Public notice of the meeting is required. Neighborhood meeting noticing procedures shall be defined by the director at the time of the pre-application review letter.
5. Contents of master plan. The master plan shall contain the following elements:
 - a. Existing Conditions and site description. An application for a master plan shall contain the following information related to the existing conditions of the subject site, presented in narrative, tabular and/or graphic formats:
 - i. Vicinity map that identifies surrounding uses within five hundred feet of the site boundary.
 - ii. Zoning map that identifies base and overlay zoning designations for the site and surrounding properties uses within five hundred feet of the site boundary.

- iii. Aerial photo and topography.
- iv. Natural resources and critical areas, including existing drainage patterns and courses, wetlands, springs, and other water bodies; significant stands of trees and trees meeting criteria; fish and wildlife habitat, and natural constraints such as steep slopes greater than fifteen percent, and unstable, impermeable, or weak soils. This includes any critical area studies or analysis required by the city's critical areas ordinance (Title 14).
- v. Existing buildings, including use, location, size, and date of construction, if any.
- vi. Existing on-site transportation circulation system, if any.
- vii. Location and size of all existing public and private utilities on the site including water, sanitary sewer, stormwater retention/treatment facilities, and electrical, telephone and data transmission lines.
- viii. Location of all public and private easements.
- ix. A description of the type, design, and characteristics of surrounding properties.
- x. Site and soil analysis for suitability of appropriate low impact development stormwater management facilities.

b. Detailed description of the transportation system within and adjacent to the site including:

- i. Street classification of all internal and adjacent streets.
- ii. Transit service availability.
- iii. Baseline traffic impact study.

c. Analysis of existing infrastructure capacity on, in the vicinity of, and downstream of the site consistent with Concurrency submittal requirements in NBMC 20.12.

6. Proposed Master Plan. Description of all proposed development within the subject site, presented in narrative, tabular and graphic formats:

- a. Underlying Zoning District Boundaries. If these are proposed to be modified as part of the master plan, the existing and proposed configuration of zoning districts shall be illustrated. Depending on the modification proposed, an amendment to the comprehensive plan's land use and zoning map may be necessary.
- b. Description of the mix of uses, including number of units and/or total gross square feet devoted to each, and location on the site.
 - i. Permitted Uses. All permitted or conditionally permitted uses in the underlying zoning district(s) are allowed. Additional permitted uses and conditionally permitted uses may be approved as part of the Master Plan, subject to the intent of the underlying zone.
 - ii. Density. Residential density by phase and at full build-out.
- c. All site improvements including the approximate size and location of buildings; surface and structured parking facilities; on-site pedestrian and vehicular circulation including identified improvements; transit stops, and pedestrian/transit amenities; and open space and landscaped areas.
- d. A preliminary infrastructure plan, including location of new and/or expanded existing public and private utilities including water, sanitary sewer, stormwater management facilities (including storm detention calculations and LID management facilities); and electrical, telephone, and data transmission lines.
- e. Summary of transportation facilities including:
 - i. Traffic impact study prepared by a traffic/transportation engineer that describes traffic impacts associated with each phase of development and at full build-out

of the project, and a plan for accommodating this traffic, consistent with Traffic Impact Study submittal requirements in the City's Public Works Standards.

- ii. Parking impact study describing the parking demand associated with each phase of the development and at full build-out of the project, and a plan for accommodating parking demand on the site consistent with NBMC 18.16, Parking.
- iii. A description of alternative modes of transportation, including public transit, bicycle, and pedestrian.
- iv. A description of potential pedestrian impacts, if any, and appropriate measures to mitigate these impacts.
- f. Plan for protecting designated environmental, historic/cultural, and open space resources.
- g. Plan for connectivity and buffers as needed from surrounding uses.
- h. Design standards that will govern the orientation and design of buildings and other improvements, including but not limited to the following, if deviation from compliance with applicable development regulations is proposed:
 - i. Architecture, including design standards and building materials for buildings, fences, walls, and other structures.
 - ii. Landscaping, including preliminary landscape plan and standard plant list. Native plant materials are preferred.
 - iii. Pedestrian circulation, including development standards, amenities, and materials.
 - iv. Bicycle parking facilities, including specifications.
 - v. Signs.
 - vi. Lighting.
- i. Identification of any alternative development standards from underlying zoning district standards, and the specific application of the alternative standards.
- j. Phasing plan for implementation of the proposed development.
- k. Summary of development intensity at full build-out.
- l. Summary of how the proposed master plan proposes innovative planning techniques, enhanced site design elements and/or other planning practices that will result in well-designed, efficient, and functional planned developments; and conforms with the goals and policies of the city's comprehensive plan.
- m. SEPA checklist.

7. Development standards.

- a. The provisions of the underlying zoning district shall apply.
- b. Uses identified as allowed or conditionally allowed in the respective zoning districts are allowed or conditionally allowed within the master plan overlay, unless specifically specified otherwise in the text of the master plan.
- c. As part of the proposed master plan, alternative development standards unique to the master plan overlay may be identified. Alternative standards for future development of the subject site related to height, setbacks, density, parking, landscaping, streets, and other components of development shall be specifically identified in the master plan.

8. In exchange for the consideration of alternative development standards, the master plan shall include innovative planning techniques and enhanced site design elements, including, but not limited to:

- a. Mixed use development;
- b. Live/work units;

- c. Integration of a variety of housing types;
- d. Transit-oriented development;
- e. Orient development towards open space features;
- f. Enhanced open space and recreational amenities for residents;
- g. Public parkland and/or trail corridor dedication;
- h. Pedestrian and nonmotorized facilities including key city connections;
- i. Enhanced stormwater management/LID;
- j. Energy efficient development;
- k. Green building techniques;
- l. LEED certification(s) including neighborhood development;
- m. Variety of building styles and architectural features/enhanced architectural design; and
- n. Business and economic opportunities/development.

9. The master plan shall identify the advantages and positive benefits of the proposed master plan to the North Bend community. Further, the master plan shall demonstrate how the alternative standards enhance and benefit the future residents or users of the master plan, as well as the greater North Bend community.

10. Criteria for approval: To the extent that master plan approval requires the adoption or amendment of any development regulation or other ordinance or the amendment of the Comprehensive Plan, such approvals shall require the adoption of necessary ordinances by the City Council. Adoption by the City Council of all such necessary ordinances shall be a condition of and prerequisite to master plan approval. To receive approval of a master plan and application of master plan overlay on the zoning map, the applicant shall demonstrate compliance with all the following criteria:

- a. Content. The master plan contains all the components required in this Chapter.
- b. Innovative planning technique(s), site design and/or architectural design. The master plan has demonstrated the use and integration of innovative planning techniques, site design and aesthetically appropriate architectural building design.
- c. Transportation System Capacity. There is either sufficient capacity in the transportation system to safely support the proposed master planned development in all future phases, or there will be adequate capacity by the time each phase of the development is completed.
- d. Availability of Public Services. There is either sufficient capacity within public services such as water supply, sanitary sewer, stormwater management, and police and fire services, to adequately serve the master planned development in all future phases, or there will be adequate capacity by the time each phase of the development is completed.
- e. Protection of Regulated Critical Areas. City-regulated natural resources such as critical areas are protected in compliance with the other titles of the NBMC.
- f. Compatibility with Adjacent Uses. The master plan contains design, landscaping, parking/traffic management, and multi-modal transportation elements that limit conflicts between the master planned development and adjacent uses.
- g. Mitigation of Off-Site Impacts. All potential off-site impacts including but not limited to traffic, noise, light and glare, and stormwater runoff are identified and mitigated to the extent practicable.
- h. Alternative Development Standards. The master plan has identified all proposed alternative development standards and has demonstrated:
 - i. The alternative development standard(s) is warranted given the site conditions and/or characteristics of the site design.

- ii. The benefits accruing from the alternative development standards outweigh any potential adverse impacts.
 - iii. Adverse impacts resulting from the alternative development standards are mitigated to the extent practical.
- 11. Conditions of approval. The CED Director shall have the authority to impose any conditions of approval necessary to mitigate potentially adverse impacts.
- 12. Effect of master plan approval. The approved master plan together with all revisions, required mitigation and conditions imposed shall constitute the approved master plan. The approved master plan does not itself authorize development but provides standards against which applications for subsequent development including site plans and permits for development of property covered by the approved master plan overlay are to be reviewed.
- 13. Subsequent development.
 - a. When a land use permit is submitted to the city for development within a master plan overlay, the CED director shall review the application for substantial compliance with the approved master plan. "Substantial compliance" shall mean the development proposal:
 - i. Is within the scope and intent of the approved master plan;
 - ii. Is of substantially similar size, scale, site and architectural design of the approved master plan, and does not present appreciably different environmental effects from those identified during the master plan review process;
 - iii. Does not reduce overall acreage identified as dedicated public areas or buffer areas, and in the case of alterations to the location of such areas, provides equal or greater benefit as compared to the area designated in the master plan; and
 - iv. Does not significantly change the mix and location of land uses, generation of traffic impacts, and/or major points of ingress or egress.
- 14. The CED director or designee shall give written notice to the applicant whether the proposed development substantially complies with the approved master plan. In the event the proposed development is determined not to be in substantial compliance, the notice shall specify the reason(s) for the determination and suggest action(s) that would bring the proposal into substantial compliance, including, if appropriate, the need for an amendment.
- 15. Approval process for subsequent development. Any development permit sought under an approved master plan shall be subject to the provisions of Title 20 and Title 18. In the event site development or design standards approved as part of the master plan differ from otherwise applicable city standards, the approved master plan standards shall control. If alternative standards are not identified in the approved master plan, the applicable city code standard shall control.
- 16. Amendment of approved master plan. Any proposal to amend an approved master plan shall be processed as an amendment to development regulations under the provisions of Chapter 20.01.004 and will be reviewed under the criteria of approval for master plans.
 - a. An amendment to an approved master plan may be proposed in conjunction with a land use development permit that was found not to be in substantial compliance.
 - b. An amendment to an approved master plan may be proposed if the property owner/applicant wishes to change any of the elements of the approved master plan.
 - c. Any necessary zoning map amendments may be processed with a proposed amendment.

17. Expansion of master plan overlay. Additional land may be added to the master plan overlay through a zoning map amendment unless a change in the underlying land use designation is desired; in that case, an amendment to the comprehensive plan land use map may also be necessary. When the overlay is expanded, the master plan shall be required to be amended to address the expanded area, prepared subject to the provisions of this Section. Amendments to the master plan may occur concurrently with the map amendment process, or subsequent to that process.
18. Vesting. Development standards, site and architectural design standards identified in an approved master plan shall control for all subsequent site development during the term of the approved master plan. If alternative standards or procedures are not specifically identified in the approved master plan, the applicable city standard at the time of submittal of a complete building permit application or complete subdivision application shall control.
19. Duration of approved master plan. An approved master plan shall remain valid for a term of five years, or as may otherwise be provided for in the master plan's approved phasing plan. If the master plan is constructed in phases, each phase shall be considered as a separate "stand-alone" phase, and all infrastructure necessary to support each phase must be constructed or otherwise secured to the City's reasonable satisfaction prior to issuance of the first building permit for the specific phase.

18.13.030 East North Bend Master Plan Overlay District (ENB-MPOD).

1. Purpose. To accommodate a well coordinated mix of employment generating uses, while acting as a gateway to the Middle Fork Road recreational area. It is the intent of the resulting master plan of this overlay district to coordinate vehicular circulation and site design to minimize possible adverse impacts to adjacent residential areas and nearby schools, while preserving the existing small town rural character of North Bend, emphasizing nearby regional recreational areas accessed via the Middle Fork Road, and the natural beauty of these lands. The overlay shall provide safe, efficient, and well coordinated public traffic routes. A Master Plan shall be developed for the overlay area prior to development approval.

18.13.040 Tanner Junction Master Plan Overlay District (Tanner Junction MPOD)

1. Purpose. Due to the proximity of the single-family low density residential zones immediately to the south and west and the nearby Snoqualmie Valley Trail, certain light industrial and manufacturing uses permitted by the underlying zone could be inconsistent with the recreational uses and residential character of the immediate area. A Master Plan shall be developed for the entire overlay area prior to development approval to ensure compatible uses and design with the adjacent residential neighborhood.

18.13.050 Neighborhood Business Residential Overlay District (NB MPOD)

1. Purpose. To reduce incompatible uses and provide consistency with the character and build-out of existing lots in this area, it is recognized that continuing to allow single-family detached and cottage within this portion of the NB zone should be allowed. This area is unique as 455th Avenue SE and SE 141st Street remains private, which could limit commercial development. This overlay would be in effect until such time a comprehensive plan amendment and zoning change are approved. If a comprehensive plan amendment and zoning change to these parcels are approved by council to change the land use from commercial to residential and zoning from neighborhood business to low density residential, this overlay would no longer be needed.

2. Allowable Uses and Bulk and Dimensional Standards. Uses within the Neighborhood Business MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure 18.13.40-1 and may be comprised of NB uses, except single-family detached are allowed within this overlay. A 15-foot Type 1 landscape transition area, pursuant to Chapter 18.18 NBMC Table 1, shall be installed between the commercial properties abutting SE North Bend Way and the NB MPOD behind. If single-family is proposed, the bulk and dimensional standards for those uses per NBMC 18.10.050 shall apply and not NB standards.
3. The Neighborhood Business Residential Overlay District is exempt from the requirements of Chapter 18.13.20.

Figure 18.13.050-1



Chapter 20.01.004

Table 20.01.004 is amended to add a column containing section v, Special District, Master Plan, and Master Plan Amendments, as follows:

Table 20.01.004 Development Permit and Approval Framework

Permit Type – II Quasi-Judicial	Code Requirement	SEPA Review	Staff Recommend	Staff Decision	Open Record Hearing	Closed Record Hearing	Decision Body	Open Record Appeal	Closed Record Appeal	Court Appeal
<i>v. Special District, Master Plan, and Master Plan Amendments</i>	<u>18.13</u>	<u>E or NE</u>	<u>Yes</u>	<u>No</u>	<u>HE</u>	<u>No</u>	<u>HE</u>	<u>No</u>	<u>No</u>	<u>Yes</u>

CC – City Council CE – City Engineer CED – Community and Economic Development

HE – Hearing Examiner DOE – Department of Ecology E or NE – Exempt or Nonexempt PC – Planning Commission

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 regulations with the new regulations proposed in NBMC Chapter 18.13 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.
- 2) **Economic Impacts.** Positive economic impacts are anticipated from the proposed amendments. The amendments provide greater opportunity for unique development opportunities, making development more feasible than the current regulations. Additionally, the proposed code, removes confusing language making the code easier to understand.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from the amendments. The amendments are proposed include language regarding compatibility to adjacent uses. All proposed projects must plan for protecting cultural resources.
- 4) **Impacts to Surrounding Properties.** No negative impacts to surrounding properties are anticipated from the amendments. The amendments are regulation for preparation of future Master Plans. The regulations include review for compatibility to surrounding properties.

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, amendments to the existing Overlay Zones will be reviewed, consistent with the proposed municipal code and zoning map amendments. The current proposal is compatible with the Comprehensive Plan, but additional review and future amendments are planned to future clarify the overlay zone areas.

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.*
- *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 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 18.13 and repealing 18.10.025 establishing the regulatory process for master plan overlays. This code is compatible with the North Bend Municipal Code.

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 discusses overlay zones including allowance for additional Master Plan Overlay Districts to be adopted over time and incorporated in the NBMC.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. The proposed change creates a detailed process for approval of Master plans in the future, which is not currently addressed.
3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments to the creates a clear process for future master plans. This creates both a public and developer understanding of the process and criteria.
4. Will the proposed change result in a net benefit to the community?
Yes. As described in above this regulation puts in place a clear process for development of master plans and how the plan would be a benefit to the community.

VIII. Summary Findings:

1. The Planning Commission considered the proposed Special Districts amendments and associated draft amendments at their March 25, 2021 Planning Commission meetings and held a public hearing on the draft regulations at their April 8, 2021 meeting.
2. Following consideration of public comment received at the April 8, 2021 Public Hearing, the Planning Commission voted to approve the draft amendments.
3. Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on March 24, 2021.
4. The proposed municipal code amendment has been determined exempt from State Environmental Policy Act review pursuant to NBMC 14.05.050(S), as “the adoption of regulations relating solely to governmental procedures and containing no substantiative standards respecting use or modification of the environment.”
5. 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 as provided herein.

Rebecca Deming, CED Director

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 of the draft regulations as provided herein.

Planning Commission Chair

Date

Exhibit A – NBMC 18.10.025 Special Districts, to be repealed

Exhibit B – Public Comment (to be added once received)

Current NBMC 18.10.025 Special Districts to be repealed

18.10.025—Special districts.

A. Repealed by Ord. 1657.

B. General Overlay Districts.

1. ~~Transitional landscape area (TLA), as identified in the North Bend Comprehensive Plan Figure 1-5, includes specific locations along I-90 and North Bend Way within North Bend and the UGA, which require appropriate landscape transitions to help foster the existing small town character of North Bend, buffer incompatible uses, sustain the city's natural assets for continued economic prosperity and quality of life, and support the regional efforts along the Interstate 90 (I-90) corridor, a designated national scenic byway that gets international tourism promotion from the Federal Scenic Byways Program. North Bend is considered the "Gateway to the Puget Sound" from westbound I-90, therefore careful consideration should be taken with regard to landscaping and buffering intensive uses near and adjacent to the I-90 corridor in order to support the goals of the national scenic byway designation along the scenic I-90 corridor. Where a TLA affects more than 20 percent of the total gross area of any parcel, the TLA may be reduced such that not more than 20 percent of the total gross area of the parcel is affected by the TLA, subject to performance standards found in NBMC 18.10.050 and landscape criteria found in Chapter 18.18 NBMC. Regional trail linkages are allowed within the TLA. The TLA applies to new commercial or industrial development applications, residential building permits, short plats, subdivisions and multifamily site plans, binding site plans, and/or clearing and grading permits associated with said applications. The TLA shall be measured from the edge of the applicable right of way and should either be placed in a tract to be dedicated to the applicable owners' association, placed within an easement for transitional landscape area purposes, or subject to city approval, dedicated to the city for TLA and trail purposes.~~

2. ~~Critical areas overlay district (CAOD) is intended to identify those areas within the North Bend urban growth area that include: (a) floodways, (b) channel migratory areas, (c) streams and associated buffers, and (d) wetlands and associated buffers where there are special regulations on the use and development of property in order to protect environmentally critical areas. The applicable development regulations are contained in Chapters 14.05 through 14.12 NBMC.~~

3. ~~Urban Separator Overlay District (USOD). The urban separator is an area of North Bend which is located in, among and around significant natural features that help to define the community's identity. The USOD, as identified in the North Bend Comprehensive Plan as Figure 1-6, includes land located predominately north of the Snoqualmie River, east of SR 202, and south of the boundary with the city of Snoqualmie. This area includes both Meadowbrook and Tollgate Farms. The intent of the USOD is to ensure that development occurs consistent with the goals and policies of the comprehensive plan requiring the minimum build out of the zoning district in which the parcel is located. Property owners in the USOD may also take advantage of the transfer of development rights program to enable development rights to be transferred out of the USOD. NBMC 18.10.030, Table of permitted and conditional uses, identifies the permitted uses within the USOD. The permitted uses within the USOD must also satisfy the criteria stipulated in NBMC 18.10.040 in relation to bulk and dimensional standards, NBMC 18.10.050 in relation to performance standards and Chapter 18.34 NBMC, Design Standards and Guidelines.~~

C. Master Plan Overlay Districts.

1. ~~Process. A master plan overlay district (MPOD) provides a process by which a specific planned mix of uses and layout may be provided through a master plan to address unique site specific opportunities and constraints.~~

a. ~~The MPOD layout map shows the approximate location of future land uses, open spaces, public streets and access points.~~

b. ~~All short plats, subdivisions, binding site plans, site plans or all other development approvals, including construction approvals, shall be generally consistent with the MPOD layout map, and shall conform to specific standards established under the MPOD, and the provisions of this chapter. The road location~~

~~shown on the MPOD layout map may change in the final development plan, but shall be generally consistent with the layout map.~~

~~e. The first and initial land use development application for any parcel within the MPOD shall show the approximate location of all applicable land uses, open spaces, public streets and access points for the entire parcel or application site, allowing for the comprehensive planning intended by the MPOD.~~

~~2. Tanner Landing Master Plan Overlay District (Tanner Landing MPOD). The Tanner Landing MPOD is located between North Bend Way on the south and the Snoqualmie Valley Trail and King County's Tanner Landing Park on the north.~~

~~a. Purpose. Due to the proximity of the Snoqualmie Valley Trail and King County's Tanner Landing Park immediately north of the site, both of which are regionally significant recreation facilities, certain light industrial and manufacturing uses permitted by the underlying EP-1 zone could be inconsistent with the recreational uses and character of the immediate area. In addition, access to the eastern end of Tanner Landing Park is desired for future King County plans for improved whitewater access facilities and a more visible entrance to the park from North Bend Way. A master plan overlay district establishes a site plan and mix of uses more compatible with, and more oriented to, these important park and recreation lands and facilitates and enables future access to the eastern end of Tanner Landing Park. Should an applicant wish to propose a site layout or mix of uses alternative to that provided by the MPOD, the applicant may apply for a development agreement pursuant to Chapter 18.27 NBMC. Such development agreement shall not preclude other parcels within the MPOD from achieving conformance to the provisions of the MPOD.~~

~~b. Site Circulation. Streets and access locations to be constructed shall at a minimum include the following:~~

~~i. There shall be a maximum of three access locations into the parcel from North Bend Way, including the through street described below. An additional access point may be considered only for emergency access purposes or if warranted by a traffic study. Public and private access locations shall include minimum five foot wide sidewalks and minimum five foot wide planter strips at the intersection with North Bend Way, and may transition from there to alternative standards within the private development.~~

~~ii. A public north-south through street shall bisect the site in the eastern half of the parcel to enable future public access to the Tanner Landing Park, generally in the location identified on Figure 18.10.025-1.~~

~~(A) The north-south through street shall be constructed to curve and meander through the site as depicted in the below diagram and shall be dedicated to the city of North Bend with the recording of the final plat or final binding site plan approval, in a location so as to accommodate a minimum two and one half acre park east of the street, as further described under subsection (C)(2)(c) of this section.~~

~~(B) The north-south through street shall be constructed through the site to the boundary of the parcel containing the King County Snoqualmie Valley Trail, at approximately the location of the existing gated access into Tanner Landing Park, for future connection by King County into Tanner Landing Park. Construction of the road shall occur with the first phase of any development application.~~

~~(C) The north-south through street shall be located adjacent to the park area as depicted below in Figure 18.10.025-1.~~

~~(D) The north-south through street shall be constructed according to the standard for collector streets in Chapter 19.01 NBMC and the city of North Bend public works standards, or as otherwise approved to accommodate a low impact development design. Wherever buildings front to the street, the landscape strip shall be paved and shall include street trees and tree grates. Remaining areas of landscape strip shall be planted with street trees and ground cover.~~

iii. ~~Vehicular and pedestrian connectivity shall be maintained through the site in an east west direction between the most westerly entrance point to the north south through street. This road shall meander throughout the site and not be a straight road. This connectivity may be via a private route or routes.~~

e. ~~Site Layout and Mix of Uses.~~ The uses allowed within the Tanner Landing MPOD are identified under Table 18.10.030, Permitted and Conditional Land Uses. Figure 18.10.025 1 identifies the locations where these uses are to be allowed on the site. Generally:

- i. ~~Residential and Retail Commercial Area.~~ The area west of the minimum two and one half acre park, comprising approximately 60,000 square feet, shall be reserved for retail commercial uses and/or residential uses. Bulk and dimensional standards applicable to the residential and retail commercial area shall be as established for the NB or HDR zone (depending on the use) per Table 18.10.040, Bulk and Dimensional Standards.
- ii. ~~Park Oriented Retail Area.~~ An area of approximately 10,000 square feet east of the north south through street within the park shall be reserved for restaurant or recreation oriented retail uses which complement the park (e.g., coffee shop, sandwich shop, and seasonal and year round recreational uses, such as kayak, canoe, bicycle, hiking and skiing related sales, rental and repair). This area shall be dedicated to the city; provided, however, ownership of such restaurant or recreation oriented uses may be private, subject to city approval. Such uses shall integrate with the park as determined by the CED director, based on consistency with the provisions of the city's comprehensive plan, parks plan, or related planning documents. Bulk and dimensional standards applicable to the park oriented retail area shall be as established for the NB zone per Table 18.10.040, Bulk and Dimensional Standards.
- iii. ~~Mixed Residential and Office Commercial Area.~~ The area west of the residential and retail commercial area shall be reserved for residential development and/or office commercial uses. A mix of residential and office commercial uses is preferred but not required.

(A) ~~Bulk and dimensional standards applicable to residential uses shall be as established for the HDR zone per Table 18.10.040, Bulk and Dimensional Standards, except as follows:~~

- (1) ~~Density shall not exceed 10 dwelling units per acre. The retail commercial area described in subsection (C)(2)(e)(i) of this section and the two and one half acre public park described in subsection (C)(2)(e)(iv) of this section shall not be included in calculating density;~~
- (2) ~~Frontage setbacks along North Bend Way shall be a minimum of 20 feet and may be increased to accommodate stormwater biochannels and other park features. Type 2 Landscaping, per Chapter 18.18 NBMC, shall be provided within the 20 foot setback along North Bend Way, except where biochannels exist;~~
- (3) ~~The rear yard setback shall be a minimum of 20 feet;~~
- (4) ~~A minimum of 30 feet shall exist between any multifamily structure or associated building within the development; and~~
- (5) ~~Height of any structure located adjacent to North Bend Way shall not exceed two stories and the roof pitch shall be 6:12 for the primary roofline.~~

(B) ~~Bulk and dimensional standards applicable to office commercial uses shall be as established for the EP 1 zone per Table 18.10.040, Bulk and Dimensional Standards.~~

(C) ~~Required residential recreation and common space for the residential uses shall be as provided in Chapter 17.25 NBMC unless otherwise approved by the city in consideration of other park or open space land provided.~~

(D) ~~A minimum of three trail access connections from the east west through street to the Snoqualmie Valley Trail shall be provided within the mixed residential and office commercial~~

~~area. Trail access connections shall be constructed per the requirements of Chapter 17.25 NBMC.~~

~~(E) The specific mix and locations of residential and commercial uses shall be guided by the following general provisions:~~

~~(1) The site planning for the mix of uses, if any, should be coordinated to provide view corridors from public and residential areas. Buildings shall be oriented to create a minimum of three unobstructed 60 foot wide view corridors through the site to Mt. Si and Tanner Landing Park in locations determined by the city, providing visual penetration through the site to the natural features of Mt. Si and Tanner Landing Park. An unobstructed view corridor means there are no buildings within such view corridor.~~

~~(2) Required residential recreation and common space, as provided per Chapter 17.25 NBMC, should be located to connect with the Snoqualmie Valley Trail corridor, and coordinated with the location of the required trail access connections from the development.~~

~~(3) Commercial buildings should be oriented generally with a north-south axis to maintain view corridors through the site.~~

~~iv. Public Park. An area east of the north-south through street, and containing a minimum of two and one half acres, shall be dedicated and conveyed to the city of North Bend for use as a public park prior to or concurrent with submittal of the first land use application, building permit application, or other development approval application on the site. A development agreement implementing these overlay zoning district regulations is not considered a development application for this purpose. Prior to the city's acceptance of the dedication of the park site, the applicant shall remove all existing improvements from the park site, including the dilapidated house and accessory structures and equipment. A maximum of 10,000 square feet of the minimum two and one half acre park area shall be reserved for park-oriented commercial retail development within the park as described above. The north-south through street shall not be included in the calculation of the two and one half acres for the park. The park shall be named after the property owner upon dedication to the city of North Bend: "Dahlgren Family Park."~~

~~d. Building Size and Orientation. In addition to the provisions of the applicable design standards in Chapter 18.34 NBMC, the following standards shall apply to the layout and orientation of buildings within the Tanner Landing MPOD:~~

~~i. Buildings constructed within the residential and retail commercial area shall provide primary frontage to the north-south internal through street, with a focus on the intersection of the north-south through street and the east-west internal connection to the western parts of the site. Secondary frontage may be provided along the east-west internal connection;~~

~~ii. A plaza, constructed per the plaza requirements identified in NBMC 18.34.070, shall be located either on the west side of the north-south through street, or in association with a park-oriented commercial development on the east side of the north-south through street. The plaza shall be incorporated with the design of the building fronting to the plaza. The final location of the plaza will be determined by the development plan;~~

~~iii. Parking for buildings in the residential and retail commercial area shall be located behind the buildings. Each residential unit shall provide an attached garage. Carports are not allowed. All parking must be screened from public streets by landscaping and/or architectural screening and located so their visual presence is minimized;~~

~~iv. The parking lot for any park-oriented commercial development on the east side of the north-south through street shall to the extent practicable be located behind (east of) the building. Vehicular access to the parking lot shall be from the north-south through street;~~

- v. ~~Building Footprint Limitation. Commercial building footprints shall not exceed approximately 30,000 square feet per building. Larger buildings may be considered when creating a significant employment base (approximately one job/500 gross square feet of building area);~~
- vi. ~~All loading docks shall be located behind the buildings and not be visible from North Bend Way;~~
- vii. ~~Multifamily structures shall be designed to include usable covered decks, porches and/or balconies for each unit;~~
- viii. ~~Architectural features on buildings shall include large rough timbers, natural stone, handcrafted materials, use of natural materials, large roof overhangs and other architectural features typically seen in mountain or alpine buildings. No white vinyl window frames are allowed; and~~
- ix. ~~For residential developments, a mix and diversity of multifamily building structures shall be provided, including duplex, triplex and fourplex. No more than 20 percent of the total number of buildings in the development may contain the maximum of 10 dwelling units per building allowed under the HDR zone and such buildings shall not be located adjacent to North Bend Way.~~

3. East North Bend Master Plan Overlay District (ENB MPOD).

- a. ~~Purpose. To accommodate a well coordinated mix of employment generating uses such as office, employment park, research and development and light manufacturing. Commercial truck services may be allowed subject to the provisions of this overlay district. It is the intent of the overlay district to coordinate vehicular circulation and site design to minimize possible adverse impacts to adjacent residential areas and nearby schools, while preserving the existing small town rural character of North Bend and nearby regional recreational areas. The overlay shall provide safe, efficient and well coordinated public traffic routes and minimize driveway cuts on North Bend Way and 468th Avenue SE. Buildings shall be oriented to and accessed by public streets or shared driveways as conceptually depicted in Figure 18.10.025-2.~~
- b. ~~Definitions.~~
 - i. ~~“Warehouse” is a building or structure used for the storage of goods and/or materials, where the total gross floor area dedicated to the storage of goods and/or materials exceeds 65 percent; provided, however, if an applicant can provide evidence and make a showing that the primary function of the use within such building or structure is manufacturing, assembly, or reassembly of goods and materials, then it shall not be defined as a warehouse. In the event of multiple structures or buildings (e.g., campus style layout) operated by a single user, the use is warehousing if aggregate warehousing exceeds 65 percent of the total gross floor area of all buildings associated with that single user.~~
 - ii. ~~“Single user” means a single business entity that shares management, controlling ownership interests, storage areas or shared ingress and egress into that business entity.~~
 - iii. ~~“Substantial improvements” means improvements worth more than 50 percent of the assessed value of the original building(s).~~
- e. ~~Site Circulation. Site circulation shall minimize driveway cuts and provide for safe, efficient and well coordinated traffic routes and intersections along North Bend Way and 468th Avenue SE. Public streets shall be provided within and through the ENB MPOD generally as identified on Figure 18.10.025-2 and the following provisions. Locations of streets, depicted herein, are conceptual and may be adjusted subject to maintaining the overall circulation, connectivity and building orientation as described herein.~~
 - i. ~~SE 144th Street shall be extended westward through the ENB MPOD and intersect with a north/south collector street at the westerly boundary of the ENB MPOD.~~
 - ii. ~~A north/south collector street shall be provided between North Bend Way and SE 140th Street, at the westerly boundary of the ENB MPOD.~~

iii. An additional north/south street shall be provided south to North Bend Way at approximately the west boundary of the existing or future expansion of the truck service area.

iv. One additional access point located between SE 144th Street and the existing access gate may be provided from 468th Avenue SE, which shall connect to the extension of SE 144th Street.

v. Street Standards. The public streets provided within the ENB MPOD shall be designed per the collector street standard in Chapter 19.01 NBMC and the city of North Bend public works standards, unless otherwise approved by the city public works director. On-street parking may be prohibited to avoid overflow truck parking on public streets.

vi. Access to Parcels. Access to parcels shall be from shared driveways off the future public streets internal to the master plan and not from North Bend Way, SE 140th Street, or 468th Avenue SE. For parcels located adjacent to North Bend Way not more than four shared access points shall be permitted, one of which shall be constructed as a public street and connect to the street network internal to overlay district.

vii. No driveway access shall be allowed from the internal streets of the ENB MPOD to the existing commercial truck center, more commonly known as Truck Town.

d. Site Layout and Mix of Uses. The allowed uses and bulk and dimensional standards for areas within the ENB MPOD shall be consistent with that provided by the underlying zoning of either employment park 2 or interchange commercial as identified in NBMC Table 18.10.030, Permitted and Conditional Land Uses, and NBMC Table 18.10.040, Bulk and Dimensional Standards, unless otherwise noted below.

i. Neighborhood Service/Retail Area. Approximately one acre, but not more than 1.25 acres, of neighborhood service/retail may be located at the intersection of SE 144th Street and 468th Avenue SE. Access to this area shall be from the future public street internal to the master plan site, and shall not be from 468th Avenue SE. This area is intended to provide neighborhood services, restaurants and small scale retail to meet the needs of the nearby employment park uses and neighborhoods.

(A) Allowed Uses. In addition to those uses permitted in the EP 2 zone, all uses as permitted in the neighborhood business (NB) zone as identified in NBMC Table 18.10.030 are permitted, with the following exceptions which are prohibited: residential, automotive/vehicular uses, equipment rental, grocery/supermarket, hardware store, theater, lumber and building materials, storage facilities, and drive thru restaurants or services; provided, however, that a coffee shop may have one drive thru lane.

(B) Orientation of Buildings. The retail buildings shall be oriented and front to 468th Avenue SE and the future extension of SE 144th Street. Access shall be from roads internal to the ENB MPOD. The retail building shall incorporate a functional entrance at the corner of SE 144th Street and 468th Avenue SE.

ii. Employment Park 2 – General.

(A) Allowed Uses. All uses as permitted in the EP 2 zone as identified in NBMC Table 18.10.030, Permitted and Conditional Land Uses.

(B) Building footprint shall not exceed 150,000 square feet per building.

(C) Warehousing is prohibited.

(D) If any of the existing residential properties located within the ENB MPOD are redeveloped into an EP 2 use, those properties shall be subject to the provisions of this overlay district. Access to the redeveloped sites should be via streets internal to the ENB MPOD, to the extent feasible as determined in the reasonable discretion of the CED director.

(E) All loading docks shall be located behind the buildings and shall be screened from view from public streets using 15 foot Type 1 landscaping.

(F) Commercial truck center/service area is prohibited.

iii. Employment Park 2 – Office/Light Manufacturing. The EP 2 Office/Light Manufacturing area is located directly adjacent to North Bend Way with good exposure to I-90. All uses as permitted in the EP 2 zone as identified in NBMC Table 18.10.030, Permitted and Conditional Land Uses, are permitted, except the following uses are prohibited: automotive/vehicular uses, equipment rental, storage facilities, distribution/assembly centers and warehousing.

(A) Building Footprint Limitation. Building footprint shall not exceed 35,000 square feet per building.

(B) Buildings shall orient to and have the main entrance front North Bend Way.

(C) All loading docks shall be located behind the buildings and shall not be visible from North Bend Way.

(D) Assisted senior living and hotels are allowed subject to the following:

(1) A 30 foot Type 2 landscape buffer is provided on the side and rear property boundaries to mitigate any future conflict with incompatible uses on adjacent properties to the north.

(2) Hotels shall not exceed the district's height limitation of 35 feet.

iv. Commercial Truck Center/Service Areas. The ENB MPOD includes an existing commercial truck center/service area, commonly known as Truck Town, which is located on approximately 16.1 acres in the interchange commercial zone. Due to its location at the base of Snoqualmie Pass and at the gateway to the Puget Sound area, commercial truck traffic and overnight truck parking is often an issue, creating unmitigated adverse impacts to the city's streets and air quality. This facility is currently the only commercial truck center in King County. The city has determined a new commercial truck center/service area or expansion of the existing use, beyond the current site, is not in the best interest of North Bend and therefore prohibited. The existing commercial truck center/service area may continue to operate and improve the facility, at its current site, subject to the provisions below. As used in this section, "substantial improvements" means new improvements having a market value worth more than 50 percent of the assessed value of the existing improvements as determined by the King County assessor and includes any repair or reconstruction of a structure; and/or to the site (other than a structure). "Substantial improvement" is considered to occur when the first alteration to any structure or other improvement to the site commences, whether or not that alteration affects the external dimensions of any structure. The market value shall be determined by reviewing King County parcel data for improvements and the owner may be required to obtain an MAI appraisal to substantiate value. The market value and the cost of new improvements will be determined at the time of complete building permit submittal and shall take into account the cost of any improvements undertaken on the site within the 10 year period immediately preceding the date of submittal of such application. The term "substantial improvement" excludes any interior tenant improvements to a structure. The term runs with the property and not with the property owner.

(A) Substantial improvement to existing commercial truck center/service area facilities shall make available truck stop electrification capabilities, or other means for each truck to utilize to eliminate idling.

(B) Substantial improvement to existing commercial truck center/service area facilities shall require full compliance with the North Bend Municipal Code.

(C) Any redevelopment of the existing 16.1 acre commercial truck center/service area located in the interchange commercial zone shall locate all new retail, restaurants and commercial

~~buildings along 468th Avenue SE and North Bend Way (see Figure 18.10.025 2, commercial building priority area). Truck and vehicular parking and truck service areas shall be placed to the rear and internal areas of the site. Truck parking is prohibited adjacent to North Bend Way or 468th Avenue SE. For the purposes of this subsection, “redevelopment” means construction of new buildings or demolition and reconstruction of any existing buildings or structures.~~

~~(D) Commercial truck parking areas shall not be located adjacent to public streets, unless a 30-foot, Type 2 landscape buffer is provided.~~

~~(E) Performance Standards. Commercial truck center/service area facilities and related uses shall comply with the performance standards as set forth in NBMC 18.10.050.~~

~~(F) Permitted Uses. For interchange commercial zoned property within the ENB MPOD, all uses permitted in the IC zone as identified in Table 18.10.030, Permitted and Conditional Land Uses, are permitted including commercial truck center/service area facilities.~~

~~v. Site design for all uses within the ENB MPOD shall provide for shared truck turning.~~

~~e. Buffering.~~

~~i. The required 40 foot transitional landscape area (TLA), located on SE 140th Street, shall be extended southward on 468th Avenue SE to SE 144th Street. If neighborhood retail/service uses are provided at the corner of SE 144th Street and 468th Avenue SE, the TLA may cease where the pedestrian oriented corner treatment of the building begins. The city may approve a reduced dimension of the TLA, in the reasonable discretion of the CED director, to accommodate architectural facade elements and other building design features.~~

~~ii. To allow for the retention of the existing and remaining evergreen trees along SE 140th Street and 468th Avenue SE, in lieu of constructing a sidewalk on the south side of SE 140th street and the west side of 468th Avenue SE, a meandering trail shall be provided within the 40 foot transitional landscape area. The trail shall meet the trail standards as set forth in Chapter 17.25 NBMC and ADA barrier free standards.~~

~~iii. All perimeter buffer requirements as set forth in Chapter 18.18 NBMC shall apply.~~

~~4. Tanner Junction Master Plan Overlay District (Tanner Junction MPOD). The Tanner Junction MPOD includes properties zoned EP 1 that are located between North Bend Way to the north and SE 136th Street and I-90 to the south, and as further depicted on Figure 18.10.025-3.~~

~~a. Purpose. Due to the proximity of the single family low density residential zones immediately to the south and west and the nearby Snoqualmie Valley Trail, certain light industrial and manufacturing uses permitted by the underlying EP 1 zone could be inconsistent with the recreational uses and residential character of the immediate area. A master plan overlay district establishes a site plan and mix of uses more compatible with these adjacencies. Should an applicant wish to propose a site layout or mix of uses alternative to that provided by the MPOD, the applicant may apply for a development agreement pursuant to Chapter 18.27 NBMC. Such development agreement shall not preclude other parcels within the MPOD from achieving conformance to the provisions of the MPOD.~~

~~b. Site Circulation, Frontage and Trails. Streets and access locations to be constructed shall at a minimum include the following:~~

~~i. Public and private access locations shall include minimum five foot wide sidewalks and minimum five foot wide planter strips at the public street intersections, and may transition from there to alternative standards within the private development.~~

~~ii. There shall be a maximum of two access locations from North Bend Way, including the collector street described below. The separate triangular shaped eastern parcel ending in 9188 may have shared access with the adjoining parcel to the east onto SE North Bend Way, to allow for adequate separation~~

~~from Tanner Road. An additional access point may be considered only for emergency access purposes or if warranted by a traffic study.~~

~~iii. At a minimum, a public north south collector street shall bisect the site in the western half of the parcel to connect SE 136th Street with North Bend Way, in the location identified on Figure 18.10.025-3 connecting SE Tanner Road and SE 136th Street at 440th Place SE to the south.~~

~~(A) The north south collector street shall be constructed and dedicated to the city of North Bend with the recording of the final plat, final binding site plan approval (if applicable), prior to final building permit, or other associated permit for a development proposal on the affected property.~~

~~(B) The north south collector street shall be constructed according to the standard for collector streets in Chapter 19.01 NBMC and the city of North Bend public works standards, or as otherwise determined necessary by the city engineer.~~

~~(C) An additional street may be warranted depending on the type of development proposed to bisect the remaining parcel as shown dotted on Figure 18.10.025-3 and aligning with the proposed access points.~~

~~iv. The three most westerly parcels shall share one access point, to the extent feasible as determined by the city, from SE 136th Street to line up with 437th Place SE. An additional access point may be considered only for emergency access purposes, or if warranted by a traffic study approved by the city. An exit only may be allowed onto 436th Avenue SE at the city's discretion.~~

~~v. In order to preserve existing significant trees along SE 136th Street and 436th Avenue SE, the public sidewalk shall meander through the retained significant trees, to the extent feasible as determined by the city. The CED director may allow flexible building setbacks to accommodate retention of the significant trees along the frontage and within the front yards.~~

~~vi. A 40 foot Type 2 transitional landscape area shall be provided along 136th Street on parcels where EP-1 uses are the only allowed uses and per the diagram below. A public trail, constructed per the trail construction standards in NBMC 17.25.065, shall be constructed along the southern boundary, and within the TLA, to connect the residential areas of SE 136th Street to the Snoqualmie Valley Trail. A public access trail easement containing the trail corridor shall be provided to the city, prior to final building permit approval for development on the affected parcel.~~

~~vii. A 10 foot wide paved public trail (Tanner Trail) with 10 foot planter strip area containing street trees and associated turf and/or native shrubs and ground cover plantings, constructed per the trail construction standards in NBMC 17.25.065, built to match the existing Tanner Trail section located within downtown North Bend, shall be constructed along the SE North Bend Way frontage to connect with the King County Snoqualmie Valley Trail as shown on Figure 18.10.025-3. Existing significant trees shall be retained in this area unless there is conflict with an access point.~~

~~e. Any land use permit associated with properties fronting North Bend Way shall install a pedestrian crossing across North Bend Way providing a connection to Tanner Trail and Snoqualmie Valley Trail. The pedestrian crossing shall include at a minimum a perpendicular crosswalk at SE North Bend Way with reflective bumps and/or lights. Further safety measures may be determined necessary by the city through the development review process.~~

~~i. The applicant shall coordinate with King County Parks and the city of North Bend for a safe and efficient at grade crossing of the Snoqualmie Valley Trail with SE North Bend Way and Tanner Trail.~~

~~ii. Trail parking of not less than three spaces shall be provided as part of any development application and shall be constructed in conjunction with the development. A bike rack is also encouraged.~~

~~d. Allowable Uses and Bulk and Dimensional Standards.~~

i. ~~Uses within the Tanner Junction MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure 18.10.025-3. Parcel Nos. 1423089132, 1423089136 and 1423089135 may be comprised of HDR uses and/or EP-1 uses, except single family detached and cottage are not allowed within this overlay. A 20 foot Type 1 landscape transition area, pursuant to Chapter 18.18 NBMC Table 1, shall be installed between HDR and EP-1 uses. Except as expressly authorized in this subsection, no other HDR uses are allowed in this Tanner Junction MPOD.~~

ii. ~~Bulk and dimensional standards applicable to residential uses shall be as established for the HDR zone per Table 18.10.040, Bulk and Dimensional Standards.~~

iii. ~~Bulk and dimensional standards applicable to commercial and industrial uses shall be as established for the EP-1 zone per Table 18.10.040, Bulk and Dimensional Standards.~~

e. ~~Building Size and Orientation. In addition to the provisions of the applicable design standards in Chapter 18.34 NBMC, the following standards shall apply to the layout and orientation of buildings within the Tanner Junction MPOD:~~

i. ~~Commercial and industrial buildings constructed within the Tanner Junction MPOD shall provide primary frontage to either North Bend Way, SE Tanner Road or to the north-south internal through street, but shall not be oriented to SE 136th Street. The backs of buildings shall not be oriented to North Bend Way, SE Tanner Road or the north-south internal through street;~~

ii. ~~Buffering to LDR. If any area immediately bordering SE 136th Street is used for commercial or industrial buildings rather than residential buildings, the property of the commercial or industrial building shall provide a 30 foot Type 1 landscape buffer along the frontage of SE 136th Street; and~~

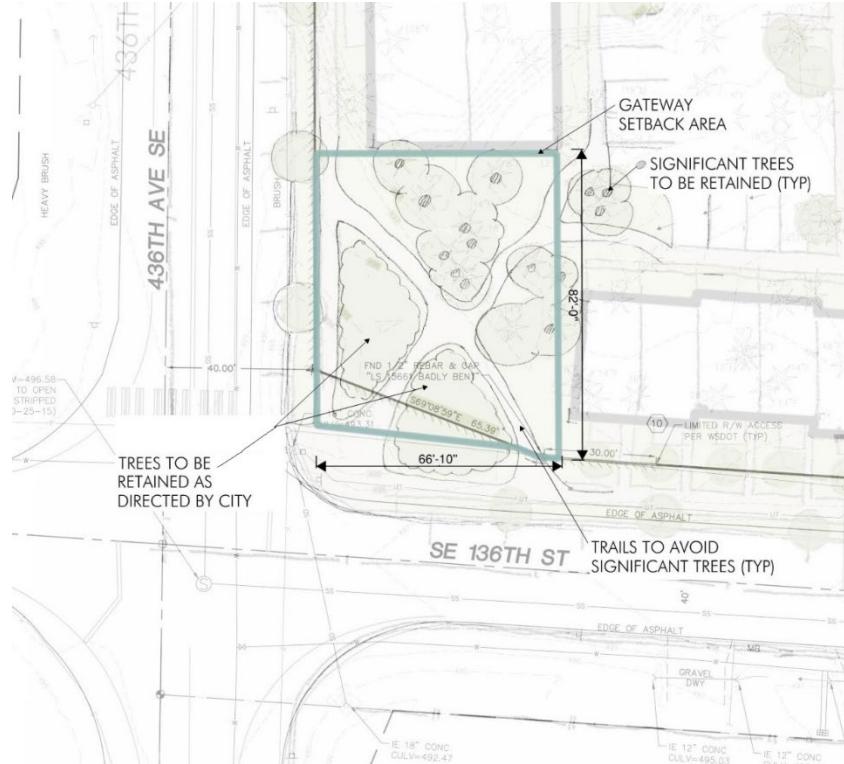
iii. ~~All loading docks shall be located behind the buildings and not be visible from North Bend Way.~~

f. ~~Gateway Frontage at 436th Avenue SE and SE 136th Street. The intent of the open space tract at the corner is to retain the forested character, serving as a city gateway. Trees and native vegetation will be retained to the greatest extent possible as determined by the city, with clearing limited to removal of hazard trees and as necessary to accommodate trails and gateway features. The director may approve deviations to the setback or frontage improvements in order to retain trees. Additional elements for this gateway area shall include:~~

i. ~~The minimum area shall be 66 feet along SE 136th and 82 feet along 436th Avenue SE;~~

ii. ~~Meandering sidewalks, with pedestrian level lighting, through preserved and enhanced native vegetation as depicted below; and~~

iii. ~~This area shall include small signage providing interpretation of natural flora or North Bend historic attributes.~~



~~g. Affordable Housing. HDR development on Parcel Nos. 1423089132, 1423089136 and 1423089135 in this overlay shall include no less than 20 percent affordable housing units for households earning at or below 80 percent of the area median income (AMI) for King County as reported by the United States Department of Housing and Urban Development (HUD) (the "Local AMI"). Housing developed consistent with the requirements of this subsection shall automatically receive an exemption from ad valorem and other property taxation on the improvements. Such exemption shall be for a period of 12 successive years beginning January 1st of the year immediately following the calendar year of the issuance of a certificate of occupancy thereon.~~

~~The affordable units shall be intermixed throughout the development with the market rate units. The affordable units shall be a similar size to the market rate units within the development.~~

~~The price of affordable units is based on that amount a household can afford to pay for housing when the household pays no more than 30 percent of household income for housing expenses, and household income is at or below 80 percent of the Local AMI.~~

~~If HUD no longer publishes median figure incomes for the King County area, then the city may use any other similar method for determining the King County area median income, adjusted for household size. If the percentage of affordable units in the project required is a fraction, then the number of required affordable units shall be rounded up to the next whole number (unit) if the fraction of the whole number is at least 0.66.~~

~~Prior to issuing a certificate of occupancy, an agreement in a form acceptable to the city attorney that addresses price restrictions, eligible household qualifications, and long term affordability requirements shall be recorded with the King County recorder's office. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the applicant. Housing units identified for households with household annual income restrictions that are provided under this section shall continue to be made available to households with the identified household annual income restrictions for 12 years from the date of the initial certificate of occupancy.~~

h. Performance Standards. All HDR development shall comply with all provisions of the NBMC and the following additional performance standards:

i. Common Open Space. HDR development shall include a minimum of 200 square feet per unit of common open space in one contiguous and usable centrally located and easily accessible area to all units within the development with a minimum dimension of 50 feet on all sides.

(A) The common open space shall be located so it will be surrounded by buildings on at least two sides;

(B) At least 50 percent of the buildings in the development shall abut the common open space. A building is considered to “abut” an area of open space if there is no structure between the unit and the open space; and

(C) The common open space should provide a sense of openness, visual relief and community; must be outside of wetlands, streams and buffers; and shall be developed and maintained to provide for passive and/or active recreational activities for the residents of the development. Land located between dwelling units, included within required yard setbacks and/or abutting rights of way or access easements may not serve as required common open space. Fences may not be located within common open space.

ii. Each building abutting a public right of way shall have an inviting facade such as a primary or secondary entrance or porch, oriented to the public right of way. If the building abuts more than one public right of way, the city shall determine to which right of way the inviting facade shall be oriented.

iii. Buildings and units shall be oriented to take advantage of views of Mt. Si, other mountains, rivers or other natural features.

iv. Variation in Unit Sizes, Building and Site Design. Buildings should establish building site design that promotes variety and visual interest that is compatible with the character of the surrounding neighborhood and will comply with NBMC 18.34.060.

v. Pedestrian Flow Through Development. Pedestrian connections shall link all buildings and units to the public right of way, common open space and parking areas.

vi. All parking must be provided on the subject property, must be screened from public streets and adjacent residential uses by landscaping and/or architectural screening and located so their visual presence is minimized and associated noise or other impacts do not intrude into public spaces.

5. Neighborhood Business Residential Overlay District (NB MPOD). The NB MPOD includes certain parcels zoned neighborhood business district between SE 140th and SE North Bend Way (except those fronting directly to SE North Bend Way) and as further depicted on Figure 18.10.025-4.

a. Purpose. To reduce incompatible uses and provide consistency with the character and build out of existing lots in this area, it is recognized that continuing to allow single family detached and cottage within this portion of the NB zone should be allowed. This area is unique as 455th Avenue SE and SE 141st Street remains private, which could limit commercial development. This overlay would be in effect until such time a comprehensive plan amendment and zoning change are approved. If a comprehensive plan amendment and zoning change to these parcels are approved by council to change the land use from commercial to residential and zoning from neighborhood business to low density residential, this overlay would no longer be needed.

b. Allowable Uses and Bulk and Dimensional Standards. Uses within the Neighborhood Business MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure 18.10.025-4 and may be comprised of NB uses, except single family detached and cottage are allowed within this overlay. A 15 foot Type 1 landscape transition area, pursuant to Chapter 18.18 NBMC Table 1, shall be

installed between the commercial properties abutting SE North Bend Way and the NB MPOD behind. If single family or cottage is proposed, the bulk and dimensional standards for those uses per NBMC 18.10.040 shall apply and not NB standards.

Figure 18.10.025-1: Tanner Landing MPOD Layout Map

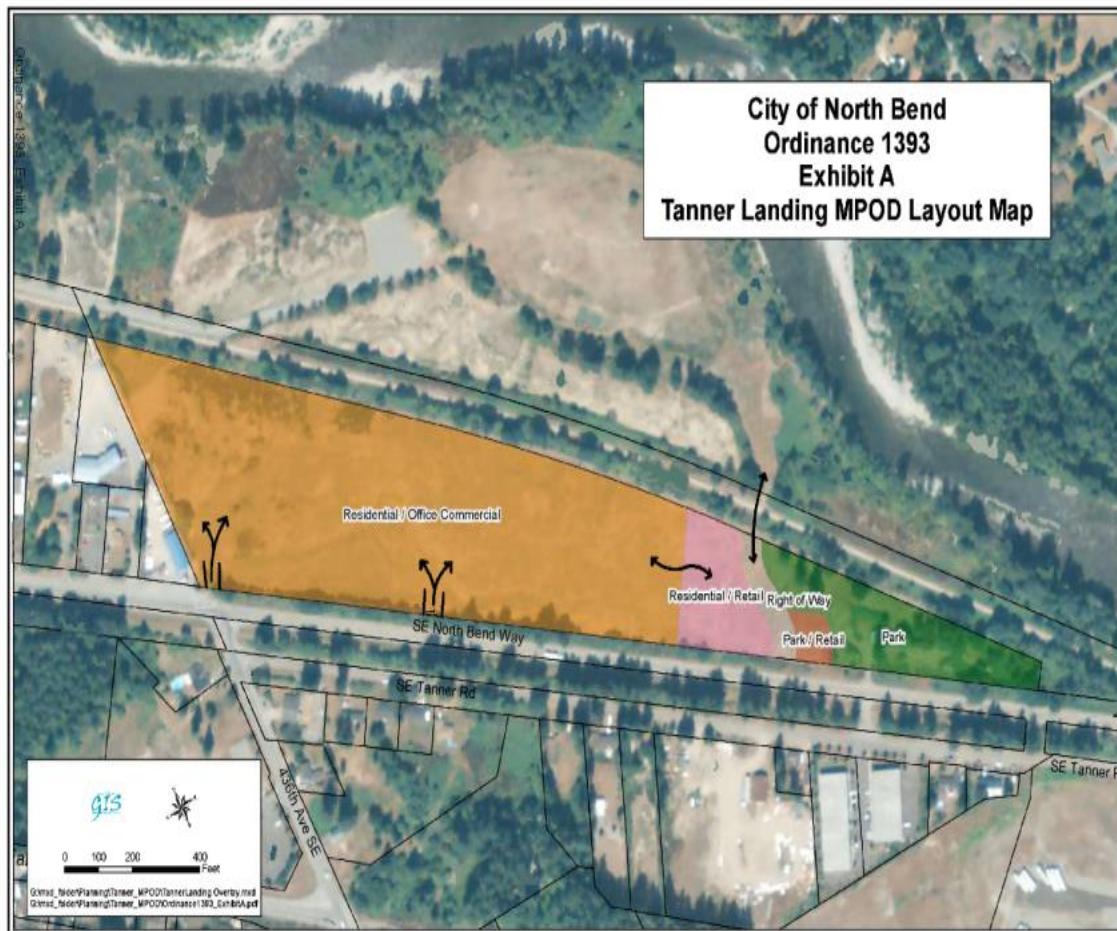


Figure 18.10.025-2: East North Bend Master Plan Overlay District

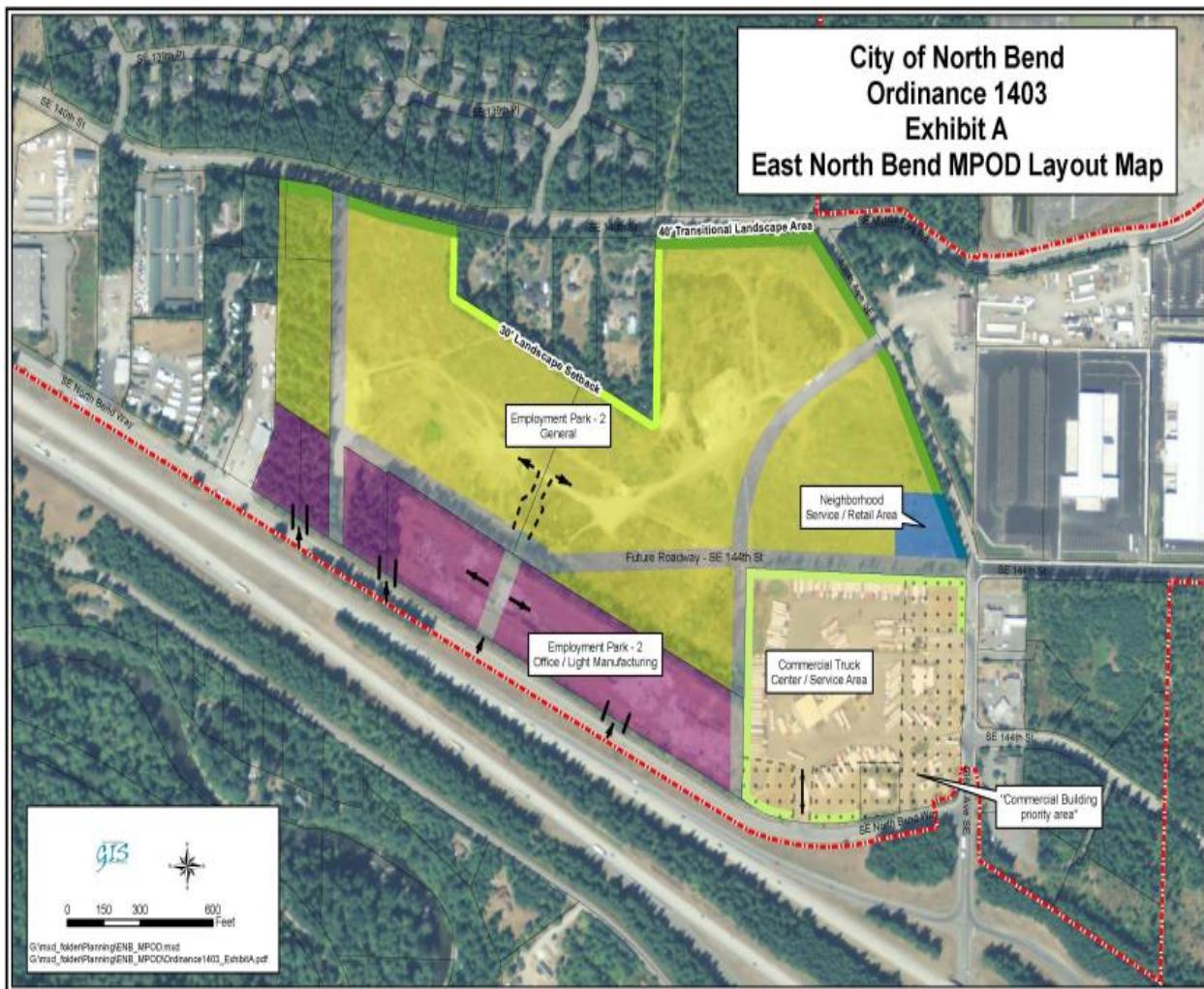


Figure 18.10.025-3: Tanner Junction Master Plan Overlay District (MPOD)

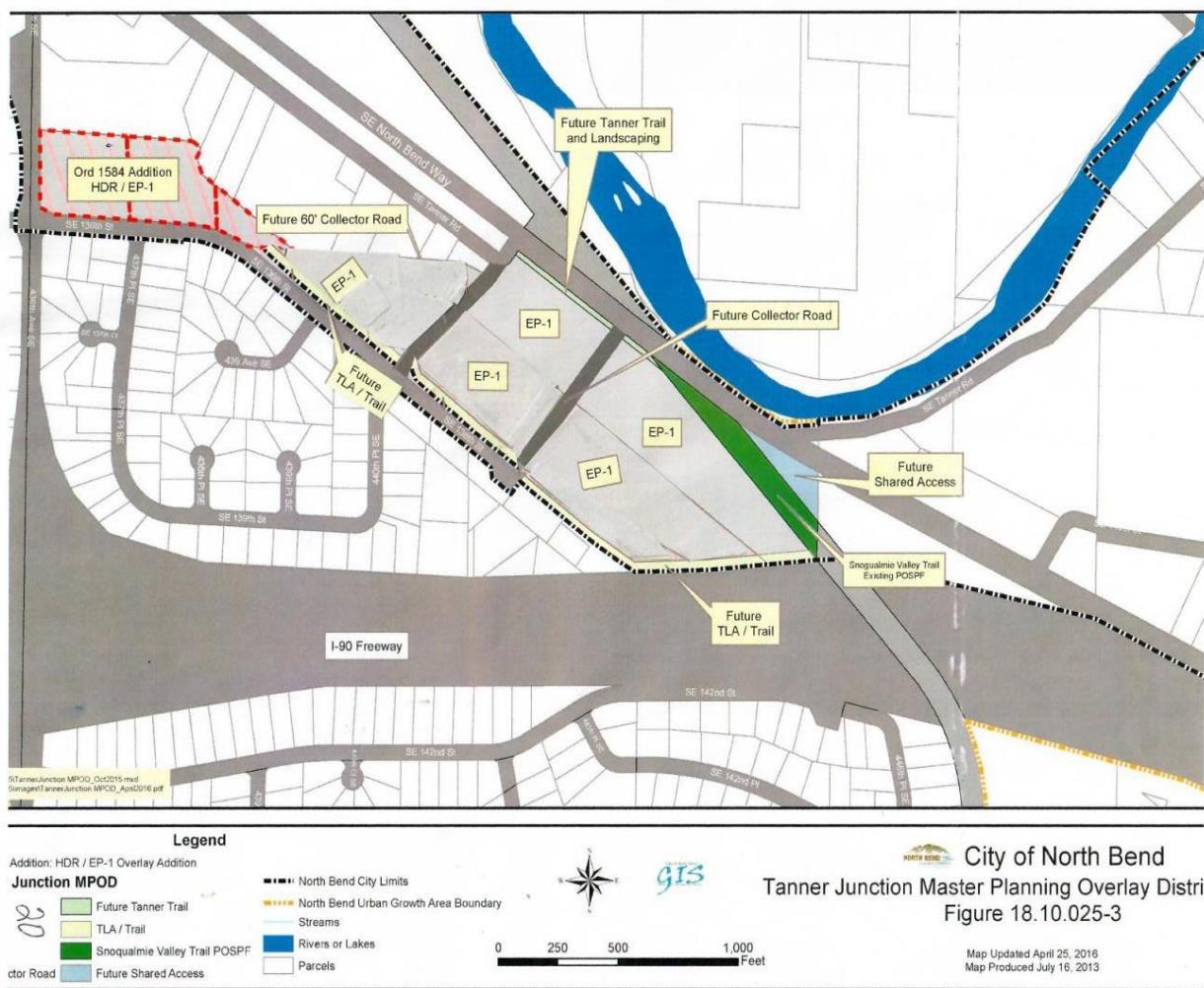


Figure 18.10.025-4: Neighborhood Business Residential Master Plan Overlay District (MPOD)



(Ord. 1657 § 7, 2018; Ord. 1646 § 1 (Exh. A), 2017; Ord. 1640 §§ 2 (Exh. B), 3 (Exh. C), 2017; Ord. 1626 § 1 (Exh. A), 2017²; Ord. 1611-A § 1 (Exh. A), 2017; Ord. 1611 §§ 4 (Exh. A), 5 (Exh. A), 2016;³ Ord. 1584 § 1 (Exh. A), 2016; Ord. 1583 § 2, 2016; Ord. 1580 § 2 (part), 2016; Ord. 1563 § 2 (part), 2015; Ord. 1552 § 2, 2015; Ord. 1523 § 1 (part), 2014; Ord. 1501 § 1 (Exh. A), 2013; Ord. 1492 § 1 (Exh. A (part)), 2013; Ord. 1442 § 2 (Exh. B (part)), 2011; Ord. 1403 § 1 (Exh. A), 2010; Ord. 1393 § 1 (Exh. A), 2010; Ord. 1325 § 1 (part), 2008).