



**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE
NORTH BEND PLANNING COMMISSION
Wednesday October 16, 2024, 6:30 PM
City Hall, 920 SE Cedar Falls Way, North Bend, WA**

AGENDA

- 1) Call to order and roll call, Planning Commission**
- 2) Opportunity for public comment on non-agenda items**
- 3) Approval of minutes from September 18, 2024**
- 4) Public Hearing for NBMC Amendment related to Transitional Housing and Permanent Supportive Housing.**
- 5) Planning Commission Recommendation for Item (4)**
- 6) Adjournment by 8:30 unless otherwise approved.**

PLEASE NOTE: Members of the public may choose to attend the meeting in person or by teleconference. Members of the public attending the meeting in-person will have an opportunity to provide public comment and if attending the meeting by teleconference may submit written comments via in-person drop off, mail, fax, or e-mail to planning@northbendwa.gov. All written comments must be received by 4 p.m. on the day of the scheduled meeting and must be 350 words or less. If an individual requires an accommodation because of a difficulty attending the public meeting, the City requests notice of the need for accommodation by 3:30 p.m. on the day of the scheduled meeting. Participants can request an accommodation to be able to provide remote public comments by contacting the City by phone (425) 888-5633 or by e-mail to planning@northbendwa.gov. No other remote public comment will be permitted.

Those wishing to access the meeting by teleconference will be required to have a registered Zoom account and display your full name to be admitted to the online meeting.

Zoom Meeting Information:

To Sign Up for a Zoom Account: <https://zoom.us/join>

Join Zoom Meeting

<https://us02web.zoom.us/j/84069345990?pwd=SE9IM3Y3ZmJRNThrSUIMRFhINVZHUT09>

Meeting ID: 840 6934 5990

Passcode: 317193

Call In Phone Number: 1-253-215-8782

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**REGULAR MEETING AND SPECIAL PUBLIC HEARINGS OF THE
NORTH BEND PLANNING COMMISSION
- ACTION MEETING MINUTES -
Wednesday, September 18, 2024, 6:30 PM**

5 This meeting was held at City Hall, 920 SE Cedar Falls Way, North Bend, WA, and was also available online. A
6 complete video recording of this meeting is available on the City of North Bend YouTube website, at
7 www.youtube.com, under "City of North Bend."

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9 **AGENDA ITEM #1: CALL TO ORDER**

10 The meeting was called to order at 6:30 PM.

11
12 **ROLL CALL**

13 Planning Commissioners present: Brian Fitzgibbon, James Boevers, Juliano Pereira, Hannah Thiel, and Sam White.
14 Commissioners Stephen Matlock and Olivia Moe are absent and excused.

15 City Staff Present: Rebecca Deming, CED Director; Jamie Burrell, Senior Planner; Mike McCarty, Principal
16 Planner

17
18 **AGENDA ITEM #2: Public Comment on Non-Agenda Items**

19 Closed 6:34p.m.

20
21 **AGENDA ITEM #3: Approval of minutes from September 4, 2024 meeting**

22 Motion by Commissioner White seconded by Commissioner Pereira, to approve the September 4, 2024 meeting
23 minutes. The motion passed unanimously.

24
25 **AGENDA ITEM #4: Land Use Element And Zoning Public Hearing**

26 Principal Planner Mike McCarty provided a summary of the draft amendments to the Land Use Element.

27
28 Public Hearing opened: 6:50 p.m.

29
30 Michael Thomas concerned about existing land use objectives. EP zoning concerns on Development Agreement.
31 Provide amenities and services to eastern side of town and avoid heavier industrial uses. Work with HOA groups.
32 Can we ID residential and jobs in UGA and are they are part of our targets?

33
34 Cherie Cooper owner of 28 acre property has had challenges for a decade or more which creates challenges.

35
36 Public Hearing closed: 6:56 p.m.

37
38 **AGENDA ITEM #5: Housing Element Public Hearing**

39 Senior Planner Jamie Burrell provided a summary of the draft amendments to the Housing Element.

40
41 Public Hearing opened: 7:31p.m.

42 Jeffrey Yee, 12117 SE 261st Court, Kent Wa. asked a question about affordable housing percentage per project.

43
44 Cherie Cooper, property has sewer ULID, need water, property valuations doubled. Poses challenge to be in overlay
45 district and development regulations.

1 Michael Thomas, 1231 La Forest- Pg 11 and 12 reiterated written comments on capacity in the UGA for housing
2 and jobs targets. ADU and sewer subsidy.

3
4 Public Hearing closed: 7:41 p.m.
5

6 **AGENDA ITEM #6: Possible Housing Element and/or Land Use Element Recommendation**
7

8 Motion by Commissioner Fitzgibbon seconded by Commissioner Pereira, recommended to approve the Land Use
9 Element. The motion passed unanimously.

10 Motion by Commissioner White seconded by Commissioner Fitzgibbon, recommended to approve the Housing
11 Element with deletion of 3 bullet points at the top of page 12 which were internal notes. The motion passed
12 unanimously.
13

14 **AGENDA ITEM #7: Adjournment by 8:30 PM unless otherwise approved by the Commission**
15

16 The Meeting was adjourned at 7:54 PM.



**Staff Report and Planning Commission Recommendation
To Amend Municipal Code Chapter 18.10.030 and 18.10.050 related to Transitional and
Permanent Supportive Housing**

Meeting Date: October 16, 2024

Proponent: City of North Bend

Staff Recommendation: A Motion to recommend City Council approval of the proposed amendments to NBMC Chapter 18.10.030 Permitted and Conditional Uses and Chapter 18.10.050 Performance Standards pertaining to Transitional and Permanent Supportive Housing.

I. Purpose of Proposed Municipal Code Amendments:

The City of North Bend is proposing amendments to North Bend Municipal Code Title 18, Chapter 18.10 Zoning Districts, Table 18.10.030 Table of Permitted and Conditional Uses and Table 18.10.050 Performance Standards related to Transitional and Permanent Supportive Housing.

In addition to the amendments recently reviewed by the Planning Commission to adjust where hotels are allowed and reduce the need for Conditional Use Permits (CUP) for Emergency Shelters and Emergency Housing, the City must do the similar amendments for Transitional Housing and Permanent Supportive Housing. The City received comments from the Washington State Department of Commerce on September 23, 2024 that the current code requiring a CUP for Transitional Housing and Permanent Supportive Housing where residential housing is outright allowed as a permitted use, is not consistent with RCW 35A.21.430 and RCW 35.21.683. Commerce has indicated that permanent supportive housing or transitional housing must be allowed as permitted uses where residences and hotels are allowed as permitted uses.

II. Proposed Amendments

Table 18.10.030 Permitted and Conditional Uses

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL				INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	NB-2	EP-1	EP-2	POSPF
1.00 RESIDENTIAL:													

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	CR	HDR	NB	DC	IC	IMU	NB-2	EP-1	EP-2	POSPF
*	1.35	Transitional Housing	CUP P	CUP P	CUP P	CUP P	CUP P	See Chapter 18.12 NBMC	CUP P	CUP P	CUP P	P	
*	1.36	Permanent Supportive Housing	CUP P	CUP P	CUP P	CUP P	CUP P	See Chapter 18.12 NBMC	CUP P	CUP P	CUP P	P	

Table 18.10.050 Performance Standards is proposed to be amended as follows:

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
1.00 RESIDENTIAL:	
1.35 Transitional Housing	<p>a. <u>Conditional use permit required.</u></p> <p>b. <u>The number of transitional housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property; provided, that in no case shall the number of transitional housing units allowed on any given property exceed 10. No transitional housing unit may be located within half a mile of another transitional housing property, as measured by the nearest point on one such property to the nearest point on the other, that contains permanent supportive housing or transitional housing. Each unit of transitional housing shall be limited to occupancy by one family as that term is defined in the NBMC.</u> <u>Transitional housing shall not be located within a half mile of emergency housing and emergency shelters as measured by the nearest point on one such property to the nearest point on another.</u></p> <p>c. a. <u>Must comply with all standards of the zone in which the transitional housing is located.</u></p>
1.36 Permanent Supportive Housing	<p>a. <u>Conditional use permit required.</u></p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>b. The number of permanent supportive housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property; provided, that in no case shall the number of permanent supportive housing units allowed on any given property exceed 10. No permanent supportive housing unit may be located within half a mile of another property that contains permanent supportive housing or transitional housing, as measured by the nearest point on one such property to the nearest point on another. Each unit of permanent supportive housing shall be limited to occupancy by one family as that term is defined in the NBMC. Permanent supportive housing shall not be located within a half mile of emergency housing and emergency shelters as measured by the nearest point on one such property to the nearest point on another.</p>
	<p>e. a. <u>Must comply with all standards of the zone in which the permanent supportive housing is located.</u></p>

IV. Impacts of Proposed Amendment

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

- 1) **Environmental Impacts.** No environmental impacts are anticipated from amending NBMC Chapter 18 cited above. Regulations protecting critical areas, managing stormwater runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of what type of development occurs on a site.
- 2) **Economic Impacts.** No economic impact is expected from these amendments.
- 3) **Cultural Impacts.** No significant cultural impacts are anticipated from the amendments. All proposed projects must plan for protecting cultural resources.
- 4) **Impacts to Surrounding Properties.** The proposed changes protect the integrity of surrounding uses by incorporating requirements equally.

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

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

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

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code. The proposed amendment is compatible with the North Bend Municipal Code.

VII. Planning Commission Findings and Analysis

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

1. Is the issue already adequately addressed in the Comprehensive Plan?

The Comprehensive Plan does not address the proposed amendment.

2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?

Yes. The proposed change conforms with state law and aligns with the City's desires.

3. Is the proposed change the best means for meeting the identified public need?

Yes. The proposed amendment provides certainty for providers of housing and for the community.

4. Will the proposed change result in a net benefit to the community?

The amendments are a no project action but provide clear requirements for those proposing Transitional Housing and Permanent Supportive Housing.

VIII. Summary Findings:

1. The Planning Commission will consider the proposed amendments and held a public hearing on the draft regulations at their October 16, 2024 meeting. Any comments received will be noted here.
2. The Planning Commission voted to approve the amendments at their _____ meeting.
3. Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on September 24, 2024.
4. A SEPA Determination of Non-Significance was issued October 4, 2024 with comment period ending October 21, 2024. Any comments received will be forwarded to CED Council Committee for review.
5. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.

Staff Recommendation:

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

Planning Commission Recommendation:

Following consideration of the Comprehensive Plan and Development Regulation Amendment process in NBMC 20.08.070 through 20.08.110 and public comment received at the public hearing, the Planning Commission recommends approved the draft regulations as provided herein.