

ORDINANCE 1748

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, RELATING TO THE DOWNTOWN COMMERCIAL ZONING DISTRICT FOR NEW DEVELOPMENT; AMENDING NORTH BEND MUNICIPAL CODE CHAPTER 18.10, ZONING DISTRICTS; CREATING AND ADOPTING A NEW NORTH BEND MUNICIPAL CODE CHAPTER 18.12, DOWNTOWN COMMERCIAL FORM-BASED CODES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend (“City”) seeks to encourage infill residential development, enhance historic and cultural heritage, and focus future employment growth in designated economic opportunity areas, such as the City’s downtown area, consistent with the Comprehensive Plan Land Use Element Goals 1, 2, and 4, respectively; and

WHEREAS, the City seeks to encourage a variety of housing types and densities to meet demands, provide adequate capacity for the forecasted population to stabilize housing prices, and support the ability to age in place regardless of income, consistent with the Comprehensive Plan Housing Element Goals 1, 4, and 6, respectively; and

WHEREAS, to address the afore-mentioned goals, the City desires to adopt a form-based code for its Downtown Commercial (DC) Zone to promote predictable redevelopment that fits the City’s existing character and provides affordable housing through a code that focuses on the relationship of new developments to their surroundings; and

WHEREAS, City Staff conducted an online survey from August 12th to 24th, 2020, related to the development of a form-based code for the DC Zone and to gauge public sentiments on North Bend’s downtown; and

WHEREAS, the City submitted a *Notice of Intent to Adopt* to the Washington State Department of Commerce on January 8, 2021, which was issued to state agencies for a 60-day comment period as required pursuant to Chapter 36A.70 RCW, and no comments were received; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) and notice of public hearing were issued for the proposed amendment (collectively “proposed amendments”) on January 22, 2020, with a comment deadline of February 11, 2021, and three public comments and one agency comment were received; and

WHEREAS, the City of North Bend Planning Commission held a public hearing on the proposed amendments on February 25, 2021, wherein public and commissioner testimony was received and addressed; and

WHEREAS, the City of North Bend City Council held a workstudy session on March 23, 2021, to review the proposed amendments resulting from the public process and provide further input for the amendments; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the requirements of the Growth Management Act, Chapter 36.70A RCW, and followed the procedural requirements of the North Bend Municipal Code (“NBMC”); and

WHEREAS, the City Council finds that the procedural, public notice, public participation, and all other requirements set forth in NBMC Chapter 20.08 (Comprehensive Plan and Development Regulation Amendment Procedures) have been satisfied;

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

Section 1. NBMC Chapter 18.10 (Zoning Districts), Amendments: The following sections, subsections and tables of North Bend Municipal Code Chapter 18.10 (Zoning Districts) are hereby amended as set forth in Exhibit A hereto: NBMC 18.10.020(D)(6); NBMC 18.10.030; NBMC 18.10.040; and NBMC18.10.050. Sections and subsections of NBMC Chapter 18.10 not set forth in Exhibit A shall remain in full force and effect as currently adopted.

Section 2. New NBMC Chapter 18.12 (Downtown Commercial Zone Form-Based Codes), Created and Adopted: A new North Bend Municipal Code Chapter 18.12, to be entitled “Downtown Commercial Zone Form-Based Codes” is hereby created and adopted to read as set forth in Exhibit B hereto.

Section 3. North Bend Form-Based Code Regulating Plan, Adopted: The North Bend Form-Based Code Regulating Plan is hereby adopted to read as set forth in Exhibit C hereto.

Section 4. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date: This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF
JUNE, 2021.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

Published: June 11, 2021
Effective: June 16, 2021

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk

EXHIBIT A
NBMC CHAPTER 18.10 AMENDMENTS

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.

...

D. Purpose – Commercial Districts (NB, DC, IC, IMU). The NB, DC, IC, and IMU zoning districts have the following general and specific purposes (general purposes include subsections (D)(1) through (4) of this section; specific purposes include subsections (D)(5) through (8) of this section at densities established by a floor area ratio):

...

6. The downtown commercial (DC) district is intended to provide specialty retail goods, as well as a range of business, professional, and other services consistent with historic uses and scale of the downtown area. Buildings in the DC district are also expected to be smaller in scale; however, there is a provision for commercial buildings up to 10,000 square feet if they are “anchors.” Building sizes and floor area ratios may be increased in certain portions of the DC zone *if compliant with North Bend’s design standards, per Chapter 18.34 NBMC* ~~by use of transferred development rights~~. The DC district will also incorporate residential development, as well as encouraging upper floor dwelling units above commercial uses. New first floor residential is prohibited in the DC zone along the entire length of North Bend Way and along Bendigo Boulevard North, from West Park Street to West Third Street. See performance standards in NBMC 18.10.050(1.00(c)). Pedestrian orientation and amenities will also be emphasized.

18.10.030 Table of permitted and conditional uses.

To implement purposes of the zoning title, and to implement purposes of the respective zoning districts, permitted and conditional uses allowed within the various districts are identified in Table 18.10.030, Permitted and Conditional Land Uses. Permitted and conditional uses are categorized under the following major use categories: (1) residential; (2) commercial; (3) industrial; (4) public and quasi-public; (5) utilities; and (6) resource uses. No land, building, or structure may be used, and no building or structure erected, unless listed as a permitted (“P”) or conditional use (“CUP”) in Table 18.10.030, Permitted and Conditional Land Uses, provided:

A. Unlisted or interim uses may only be permitted subject to administrative interpretation by the director per NBMC 18.04.030 and the director may allow a less intense use in a more intense zone if other comparable uses are allowed in said zone;

B. Uses that are specifically prohibited are listed in endnotes to Table 18.10.030;

C. Commercial accessory uses that are not permitted as primary uses within a zone may be allowed subject to review and approval of the CED director. In approving the accessory use, the director must find that the accessory use:

1. Is limited in scope to no more than 25 percent of the floor area of the primary use;
2. Is necessary in order for the primary use to operate; and
3. Is consistent with NBMC 18.10.020, Zoning districts – Purposes.

The director may impose conditions on the accessory use to limit its scope and potential impacts to adjacent properties and uses;

D. All conditional uses shall meet standards and procedures outlined in Chapter 18.24 NBMC;

E. Said land, building, or structure meets nonconforming use provisions in Chapter 18.30 NBMC;

F. See NBMC 18.10.025 for all permitted uses within the master plan overlay districts;

G. Affordable housing projects that are not expressly permitted may be allowed subject to entering into a development agreement per Chapter 18.27 NBMC.

Table 18.10.030 – Permitted and Conditional Land Uses

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
1.00 RESIDENTIAL:														
1.10	Single-Family Dwellings						<i>See Chapter 18.12 NBMC</i>							
*	1.11 Single-Family Detached Dwellings	P	P	P (2)	P		<i>See Chapter 18.12 NBMC P</i>			P (CLDR only)				
*	1.12 Designated Manufactured Homes	P	P	P (2)	P		<i>See Chapter 18.12 NBMC P</i>			P (CLDR only)				
*	1.13 Manufactured Home Parks						<i>See Chapter 18.12 NBMC</i>							
*	1.16 Cottages – See Chapter 18.11 NBMC	P (3)		P			<i>See Chapter 18.12 NBMC P</i>							
	1.17 Townhome (4)				P		<i>See Chapter 18.12 NBMC P</i>		P					
	1.20 Multifamily Structures													
*	1.21 Duplexes			P (2)	P		<i>See Chapter 18.12 NBMC P</i>		P					P
*	1.22 Triplexes				P		<i>See Chapter 18.12 NBMC P</i>		P					P

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT	
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
* 1.23 Fourplexes				P		<i>See Chapter 18.12 NBMC P</i>			P					P
* 1.24 Other Multifamily Dwellings over Four Units (6)				P		<i>See Chapter 18.12 NBMC P</i>			P					P
1.30 Special Service Housing														
* 1.31 Adult Family Homes	P	P	P (2)	P		<i>See Chapter 18.12 NBMC P</i>			P	P				P
* 1.32 Childcare						<i>See NBMC Chapter 18.12</i>								
* 1.32a Family Day Care Provider	P	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>			P	P				P
* 1.32b Child Day Care Center	P		P	P	P	<i>See Chapter 18.12 NBMC P</i>			P	P				P
* 1.33 Homes for the Elderly and Related	P		P (2)	P	P	<i>See Chapter 18.12 NBMC P</i>			P	P				P
1.34 Secure Community Transition Facilities						<i>See Chapter 18.12 NBMC</i>					CUP			
1.40 Miscellaneous Rooms for Rent						<i>See Chapter 18.12 NBMC</i>								
1.41 Bed and Breakfast Establishments	P	P	P	P	P	<i>See Chapter</i>			P	P				P

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT	
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
						<u>18.12</u> <u>NBMC</u> P								
* 1.42 Boarding Houses	P		P	P		<u>See Chapter 18.12 NBMC</u> P			P	P				P
1.50 Other Residential						<u>See Chapter 18.12 NBMC</u>								
* 1.51 Accessory Residential Uses	P	P	P	P	P	<u>See Chapter 18.12 NBMC</u> P			P	P	P			P
* 1.52 Accessory Dwelling Units	P	P	P	P	P	<u>See Chapter 18.12 NBMC</u> P			P	P	P	P		P
* 1.53 Home Occupations	P	P	P	P	P	<u>See Chapter 18.12 NBMC</u> P			P	P	P			P
* 1.54 Upper Floor Dwelling Units				P	P	<u>See Chapter 18.12 NBMC</u> P			P	P				P
1.00 RESIDENTIAL: (continued)														
* 1.55 Interim Housing Facilities	P		P	P		<u>See Chapter 18.12 NBMC</u> P			P				P	
1.60 Unlisted Residential Use	See Procedure for Unlisted Uses													
2.00 COMMERCIAL:														
* 2.01 Adult Entertainment Facilities						<u>See Chapter 18.12 NBMC</u>								

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT	
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
							CUP							
2.02	Art Gallery					P	<i>See Chapter 18.12 NBMC P</i>		P	P				P
*	2.03	Automotive/Vehicular												
*	2.03a	Boat and Watercraft Sales and Service				P	<i>See Chapter 18.12 NBMC</i>	P	P	P	P	P		
*	2.03b	Car Wash				P	<i>See Chapter 18.12 NBMC</i>	P	P	P	P	P		
*	2.03c	Electric Vehicle Charging Station – Restricted, Accessory to a Principal Use	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
*	2.03d	Electric Vehicle Charging Station – Public, Accessory to a Principal Use				P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
*	2.03e	Electric Vehicle Charging Station as a Stand-Alone Use					<i>See Chapter 18.12 NBMC</i>	P						
*	2.03f	Electric Vehicle Battery Exchange Station					<i>See Chapter 18.12 NBMC</i>	P						
*	2.03g	Gasoline Sales/Service Stations					<i>See Chapter 18.12 NBMC</i>	P						

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
LAND USES:			LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
*	2.03h	Motorcycle Sales/Service					P	<i>See Chapter 18.12 NBMC</i> P	P	P	P	P	P		
*	2.03i	Paint and Body Shop					CUP	<i>See Chapter 18.12 NBMC</i>	P			P	P		
*	2.03j	Parts Store					P	<i>See Chapter 18.12 NBMC</i> P	P	P	P				
*	2.03k	Auto Rentals and Leasing					P	<i>See Chapter 18.12 NBMC</i>	P	P		P	P		
*	2.03l	Repair and Service Shop					CUP	<i>See Chapter 18.12 NBMC</i>	P	P	P	P	P		
*	2.03m	RV/Commercial Truck Sales/Repair and Maintenance Service						<i>See Chapter 18.12 NBMC</i>	P			P	P		
*	2.03n	Sales (New and Used Auto/Passenger Truck)						<i>See Chapter 18.12 NBMC</i>	P			P	P		
*	2.03o	Snowmobile Sales/Service					P	<i>See Chapter 18.12 NBMC</i>	P	P	P	P	P		
2.00 COMMERCIAL: (continued)															
*	2.03p	Tire Shop (Sales/Service)					P	<i>See Chapter 18.12 NBMC</i>	P		P	P	P		

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LAND USES:			LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
*	2.03q	Towing and Impound Yard						<i>See Chapter 18.12 NBMC</i>				P	P		
*	2.04	Banks and Financial Institutions					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P				P
	2.04a	Check Cashing/Quick Loans						<i>See Chapter 18.12 NBMC</i>		P					
*	2.05	Bars and Taverns (Including Microbreweries)					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P		P
*	2.06	Business & Professional Offices					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P		P
	2.07	Business Services					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P		P
	2.08	Conference Centers and Event Venues					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P		P
	2.09	Convenience Store – Open 24 Hours					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P			
	2.10	Equipment Rental (No heavy equipment rental allowed in the DC)					P	<i>See Chapter 18.12 NBMC P (S)</i>	P	P	P				
	2.11	Farmer’s Market – Produce/Other					P	<i>See Chapter</i>	P	P	P	P	P	P	P

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		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
LAND USES:							<u>18.12</u> <u>NBMC</u> P							
2.12	Funeral Home/Mortuary					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u>			P				
2.13	Grocery/Supermarket					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u> P	P	P		P	P		
2.14	Hardware Store					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u> P				P	P		
2.15	Health Club (Including Dance, Exercise Studio)					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u> P	P	P	P	P	P		P
*	2.16 Hotel and Motel													
	2.16a Hotel					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u> P	P	P	P	P			P
	2.16b Motel					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u> P	P						
*	2.17 Lumber and Associated Sales						<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u>			P	P			
	2.18 Miniature Golf Course					P	<u>See</u> <u>Chapter</u> <u>18.12</u> <u>NBMC</u>			P	P		P	P
*	2.19 Nursery, Garden, and Landscape Supplies					P	<u>See</u> <u>Chapter</u>		P	P	P	P		P

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	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
						<u>18.12</u> <u>NBMC</u> P								
2.20	Personal Services (Beauty Shop, Dry Cleaner, Shoe Repair, Etc.)					P	<u>See Chapter 18.12</u> <u>NBMC</u> P	P	P	P				P
*	2.22	Recreational Vehicle Park and Campgrounds				P	<u>See Chapter 18.12</u> <u>NBMC</u>	P		P	P	P		
2.00 COMMERCIAL: (continued)														
2.23	Indoor Commercial Recreation Facilities					P	<u>See Chapter 18.12</u> <u>NBMC</u> P	P	P	P	P	P		
*	2.23a	Indoor Shooting Range (Gun and Archery)					<u>See Chapter 18.12</u> <u>NBMC</u>	P			P	P		
2.24	Restaurant													
	2.24a	Drive-Thru					<u>See Chapter 18.12</u> <u>NBMC</u>	P						
*	2.24b	Non-Drive-Thru				P	<u>See Chapter 18.12</u> <u>NBMC</u> P	P	P	P		P		P
	2.24c	Coffee Stands – Freestanding or Accessory				P	<u>See Chapter 18.12</u> <u>NBMC</u> P	P	P	P	P	P		P
	2.24d	Food Trucks				P	<u>See Chapter 18.12</u> <u>NBMC</u> P	P	P	P	P	P	P	P

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		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
2.25	Research and Development Facilities						<i>See Chapter 18.12 NBMC</i>			P	P	P		P
2.26	Retail					P	<i>See Chapter 18.12 NBMC</i> P	P	P	P				P
2.27	Wholesale Sales													
*	2.27a w/Ancillary Associated Retail					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
	2.27b w/o Associated Retail						<i>See Chapter 18.12 NBMC</i>			P	P	P		
2.28	Social and Fraternal Club, Lodge					P	<i>See Chapter 18.12 NBMC</i> P			P				
2.29	Storage Facilities													
*	2.29a Mini-Storage (Enclosed)					P	<i>See Chapter 18.12 NBMC</i>			P				
*	2.29b Indoor (General)					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
*	2.29c Outdoor (Boats, Cars, Campers, Etc.)						<i>See Chapter 18.12 NBMC</i>			P		P		
2.30	Studio (Art, Music, Pottery, Etc.)					P	<i>See Chapter 18.12 NBMC</i> P		P	P	P	P		P

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
2.31	Theater, Auditorium, Performance Center, Etc.					P	<i>See Chapter 18.12 NBMC P</i>		P	P				
*	2.32 Veterinary Clinic					P	<i>See Chapter 18.12 NBMC P</i>			P	P	P		P
	2.33 Commercial Truck Travel Center						<i>See Chapter 18.12 NBMC</i>	See NBM C 18.10.025						
*	2.35 Pawn Shop					P	<i>See Chapter 18.12 NBMC</i>							
	2.37 Tattoo Parlor and/or Body Piercing Studio (1)						<i>See Chapter 18.12 NBMC P (+)</i>		P (1)					
	2.38 Hospital						<i>See Chapter 18.12 NBMC</i>	P			P	P		
2.00 COMMERCIAL: (continued)							<i>See Chapter 18.12 NBMC</i>							
	2.39 Medical/Dental					P	<i>See Chapter 18.12 NBMC P</i>		P	P	P	P		P
	2.40 Unlisted Commercial Uses	See Procedure for Unlisted Uses												
	2.41 Marijuana Related Uses (Producer, Processor, Retail and Other)	See Chapter 18.60 NBMC												

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	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
3.00 INDUSTRIAL:														
3.10 Manufacturing							<i>See Chapter 18.12 NBMC</i>							
* 3.11 Apparel, Fabric, Accessories and Leather Goods					P		<i>See Chapter 18.12 NBMC</i>			P	P	P		
3.12 Chemical and Related Products							<i>See Chapter 18.12 NBMC</i>					CUP		
3.13 Computers, Office Machines, and Equipment					P		<i>See Chapter 18.12 NBMC</i>			P	P	P		
3.14 Electrical Equipment (Appliances, Lighting, Radio, TV, Communications)					P		<i>See Chapter 18.12 NBMC</i>			P	P	P		
* 3.15 Fabricated Small Components and Products (Containers, Hand Tools, Screw Products, Coatings and Recreational Products)					P		<i>See Chapter 18.12 NBMC</i>			P	P	P		P
* 3.16 Food and Beverage Products					P		<i>See Chapter 18.12 NBMC P</i>			P	P	P		
* 3.17 Furniture and Fixtures					P		<i>See Chapter 18.12 NBMC P</i>			P	P	P		P
* 3.18 Handcrafted Products					P		<i>See Chapter 18.12 NBMC P</i>			P	P	P		P

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
3.19	Heavy Equipment and Vehicles – Indoor						<i>See Chapter 18.12 NBMC</i>				P	P		
*	3.20 Measuring and Controlling Instruments (Medical/Optical, Watches, Computer Software)					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		P
	3.21 Plastic Products						<i>See Chapter 18.12 NBMC</i>				P	P		
*	3.22 Prepared Materials – Assembly, Processing, and Packaging – Indoor					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
	3.23 Printing, Publishing, and Allied Industries					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
*	3.24 Recycling Center						<i>See Chapter 18.12 NBMC</i>					P		
*	3.24a Recycling Plant						<i>See Chapter 18.12 NBMC</i>					P		
3.00 INDUSTRIAL: (continued)														
	3.25 Rubber Products						<i>See Chapter 18.12 NBMC</i>					P		
*	3.26 Sign and Advertising Display (Manufacture)					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		

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			LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
*	3.27	Stone, Clay, Pottery and China					P	<i>See Chapter 18.12 NBMC P</i>			P	P	P		
	3.28	Textile Products						<i>See Chapter 18.12 NBMC</i>				P	P		
*	3.29	Construction Company/Storage Yard					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
*	3.30	Industrial and Related Equipment – Sales					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
*	3.31	On-Site Hazardous Waste Treatment						<i>See Chapter 18.12 NBMC</i>				CUP	CUP		
	3.32	Multi-Tenant Industrial Park						<i>See Chapter 18.12 NBMC</i>			P	P	P		
*	3.33	Warehousing and Distribution						<i>See Chapter 18.12 NBMC</i>				P (12)	P (12)		
*	3.34	Welding Shop					P	<i>See Chapter 18.12 NBMC</i>			P	P	P		
	3.35	Temporary Industrial Buildings and Uses						<i>See Chapter 18.12 NBMC</i>				P	P		
	3.40	Unlisted Industrial Uses	See Procedure for Unlisted Uses												
	3.41	Accessory Industrial Uses													

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT	
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
4.00 PUBLIC AND QUASI-PUBLIC:														
* 4.10 Open Space, Park, Trail, and Recreation	P	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>		P	P	P	P	P	P	P
* 4.11 Golf – Course (9 – 18 Hole)						<i>See Chapter 18.12 NBMC</i>				P	P		P	P
* 4.12 Golf – Driving Range					CUP	<i>See Chapter 18.12 NBMC</i>				P	P		P	
* 4.13 Athletic Field/Sports Facilities					CUP	<i>See Chapter 18.12 NBMC</i>		P		P	P		P	P
4.20 Government Office					P	<i>See Chapter 18.12 NBMC</i>		P		P	P		P	
4.21 Library					P	<i>See Chapter 18.12 NBMC P</i>		P					P	
4.22 Post Office					P	<i>See Chapter 18.12 NBMC P</i>		P					P	
4.23 Police and Fire Station					P	<i>See Chapter 18.12 NBMC P</i>		P		P			P	
4.24 City Hall and/or Public Works					P	<i>See Chapter 18.12 NBMC P</i>							P	

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD
4.30	School						<i>See Chapter 18.12 NBMC</i>			P				
4.31	Montessori/Preschool, Kindergarten, Elementary, Middle, High School	P	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
4.32	Colleges, Universities, Technical, Trade and Specialty Schools					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
4.00 PUBLIC AND QUASI-PUBLIC: (continued)														
4.40	Churches and Religious Institutions	P	P	P	P	P	<i>See Chapter 18.12 NBMC</i>	P		P	P		P	
*	4.50 Museums/Interpretive Centers/Community Centers and Associated Activities					P	<i>See Chapter 18.12 NBMC P</i>	P		P	P		P	P
4.60	Mass Transit Facilities Including Park-and-Ride Lots					P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	
4.75	Unlisted Public and Quasi-Public Uses	See Procedure for Unlisted Uses												
5.00 UTILITIES:														
*	5.10 Public and Private Utilities – Minor	P	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
*	5.20 Public and Private Utilities – Major	P	P	P	P	P	<i>See Chapter 18.12 NBMC P</i>	P	P	P	P	P	P	P
	5.21 Municipal WWTP						<i>See Chapter</i>						P	

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	OVERLAY DISTRICT		
	LAND USES:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF	TL-MPOD	
						<u>18.12</u> <u>NBMC</u>									
5.30	Wireless Communication Facilities	See Chapters 18.70 and 18.80 NBMC													
6.00 RESOURCE:															
*	6.10	Christmas Tree Farm	P	P			P	<u>See Chapter 18.12 NBMC</u>			P	P		P	P
*	6.20	Commercial Farm – Produce and Related					P	<u>See Chapter 18.12 NBMC</u>			P	P		P	P
*	6.30	Commercial Greenhouse – Wholesale					P	<u>See Chapter 18.12 NBMC</u>			P	P			P
*	6.40	Farmland – Pasture, Crop Uses	P	P	P		P	<u>See Chapter 18.12 NBMC</u>			P	P		P	P
*	6.60	Public Garden	P	P	P	P	P	<u>See Chapter 18.12 NBMC</u>	P	P	P	P	P	P	P
*	6.70	Unlisted Resource Land Uses	See Procedure for Unlisted Uses												

NOTES:

*

Indicates a specific performance standard(s) is required by the zoning code per Table 18.10.050. Note that standards and/or regulations additional to the zoning code often apply. Environmental quality performance standards apply to all uses in all zoning districts.

(1)

Tattoo parlors and/or body piercing studios are allowed in the IMU zoning districts only in those areas north of I-90 at Exit 31 and within the DC zoning district only in buildings abutting and fronting North Bend Way and/or Bendigo Blvd. and areas located south of North Bend Way.

(2)

Standard size single-family homes and duplexes (two-unit homes) are allowed on a limited basis within the CR zoning district, subject to the cottage residential regulations in Chapter 18.11 NBMC.

NOTES:

- (3) Cottages are allowed on a limited basis within areas of the LDR zoning district subject to the cottage residential regulations in Chapter 18.11 NBMC.
- (4) Zero lot line townhomes, also referred to as row houses, are single-family attached dwellings that share a common wall with other dwellings on one or both sides of the unit, but are independent homes occupying their own legal lot, unlike condominiums.
- (5) Heavy equipment refers to heavy-duty vehicles, specially designed for executing construction tasks, most frequently ones involving earthwork operations. They are also known as heavy machines, heavy trucks, construction equipment, engineering equipment, heavy vehicles, or heavy hydraulics. They usually comprise five equipment systems: implement, traction, structure, power train, control and information.
- (6) For affordable housing projects that are not expressly permitted see Chapter 18.27 NBMC, Development Agreements.

LIST OF PROHIBITED USES (the following uses are specifically prohibited in all zoning districts):

- 1. Outdoor gun, archery, “paintball” and similar ranges.
- 2. Permanent carnivals, circuses, amusement parks, and live animal rides, animal exhibitions, and similar type commercial amusements.
- 3. Manufacturing and related uses as follows: concrete batch plants; asphalt plants; primary metal industries such as foundries/forge shops, smelters, blast furnaces, boiler works, and rolling mills; manufacture of flammable, hazardous, or explosive materials; creosote and related products; coal tar and related products; yeast manufacturing; and manufacture of plastic products from raw materials.
- 4. Landfills, junkyards, wrecking and salvage yards, garbage dumps, scrap yards, and incinerators (recycling facilities are regulated per 3.24 and 3.24a).
- 5. On-site quarries and other mineral extraction operations that extract soil, logs – storing and processing, paper product manufacturing, stone, sand, gravel, or other minerals from the ground strictly for purpose of sale; provided, that clearing and grading operations, per city regulations, and sand and gravel extraction from waterways, per necessary approvals, are exempt. Retail or wholesale sale of materials quarried or extracted off site is permitted with performance criteria (see Nursery, Garden, and Landscape Supplies – 2.19).
- 6. Slaughterhouses and rendering plants devoted to the rendering or refining of animal parts, fats, and oils.
- 7. Tanning of animal hides or skins.
- 8. Poultry farms for the keeping of poultry for commercial purposes.
- 9. Conducting business on a public street, sidewalk, or right-of-way without proper authorization from the city.
- 10. Commercial dog kennels. Only kennels associated with a veterinary clinic are permitted (see 2.32).
- 11. Pipeline facilities and the transportation of hazardous liquid associated with those facilities. This prohibition does not include:
 - a. Transportation of a hazardous liquid that is transported in a gaseous state;
 - b. Transportation of a hazardous liquid:

LIST OF PROHIBITED USES (the following uses are specifically prohibited in all zoning districts):

- i. By vessel, aircraft, tank truck, tank car, or other nonpipeline mode of transportation; or
 - ii. Through facilities located on the grounds of a materials transportation terminal that are used exclusively to transfer hazardous liquid between nonpipeline modes of transportation or between a nonpipeline mode and a pipeline, not including any device and associated piping that is necessary to control pressure in the pipeline.

- 12. Industrial warehousing and distribution shall not exceed 150,000 square feet per building footprint without a CUP. If over 150,000 sf, a CUP is required.

Procedure for Unlisted Uses: For any use(s) of land not listed in Table 18.10.030, and excluding those in the list of prohibited uses, an administrative interpretation shall be made by the director of community services, per NBMC 18.04.030, upon inquiry by an applicant.

18.10.040 Table of bulk and dimensional standards.

To further implement purposes of the zoning title, and to further implement purposes of the respective zoning districts, bulk and dimensional standards are established for respective zoning districts, and in many cases for respective uses within said zoning districts. Bulk and dimensional standards are outlined in Table 18.10.040 and address the following criteria: (1) minimum lot size; (2) maximum lot size; (3) minimum lot width; (4) minimum front yard setback; (5) maximum front yard setback; (6) minimum side yard setback; (7) minimum rear yard setback; (8) maximum building height; (9) maximum building coverage; (10) maximum impervious surface coverage; (11) maximum building size; and (12) floor area ratio. An administrative adjustment to bulk and dimensional standards mechanism is provided, with application requirements, procedures and criteria established in Chapter 18.25 NBMC.

Table 18.10.040 – Bulk and Dimensional Standards

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
	LDR 4 DU/Acre Gross Density	CLDR 2 DU/Acre Gross Density	CR Gross Density	HDR Net Density	NB Net Density	DC Net Density	IC	IMU Net Density	USOD	EP-1 Net Density	EP-2	POSPF
1. Minimum Lot Size (1):												
a. Single-Family Dwellings (includes designated manufactured homes) (2)	Average lot size: 8,000 sf; minimum lot size: 7,500 sf (2)	Minimum lot size: 18,000 sf	See Chapter 18.11 NBMC	4,000 sf		<u>See Chapter 18.12 NBMC</u> 4,000 sf						
b. Cottages (lot area per dwelling unit)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<u>See Chapter 18.12 NBMC</u> See Chapter 18.11 NBMC						
c. Duplexes (lot area per dwelling unit) (4)			See Chapter 18.11 NBMC	3,000 sf		<u>See Chapter 18.12 NBMC</u> 3,000 sf		2,000 sf				
d. Triplexes (lot area per dwelling unit) (4)				2,500 sf		<u>See Chapter 18.12 NBMC</u> 2,000 sf		2,000 sf				
e. Fourplexes (lot area per dwelling unit) (4)				2,000 sf		<u>See Chapter 18.12 NBMC</u> 2,000 sf		2,000 sf				
f. Other Multifamily Structures (lot area per dwelling unit required) (4)				2,000 sf		<u>See Chapter 18.12 NBMC</u> 2,000 sf		2,000 sf				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
g. Elderly Homes and Related (5)				10,000 sf	10,000 sf	<u>See Chapter 18.12 NBMC 10,000-sf</u>		10,000 sf	10,000 sf			
h. Upper Floor Dwelling Units (in mixed-use buildings; lot area per dwelling unit)					1,000 sf	<u>See Chapter 18.12 NBMC 1,000 sf</u>	1,000 sf	1,000 sf				
i. Commercial Uses (see Table 18.10.030 – 2.00)									See NBMC 18.10.025(B)(3)			
j. Industrial Uses (see Table 18.10.030 – 3.00)									See NBMC 18.10.025(B)(3)			
k. Public and Quasi-Public Uses (see Table 18.10.030 – 4.00)									See NBMC 18.10.025(B)(3)			
l. Utilities (see Table 18.10.030 – 5.00)												
m. Resource Uses (see Table 18.10.030 – 6.00)												
2. Maximum Lot Size:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings (includes designated manufactured homes) – (Short plats are exempt)			See Chapter 18.11 NBMC	9,000 sf		<u>See Chapter 18.12 NBMC 9,000 sf</u>						
b. Cottages (see Chapter 18.11 NBMC)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<u>See Chapter 18.12 NBMC See Chapter 18.11 NBMC</u>						
c. Duplexes (lot area per dwelling unit)			See Chapter 18.11 NBMC	5,000 sf		<u>See Chapter 18.12 NBMC 5,000 sf</u>						

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
d. Triplexes (lot area per dwelling unit)				4,500 sf		<i>See Chapter 18.12 NBMC 4,500 sf</i>						
e. Fourplexes (lot area per dwelling unit)				4,000 sf		<i>See Chapter 18.12 NBMC 4,000 sf</i>						
f. Multifamily Structures (lot area per dwelling unit)				4,000 sf		<i>See Chapter 18.12 NBMC 4,000 sf</i>						
g. Other (elderly homes, commercial, industrial, public/quasi-public, utility, and resource uses (g, i, j, k, l, m from No. 1))						<i>See Chapter 18.12 NBMC</i>						
3. Minimum Lot Width (10):	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings (includes designated manufactured homes)	60'	90'	See Chapter 18.11 NBMC	40'		<i>See Chapter 18.12 NBMC 40'</i>						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<i>See Chapter 18.12 NBMC See Chapter 18.11 NBMC</i>						
3. Minimum Lot Width (10): (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1		
c. Duplex (per dwelling unit for side by side duplexes)			See Chapter 18.11 NBMC	30'		<i>See Chapter 18.12 NBMC 30'</i>		30'				
d. Triplex, Fourplex and Other Multifamily Structures				50'		<i>See Chapter 18.12 NBMC 50'</i>		50'				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
e. Other (commercial, industrial, public/quasi-public, utility, and resource uses (i, j, k, l, m from No. 1))	50'		50'	50'	50'	<i>See Chapter 18.12 NBMC 50'</i>	50'	50'	50'	50'	50'	50'
4. Minimum Front Yard Setback: (6)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings (includes designated manufactured homes) (3) (7)	20'	30'	See Chapter 18.11 NBMC	10'		<i>See Chapter 18.12 NBMC 40'</i>						
b. Cottages (7)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<i>See Chapter 18.12 NBMC See Chapter 18.11 NBMC</i>						
c. Duplexes (7) 1) Setback may be reduced to 5 feet when fronting a common open space			See Chapter 18.11 NBMC	10'		<i>See Chapter 18.12 NBMC 40'</i>		10'				
d. Triplex, Fourplex and Other Multifamily Structures (7) 1) Setback may be reduced to 5 feet when fronting a common open space			See Chapter 18.11 NBMC	10'		<i>See Chapter 18.12 NBMC 40'</i>						
e. Elderly Homes and Related (5)	20'			10'	10'	<i>See Chapter 18.12 NBMC</i>			10'			
f. Minimum Setback for Residential Front Entry Garage	20'	20'	See Chapter 18.11 NBMC	20'		<i>See Chapter 18.12 NBMC 20'</i>			20'			
4. Minimum Front Yard Setback: (6) (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
g. Accessory Dwelling Units, Structures Uses	See NBMC 18.10.041	See NBMC 18.10.041 and Chapter 18.11 NBMC	See NBMC 18.10.041	See NBMC 18.10.041	See NBMC 18.10.041	<i>See Chapter 18.12 NBMC See NBMC 18.10.041</i>						
h. Commercial Uses						<i>See Chapter 18.12 NBMC</i>		20'				
i. Industrial Uses						<i>See Chapter 18.12 NBMC</i>				20'	20'	
j. Public and Quasi-Public Uses	20'		20'	20'	20'	<i>See Chapter 18.12 NBMC</i>	20'	20'		20'	20'	20'
k. Utilities (8)	20'		20'	20'	20'	<i>See Chapter 18.12 NBMC 20'</i>	20'	20'	20'	20'	20'	20'
l. Resource Uses										20'	20'	20'
5. Maximum Front Yard Setback: (6, 7)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings	30'		See Chapter 18.11 NBMC	30'		<i>See Chapter 18.12 NBMC 25'</i>						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<i>See Chapter 18.12 NBMC See Chapter 18.11 NBMC</i>						
c. Duplexes			See Chapter 18.11 NBMC	25'		<i>See Chapter 18.12 NBMC 25'</i>		25'				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
d. Triplex, Fourplex and Other Multifamily Structures (including elderly homes and related). See NBMC 18.10.030 for each zone's permitted uses.			See Chapter 18.11 NBMC	25'	25'	<u>See Chapter 18.12 NBMC 25'</u>		25'	25'			
e. Commercial Uses					15'	<u>See Chapter 18.12 NBMC</u>			15'			
f. Industrial Uses						<u>See Chapter 18.12 NBMC</u>						
5. Maximum Front Yard Setback: (6, 7) (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
g. Other (public/quasi-public, utility, and resource areas (k, l, m from No. 1))						<u>See Chapter 18.12 NBMC</u>						
6. Minimum Side Yard Setback: (9, 10)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings (includes designated manufactured homes)	5' one side; 15' total	15' one side; 30' total	See Chapter 18.11 NBMC	5' one side; 10' total		<u>See Chapter 18.12 NBMC 5' one side; 10' total</u>						
b. Cottages (10)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			<u>See Chapter 18.12 NBMC See Chapter 18.11 NBMC</u>						
c. Duplexes (at exterior side walls)			See Chapter 18.11 NBMC	5' one side; 15' total		<u>See Chapter 18.12 NBMC 5' one side; 15' total</u>		5' one side; 15' total				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
d. Triplex, Fourplex, and Other Multifamily Structures, including homes for the elderly and related (10)			See Chapter 18.11 NBMC	10'	10'	See Chapter 18.12 NBMC 40'		10'				
e. Commercial Uses						See Chapter 18.12 NBMC						
f. Industrial Uses						See Chapter 18.12 NBMC				25'	25'	
g. Public and Quasi-Public Uses	10'		10'		10'	See Chapter 18.12 NBMC						10'
h. Utility Uses (8)	20'		20'	20'	15'	See Chapter 18.12 NBMC 20'	15'	15'	15'	25'	25'	20'
i. Resource Uses						See Chapter 18.12 NBMC				25'	25'	25'
7. Minimum Rear Yard Setback: (11)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings	25'	25'	See Chapter 18.11 NBMC	25'		See Chapter 18.12 NBMC 40'						
7. Minimum Rear Yard Setback: (11) (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC	10'	10'	See Chapter 18.12 NBMC See Chapter 18.11 NBMC						

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
c. Duplexes			See Chapter 18.11 NBMC	25'	25'	See Chapter 18.12 NBMC 40'		25'				
d. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				30'		See Chapter 18.12 NBMC 40'		30'				
e. Other (commercial, industrial, public/quasi-public, utility, and resource uses (i, j, k, l, m from No. 1))	20'		20'	20'	20'	See Chapter 18.12 NBMC			20'			20'
8. Maximum Building Height: (12)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family Dwellings (includes designated manufactured homes)	35'	35'	See Chapter 18.11 NBMC	35'		See Chapter 18.12 NBMC 35'						
b. Single-Family Dwellings (includes designated manufactured homes) within the floodplain and on lots of widths 50 feet wide or less, measured at the front property line	29'		See Chapter 18.11 NBMC	NA		See Chapter 18.12 NBMC Flood Zone: AE: 29' A01, A02 or A03: 31'						
c. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC	35'		See Chapter 18.12 NBMC See Chapter 18.11 NBMC						
8. Maximum Building Height: (12) (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
d. Duplexes			See Chapter 18.11 NBMC	35'	35'	See Chapter 18.12 NBMC Flood Zone: AE: 29' A01, A02 or A03: 31'		30'				
e. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				35'	35'	See Chapter 18.12 NBMC Flood Zone: AE: 29' A01, A02 or A03: 31'		30'				
f. Commercial Uses					35'	See Chapter 18.12 NBMC 35' -45'(12.b)	35'	35' (12.b)	30'	35'	35'	
g. Industrial Uses					35'	See Chapter 18.12 NBMC 35'				35'	35'	
h. Public and Quasi-Public Uses	35'		35'	35'	35'	See Chapter 18.12 NBMC 35'	35'	35'	30'	35'	35'	35'
i. Utility Uses	30'		30'	30'	30'	See Chapter 18.12 NBMC 30'	35'	30'	30'	35'	35'	30'
j. Resource Uses										35'	35'	35'
9. Maximum Building Cover: (percent of lot area or project depending on the zone) (13)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
	LDR-4 35%/40% sfd/sfd w/ADU	35%/40% sfd/sfd w/ADU	See Chapter 18.11 NBMC	35%/45% sfd/sfd w/ADU	35%/45% sfd/sfd w/ADU	See Chapter 18.12 NBMC 35%/45% sfd/sfd w/ADU						
a. Single-Family Dwellings (includes designated manufactured homes)	LDR-4 35%/40% sfd/sfd w/ADU	35%/40% sfd/sfd w/ADU	See Chapter 18.11 NBMC	35%/45% sfd/sfd w/ADU	35%/45% sfd/sfd w/ADU	See Chapter 18.12 NBMC 35%/45% sfd/sfd w/ADU						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC See Chapter 18.11 NBMC						
c. Duplexes			See Chapter 18.11 NBMC	45%	45%	See Chapter 18.12 NBMC 45%		45%				
9. Maximum Building Cover: (percent of lot area or project depending on the zone) (13) (continued)	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
d. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				60%	60%	See Chapter 18.12 NBMC 60%		60%				
e. Commercial, Industrial, Public/Quasi-Public, Utility, Warehousing, Distribution and Resource Uses (i, j, k, l, m from No. 1)						See Chapter 18.12 NBMC			80%			
10. Maximum Impervious Surface Coverage: (percent of lot area or project depending on the zone) For lots within the floodplain, see NBMC 14.12.070 for additional regulations.	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Single-Family, Cottage, and Duplex	65%	55%	See Chapter 18.11 NBMC	65%		See Chapter 18.12 NBMC 65%		65%				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
b. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				75%	75%	<i>See Chapter 18.12 NBMC 75%</i>		75%				
c. Commercial Uses						<i>See Chapter 18.12 NBMC</i>			55% with 10% bonus possible; see <i>Chapter 18.34 NBMC</i>			
d. Industrial Uses						<i>See Chapter 18.12 NBMC</i>			55% with 10% bonus possible; see <i>Chapter 18.34 NBMC</i>			
e. Other Uses (public and quasi-public, utilities, and resource uses (k, l, m from No. 1))	75%		75%			<i>See Chapter 18.12 NBMC</i>			55% with 10% bonus possible; see <i>Chapter 18.34 NBMC</i>			
11. Multifamily Maximum Building Size:	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
a. Multifamily Structures (excluding elderly homes, related assisted living, and mixed-use building containing a retail/office component)				Not more than 10 units per MF bldg.	Not more than 10 units per MF bldg.	<i>See Chapter 18.12 NBMC Not more than 12 units per MF bldg.</i>		Not more than 10 units per MF bldg.				
12. Maximum Ground Floor Commercial Tenant Space: In all nonresidential zones, development shall comply with the standards set forth in <i>Chapter 18.34 NBMC</i> .	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF
13. Floor Area Ratio (15): In all zones, development shall comply with the standards set forth in Ch. 18.34 NBMC.	LDR	CLDR	CR	HDR	NB	DC	IC	IMU	USOD	EP-1	EP-2	POSPF

ACRONYMS/SYMBOLS

FAR

floor area ratio

GFA	gross floor area
<u>NBMC</u>	<u>North Bend Municipal Code</u>
p.d.u.	per dwelling unit
sf	square feet
'	feet
zero	(0')
blank cell	Use(s) are not allowed in zoning district or there is no standard

GENERAL NOTES – TABLE OF BULK AND DIMENSIONAL STANDARDS:

A. Relation to Table 18.10.030. Uses listed in the table of bulk and dimensional standards parallel, in sequential order, the uses listed in Table 18.10.030, except that uses in the table of bulk and dimensional standards are often aggregated. Design guidelines (Chapter 18.34 NBMC) and performance standards (NBMC 18.10.050) must also be consulted.

B. Application. Bulk and dimensional standards from Table 18.10.040 shall apply to principal and accessory structures. Additional standards for accessory uses and structures on residential sites are addressed in NBMC 18.10.041.

FOOTNOTES – TABLE OF BULK AND DIMENSIONAL STANDARDS:

(1) Minimum lot size is a measure of the total area within the boundary lines of a lot (gross lot area) including the area of an easement, any critical areas and their buffers. If there is a conflict between the minimum lot size and the permitted number of dwelling units per acre, the minimum lot size controls. Minimum lot size refers to the smallest legally established single parcel of land that is required to construct a structure in that zone. The minimum lot size does not correlate to the density.

(2) The average lot size shall be 8,000 square feet, with a minimum lot size of 7,500 square feet. Chapter 17.25 NBMC, Residential Recreation and Common Space Requirements, shall be met.

(3) LDR Zone. Up to 25 percent of lots within a development may have a minimum front setback of 10 feet for homes with front loaded side-entry garages.

(4) There is no minimum lot size for multifamily residential structures. The lot area per dwelling unit provision controls minimum and maximum lot sizes.

(5) Elderly Homes and Related Uses. Minimum lot area per dwelling unit required for complexes without individually self-sufficient living quarters is 700 square feet per unit. Minimum lot area per dwelling unit required for homes with individually self-sufficient living quarters is 1,000 square feet per unit.

(6) Front yard building projections including but not limited to awnings, cornices, eaves, bay windows, and other architectural features may project into front yard areas not more than 30 inches. Porches may project into front yard areas not more than five feet. For corner lots fronting arterial or collector streets, front yard building facades shall be set back from the street per line-of-sight requirements for fences as set forth in NBMC 18.18.175 within the clear view triangle area for traffic safety.

(7) For single-family detached dwellings in the LDR zoning district, cottages, duplexes, triplexes and fourplexes, garages or carports shall be set back a minimum of 20 feet from the property line to the face of the garage. Rear yard and alley access garages and/or carports are preferred. Garages or carports that gain access from an alley may be set back five feet from the alley property line to the face of the garage. See design guidelines, Chapter 18.34 NBMC. For other multifamily dwellings, parking areas, including but not limited to garages or carports, shall be located in rear yard areas; provided, that understory parking may be provided below units.

(8) The 20-foot standard is for major utilities; there is no front yard setback requirement for minor utilities.

(9) Side yard building projections including but not limited to awnings, cornices, eaves, bay windows, and other architectural features may project into side yards not more than 24 inches.

Porches may project into side yard areas not more than two feet. For corner lots, side yard building facades shall be set back 10 feet from the street, or per line-of-sight requirements in NBMC 18.18.175, to provide the clear view triangle area for traffic safety as necessary.

(10) Where more than one multifamily building sits on a lot, interior side yards shall be a minimum of 20 feet between two multifamily buildings. Side yard setback and minimum lot width apply only to buildings as a whole, and not to lots created for zero lot line units constructed as a part of such buildings. Townhome is a single-family attached unit in one building – zero lot line side yard setback permitted.

(11) Rear yard building projections including but not limited to awnings, cornices, eaves, bay windows, and other architectural features may project into rear yards not more than 30 inches. Porches and decks may project into rear yard areas not more than 15 feet.

(12) Building Height.

a. Chimneys may extend approximately six feet above the maximum height measurement; bell/clock towers or similar architectural design features may extend not more than 10 feet above the 35-foot maximum height requirement in the ~~DC~~ and IC zones; and in no case shall exceed 45 feet; church steeples are permitted up to 45 feet in applicable zoning districts. Rooftop mechanical equipment may extend six feet over the height limit on commercial and industrial buildings if it is set back at least 15 feet from the edge of a roof and covers not more than 10 percent of a roof area.

b. DC Zone. Maximum building height from Sydney Avenue North to Downing Avenue North, south of West Second Street (excluding the historic district) shall be 45 feet. Maximum building height, all other areas, shall be 35 feet.

(13) Maximum building coverage applies to principal and accessory structures on a site, including garages. It does not apply to driveways, parking lots/parking areas, decks/patios, or other nonstructural elements.

(14) Mixed Building Provision. In the case of mixed-use buildings (e.g., first floor commercial/second floor residential), standards of the first floor use shall apply except that the minimum lot size shall meet the requirements for upper floor dwellings.

(15) Floor area ratio is equal to the gross building floor area, divided by net on-site land area (square feet). For example, an FAR of 0.25 means a 2,500-square-foot building could be constructed on a lot with 10,000 square feet of net buildable area.

(16) Transfer of development rights (TDR) is defined and regulated by Chapter 18.36 NBMC.

18.10.050 Table of performance standards.

To further implement purposes of the zoning title, and to further implement purposes of the respective zoning districts, performance standards are established for respective land uses in Table 18.10.050, Land Use Performance Standards. *For all performance standards related to the DC zone, please see Chapter 18.12 NBMC.*

PREFACE: The following table of performance standards is to be utilized in conjunction with Table 18.10.030. Within the latter table, uses that have specific performance standards are preceded with an asterisk (*). In turn, the required performance standards are listed in this table. The following standards are in relation to basic use provisions; they are not exhaustive, as additional city codes and regulations, as well as regional, state, federal, or other guidelines, standards, requirements, and/or regulations may apply to land uses and land developments. Therefore, applicants for land uses or developments must become familiar with all applicable standards. This table includes standards for some uses that are not listed in Table 18.10.030, as well as environmental quality performance standards that apply to all land uses (see Sections 7.00 and 8.00, respectively, below).

Table 18.10.050 – Land Use Performance Standards

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
1.00 RESIDENTIAL:	<p>a. All permitted business uses must obtain a North Bend business license.</p> <p>b. All residential development shall comply with Chapter 17.25 NBMC, Residential Recreation and Common Space Requirements.</p> <p>e. New first floor residential is prohibited in the DC zone along the entire length of North Bend Way and along Bendigo Boulevard North from West Park Street to West Third Street.</p> <p>d. New first floor residential is prohibited in the NB zone.</p> <p>e. To minimize driveway cuts and provide for less congestion along North Bend Way, residential uses and subdivisions shall be accessed by existing or future streets, not driveways, and/or take primary access off Cedar Falls Way or other secondary street.</p> <p>f. Street layout and plat design shall create efficient, well-connected streets and neighborhoods. The alignment of neighborhood streets shall provide for continuation and connectivity to adjacent parcels and neighborhoods.</p> <p>g. Residential plats adjacent to the Burlington Northern right-of-way, future Tanner Trail extension, shall provide pedestrian/trail access to and from the future Tanner Trail.</p> <p>h. See NBMC 18.34.050 for single-family design standards and guidelines and Chapter 18.11 NBMC for cottage residential standards.</p> <p>i. Residential zoning districts within the transitional landscape area (TLA) shall require the following:</p> <ul style="list-style-type: none"> i. Landscaping. Requires the transitional landscape area and landscaping as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter. ii. 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. No fences shall be constructed within the landscape transition zone, except along Interstate 90 (I-90). iii. Regional trail linkages are allowed within the TLA.
1.00 RESIDENTIAL: (continued)	
1.12 Designated Manufactured Homes	<p>a. Manufactured home must be a new manufactured home and is required to comply with all single-family home standards;</p> <p>b. The manufactured home must be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load-bearing or decorative;</p> <p>c. The manufactured home must comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;</p> <p>d. The home must be thermally equivalent to the State Energy Code;</p> <p>e. The manufactured home must otherwise meet all other requirements for a designated manufactured home as defined in RCW 35.63.160; and</p> <p>f. Must meet the requirements of NBMC 18.34.050 for single-family design standards.</p>
1.13	a. Must meet applicable standards of North Bend Municipal Code (NBMC Title 16).

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
Manufactured Home Parks	<p>b. Shall also meet designated manufactured home standards (see 1.12 above), except that homes can be single-wide.</p> <p>c. Must meet the minimum number of floor plans and garage setback requirements in NBMC 18.34.050 for single- family design standards.</p> <p>d. No new parks are allowed. Existing legal mobile home parks or manufactured home parks are allowed to replace homes consistent with current code and shall not be subject to Chapter 18.30 NBMC, Nonconforming Uses.</p>
1.00 RESIDENTIAL: (continued)	
1.20 Multifamily Structures	<p>a. New multifamily dwellings constructed on North Bend Way or Bendigo Boulevard shall be second story or above in the DC and NB zoning districts.</p> <p>b. For properties with more than 500 lineal feet along North Bend Way buildings shall be oriented to create unobstructed 60-foot-wide view corridors through the site to natural surroundings in locations determined by the city. These corridors shall provide visual penetration through the site to the surrounding mountains or other natural features and at least 50 percent of the area shall be open space. An unobstructed view means there are no buildings within such view corridor. If only one corridor is required the entire corridor shall be open space, unless otherwise approved by the director.</p> <p>c. Multifamily structures shall be designed to include usable covered decks, porches, and/or balconies.</p> <p>d. Architectural features on buildings shall include large rough timbers, natural stone, hand crafted 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.</p> <p>e. For residential developments of 50 units, 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 number of dwelling units per building allowed.</p>
1.31 Adult Family Homes	<p>a. A North Bend business license is required.</p> <p>b. Up to six adults maximum are allowed.</p> <p>c. Must comply with applicable local, county and state standards related to building, fire, safety, health, and operations, including but not limited to those in Chapter 388-76 WAC.</p> <p>d. Must be a single-family detached dwelling.</p>
1.00 RESIDENTIAL: (continued)	
1.32, 1.32a, 1.32b Childcare, Family Day Care Provider, Childcare Center	<p>a. A North Bend business license is required.</p> <p>b. Childcare facilities must comply with all applicable building, fire, safety, health, and business licensing requirements, including a license from the Department of Early Learning.</p> <p>c. Childcare/day care facilities shall have hours of operation where there are no drop-off/pick-ups of children, or deliveries, between the hours of 10:00 p.m. and 5:00 a.m., unless the facility is located on a collector or arterial street.</p> <p>d. In approving, conditioning, or denying an application for a childcare center or family day care business license, the city may consider, in addition to respective criteria for each use, the following:</p> <ul style="list-style-type: none"> i. The location of the proposed facility in relation to traffic impacts and safety concerns to the adjacent neighborhood. ii. The impacts the proposed facility may have on the residential character of the neighborhood. iii. The cumulative impacts of the proposed facility in relation to similar city-approved facilities in the immediate vicinity.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>iv. The imposition of a condition under which the city reserves the right to impose conditions or to reconsider the facility within a certain time frame from approval date, based on complaints filed with the city on violation of childcare/day care or home occupation facility standards.</p>
1.33 Homes for the Elderly and Related	a. Must comply with all applicable guidelines and standards of the Washington State Department of Social and Health Services or its successor agency.
1.42 Boarding Houses	<p>a. A North Bend business license is required.</p> <p>b. May not exceed two boarding rooms; must be owner-occupied.</p> <p>c. Must meet any applicable county and/or state standards and regulations, in addition to local codes, including but not limited to building, fire, safety, and health codes.</p> <p>d. Must be in a single-family detached dwelling or related ADU.</p>
1.00 RESIDENTIAL: (continued)	
1.51 Accessory Residential Uses	<p>a. In residential districts, may include but are not limited to carports and garages, fences, decks, patios, swimming pools, sports courts, hot tubs, storage buildings, other outbuildings, accessory dwelling units (ADUs), and recreation and social clubhouses associated with multifamily developments. An accessory use may be attached (i.e., located within or sharing one full wall in common with a residence) or detached (i.e., in a separate structure or outbuilding to the dwelling).</p> <p>b. Detached accessory uses on lots smaller than three-fourths acre in size shall not be higher than 25 feet to the highest point of the structure.</p> <p>c. Detached accessory uses on lots smaller than three-fourths acre in size shall cumulatively not have a building footprint more than 75 percent of the building floor area of the principal structure; provided any single-family home shall be allowed to have up to 500 square feet of detached garage or carport and any cottage or multifamily unit shall be allowed to have up to 250 square feet of detached garage or carport per dwelling, and ADU guidelines (below) must be met. For multifamily housing units, the 75 percent standard shall be measured against the largest principal structure on site. Uses that do not require a building permit (buildings less than 200 square feet), as well as swimming pools, sports courts, and other nonstructural site elements, are excluded from the footprint calculations.</p> <p>d. Detached accessory uses on lots of three-fourths acre in size or larger may be larger than the height and size limitations established in (b) and (c) above, if set back a minimum of 20 feet behind the front wall of the principal residential structure, and a minimum of 10 feet from side or rear lot lines.</p> <p>e. Structures containing an accessory use shall meet the setback requirements of the primary residential structure if the structures are attached. Fences, and decks not over 30 inches in height, are excluded from this provision.</p> <p>f. Must comply with standards in NBMC 18.10.041 unless otherwise superseded by the standards in this section.</p>
1.00 RESIDENTIAL: (continued)	
1.52 Accessory Dwelling Units (ADUs)	<p>a. Single-family detached dwellings, including designated manufactured homes, are permitted to have one ADU. ADUs shall not be permitted in conjunction with any other principal residential use, including but not limited to manufactured homes or mobile homes.</p> <p>b. An ADU may be attached (i.e., located within or attached to an SFDD) or detached (i.e., incorporated in a garage or other outbuilding to the single-family dwelling).</p> <p>c. ADUs shall not be permitted on lots less than 4,000 square feet.</p> <p>d. ADUs shall not be larger than 10 percent of the lot area or 800 square feet, whichever is smaller, and contain a maximum of one bedroom. Studios are allowed on lots less than 5,000 square feet and ADUs shall meet the height requirements of 1.51(b).</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>e. ADUs cannot be separated or subdivided in ownership from the principal dwelling.</p> <p>f. The primary dwelling unit shall be owner-occupied. Permission for an ADU can only be applied for and granted to the property owner.</p> <p>g. The ADU shall conform to lot coverage and setback requirements for the LDR district.</p> <p>h. ADUs shall meet all building, electrical, fire, plumbing, and other applicable code requirements.</p>
1.00 RESIDENTIAL: (continued)	
1.53 Home Occupations	<p>a. A North Bend business license is required, and a home occupation may only be undertaken in a residential dwelling unit in which the operator of the home occupation actually resides. A home occupation business license shall be issued under and subject to Chapter 5.04 NBMC, and shall further be subject to the following provisions.</p> <p>b. A home occupation business license shall not be granted in any case for automobile-related services, direct sale of merchandise on the premises, warehousing of materials, manufacturing that involves the conversion of raw materials, medical marijuana collective gardens or any other use involving legal sales or exchanges of marijuana, the provision of tattoos, or the provision of body piercings. Interior, incidental storage not to exceed 500 and 300 cubic feet of materials, respectively, for single-family and multifamily housing units is permitted. Exterior storage is prohibited, except for the growing or storing of plants in rear or side yards of SFDDs that are associated with the home occupation.</p> <p>c. Not more than 25 percent or 500 square feet, whichever is less, of the total floor area of a dwelling unit shall be devoted to the home occupation, excluding attached garages and other accessory structures.</p> <p>d. No more than one person who is not a resident of the dwelling can participate in the home occupation.</p> <p>e. No use of electrical or mechanical equipment which would change the fire rating of the structure or which would create audible or visible interference in radio or television receivers or which would cause fluctuations in line voltage outside the dwelling is allowed. If deemed necessary, the business shall be inspected by the fire marshal, and the applicant must commit to implement all required fire safety measures within a stated time period.</p> <p>f. In addition to parking required for the residents and one permitted nonresident employee, there can be no more than two vehicles parked on or in the vicinity of the property as a result of the business at any one time.</p> <p>g. There can be no more than two deliveries per day either to or from the residence by a private delivery service, and no other use of a commercial vehicle other than that normally used by the applicant or an employee is allowed.</p>
1.00 RESIDENTIAL: (continued)	
1.53 Home Occupations (continued)	<p>h. In approving, conditioning, or denying an application for a home occupation business license, the city may consider, in addition to respective criteria for each use, the following:</p> <p>i. The location of the proposed facility in relation to traffic impacts and safety concerns to the adjacent neighborhood.</p> <p>ii. The impacts the proposed facility may have on the residential character of the neighborhood.</p> <p>iii. The cumulative impacts of the proposed facility in relation to similar city-approved facilities in the immediate vicinity.</p> <p>iv. The imposition of a condition under which the city reserves the right to impose conditions or to reconsider the facility within a certain time frame from approval date, based on complaints filed with the</p>


TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
			city for violation of family day care or home occupation business license standards.
		i.	Within all commercial zones, no home occupation business license will be issued for a use that is otherwise prohibited in the underlying zone.
		j.	Signs for home occupations shall be mounted on or adjacent to a front door and may not exceed two square feet in cumulative area.
1.54	Upper Floor Dwelling Units (Mixed-Use)	a.	Upper floor dwelling units/mixed-use buildings shall meet the North Bend commercial design standards.
1.55	Interim Housing	a.	Interim housing uses are temporary and must comply with procedures and standards outlined in Chapter 18.22 NBMC.
2.00 COMMERCIAL:			
		a.	All commercial uses must obtain a North Bend business license.
		b.	To provide for increased safety for pedestrians and vehicles along North Bend Way, access shall be off existing secondary streets and/or alleys whenever feasible or via joint use driveways shared between multiple parcels. Driveways serving a single user should be avoided.
		c.	Commercial development within the TLA shall meet the following requirements:
		i.	Landscaping. Requires the transitional landscape area and landscaping as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter.
		ii.	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.
		iii.	Permitted signs in these areas shall meet the performance standards for low-density residential zoning districts, provided front lighting is down-lit only.
2.00 COMMERCIAL: (continued)			
		iv.	Regional trail linkages are allowed within the TLA.
		d.	Lighting shall be full-cut fixtures and comply with the performance standards identified in Section 8.40, Glare, and those in Chapter 18.34 NBMC.
		e.	Unless otherwise noted below with specific uses, storage of all associated uses (i.e., parts, equipment and service areas) should be screened from view using 15-foot-wide Type 1 landscaping and located to the side or rear of the development.
		f.	Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.
2.01	Adult Entertainment Facilities	a.	Adult entertainment establishments shall be conditionally permitted under Chapter 18.24 NBMC.
2.03a	Boat and Watercraft Sales	a.	Storage of all outdoor parts, equipment and service areas shall be located to the rear of the property and screened using 20-foot-wide Type 1 landscaping.
2.03b	Car Wash		
2.03g	Gas and Service Station	b.	
2.03h	Motorcycle Sales/Service		
			Fences along street frontages or regional trails shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated. Fences in combination with landscaping shall provide a visual site barrier. Per Chapter 18.34 NBMC design standards require buildings to front to North Bend Way.

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
2.03i	Paint and Body Shop	c.	Towing, impound and wrecking yards must meet all standards as prescribed by the Washington State Patrol.
2.03j	Parts Store		
2.03k	Auto Rental and Leasing		
2.03l	Repair and Service Shop		
2.03m	RV/Commercial Truck Sales		
2.03n	Sales (new and used auto passenger truck)		
2.03o	Snowmobile Sales/Service		
2.03p	Tire Shop Sales and Service		
2.00 COMMERCIAL: (continued)			
2.03m	Commercial Truck Centers/Service Areas	a.	Substantial improvement of existing commercial truck center/service area facilities shall make available electrical capabilities or other means for each truck to eliminate idling. "Substantial improvements" shall be defined to mean improvements worth more than 50 percent of the assessed value of the improvements as determined by the King County assessor. See NBMC 18.10.025(C)(3)(d).
		b.	The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director.
		c.	Commercial truck parking areas shall not be located adjacent to public streets, unless a 30-foot Type 2 landscape buffer is provided.
2.06	Business and Professional Office	a.	In the EP-1 and EP-2 districts, only business offices associated with the principal, underlying employment park uses are allowed.
2.10	Equipment Rental – Heavy Equipment	a.	Storage of all outdoor parts, equipment and service areas shall be located to the side or rear of the property and screened with 15-foot-wide Type 1 landscaping.
		b.	Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.
2.10a	Equipment Rental	a.	All storage of equipment must be in a fully enclosed building or otherwise screened from view behind or to the side of the primary building. Fifteen-foot-wide Type 1 landscaping shall be used around all storage of outdoor equipment and fences used for screening shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.
2.16	Hotel and Motel	a.	Hotels and motels shall comply with the performance standards herein and with the commercial/mixed-use/industrial design standards and guidelines set forth in NBMC 18.34.050. In the event of conflict between or among any such provisions, the more restrictive as determined by the city shall apply.
		b.	Commercial building height, in the IMU zone, may be increased to 55 feet for a hotel subject to strict compliance with the performance standards herein and the commercial/mixed-use/industrial design standards and guidelines set forth in NBMC 18.34.050.
		c.	Eaves of not less than 24 inches shall be provided for all roofs.
		d.	For hotels exceeding 35 feet in height, all roof-installed mechanical equipment including, but not limited to, elevator shafts, fire staircases, etc., must be hidden within the roof elements or otherwise not visible from the exterior.
		e.	Air conditioning units shall not project from the face of the building, and shall be integrated into the window system or other centralized system where the units are

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	not visible from the exterior. Any air intakes shall be integrated into the building architecture.
2.00 COMMERCIAL: (continued)	
2.16 Hotel and Motel (continued)	<p>f. All exterior building lighting shall be full cut off fixtures. Fixtures shall not be visible from neighboring residentially zoned properties, and shall be placed under balconies or eaves, or otherwise as approved by the city.</p> <p>g. Hotels exceeding 35 feet in height shall provide a minimum of 40 percent of all guest rooms above the ground floor with usable balconies accessible from the interiors of all such guest rooms.</p> <p>h. Each unit or room shall provide a window a minimum six feet in width with a transom panel to a minimum height of eight feet, unless otherwise approved by the city during the design review process.</p> <p>i. The following minimum floor heights shall apply:</p> <ul style="list-style-type: none"> i. Ground Floor Common Areas. Twelve-foot to ceiling height, measured floor to ceiling, except for interior design and accent features. ii. Any Floor above the Ground Floor. A minimum nine-foot height, measured floor to ceiling, except bathrooms or design and accent features. <p>j. Signs. The following performance standards apply to hotels within the IMU zone, and shall control over those set forth in Chapter 18.20 NBMC or any other provision of this code:</p> <ul style="list-style-type: none"> i. Signs shall be compatible with and not obscure or detract from the architecture, scale, materials and color of the associated building. ii. Pole signs are prohibited. iii. Building-mounted signs shall be limited to a total of 100 square feet and shall not be oriented towards or be visible from adjacent residentially zoned properties. iv. Monument signage shall be limited to a total of 20 square feet, including base, and shall be limited to external down-lit illumination only. v. One entry feature sign is allowed at an ingress and egress point and shall be limited to 10 square feet with external down-lit illumination only. vi. Panel signs shall not be allowed for building-mounted signs. No unarticulated panel signs shall be allowed for monument signs. vii. Building-Mounted Signs. Illumination may include overhead downlighting, subdued halo back lit single stroke neon, opaque can sign with illuminated letters (no box can signs), or channel letters. Unarticulated signs and full internally lit signage are prohibited. <p>k. To help the building blend with its surrounding natural viewsapes, primary building and trim colors shall be natural warm tones of tan, brown, dark gray, brick red, green or blue. Creams, light grays and whites are prohibited.</p> <p>l. Roof color shall be natural dark tones of tan, brown, red, green or gray. All other colors are prohibited.</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
2.00 COMMERCIAL: (continued)			
2.16	Hotel and Motel (continued)	m.	Building materials shall be natural such as wood, brick, stone, or cultured stone. Stucco and concrete masonry unit (CMU) shall be prohibited as a primary material, but may be used as accent features. Vinyl and synthetic stucco is prohibited.
		n.	For parking lot landscaping: Type 2 landscaping, as described in NBMC 18.18.080, shall be provided in place of Type 3 landscaping to increase the quantity of evergreens to increase screening functions, and to reduce visual impacts from surrounding views and vistas. Low impact strategies shall be incorporated into the parking lot design and landscaping.
		o.	Within the transitional landscape area (TLA) the total driveway cut(s) shall be limited to 20 linear feet per lot, unless otherwise approved by the city for emergency vehicles.
		p.	For hotels located south of I-90, improved pedestrian safety shall be provided at the roundabout, including the I-90 on- and off-ramps at Exit 31, to allow safe pedestrian access to North Bend's commercial areas located north of I-90. Such measures may include, but are not necessarily limited to, the installation of in-roadway warning light crosswalk systems at the crosswalks.
2.17	Lumber and Associated Sales	a.	Storage of all outdoor merchandise and equipment shall be located to the rear or side of the property. Ten-foot-wide Type 2 landscaping is required when these areas front a street.
2.19	Nursery, Landscape, and Garden Supply	a.	Outdoor storage or stockpiling of soil, bark chips, gravel, railroad ties, or related bulk landscape materials for sale or resale is prohibited in the DC zoning district; incidental business use of these materials is permitted. In the NB and EP-1 districts, the outdoor storage or stockpiling standard shall be limited to not more than 125 cubic yards of bulk (nonpackaged) materials.
2.22	Recreational Vehicle Park and Campgrounds	a.	Must provide adequate utilities, including but not limited to potable water supply, sewage disposal facilities, and electrical connections, as specified by the city's building inspector, King County health department, or relevant authority.
		b.	Rental Space Size. Minimum rental space size for those sites having utility hookups (including cabin units) shall be 1,200 square feet. Minimum rental space size for those sites not having hookups shall be 1,000 square feet. Minimum rental space size shall not include any area required for access roads, service buildings, recreation areas, office and similar RV park needs. A minimum of 10 percent of the sites shall be for the exclusive use of basic tent camping.
2.00 COMMERCIAL: (continued)			
2.22	Recreational Vehicle Park and Campgrounds (continued)	c.	The minimum distance between rental spaces shall be 15 feet. Larger separation buffers a minimum of 20 feet in width with retained or planted trees and Type 2 landscaping shall be provided between every fifth (or fewer) rental space, such that no more than four rental spaces are at the minimum separation distance. Healthy existing tree clusters shall be incorporated wherever possible and considered in determining where to place the rental spaces and larger separation buffers.
		d.	New RV parks are intended for short-term camping and recreational use, and shall impose a maximum length of stay of 45 consecutive days in any one-year period for any occupants or RV vehicles. RV parks in existence as of December 2016 shall impose a maximum length of stay of 180 days in any one-year period.
		e.	In addition to conformance with perimeter landscape regulations in Chapter 18.18 NBMC, a minimum of two evergreen trees shall be provided adjacent to each rental space, which may include retained existing trees. The ground area between rental spaces and within the recreation areas shall be covered with preserved native vegetation, grass lawn or other landscaping.
		f.	A minimum of 40 percent of all significant trees as defined in Chapter 19.10 NBMC shall be retained on site within a recreational vehicle park. 0.33 significant tree credits will be provided for each nonsignificant tree over 12 feet tall retained on the site. Refer to Chapter 19.10 NBMC for all other tree-preservation requirements.
		g.	To preserve the scenic, forested character along I-90, a designated National Scenic Byway, RV parks on properties adjacent to I-90 at Exit 34 shall retain the native

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>vegetation within the 50-foot native growth protection easement identified along I-90 in the Edgewick Village Plat of 1980.</p> <p>h. Recreational vehicle pads may be graveled or paved. All other parking, driveways and drive aisles shall be paved as required per Chapter 18.16 NBMC.</p> <p>i. Up to 30 percent of the sites within the RV park may be occupied by cabin units for the purpose of short-term rental occupancy. Cabin units may consist of yurts or site-built cabins of a comparable size to an RV. The RV park shall impose a limit on occupancy of cabin units by any one party of no greater than 30 days in any one-year period.</p> <p>j. Site design shall be subject to the site-related provisions of the city’s commercial design standards in Chapter 18.34 NBMC. All buildings, including cabin units, shall meet the following building-related performance standards:</p> <ul style="list-style-type: none"> i. Materials used on buildings/cabins shall include rough timber or other natural materials or finishes typically used on mountain buildings, and shall be stained or painted darker natural-tone colors to blend with the forested character of the site. Buildings and cabins shall not use vinyl or metal siding. ii. Buildings need not be built fronting to the sidewalk as may otherwise be required per Chapter 18.34 NBMC, but may be located internal to the site behind required perimeter landscaping. iii. Recreational vehicle pads shall not be located adjacent to North Bend Way. Pads shall be placed behind required frontage improvements or primary site buildings.
2.00 COMMERCIAL: (continued)	
<p>2.22 Recreational Vehicle Park and Campgrounds (continued)</p>	<ul style="list-style-type: none"> iv. Site-built cabin units shall include a roof pitch of 4:12 or greater with eaves a minimum of 12 inches in depth, and contain a covered porch a minimum of 30 square feet or a stoop with a deck or patio a minimum of 30 square feet. v. Yurt cabin units shall include a deck or patio a minimum of 30 square feet. vi. All cabin units shall include either a foundation or wood or wood-lattice skirting around the exterior perimeter below any floor area. <p>k. Appropriate examples:</p> <div data-bbox="756 1444 1383 1696" data-label="Image"> </div>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	 <p data-bbox="532 548 1425 619">i. The RV park shall keep all grounds and sites within the park well maintained and ensure that occupants do not store equipment or belongings outside of RVs or cabin units in quantities beyond that typical to camping or vacation use.</p>
2.00 COMMERCIAL: (continued)	
2.23a Indoor Shooting Range (Gun and Archery)	<p data-bbox="532 688 1425 739">a. All indoor shooting ranges shall comply with applicable local, state and federal laws, standards and regulations.</p> <p data-bbox="532 745 1425 772">b. All indoor shooting ranges shall implement industry best management practices.</p> <p data-bbox="532 793 1425 892">c. Noise Abatement. The building design or use must incorporate sound reduction techniques so that noise levels from the discharge of firearms do not exceed 50 dB as measured at the property line to residential zoned properties. Refer to Chapter 8.26 NBMC, Noise Abatement and Control, for all other zones.</p> <p data-bbox="532 903 1425 930">d. Ventilation. HEPA filters are required for exhaust fans.</p> <p data-bbox="532 951 1425 1029">e. Solid Lead. The application must provide a plan for the safe removal and disposal of lead and lead dust. Lead and lead dust may not be disposed of in either the storm or sanitary sewer system.</p> <p data-bbox="532 1039 1425 1117">f. Containment. Bullet traps, range walls, floors and ceilings must capture all bullets and arrows. Bullet traps, floors, walls and ceilings must all be sufficiently strong to prevent bullets and/or arrows from leaving the range room.</p> <p data-bbox="532 1127 1425 1186">g. Security. The application must include a security plan which at a minimum contains a continuously operating video surveillance system located on all exterior entrances.</p>
2.24b Restaurant (Non-Drive-Thru)	<p data-bbox="532 1207 1425 1276">a. In the DC and IC districts, are permitted to be open for 24 hours. In the NB and IMU districts, are expected to be open for maximum 16-hour-per-day periods – not at night.</p>
2.24d Food Trucks	<p data-bbox="532 1297 1425 1325">a. Parking.</p> <p data-bbox="716 1346 1425 1612">i. For food trucks located in the Downtown Commercial area, no more than two public parking spaces may be occupied. Food trucks are not allowed along Orchard from SE 5th Street to Meadow Drive SE due to sight distance concerns and heavy pedestrian use areas. Further, food trucks are not allowed within vehicle sight triangles at intersections and shall not create any visual or safety obstructions at intersections.</p> <p data-bbox="716 1623 1425 1717">ii. No food truck located either in off-street public parking or on street public parking shall remain in excess of 24 consecutive hours, or as specifically posted.</p> <p data-bbox="716 1728 1425 1894">iii. Each site occupied by a food truck must provide or have available sufficient parking and vehicular maneuvering area for customers. Such parking need not comply with Chapter 18.16 NBMC, Parking Regulations, but must provide safe and efficient interior circulation and</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):	
	<ul style="list-style-type: none"> iv. <p>b. Permits and Approvals.</p> <ul style="list-style-type: none"> i. 	<p>ingress and egress to and from public rights-of-way.</p> <p>No food truck shall park adjacent to or within 18 feet (on the same side of the street) of an existing restaurant unless they have the property owner's permission.</p> <p>All food trucks shall be permitted under a food truck permit and pay the associated fee as established by the Taxes Rates and Fees Schedule. Food trucks permitted under a special events permit shall not be required to obtain a food truck permit.</p>
	<ul style="list-style-type: none"> ii. iii. iv. <p>c. Additional Conditions.</p> <ul style="list-style-type: none"> i. ii. iii. iv. v. vi. vii. 	<p>All food trucks must obtain a city of North Bend business license prior to occupancy of the site.</p> <p>The food truck shall comply with all applicable standards of Public Health – King County, the Fire Marshal, state Labor & Industries insignia, and all other relevant state and local regulations.</p> <p>The applicant shall supply to the city written authorization from the owner of property on which the food truck is to be located. If it is to be located on public right-of-way, an approved food truck permit shall serve as owner authorization. A right-of-way use permit is not required unless the food truck shall be parked for longer than 12 hours at one period.</p> <p>Applicant shall provide and maintain a private waste receptacle near the food truck and keep the public ROW free of litter, drink and food waste.</p> <p>Food truck locations shall be kept clean and litter free at all times. All operations, including but not limited to: signs, refuse containers, generators, handwashing stations, etc., shall be confined to the approved location.</p> <p>Upon completion and removal of the food truck, each site occupied by a food truck shall be free of debris, litter, or other evidence of the temporary use.</p> <p>No dumping of any waste, grease, water, etc., into any drains is permitted at any time.</p> <p>If generators are being used, they must be quiet generators in good condition with a maximum of 55 dB(A).</p> <p>All materials, structures and products related to the food truck must be removed from the premises between days of operation, except between consecutive days of operation.</p> <p>The director may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	minimize potential impacts on nearby uses.
2.25 Research and Development	a. In the DC zone, research and development is restricted to the second or higher stories of buildings for lots fronting on North Bend Way or Bendigo Boulevard.
2.26 and 2.27 Retail and Wholesale Sales	a. In the EP-1 and EP-2 districts, retail sale of goods is limited strictly to those manufactured on-premises, and sales areas may not occupy more than 15 percent of gross floor area. b. In the NB zone, retail must occupy a minimum of 20 percent of the gross floor area.
2.29 Storage Facilities	a. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director. b. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated. c. In the NB and USOD zones, storage facility buildings are limited to two stories.
2.29c Outdoor Storage of Boats, Cars, Campers, Etc.	a. Outdoor storage of boats, cars, campers, and the like shall be allowed for a business where point of sale occurs within the city or a business that provides rental space for the convenience of individuals wishing to store their personal boats, campers, etc. b. Storage of all outdoor parts, equipment and service areas shall be located to the side or rear of the property and screened from view using 15-foot-wide Type 1 landscaping. In the USOD zone, side yard setbacks between adjacent parcels shall be a minimum of 15 feet wide and include Type 1 landscaping where outdoor storage is proposed. c. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director.
2.32 Veterinary Clinic	a. Exterior kennels or runs are prohibited in the NB and DC zoning districts.
2.00 COMMERCIAL: (continued)	
2.35 Pawn Shop	a. CUP review shall prohibit security devices such as bars on the windows and address aesthetics by limiting window signs and requiring an attractive facade and high-quality finishes and landscaping consistent with commercial design standards.
2.41 Marijuana Related Uses (Producer, Processor, Retail and Other)	See Chapter 18.60 NBMC.
3.00 INDUSTRIAL:	
3.00 All Industrial Uses	a. Must obtain a North Bend business license. b. To provide for increased safety for pedestrians and vehicles along North Bend Way, access should be off existing secondary streets and/or alleys whenever feasible or via joint use driveways shared between multiple parcels. Driveways serving a single user should be avoided. c. Industrial development within the TLA shall meet the following requirements: i. Landscaping. Required per Chapter 18.18 NBMC, Landscaping Regulations, and as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter. ii. 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.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>iii. Permitted signs in these areas shall meet the performance standards for low-density residential zoning districts, provided front lighting is down-lit only.</p> <p>iv. Regional trail linkages are allowed within the TLA.</p> <p>d. The maximum building size may be increased through CUP approval when creating a significant employment base at approximately one job/500 gross sq. ft., or as determined by the director.</p> <p>e. Lighting shall be full-cut fixtures and comply with the performance standards identified in Section 8.40, Glare, and with Chapter 18.34 NBMC.</p> <p>f. Unless otherwise noted below with specific uses storage of all associated uses (i.e., parts, equipment and service areas) should be screened from view using 15-foot-wide Type 1 landscaping and located to the side or rear of the development.</p> <p>g. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p>
3.00 INDUSTRIAL: (continued)	
3.00 All Industrial Uses (continued)	<p>h. In any new structure or building and for any new use, warehousing shall be limited to 80 percent of the gross area of the building or structure. In the event of multiple structures or buildings (e.g., campus style layout) operated by a single user, aggregate warehousing shall be limited to 80 percent of the total gross area of all buildings associated with that single user. "Single user" means a single business entity that shares management, controlling ownership interests, storage areas or shared ingress and egress into that business entity. "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. Notwithstanding anything to the contrary in this section all existing uses and buildings (without regard to the foregoing 65 percent warehouse threshold) in existence as of and located within the EP-1 zone located west of Bendigo Blvd. S., in each case as of September 21, 2010, and any subsequent expansion of any such uses and buildings, including expansion into new buildings and uses associated with the existing use, shall be exempt from compliance with this provision.</p> <p>i. The city highly encourages all buildings to be constructed to meet the minimum program requirements of LEED, Leader in Energy Efficient Design, Silver Certification; however, this is not a requirement.</p>
3.11 Apparel, Fabrics, Etc.	<p>a. These uses are permitted as indicated in Table 18.10.030. Within the NB and DC districts, the scale of industrial and/or manufacturing operations associated with these uses shall be limited and shall include limited truck or associated shipping and receiving traffic and generally limited land use impacts on surrounding properties and the zoning district. Additional mitigating conditions may be placed on the use through the SEPA process to address impacts of the use that are not addressed through conformance to the city's development regulations.</p>
3.15 Fabricated Small Components and Products (Containers, Hand Tools, Screw Products, Coatings and Recreational Products)	<p>b. Within the DC district and NB district (including its associated urban separator overlay district), limited scale industrial/manufacturing uses as listed herein, and as permitted by Table 18.10.030, Permitted and Conditional Land Uses, shall meet the following standards:</p>
3.16 Food and Beverage Products	<p>i. Use shall not exceed the size limitation in NBMC 18.34.050 for ground floor single-user commercial square footage.</p>
3.17 Furniture and Fixtures	<p>ii. Use must contain a retail storefront component, except as authorized under subsection (c) of this section or must be located behind other retail, service or</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
3.18	Handcrafted Products	iii.	office uses within the building that front directly to the street. All manufacturing activities and associated storage areas shall be fully contained within the building.
3.00 INDUSTRIAL: (continued)			
3.20	Measuring and Controlling Instruments	c.	Within the NB zone, for limited scale industrial/manufacturing uses as listed herein on parcels located in the urban separator overlay district and located between Thrasher Avenue NE and the intersection of North Bend Way and SE Tanner Road, the following exception to subsection (b) of this section shall apply: i. Uses constructed on parcels located substantially behind other parcels that are immediately adjacent to the street, or constructed together with other buildings containing separate uses located directly adjacent to the street (such that the building containing the use listed herein cannot be built adjacent to the street), do not require a retail storefront component.
3.22	Prepared Materials – Indoor assembly, processing and packaging	i.	
3.23	Printing, Publishing and Allied Industries		
3.26	Signs and Advertising Display		
3.27	Stone, Clay, Pottery, and China		
3.31	On-Site Hazardous Waste Treatment	a.	Permitted as an accessory use only to permitted activities in zones generating hazardous waste; provided, that facilities meet siting criteria in RCW 70.105.210.
4.00 PUBLIC AND QUASI-PUBLIC USES:		a.	All public and quasi-public uses within the park, open space, and public facilities district (see Table 18.10.030 – 4.00) are subject to applicable covenants or restrictions associated with respective public or quasi-public properties and approval by the city council as necessary (e.g., for sale, lease, use, or otherwise).
4.10	Open Space, Park, Trail and Recreation	a.	In residential districts, with the exception of golf courses, shall be noncommercial in nature.
4.11	Golf Course	b.	In residential districts, active recreational complexes shall not include major athletic facilities like stadiums, field complexes, multicourt indoor tennis facilities, or the like.
4.12	Golf Driving Range	c.	Recreational or social clubhouses, or community buildings, are permitted in all residential zoning districts.
4.13	Athletic Fields/Sport Facilities	d.	All park and related recreational uses shall be subject to any criteria or guidelines set forth in the city of North Bend’s Comprehensive Plan, review and recommendation by the parks board, and applicable design guidelines.
4.40	Churches and Religious Institutions	a.	In the LDR district, must be located on or within 300 feet of a collector or arterial street, as defined by the director of community services.
		b.	Any residence located in conjunction with churches and religious institutions shall comply with provisions governing residential uses.
4.00 PUBLIC AND QUASI-PUBLIC USES: (continued)			
4.50	Museum/Interpretive Center/Community Centers and Associated Activities	a.	Museums and interpretive centers shall be nonprofit businesses incorporated under the Internal Revenue Code Section 501(c)(3) regulations.
		b.	Activities permitted at museums and interpretive centers shall be approved by the respective management of the museum or center and shall not be inconsistent with the purpose of the underlying zoning district or incompatible with surrounding land uses.
		c.	Museums and interpretive centers that include restoration of large-scale equipment shall be permitted only in the EP-1 district, and shall require a conditional use permit.
5.00 UTILITIES:			
5.10	Public and Private Utilities – Minor	a.	Shall be visually screened and meet requirements of the city’s landscape, design review, and/or clearing and grading codes.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>b. Satellite dish antennas shall not exceed 36 inches in diameter, and shall be installed strictly in rear yard areas. In multifamily buildings, multiple dish antennas are prohibited.</p>
5.20 Public and Private Utilities – Major	<p>a. Same as standards for 5.10 (above).</p>
6.00 RESOURCE USES:	
<p>6.10 6.20 Christmas Tree Farm 6.30 6.40 Commercial Farm – Produce 6.60 6.70 Commercial Greenhouse Farmland, Pasture, Crops Public Garden Unlisted Resource Uses</p>	<p>a. Where commercial in nature, must obtain a North Bend business license.</p> <p>b. All resource uses must comply with best management practices, be they for agricultural, horticultural, silvicultural, or other resource-based operations.</p> <p>c. Must meet applicable standards of the Washington State Department of Agriculture and/or Department of Natural Resources.</p> <p>d. All resource uses within the park, open space, and public facilities district are subject to applicable covenants or restrictions associated with respective public or quasi-public properties and approval by the city council as necessary (e.g., for sale, lease, use, or otherwise).</p> <p>e. Right to farm/right to forest is an ordinance that protects farmers and farm operations or foresters and forest operations from private or public nuisance laws.</p> <p>f. TDR program sending sites.</p>
6.65 Temporary Resource Buildings or Uses	<p>a. Temporary resource buildings and uses must comply with procedures and standards outlined in Chapter 18.22 NBMC.</p>
7.00 UNLISTED USE STANDARDS:	
7.10 Outdoor Storage of Vehicles	<p>a. For all single-family uses, with the exception of garages or carports, parking spaces or yard areas shall not be utilized for the storage of any motor vehicle or vehicle accessory such as trucks, camper shells, boats, trailers, motorcycles, or other wheeled accessory or conveyance except those vehicles owned by the owner or occupant of the residence. Such vehicles shall have a current license from the state of Washington if required to operate on the road and shall not occupy an area greater than the total area permitted for detached accessory structures as calculated in 1.51.</p> <p>b. For all cottage and multifamily uses and districts, with the exception of garages or carports, parking spaces or yard areas, shall not be utilized for the storage of any motor vehicle or vehicle accessory such as trucks, camper shells, boats, trailers, motorcycles, or other wheeled accessory or conveyance. For purposes of this section, “storage” means a period of 72 hours during which the vehicle or vehicle accessory is nonutilized.</p> <p>c. Commercial and employment park zoning district lands shall not be utilized for the outdoor storage of any truck, motor vehicle, or vehicle accessory such as trailers, camper shells, boats, motorcycles, or other wheeled accessory or conveyance; provided, storage uses may be permitted if they (i) are a permitted use; (ii) are incidental to the underlying permitted use. For purposes of this section, “storage” means a period of 72 hours during which the vehicle or vehicle accessory is nonutilized.</p>
8.00 ENVIRONMENTAL QUALITY STANDARDS FOR ALL USES:	
8.10 Air Quality	<p>a. Odors from gases or other odorous matter shall not occur in quantities as to be unreasonably offensive beyond the exterior property lines of the lot or site.</p> <p>b. Smoke may not be emitted from any source in a greater density of gray than that described as No. 1 on the Ringelmann Chart, except that visible gray smoke of a shade darker than that described as No. 2 on the Ringelmann Chart may be emitted for not more than four minutes in any 30-minute period. Provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an equivalent apparent opacity.</p> <p>c. Dust, dirt, fly-ash, or airborne solids from any sources shall not be in a density greater than that described as No. 1 on the Ringelmann Chart.</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>d. Toxic gases or matter shall not be emitted in quantities which may be damaging to health, animals, vegetation, or property or which can cause any excessive soiling beyond the exterior of the property lines of the lot or site.</p> <p>e. Must meet any standards or requirements promulgated by the Puget Sound Air Pollution Control Agency, or other air-quality regulatory and/or enforcement bodies.</p>
8.00 ENVIRONMENTAL QUALITY STANDARDS FOR ALL USES: (continued)	
8.20 Vibration	a. Vibration from any machine, operation, or process which exceeds three-thousandths of one inch displacement or three-tenths g peak acceleration, whichever is greater, as measured at any point outside the property lines of the lot or site, shall be prohibited. The latter shall apply in the frequency range of zero to 5,000 cycles per second. Shock absorbers or similar mounting shall be allowed to permit compliance with this specification.
8.30 Heat	a. No use shall produce heat perceptible beyond its lot lines.
8.40 Glare	a. No use shall produce direct light or glare beyond its property lines.
8.50 Noise	a. Emission of noise and vibration shall not exceed those in excess of allowable levels under Chapter 8.26 NBMC.
8.60 Liquid and Solid Waste	a. Discharge of any material which can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise emit dangerous or offensive material into public or private sewers, water bodies, or into the ground, except in compliance with Washington State Department of Ecology standards, shall not be permitted.
8.70 Storage and Waste Disposal	<p>a. Storage and handling of all flammable, combustible, explosive, and/or other hazardous materials shall be in compliance with the International Fire Code (IFC) and other applicable codes, including but not limited to Articles 30, 76, 77, 79, 80, and 82 in the IFC.</p> <p>b. All above-ground, outdoor storage facilities for fuel, raw materials, and products shall be enclosed by an approved fence designed for safety.</p> <p>c. Storage of hazardous materials shall be completely enclosed in nonpermeable containers.</p> <p>d. All materials or wastes which might cause fumes or dust, or constitute a fire hazard, shall be stored in containers adequate to eliminate such hazard.</p>

EXHIBIT B
Chapter 18.12
DOWNTOWN COMMERCIAL ZONE FORM-BASED CODES

Sections:

- 18.12.005 Purpose.
- 18.12.010 Authority.
- 18.12.020 Applicability.
- 18.12.030 Review process.
- 18.12.040 Form-based code adopted.
- 18.12.050 Amendment of form-based code.

18.12.005 Purpose.

The purpose of this chapter is to establish form-based standards that will implement goals, policies, and objectives set forth in the North Bend Comprehensive Plan relating to preservation of community character and community vitality, appropriate urban form, and design principles emphasizing pedestrian orientation, integration of land uses, treatment of streetscapes as community living space, and environmentally sensitive building design and operation.

18.12.010 Authority.

The terms of this chapter shall augment and/or supersede existing regulations in this title. When terms included in these form-based standards conflict with other terms of Title 18, these standards shall apply unless otherwise provided.

18.12.020 Applicability.

A. The form-based standards adopted pursuant to this chapter shall apply to development proposed to be constructed or carried out in any areas within the Downtown Commercial (DC) Zone and associated corridors as defined in North Bend's Zoning Map pursuant to NBMC Chapter 18.08. Existing buildings and appurtenances that do not conform to the provisions of this code may continue but shall be regulated pursuant to NBMC Chapter 18.30.

B. The form-based standards shall utilize regulating plans and other mechanisms as adopted by the City Council to prescribe appropriate land uses, and project and site design principles relating to appropriate building types, housing mix, integration of land uses, and appropriate form for the pedestrian orientation, streetscape, and public realm in the subject area.

18.12.030 Review process.

Administrative design review is required for development subject to compliance with the form-based standards adopted pursuant to this chapter. The city shall review applications in accordance with NBMC Chapter 18.34 (Design Standards and Guidelines). In addition, for certain uses specified in a zoning district, administrative conditional use permit approval may be required in accordance with NBMC Chapter 18.24 (Conditional Uses), conditional use permit approval may be required in accordance with NBMC Chapter 18.34 (Design Standards and Guidelines), and site

plan approval or binding site plan approval may be required in accordance with NBMC Chapter 18.14 (Site Plans).

18.12.040 Form-based code adopted.

The “North Bend Form-Based Code Regulating Plan” shall govern the development described in NBMC 18.12.020. The North Bend Form-Based Code Regulating Plan is available on the City of North Bend website or at North Bend City Hall.

18.12.050 Amendment of form-based code.

A. Amendments to the “North Bend Form-Based Code Regulating Plan” shall be processed in accordance with the procedures set forth in NBMC Chapter 20.08 (Comprehensive Plan and Development Regulation Amendment Procedures).

B. An amendment to the text, tables, or graphics contained within the “North Bend Form-Based Code Regulating Plan” shall be processed as a development regulation amendment.

C. An amendment to the regulating plan contained within the “North Bend Form-Based Code” that requires a change to the boundaries of an underlying zoning district shall be processed as a zoning map amendment.

EXHIBIT C

North Bend Form-Based Code Regulating Plan