Agenda Home

CITY COUNCIL MEETING*
November 5, 2024 – Agenda
City Hall, 920 SE Cedar Falls Way, North Bend, Washington

7:00 P.M. – CALL TO ORDER, ROLL CALL, FLAG SALUTE

CONSENT AGENDA:

			Pg.#
1) Minutes	City Council Meeting of September 17, 2024, City Council Workstudy of September 24, 2024, City Council Meetings of October 1, 2024 & October 15, 2024		**1**
2) Payroll	**October 18, 2024 – 28876** through **28881,** in the amount of **$320,025.05**		
3) Checks	**November 5, 2024 – 76295** through **76366,** in the amount of **$1,540,559.66**		
4) AB24-111	Motion – Authorizing Purchase of John Deere Tractor and Boom	Mr. Rigos	**17**
5) AB24-112	Motion – Authorizing Contract with Mountain to Sound Greenway Trust for Landscaping & Restoration Services	Ms. Burrell	**39**
6) AB24-113	Motion – Authorizing Contract with Otak for On-Call Environmental Services	Ms. Burrell	**55**
7) AB24-114	Motion – Authorizing Contract Amendment with LDC, Inc. for On-Call Comprehensive Plan Assistance	Ms. Burrell	**75**
8) AB24-115	Motion – Authorizing Contract with Site Workshop RE Tayor Park Gateway	Mr. Rigos	**93**

CITIZEN'S COMMENTS: (Please restrict comments to 3 minutes)

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

9) Introduction	North Bend Police Officers	Police Chief Lynch	
10) Proclamation	Kindness Month	Mayor Miller	**101**

INTRODUCTIONS:

11) AB24-116	Ordinance – Amending NBMC 18.10.030 & 18.10.050 RE Emergency Shelters	Ms. Burrell	**103**
12) AB24-117	Resolution – Authorizing Adoption of Land Use Element Update for 2024 Comprehensive Plan	Mr. McCarty	**123**
13) AB24-118	Resolution – Authorizing Adoption of Housing Element Update for 2024 Comprehensive Plan	Ms. Burrell	**339**
14) AB24-119	Ordinance – Declaring Emergency and Adopting Moratorium on New Towing & Impound Uses within the Employment Park 1 Zone	Mr. McCarty	**479**

MAYOR, COUNCIL & ADMINISTRATOR CONCERNS AND INITIATIVES: (Business and general information presented that may be deliberated upon by the Council. Formal action may be deferred until a subsequent meeting; immediate action may be taken upon a vote of a majority of all members of the Council.)

EXECUTIVE SESSION: To Discuss Performance of a Public Employee, pursuant to RCW 42.30.110(1)(g)

ADJOURNMENT:

***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 soppedal@northbendwa.gov. All written comments must be received by 5 p.m. on the day of the scheduled meeting. If an individual requires an accommodation because of a difficulty attending the public meeting, the City requests notice of the need for accommodation by 5 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 Clerk by phone (425) 888-7627 or by e-mail to soppedal@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
Meeting ID: 881 2610 1456
Password: 658184
Call In Phone Number: 1-253-215-8782

DRAFT

NORTH BEND CITY COUNCIL MINUTES
September 17, 2024
City Hall, 920 SE Cedar Falls Way, North Bend, Washington

CALL TO ORDER, ROLL CALL:

Mayor Miller called the regular meeting to order at 7:00 p.m.

Councilmembers Present: Gothelf, Joselyn, Koellen, Rustik, Torguson and Tremolada. Councilmember Elwood was excused.

CONSENT AGENDA:

Payroll – September 5, 2024 – 28857 through **28862,** in the amount of **$378,472.96**
Checks – September 17, 2024 – 76080 through **76127,** in the amount of **$543,765.67**
AB24-090 – Motion Authorizing Amendment to SCORE Jail Services Contract
AB24-091 – Resolution 2122 Accepting Tanner's Nest Infrastructure Improvements
AB24-092 – Motion Authorizing Blanket Purchase Orders
AB24-093 – Resolution 2123 Authorizing LGIP Authorized Representative
AB24-094 – Resolution 2124 Adopting Amended Personnel Manual

Councilmember Rustik **MOVED,** seconded by Councilmember Torguson to approve the consent agenda as presented. The motion **PASSED** 6-0.

CITIZEN'S COMMENTS:

Mike Webb, International Association of Fire Fighters Local 1762, read a letter provided to the City regarding the Eastside Fire & Rescue budget and the recent directive from Eastside Fire & Rescue Board regarding potential cuts to critical medical, fire suppression and support staff services.

COMMISSION AND COMMITTEE REPORTS:

Community & Economic Development Committee – Councilmember Joselyn, Chair
A report of the September 17th meeting was provided.

Finance & Administration Committee – Councilmember Elwood, Chair
A report of the September 10th meeting was provided.

Public Health & Safety Committee – Councilmember Rustik, Chair
A report of the September 3rd meeting was provided.

Transportation & Public Works Committee – Councilmember Koellen, Chair
A report of the August 27th meeting was provided.

Council Workstudy – Mayor Pro Tem Gothelf
No report. The August 27th Council Workstudy was cancelled.

Eastside Fire & Rescue Board Meeting – Councilmember Gothelf
A report of the September 12th meeting was provided.

Planning Commission
A report of the September 4th meeting was provided.

Parks Commission
No report.

Economic Development Commission
A report of the August 22nd meeting was provided.

Sound Cities Association Public Issues Committee – Councilmember Tremolada
A report of the September 11th meeting was provided.

MAIN AGENDA:

AB24-095 – Public Hearing, Ordinance 1815 Amending Taxes, Rates & Fees Schedule RE School Impact Fees **Audio: 14:31**

Senior Planner Burrell provided the staff report. Ryan Stokes, Snoqualmie Valley School District Assistant Superintendent, was on hand to answer questions.

Mayor Miller opened the Public Hearing on an Ordinance Amending the Taxes, Rates & Fees Schedule Regarding School Impact Fees at 7:22 p.m.

There was no public comment and Mayor Miller closed the Public Hearing at 7:23 p.m.

Councilmember Joselyn **MOVED,** seconded by Councilmember Rustik to approve AB24-095, an ordinance amending the Taxes, Rates, & Fees Schedule relating to School Impact Fees, as a first and final reading. The motion **PASSED** 6-0.

AB24-096 – Public Hearing, Resolution 2125 Authorizing Surplus of City Property **Audio: 25:16**

City Engineer DeBerg provided the staff report.

Mayor Miller opened the Public Hearing on a Resolution Authorizing Surplus of City Property at 7:27 p.m.

There was no public comment and Mayor Miller closed the Public Hearing at 7:28 p.m.

Councilmember Koellen **MOVED,** seconded by Councilmember Torguson to approve AB24-096, a resolution declaring certain personal property and equipment surplus to the needs of the City and authorizing its disposal. The motion **PASSED** 6-0.

AB24-097 – Ordinance 1816 Amending NBMC Section 16.12.005 & Table 20.01.004 RE Mobile Home Parks **Audio: 29:41**

Community & Economic Development Director Deming provided the staff report.

Councilmember Joselyn **MOVED,** seconded by Councilmember Rustik to approve AB24-097, an ordinance amending North Bend Municipal Code Sections 16.12.005 and Table 20.01.004, as a first and final reading. The motion **PASSED** 6-0.

AB24-098 – Resolution 2126 Establishing Actions of Compliance with SB 5290 **Audio: 33:22**

Community & Economic Development Director Deming provided the staff report.

Councilmember Joselyn **MOVED,** seconded by Councilmember Rustik to approve AB24-098, a resolution establishing actions for compliance with S.B. 5290. The motion **PASSED** 6-0.

AB24-099 – Motion Authorizing Contract with FCS Group for Water, Sewer, Stormwater & GFC Rates Study **Audio: 37:12**

Finance Director Chaw provided the staff report.

Councilmember Gothelf **MOVED,** seconded by Councilmember Rustik to postpone AB24-099, authorizing the Mayor to execute and administer a contract with FCS Group to prepare a water, sewer, and stormwater rates and general facility charge update, in a form and content acceptable to the City Attorney, in an amount not to exceed $65,305 to the October 1, 2024 City Council meeting. The motion **PASSED** 6-0.

AB24-100 – Resolution 2127 Authorizing Development Agreement with Middle Fork Property Development, LLC **Audio: 50:28**

Economic Development Manager Henderson and Senior Planner Burrell provided the staff report.

The following individuals commented on the agenda item:

Kevin Golic, 13705 460th Ct. SE
Mohamed Fofana, 1332 SE 15th Street
Jean Buckner, 46226 SE 139th Place
Megan McDevitt, 8164 384th Ave. SE

Ken Cadieux, 13124 455th Place SE
Greg Morse, 45536 SE 140th Street

Councilmember Joselyn **MOVED,** seconded by Councilmember Tremolada to approve AB24-100, a resolution authorizing a Development Agreement between the City of North Bend and Middle Fork Property Development LLC. The motion **PASSED** 5-1 (Rustik).

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

City Administrator Miller and Mayor Miller presented outgoing Community & Economic Development Director Deming with a plaque in recognition of her four years of service with the City. Mayor Miller, City Administrator Miller, Council and staff thanked her for her exceptional service and dedication to the citizens of North Bend and wished her the best in her future endeavors.

Councilmember Torguson spoke regarding the tough financial times that both citizens and cities are having across the county and expressed a desire to find the right combination of factors to achieve an equitable budget.

Councilmember Koellen noted tonight's vote on AB24-100 – Resolution Authorizing a Development Agreement with Middle Fork Properties Development, LLC was a tough decision for her and hoped that any future development would increase attractiveness of the area.

Councilmember Tremolada announced spots were still available for this Friday's Snoqualmie Valley Little League Tournament and that local businesses Falling River Meats and Volition Brewing Company were celebrating anniversaries.

Councilmember Gothelf thanked Public Works staff for their professionalism during a recent water meter changeout at his residence and echoed Councilmember Koellen's comments regarding AB24-100 – Resolution Authorizing a Development Agreement with Middle Fork Properties Development, LLC.

Mayor Miller spoke regarding the following items:

- Chat with the Chief – September 18th 9 – 10 a.m. @ Arete Coffee Bar
- Recap of September 14th Shred Event
- Cedar Falls Way Pavement Overlay Project – September 23rd – 27th
- Shoreline Public Access & Trail Plan Open House – September 25th 5:30 p.m. @ City Hall

ADJOURNMENT:

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Joselyn. The

motion **PASSED** 6-0.

The meeting adjourned at 8:49 p.m.

ATTEST:

Mary Miller, Mayor

Susie Oppedal, City Clerk

DRAFT

CITY OF NORTH BEND
CITY COUNCIL WORKSTUDY NOTES
September 24, 2024
City Hall, 920 SE Cedar Falls Way, North Bend, WA

Mayor Pro Tem Gothelf called the meeting to order at 7:00 p.m.

Councilmembers Brenden Elwood (joined remotely at 7:18 p.m. due to technical issues), Alan Gothelf, Mark Joselyn, Heather Koellen, Suzan Torguson and Errol Tremolada were present. Councilmember Christina Rustik was excused.

Staff Present: Mayor Mary Miller, City Administrator David Miller, Deputy City Administrator/Public Works Director Mark Rigos, Finance Director Martin Chaw, Administrative Services Director Lisa Escobar, Communications Manager Bre Keveren, Deputy Finance Director Elaine Morse, IT Manager Phil Davenport, and Deputy City Clerk Jennifer Bourlin.

Budget Workshop #1 – Utilities

Finance Director Chaw provided a presentation that focused on enterprise funds regarding the City's Capital Improvement Plan (CIP), the CIP budget, operating budget and adjustment to rates. The presentation consisted of the following:

- Utility Account Growth
- Purpose and Benefits of a Master Plan
- Budget Development Guiding Principles
- The Role of Utilities in Economic Development
- Steps in Determining Rate Adjustments
- Water, Sewer and Stormwater Highlights, CIP and Financial Plan for each Utility
- Reviewed Rate Adjustment Examples to Each Utility and Impact for a Typical Single-Family Residence

Eastside Fire & Rescue Budget Proposal

Mr. Chaw reviewed the 2025-2026 proposed budgets for Eastside Fire and Rescue comparing a 5%/year increase, 10%/year increase and proposed request by the Agency. He then presented a comparison of Snoqualmie Police services using a 5% /year and their cost of service requested increases. Mr. Chaw presented a General Fund 2025-2026 financial forecast with three different scenarios and used the same assumptions as the proposed budgets.

Adjournment

The Workstudy closed at 9:01 p.m.

ATTEST:

_____ _____

Alan Gothelf, Mayor Pro Tem Jennifer Bourlin, Deputy City Clerk

NORTH BEND CITY COUNCIL MINUTES
October 1, 2024
City Hall, 920 SE Cedar Falls Way, North Bend, Washington

CALL TO ORDER, ROLL CALL:

Mayor Miller called the regular meeting to order at 7:00 p.m.

Councilmembers Present: Elwood, Gothelf, Joselyn, Torguson and Tremolada. Councilmembers Koellen and Rustik were excused.

Councilmember Tremolada **MOVED,** seconded by Councilmember Joselyn to pull item #10 AB24-106, a resolution establishing the City's Financial Policy RE Eastside Fire and Rescue for 2025-2026 from tonight's agenda. The motion **PASSED** 5-0.

CONSENT AGENDA:

Minutes – City Council Meeting of September 3, 2024
Payroll – September 20, 2024 – 28863 through **28868,** in the amount of **$309,891.82**
Checks – October 1, 2024 – 76128 through **76209**, in the amount of **$924,082.80**
AB24-101 – Resolution 2128 Accepting Vector TDI Alpental Logistics LLC Infrastructure Improvements

Councilmember Gothelf **MOVED,** seconded by Councilmember Elwood to approve the consent agenda as presented. The motion **PASSED** 5-0.

CITIZEN'S COMMENTS:

Alicia Messa, 13419 104th Ave SE, shared her experience with the City's form based code, noting it was confusing and vague.

King County Library Regional Manager Mary Comstock and Children's Librarian Jennifer Loomis, 115 E 4th St, provided an update on activities and programs at the North Bend Library this year, thanked community partners and reviewed Fall programs. They reported the library will be closed October 26, 2024 through December 13, 2024 to have a new roof installed.

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

Proclamation – Breast Cancer Awareness Month **Audio: 9:58**

Mayor Miller read a joint proclamation between the Cities of North Bend and Snoqualmie declaring the month of October 2024 as Breast Cancer Awareness Month.

INTRODUCTIONS:

AB24-102 – Motion Authorizing Contract with FCS Group for Water, Sewer, Stormwater & GFC Rates Study **Audio: 11:38**

Finance Director Chaw provided the staff report.

Councilmember Elwood **MOVED,** seconded by Councilmember Joselyn to approve AB24-102, authorizing the Mayor to execute and administer a contract with FCS Group to prepare a water, sewer, and stormwater rates and general facility charge update, in a form and content acceptable to the City Attorney, in an amount not to exceed $65,305. The motion **PASSED** 5-0.

AB24-103 – Ordinance 1817 Amending Ordinance 1789 RE ULID No. 7 Water & Sewer Revenue Bonds **Audio: 16:43**

Finance Director Chaw provided the staff report.

Councilmember Elwood **MOVED,** seconded by Councilmember Torguson to approve Alternative #1 staff proposed option for AB24-103, an ordinance amending Ordinance 1789 to refinance the City's outstanding Water and Sewer Revenue Note related to ULID #7, as a first and final reading. The motion **PASSED** 5-0.

AB24-104 – Motion Authorizing Amendment to the Train Depot Lease with North Bend Downtown Foundation **Audio: 24:44**

Economic Development Manager Henderson provided the staff report. North Bend Downtown Foundation "NBDF" Director Jessica Self provided a brief overview of their work to date in 2024 including information about the 4Culture grant NBDF applied for in August 2024.

Councilmember Joselyn **MOVED**, seconded by Councilmember Torguson to approve AB24-104, authorizing the Mayor to execute an amendment to the Railroad Depot Lease with the North Bend Downtown Foundation, in a form and content acceptable to the City Attorney.

Councilmember Elwood **MOVED**, seconded by Councilmember Joselyn to amend the motion to include the phrase "for 10 years" following the word Lease. The motion **PASSED** 5-0.

The main motion then **PASSED AS AMENDED** 5-0.

AB24-105 – Motion Authorizing Work Order with Keithly Electric for Public Shop & Administration Building Backup Generator **Audio: 36:26**

Deputy City Administrator/Public Works Director Rigos provided the staff report.

Councilmember Joselyn **MOVED,** seconded by Councilmember Tremolada to approve AB24-105, authorizing a Work Order with Keithly Electric to install a backup generator for the Public Works Shop and Administration Buildings, in a form and content acceptable to the City Attorney, in an amount not to exceed $168,886.80 including sales tax. The motion **PASSED** 5-0.

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Tremolada congratulated The Village Project that opened earlier in the week, a community hub where families can come to play, work and connect. He mentioned Bread and Bone will open soon to the public serving specialty coffee, lunch and dinner offerings plus catering.

Councilmember Gothelf commented that the wet, rainy weather was making the roadways slippery and encouraged all to please drive slowly. He stated a good job was done by contractors on the new pavement overlay on Cedar Falls Way but additional detour signs were needed.

Councilmember Joselyn echoed Councilmember Gothelf's comments regarding recent roadway and sidewalk improvements and thanked Public Works staff for their hard work and residents for their patience.

Mr. Miller commented that a lot of great work was done regarding roadway and sidewalk improvements on Ballarat and Cedar Falls Way and provided an update on the police contract negotiations.

Mayor Miller spoke regarding the following items:

- North Bend Blues Walk – October 5th at 6 p.m.
- Yard Waste Recycling Program – October 12th 8 a.m. to Noon @ Public Works
- Fall Food Truck Series at Si View Park – Thursdays October 3rd – 17th from 4:30-7 p.m.
- Special City Council Budget Workstudy – Tuesday October 8th at 7 p.m. @ City Hall
- Thanked citizens for all their patience during various road construction projects throughout the City and appreciated Staff.
- Attended a ribbon cutting for the Village Project on September 26th.

ADJOURNMENT:

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Elwood. The motion **PASSED** 5-0.

The meeting adjourned at 7:52 p.m.

ATTEST:

Mary Miller, Mayor

Jennifer Bourlin, Deputy City Clerk

DRAFT

DRAFT

NORTH BEND CITY COUNCIL MINUTES
October 15, 2024
City Hall, 920 SE Cedar Falls Way, North Bend, Washington

CALL TO ORDER, ROLL CALL:

Mayor Miller called the regular meeting to order at 7:00 p.m.

Councilmembers Present: Elwood, Gothelf, Joselyn, Koellen, Rustik, Torguson and Tremolada.

CONSENT AGENDA:

Minutes – Special City Council Meeting of September 10, 2024
Payroll – October 4, 2024 – 28869 through **28875,** in the amount of **$450,236.70**
Checks – October 15, 2024 – 76210 through **76294,** in the amount of **$828,749.78**

Councilmember Gothelf **MOVED,** seconded by Councilmember Elwood to approve the consent agenda as presented. The motion **PASSED** 7-0.

CITIZEN'S COMMENTS:

Debra Landers, 14615 438th Ave. SE, reported North Bend Art & Industry (NBA&I) would be holding an Art Supply Swap on November 9th from 10 a.m. to 2 p.m. at the SnoValley Chamber of Commerce and reported NBA&I has found a maker's space location at 1533 Bendigo Blvd. N.

Karl Moser, 409 Pickett Ave. NE, commented on local youth riding their e-dirt bikes at the pump track at Torguson Park and requested the City investigate ways to prevent the issue.

Michael Thomas, 1231 LaForest Drive SE, noted King County Department of Health was proposing changes to on-site septic system codes and encouraged the public to provide their input to the County by October 21st.

COMMISSION AND COMMITTEE REPORTS:

Community & Economic Development Committee – Councilmember Joselyn, Chair
A report of the October 15th meeting was provided.

Finance & Administration Committee – Councilmember Elwood, Chair
A report of the October 8th meeting was provided.

Public Health & Safety Committee – Councilmember Rustik, Chair
A report of the October 1st meeting was provided.

Transportation & Public Works Committee – Councilmember Koellen, Chair
A report of the September 24th meeting was provided.

Council Workstudy – Mayor Pro Tem Gothelf
A report of the September 24th and October 8th Special meetings was provided.

Planning Commission
A report of the September 18th meeting was provided.

Parks Commission
A report of the September 25th meeting was provided.

Economic Development Commission
A report of the September 26th meeting was provided.

Eastside Fire & Rescue Board Meeting – Councilmember Gothelf
A report of the October 10th meeting was provided.

Sound Cities Association Public Issues Committee – Councilmember Tremolada
A report of the October 9th meeting was provided.

Sound Cities Association Board of Health – Councilmember Koellen
A report of the September 19th meeting was provided.

INTRODUCTIONS:

Presentation – Mayor's 2025-2026 Biennial Budget Message **Audio: 24:59**

Mayor Miller presented the 2025-2026 Biennial Budget Message.

AB24-107 – Public Hearing Only, Presentation – 2025-2026 Biennial Budget **Audio: 34:36**

Finance Director Chaw provided a presentation on the 2025-2026 Biennial Budget. He reviewed an updated General Fund financial forecast (2025-2030) and the Mayor's Preliminary 2025-2026 Budget which included budget development guiding principles, key assumptions, high level summary by fund family and proposed 2025-2026 appropriations.

Mayor Miller opened the Public Hearing on the 2025-2026 Biennial Budget at 8:46 p.m.

The following individual commented on the agenda item:

Michael Thomas, 1231 LaForest Drive SE

Mayor Miller closed the Public Hearing at 8:48 p.m.

AB24-108 – Public Hearing, Ordinance Setting 2025 Property Tax Levy **Audio: 1:48:46**

Finance Director Chaw provided the staff report.

Mayor Miller opened the Public Hearing on an Ordinance Setting the 2025 Property Tax Levy at 8:51 p.m.

The following individual commented on the agenda item:

Michael Thomas, 1231 LaForest Drive SE

Mayor Miller announced the Public Hearing would remain open until the November 19, 2024 City Council Meeting.

Councilmember Elwood **MOVED,** seconded by Councilmember Gothelf to approve AB24-108, to continue the Public Hearing on an Ordinance Setting the 2025 Property Tax Levy until the November 19, 2024 City Council Meeting. The motion **PASSED** 7-0.

AB24-109 – Resolution 2129 Approving Six Year Capital Improvement Plan 2025-2030 **Audio: 1:54:47**

Deputy City Administrator/Public Works Director Rigos provided the staff report.

The following individual commented on the agenda item:

Michael Thomas, 1231 LaForest Drive SE

Councilmember Koellen **MOVED,** seconded by Councilmember Tremolada to approve AB24-109, a resolution adopting the City's 2025-2030 Six-Year Capital Improvement Plan. The motion **PASSED** 7-0.

AB24-110 – Resolution 2130 Awarding Sallal Intertie Project to NW Cascade **Audio: 2:07:23**

Deputy City Administrator/Public Works Director Rigos provided the staff report.

The following individual commented on the agenda item:

Michael Thomas, 1231 LaForest Drive SE

Councilmember Koellen **MOVED,** seconded by Councilmember Joselyn to approve AB24-110, a resolution accepting bids and awarding the construction contract for the Boxley Creek Mitigation Water Line Sallal Intertie Project to Northwest Cascade, Inc. The motion **PASSED** 7-0.

MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:

Councilmember Gothelf noted the rainy season was approaching and encouraged all to drive safely and watch out for pedestrians in crosswalks.

Councilmember Tremolada commented on the recently completed sidewalk along the Snoqualmie River and mentioned Falling River Meats would be holding an anniversary celebration on October 17th. Additionally, he noted Bread & Bone was open for business, Trick-or-Treat Street would be held on October 26th in Downtown North Bend and Volition Brewery would be holding a movie night on October 16th.

Councilmember Koellen reported a 5th and 12th District Candidate Forum would be held on October 16th at 6 p.m. at South Fork Restaurant.

Councilmember Elwood noted this upcoming weekend would be the last chance to see Valley Center Stage's production of Arsenic and Old Lace at Sallal Grange.

Mayor Miller spoke regarding the following items:

- West Park St. & Main Ave. Intersection Improvement Open House – October 22nd 5 p.m. @ City Hall
- Trick-or-Treat Street – October 26th 3 – 5 p.m. @ Downtown North Bend
- Arbor Day Tree Planting – November 1st 2 – 4 p.m. @ South Fork Snoqualmie River and Ribary Creek

EXECUTIVE SESSION:

Mayor Miller recessed the regular meeting for an Executive Session at 9:20 p.m. to discuss potential litigation, pursuant to RCW 42.30.110(1)(i). No action was anticipated as a result of the Executive Session, which was expected to last 25 minutes and videotaping of the meeting ceased.

ADJOURNMENT:

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Elwood. The motion **PASSED** 7-0.

The meeting adjourned at 9:43 p.m.

ATTEST:

Mary Miller, Mayor

Susie Oppedal, City Clerk

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-111	
Motion Authorizing Purchase of a John Deere 6130M Tractor and Alamo Maverick Boom	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – James Henderson	
Cost Impact: NTE $145,921.46 plus sales tax with John Deere for Tractor and NTE $148,571.80 plus sales tax with Pape Machinery for Boom and Cutting Heads	Finance – Martin Chaw	
Fund Source: Equipment Replacement Fund	Public Works – Mark Rigos, P.E.	X
Timeline: Immediate		
Attachments: Exhibit A – Quote for John Deere 6130M Tractor, Exhibit B – Quote for Alamo Maverick 2 Boom, 60" cutting head and 48" cutting head		

SUMMARY STATEMENT:

For the past several years, Public Works Department staff ("Staff") have worked hard to maintain the City's 1995 Tiger side arm mower ("the mower"). The mower is mainly used to mow and cut down brush along City roadway shoulders, getting into harder to reach places. Staff believe the mower should be replaced at this time, for the following reasons:

1. The clutch is in need of replacement, which is both labor intensive and costly;
2. The mower has numerous hydraulic leaks;
3. The master cylinder needs to be replaced;
4. The mowing deck is worn out and in need of constant maintenance; and
5. The mower is 29 years old and is past its useful life span. Depending upon usage and maintenance performed, a typical mower has a 10–15 year useful life span.

The State has contracts in place through the Department of Enterprises Services ("DES") that the City can use to purchase this type of heavy equipment. State contract 05218 covers the new tractor, boom, and mowing head options the City desires to purchase. When purchasing equipment from a DES contract, the bid solicitation process is waived for the City because the State has already met this bid solicitation requirement.

Recently, Staff had a representative from Pape Machinery, who is working under the State contract, deliver an available John Deere 6130M Tractor to explain and demonstrate available options. Staff evaluated all possible tractor options to assess which would best meet the City's needs. Staff also considered equipment from several other manufacturers outside what is available through the State contract, however, that equipment had limited options and was more costly than the tractor available for purchase through the State contract.

Staff recommends the City purchase a John Deere 6130M tractor, including a 5-year 2,000 hour extended warranty, and an Alamo Maverick boom, with a 48-inch cutting head and a 60-inch cutting head, with 1-year extended warranty on the Alamo Maverick Boom. Copies of the quotes and extended warranties for the tractor and boom are attached hereto as Exhibits A and B, respectively.

City Council Agenda Bill

The total price of the tractor, boom, 2 cutting heads, and warranties is $294,493.26 plus sales tax, which will be paid for using the equipment replacement fund.
APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.
COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 22, 2024 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda
RECOMMENDED ACTION: **MOTION to approve AB24-111, authorizing the purchase of a John Deere 6130M Tractor from John Deere in an amount not to exceed $145,921.46 plus sales tax and the Alamo Maverick Boom and Cutting Heads from Pape Machinery in an amount not to exceed $148,571.80 plus sales tax through Washington State DES Contract 05218 and authorizing the Mayor to execute any applicable contracts, in a form and content acceptable to the City Attorney.**

RECORD OF COUNCIL ACTION		
Meeting Date	***Action***	***Vote***
November 5, 2024		

Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

☐ Vendor: Deere & Company
2000 John Deere Run
Cary, NC 27513

For any questions, please contact:

Scott Nordeen

Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390

Tel: 253-863-4436
Fax: 253-863-1523
Email: snordeen@papemachinery.com

☐ Signature on all LOIs and POs with a signature line

☐ Contract name or number; or JD Quote ID

☐ Sold to street address

☐ Ship to street address (no PO box)

☐ Bill to contact name and phone number

☐ Bill to address

☐ Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate

☐ Membership number if required by the contract

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively “Deere”) and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

Quote Summary

Prepared For:
CITY OF NORTH BEND PUBLIC WORKS
1155 E N BEND WAY
NORTH BEND, WA 98045
Business: 425-888-0486

Delivering Dealer:
Pape Machinery, Inc.
Scott Nordeen
2700 136th Ave Ct E
Sumner, WA 98390
Phone: 253-863-4436
snordeen@papemachinery.com

This sale is subject to Papé's Terms and Conditions of Sale effective on the date hereof, which are incorporated in full by this reference. The Terms and Conditions of Sale are available at www.pape.com/terms , and will also be sent by mail or e-mail to the purchaser upon request.

Quote ID:	31128885
Created On:	10 June 2024
Last Modified On:	17 October 2024
Expiration Date:	31 October 2024

Equipment Summary	Selling Price		Qty		Extended
JOHN DEERE 6130M Cab Tractor - 1L06130MERP418647	$ 139,236.46	X	1	=	$ 139,236.46
PowerGard Protection Plan	$ 6,685.00	X	1	=	$ 6,685.00
Contract: WA Lawn and Grounds 05218 (PG 4S CG 22)					
Price Effective Date: February 1, 2023					
Sub Total					**$ 145,921.46**
Equipment Total					**$ 145,921.46**

* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	$ 145,921.46
Trade In	
SubTotal	**$ 145,921.46**
Sales Tax - (9.10%)	$ 13,278.85
Est. Service Agreement Tax	$ 0.00
Total	$ 159,200.31
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 159,200.31**

Salesperson : X _____ **Accepted By : X** _____

Confidential

Selling Equipment

Quote Id: 31128885 **Customer Name:** CITY OF NORTH BEND PUBLIC WORKS

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

JOHN DEERE 6130M Cab Tractor - 1L06130MERP418647

Hours:

Stock Number:

Contract: WA Lawn and Grounds 05218 (PG 4S CG 22)

Price Effective Date: February 1, 2023

Selling Price *
$ 139,236.46

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
00R7L	6130M Cab Tractor	1	$ 151,555.00	22.50	$ 34,099.88	$ 117,455.12	$ 117,455.12
	Standard Options - Per Unit						
183E	JDLink™ Modem	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
185A	Less Subscription	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
0202	United States	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
0409	English	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
0501	No package	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
873F	Light Package - Economy	1	$ 666.00	22.50	$ 149.85	$ 516.15	$ 516.15
874A	Alternator 14 V/170 A	1	$ 314.00	22.50	$ 70.65	$ 243.35	$ 243.35
878H	Multi-Power Outlet Strip	1	$ 122.00	22.50	$ 27.45	$ 94.55	$ 94.55
1554	AutoPowr™ Infinitely Variable Transmission (IVT™) - 40 km/h	1	$ 13,271.00	22.50	$ 2,985.98	$ 10,285.02	$ 10,285.02
1755	Less ISOBUS/Display Preparation	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
1950	Less Application	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
2085	6M Cab - Standard Cab with RH Console	1	$ 3,695.00	22.50	$ 831.38	$ 2,863.62	$ 2,863.62
2142	Standard Seat	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
2511	Mirrors - Manual Telescopic	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
2665	Standard Radio	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
3223	Hydraulic Pump - 114 l/min	1	$ 2,377.00	22.50	$ 534.83	$ 1,842.17	$ 1,842.17
3319	2 Mechanical SCVs (2 SCVs 200 Series)	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
3820	Rear PTO - 540/1000 rpm	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
4120	Draft Links with Telescopic Ball End - Category 2	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00

Confidential

Selling Equipment

Quote Id: 31128885 **Customer Name:** CITY OF NORTH BEND PUBLIC WORKS

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4210	Center Link with Ball End - Category 2	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
4410	Sway Blocks	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
5010	Flange-Type Rear Axle	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
5093	2-Position Steel Wheels	1	$ -702.00	22.50	$ -157.95	$ -544.05	$ -544.05
5237	Rear Wheels 480/80R38 - Special Profile	1	$ 4,332.00	22.50	$ 974.70	$ 3,357.30	$ 3,357.30
5915	Rear and Front Tire Brand - Nokian	1	$ 220.00	22.50	$ 49.50	$ 170.50	$ 170.50
6045	4WD Front Axle - Unsuspended	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
6091	2-Position Steel Wheels	1	$ -702.00	22.50	$ -157.95	$ -544.05	$ -544.05
6237	Front Wheels 440/80R24 - Special Profile	1	$ 1,786.00	22.50	$ 401.85	$ 1,384.15	$ 1,384.15
7706	Shipment Preparation - by Ship Overseas, with Conservation	1	$ 77.00	22.50	$ 17.33	$ 59.67	$ 59.67
8011	Front Fenders 4WD - Rigid	1	$ 792.00	22.50	$ 178.20	$ 613.80	$ 613.80
8380	Preparation for Front Auxiliary Drive	1	$ 844.00	22.50	$ 189.90	$ 654.10	$ 654.10
8747	Battery 12 V/174 AH	1	$ 165.00	22.50	$ 37.13	$ 127.87	$ 127.87
8763	Heavy Duty Rear Wheel Brakes	1	$ 179.00	22.50	$ 40.28	$ 138.72	$ 138.72
8782	Backup Alarm	1	$ 669.00	22.50	$ 150.53	$ 518.47	$ 518.47
	Standard Options Total		**$ 28,105.00**		**$ 6,323.66**	**$ 21,781.34**	**$ 21,781.34**
	Technology Options/Non-Contract/Open Market						
1801	No AutoTrac™ Package	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
1880	Less Receiver	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
1900	Less Display	1	$ 0.00	22.50	$ 0.00	$ 0.00	$ 0.00
	Technology Options Total		**$ 0.00**		**$ 0.00**	**$ 0.00**	**$ 0.00**
	Value Added Services						
	PowerGard Protection Plan	1	$ 6,685.00			$ 6,685.00	$ 6,685.00
	Value Added Services Total		**$ 6,685.00**			**$ 6,685.00**	**$ 6,685.00**
Total Selling Price			**$ 179,660.00**		**$ 40,423.54**	**$ 139,236.46**	**$ 145,921.46**

Confidential

Extended Warranty Proposal

PowerGard™ Protection Plan

Tractors - Utility
Date : October 17, 2024

Machine/Use Information		Plan Description		Price	
Manufacturer	**JOHN DEERE**	Plan Type:	New	Deductible:	$ 250
Equipment Type	Tractors - Utility	Coverage:	Comprehensive	Quoted Price	$ 6,685.00
Model	6130M	Total Months:	72		
Country	US	Total Hours:	2000	Date Quoted	October 9, 2024
MFWD/Tracks	N				
Scraper Use					

THIS PROPOSAL IS VALID FOR 30-DAYS FROM DATE ISSUED. GRACE pricing is offered only early during the Deere basic warranty period and has no surcharges. After this period, DELAYED PURCHASE pricing (surcharged) is offered later during the John Deere Basic Warranty. Many PowerGard quotes presented in the Delayed Purchase Period will require inspection/certification process and must also past fluid testing. The Total Months and Total Hours listed above include the John Deere Basic Warranty terms (24 months / 2000 hours on Tractors, 24 months on Golf & Turf Products, 12 months for all AG Harvesting and Sprayer equipment, and 12 months/1000 hours on most Gator Utility Vehicles)."Limited" Plan coverage = Engine & Powertrain only. “Comprehensive” Plan coverage = Full Machine.

PowerGard Protection Proposal Prepared for:

Customer Name - Please Print

Customer Signature

I have been offered this extended warranty and

☑ **I ACCEPT** the PowerGard Protection

☐ **I DECLINE** the PowerGard Protection

If declined, I fully understand that my equipment listed above is not covered for repair expenses due to component failures beyond the original basic warranty period provided by John Deere.

Note : This is **not** a contract. For specific PowerGard Protection coverage terms and conditions, please refer to the actual PowerGard Protection Plan contract for more information and the terms, conditions and limitations of the agreement.

What PowerGard Protection is :

The PowerGard Protection Plan is an **extended warranty** program for reimbursement on parts and labour for covered components that fail due to faulty material or original workmanship that occur beyond the John Deere Basic Warranty coverage period. The agreement is between Deere & Company and the owners of select John Deere Commercial and Agricultural equipment, who purchase the PowerGard Plans for the desired coverage as indicated in this proposal.

What PowerGard Protection is not :

PowerGard Protection is **not insurance**.It also does not cover routine maintainance or high wear items,or insurance-related risks/perils such as collision, overturn, vandalism, wind, fire, hail, etc. It does not cover loss of income or loss of value of crops during or after an equipment failure. See the actual product-specific PowerGard Protection Plan agreement for a complete listing of covered components, and limitations and conditions under the program.

Features/Benefits:

PowerGard protection include the following features and benefits under the program :

- Pays for parts and labour costs incurred on failed covered components (less any applicable deductibles),
- Does not require pre-approval before repairs are made by the authorized John Deere dealership,
- Payments are reimbursed directly to the dealership with no prepayment required by the contract holder.
- PowerGard Protection agreements ensure that only Genuine John Deere Parts are used in all repairs,
- PowerGard coverage is fully transferable to future owners, with no transfer fees when coverage remains,
- PowerGard ensures higher resale value and makes equipment more marketable during the sale or trade-in,
- PowerGard allows you to budget your total cost of ownership, with financing available through John Deere Credit or other sources,
- PowerGard helps prevent large,unexpected repair bills during later years of equipment ownership,in exchange for a smaller protection fee up front.

JDLink Account Setup Form

THIS FORM MUST BE TURNED IN TO REGION SALES ADMINISTRATOR AT THE TIME OF SETTLEMENT.

Territory Manager

CSA

Machine Serial Number

Company/Customer Name

Business Address

Phone

JDLink Admin Information

First Name

Last Name

E-mail Address

Ask customer if they have an existing MyJohnDeere/JDLink Account

Sales Admin Initials

MJD/JDLink Username

Opt Out of Active Data Monitoring

☐ **Terminate the collection or sharing of JDLink data for use in monitoring or diagnosing or providing service solutions.**

By signing you agree to cancel subscriptions, disengage the data collection modules, and are deactivating your machine permanently.

_____ _____

Signature Date

SALES ADMINISTRATOR MUST SUBMIT COMPLETED FORM WITH SETTLEMENT PAPERWORK.

TERMS AND CONDITIONS OF SALE

TERMS AND CONDITIONS OF SALE: Sales Orders are based on the terms and conditions stated herein. Unless otherwise provided on the face hereof, offers are good for acceptance for a period of 30 days from the date hereof. An order by the Buyer shall constitute an acceptance of the terms and conditions herein proposed. If, and only if, no offer of sale is issued by Seller, then the invoice shall be deemed: an acceptance of the Buyer's order; a written confirmation; and a final, complete, and exclusive written expression of the agreement between Seller and Buyer. Buyer is hereby notified that additional or different terms from those contained herein are objectionable.

1. **Taxes.** Buyer shall pay all local, state, and federal taxes arising from or related to any sale or lease to which this document relates, except for taxes upon or measured by net income of Seller.

2. **Delivery.** Stated or promised delivery dates are estimates only based upon Seller's best judgment and Seller shall not be responsible for deliveries later than promised regardless of the cause. Delivery periods are projected from the date of receipt of any order by Seller, but if equipment to be furnished by Seller is to be manufactured specifically to fill a particular order, delivery periods will be projected from the date of Seller's receipt of complete manufacturing information. If the furnishing of equipment on orders accepted by Seller is hindered or prevented by public authority or by the existence of war or other contingencies, including, but not limited to, shortage of materials, fires, labor difficulties, accidents, delays in manufacture or transportation, acts of God, embargoes, inability to ship, inability to insure against war risks or substantially increased prices or freight rates, or other causes beyond Seller's control, the obligation to fill or complete such orders shall be excused by Seller's option.

3. **Transportation and Claims.** Prices quoted are net F.O.B. point designated in writing by Seller. When no F.O.B. point is designated in writing by Seller, prices for new equipment shall be deemed to be net F.O.B. point of manufacture and prices for all other equipment shall be deemed to be F.O.B. Seller's place of business at which the order for the equipment is accepted. When transportation is allowed, the price charged will be adjusted to reflect the lowest transportation rates in effect at the time of shipment even though such rates may differ from those quoted by Seller. Seller's responsibility for the equipment shall cease and all risk of loss shall become the Buyer's upon delivery of the equipment to the first carrier for shipment to the Buyer or his consignee, even though such delivery shall be made prior to the arrival of the equipment at the F.O.B. point designated, and any and all claims for shortages, deliveries, damages or non-delivery must be made by the Buyer or his consignee to the carrier. Seller shall in no event be responsible for shortages in shipments unless notice of such shortage is given in writing to Seller within 15 days after receipt of shipment.

4. **Payment and Security.** Buyer agrees to pay in full for the equipment at time of delivery. Buyer agrees to pay the late charge on any past due balance at the rate of 18% per annum. The signator warrants that he/she has authority to execute this order on behalf of any party for whom he/she signs, and that such party has the power to enter into this agreement and perform its terms. As security for all of Buyer's obligations to Seller, Buyer grants to Seller a security interest in the equipment and authorizes Seller to file all documents necessary to perfect Seller's security interest. The security interest granted hereunder is in addition to any other rights available to Seller, and Seller shall have all of the rights and remedies available to a secured party under the Uniform Commercial Code, all of which are cumulative. Throughout the duration of Seller's security interest. Buyer shall keep the equipment fully insured against theft and loss or damage by fire and other casualty as Seller may from time to time require in accordance with such terms as Seller may require.

5. **Buyer to Furnish.** Performance by Seller is subject to the Buyer furnishing a satisfactory credit rating certificate, letter of credit, evidence of financing, or any other similar papers necessary for the satisfactory completion of such order.

6. **Laws Governing.** All orders will be governed by the laws of the State of Oregon.

7. **Assignment.** The right to any monies due or to become due hereunder may be assigned by Seller, and Buyer, upon receiving notice of such assignment, shall make payment as directed.

8. **Limitations of Warranties.** If "NEW" warranty is indicated on the reverse side or if new equipment is purchased hereunder, all warranties are strictly given only by the manufacturer. Copies of manufacturer's warranty can be obtained from Seller. If "USED" warranty is indicated on the reverse side. Seller hereby warrants to Buyer that the equipment or components thereof designated on the reverse side, shall be free under normal use and service from defects in material and workmanship for the period shown, commencing on the date of delivery. Buyer's exclusive remedy for breach of the limited warranty shall be the repair or replacement of the warranted equipment without charge to Buyer when returned at Buyer's expense to the Seller's facility where the equipment was purchased, with proof of purchase. Buyer must give notice of any warranty claim not later than 7 days after the expiration of the warranty period and must return the equipment to Seller for repair or replacement no later than 30 days after expiration of the warranty period. Any action against Seller for breach of the limited warranty must be commenced within one year after the date of delivery of the equipment. Seller's warranty does not extend to any defect, claim, or damage attributable to the failure to operate and/or maintain the equipment in accordance with the manufacturer's specifications, or due to the failure to operate or maintain the equipment in accordance with any recommendations of Seller. If "AS IS" is indicated on the reverse side, no warranty of any kind is being given and the equipment is being sold with all faults. THE WARRANTIES IN THIS PARAGRAPH AND ON THE REVERSE SIDE ARE THE EXCLUSIVE WARRANTIES GIVEN BY SELLER AND SUPERSEDE ANY PRIOR. CONTRARY, OR ADDITIONAL REPRESENTATIONS, WHETHER ORAL OR WRITTEN. SELLER HEREBY DISCLAIMS AND EXCLUDES ALL OTHER WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, **INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE,** AND ANY IMPLIED WARRANTIES OTHERWISE ARISING FROM COURSE OF DEALING OR USAGE OF TRADE. SELLER SHALL NOT BE LIABLE FOR ANY LOSS, INJURY, OR DAMAGE TO PERSONS OR PROPERTY RESULTING FROM THE FAILURE OR DEFECTIVE OPERATION OF THE EQUIPMENT; NOR WILL SELLER BE LIABLE FOR DIRECT, INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND SUSTAINED FROM ANY CAUSE. This exclusion applies regardless of whether such damages are sought for breach of warranty, breach of contract, negligence, or strict liability in tort or under any other legal theory.

9. **Rental Purchase Option.** If rental purchase option (RPO) is granted in any addendum, the purchase price shall be tendered to Seller coincidentally with the exercise of the purchase option provided that Buyer is not then in default in performing all of the terms and conditions of lease with Seller.

10. **Notice.** This paragraph shall serve as notice that The Papé Group, Inc. has assigned its rights to sell its rental equipment (as may be described in this sales order) and its rights to sales proceeds (including "trade-in assets" related thereto) to North Star Deferred Exchange as part of an IRC Sec. 1031 exchange.

11. **Attorneys Fees.** In the event suit or action is instituted against Buyer on account of or in connection with or based upon the terms hereof, the Buyer agrees to pay, in addition to the costs and disbursements provided by law, such sum as the court may adjudge reasonable attorney's fees in both the trial and appellate courts, or in connection with any bankruptcy proceeding.

12. **Entire Agreement.** The foregoing and any addendum shall constitute the complete and exclusive agreement between the parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions, guarantees, or obligations whatsoever, either expressed or implied, other than as herein set forth or provided for shall be binding on either party. Each party may transmit its signature by facsimile to the other party and such facsimile signatures shall have the same force and effect as an original signature.

Notice: When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at:

http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

Vendor: Deere & Company
☐ 2000 John Deere Run
Cary, NC 27513

For any questions, please contact:

Scott Nordeen

Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390

Tel: 253-863-4436
Fax: 253-863-1523
Email: snordeen@papemachinery.com

- ☐ Signature on all LOIs and POs with a signature line
- ☐ Contract name or number; or JD Quote ID
- ☐ Sold to street address
- ☐ Ship to street address (no PO box)
- ☐ Bill to contact name and phone number
- ☐ Bill to address
- ☐ Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate
- ☐ Membership number if required by the contract

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively “Deere”) and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.

Quote Id: 31762624

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

02 October 2024

1155 E N BEND WAY
NORTH BEND, WA 98045

Purchase Order needs to be Made out to Pape Machinery.
Also Needs to reference Washington state contract Number 05218

Scott Nordeen
253-863-4436
Pape Machinery, Inc.

Confidential

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
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Pape Machinery, Inc.
2700 136th Ave Ct E
Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

Quote Summary

Prepared For:
CITY OF NORTH BEND PUBLIC WORKS
1155 E N BEND WAY
NORTH BEND, WA 98045
Business: 425-888-0486

Delivering Dealer:
Pape Machinery, Inc.
Scott Nordeen
2700 136th Ave Ct E
Sumner, WA 98390
Phone: 253-863-4436
snordeen@papemachinery.com

This sale is subject to Papé's Terms and Conditions of Sale effective on the date hereof, which are incorporated in full by this reference. The Terms and Conditions of Sale are available at www.pape.com/terms , and will also be sent by mail or e-mail to the purchaser upon request.

Quote ID: 31762624
Created On: 02 October 2024
Last Modified On: 09 October 2024
Expiration Date: 01 November 2024

Equipment Summary	Selling Price		Qty		Extended
2024 ALAMO Maverick 2 boom - MV2-24-240101 **Contract:** WA Lawn and Grounds 05218 (PG 4S CG 22) **Price Effective Date:**	$ 98,928.40	X	1	=	$ 98,928.40
ALAMO 60" sever Duty Rotary **Contract:** **Price Effective Date:**	$ 24,551.40	X	1	=	$ 24,551.40
ALAMO 48" Flail axe with SHD Cutter shaft **Contract:** **Price Effective Date:**	$ 25,092.00	X	1	=	$ 25,092.00
Equipment Total					**$ 148,571.80**

* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	$ 148,571.80
Trade In	
SubTotal	**$ 148,571.80**
Sales Tax - (9.10%)	$ 13,520.03

Salesperson : X _____ **Accepted By : X** _____

Confidential

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2700 136th Ave Ct E
Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

Est. Service Agreement Tax	$ 0.00
Total	$ 162,091.83
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	**$ 162,091.83**

Salesperson : X _____ **Accepted By : X** _____

Confidential

Selling Equipment

Quote Id: 31762624 **Customer Name:** CITY OF NORTH BEND PUBLIC WORKS

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Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

2024 ALAMO Maverick 2 boom - MV2-24-240101

Hours: 0
Stock Number:
Contract: WA Lawn and Grounds 05218 (PG 4S CG 22)
Price Effective Date:

Selling Price *
$ 98,928.40

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
048024 40	24' Maverick boom	1	$ 96,884.00	15.00	$ 14,532.60	$ 82,351.40	$ 82,351.40
	Dealer Attachments/Non-Contract/Open Market						
02982002	mounting labor and oil	1	$ 11,293.00	0.00	$ 0.00	$ 11,293.00	$ 11,293.00
100001	1 year extend warranty so a total for 2 year	1	$ 5,284.00	0.00	$ 0.00	$ 5,284.00	$ 5,284.00
	Dealer Attachments Total		**$ 16,577.00**		**$ 0.00**	**$ 16,577.00**	**$ 16,577.00**
Total Selling Price			**$ 113,461.00**		**$ 14,532.60**	**$ 98,928.40**	**$ 98,928.40**

ALAMO 60" sever Duty Rotary

Equipment Notes:
Hours: 0
Stock Number:
Contract:
Price Effective Date:

Selling Price *
$ 24,551.40

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
321214 95	60" severe Duty Rotary blade bar with head swivel	1	$ 28,884.00	15.00	$ 4,332.60	$ 24,551.40	$ 24,551.40
Total Selling Price			**$ 28,884.00**		**$ 4,332.60**	**$ 24,551.40**	**$ 24,551.40**

ALAMO 48" Flail axe with SHD Cutter shaft

Confidential

Selling Equipment

Quote Id: 31762624 **Customer Name:** CITY OF NORTH BEND PUBLIC WORKS

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
Deere & Company
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Cary, NC 27513
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Sumner, WA 98390
253-863-4436
agsumner@papemachinery.com

Equipment Notes:
Hours: 0
Stock Number:
Contract:
Price Effective Date:

Selling Price *
$ 25,092.00

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
321227 62	48" Flail axe Brush cutter flail with SHD cutter	1	$ 29,520.00	15.00	$ 4,428.00	$ 25,092.00	$ 25,092.00
Total Selling Price			**$ 29,520.00**		**$ 4,428.00**	**$ 25,092.00**	**$ 25,092.00**

Confidential

JDLink Account Setup Form

THIS FORM MUST BE TURNED IN TO REGION SALES ADMINISTRATOR AT THE TIME OF SETTLEMENT.

Territory Manager

CSA

Machine Serial Number

Company/Customer Name

Business Address

Phone

JDLink Admin Information

First Name

Last Name

E-mail Address

Ask customer if they have an existing MyJohnDeere/JDLink Account

Sales Admin Initials

MJD/JDLink Username

Opt Out of Active Data Monitoring

☐ **Terminate the collection or sharing of JDLink data for use in monitoring or diagnosing or providing service solutions.**

By signing you agree to cancel subscriptions, disengage the data collection modules, and are deactivating your machine permanently.

_____ _____

Signature Date

SALES ADMINISTRATOR MUST SUBMIT COMPLETED FORM WITH SETTLEMENT PAPERWORK.

TERMS AND CONDITIONS OF SALE

TERMS AND CONDITIONS OF SALE: Sales Orders are based on the terms and conditions stated herein. Unless otherwise provided on the face hereof, offers are good for acceptance for a period of 30 days from the date hereof. An order by the Buyer shall constitute an acceptance of the terms and conditions herein proposed. If, and only if, no offer of sale is issued by Seller, then the invoice shall be deemed: an acceptance of the Buyer's order; a written confirmation; and a final, complete, and exclusive written expression of the agreement between Seller and Buyer. Buyer is hereby notified that additional or different terms from those contained herein are objectionable.

1. **Taxes.** Buyer shall pay all local, state, and federal taxes arising from or related to any sale or lease to which this document relates, except for taxes upon or measured by net income of Seller.

2. **Delivery.** Stated or promised delivery dates are estimates only based upon Seller's best judgment and Seller shall not be responsible for deliveries later than promised regardless of the cause. Delivery periods are projected from the date of receipt of any order by Seller, but if equipment to be furnished by Seller is to be manufactured specifically to fill a particular order, delivery periods will be projected from the date of Seller's receipt of complete manufacturing information. If the furnishing of equipment on orders accepted by Seller is hindered or prevented by public authority or by the existence of war or other contingencies, including, but not limited to, shortage of materials, fires, labor difficulties, accidents, delays in manufacture or transportation, acts of God, embargoes, inability to ship, inability to insure against war risks or substantially increased prices or freight rates, or other causes beyond Seller's control, the obligation to fill or complete such orders shall be excused by Seller's option.

3. **Transportation and Claims.** Prices quoted are net F.O.B. point designated in writing by Seller. When no F.O.B. point is designated in writing by Seller, prices for new equipment shall be deemed to be net F.O.B. point of manufacture and prices for all other equipment shall be deemed to be F.O.B. Seller's place of business at which the order for the equipment is accepted. When transportation is allowed, the price charged will be adjusted to reflect the lowest transportation rates in effect at the time of shipment even though such rates may differ from those quoted by Seller. Seller's responsibility for the equipment shall cease and all risk of loss shall become the Buyer's upon delivery of the equipment to the first carrier for shipment to the Buyer or his consignee, even though such delivery shall be made prior to the arrival of the equipment at the F.O.B. point designated, and any and all claims for shortages, deliveries, damages or non-delivery must be made by the Buyer or his consignee to the carrier. Seller shall in no event be responsible for shortages in shipments unless notice of such shortage is given in writing to Seller within 15 days after receipt of shipment.

4. **Payment and Security.** Buyer agrees to pay in full for the equipment at time of delivery. Buyer agrees to pay the late charge on any past due balance at the rate of 18% per annum. The signator warrants that he/she has authority to execute this order on behalf of any party for whom he/she signs, and that such party has the power to enter into this agreement and perform its terms. As security for all of Buyer's obligations to Seller, Buyer grants to Seller a security interest in the equipment and authorizes Seller to file all documents necessary to perfect Seller's security interest. The security interest granted hereunder is in addition to any other rights available to Seller, and Seller shall have all of the rights and remedies available to a secured party under the Uniform Commercial Code, all of which are cumulative. Throughout the duration of Seller's security interest. Buyer shall keep the equipment fully insured against theft and loss or damage by fire and other casualty as Seller may from time to time require in accordance with such terms as Seller may require.

5. **Buyer to Furnish.** Performance by Seller is subject to the Buyer furnishing a satisfactory credit rating certificate, letter of credit, evidence of financing, or any other similar papers necessary for the satisfactory completion of such order.

6. **Laws Governing.** All orders will be governed by the laws of the State of Oregon.

7. **Assignment.** The right to any monies due or to become due hereunder may be assigned by Seller, and Buyer, upon receiving notice of such assignment, shall make payment as directed.

8. **Limitations of Warranties.** If "NEW" warranty is indicated on the reverse side or if new equipment is purchased hereunder, all warranties are strictly given only by the manufacturer. Copies of manufacturer's warranty can be obtained from Seller. If "USED" warranty is indicated on the reverse side. Seller hereby warrants to Buyer that the equipment or components thereof designated on the reverse side, shall be free under normal use and service from defects in material and workmanship for the period shown, commencing on the date of delivery. Buyer's exclusive remedy for breach of the limited warranty shall be the repair or replacement of the warranted equipment without charge to Buyer when returned at Buyer's expense to the Seller's facility where the equipment was purchased, with proof of purchase. Buyer must give notice of any warranty claim not later than 7 days after the expiration of the warranty period and must return the equipment to Seller for repair or replacement no later than 30 days after expiration of the warranty period. Any action against Seller for breach of the limited warranty must be commenced within one year after the date of delivery of the equipment. Seller's warranty does not extend to any defect, claim, or damage attributable to the failure to operate and/or maintain the equipment in accordance with the manufacturer's specifications, or due to the failure to operate or maintain the equipment in accordance with any recommendations of Seller. If "AS IS" is indicated on the reverse side, no warranty of any kind is being given and the equipment is being sold with all faults. THE WARRANTIES IN THIS PARAGRAPH AND ON THE REVERSE SIDE ARE THE EXCLUSIVE WARRANTIES GIVEN BY SELLER AND SUPERSEDE ANY PRIOR. CONTRARY, OR ADDITIONAL REPRESENTATIONS, WHETHER ORAL OR WRITTEN. SELLER HEREBY DISCLAIMS AND EXCLUDES ALL OTHER WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, **INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE,** AND ANY IMPLIED WARRANTIES OTHERWISE ARISING FROM COURSE OF DEALING OR USAGE OF TRADE. SELLER SHALL NOT BE LIABLE FOR ANY LOSS, INJURY, OR DAMAGE TO PERSONS OR PROPERTY RESULTING FROM THE FAILURE OR DEFECTIVE OPERATION OF THE EQUIPMENT; NOR WILL SELLER BE LIABLE FOR DIRECT, INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND SUSTAINED FROM ANY CAUSE. This exclusion applies regardless of whether such damages are sought for breach of warranty, breach of contract, negligence, or strict liability in tort or under any other legal theory.

9. **Rental Purchase Option.** If rental purchase option (RPO) is granted in any addendum, the purchase price shall be tendered to Seller coincidentally with the exercise of the purchase option provided that Buyer is not then in default in performing all of the terms and conditions of lease with Seller.

10. **Notice.** This paragraph shall serve as notice that The Papé Group, Inc. has assigned its rights to sell its rental equipment (as may be described in this sales order) and its rights to sales proceeds (including "trade-in assets" related thereto) to North Star Deferred Exchange as part of an IRC Sec. 1031 exchange.

11. **Attorneys Fees.** In the event suit or action is instituted against Buyer on account of or in connection with or based upon the terms hereof, the Buyer agrees to pay, in addition to the costs and disbursements provided by law, such sum as the court may adjudge reasonable attorney's fees in both the trial and appellate courts, or in connection with any bankruptcy proceeding.

12. **Entire Agreement.** The foregoing and any addendum shall constitute the complete and exclusive agreement between the parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions, guarantees, or obligations whatsoever, either expressed or implied, other than as herein set forth or provided for shall be binding on either party. Each party may transmit its signature by facsimile to the other party and such facsimile signatures shall have the same force and effect as an original signature.

Notice: When operated in California, any off-road diesel vehicle may be subject to the California Air Resources Board In-Use Off-road Diesel Vehicle Regulation. It therefore could be subject to retrofit or accelerated turnover requirements to reduce emissions of air pollutants. For more information, please visit the California Air Resources Board website at:

http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-112	
Motion Authorizing a Professional Services Agreement with Mountains to Sound Greenway Trust for Landscaping and Restoration Services	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – Jamie Burrell	
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: Grant Funds, Mitigation Funds, and Impact Fees. (NTE $300,000.00).	Public Works – Mark Rigos, P.E.	
Timeline: January 1, 2025-December 31, 2026	Senior Planner Jamie Burrell	X

Attachments: Professional Services Agreement

SUMMARY STATEMENT:

The City has been working with the Mountains to Sound Greenway Trust for landscape projects for many years. The City usually brings individual contracts to the City Council for each project, however, to expedite the use of landscape services and avoid having to go through the selection process from a small works roster every time City staff has a new project, the City desires to and is permitted to place certain consultants under contract for on-call services. Mountains to Sound Greenway Trust's services would be called upon only when their services are needed. No expense is incurred unless a specific task and associated fee is negotiated with Mountains to Sound Greenway Trust.

Attached is a proposed Professional Services Agreement for landscaping and related restoration services to the City for projects which have a fixed amount not to exceed $300,000; the proposed Agreement's term is from January 1, 2025 to December 31, 2026. Project funding may come from grant funds, mitigation funds, impact fees, or grant matching funds.

City staff recommends entering into the attached Professional Services Agreement with Mountains to Sound Greenway Trust for Landscaping and Restoration Services.

APPLICABLE BRAND GUIDELINES: Sustainably Managed Growth

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this agenda item at their September 17, 2024 meeting and recommended approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB24-112, authorizing the Mayor to execute a Professional Services Agreement with Mountains to Sound Greenway Trust in an amount not to exceed $300,000, in a form and content acceptable to the City Attorney.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

PROFESSIONAL SERVICES AGREEMENT
BY AND BETWEEN THE CITY OF NORTH BEND
AND MOUNTAINS TO SOUND GREENWAY TRUST

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into this _____ day of _____, 2024, by and between the City of North Bend, a municipal corporation of the State of Washington ("City") and Mountains to Sound Greenway Trust, a non-profit corporation ("Consultant") in consideration of the mutual benefits and conditions contained herein.

WHEREAS, City has determined a need to have certain services performed for its citizens; and

WHEREAS, Consultant is in the business of performing such services, which are described below; and

NOW, THEREFORE, the parties hereby agree as follows:

1. **Scope of Services**. Consultant shall perform those services described on **Exhibit A** attached hereto, which is incorporated by this reference as if fully set forth. All such services will be rendered with the degree of skill and care exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same or similar locale, and in compliance with all federal, state, and local statutes, rules, and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith.

2. **Compensation and Method of Payment**. Consultant will invoice City monthly based upon the fee schedule set forth in **Exhibit B** attached hereto, which is incorporated by this reference as if fully set forth. Consultant shall be paid a total amount not to exceed THREE HUNDRED THOUSAND DOLLARS AND 00/100 ($300,000) without written modification of this Agreement signed by City. City shall pay Consultant for services rendered under this Agreement within ten (10) days after City Council voucher approval. Consultant agrees to complete and return the attached **Exhibit C** (Taxpayer Identification Number) to City prior to or along with the first invoice. Beginning on January 1, 2026, Consultant may adjust its rates reflected on Exhibit B of this Agreement by up to but not to exceed five percent (5%) annually, and City shall pay Consultant such invoiced adjusted rate, for the term of this Agreement.

3. **Duration of Agreement**. This Agreement shall be in full force and effect for a period commencing January 1, 2025, and ending December 31, 2026, unless earlier terminated in accordance with Section 11 herein or extended by written amendment in accordance with Section 14 herein.

4. **Ownership, Form, and Use of Documents**. All documents, drawings, specifications, and other materials produced by Consultant in connection with the services rendered under this Agreement shall be the property of City whether the project for which they are made is executed or not. Except as otherwise stated in Exhibit A, Consultant shall provide to City all final documents, reports, or studies in printed and electronic form. Unless otherwise directed in writing by City, all final documents, reports, or studies shall be provided to City in both a PDF and Word format. Where applicable, all Complete Plan Set Drawings shall include all Specifications and shall be submitted to City in the most updated version of AutoCAD in an unrestricted format and in accordance with City Code. Consultant shall not be responsible for any use or modifications of said documents, drawings, specifications, or other materials by City or its representatives for any purpose other than the project specified in this Agreement.

5. **Independent Contractor**. City and Consultant agree that Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create an employer-employee relationship between the parties hereto. Neither Consultant nor any of Consultant's employees shall be entitled, by virtue of the services provided under this Agreement, to any benefits afforded to City employees. City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers' compensation, or for otherwise assuming the duties of an employer with respect to Consultant or Consultant's employees.

6. **Indemnification**. Consultant shall indemnify, defend, and hold harmless City, its officers, officials, employees and volunteers from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of City.

   Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Consultant and City, its officers, officials, employees, and volunteers, Consultant's liability hereunder—including the duty and cost to defend—shall be only to the extent of Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes Consultant's waiver of immunity under *Industrial Insurance*, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

7. Insurance. Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit Consultant's liability to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy available at law or in equity.

   A. Scope of Required Insurance. Consultant shall maintain insurance of the types and coverage described below:

      1. **Automobile liability insurance**, with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident, covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

      2. **Commercial general liability insurance**, written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate, which shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent Consultants and personal injury and advertising injury. City shall be named as an additional insured under Consultant's Commercial General Liability insurance policy with respect to the work performed for City, using an additional insured endorsement at least as broad as ISO CG 20 26.

      3. **Professional liability insurance** appropriate to Consultant's profession, written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

      4. **Workers' compensation coverage** as required by the Industrial Insurance laws of the State of Washington.

B. Additional Insurance Provisions. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII. Consultant's automobile liability and commercial general liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respects City. Any insurance, self-insurance, or self-insured pool coverage maintained by City shall be excess of Consultant's insurance and shall not contribute with it. Consultant shall provide City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.

C. Certificates of Insurance. Within fifteen (15) days of the execution of this Agreement, Consultant shall deliver original certificates and a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance coverage required by this Section 7.

D. Failure to Maintain Insurance. Consultant's failure to maintain insurance as required shall constitute a material breach of this Agreement, upon which City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate this Agreement or, at its sole discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to City on demand, or at the sole discretion of City, offset against funds due Consultant from City.

E. Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimums shown above, City shall be insured for the full available limits of Commercial General and excess or umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this Agreement or whether any certificate of insurance furnished to City evidences limits of liability lower than those maintained by Consultant.

8. Recordkeeping and "Red Flag" Rules.

A. Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. Consultant shall also maintain such other records as may be deemed necessary by City to ensure proper accounting of all funds contributed by City to the performance of this Agreement and of the parties' compliance with this Agreement.

B. These records shall be maintained for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by City.

C. Consultant acknowledges receipt of and agrees to adhere to City's Identity Theft Prevention Program ("Red Flag" rules), a copy of which is attached hereto as **Exhibit D**.

9. Taxes, Licenses and Permits.

A. Consultant shall procure and maintain a City business license in accordance with Chapter 5.04 NBMC, *Business Licenses and Business and Occupation Tax*, prior to beginning work under this Agreement. Consultant assumes responsibility for and ensures that all contractors, subcontractors and suppliers shall also obtain a City business license.

B. Consultant acknowledges that it is responsible for the payment of all charges and taxes applicable to the services performed under this Agreement, including taxes and fees assessed pursuant to Chapters 5.04 and 5.05 NBMC, and Consultant agrees to comply with all applicable laws regarding the reporting of income and maintenance of records, and with all other requirements and obligations imposed pursuant to applicable law. If City does not receive, or is assessed, made liable, or responsible in any manner for such charges or taxes, Consultant shall reimburse and hold City harmless from such costs, including attorneys' fees. Consultant shall also require all contractors, subcontractors and suppliers to pay all charges and taxes in accordance with this Section 9.

C. In the event Consultant fails to pay any taxes, assessments, penalties, or fees imposed by City or any other governmental body, then Consultant authorizes City to deduct and withhold and/or pay over to the appropriate governmental body those unpaid amounts upon demand by the governmental body. This provision shall, at a minimum, apply to taxes and fees imposed by City ordinance. Any such payments shall be deducted from Consultant's total compensation.

10. **Audits and Inspections**. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by law during the term of this Agreement. City shall have the right to conduct an audit of Consultant's financial statement and condition and to a copy of the results of any such audit or other examination performed by or on behalf of Consultant.

11. **Termination**. This Agreement may be terminated by City at any time upon thirty (30) days' written notice; provided, that if Consultant's insurance coverage is canceled for any reason, City shall have the right to terminate this Agreement as provided in Subsection 7(D) herein.

12. **Discrimination Prohibited**. Consultant shall not discriminate against any employee, applicant for employment, or any person seeking Consultant's services under this Agreement on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

13. **Assignment and Subcontract**. Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of City.

14. **Entire Agreement; Modification**. This Agreement contains the entire agreement between the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto. Proposed changes which are mutually agreed upon shall be incorporated by written amendments or addenda signed by both parties.

15. **Notices**. Notices required hereunder shall be delivered via certified U.S. mail to the addresses below:

To the City of North Bend:
David Miller, City Administrator
City of North Bend
920 SE Cedar Falls Way
North Bend, Washington 98045
Phone: (425) 888-1211

To Consultant: Kate Fancher
Restoration Projects Manager
Mountains to Sound Greenway Trust
2701 First Avenue, Suite 240
Seattle, WA 98121
Phone: 206-688-6560

16. **Security**. Consultant will protect confidential information provided by City pursuant to this Agreement by adhering to policies governing physical, electronic, and managerial safeguards against unauthorized access to an unauthorized disclosure of confidential information. Security standards shall meet or exceed Washington State Office of the Chief Information Officer Standard No. 141.10. Only authorized employees of Consultant shall have access to City's confidential information, and only for the purposes specified in this Agreement. Consultant shall, within 24 hours of discovery, report to City any use, access to or disclosure of City's confidential information not previously authorized by City.

17. **Applicable Law; Venue; Attorneys' Fees**. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly and exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its costs of suit, including attorneys' fees and expert witness fees.

BY THEIR SIGNATURES BELOW, the authorized agents of the parties enter into this Agreement as of the day and year first written above.

CITY OF NORTH BEND

By: _____
Mary Miller, Mayor

Mountains to Sound Greenway Trust

By: _____
Jon Hoekstra, Executive Director

Attest/Authenticated:

_____
Susie Oppedal, City Clerk

Approved As To Form:

_____
Kendra Rosenberg, City Attorney

EXHIBIT A:

SCOPE OF SERVICES

Consultant shall furnish and perform services including, but not limited to, the description of work and deliverable items indicated below.

1. **Project Title**: Ecosystem Stewardship & Restoration Services

2. **Supervising Staff**. Consultant's main point of contact at City will be Kate Fancher, Restoration Projects Manager, who can be reached at 206-688-6560 or kate.fancher@mtsgreenway.org, or such other personnel as City may designate from time to time.

3. **Description of Work**.

Overview
For more than 25 years, the Mountains to Sound Greenway Trust has worked with federal, state, county, and municipal agencies on stewardship of public lands. The Greenway Trust has extensive experience in ecological restoration, volunteer coordination, and recreational trail project construction and maintenance. This includes noxious weed control, native plant installation, ecological monitoring, and construction and maintenance of trails and recreation facilities. This work is completed by a mix of Greenway Trust staff, volunteers, and contractors.

Noxious Weed Control
The Greenway Trust has extensive experience in identification, survey, treatment, and control of problem plant species in King County. Typical projects range from addressing monocultures of weeds such as blackberry and ivy, knotweed survey and control along stream systems, and working with agencies to survey and control regulated and listed weeds on trails, roads, and restoration sites.

Methods for noxious weed control include manual (i.e., hand tools), mechanical (i.e., brush cutter or heavy machinery by subcontract), and chemical (i.e., backpack sprayers, cut-stump, EZ-Ject lance). The Greenway Trust follows the best management practices (BMP's) outlined by the King County Noxious Weed Control Program for all methods. The Greenway Trust holds a commercial applicator's license (#92169) with an aquatic endorsement issued by the Washington State Department of Agriculture.

Native Plant Installation
The Greenway Trust has nearly three decades of experience in native plant installation, including the development and implementation of planting plans. Greenway Trust staff will procure plant material (including plants from the Greenway Trust managed nursery) for riparian, wetland, upland, and landscape projects. Greenway Trust staff have experience installing all kinds of plant material, including potted plants, ball and burlap, emergent plugs, bareroots, live stakes, and seeding.

Greenway Trust staff and crew technicians have strong knowledge of the conditions needed for specific species to succeed on project sites and use this information to develop planting plans and approaches that are appropriate for specific site conditions. In addition to plant installation, Greenway Trust staff and technicians can also install exclusion fencing, woods chips, and perform other plant establishment tasks as needed for sites to thrive.

Ecological Monitoring
Greenway Trust staff collect ecological monitoring data and can author monitoring reports for a variety of projects, including wetland mitigation, critical area work, carbon credit development, climate adaptation, and other voluntary monitoring efforts for vegetation management projects. Typical monitoring protocols include the establishment of monitoring plots (using the line intercept method or taking estimates of cover within defined areas), taking of photo points to track year to year progress, and analysis of species diversity, plant survival and percent cover for native and nonnative species.

Recreation Projects Construction and Maintenance
The Greenway Trust has also has over two decades of experience managing recreation projects. The Greenway Trust uses a combination of seasonal trail crew positions, volunteers, and work of professional contractors, all overseen by experienced full-time recreation program staff. The Greenway Trust regularly works with federal, state, county, and municipal agencies on new trail design and construction, trail rehabilitation, trailhead installation and expansion (including informational signage, interpretive signage, vault toilets, paved and unpaved parking areas), day use area creation and improvements (picnic sites, fire rings, bear-proof garbage disposal units, water access sites), routine and triage trail maintenance (brush clearance, logout of downed trees, drainage and water management), trail structures repair and installation (including bridges, puncheon, boardwalk, rock walls and steps, gravel surfacing) and natural area restoration and protection (through use of trail design, reroutes, and natural materials to discourage activities).

Volunteer Coordination
The Greenway Trust has been hosting environmental stewardship and trail maintenance volunteer events for nearly three decades. These projects have involved thousands of volunteers and tens of thousands of volunteer hours contributed to improving public lands. These events not only provide an opportunity to educate community members on a range of natural resource and land management issues, but also allows local residents to give back to their local parks and natural resources.

Additionally, stewardship events and volunteer involvement can help extend City resources by allowing public participation in on-going volunteer-driven restoration projects, creating a pool of local volunteers committed to local projects. As a part of volunteer services, the Greenway Trust provides all volunteer recruitment, tracking, and registration. The Greenway Trust coordinates tools, materials, safety equipment, first aid supplies, portable toilets (as necessary) and all other logistics to run successful events. The Greenway Trust ensures all volunteers sign approved waiver forms releasing the City from any liability.

EXHIBIT B:

COMPENSATION

All services requested by the City of North Bend will be paid for on a time and material basis. As an alternative, a scope of services and fee for these services will be mutually agreed upon between the City and the Consultant and will require a written supplement (e.g. Task Order). All services will be performed in accordance with the following staff positions and hourly billing rates according to the Billing Rate Schedule.

Description	Rate	Units
Professional Services		
Operations & Field Program Director	$150.00	Hours
Field Programs Senior Manager	$110.00	Hours
Recreation Projects Manager	$100.00	Hours
Field Programs Administrator	$90.00	Hours
Restoration Projects Manager	$80.00	Hours
Restoration Coordinator	$70.00	Hours
Volunteer Coordinator	$70.00	Hours
Restoration Technicians	$50.00	Hours
Materials		
Plants (from Greenway Trust nursery)	$8.00	Each
Plants from other suppliers		At cost + 5%
Misc. Supplies		At cost + 5%
(ex. Portable Bathrooms, exclusion fencing, wood chips)		
Sales Tax	9.0%	
Matching Contributions		
Volunteers	$19.00	Hour

EXHIBIT C:

TAXPAYER IDENTIFICATION NUMBER

CITY OF NORTH BEND
920 SE Cedar Falls Way
North Bend, WA 98045
Phone: (425) 888-1211
FAX: (425) 831-6200

In order for you to receive reimbursement from the City of North Bend, we must have either a Taxpayer Identification Number or a Social Security Number. The Internal Revenue Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires us to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of North Bend before or along the submittal of the first billing voucher.

Please check the appropriate category:

___ Corporation ___ Partnership ___ Government Agency

___ Individual/Sole Proprietor ___ Other (Non-Profit)

TIN#: __ __-__ __ __ __ __ __ __

SS#: __ __ __ -__ __ - __ __ __ __

Print Name: _____

Print Title: _____

Business Name: _____

Business Address: _____

EXHIBIT D:

CITY OF NORTH BEND
IDENTITY THEFT PREVENTION PROGRAM

I. PROGRAM ADOPTION

The City of North Bend developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with the oversight and approval of the City's Finance Director. After consideration of the size and complexity of the City's operations and account systems, and the nature and scope of the City's activities, the City Council determined that this Program was appropriate for the City, and therefore approved this Program by the adoption of Ordinance No.1351 on the 21 day of April, 2009.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling Requirements of the Red Flags Rule. Under the Red Flags Rule, every financial institution and creditor is required to establish an identity theft prevention program tailored to its size, complexity and the nature of its operation. The Program must contain reasonable policies and procedures to:

- Identify relevant red flags as defined in the Rule and this Program for new and existing covered accounts, and incorporate those red flags into the Program;
- Detect red flags that have been incorporated into the Program;
- Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
- Update the Program periodically to reflect changes in risks to customers or to the safety and soundness of the City from identity theft.

B. Red Flags Rule Definitions Used in this Program. For the purposes of this Program, the following definitions apply:

"Account" means a continuing relationship established by a person with a creditor to obtain a product or service for personal, family, household or business purposes.

"Covered account" means:

1. Any account the City offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the City offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the City from identity theft.

"Creditor" has the same meaning as defined in Section 701 of the Equal Credit Opportunity Act, 15 U.S.C. 1691a, and includes a person or entity that arranges for the extension, renewal or continuation of credit, including the City.

"Customer" means a person or business entity that has a covered account with the City.

"Financial institution" means a state or national bank, a state or federal savings and loan association, a mutual savings bank, a state or federal credit union, or any other entity that holds a "transaction account" belonging to a customer.

"Identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identity a specific person, including name, address, telephone number, social security number, date of birth, government passport number, employer or taxpayer identification number or unique electronic identification number.

"Identity theft" means fraud committed using the identifying information of another person.

"Red flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

"Service provider" means a person or business entity that provides a service directly to the City relating to or in connection with a covered account.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant red flags, the City shall review and consider the types of covered accounts that it offers and maintains, the methods it provides to open covered accounts, the methods it provides to access its covered accounts, and its previous experiences with identity theft. The City identifies the following red flags, in each of the listed categories:

A. Notification and Warnings from Credit Reporting Agencies – Red Flags.

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents – Red Flags.

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information – Red Flags.

- Identifying information presented that is inconsistent with other information the customer provides (such as inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a driver's license);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;

- Failing to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- Identifying information which is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account – Red Flags.

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (such as very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the City that a customer is not receiving mail sent by the City;
- Notice to the City that an account has unauthorized activity;
- Breach in the City's computer system security; and
- Unauthorized access to or use of customer account information.

E. Alerts from Others – Red Flag.

- Notice to the City from a customer, a victim of identity theft, a law enforcement authority or other person that it has opened or is maintaining a fraudulent account for a person engaged in identity theft.

IV. DETECTING RED FLAGS

A. New Accounts. In order to detect any of the red flags identified above associated with the opening of a **new account,** City personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
- Independently contact the customer.

B. Existing Accounts. In order to detect any of the red flags identified above for an **existing account,** City personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event City personnel detect any identified red flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the red flag:

A. Prevent and Mitigate Identity Theft.

- Monitor a covered account for evidence of identity theft;
- Contact the customer with the covered account;

- Change any passwords or other security codes and devices that permit access to a covered account;
- Not open a new covered account;
- Close an existing covered account;
- Reopen a covered account with a new number;
- Not attempt to collect payment on a covered account;
- Notify the Finance Director for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

B. Protect Customer Identifying Information. In order to further prevent the likelihood of identity theft occurring with respect to City accounts, the City shall take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Secure the City website but provide clear notice that the website is not secure;
- Undertake complete and secure destruction of paper documents and computer files containing customer information;
- Make office computers password protected and provide that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer identifying information;
- Request only the last 4 digits of social security numbers (if any);
- Maintain computer virus protection up to date; and
- Require and keep only the kinds of customer information that are necessary for City purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight. The Finance Director or other designated city employee at the level of senior management shall be responsible for developing, implementing, and updating the Program.

The Finance Director shall also be responsible for the Program administration, for appropriate training of City staff on the Program, for reviewing the annual staff report required under the Program, as well as any other staff reports regarding the detection of red flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the Program.

B. Staff Training and Reports. City staff responsible for implementing the Program shall be trained either by or under the direction of the Finance Director in the detection of red flags, and the responsive steps to be taken when a red flag is detected. Additionally, a compliance report shall be provided annually to the Finance Director. The annual compliance report shall at a minimum address the following:

1. The effectiveness of the City's policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
2. Service provider arrangements;
3. Significant incidents involving identity theft and the City's response; and
4. Recommendations for material changes to the Program.

C. Service Provider Arrangements. In the event the City engages a service provider to perform an activity in connection with one or more covered accounts, the City shall take the following steps to require that

the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the Program and with all instructions and directives issued by the Finance Director relative to the Program; or
- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the service provider's identity theft prevention program and will take appropriate action to prevent and mitigate identity theft; and that the service providers agree to report promptly to the City in writing if the service provider in connection with a City covered account detects an incident of actual or attempted identity theft or is unable to resolve one or more red flags that the service provider detects in connection with a covered account.

D. Customer Identifying Information and Public Disclosure. The identifying information of City customers with covered accounts shall be kept confidential and shall be exempt from public disclosure to the maximum extent authorized by law, including RCW 42.56.230(4). The City Council also finds and determines that public disclosure of the City's specific practices to identity, detect, prevent, and mitigate identify theft may compromise the effectiveness of such practices and hereby direct that, under the Program, knowledge of such specific practices shall be limited to the Finance Director and those City employees and service providers who need to be aware of such practices for the purpose of preventing identity theft.

VII. PROGRAM UPDATES

The Program will be periodically reviewed and updated to reflect changes in risks to customers and to the safety and soundness of the City from identity theft. The Finance Director shall at least annually review the annual compliance report and consider the City's experiences with identity theft, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the City maintains and changes in the City's business arrangements with other entities and service providers. After considering these factors, the Finance Director shall determine whether changes to the Program, including the listing of red flags, are warranted. If warranted, the Finance Director shall present the recommended changes to the City Council for review and approval.

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-113	
Motion Authorizing a Professional Services Agreement with Otak, Inc. for On-Call Environmental Services	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – Jamie Burrell	X
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: Grant Funds, Mitigation Funds, and Impact Fees. (NTE $100,000.00).	Public Works – Mark Rigos, P.E.	
Timeline: January 1, 2025-December 31, 2026		

Attachments: Professional Services Agreement

SUMMARY STATEMENT:

From time-to-time certain projects require the assistance of a Qualified Professional to provide subject matter advice and assistance to the City to meet the requirements related to environmental regulations. To expedite the use of these experts and avoid having to go through the selection process from a small works roster every time City staff needs assistance, consultants can be placed under contract for on-call services. Their services would be called upon only when their assistance is needed. No expense is incurred unless a specific task and associated fee is negotiated with the relevant consultant.

Otak, Inc. provides a variety of services as detailed in the attached Professional Services Agreement. Some of these services include reviewing Preliminary Plat, Engineering, and lot specific plans to ensure consistency with City Code, pre-construction, construction, and post construction inspections, the State Environmental Policy Act (SEPA), tree assessments, and more.

Staff recommends the City enter into a Professional Services Agreement with Otak, Inc., in an amount not to exceed $100,000 and effective through December 31, 2026, to allow for the provision of their services to the City related to landscaping and tree preservation on park, trail and other miscellaneous City projects.

APPLICABLE BRAND GUIDELINES: Sustainably Managed Growth

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this agenda item at their October 15, 2024 meeting and recommended approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB24-113, authorizing the Mayor to execute a Professional Services Agreement with Otak, Inc. in an amount not to exceed $100,000.00, and in a form and content acceptable to the City Attorney.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

PROFESSIONAL SERVICES AGREEMENT
BY AND BETWEEN THE CITY OF NORTH BEND
AND OTAK, INC.

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into this _____ day of _____, 2024, by and between the City of North Bend, a municipal corporation of the State of Washington ("City") and Otak, Inc., a corporation ("Consultant") in consideration of the mutual benefits and conditions contained herein.

WHEREAS, City has determined a need to have certain services performed for its citizens; and

WHEREAS, Consultant is in the business of performing such services, which are described below; and

NOW, THEREFORE, the parties hereby agree as follows:

1. **Scope of Services**. Consultant shall perform those services described on **Exhibit A** attached hereto, which is incorporated by this reference as if fully set forth. All such services will be rendered with the degree of skill and care exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same or similar locale, and in compliance with all federal, state, and local statutes, rules, and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith.

2. **Compensation and Method of Payment**. Consultant will invoice City monthly based upon the fee schedule set forth in **Exhibit B** attached hereto, which is incorporated by this reference as if fully set forth. Consultant shall be paid a total amount not to exceed ONE HUNDRED THOUSAND DOLLAS AND 00/100 ($100,000) without written modification of this Agreement signed by City. City shall pay Consultant for services rendered under this Agreement within ten (10) days after City Council voucher approval. Consultant agrees to complete and return the attached **Exhibit C** (Taxpayer Identification Number) to City prior to or along with the first invoice.

3. **Duration of Agreement**. This Agreement shall be in full force and effect for a period commencing January 1, 2025 and ending December 31, 2026 unless earlier terminated in accordance with Section 11 herein or extended by written amendment in accordance with Section 14 herein.

4. **Ownership, Form, and Use of Documents**. All documents, drawings, specifications, and other materials produced by Consultant in connection with the services rendered under this Agreement shall be the property of City whether the project for which they are made is executed or not. Except as otherwise stated in Exhibit A, Consultant shall provide to City all final documents, reports, or studies in printed and electronic form. Unless otherwise directed in writing by City, all final documents, reports, or studies shall be provided to City in both a PDF and Word format. Where applicable, all Complete Plan Set Drawings shall include all Specifications and shall be submitted to City in the most updated version of AutoCAD in an unrestricted format and in accordance with City Code. Consultant shall not be responsible for any use or modifications of said documents, drawings, specifications, or other materials by City or its representatives for any purpose other than the project specified in this Agreement.

5. **Independent Contractor**. City and Consultant agree that Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create an employer-employee relationship between the parties hereto. Neither Consultant nor any of Consultant's employees shall be entitled, by virtue of the services provided

under this Agreement, to any benefits afforded to City employees. City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers' compensation, or for otherwise assuming the duties of an employer with respect to Consultant or Consultant's employees.

6. Indemnification. Consultant shall indemnify, defend, and hold harmless City, its officers, officials, employees and volunteers from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Consultant and City, its officers, officials, employees, and volunteers, Consultant's liability hereunder—including the duty and cost to defend—shall be only to the extent of Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes Consultant's waiver of immunity under *Industrial Insurance*, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

7. Insurance. Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit Consultant's liability to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy available at law or in equity.

A. Scope of Required Insurance. Consultant shall maintain insurance of the types and coverage described below:

1. **Automobile liability insurance**, with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident, covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

2. **Commercial general liability insurance**, written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate, which shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent Consultants and personal injury and advertising injury. City shall be named as an additional insured under Consultant's Commercial General Liability insurance policy with respect to the work performed for City, using an additional insured endorsement at least as broad as ISO CG 20 26.

3. **Professional liability insurance** appropriate to Consultant's profession, written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

4. **Workers' compensation coverage** as required by the Industrial Insurance laws of the State of Washington.

B. Additional Insurance Provisions. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII. Consultant's automobile liability and commercial general liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respects City. Any insurance, self-insurance, or self-insured pool coverage maintained by City shall be excess of Consultant's insurance and shall not contribute with it. Consultant shall provide City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.

C. Certificates of Insurance. Within fifteen (15) days of the execution of this Agreement, Consultant shall deliver original certificates and a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance coverage required by this Section 7.

D. Failure to Maintain Insurance. Consultant's failure to maintain insurance as required shall constitute a material breach of this Agreement, upon which City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate this Agreement or, at its sole discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to City on demand, or at the sole discretion of City, offset against funds due Consultant from City.

E. Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimums shown above, City shall be insured for the full available limits of Commercial General and excess or umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this Agreement or whether any certificate of insurance furnished to City evidences limits of liability lower than those maintained by Consultant.

8. Recordkeeping and "Red Flag" Rules.

A. Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. Consultant shall also maintain such other records as may be deemed necessary by City to ensure proper accounting of all funds contributed by City to the performance of this Agreement and of the parties' compliance with this Agreement.

B. These records shall be maintained for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by City.

C. Consultant acknowledges receipt of and agrees to adhere to City's Identity Theft Prevention Program ("Red Flag" rules), a copy of which is attached hereto as **Exhibit D**.

9. Taxes, Licenses and Permits.

A. Consultant shall procure and maintain a City business license in accordance with Chapter 5.04 NBMC, *Business Licenses and Business and Occupation Tax*, prior to beginning work under this Agreement. Consultant assumes responsibility for and ensures that all contractors, subcontractors and suppliers shall also obtain a City business license.

B. Consultant acknowledges that it is responsible for the payment of all charges and taxes applicable to the services performed under this Agreement, including taxes and fees assessed pursuant to Chapters 5.04 and 5.05 NBMC, and Consultant agrees to comply with all applicable laws regarding the reporting of income and maintenance of records, and with all other requirements and obligations imposed pursuant to applicable law. If City does not receive, or is assessed, made liable, or responsible in any manner for such charges or taxes, Consultant shall reimburse and hold City harmless from such costs, including attorneys' fees. Consultant shall also require all contractors, subcontractors and suppliers to pay all charges and taxes in accordance with this Section 9.

C. In the event Consultant fails to pay any taxes, assessments, penalties, or fees imposed by City or any other governmental body, then Consultant authorizes City to deduct and withhold and/or pay over to the appropriate governmental body those unpaid amounts upon demand by the governmental body. This provision shall, at a minimum, apply to taxes and fees imposed by City ordinance. Any such payments shall be deducted from Consultant's total compensation.

10. Audits and Inspections. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by law during the term of this Agreement. City shall have the right to conduct an audit of Consultant's financial statement and condition and to a copy of the results of any such audit or other examination performed by or on behalf of Consultant.

11. Termination. This Agreement may be terminated by City at any time upon thirty (30) days' written notice; provided, that if Consultant's insurance coverage is canceled for any reason, City shall have the right to terminate this Agreement as provided in Subsection 7(D) herein.

12. Discrimination Prohibited. Consultant shall not discriminate against any employee, applicant for employment, or any person seeking Consultant's services under this Agreement on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

13. Assignment and Subcontract. Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of City.

14. Entire Agreement; Modification. This Agreement contains the entire agreement between the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto. Proposed changes which are mutually agreed upon shall be incorporated by written amendments or addenda signed by both parties.

15. Notices. Notices required hereunder shall be delivered via certified U.S. mail to the addresses below:

To the City of North Bend:
David Miller, City Administrator
City of North Bend
920 SE Cedar Falls Way
North Bend, Washington 98045
Phone: (425) 888-1211

To Consultant: Jeff Gray, Project Manager
Otak, Inc
11241 Willows Road NE, Suite 200
Redmond, WA 98052
Phone: (425) 822-4446

16. **Security**. Consultant will protect confidential information provided by City pursuant to this Agreement by adhering to policies governing physical, electronic, and managerial safeguards against unauthorized access to an unauthorized disclosure of confidential information. Security standards shall meet or exceed Washington State Office of the Chief Information Officer Standard No. 141.10. Only authorized employees of Consultant shall have access to City's confidential information, and only for the purposes specified in this Agreement. Consultant shall, within 24 hours of discovery, report to City any use, access to or disclosure of City's confidential information not previously authorized by City.

17. **Applicable Law; Venue; Attorneys' Fees**. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly and exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its costs of suit, including attorneys' fees and expert witness fees.

18. **Prior on Call Contract Terminated.** This agreement shall replace the 2020 Contract for Environmental, Planning, Architecture, and Engineering On Call Services contract upon full execution by the parties.

BY THEIR SIGNATURES BELOW, the authorized agents of the parties enter into this Agreement as of the day and year first written above.

CITY OF NORTH BEND

By: _____
Mary Miller, Mayor

OTAK, INC.

By: Russell Gaston

Printed Name: Russell Gaston

Title: Principal

Attest/Authenticated:

_____
Susie Oppedal, City Clerk

Approved As To Form:

_____
Kendra Rosenberg, City Attorney

EXHIBIT A:

SCOPE OF SERVICES

Consultant shall furnish and perform services including, but not limited to, the description of work and deliverable items indicated below. Consultant's main point of contact at the City will be Jamie Burrell, Community and Economic Development Senior Planner, who can be reached at 425-888-7642 or jburrell@northbendwa.gov, or such other personnel as the City may designate from time to time.

Description of Work:

The services provided by Otak, Inc (Otak) will consist of the following, which will be authorized via written task orders or by email, fax, or a permit review request, including but not limited to:

1. **Arborist Services (Note: City has a separate contract agreement with UFS|Bartlett)**
   Point of Contact: Paul Thompson, Urban Forestry Services | Bartlett Consulting, Certified Arborist (Ph: 360-855-5072)

   a. Assess trees for health and risk of failure.
   b. Assessment of vegetation for maintenance or enhancement.
   c. Provide reviews of Tree Assessments, Tree Protection Plans and Landscape Plans for new and older developments as requested by the city.
   d. Onsite monitoring of tree protection specification for contract compliance and landscape plantings and installation.
   e. Tree evaluations for Landscape appraisals
   f. All consultants regarding vegetation management as requested by the city.
   g. Attend meetings, respond to comments, and support City staff at public hearings.
   h. Provide written review comments and actionable items for recommended revisions.

2. **Environmental Services**
   Point of Contact: Jeff Gray, MS, PWS (Ph: 971-337-3047)

   a. Provide reviews of and/or prepare critical areas reports/plans and development applications for code compliance (e.g. wetlands, streams, mitigation and restoration plans, stream typing, fisheries/wildlife habitat assessments and management plans, FWHCAs)
   b. Provide reviews or and/or prepare FEMA floodplain habitat assessments.
   c. Provide reviews and/or prepare Shoreline Management Plan regulations compliance, including no net loss determinations.
   d. Provide reviews of and/or prepare SEPA compliance documentation.
   e. Attend meetings, respond to comments, and support City staff at public hearings.
   f. Provide written review comments and actionable items for recommended revisions.

3. **Drainage and Stormwater**
   Point of Contact: Tyson Hounsel, PE (425-822-4446)

   a. Provide engineering and stormwater reviews for public development applications, focusing primarily on stormwater elements and design, for compliance with city code.
   b. Provide drainage analysis and hydrology/hydraulic engineering and review
   c. Attend meetings, respond to comments, and support City staff at public hearings.

d. Provide written review comments and actionable items for recommended revisions.

4. Floodplain permit
Point of Contact: Shailee Jain, PE (Ph: 425-250-5211)

a. Provide development application reviews for compliance with floodplain management, specifically Chapter 14.12 (Floodplain Management) of City code and associated FEMA standards and requirements.
b. Attend meetings, respond to comments, and support City staff at public hearings.
c. Provide written review comments and actionable items for recommended revisions.

5. Landscaping and Visual Resource Management Services
Point of Contact: Jason Morse, PLA, (Ph: 425-250-5219)

a. Prepare or review plans for compliance with NBMC Title 18 (Zoning) related to landscaping or similar.
b. Streetscape Visioning and Design
c. Support City staff in visual resource management (VRM) and impacts analysis during SEPA reviews.
d. Assess trees for health and risk of failure
e. Assessment of vegetation for maintenance or enhancement.
f. Onsite monitoring of tree protection specification for compliance and landscape plantings and installation.
g. Tree evaluations for landscape appraisals.
h. Attend meetings, respond to comments, and support City staff at public hearings.
i. Provide written review comments and actionable items for recommended revisions.

6. Planning Support Services
Point of Contact: Cristina Haworth, AICP (Ph: 425-822-4446)

a. General Planning Support
b. Civil Engineering review and support
c. Comprehensive Plan Amendments
d. Zoning Code Amendments
e. Shoreline Master Program Amendments
f. GIS/Graphic support
g. Park and Trail Planning and Design
h. Streetscape Visioning and Design
i. SEPA Compliance/Processing
j. Building Permit Review
k. Attend meetings, respond to comments, and support City staff at public hearings.
l. Provide written review comments and actionable items for recommended revisions.

EXHIBIT B:

COMPENSATION

All services requested by the City of North Bend will be paid for on a time and material basis. As an alternative, a scope of services and fee for these services will be mutually agreed upon between the City and the Consultant, and will require a written supplement (e.g. Task Order). All services will be performed in accordance with the following staff positions and hourly billing rates according to the Billing Rate Schedule (Table 1).

Table 1

Otak, Inc.
Billing Rates
Effective 6/1/2024

Labor Category	Billing Rate
Sr. PIC/ Sr. PM Architecture	310.80
PIC/Sr. PM Architecture	269.85
Sr. PM - Architecture	241.50
Studio Leader	221.55
Architect VI	203.70
Architect V	177.45
Architect IV	165.90
Architect III	144.90
Architect II	137.55
Architect I	115.50
Technician VI	172.20
Technician V	138.60
Technician IV	112.35
Technician III	98.70
Technician II	84.00
Technician I	79.80
Sr. PIC/Sr. PM Civil	310.80
PIC/Sr. PM Civil	273.00
Civil Engineer X	227.85
Civil Engineer IX	211.05
Civil Engineer VIII	189.00
Civil Engineer VII	171.15
Civil Engineer VI	162.75
Civil Engineer V	152.25
Civil Engineer IV	139.65
Civil Engineer III	123.90
Civil Engineer II	113.40
Civil Engineer I	103.95
Engineering Designer V	135.45
Engineering Designer IV	123.90
Engineering Designer III	107.10
Engineering Designer II	100.80
Engineering Designer I	89.25
Engineering Tech VII	164.85
Engineering Tech VI	137.55
Engineering Tech V	126.00
Engineering Tech IV	113.40
Engineering Tech III	93.45
Engineering Tech II	81.90
Engineering Tech I	71.40
PIC/Sr. CM	236.25
Construction Manager VI	220.50

Otak, Inc.
Billing Rates
Effective 6/1/2024

Labor Category	Billing Rate
Construction Manager V	196.35
Construction Manager IV	181.65
Construction Manager III	164.85
Construction Manager II	152.25
Construction Manager I	134.40
Field Representative VII	181.65
Field Representative VI	158.55
Field Representative V	144.90
Field Representative IV	118.65
Field Representative III	110.25
Field Representative II	97.65
Field Representative I	90.30
CM Documentation Specialist III	140.70
CM Documentation Specialist II	119.70
CM Documentation Specialist I	102.90
Sr. PIC/Sr. PM LA/Mst Pln	268.80
PIC/Sr. PM LA/Master Plan	236.25
Landscape Architect VII	193.20
Landscape Architect VI	173.25
Landscape Architect V	154.35
Landscape Architect IV	139.65
Landscape Architect III	131.25
Landscape Architect II	118.65
Landscape Architect I	103.95
Landscape Technician III	108.15
Landscape Technician II	94.50
Landscape Technician I	79.80
Planner VI	199.50
Planner V	183.75
Planner IV	164.85
Planner III	155.40
Planner II	139.65
Planner I	110.25
Planner Associate IV	143.85
Planner Associate III	111.30
Planner Associate II	97.65
Planner Associate I	79.80
Sr. GIS Specialist - Planner	130.20
GIS Specialist - Planner	115.50
Sr. Project Director	278.25
Analyst IV	158.55

Otak, Inc.
Billing Rates
Effective 6/1/2024

Labor Category	Billing Rate
Analyst III	133.35
Analyst II	113.40
Analyst I	101.85
PIC/Scientist	242.55
Scientist VI	218.40
Scientist V	175.35
Scientist IV	158.55
Scientist III	137.55
Scientist II	112.35
Scientist I	96.60
Environmental Specialist	148.05
PIC/PLS Sr. Manager	264.60
Professional Land Surveyor V	213.15
Professional Land Surveyor IV	179.55
Professional Land Surveyor III	163.80
Professional Land Surveyor II	145.95
Professional Land Surveyor I	137.55
Survey Crew Chief III	135.45
Survey Crew Chief II	112.35
Survey Crew Chief I	101.85
Survey Office Technician IV	140.00
Survey Office Technician III	117.60
Survey Office Technician II	105.00
Survey Office Technician I	93.45
Survey Field Technician III	89.25
Survey Field Technician II	85.05
Survey Field Technician I	75.60
Graphics Specialist	127.05
Project Coordinator II	145.95
Project Coordinator I	115.50
Project Admin. Asst	93.45

EXHIBIT C:

TAXPAYER IDENTIFICATION NUMBER

CITY OF NORTH BEND
920 SE Cedar Falls Way
North Bend, WA 98045
Phone: (425) 888-1211
FAX: (425) 831-6200

In order for you to receive reimbursement from the City of North Bend, we must have either a Taxpayer Identification Number or a Social Security Number. The Internal Revenue Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires us to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of North Bend before or along the submittal of the first billing voucher.

Please check the appropriate category:

X Corporation ___ Partnership ___ Government Agency

___ Individual/Sole Proprietor ___ Other (please explain)

TIN#: 91-1324129

SS#: ___-___-____

Print Name: Jeffrey P. Gray

Print Title: Project Manager

Business Name: Otak, Inc.

Business Address: 12241 Willows Road NE, Suite 200, Redmond, WA 98052

Business Phone: 425-822-4446

EXHIBIT D:

CITY OF NORTH BEND
IDENTITY THEFT PREVENTION PROGRAM

I. PROGRAM ADOPTION

The City of North Bend developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with the oversight and approval of the City's Finance Director. After consideration of the size and complexity of the City's operations and account systems, and the nature and scope of the City's activities, the City Council determined that this Program was appropriate for the City, and therefore approved this Program by the adoption of Ordinance No.1351 on the 21 day of April, 2009.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling Requirements of the Red Flags Rule. Under the Red Flags Rule, every financial institution and creditor is required to establish an identity theft prevention program tailored to its size, complexity and the nature of its operation. The Program must contain reasonable policies and procedures to:

- Identify relevant red flags as defined in the Rule and this Program for new and existing covered accounts, and incorporate those red flags into the Program;
- Detect red flags that have been incorporated into the Program;
- Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
- Update the Program periodically to reflect changes in risks to customers or to the safety and soundness of the City from identity theft.

B. Red Flags Rule Definitions Used in this Program. For the purposes of this Program, the following definitions apply:

"Account" means a continuing relationship established by a person with a creditor to obtain a product or service for personal, family, household or business purposes.

"Covered account" means:

1. Any account the City offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the City offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the City from identity theft.

"Creditor" has the same meaning as defined in Section 701 of the Equal Credit Opportunity Act, 15 U.S.C. 1691a, and includes a person or entity that arranges for the extension, renewal or continuation of credit, including the City.

"Customer" means a person or business entity that has a covered account with the City.

"Financial institution" means a state or national bank, a state or federal savings and loan association, a mutual savings bank, a state or federal credit union, or any other entity that holds a "transaction account" belonging to a customer.

"Identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identity a specific person, including name, address, telephone number, social security number, date of birth, government passport number, employer or taxpayer identification number or unique electronic identification number.

"Identity theft" means fraud committed using the identifying information of another person.

"Red flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

"Service provider" means a person or business entity that provides a service directly to the City relating to or in connection with a covered account.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant red flags, the City shall review and consider the types of covered accounts that it offers and maintains, the methods it provides to open covered accounts, the methods it provides to access its covered accounts, and its previous experiences with identity theft. The City identifies the following red flags, in each of the listed categories:

A. Notification and Warnings from Credit Reporting Agencies – Red Flags.

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents – Red Flags.

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information – Red Flags.

- Identifying information presented that is inconsistent with other information the customer provides (such as inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a driver's license);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;

- Failing to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- Identifying information which is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account – Red Flags.

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (such as very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the City that a customer is not receiving mail sent by the City;
- Notice to the City that an account has unauthorized activity;
- Breach in the City's computer system security; and
- Unauthorized access to or use of customer account information.

E. Alerts from Others – Red Flag.

- Notice to the City from a customer, a victim of identity theft, a law enforcement authority or other person that it has opened or is maintaining a fraudulent account for a person engaged in identity theft.

IV. DETECTING RED FLAGS

A. New Accounts. In order to detect any of the red flags identified above associated with the opening of a **new account,** City personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
- Independently contact the customer.

B. Existing Accounts. In order to detect any of the red flags identified above for an **existing account,** City personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event City personnel detect any identified red flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the red flag:

A. Prevent and Mitigate Identity Theft.

- Monitor a covered account for evidence of identity theft;

- Contact the customer with the covered account;
- Change any passwords or other security codes and devices that permit access to a covered account;
- Not open a new covered account;
- Close an existing covered account;
- Reopen a covered account with a new number;
- Not attempt to collect payment on a covered account;
- Notify the Finance Director for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

B. Protect Customer Identifying Information. In order to further prevent the likelihood of identity theft occurring with respect to City accounts, the City shall take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Secure the City website but provide clear notice that the website is not secure;
- Undertake complete and secure destruction of paper documents and computer files containing customer information;
- Make office computers password protected and provide that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer identifying information;
- Request only the last 4 digits of social security numbers (if any);
- Maintain computer virus protection up to date; and
- Require and keep only the kinds of customer information that are necessary for City purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight. The Finance Director or other designated city employee at the level of senior management shall be responsible for developing, implementing, and updating the Program.

The Finance Director shall also be responsible for the Program administration, for appropriate training of City staff on the Program, for reviewing the annual staff report required under the Program, as well as any other staff reports regarding the detection of red flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the Program.

B. Staff Training and Reports. City staff responsible for implementing the Program shall be trained either by or under the direction of the Finance Director in the detection of red flags, and the responsive steps to be taken when a red flag is detected. Additionally, a compliance report shall be provided annually to the Finance Director. The annual compliance report shall at a minimum address the following:

1. The effectiveness of the City's policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
2. Service provider arrangements;
3. Significant incidents involving identity theft and the City's response; and
4. Recommendations for material changes to the Program.

C. Service Provider Arrangements. In the event the City engages a service provider to perform an activity in connection with one or more covered accounts, the City shall take the following steps to require that the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the Program and with all instructions and directives issued by the Finance Director relative to the Program; or
- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the service provider's identity theft prevention program and will take appropriate action to prevent and mitigate identity theft; and that the service providers agree to report promptly to the City in writing if the service provider in connection with a City covered account detects an incident of actual or attempted identity theft or is unable to resolve one or more red flags that the service provider detects in connection with a covered account.

D. Customer Identifying Information and Public Disclosure. The identifying information of City customers with covered accounts shall be kept confidential and shall be exempt from public disclosure to the maximum extent authorized by law, including RCW 42.56.230(4). The City Council also finds and determines that public disclosure of the City's specific practices to identity, detect, prevent, and mitigate identify theft may compromise the effectiveness of such practices and hereby direct that, under the Program, knowledge of such specific practices shall be limited to the Finance Director and those City employees and service providers who need to be aware of such practices for the purpose of preventing identity theft.

VII. PROGRAM UPDATES

The Program will be periodically reviewed and updated to reflect changes in risks to customers and to the safety and soundness of the City from identity theft. The Finance Director shall at least annually review the annual compliance report and consider the City's experiences with identity theft, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the City maintains and changes in the City's business arrangements with other entities and service providers. After considering these factors, the Finance Director shall determine whether changes to the Program, including the listing of red flags, are warranted. If warranted, the Finance Director shall present the recommended changes to the City Council for review and approval.

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-114	
Motion Authorizing a Contract Amendment with LDC, Inc. for On-Call Comprehensive Plan Assistance	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – Jamie Burrell	X
Cost Impact: $10,000.00	Finance – Martin Chaw	
Fund Source:	Public Works – Mark Rigos, P.E.	
Timeline: Current to February 28, 2025		

Attachments: Amendment Scope of Work, Original Professional Services Agreement

SUMMARY STATEMENT:

The City currently has a Professional Services Agreement with LDC, Inc. ("LDC") in the amount of $15,000.00 for Comprehensive Plan Land Use Element Assistance. Due to Department of Commerce comments received by the City, minor amendments to the Land Capacity Analysis are needed, which will inform the Land Use and Housing Element updates. Other analyses as outline in the attached scope of work will also be performed and consultants will be available through Council adoption of the Comprehensive Plan.

Staff recommends the City Council authorize a contract amendment with LDC in an amount not to exceed $10,000, for a total contract amount of $25,000.00 and effective through February 28, 2025, to allow for the continued provision of LDC's services related to final 2024 Comprehensive Plan.

APPLICABLE BRAND GUIDELINES: Sustainably Managed Growth

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development Committee reviewed this agenda item at their October 15, 2024 meeting and recommended approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB24-114, authorizing the Mayor to execute a contract amendment with LDC, Inc. in an amount not to exceed $10,000.00, and in a form and content acceptable to the City Attorney.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

LDC Surveying Engineering Planning

October 3rd, 2024

City of North Bend
Attn: David Miller, City Administrator
920 SE Cedar Falls Way
North Bend, Washington 98045

RE: NORTH BEND COMP PLAN ASSISTANCE P24-105
SCOPE AMENDMENT REQUEST

Dear David:

Regarding the North Bend Comp Plan, additional consulting services have been requested following the receipt of comments on the draft Comprehensive Plan. The services and fees to be included in this change order are as follows:

TASK 2 – FINAL COMP PLAN ASSISTANCE (NEW TASK)

Current Budget:	N/A
Proposed Increase:	$10,000
Task Total:	$10,000

☒ Time/Expense ☐ Fixed Fee

This will include the following:

- Revised Land Capacity Analysis show capacity for Emergency Housing
- Preparation of a narrative addressing "Adequate Provisions" as outlined in RCW 36.70A.070(2)(d)
- Preparation of a Racially Disparate Impacts memorandum addressing racially disparate impacts, displacement, and exclusion in housing as outlined in RCW 36.70A.070(2)(e-h)
- General Comprehensive Plan assistance upon request
- As-needed coordination with the City and its elected or appointed officials to complete these efforts

TASK ASSUMPTIONS:

- Public engagement outside of addressing feedback that may be received by the general public at regularly scheduled public meetings and presentations of draft materials to the City's elected and appointed officials is not included within these services
- Additional scope may be added to this task upon written permission from the City

Prior to commencement, LDC requires signed approval on this Change Order. Please do not hesitate to contact me if you have any questions regarding the enclosed. LDC would like to thank you for your continued business and consideration.

Sincerely,

Yeni Li, AIA, LEED AP
Senior Planner
LDC, INC.

20210 142nd Avenue NE • Woodinville, WA 98072 • ph: 425.806.1869 • fx: 425.482.2893 • www.LDCcorp.com

PROFESSIONAL SERVICES AGREEMENT
BY AND BETWEEN THE CITY OF NORTH BEND
AND LDC, INC

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into this 1st day of April, 2024, by and between the City of North Bend, a municipal corporation of the State of Washington ("City") and **LDC, Inc**, a corporation ("Consultant") in consideration of the mutual benefits and conditions contained herein.

WHEREAS, City has determined a need to have certain services performed for its citizens; and

WHEREAS, Consultant is in the business of performing such services, which are described below; and

NOW, THEREFORE, the parties hereby agree as follows:

1. **Scope of Services**. Consultant shall perform those services described on **Exhibit A** attached hereto, which is incorporated by this reference as if fully set forth. All such services will be rendered with the degree of skill and care exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same or similar locale, and in compliance with all federal, state, and local statutes, rules, and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith.

2. **Compensation and Method of Payment**. Consultant will invoice City monthly based upon the fee schedule set forth in **Exhibit B** attached hereto, which is incorporated by this reference as if fully set forth. Should the Consultant perform Services under this Agreement in 2025, the Consultant will invoice City monthly based upon the Consultant's revised rates reflected in its 2025 Rate Sheet. Consultant shall be paid a total amount not to exceed FIFTEEN THOUSAND DOLLARS AND 00/100 ($15,000) without written modification of this Agreement signed by City. City shall pay Consultant for services rendered under this Agreement within ten (10) days after City Council voucher approval. Consultant agrees to complete and return the attached **Exhibit C** (Taxpayer Identification Number) to City prior to or along with the first invoice.

3. **Duration of Agreement**. This Agreement shall be in full force and effect for a period commencing March 29, 2024 and ending February 28, 2025 unless earlier terminated in accordance with Section 11 herein or extended by written amendment in accordance with Section 14 herein.

4. **Ownership, Form, and Use of Documents**. All documents, drawings, specifications, and other materials produced by Consultant in connection with the services rendered under this Agreement shall be the property of City whether the project for which they are made is executed or not. Except as otherwise stated in Exhibit A, Consultant shall provide to City all final documents, reports, or studies in printed and electronic form, upon full payment to Consultant on any balances due. Unless otherwise directed in writing by City, all final documents, reports, or studies shall be provided to City in both a PDF and Word format. Where applicable, all Complete Plan Set Drawings shall include all Specifications and shall be submitted to City in the most updated version of AutoCAD in an unrestricted format and in accordance with City Code. Consultant shall not be responsible for any use or modifications of said documents, drawings, specifications, or other materials by City or its representatives for any purpose other than the project specified in this Agreement.

5. **Independent Contractor**. City and Consultant agree that Consultant is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be

considered to create an employer-employee relationship between the parties hereto. Neither Consultant nor any of Consultant's employees shall be entitled, by virtue of the services provided under this Agreement, to any benefits afforded to City employees. City shall not be responsible for paying, withholding, or otherwise deducting any customary state or federal payroll deductions, including but not limited to FICA, FUTA, state industrial insurance, state workers' compensation, or for otherwise assuming the duties of an employer with respect to Consultant or Consultant's employees.

6. **Indemnification**. Consultant shall indemnify, defend, and hold harmless City, its officers, officials, employees and volunteers from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of City.

   Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Consultant and City, its officers, officials, employees, and volunteers, Consultant's liability hereunder—including the duty and cost to defend—shall be only to the extent of Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes Consultant's waiver of immunity under *Industrial Insurance*, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

7. **Insurance**. Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit Consultant's liability to the coverage provided by such insurance, or otherwise limit City's recourse to any remedy available at law or in equity.

   A. Scope of Required Insurance. Consultant shall maintain insurance of the types and coverage described below:

      1. **Automobile liability insurance**, with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident, covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

      2. **Commercial general liability insurance**, written with limits no less than $1,000,000 each occurrence, $2,000,000 general aggregate, which shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent Consultants and personal injury and advertising injury. City shall be named as an additional insured under Consultant's Commercial General Liability insurance policy with respect to the work performed for City, using an additional insured endorsement at least as broad as ISO CG 20 26.

      3. **Professional liability insurance** appropriate to Consultant's profession, written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

      4. **Workers' compensation coverage** as required by the Industrial Insurance laws of the State of Washington.

B. Additional Insurance Provisions. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII. Consultant's automobile liability and commercial general liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respects City. Any insurance, self-insurance, or self-insured pool coverage maintained by City shall be excess of Consultant's insurance and shall not contribute with it. Consultant shall provide City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.

C. Certificates of Insurance. Within fifteen (15) days of the execution of this Agreement, Consultant shall deliver original certificates and a copy of amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance coverage required by this Section 7.

D. Failure to Maintain Insurance. Consultant's failure to maintain insurance as required shall constitute a material breach of this Agreement, upon which City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate this Agreement or, at its sole discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to City on demand, or at the sole discretion of City, offset against funds due Consultant from City.

E. Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimums shown above, City shall be insured for the full available limits of Commercial General and excess or umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this Agreement or whether any certificate of insurance furnished to City evidences limits of liability lower than those maintained by Consultant.

8. Recordkeeping and "Red Flag" Rules.

A. Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. Consultant shall also maintain such other records as may be deemed necessary by City to ensure proper accounting of all funds contributed by City to the performance of this Agreement and of the parties' compliance with this Agreement.

B. These records shall be maintained for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by City.

C. Consultant acknowledges receipt of and agrees to adhere to City's Identity Theft Prevention Program ("Red Flag" rules), a copy of which is attached hereto as **Exhibit D**.

9. Taxes, Licenses and Permits.

A. Consultant shall procure and maintain a City business license in accordance with Chapter 5.04 NBMC, *Business Licenses and Business and Occupation Tax*, prior to beginning work under this Agreement. Consultant assumes responsibility for and ensures that all contractors, subcontractors and suppliers shall also obtain a City business license.

B. Consultant acknowledges that it is responsible for the payment of all charges and taxes applicable to the services performed under this Agreement, including taxes and fees assessed pursuant to Chapters 5.04 and 5.05 NBMC, and Consultant agrees to comply with all applicable laws regarding the reporting of income and maintenance of records, and with all other requirements and obligations imposed pursuant to applicable law. If City does not receive, or is assessed, made liable, or responsible in any manner for such charges or taxes, Consultant shall reimburse and hold City harmless from such costs, including attorneys' fees. Consultant shall also require all contractors, subcontractors and suppliers to pay all charges and taxes in accordance with this Section 9.

C. In the event Consultant fails to pay any taxes, assessments, penalties, or fees imposed by City or any other governmental body, then Consultant authorizes City to deduct and withhold and/or pay over to the appropriate governmental body those unpaid amounts upon demand by the governmental body. This provision shall, at a minimum, apply to taxes and fees imposed by City ordinance. Any such payments shall be deducted from Consultant's total compensation.

10. **Audits and Inspections**. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review, or audit by law during the term of this Agreement. City shall have the right to conduct an audit of Consultant's financial statement and condition and to a copy of the results of any such audit or other examination performed by or on behalf of Consultant.

11. **Termination**. This Agreement may be terminated by City or Consultant at any time upon thirty (30) days' written notice; provided, that if Consultant's insurance coverage is canceled for any reason, City shall have the right to terminate this Agreement as provided in Subsection 7(D) herein.

12. **Discrimination Prohibited**. Consultant shall not discriminate against any employee, applicant for employment, or any person seeking Consultant's services under this Agreement on the basis of race, color, religion, creed, sex, age, national origin, marital status, or presence of any sensory, mental, or physical handicap.

13. **Assignment and Subcontract**. Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of City.

14. **Entire Agreement; Modification**. This Agreement contains the entire agreement between the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind any of the parties hereto. Proposed changes which are mutually agreed upon shall be incorporated by written amendments or addenda signed by both parties.

15. **Notices**. Notices required hereunder shall be delivered via certified U.S. mail to the addresses below:

To the City of North Bend:
David Miller, City Administrator
City of North Bend
920 SE Cedar Falls Way
North Bend, Washington 98045
Phone: (425) 888-1211

To Consultant:

Kim Mahoney
Principal Planner
LDC, Inc.
20210 142nd Ave NE
Woodinville, WA 98072
Phone: 425-806-1869

16. **Security**. Consultant will protect confidential information provided by City pursuant to this Agreement by adhering to policies governing physical, electronic, and managerial safeguards against unauthorized access to an unauthorized disclosure of confidential information. Security standards shall meet or exceed Washington State Office of the Chief Information Officer Standard No. 141.10. Only authorized employees of Consultant shall have access to City's confidential information, and only for the purposes specified in this Agreement. Consultant shall, within 24 hours of discovery, report to City any use, access to or disclosure of City's confidential information not previously authorized by City.

17. **Applicable Law; Venue; Attorneys' Fees**. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Agreement, the parties specifically understand and agree that venue shall be properly and exclusively in King County, Washington. The prevailing party in any such action shall be entitled to its costs of suit, including attorneys' fees and expert witness fees.

BY THEIR SIGNATURES BELOW, the authorized agents of the parties enter into this Agreement as of the day and year first written above.

CITY OF NORTH BEND

By: _____
Mary Miller, Mayor

LDC, Inc

By: _____
Kim Mahoney, Principal Planner

Attest/Authenticated:

_____
Susie Oppedal, City Clerk

Approved As To Form:

_____
Kendra Rosenberg, City Attorney

EXHIBIT A:

SCOPE OF SERVICES

Consultant shall furnish and perform services including, but not limited to, the description of work and deliverable items indicated below.

1. **Project Title**: Comprehensive Plan Land Use Element Assistance

2. **Supervising Staff**. Consultant's main point of contact at City will be **Rebecca Deming, Community Development Director**, who can be reached at 425-888-7646 or rdeming@northbendwa.gov, or such other personnel as City may designate from time to time.

3. **Description of Work**. These services generally include an analysis of the City's Comprehensive Plan Land Use Element and recommendations for updates needed to support its 2024 adoption. Specific efforts include:
   - updating and preparing a revised Land Capacity Analysis to include commercially-zoned parcels;
   - preparing a gap analysis which compares the current goals and policies within the City's Land Use Element of its Comprehensive Plan against the Vision 2050 countywide planning policies (CPPs) set forth by the Puget Sound Regional Council (PSRC) and identifies whether revised or new goals and policies need to be adopted by the City to align with CPPs;
   - preparation of draft goals and policies for adoption in the City's Land Use Element of its Comprehensive Plan and as-needed assistance with the preparation and review of City-prepared policies in related Elements of its Comprehensive Plan;
   - update of the City's Land Use Element of its Comprehensive Plan to include all components required, as per the Growth Management Act set forth in the Washington Administrative Code;
   - preparation of the PSRC consistency tool, and;
   - as-needed coordination with the City and its elected or appointed officials to complete these efforts.

   Public engagement outside of addressing feedback that may be received by the general public at regularly scheduled public meetings and presentations of draft materials to the City's elected and appointed officials is not included within these Services.

EXHIBIT B:

COMPENSATION

2024 RATE SHEET | STANDARD FEE SCHEDULE

LDC | Surveying Engineering Planning

The below list contains a schedule of fees for services performed by Land Development Consultants, Inc.

STAFF TYPE	RATE
Principal/Director	$255
Senior Project Manager	$230
Project Manager	$209
Senior Project Engineer	$200
Project Engineer	$190
Site Acquisition II	$187
Design Engineer	$167
Associate Project Manager	$155
E.I.T.	$144
Principal Policy Planner	$300
Planning Manager	$219
Senior Planner	$193
Planner	$169
Associate Planner	$147
Permit Technician	$123
Senior Land Surveyor	$212
Professional Land Surveyor	$195
Survey Field Manager	$193
Project Surveyor	$171
Senior Survey Technician	$161
Chief of Parties	$184
Survey Technician	$144
Survey Crew Chief II	$173
Survey Crew Chief I	$144
Survey Assistant	$102
Senior Designer	$190
Site Acquisition II	$187
Senior CAD Technician	$163
CAD Technician III	$150
CAD Technician II	$139
CAD Technician I	$126
Expert Witness	$530
Project Administrator	$123
Clerical / Intern	$91

REIMBURSABLES	RATE
Outside Services	Cost + 15%
Mileage	IRS Standard +15%
Plotting Color (24" x 36")	$17.00 each
Plotting Black and White (24" x 36")	$3.00 each
Color (11" x 17")	$3.00 each

This standard fee schedule is subject to adjustment to reflect increased costs due to inflation.
Effective 01/01/2024

Service ABOVE the Standard

20210 142nd Avenue NE • Woodinville, WA 98072 • ph: 425.806.1869 • fx: 425.483.2843 • www.LDCcorp.com

EXHIBIT C:

TAXPAYER IDENTIFICATION NUMBER

CITY OF NORTH BEND
920 SE Cedar Falls Way
North Bend, WA 98045
Phone: (425) 888-1211
FAX: (425) 831-6200

In order for you to receive reimbursement from the City of North Bend, we must have either a Taxpayer Identification Number or a Social Security Number. The Internal Revenue Code requires a Form 1099 for payments to every person or organization other than a corporation for services performed in the course of trade or business. Further, the law requires us to withhold 20% on reportable amounts paid to unincorporated persons who have not supplied us with their correct Tax Identification Number or Social Security Number.

Please complete the following information request form and return it to the City of North Bend before or along the submittal of the first billing voucher.

Please check the appropriate category:

__X_ Corporation ___ Partnership ___ Government Agency

___ Individual/Sole Proprietor ___ Other (please explain)

TIN#: 9 1 - 2 1 8 4 1 9 3

SS#: _ _ _ - _ _ - _ _ _ _

Print Name: Kim Mahoney_____

Print Title: Principal Planner_____

Business Name: Land Development Consultants, Inc. (LDC, Inc.)_____

Business Address: 20210 142ND Ave NE, Woodinville, WA 98072_____

EXHIBIT D:

CITY OF NORTH BEND
IDENTITY THEFT PREVENTION PROGRAM

I. PROGRAM ADOPTION

The City of North Bend developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed with the oversight and approval of the City's Finance Director. After consideration of the size and complexity of the City's operations and account systems, and the nature and scope of the City's activities, the City Council determined that this Program was appropriate for the City, and therefore approved this Program by the adoption of Ordinance No.1351 on the 21 day of April, 2009.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling Requirements of the Red Flags Rule. Under the Red Flags Rule, every financial institution and creditor is required to establish an identity theft prevention program tailored to its size, complexity and the nature of its operation. The Program must contain reasonable policies and procedures to:

- Identify relevant red flags as defined in the Rule and this Program for new and existing covered accounts, and incorporate those red flags into the Program;
- Detect red flags that have been incorporated into the Program;
- Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
- Update the Program periodically to reflect changes in risks to customers or to the safety and soundness of the City from identity theft.

B. Red Flags Rule Definitions Used in this Program. For the purposes of this Program, the following definitions apply:

"Account" means a continuing relationship established by a person with a creditor to obtain a product or service for personal, family, household or business purposes.

"Covered account" means:

1. Any account the City offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the City offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the City from identity theft.

"Creditor" has the same meaning as defined in Section 701 of the Equal Credit Opportunity Act, 15 U.S.C. 1691a, and includes a person or entity that arranges for the extension, renewal or continuation of credit, including the City.

"Customer" means a person or business entity that has a covered account with the City.

"Financial institution" means a state or national bank, a state or federal savings and loan association, a mutual savings bank, a state or federal credit union, or any other entity that holds a "transaction account" belonging to a customer.

"Identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identity a specific person, including name, address, telephone number, social security number, date of birth, government passport number, employer or taxpayer identification number or unique electronic identification number.

"Identity theft" means fraud committed using the identifying information of another person.

"Red flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

"Service provider" means a person or business entity that provides a service directly to the City relating to or in connection with a covered account.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant red flags, the City shall review and consider the types of covered accounts that it offers and maintains, the methods it provides to open covered accounts, the methods it provides to access its covered accounts, and its previous experiences with identity theft. The City identifies the following red flags, in each of the listed categories:

A. Notification and Warnings from Credit Reporting Agencies – Red Flags.

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or applicant;
- Notice or report from a credit agency of an active duty alert for an applicant; and
- Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.

B. Suspicious Documents – Red Flags.

- Identification document or card that appears to be forged, altered or inauthentic;
- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as a person's signature on a check appears forged); and
- Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information – Red Flags.

- Identifying information presented that is inconsistent with other information the customer provides (such as inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a driver's license);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;

- Failing to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- Identifying information which is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account – Red Flags.

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (such as very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the City that a customer is not receiving mail sent by the City;
- Notice to the City that an account has unauthorized activity;
- Breach in the City's computer system security; and
- Unauthorized access to or use of customer account information.

E. Alerts from Others – Red Flag.

- Notice to the City from a customer, a victim of identity theft, a law enforcement authority or other person that it has opened or is maintaining a fraudulent account for a person engaged in identity theft.

IV. DETECTING RED FLAGS

A. New Accounts. In order to detect any of the red flags identified above associated with the opening of a **new account,** City personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
- Independently contact the customer.

B. Existing Accounts. In order to detect any of the red flags identified above for an **existing account,** City personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event City personnel detect any identified red flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the red flag:

A. Prevent and Mitigate Identity Theft.

- Monitor a covered account for evidence of identity theft;
- Contact the customer with the covered account;

- Change any passwords or other security codes and devices that permit access to a covered account;
- Not open a new covered account;
- Close an existing covered account;
- Reopen a covered account with a new number;
- Not attempt to collect payment on a covered account;
- Notify the Finance Director for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

B. Protect Customer Identifying Information. In order to further prevent the likelihood of identity theft occurring with respect to City accounts, the City shall take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Secure the City website but provide clear notice that the website is not secure;
- Undertake complete and secure destruction of paper documents and computer files containing customer information;
- Make office computers password protected and provide that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer identifying information;
- Request only the last 4 digits of social security numbers (if any);
- Maintain computer virus protection up to date; and
- Require and keep only the kinds of customer information that are necessary for City purposes.

VI. PROGRAM ADMINISTRATION

A. Oversight. The Finance Director or other designated city employee at the level of senior management shall be responsible for developing, implementing, and updating the Program.

The Finance Director shall also be responsible for the Program administration, for appropriate training of City staff on the Program, for reviewing the annual staff report required under the Program, as well as any other staff reports regarding the detection of red flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances, and considering periodic changes to the Program.

B. Staff Training and Reports. City staff responsible for implementing the Program shall be trained either by or under the direction of the Finance Director in the detection of red flags, and the responsive steps to be taken when a red flag is detected. Additionally, a compliance report shall be provided annually to the Finance Director. The annual compliance report shall at a minimum address the following:

1. The effectiveness of the City's policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
2. Service provider arrangements;
3. Significant incidents involving identity theft and the City's response; and
4. Recommendations for material changes to the Program.

C. Service Provider Arrangements. In the event the City engages a service provider to perform an activity in connection with one or more covered accounts, the City shall take the following steps to require that

the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the Program and with all instructions and directives issued by the Finance Director relative to the Program; or
- Require, by contract, that service providers acknowledge receipt and review of the Program and agree to perform their activities with respect to City covered accounts in compliance with the terms and conditions of the service provider's identity theft prevention program and will take appropriate action to prevent and mitigate identity theft; and that the service providers agree to report promptly to the City in writing if the service provider in connection with a City covered account detects an incident of actual or attempted identity theft or is unable to resolve one or more red flags that the service provider detects in connection with a covered account.

D. Customer Identifying Information and Public Disclosure. The identifying information of City customers with covered accounts shall be kept confidential and shall be exempt from public disclosure to the maximum extent authorized by law, including RCW 42.56.230(4). The City Council also finds and determines that public disclosure of the City's specific practices to identity, detect, prevent, and mitigate identify theft may compromise the effectiveness of such practices and hereby direct that, under the Program, knowledge of such specific practices shall be limited to the Finance Director and those City employees and service providers who need to be aware of such practices for the purpose of preventing identity theft.

VII. PROGRAM UPDATES

The Program will be periodically reviewed and updated to reflect changes in risks to customers and to the safety and soundness of the City from identity theft. The Finance Director shall at least annually review the annual compliance report and consider the City's experiences with identity theft, changes in identity theft methods, changes in identity theft detection and prevention methods, changes in types of accounts the City maintains and changes in the City's business arrangements with other entities and service providers. After considering these factors, the Finance Director shall determine whether changes to the Program, including the listing of red flags, are warranted. If warranted, the Finance Director shall present the recommended changes to the City Council for review and approval.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/04/24

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Tony Schultz
SCHULTZ AGENCY/WORLDWIDE INSURANCE NETWORK 12014 NE 132nd Ct Kirkland WA 98034	PHONE (A/C, No, Ext): (206) 949-6002 FAX (A/C, No): E-MAIL ADDRESS: theschultzagency@gmail.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : SCOTTSDALE INSURANCE COMPANY	41297
INSURER B : HARTFORD CASUALTY INSURANCE COMPANY	29424
INSURER C : LIBERTY MUTUAL	23043
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

LAND DEVELOPMENT CONSULTANTS, INC
20210 142ND AVE NE
WOODINVILLE, WA 98072

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	22SBAVW6890	07/08/2023	07/08/2024	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG [ ]	$ 2,000,000 $ 300,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
B	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY	Y	Y	22UECBH1784	07/08/2023	07/08/2024	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) [ ]	$ 1000000 $ $ $ $
B	[X] UMBRELLA LIAB [ ] OCCUR EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $	Y	Y	22SBAVW6890	07/08/2023	07/08/2024	EACH OCCURRENCE AGGREGATE [ ]	$ 5000000 $ 5000000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		WA STOP GAP	07/08/2023	07/08/2024	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
A/C	Professional Liability Inland Marine BMO(23)64868548			JES0000101	07/08/2023	07/08/2024	Each Occurance General Aggregate	$2,000,000 $2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

2024-2025 PSA

CERTIFICATE HOLDER

CITY OF NORTH BEND
920 SE CEDAR FALLS WAY
NORTH BEND WA 98045

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Anthony Schultz

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City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-115	
Motion Authorizing Contract with Site Workshop for the Taylor Park Gateway on Ballarat Avenue, North of William Taylor Park	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – James Henderson	
Cost Impact: $199,436 (not to exceed)	Finance – Martin Chaw	
Fund Source: General Fund (2023 City Council Decision Card approval toward funding improvements at Taylor Park)	Public Works – Mark Rigos, P.E.	X
Timeline: Immediate		
Attachments: Work Scope and Fee; Preferred Master Plan – Full Site (in color)		

SUMMARY STATEMENT:

In the coming years, there are five capital projects being proposed within or near William Taylor Park ("Taylor Park") in downtown North Bend. The four projects are the McClellan Alley Improvements, the Train Depot Improvements, the Train Track Re-Alignment, the Taylor Park Improvements, and the Taylor Park Gateway. This Agenda Bill focuses on the Tayor Park Gateway project ("Gateway Project"). The genesis of the Gateway Project was in 2023, when the North Bend City Council and City staff agreed that removing vehicles from Ballarat Avenue south of North Bend Way and creating a pedestrian only environment in that same location would benefit the public. This concept materialized when a consultant landscape architectural firm, Site Workship ("SW"), presented the idea of converting Ballarat Ave. from vehicle access to pedestrian-only access by SW who had been assisting the City with parking planning for Taylor Park in 2023. Although the Taylor Park Improvements are not scheduled to move forward to construction until 2027 at the earliest, the City's Transportation & Public Works ("TPW") Committee has demonstrated interest in prioritizing construction of the Gateway Project, located just north of Taylor Park in the Ballarat Avenue corridor, for the fall 2025 or sometime in 2026.

In early 2024, the City contracted with SW to brainstorm a wide range of ideas to improve the Gateway Project segment of the Ballarat Avenue corridor to become pedestrian only. SW provided five alternatives for this corridor, named the "Taylor Park Gateway". The Taylor Park Gateway dimensions are 60 feet wide by 100 feet long, and it is located east of North Bend Bar and Grill and west a Shell gas station convenience store. It is south of North Bend Way right-of-way ("ROW") and north of McClellan Alley ROW. As part of the future and separate McClellan Alley Improvements project, a safe pedestrian crossing will be placed across McClellan Alley to directly access the Train Depot as shown in the attached "Preferred Master Plan – Full Site" dated November 2023.

In mid-2024, SW recommended buffer plantings to shield vehicles on NBW, updated sidewalk / crosswalk, a telescope platform oriented to the top of Mt Si, a pondless waterfall feature, fixed seating and tables, a small stage for community events, catenary lighting (string lights), new paving (or pavers similar to the alley next to Volition or stamped concrete), associated storm drainage collection and native landscaping. The Taylor Park Gateway is in a wonderful spot to admire the unobstructed view of Mt Si, while having easy access to Taylor Park. Buffer plantings near the south curb of North Bend Way would act as a visual screen and buffer from vehicles traveling on NBW. The experience for the public will be better with this visual screen. The original contract with SW for the Gateway was $13,000 and has been fully expended at this time.

SW's ideas and alternatives were presented at 1-2 TPW Committee meetings in 2024, and Committee members showed an interest in attempting to fast-track the Gateway to construction in fall 2025. The

City Council Agenda Bill

Gateway should not conflict with the McClellan Alley project because the McClellan project is tentatively scheduled for construction in 2027. Improvements within the Train Depot building are scheduled for 2025. Improvements inside Taylor Park itself do not have a definitive timeline.

On April 23, 2024, the City Council agreed following the Decision Card process to allocate approximately $1.2 million of available general funds toward Taylor Park. In order to fund the Gateway, this agenda bill authorizes $199,436 from that amount for SW to prepare plans, specifications and estimates ("PS&Es") for the Gateway.

Prior to the PS&Es being completed, City staff will conduct public outreach with affected stakeholders that may influence some of the design. Once the PS&Es are completed, hopefully before summer 2025, the Gateway can be advertised for construction bids in summer 2025 and be constructed in fall 2025. City staff recommend approval of this contract to further this project.

APPLICABLE BRAND GUIDELINES: Consistent delivery of quality basic services including transportation and traffic management.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 22, 2024 Transportation and Public Works Committee meeting and was recommended for approval and placement on the Consent Agenda.

RECOMMENDED ACTION: **MOTION to approve AB24-115, authorizing the Mayor to execute a Professional Services Contract with Site Workshop for the Taylor Park Gateway on Ballarat Avenue, in an amount not to exceed $199,436, in a form and content approved by the City Attorney.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

Taylor Park Gateway

Landscape Architectural Services Proposal

October 1, 2024

Project Description

The primary purpose of this scope of work is to provide the City of North Bend (Client) with full design services for the Taylor Park Gateway project. Site Workshop will contract directly with the Client for these services.

This contract will create Plans, Specifications and Estimates (PS&E's) for the implementation of a Concept Plan for the pedestrianization of Ballarat Avenue as previously developed by Site Workshop. Specific elements to be included are described below.

Project Area

The project site is located in North Bend, WA and is the south western-most section of Ballarat Avenue South as it abuts the northeast edge of E. McClellan Street. The project is bound to the east by the south western curbline of East North Bend Way and will include a new curb line effectively closing Ballarat to traffic.

Project Team

The project team will include the following sub-consultants: Parametrix (Civil, electrical). Other consultants – like mechanical, geotechnical, survey or structural – to be engaged as needed as additional services.

Project Schedule

Notice to Proceed	Early October
Stakeholder Engagement / 30% Design	3 months: October- January 2025
PS&E's: 90% Design / Final	5 months: January – May 2025
Bidding & Contracting	3 months: June – August 2025
Construction	3 months: September – November 2025

Project Budget and MACC

The total project budget for the construction of the Taylor Park Gateway is TBD.

Project Scope

- The design will be based on the Ballarat Concept Plan Option A (attached.)
- The project will endeavor (budget permitting) to include the following elements: revised curbline and buffer plantings, new sidewalk / crosswalk, telescope, pond-less recirculating water feature, fixed seating and tables, stage, catenary lighting, new paving and associated drainage, landscaping.
- Additional improvements include storm drainage adjustments (connecting to the existing system assuming no water quality treatment), undergrounding of overhead power and water line replacement as needed, budget dependent.
- No parking will be provided.

Assumptions and Qualifications

- The project will be designed in one continuous effort per the above schedule. Pauses or other delays may result in additional services.
- Topographic survey will be provided by Client. Additional records and other knowledge of existing conditions – especially of utilities – to also be provided by Client. It will be critical to understand the underground conditions. Additional survey work may be required to document edge conditions and utilities. Surveyor to provide 3D surface and point file.
- The project is funded by the City and does not require special documentation or reporting that is typical of grant funded projects.
- Outreach will be managed by Client with support by Site Workshop as described below.
    - Business and property owner stakeholders include North Bend Bar and Grill, Shell Gas Station, North Bend Downtown Foundation, Northwest Railway Museum, North Bend Arts and Industry.
    - Strong coordination with City of North Bend TPW and Puget Sound Energy will be required.

  - Engagement will be limited to the above stakeholders, generally in one-to-one or small group meetings.
  - There will be one public engagement event in the form of an open house at conclusion of 30% Design.
- The project requires tight coordination with the adjacent McClellan Ave and Taylor Park improvement projects which will be in design concurrently.
- The site does not include any toxic or otherwise contaminated materials including soil.
- The project does not include any critical areas or outside agency permitting. All permits will be within the City of North Bend Public Works.
- The majority of the project area is on public property. It may be required to make small improvements to private property associated with the North Bend Bar and Grill and the Shell gas station. These improvements will be negotiated by the City.
- It is assumed that the project will include the undergrounding of overhead power and replacement of the existing asbestos concrete water main. This work will be at the direction of public works and PSE.
- The project will obtain approval from TPW and City Council prior to going to Bid.
- The existing accessible parking space will be shifted to McClellan and/or North Bend Way.
- New and replaced paving will require a brief review of conveyance and flow control but will not require water quality. The stormwater will tie into the existing underground system.
- Water feature may require a sewer connection. Sewer design is not included and will be contracted as additional service if necessary.
- The project milestones will be limited to 30%, 90% and 100% Design, including cost estimates at each deliverable.
- Bidding, contracting and construction administration will be led and managed by City.
- A Management Reserve fee will be added to the contract which can be activated to address any new scope that is not outlined within.
- All deliverables will be electronic. Printing of deliverables will be provided as requested and expensed separately from this fee.
- Drawings will be produced in AutoCAD .dwg and PDF format.
- Specifications and bid documents will be provided in WSDOT format and will conform to the City of North Bend's 2017 Public Works standards.

Exclusions

- Presentations at public hearings (City Council) or formal review committees not listed here or as an additional service.
- Geotechnical investigation, design and reporting for foundations and infiltration testing.
- Sewer design is excluded. If required by the water feature design will be contracted as additional service.
- Physical presentation models and professional illustrations are excluded except as additional service.
- Cultural Resources and Archeology consultation.
- Survey and geotechnical consulting.
- Design or improvements beyond the project boundaries as stated above.
- Redesign of private property except as required for these improvements to meet and match existing conditions.
- Design, documentation or permitting related to Federalized funding and associated parameters.
- Research, design, and application in support of any "green certification" not listed above.
- All work associated with hazardous waste or contaminated soil.
- Plan processing or cost of permits and fees.

Basic Services

<u>30% Design / Schematic Design</u>

Taylor Park Gateway

Landscape Architectural Services Proposal

October 1, 2024

The purpose of 30% Design / Schematic Design is to fix and describe the size and character of the improvements. Scope of work to include: A single 30% Design document package including Plans, Preliminary Cost Estimate and illustrative graphics describing the concept.

Tasks of Work / Deliverables:

- Drawings. Drawings to be provided to Owner as CAD files and/or PDF format.
    - Site plan(s), sections, elevations, sketches to convey general program elements, layout, initial grading, materials, etc.
    - Civil site grading including sidewalk and crossings.
    - Water line replacement concept plan
    - Dry utility undergrounding concept plan
- Illustrative site plan and 1-3 visualizations and public open house boards.
- Up to four client meetings as needed
- Coordination with utility companies and city public works.
- Stakeholder meetings and graphic materials, including (1) presentation to the City Council (prime consultant only)
- Estimate of probable costs

60% Design / Design Development – Not Provided

90% Design Documents

Preparation of (1) document packages including drawings and specifications, in sufficient detail to construct all aspects of the proposed development. Drawings to be submitted for Client review.

Tasks of Work/Deliverables:

- Respond to TPW and City Council comments. Revise drawings and specifications as required based on comments received.
- Provide responses and revise drawings and specifications as required with each subsequent deliverable.
- Drawings. Drawings to be provided to Owner as CAD files and/or PDF format.
    - Demolition / TESC Plans and details
    - Grading, drainage and utility plans including water and power (sewer excluded)
    - Material and layout plans for paving & striping, walls, ramps, site furnishings, lighting, water feature and site features
    - Construction details
    - Irrigation plans and details
    - Planting plans and details
- Up to four client meetings as needed
- Permit documents (90%) for site development and drainage permitting with City of North Bend.
- Technical Specifications in WSDOT standard.
- Cost Estimates

Final Bid Documents

Preparation of (1) document packages including drawings and specifications, in sufficient detail to construct all aspects of the proposed development. Drawings to be submitted for Client review.

Tasks of Work/Deliverables:

- Respond to TPW and City Council comments. Revise drawings and specifications as required based on comments received.
- Provide responses and revise drawings and specifications as required with each subsequent deliverable.
- Drawings. Drawings to be provided to Owner as CAD files and/or PDF format.
    - Demolition / TESC Plans and details

  - Grading, drainage and utility plans including water and power (sewer excluded)
  - Material and layout plans for paving & striping, walls, ramps, site furnishings, lighting, water feature and site features
  - Construction details
  - Irrigation plans and details
  - Planting plans and details
- Up to two client meetings as needed
- Final Bid Documents for publishing by City of North Bend
- Technical Specifications in WSDOT standard.
- Cost Estimates

Bidding and Construction Administration

Primary management of the construction contract and built work will be by the City of North Bend. Site Workshop will assist Client by participating in occasional progress meetings, reviewing and approving submittals and change order proposals; answering requests for information. Punch list to be prepared by the City.

Tasks of Work / Deliverables:

- Respond to RFI's during bidding and assistance with bid evaluation
- Attendance at one site walk.
- Review of submittals responses to Contractor questions and RFI's, as requested.
- Project closeout (including punch walk, back punch, etc) to be conducted by City.

Management Reserve

A management reserve fund is included to provide a readily available funding mechanism to address new scope items that may occur during design and construction. This task will only be utilized upon written approval by the Client.

Fee Summary

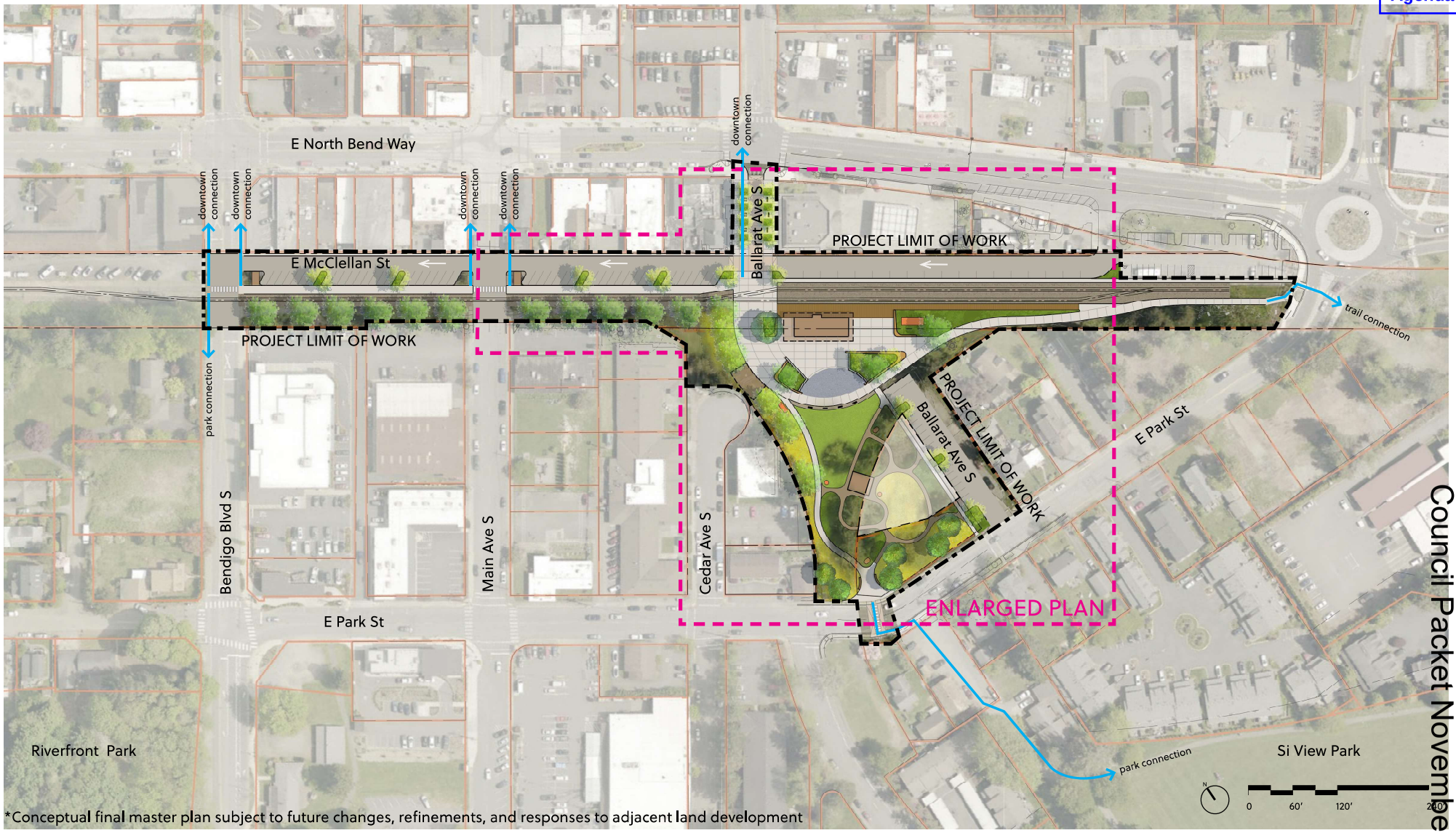
Site Workshop will contract directly with Client for the following proposed services, billed on an hourly, not-to-exceed basis.

Phase	Basis	Fee
Basic Services		
Task 1: 30% Design / Schematic Design	Not To Exceed	$76,060
Task 2: 90% Design Documents	Not To Exceed	$59,911
Task 3: Final Bid Documents	Not To Exceed	$42,285
Task 4: Bidding & Construction Administration	Not To Exceed	$11,180
Task 5: Management Reserve	Not To Exceed	$10,000
Subtotal		$199,436
Reimbursable Expenses	Not-to-Exceed	$0
Total		**$199,436**

HOURLY RATE SCHEDULE

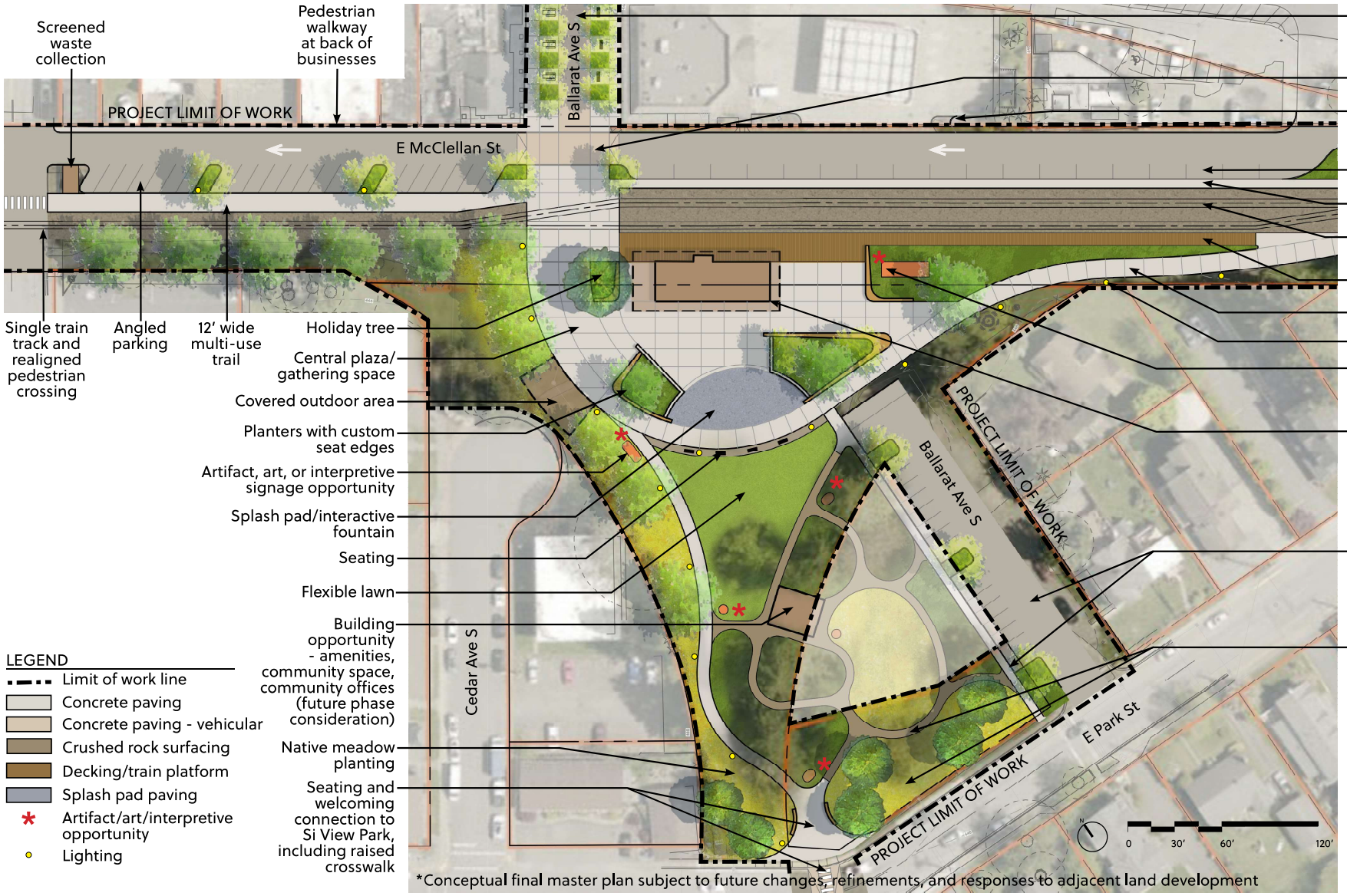
Personnel	*Hourly Rate*
Principal	$200
Project Manager / Landscape Architect	$160
Designer / Support	$120
Horticultural Support	$150
Technical/Admin	$100

Preferred Master Plan - Full Site



*Conceptual final master plan subject to future changes, refinements, and responses to adjacent land development

Preferred Master Plan - Enlarged Plan



*Conceptual final master plan subject to future changes, refinements, and responses to adjacent land development

North Bend Parks | November 2023

NORTH BEND
easy to reach. . .hard to leave

Office of Mayor

PROCLAMATION

WHEREAS, the City of North Bend honors those, no matter how young or old, that make a positive difference in our community and our world; and

WHEREAS, the Empower Youth Network's Youth Suicide Prevention program, which includes the *#BeKindSV* campaign, makes our schools, communities and state stronger by facilitating meaningful change through simple acts of kindness; and

WHEREAS, any day, week, or month is a good time to remind all of us of the need to remember that compassion, empathy, humility and respect are essential ingredients in the creation and maintenance of a kind and civilized society; and

WHEREAS, kindness is a fundamental part of the human condition which bridges the divides of race, religion, politics, and gender; and

WHEREAS, by knowing, understanding, and using our power of kindness, we have the ability to send out a positive ripple that may travel throughout the Valley and beyond; and

WHEREAS, when fostering acts of kindness within our community we help our citizens develop a thoughtful foundation and perspective within themselves and those around them; and

WHEREAS, through simple acts of kindness, we can promote healthy behaviors and positive dynamics within our community; and

WHEREAS, we seek to cultivate caring, kindness and compassion within our community;

NOW, THEREFORE, I, Mary Miller, Mayor, do hereby proclaim the month of November 2024 as

KINDNESS MONTH

in the City of North Bend and call upon all citizens to observe this month with appropriate acts of kindness, caring and compassion within our community.

NORTH BEND INCORPORATED MAR. 2, 1909 KING CO. WASH.

Signed this 5th day of November, 2024

Mary Miller

Mary Miller
Mayor

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-116	
Ordinance Amending North Bend Municipal Code Sections 18.10.030 and 18.10.050 Relating to Hotels, Emergency Shelters, Emergency Housing, Transitional Housing, and Permanent Supportive Housing	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm. & Economic Development – Jamie Burrell	X
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: N/A	Public Works – Mark Rigos	
Timeline: Immediate		

Attachments: Ordinance, Staff Reports and PC Recommendations

SUMMARY STATEMENT:

This proposed ordinance amends North Bend Municipal Code Section 18.10.030 (Permitted and Conditional Uses) and Section 18.10.050 (Performance Standards) to align with state requirements providing that indoor emergency shelters, indoor emergency housing, transitional housing and permanent supportive housing be permitted in any zones in which hotels are allowed. State law requires cities to zone for indoor emergency shelters and indoor emergency housing in either (1) all zones where hotels are allowed, or (2) a majority of zones within one-mile of transit. State law requires that permanent supportive housing and transitional housing be allowed where housing and hotels are allowed as they provide other options for affordable housing.

The Planning Commission held Public Hearings on August 21, 2024, and October 16, 2024, and recommended Council approval of the proposed amendments.

APPLICABLE BRAND GUIDELINES: consistent delivery of quality basic services

COMMITTEE REVIEW AND RECOMMENDATION: The Community and Economic Development ("CED") Committee reviewed this item at its September 17, 2024, and October 15, 2024, meetings and recommended approval of the amendments with placement on the Main Agenda for discussion. The CED Committee recommended maintaining EP-1 as an allowed use for hotels, which will also allow indoor emergency shelters, transitional housing, and permanent supportive housing in this zone.

RECOMMENDED ACTION: **MOTION to approve AB24-116, an ordinance amending North Bend Municipal Code Sections 18.10.030 and 18.10.050 relating to hotels, emergency shelters, emergency housing, transitional housing, and permanent supportive housing, as a first and final reading.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, RELATING TO HOTELS AND INDOOR EMERGENCY SHELTERS AND HOUSING AND TRANSITIONAL AND PERMANENT SUPPORTIVE HOUSING; AMENDING NBMC SECTIONS 18.10.030 RELATING TO ZONING DISTRICT PERMITTED AND CONDITIONAL USES; AMENDING NBMC SECTION 18.10.050 RELATING TO ZONING DISTRICT PERFORMANCE STANDARDS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council desires to amend certain zoning regulations to conform to the State's recent passage of Engrossed Second Substitute House Bill 1220 passed by the Legislature in 2021 relating to indoor emergency shelters and housing through local planning and development regulations; and

WHEREAS, City staff submitted proposed draft amendments to NBMC Section 18.30.030 and 18.30.050 to the Washington State Department of Commerce for review on July 1, 2024 with a follow up on September 25, 2024; and

WHEREAS, the Planning Commission reviewed these amendments at its August 21, 2024 meeting, and October 16, 2024 meeting and conducted a public hearing, and recommended approval; and

WHEREAS, the City Council finds that it is in the interest of the public health, safety and welfare to amend NBMC Sections 18.30.030 and 18.30.050 to require an operations and security plan for indoor emergency shelters and indoor emergency housing, density and occupancy restrictions for indoor emergency shelters and indoor emergency housing, and to permit indoor emergency shelters, indoor emergency housing, transitional housing and permanent supportive housing in certain areas of the City to comply with Engrossed Second Substitute House Bill 1220;

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

Section 1. NBMC Section 18.10.030 (Table of Permitted and Conditional Uses), Amended: The table set forth in North Bend Municipal Code Section 18.10.030 (Table of permitted and conditional uses) is hereby amended to include the following amendments to the rows for 2.16a Hotel; 2.42 Indoor Emergency Shelter; 2.43 Indoor Emergency Housing, 1.35 Transitional Housing; and 1.36 Permanent Supportive Housing. All other

text set forth in NBMC Section 18.10.030, including the table set forth therein, shall remain in full force and effect as currently adopted. The Code Reviser is authorized to insert and remove the amendments as reflected in underscore and strike-through, into Table 18.10.030 as shown below:

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
2.00 COMMERCIAL:													
2.16a	Hotel					~~P~~	See Chapter 18.12 NBMC	P	P	P	P	P	
* 2.42	Indoor Emergency Shelter				~~CUP~~	~~CUP~~	See Chapter 18.12 NBMC	~~CUP~~ P	~~CUP~~ P	~~CUP~~ P	P	P	~~CUP~~
* 2.43	Indoor Emergency Housing				~~CUP~~	~~CUP~~	See Chapter 18.12 NBMC	~~CUP~~ P	~~CUP~~ P	~~CUP~~ P	P	P	~~CUP~~
* 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	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	P	

Section 2. NBMC Section 18.10.050 (Table of Performance Standards), Amended:
The table set forth in North Bend Municipal Code Section 18.10.050 (Table of performance standards) is hereby amended to include the following amendments to the rows for commercial land uses (2.42 Indoor Emergency Shelter; 2.43 Indoor Emergency Housing, 1.35 Transitional Housing, and 1.36 Permanent Supportive Housing). All other text set forth in NBMC Section 18.10.050, including the table set forth therein, shall remain as currently adopted. The Code Reviser is authorized to insert and remove the amendments as reflected in underscore and strike-through into Table 18.10.050 as shown below:

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
2.00 COMMERCIAL:		
2.42	Indoor Emergency Shelter	a. ~~Conditional use permit required~~ The density of emergency housing or shelter within a facility shall not exceed the requirements of the underlying zoning designation. No occupied structures

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		may exceed occupancy limits set by the currently adopted building code.
		~~b. The occupancy of an indoor emergency shelter shall be limited to no more than 10 families or 40 people, whichever is fewer. There shall be no more than one continuously operating indoor emergency shelter in the city. As used herein, the phrase "continuously operating" is intended to exclude indoor emergency shelter facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (e.g., unusually hot or cold temperatures of short duration) that has caused unexpected homelessness within the city. No continuously operating indoor emergency shelter may be located within a half mile of a continuously operating indoor emergency housing facility as measured by the nearest point on one such property to the nearest point on the other. Indoor emergency shelters shall not be located within a half mile of permanent supportive housing or transitional housing units as measured by the nearest point on one such property to the nearest point on another.~~
		~~c.~~ b. An operations and security plan for emergency housing facilities shall be required that addresses potential security and neighborhood impacts within 500 feet of the emergency housing facility.
		~~d.~~ c. Must comply with all standards of the zone in which the indoor emergency shelter is located.
2.43	Indoor Emergency Housing	a. ~~Conditional use permit required~~ The density of emergency housing or shelter within a facility shall not exceed the requirements of the underlying zoning designation. No occupied structures may exceed occupancy limits set by the currently adopted building code.
		~~b. The occupancy of an indoor emergency housing facility shall be limited to no more than 10 families or 40 people, whichever is fewer. There shall be no more than one continuously operating indoor emergency housing facility within the city. As used herein, the phrase "continuously operating" is intended to exclude indoor emergency housing facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (e.g., unusually hot or cold temperatures of short duration)~~

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		~~that has caused unexpected homelessness within the city. No continuously operating indoor emergency housing facility may be located within a half mile of a continuously operating indoor emergency shelter as measured by the nearest point on one such property to the nearest point on the other. Indoor emergency housing facilities shall not be located within a half mile of permanent supportive housing or transitional housing units, as measured by the nearest point on one such property to the nearest point on another.~~
		b.~~c.~~ An operations and security plan for emergency housing facilities shall be required that addresses potential security and neighborhood impacts within 500 feet of the emergency housing facility.
		c.~~d.~~ Must comply with all standards of the zone in which the indoor emergency housing facility is located.
1.35	Transitional Housing	~~a. Conditional use permit required.~~
		~~b. 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. 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.~~
		~~c.~~ a. Must comply with all standards of the zone in which the transitional housing is located.
1.36	Permanent Supportive Housing	~~a. Conditional use permit required.~~

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	~~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.~~
	~~c.~~ a. Must comply with all standards of the zone in which the permanent supportive housing is located.

Section 3. 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 4. 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 5TH DAY OF NOVEMBER, 2024.

CITY OF NORTH BEND:

Mary Miller, Mayor

APPROVED AS TO FORM:

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published:
Effective:

_____
Susie Oppedal, City Clerk

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	~~a.~~ ~~Conditional use permit required.~~
		~~b.~~ ~~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. 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.~~
		~~c.~~ a. Must comply with all standards of the zone in which the transitional housing is located.
1.36	Permanent Supportive Housing	~~a.~~ ~~Conditional use permit required.~~

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	~~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.~~
	~~c.~~ a. Must comply with all standards of the zone in which the permanent supportive housing is located.

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 October 16, 2024 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. No comments were recevied.
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.

Staff Report and Planning Commission Recommendation
To Amend Municipal Code Chapter 18.10.030 and 18.10.050 related to Hotels, Emergency Shelters and Emergency Housing

Meeting Date: August 21, 2024

Proponent: City of North Bend

Staff Recommendation: A Motion to recommend City Council approval of the proposed Ordinance amending NBMC Chapter 18.10.030 Permitted and Conditional Uses pertaining to Hotels, Emergency Shelters and Emergency 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.

In 2021, the definitions of "emergency shelter" and "emergency housing" were modified under E2SHB 1220. The City adopted Ordinance 1756 on September 7, 2021 related to the definitions. A significant provision affecting zoning codes were made as part of this that a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed. The City proposes the following amendments to the permitted uses table below in order to adjust where hotels are allowed and reduce the need for Conditional Use Permits (CUP). Additionally, Performance Standards are amended for consistency with state law and to ensure public health and safety.

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
2.00 COMMERCIAL:													
2.16a	Hotel					~~P~~	See Chapter 18.12 NBMC	P	P	P	~~P~~	P	
* 2.42	Indoor Emergency Shelter				~~CUP~~	~~CUP~~	See Chapter 18.12 NBMC	~~CUP~~ P	~~CUP~~ P	~~CUP~~ P		P	~~CUP~~
* 2.43	Indoor Emergency Housing				~~CUP~~	~~CUP~~	See Chapter 18.12 NBMC	~~CUP~~ P	~~CUP~~ P	~~CUP~~ P		P	~~CUP~~

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

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
2.00 COMMERCIAL:		
2.42	Indoor Emergency Shelter	a. ~~Conditional use permit required~~ The density of emergency housing or shelter within a facility shall not exceed the requirements of the underlying zoning designation. No occupied structures may exceed occupancy limits set by the currently adopted building code.
		~~b. The occupancy of an indoor emergency shelter shall be limited to no more than 10 families or 40 people, whichever is fewer. There shall be no more than one continuously operating indoor emergency shelter in the city. As used herein, the phrase "continuously operating" is intended to exclude indoor emergency shelter facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (e.g., unusually hot or cold temperatures of short duration) that has caused unexpected homelessness within the city. No continuously operating indoor emergency shelter may be located within a half mile of a continuously operating indoor emergency housing facility as measured by the nearest point on one such~~

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		~~property to the nearest point on the other. Indoor emergency shelters shall not be located within a half mile of permanent supportive housing or transitional housing units as measured by the nearest point on one such property to the nearest point on another.~~
		c. An operations and security plan for emergency housing facilities shall be required that addresses potential security and neighborhood impacts within 500 feet of the emergency housing facility.
		d. Must comply with all standards of the zone in which the indoor emergency shelter is located.
2.43	Indoor Emergency Housing	a. ~~Conditional use permit required~~ The density of emergency housing or shelter within a facility shall not exceed the requirements of the underlying zoning designation. No occupied structures may exceed occupancy limits set by the currently adopted building code.
		~~b. The occupancy of an indoor emergency housing facility shall be limited to no more than 10 families or 40 people, whichever is fewer. There shall be no more than one continuously operating indoor emergency housing facility within the city. As used herein, the phrase "continuously operating" is intended to exclude indoor emergency housing facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency (e.g., unusually hot or cold temperatures of short duration) that has caused unexpected homelessness within the city. No continuously operating indoor emergency housing facility may be located within a half mile of a continuously operating indoor emergency shelter as measured by the nearest point on one such property to the nearest point on the other. Indoor emergency housing facilities shall not be located within a half mile of permanent supportive housing or transitional housing units, as measured by the nearest point on one such property to the nearest point on another.~~
		~~c.~~ b. An operations and security plan for emergency housing facilities shall be required that addresses potential security and neighborhood impacts within 500 feet of the emergency housing facility.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	~~d~~c. Must comply with all standards of the zone in which the indoor emergency housing facility is located.

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 Indoor Emergency Shelters and Housing.

VIII. Summary Findings:

1. The Planning Commission will consider the proposed amendments and held a public hearing on the draft regulations at their August 21, 2024 meeting. No comments were received at the hearing.
2. The Planning Commission voted to approve the amendments at their August 21, 2024 meeting.
3. Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on July 1, 2024.
4. A SEPA Determination of Non-Significance was issued August 30, 2024 with comment period ending September 16th. 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, attached in the Ordinance

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, attached Exhibit A.

Exhibit A – Ordinance

City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-117	
Resolution Authorizing Adoption of the Land Use Element Update for the 2024 North Bend Comprehensive Plan	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	CED Principal Planner - Mike McCarty	X
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	
Timeline: Immediate		

Attachments: Timeline of reviews, Resolution, Exhibit A – Draft Element (clean version), Staff Report and Planning Commission Recommendation containing Redline Version and Comments Received

SUMMARY STATEMENT:

As a part of the major 2024 update to the North Bend Comprehensive Plan, City Staff prepared amendments to the Land Use Element. Amendments include new and revised policies, land use designations, and zoning designations addressing recent legislation and various countywide and multicounty planning policies including updated housing and employment growth targets, incorporation of a new Natural Resources section to replace the existing separate Natural Resources Element, a land acknowledgement and Tribal coordination section, and associated minor edits to update outdated information.

An attachment to this Agenda Bill shows the extensive public outreach, Planning Commission, and Council review that has gone into the draft Land Use Element. The Planning Commission provided a recommendation to approve the amendments on September 18, 2024 following a public hearing at that meeting.

A clean version of the draft Land Use Element is attached along with the Resolution. The Staff Report also provides a redline version (showing all amendments and comments describing changes), together with public comments received.

City Staff recommend approval of the update to the Land Use Element as a critical and integrated component of the City's required Comprehensive Plan Update, which is necessary for maintaining grant eligibility from several state and PRSC managed grant sources. Over just the last 4 years, the City has relied on more than $12 million in State and PSRC managed grants for transportation, infrastructure, and park projects for both capital improvements and maintenance, while utilizing just over $2 million in City funds for these same projects. Looking forward into the near-term future, the City anticipates an additional $13 million+ in grant support to municipal projects on the Capital Improvement Plan. Maintaining eligibility for this grant funding with a current Comprehensive Plan consistent with GMA requirements is critical to the City's budget and its ability to deliver essential services to its citizens.

APPLICABLE BRAND GUIDELINES: Sustainably managed growth, consistent delivery of quality basic services, and commitment to invest in the City and foster community engagement and pride.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 22, 2024 City Council Workstudy.

RECOMMENDED ACTION: **MOTION to approve AB24-117, a resolution authorizing adoption of the Land Use Element for the 2024 North Bend Comprehensive Plan.**

City Council Agenda Bill

RECORD OF COUNCIL ACTION		
Meeting Date	***Action***	***Vote***
November 5, 2024		

Land Use Element Update Timeline: (note overlap in below, not a pure linear timeline)

Public Outreach

- May 2023 Mailing to all property owners in English and Spanish about Comp Plan update, including direction to sign up with Notify Me for future notifications, utility billing inserts, Channel 21 info.
- May 2023 Established Comp Plan Update Page on city website with draft Elements and Draft Zoning Map added as prepared.
- Articles in North Bend Business Bulletin and Mayor's Message newsletters.
- 1/3/24 Workshop on Land Use Element and direction for draft Zoning map.
- 7/20/24 Information booth at Block Party with info on LU Element and draft Zoning Map.
- 9/18/24 Public Hearing on LU Element, including mailing to all property owners who have property subject to proposed LU Designation and Zoning Amendments.
- 9/20/24 SEPA and comment period for Comp Plan adoption

Planning Commission Review

- March - May 2023 Housing Action Plan review (informs LU Element)
- 5/17/23: Discussed overall comp Plan Scope, need to accommodate growth targets.
- 10/18/23: Land Capacity Analysis and Alternatives for LU Designations and Zoning , approaches that provide least-impactful ways to increase density to address targets (following Council Workstudy direction)- PC recommendation on pursuing these alternatives.
- 1/3/24: Public Workshop
- 3/6/24: Consideration and recommendation on dockets concerning zoning map.
- 9/4/24: Introduction and deliberation on LU Element.
- 9/18/24: Hearing and PC recommendation on LU ELement.

Council Review

- 2/14/23 Workstudy on Housing Needs Assessment (informs LU Element).
- 8/29/23 Workstudy on Housing Action Plan (informs LU Element).
- 9/26/23 Workstudy introducing LU and Housing Elements, discussing ways to address growth targets, direction to identify least-impactful ways to increase density to address targets.
- 5/28/24 Workstudy on LU and Housing Elements - progress report and proposed zoning amendments.
- 10/22/24 Workstudy on LU and Housing Elements.
- 11/5/24 Proposed action: Pass resolution authorizing adoption with rest of Comp Plan.
- 12/3/24 Proposed action: Ordinance adopting Comp Plan.

- DEADLINE: 12/31/24 for submittal of adopted Comp Plan to Commerce.

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF THE LAND USE ELEMENT FOR THE 2024 NORTH BEND COMPREHENSIVE PLAN

WHEREAS, the City is required to prepare a Comprehensive Plan ("Plan") under the Growth Management Act ("the GMA") and is required by RCW 36.70A.040 to implement the Plan with development regulations that are consistent with the Plan; and

WHEREAS, RCW 36.70A.130 requires the City to review and, if needed, revise the Plan and development regulations on a periodic basis to ensure the Plan and regulations comply with the GMA and remain up-to-date; and

WHEREAS, City staff have prepared proposed amendments to the Land Use Element; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments to the Land Use Element on September 18, 2024; and

WHEREAS, the Planning Commission recommended approval of the amendments to the Land Use Element at its September 18, 2024, meeting; and

WHEREAS, in accordance with WAC 365-196-630, a *Notification of Intention to Adopt Comprehensive Plan Amendments* was sent to the State of Washington Department of Commerce and to other State agencies on July 1, 2024, for a required 60-day review period; and

WHEREAS, environmental review required under the State Environmental Policy Act will occur in conjunction with the environmental review for the 2024 Plan update in its entirety and will be scheduled accordingly; and

WHEREAS, the public process for the proposed amendments to the Land Use Element provided for early and continuous public participation opportunities including posting the draft amendments on the City of North Bend website for public review, corresponding with multiple outside agencies for input on the amendments, and holding meetings before the Planning Commission, including a public hearing; and

WHEREAS, the amendments to the Land Use Element have been prepared in compliance with applicable City policy and State laws;

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

Section 1. Approval of Proposed Amendment: The City Council approves the proposed amendments to the Land Use Element, attached hereto as Exhibit A and by this reference incorporated herein.

Section 2. Authorization of Comprehensive Plan Amendments: The City Council hereby directs that the amendments to the Land Use Element approved in Section 1 of this Resolution and attached as Exhibit A hereto be included as part of a future ordinance in which all the 2024 Comprehensive Plan amendments are collectively adopted.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF NOVEMBER, 2024.

CITY OF NORTH BEND:

_____

Mary Miller, Mayor

APPROVED AS TO FORM:

_____

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

_____

Susie Oppedal, City Clerk

CHAPTER 1: LAND USE ELEMENT

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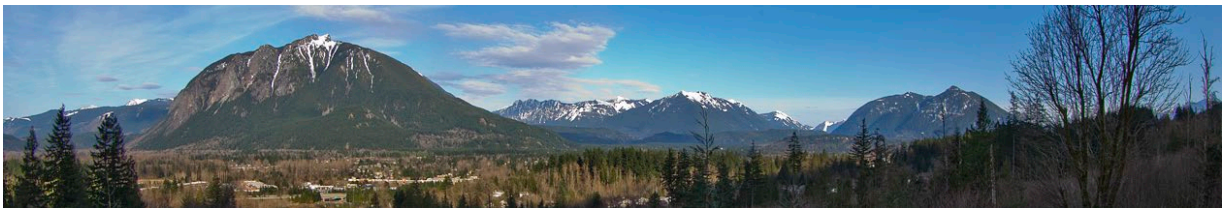
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CHAPTER 1: LAND USE ELEMENT



A. INTRODUCTION

A.1 Land Acknowledgement

The foundation of this community began a very long time before the municipal incorporation of the City of North Bend. Recognizing this long and deep history is important in putting into context North Bend's culture and identity and our relationship to the land and to those around us. A land acknowledgement helps to set this context and to guide the City's efforts as we work to protect the environment, steward our collective resources, preserve our history, and plan for our future, as articulated in this Comprehensive Plan.

> *The City of North Bend is located on the ancestral indigenous land of the Coast Salish people who have sovereign, inherent Tribal rights across this land, specifically the Snoqualmie Indian Tribe (sduk^{w}albix^{w}). We thank these caretakers of this land who have lived and continue to live here since time immemorial and share with them a commitment to steward this land and its natural resources for future generations.*

A.2 Purpose and Intent

The Land Use Element provides a long-range guide to the development of North Bend and its Urban Growth Area (UGA). Its purpose is to ensure that an adequate supply of land, a desired mix of uses, and employment opportunities are available for the successful implementation of the other elements of the Comprehensive plan. The element translates the vision of the City into a plan and directs development in North Bend over the next twenty years by introducing strategies that will retain and enhance small-town character, environmental health, and cultural and economic sustainability.

The Land Use Element of the Comprehensive Plan examines the character and quality of existing development in both the City limits and the unincorporated areas of the UGA. It identifies, trends, and projects potential growth within recognized opportunity areas. It also proposes the distribution, location, and extent of land used for various land use classifications. It considers both the state mandates of the Growth Management Act (GMA) as well as appropriate Countywide Planning Policies in King County. It presents the community's principal themes of preservation of its small town character with its desire to protect environmentally sensitive lands as growth occurs. Finally, it formulates the guiding goals and policies designed to shape the community into its acknowledged vision.

The Land Use Element sets general land use designations for the City and its UGA. Land use designations are intended to provide predictability to residents and property owners about the nature of land use within North Bend and provide the necessary planning tools to decision makers to make decisions about development applications. As mandated by the GMA, the Land Use Element accommodates the Growth Management Planning Council population and employment targets assigned to North Bend.

A.3 North Bend's Vision

The community of North Bend wants to preserve its environment, natural beauty and small town scale and character. The residents of the community also desire to enhance the built environment of the downtown, the riverfront and community parks, new and existing residential neighborhoods, and the community's gateways.

A.4 VISION 2050

The Puget Sound Regional Council (PSRC) VISION 2050 is a regional strategy for accommodating the growth expected to happen in the region by 2050. VISION 2050 is a long-range plan for maintaining a healthy region while promoting the well-being of the citizens and communities, economic vitality, equity, affordability, and a healthy environment. Vision 2050 is disseminated from PSRC to member counties (including King County) through Multicounty Planning Policies (MPPs).

The North Bend Comprehensive Plan Elements address each of the policy areas in VISION 2050. VISION 2050 has policies that provide a unified framework for counties to collaboratively address regional issues including: population growth, housing affordability and displacement, transportation, climate change impacts, environmental protection, and

others. North Bend's Comprehensive Plan has been updated based on residential and employment targets that align with VISION 2050. Chapter 3 of the North Bend Comprehensive Plan, the Housing Element, identifies the number of housing units in the City for the year 2044, and also includes affordable housing goals. North Bend's Comprehensive Plan supports a sustainable approach to growth and future development.

The Comprehensive Plan and North Bend Municipal Code (NBMC) support low-impact development techniques for landscaping and stormwater. The Comprehensive Plan calls for urban development in the downtown core and includes design guidelines for mixed-use and transit-oriented development. The Housing Element commits to expanding housing options to meet the diverse needs of both current and future residents of all incomes consistent with the City's adopted affordable housing targets as outlined in the King County Countywide Planning Policies (CPPs). The Economic Development Element in the Plan supports creating jobs and maintaining a high quality of life. The Transportation and Sustainability Elements advance cleaner and more sustainable mobility, with provisions for complete streets and green streets. In addition, the City has programs and strategies that support multimodal travel.

B. REGULATORY SETTING

B.1 Growth Management

Under the Growth Management Act (RCW 36.70A.070) a Land Use Element is required to address the following:

- distribution/location/extent of land uses (agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other land use);
- population densities, building intensities and estimates of future population growth;
- protection of the quality and quantity of ground water used for public water supplies; and
- drainage, flooding and stormwater runoff within and nearby the jurisdiction as well as guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state.

B.2 Countywide Planning Policies

The King County Countywide Planning Policies (CPP's) provide a countywide vision and serve as a framework for each jurisdiction to develop a comprehensive plan consistent with the overall vision for the future of King County. North Bend is located outside the larger metropolitan UGA to the west, which includes nearby cities such as Issaquah, Bellevue, Kirkland, Redmond and Woodinville; however the City has its own designated UGA boundary. Within the designated UGA, North Bend shall provide urban services, residential densities, and a mix of land uses that will provide for residential and economic growth for the next twenty years. The full list of CPP's is available on King County's website at: https://kingcounty.gov/en/dept/executive/governance-leadership/performance-strategy-budget/regional-planning/cpps.

The Land Use Element also recognizes the Growth Management Planning Council (GMPC) growth and employment targets for the City as a key component to its direction. The GMPC, working with all metropolitan jurisdictions, identified household and job growth targets based on the land capacity of each city and its identified UGA that would accommodate its portion of the State Office of Financial Management's (OFM) projected growth for the region.

B.3 Tribal Coordination

Multiple Puget Sound area tribes have federally adjudicated treaty rights in the North Bend vicinity. These treaties protect traditional ways of life through preserving the right of tribes to fish at all usual and accustomed stations and hunt and gather in all open and unclaimed land. The Snoqualmie Tribe additionally has reservation land and significant facilities, investments, and services in close proximity to the City of North Bend's jurisdictional area. RCW 36.70A.040 outlines a voluntary coordination approach for tribes as a part of planning for the update of Comprehensive Plans. The City of North Bend will work to actively solicit input and participation by local tribes when updating the City's Comprehensive Plan, as well as to increase communication, collaboration, and consultation with tribes on issues of mutual interest and concern and on actions that may impact tribal interests or treaty rights.

C. LAND USE

C.1 History and Existing Development Patterns

North Bend's development pattern is the result of its spectacular setting in the upper Snoqualmie Valley between Mount Si and Rattlesnake Ridge, at the foothills of the Cascades. The Snoqualmie River defines a rich and environmentally sensitive river valley. The Snoqualmie Tribe and its ancestors recognized this ideal natural context, establishing settlements and managing a broad, open prairie ideal for building and sustaining community life. Later development activities of farms, pasture lands and timber harvesting, and the existing built environment including the Interstate 90 interchanges, are all influences molding the City's present and future development.

The river valley floor is relatively flat and has developed with the most intensive land uses such as those located in downtown, east of downtown along North Bend Way, and the freeway interchanges at Exit 31 and Exit 34. These areas contain the heart of the City's retail, employment park and commercial districts, as well as the highest density residential developments. Lower density residential, protected open space and rural pasture lands comprise the balance of land activities within the City, its UGA, and surrounding unincorporated lands.

The rich and long history of life of the Snoqualmie Tribe and its ancestors here and early settler reliance on the area's abundant natural resources is a guide to defining the City's future, where the natural setting of North Bend continues as the key component to the City's identity and heritage.

C.2 Natural Features

The natural setting of North Bend within the broad Snoqualmie Valley allows ample opportunities for residential living with a small town feel, supportive services, and sub-regional employment centers. At the same time, development constraints such as aquifer recharge areas, rivers, streams, floodplains, wetlands, steep slopes, and geologically unstable soil define the existing development limits and predict the shape of future development activity along key corridors.

The North Bend UGA occupies a very small percentage of the entire upper Snoqualmie River basin (above the falls), but its location on the valley floor close to the outlet for the upper Snoqualmie basin makes it vulnerable to major flooding, which can damage residences or other property. Implementing development and management practices that acknowledge the impact of the river and its tributaries is critical for the health and safety of existing and future residents. Associated wetlands are key natural resource areas for enhancing water quality, providing important fish and wildlife habitat, and serving as water retention and flood storage areas. They provide opportunities to maintain the natural geologic systems of the area and their related habitat functions.

Additional information on the City's predominant natural features and their importance to the future development of the City is given in detail in the Critical Areas Element and the Shoreline Element**.** Review of drainage, flooding, and stormwater run-off in North Bend, as well as protection of the quality and quantity of groundwater intended for public use is addressed in the Critical Areas Element of the North Bend Comprehensive plan. To the extent necessary to comply with RCW 36.70A.070(1), the Critical Areas Element is incorporated by reference in this Land Use Element. Shoreline designations shall coordinate future land development and permitted uses with the Shoreline designations identified in the Shoreline Master Plan.

In addition to the City’s geographic features, the City’s existing tree canopy and many mature and significant trees serve as a significant natural asset that contributes to the livability of the community through stormwater mitigation, cooling, and other climate resilient benefits. Planning for protection of the City’s tree canopy is provided in the Urban Forestry section of the Energy and Sustainability Element.

Also notable with North Bend’s natural and forested surroundings is an increased risk of wildfire and an associated need to plan accordingly. Addressing this risk and the risks of other natural hazards are policies within the City’s Energy and Sustainability Element.

C.3 Built Environment

The historic development pattern of the City is along its east-west spine. The City's downtown commercial area developed along the old east-west SR-10 corridor (also known as the ‘Sunset Highway’). In part, this ‘Sunset Highway’ first came to North Bend via Snoqualmie on the Boalch road alignment. The original route was subsequently moved to the present alignment of SR-202 then replaced with the old east-west SR-10 corridor now called North Bend Way. When Interstate 90 was completed in 1973 south of downtown North Bend, the original SR 10 assumed the function of a local access arterial route. Early residential neighborhoods clustered around the downtown employment node and were generally platted along the grid system, which gave definition and form to the urban environment. Other, typically rural land uses were scattered throughout the Upper Valley and are still evident today along the minor and major arterials as a mix of large lot rural residences with small commercial and industrial land uses.

The completion of the I-90 interchanges propelled new land uses forward by the mid-1980s in response to the commercial opportunities created by interstate transportation access. The principal impact at the Exit 31 South Fork interchange was the emergence of retail sales outlets and services that cater to both the visitor population and to the City and the surrounding area. With the distribution center for Nintendo at Exit 31 and the Genie facility at Exit 34, and the zoning of additional Employment Park lands for similar uses, the City has additional employment opportunities in the South Fork Neighborhood, as well as the vacant lands along North Bend Way in the Tanner and Edgewick Neighborhoods. The I-90 corridor is a Designated National Scenic Byway which gets international tourism promotion from the Federal Scenic Byways Program. The Mountains to Sound Greenway Trust (MTSGT) and City of North Bend work together on enhancement projects throughout the City primarily funded through the Snoqualmie Watershed Forum by the King County Flood Control District. The MTSGT strives to protect and enhance the I-90 corridor greenway. The City of North Bend received 'Tree City USA'[1] in 2011 and has reached certification every year since.

Many of the existing, older commercial and residential structures show signs of age, particularly in the downtown neighborhood area. Maintaining the City's charm and appeal as a vital rural center will require additional attention to the rehabilitation and maintenance of its existing developed areas and structures. In part, the maintenance and repair of the City's infrastructure forms the foundation for this work.

C.4 Historic and Cultural Preservation

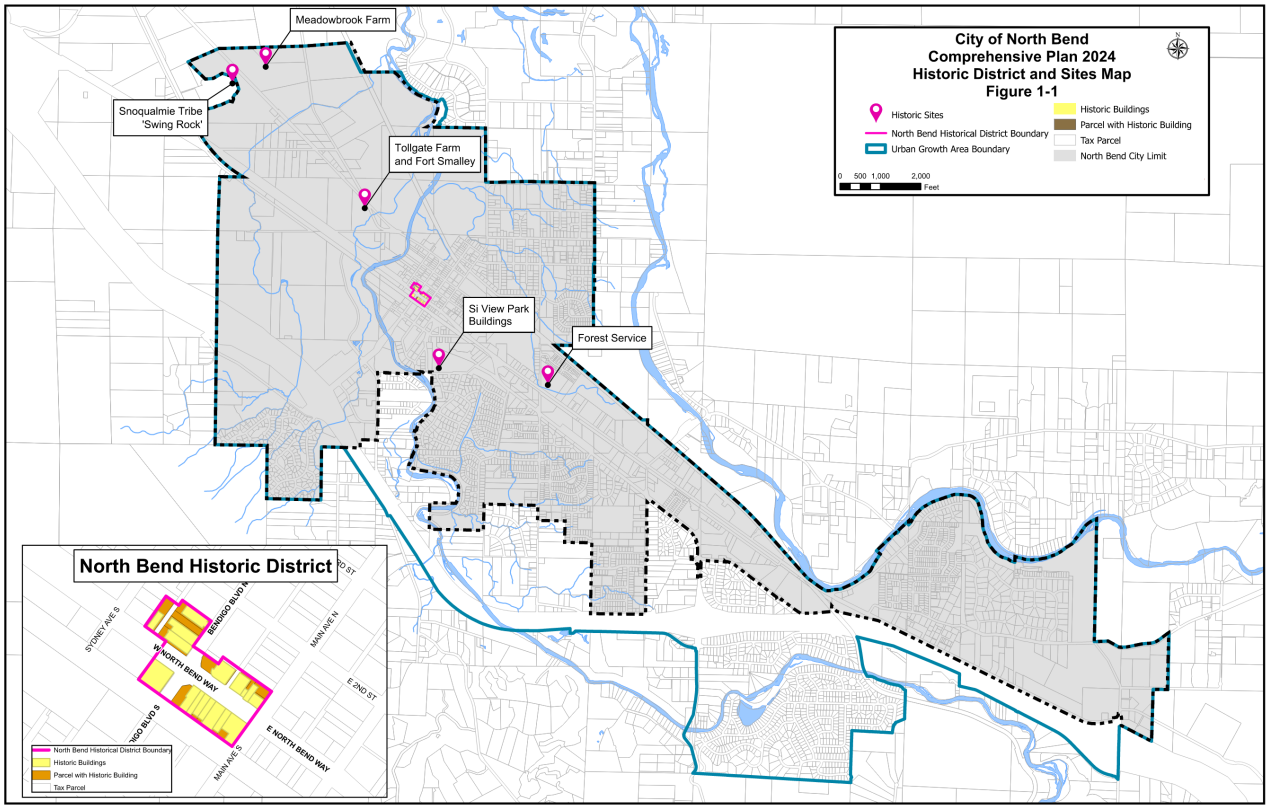
One of the goals of the Comprehensive Plan is to help promote historic and cultural preservation within the City. Several sections of the Land Use Element reference key historic sites (see **Table C.4**) that deserve public intervention for protection. Some examples include the historic Tollgate and Meadowbrook Farms which are now in public ownership, and the historic downtown commercial district which was formally designated in 2000. Preservation of heritage sites helps to maintain the City's aesthetic and cultural diversity and provides continuity with its past. Heritage sites include buildings, properties, natural areas, and structures of cultural significance. Identifying heritage resources and determining appropriate measures for their protection, preservation, or restoration is an ongoing process involving the King County Landmarks Commission, the City of North Bend, the Snoqualmie Tribe, and state and federal agencies. **(See Figure 1-1)**

TABLE C.4 INVENTORY OF HISTORIC SITES

Name	Location	King County Survey File Number
Tollgate Farm	North Bend	0740
Si View Park Buildings	North Bend	0848
Fort Smalley	Tollgate Farm on SR-202	0015
Meadowbrook Farm	North Bend and Snoqualmie	N/A*
Milwaukee Railroad Bridge (since removed)	North of North Bend on South Fork of Snoqualmie River	0018
Downtown Commercial Historic District	Downtown North Bend	HRI#1567
Snoqualmie Tribe "Swing Rock"	Highway 202	N/A*
Forest Service Complex	North Bend Way	N/A*

* Sites not included in King County's historic survey designation but are important to the identity of North Bend.

[1] Tree City USA is a national program that acknowledges cities who meet four standards of sound urban forestry management: maintaining a tree board or department; having a community tree ordinance; spending at least $2 per capita on urban forestry; and celebrating Arbor Day.



In order to facilitate the City's continued preservation of key area landmarks, the City will support the development of a process that identifies, evaluates, and protects its local historic and cultural resources.

The City works closely with the King County Historic Preservation Program to implement the City's historic preservation ordinance. This may include entering into an interlocal agreement with the County to provide for the designation of a commission of landmarks within the City. The City should also work closely with Mountains to Sound Greenway to support its efforts to create a network of greenway buffers and interpretative signs which inform and celebrate the local history. Opportunities for interpretive facilities for existing designated historic sites and structures should be pursued, as well as the opportunity to work with the City of Snoqualmie and Snoqualmie Tribe on the Meadowbrook Farm property for significant interpretative venues. Local historic and interpretive avenues are greatly fostered within the City of North Bend through its support of the efforts of the Snoqualmie Valley Historical Museum. This support should continue and expand as the museum considers future plans to restore or expand its facility in North Bend. The museum offers an accessible and unique avenue for retaining and expanding the community's awareness of its historic and cultural roots.

In addition to historic sites, it is important to protect Critical Cultural Resources. Critical Cultural Resources are archaeological objects of high cultural significance to the Snoqualmie people and/or other Tribes. Critical Cultural Resources as trees are often western red cedar; however, historical and traditional practices include other species, such as big-leaf maple or cottonwood. Archaeologists use the phrase Culturally Modified Tree, but it is not the preferred term for the Snoqualmie Tribe. The defining characteristic of a Critical Cultural Resource is the visibility of past human modification. Typical modifications on Critical Cultural Resources include tree branches, bark and even tree clusters. These living historical markers and resources are an identifiable connection to locations and places of cultural/historical/archaeological significance for Tribes.



Historic Images of North Bend (left to right): Log trucks going through downtown and a Historic Downtown Building.

C.5 Land Use Types
The Land Use Element identifies the type, location, and intensity of the following distinct land uses and includes discussion of mixed uses among these categories.

- ***Residential Land Uses:*** Residential land uses include low- to high-density housing and cottage housing.
- ***Commercial Land Uses:*** Commercial land uses include retail, services and office.
- ***Employment Park Land Uses:*** Office parks, high technology business parks, warehouses, heavy industrial, and manufacturing businesses are included in the discussion of employment-generating land uses.
- ***Parks, Open Space, and Public Facilities Land Uses:*** These areas include recreational open space, active and passive parks uses, and publicly owned facilities.
- ***Mixed-Use:*** Mixed-use refers to the combining of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Typically this is accomplished in the following way; 1) A structure with ground floor retail/commercial or service uses and the above floors occupied by residential use; 2) A structure which provides retail/commercial or service use in the portion fronting the public street with attached residential or office uses behind; and 3) Multiple structures on one site which provide retail/commercial or service uses in the structure(s) fronting the public street or public realm, and residential and/or office uses in separate structure(s) behind. Mixed-use development opportunities are recognized as a key plan component in creating revitalization of the existing built environment and spurring new development opportunities. Benefits of mixed use developments include but are not limited to: 1) allowing citizens to live, work and shop within a close proximity to each use; 2) creating activity within the district or neighborhood during longer periods of the day; 3) creating housing options and housing diversity; 3) promoting pedestrian activity and reduced auto dependency and 4) creating a sense of place.

C.6 Community Design and Mixed Use
Traditional zoning separated homes from employment, shopping and commercial spaces. Commercial and industrial spaces were concentrated in large centers oriented towards the freeway and the automobile. Population growth and traffic congestion created a need to accommodate a better mix of uses where people can live, work and shop. Mixed-use development can provide a better jobs to housing balance and provide citizens with the option to live closer to work, thus making walking, biking and transit choices more abundant. Mixed-use buildings as described under C.5 above are a combination of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Mixed use is permitted and encouraged in the Downtown Commercial (DC) zone, Neighborhood Business Zones (NB) and through Master Plans developed consistent with City regulations governing such process.

LU - Goal 1: ***Preserve North Bend's small town qualities and its natural environment, while allowing for growth and development.***

Policies:

LU - 1.1	Ensure consistency with applicable requirements of the Growth Management Act, Multicounty Planning Policies, and Countywide Planning Policies when updating the Land Use Element and other relevant elements of the Comprehensive Plan.
LU – 1.2	Ensure opportunity for tribal collaboration and participation when updating the City's Comprehensive Plan and in other land use planning processes, and increase communication and consultation with tribes on issues that may impact tribal interests and treaty rights.
LU - 1.3	Accommodate the City's required residential and employment growth targets and ensure a well-planned balance of residential and commercial growth that can support a jobs-housing balance, and amend land use and zoning designations when necessary to accommodate such targets.
LU – 1.4	Encourage infill residential development within the existing incorporated area in an effort to reduce sprawl and create more housing options.
LU - 1.5	Allow development to occur within the identified Urban Growth Area as City services become available and adopted annexation policies are met when it is consistent with adopted population and employment growth targets.
LU - 1.6	Locate new residential land uses in environmentally unconstrained areas where public services are available or nearby to increase walkability and reduce greenhouse gas emissions.
LU - 1.7	Encourage retention of natural habitat in residential developments by providing sustainable landscaping, making Low Impact Development the preferred stormwater approach for site development, requiring set-asides for connecting open spaces, and by creating zoning incentives.
LU - 1.8	Plan for wildlife habitat linkages and wildlife-conscious development practices in land use and development patterns.
LU – 1.9	Develop a Citywide Gateway Plan, and associated regulations, to create attractive City entrances that highlight the community's small town character.
LU – 1.10	Plan for development patterns that minimize pollution and greenhouse gas emissions and increase physical activity by facilitating bicycle and pedestrian mobility and supporting increased densities in areas accessible to transit.

LU - Goal 2: ***Protect, conserve and enhance the historic and cultural heritage of North Bend.***

Policies:

LU - 2.1	Coordinate and cooperate with local, state and national historic and cultural preservation organizations, and the Snoqualmie Tribe, in order to promote and protect historic and cultural preservation within the City.
LU – 2.2	Develop criteria to establish a system of priorities for the preservation of historic, archeological and culturally significant properties and Critical Cultural Resources.
LU – 2.3	Work with the Snoqualmie Valley Historical Society to make historic and cultural resources available in order to raise awareness of the richness of cultural diversity and to encourage retention of personal and community heritage.
LU – 2.4	Promote a mutually supportive relationship between historic and cultural preservation and economic development.
LU – 2.5	Incorporate the preservation of sites and structures of historic, cultural, and archeological significance as a part of the aesthetic and environmental consideration in site design and subdivision plan reviews.

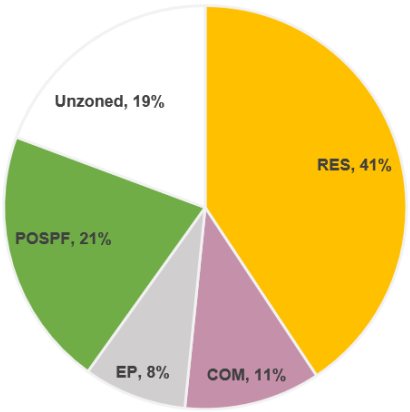
LU – 2.6 Consult with the King County Historic Preservation Program and the Snoqualmie Tribe to determine and implement appropriate levels of archaeological review for development proposals to ensure the protection of cultural resources.

D. LAND USE CHARACTERISTICS, DISTRIBUTION AND LOCATION OF LAND USES

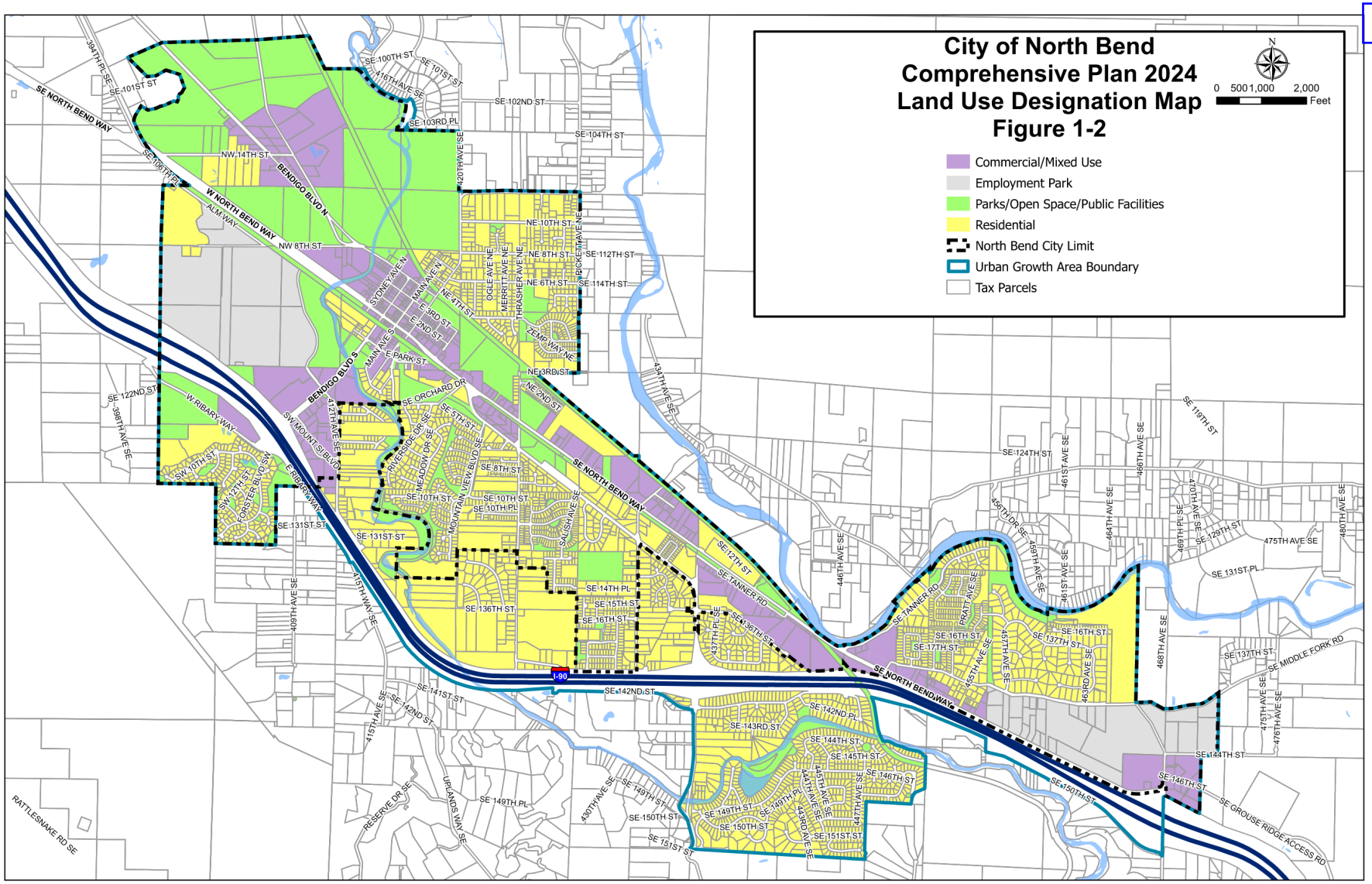
D.1 Distribution of Land Use Designations

Land Area by Land Use Designation (City Limits and UGA)			
Abbreviation	**Land Use Designation**	**Acres**	**Total (%)**
RES	Residential	1565	41%
COM	Commercial/Mixed Use	421	11%
EP	Employment Park	318	8%
POSPF	Park/Open Space / Public Facility	799	21%
Unzoned	Unzoned/ROW/Waterbody	744	19%
	Total	**3847**	**100%**

Land Area by Land Use Designation (City Limits and UGA)



The City of North Bend with its UGA is approximately 3,868 acres in size. The predominant land use activities, as classified on the current land use designation map, are residential uses. **(See Figure 1-1)**


City of North Bend
Comprehensive Plan 2024
Land Use Designation Map
Figure 1-2
N
0 500 1,000 2,000
Feet
Commercial/Mixed Use
Employment Park
Parks/Open Space/Public Facilities
Residential
North Bend City Limit
Urban Growth Area Boundary
Tax Parcels
SE NORTH BEND WAY
W NORTH BEND WAY
BENDIGO BLVD N
BENDIGO BLVD S
NW 14TH ST
NW 8TH ST
ALM WAY
SE 100TH ST
SE 101ST ST
SE 102ND ST
SE 103RD PL
SE 104TH ST
SE 106TH PL
394TH PL SE
416TH AVE SE
420TH AVE SE
NE 10TH ST
NE 8TH ST
NE 6TH ST
SE 112TH ST
SE 114TH ST
SYDNEY AVE N
MAIN AVE N
OGLE AVE NE
MERRITT AVE NE
THRASHER AVE NE
BICKFORD AVE NE
E 3RD ST
E 2ND ST
E PARK ST
ZEMPEL WAY NE
NE 3RD ST
NE 2ND ST
MAIN AVE S
SE ORCHARD DR
SE 5TH ST
SE 8TH ST
SE 10TH ST
SE 10TH PL
SE 122ND ST
SE 398TH AVE SE
W RIBARY WAY
SW 10TH ST
SW 12TH ST
FORSTER BLVD SW
E RIBARY WAY
SW MOUNTAIN VIEW BLVD
412TH AVE SE
RIVERSIDE DR SE
MEADOW DR SE
MOUNTAIN VIEW BLVD SE
SAMISH AVE SE
SE 131ST ST
SE 136TH ST
SE 14TH PL
SE 15TH ST
SE 16TH ST
409TH AVE SE
413TH WAY SE
I-90
SE 142ND ST
SE 141ST ST
415TH AVE SE
SE 143RD ST
SE 142ND PL
SE 144TH ST
SE 145TH ST
SE 146TH ST
SE 149TH ST
SE 149TH PL
SE 150TH ST
SE 151ST ST
430TH AVE SE
445TH AVE SE
447TH AVE SE
448TH AVE SE
449TH AVE SE
RESERVE DR SE
UPLANDS WAY SE
RATTLESNAKE RD SE
SE 124TH ST
SE 119TH ST
461ST AVE SE
466TH AVE SE
434TH AVE SE
446TH AVE SE
456TH DR SE
469TH AVE SE
464TH AVE SE
469TH PL SE
470TH AVE SE
SE 129TH ST
475TH AVE SE
480TH AVE SE
SE 131ST PL
SE TANNER RD
SE 12TH ST
SE 36TH ST
RAFT AVE SE
437TH PL SE
455TH AVE SE
457TH AVE SE
463RD AVE SE
468TH AVE SE
SE 16TH ST
SE 17TH ST
SE 137TH ST
SE MIDDLE FORK RD
475TH AVE SE
476TH AVE SE
SE 144TH ST
SE 146TH ST
SE 150TH ST
SE GROUSE RIDGE ACCESS RD

D.2 Parks, Open Space and Public Facilities
The City identifies land useful for public purposes within the Parks, Open Space, and Public Facilities Land Use Designation and zone. About 21% percent of the UGA land area is now used for parks, open space and public facilities, a relatively high percentage compared with most communities, but consistent with the high priority residents have placed on maintaining the City's rural and small town character. This zone also includes City offices and properties, schools, Si View Park, the City's wastewater treatment plant, and the fire station, as well as designated trats for the protection of critical areas, public lands for future levy setbacks, and other public purposes. Other key components of open space include the Meadowbrook and Tollgate Farms, which together have been designated by North Bend to serve as an urban separator between the Cities of North Bend and Snoqualmie. The preservation of land identified as environmentally critical areas, open space, and parks provides a variety of functions such as: providing access to the Snoqualmie River and its tributaries; providing visual relief from the built environment; retaining areas for wildlife habitat and stormwater retention; creating opportunities for study of the natural environment; supporting recreation opportunities; and linking the City with its historic past.

To adequately protect such critical land uses, the North Bend Municipal Code has specific zoning categories to identify and retain areas which function as either parks or open space. The Parks Element identifies recreational resources and provides specific policies, while establishing level of service standards for this important component of North Bend's amenities. (See the Parks Element of the Comprehensive Plan for more information.)

The City is well served by a diverse range of public facilities developed to meet the needs of its residents as well as the needs of those living in adjacent unincorporated King County. Facilities include: a King County public library (1994), a post office (1994), a public works Complex (2002), a fire station (2012), and a city hall (2018).

North Bend has a variety of public programs offered at public facilities. The North Bend Depot and associated historic train activities link North Bend to the City of Snoqualmie. In addition, the historic train provides tourist activities, which help generate economic activity. The Senior Center has a rich variety of programs and activities. The Si View Park complex has the only public pool in the Upper Valley and offers many classes and camps year round. The Snoqualmie Valley Historical Museum has a depth of high quality programs, resources, and displays. (See the Capital Facilities Element and Parks Element for more information on parks, open space and public facilities.)

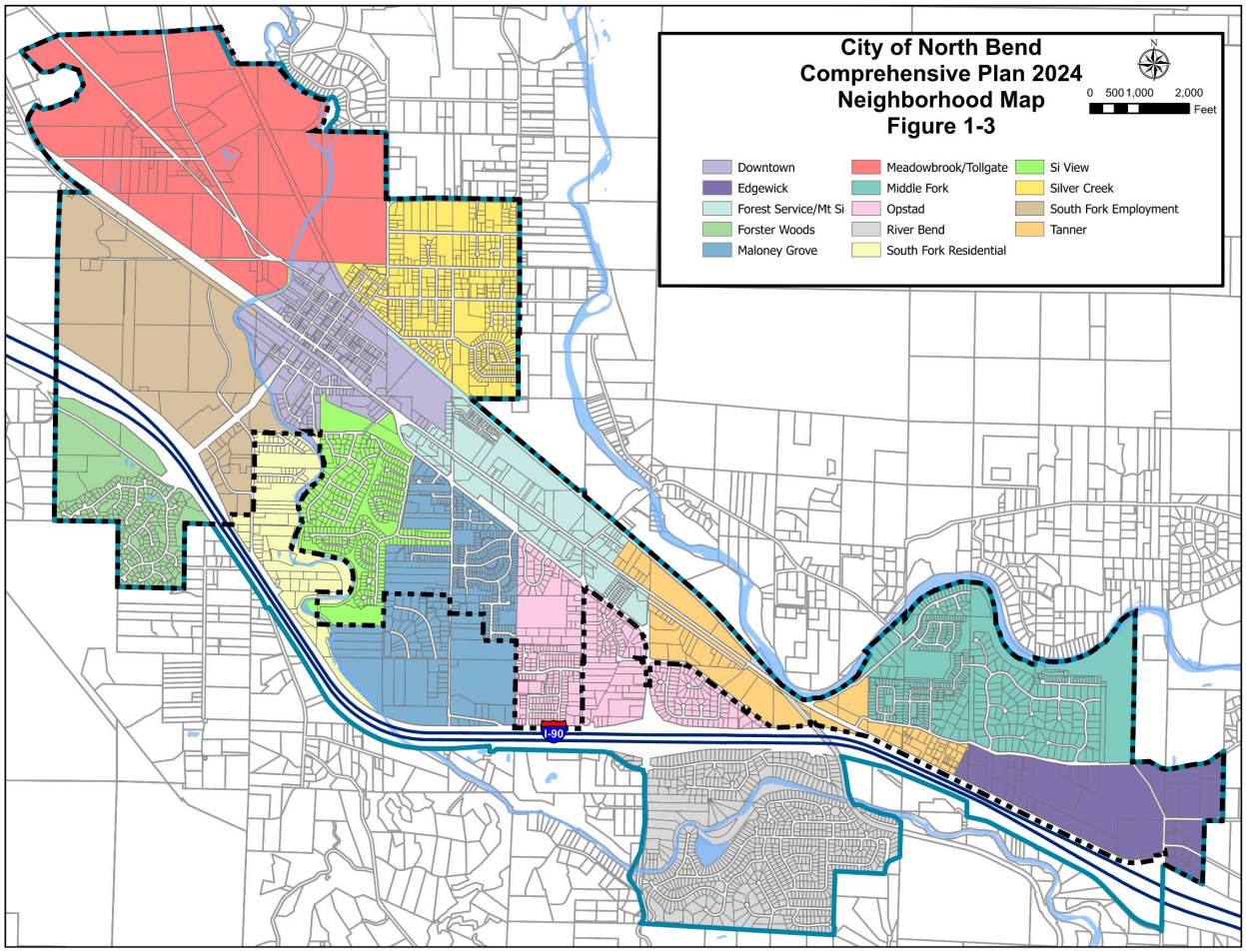
D.3 Residential Land Use
The majority of the land area within the City of North Bend has been designated for residential land uses, ranging from constrained low-density residential areas to high-density residential. For further information on population growth projections and planning for and accommodating residential growth targets, see section H of this Element, Growth Targets.

D.4 Commercial Districts and Employment Centers
North Bend offers a variety of jobs to persons residing both inside and outside the City limits. Commercial Districts and Employment Centers are predominately concentrated along Bendigo Boulevard and North Bend Way and Boalch Avenue NW, as well as on the east and west side of the City in lands zoned Business Park and Employment Park.

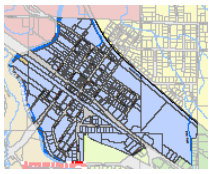
D.5 Neighborhood Planning Areas
For Comprehensive Plan purposes, the City has been divided into fourteen neighborhood planning areas identified in **Figure 1-3.** These neighborhoods have been established to create land use patterns that will help the City maintain its existing rural character, natural beauty and small town scale, as well as to identify neighborhood-specific planning and design issues and establish policies that help create identity, community, and a sense of place. These neighborhoods are characterized by pedestrian orientation and are linked by the City's existing and planned network of pedestrian and bicycle trails.

The potential for the creation of future neighborhood-specific plans will enable neighborhood residents to have a voice in the direction their neighborhood may take. Anything from the identification of needed neighborhood amenities to the development of neighborhood signage programs can be explored within the context of the neighborhood planning process.

Figure 1-3 shows all of the City's neighborhoods as currently designated. In concert with the Transportation Element and the Parks Element, the City should strive to seek land to accommodate neighborhood greenways and bike paths that both connect and articulate each neighborhood's identity. Development of future comprehensive neighborhood signage programs may help distinguish the neighborhoods' unique characteristics.



Downtown Neighborhood



The Downtown Neighborhood includes the historic commercial downtown and the original town plat of North Bend, with a mix of commercial and residential uses. The Downtown Neighborhood contains several areas of vacant and re-developable land envisioned for infill projects and is one of the City's key employment centers for future commercial growth. The City has encouraged investment and improvement in the downtown through a number of ways.

Neighborhood size is generally defined by the walking distance to the neighborhood center. The Downtown Neighborhood has been designated in such a way that jobs, housing and services may be readily available to the local residents, often within walking distance. By encouraging a walkable downtown, a sense of community is affirmed, automotive pollutants are reduced, healthy lifestyles are encouraged, and human interaction is fostered. In addition, the City seeks to reduce urban sprawl as it encourages compact development, helping preserve the natural lands adjacent to the City.

The identification and development of the Downtown Neighborhood within the City occurred with several goals in mind. First, the downtown can be compact and comprised of structures of varying scale. Clustering is to be encouraged to help minimize impacts of conflicting land uses while enhancing the natural features or open spaces within a proposed development. Second, development within the downtown must respect the historic and architectural styles and patterns of development. Streetscape and pedestrian scale are some of the additional components required by the Residential, Commercial, Mixed-Use and Industrial Design Standards adopted May 18, 2010.

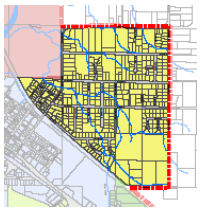
In 2000, the City established the Downtown Commercial Historic District, covering seventeen historic buildings. This designation, administered through an interlocal agreement with the King County Historic Preservation Program, is intended to preserve and restore the historic character of the District. The Downtown Commercial Historic District is supported by several programs designed to stimulate maintenance and redevelopment of the designated structures.

In 2008, the City adopted a Downtown Master Plan. This plan identifies key development opportunity sites, specific infrastructure improvements, traffic and parking recommendations, and regulatory measures to help achieve the plan goals. In addition to the recommendations in the Downtown Master Plan, a future city hall, civic center, and plaza are envisioned in the downtown core, which can serve as a catalyst for further economic development and as a venue for community events. The Downtown Master Plan also recommends gateway features that are intended to draw people in and establish a sense of arrival. The City has achieved many of the Near-Term Projects and Actions identified in the Implementation Timeline of the Downtown Master Plan. These include projects such as: a roundabout at North Bend Way/Cedar Falls; way-finding signs; invasive vegetation removal at Riverfront Park; Downing Avenue Extension; intersection control at Park and North Bend Way; and garbage screening along McClellan, In addition, a new Visitor Information Center (VIC) was built in 2014 at the corner of Bendigo Blvd and Park Street.

The City also supports further investment in its downtown core through economic development strategies that foster a synergistic mix of retail, restaurant, nightlife, and service uses, clear and concise guidelines for development, and by developing incentives for infill and redevelopment such as expedited permit processes and reduced impact fees.

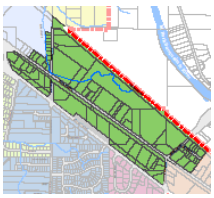
In other areas of the Downtown Neighborhood, infill and redevelopment of underutilized properties is expected to occur as property values increase relative to the value of existing structures. Supporting higher-density residential in the Downtown Neighborhood is key to fostering both pedestrian-oriented development and additional market support for further commercial uses. Mixed-use developments are particularly suitable for the Downtown Neighborhood and should be supported and encouraged through appropriate policies.

Silver Creek Neighborhood



The Silver Creek Neighborhood is characterized by predominately single-family development, and further development should be limited to low-density residential in recognition of the established neighborhood character, its location within the floodplain, and the proximity of a number of floodway channels and critical areas associated with Silver Creek. Effort should be made to secure additional park land adjoining to E.J. Roberts Park as development is proposed. The additional park land will serve the growing number of residents using the park facilities in the Silver Creek Neighborhood.

Forest Service/Mount Si Neighborhood



The Forest Service/Mount Si Neighborhood is a residential and commercial mixed neighborhood located southeast of downtown. The neighborhood is bisected by North Bend Way and the vacant Burlington Northern Railroad corridor/Tanner Trail, with residential uses predominantly south of North Bend Way and commercial uses north of North Bend Way. Primary existing public uses include the US Forest Service Ranger Station Complex, the City of North Bend Public Works site, and Fire Station 87.

Formerly Highway 10, this area developed along its length as an auto-oriented commercial strip, with motels, service stations, restaurants, and mobile home parks. As such, it exhibits the effect of auto-oriented "strip commercial" development with numerous egress and ingress points from North Bend Way. These multiple curb cuts are detrimental to public safety, impede the smooth flow of traffic, discourage walking and bicycling, and should be reduced over time through shared-driveways required as a part of redevelopment. Effort should also be made to ensure protection of significant trees located between North Bend Way and Cedar Falls Way, which form a distinct part of the neighborhood's character.

The neighborhood contains significant vacant and redevelopable areas which are envisioned for the development of cottage and medium density housing south of North Bend Way, and commercial and mixed use development north of North Bend Way.

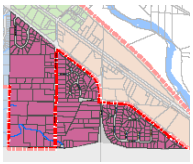
A key intersection within this neighborhood is at East North Bend Way and SE Mount Si Road. This intersection provides access to the Mt. Si Trailhead. Because this trailhead is a regional draw, attracting over one hundred thousand people each year, retail and commercial opportunities are abundant. This neighborhood will see a demand for Neighborhood Business type uses, serving both the recreationalists and local clientele, and serving as a future neighborhood center. Retail and commercial uses should be pedestrian friendly, concentrated at the intersection, with parking located to rear. Mixed-use development consisting of retail/commercial and residential is encouraged.

Riverbend Neighborhood



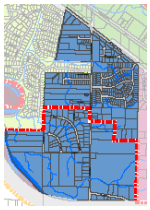
The Riverbend Neighborhood is a residential neighborhood in the Urban Growth Area south of I-90 Exit 32. The neighborhood has been largely built-out, with remaining single-family residential infill and redevelopment potential on existing larger residential lots off 436th Ave. SE. Private parks within the Riverbend neighborhood provide gathering places, and a golf course with associated restaurant and commercial uses provide additional services just outside the UGA. The Snoqualmie Valley Trail provides an important pedestrian and bicycle link under I-90 from the Riverbend Neighborhood to downtown and other parts of the City.

Opstad Neighborhood



The Opstad Neighborhood is a residential neighborhood located southeast of downtown and directly south of the Mount Si Neighborhood. The neighborhood contains lower density single-family homes, Opstad Elementary School, and areas of vacant and redevelopable land. Much of the neighborhood has been "established" by existing residential subdivision patterns and should remain as low-density residential.

Maloney Grove Neighborhood



The Maloney Grove Neighborhood is a residential neighborhood located southeast of downtown and directly west of the Opstad Neighborhood. The southern edge of the neighborhood is bounded by the I-90 right-of-way. The area contains lower density single-family residences. This neighborhood contains areas of vacant and redevelopable land envisioned for low-density residential development. Southern areas of the neighborhood are constrained by the floodplain and floodway. Development of trails along the South Fork levee as redevelopment of these properties occur would provide important extensions of the City's trail network and enable a safe pedestrian and bicycle connection to other areas of the City.

Si View Neighborhood



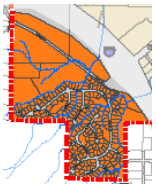
The Si View Neighborhood is a residential neighborhood located south of downtown and northwest of the Maloney Grove Neighborhood. The western edge of the neighborhood is defined by the South Fork of the Snoqualmie River. The neighborhood has been largely built-out, and contains minimal area of vacant or redevelopable land, which is envisioned for single family residential use. Portions of the neighborhood are constrained by the floodplain and floodway. The neighborhood center is identified as Si View Park.

South Fork Residential



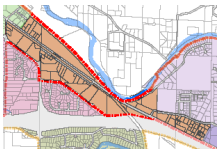
The South Fork Neighborhood is a residential neighborhood located in the City's UGA, south of downtown and east of the South Fork Interchange area. It contains the existing subdivisions of Shamrock Park and Berry Estates. The neighborhood is bounded to the east by the South Fork of the Snoqualmie River. The neighborhood center is identified as the Exit 31 interchange commercial area within the South Fork Neighborhood to the west. Future development in the neighborhood is constrained by its location within the floodplain, some portions of which are in the floodway.

Forster Woods Neighborhood



The Forster Woods Neighborhood is a residential neighborhood located southwest of downtown and southwest of the I-90 Exit 31 interchange. The area contains the Forster Woods subdivision, both single-family and multi-family, Tennant Trailhead Park, and additional vacant commercial land with moderate development constraints. Adjacent to the freeway intersection, vacant parcels would be developed as land uses suitable to the interchange.

The Tanner Neighborhood

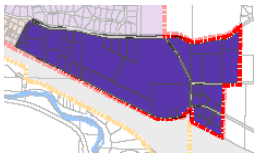


The Tanner Neighborhood is a predominantly commercial neighborhood located southeast of the Forest Service/Mt. Si Neighborhood and the Edgewick Interchange.

The neighborhood contains significant vacant and redevelopable land suitable for commercial and light-industrial uses and is an area anticipated to accommodate additional employment growth. Special overlay districts within areas of this neighborhood recognize unique site characteristics such as the presence of the Snoqualmie Valley Trail and the King County Tanner Landing Park, and could allow for a mix of residential and commercial/light industrial uses that wouldn't otherwise be permitted (see Overlay Districts section below).

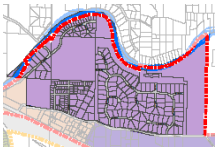
The King County Snoqualmie Valley Trail provides an important pedestrian link through this neighborhood, connecting multiple parts of the City and encouraging bicycle and pedestrian transportation. The future Tanner Trail, within the Burlington Northern Railroad corridor, will provide a similar link along North Bend Way, and future developments that abut or contain this corridor should be constructed to align with and incorporate the trail into the design of the development. The area also has important scenic qualities with views of the Middle Fork of the Snoqualmie River and Mount Si. Interpretive or historic signage would be appropriate, located in key areas along the corridor to give perspective on the natural and human histories of the area, including that of the Tanner Mill and the former Northern Pacific (Burlington Northern) and Milwaukee Road Railroad Lines.

The Edgewick Neighborhood



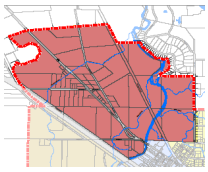
The Edgewick Neighborhood is a predominantly light-industrial neighborhood between SE 140th Street and North Bend Way at the eastern end of the City, and is one of the City's key employment areas anticipated to accommodate future employment growth. The neighborhood contains significant vacant and redevelopable land suitable for light-industrial and office park development. This area has great potential for increased job development due to its flat topography and excellent freeway access, and proximity to the Seattle metropolitan area. Attention to the most appropriate zoning classifications and land uses is also a significant issue, as the *North Bend Vision Plan* clearly articulates the City's desire to manage new commercial development with attention to the scale and intensity suitable for a small city. Employment-generating uses should be given preference over larger-scale warehousing and storage uses. The East North Bend Master Plan Overlay District provides additional planning and land use guidance to ensure a well-coordinated mix of office, employment park, research and industrial, and light manufacturing uses, and to coordinate vehicular circulation and site design to minimize adverse impacts to adjacent residential areas and nearby schools. The commercial areas at the Exit 34 interchange form the neighborhood center. Because 468th Ave. SE serves as the gateway to the popular Middle Fork recreation area, special attention should be paid to ensure that building and site design within this area—although it may be light industrial—retains a small town character and scale consistent with the City's vision statement.

The Middle Fork Neighborhood



The Middle Fork Neighborhood is a residential neighborhood bounded to the north by the Middle Fork of the Snoqualmie River. The City will require that future development of this area provide public access to the Middle Fork of the Snoqualmie River with pedestrian trails that connect residential areas to the river where possible. Remaining development within the Middle Fork Neighborhood should remain as low-density residential.

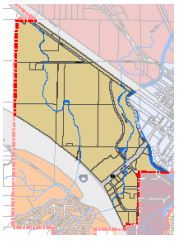
Meadowbrook/Tollgate Neighborhood



The Meadowbrook/Tollgate Neighborhood is chiefly characterized by the preserved Meadowbrook and Tollgate Farms. Both Meadowbrook Farm and Tollgate Farm are managed consistent with master plans that were developed for each property, as public park and open space areas intended to preserve scenic, historic, and cultural resources, and to be developed for lower intensity recreational activities, with a portion of Tollgate Farm also being developed for active recreation. (See the master plan for each property for more information.)

The Meadowbrook neighborhood contains some housing units as well as limited commercial and manufacturing land uses. The neighborhood contains areas of vacant and redevelopable land, and is envisioned as a mix of low-density residential uses and lower-intensity commercial uses. This neighborhood is not anticipated to accommodate higher-intensity commercial growth, to ensure compability with the adjacent agricultural and open space uses at Tollgate Farm and Meadowbrook Farm. Future development in the neighborhood is also constrained by wetland, stream and floodplain critical areas.

South Fork Employment



A commercial and light-industrial neighborhood, the South Fork neighborhood includes the Exit 31 interchange commercial area and the large vacant and redevelopable properties between I-90 and North Bend Way in the western end of the City. This neighborhood is one of the City's primary employment centers and is anticipated to accommodate much of the City's future employment growth. Key existing uses include Nintendo and North Bend Premium Outlets to the west of Bendigo Boulevard, and the Mountain Valley Center east of Bendigo Boulevard. The neighborhood also serves as a primary gateway into the rest of the City. Maintaining and enhancing the streetscape along Bendigo Boulevard with landscape, lighting, signage, and sidewalk improvements consistent with recommendations in the Downtown Master Plan will help draw people from this area into downtown.

Policies for light industrial lands are intended to provide guidance toward identifying adequate land area for job growth and creation, developing parameters to help reduce conflicts between adjoining land uses and providing direction for new development to exhibit sensitivity to the natural environment. Uses in the Interchange Mixed-Use zone are to be limited to less intensive commercial activities that will be more compatible with the residential zoning district surrounding the interchange.

D.6 INCOMPATIBLE LAND USES

The City of North Bend's Comprehensive Plan and development regulations need to reduce incompatibility between residential and commercial or industrial land uses in the North Bend UGA. Reducing and/or mitigating compatibility of land uses between adjacent residential and non-residential properties is fundamental to sound land use planning. To improve compatibility between residential and non-residential properties, the City development code shall include enhanced setbacks, additional landscaping, and enhanced design guidelines as well as limitation on permitted uses in specified locations. The objective of the development code will be to provide buffering as necessary to preserve and enhance the character of residential zoning districts.

LU - Goal 3: ***Maintain residential quality and neighborhood livability suitable for residents of North Bend.***

Policies:

LU - 3.1	Encourage the development of human-scale neighborhoods planned to be easily accessed by pedestrians, bicycles, and transit to increase walkability and reduce greenhouse gas emissions.
LU - 3.2	Encourage retention of existing open spaces and the creation of a citywide, linked open space network that integrates neighborhoods, provides access for all to clean healthy environments, protects natural resources and increases resilience to climate change impacts. Prioritize acquisitions and improvements in neighborhoods with historical underinvestment and disproportionally impacted communities.
LU - 3.3	Utilize adopted multi-family and single family design guidelines which help to promote high quality residential development.
LU - 3.4	Protect neighborhoods from adverse impacts such as junk vehicles or other nuisances by actively enforcing City codes.
LU - 3.5	Support new transit opportunities linked to residential growth.
LU – 3.6	As needed work with neighborhood residents to help define each neighborhood's character and address each neighborhood's challenges.
LU – 3.7	Promote walkways and bikeways within new residential developments that can be linked to existing or proposed trails and walkways.
LU – 3.8	Reduce sprawl by creating development regulations that allow smaller lot infill development at a scale and intensity that complements existing neighborhoods.
LU – 3.9	Protect residential zoning districts from adverse impacts created by land uses permitted in adjoining commercial or industrial zoning districts.
LU – 3.10	Limit new multi-family dwellings constructed in the Downtown Commercial zone to the second story or above when constructed in the downtown core.

D.7 EQUITY IN LAND USE

Historic and traditional land use practices, policies, and zoning can impact the ability of individuals and households to access housing and services, participate in land use decision making, and remain within their homes and communities, often disproportionally affecting marginalized populations. Such populations include people with low incomes, people with language access needs, Black, Indigenous, and People of Color (BIPOC) communities, and people with disabilities. Intentional policies and programs are necessary to address such impacts and counter intentional and unintentional biases against such populations. Additional policies addressing equity are found in the Housing Element and the Energy and Sustainability Element.

LU Goal 4 ***Foster equity in land use development and decision making.***

LU – 4.1 Ensure that all residents, regardless of race, social, or economic status, have a clean and healthy environment. Identify, mitigate, and correct for unavoidable negative impacts of public actions that disproportionally affect residents and neighborhoods impacted by existing and historical racial, social, environmental and economic inequities, and who have limited resources or capacity to adapt to a changing environment.

LU – 4.2 Develop and use tools that consider equity impacts when establishing plans or policies for outcomes that might disproportionally impact marginalized populations.

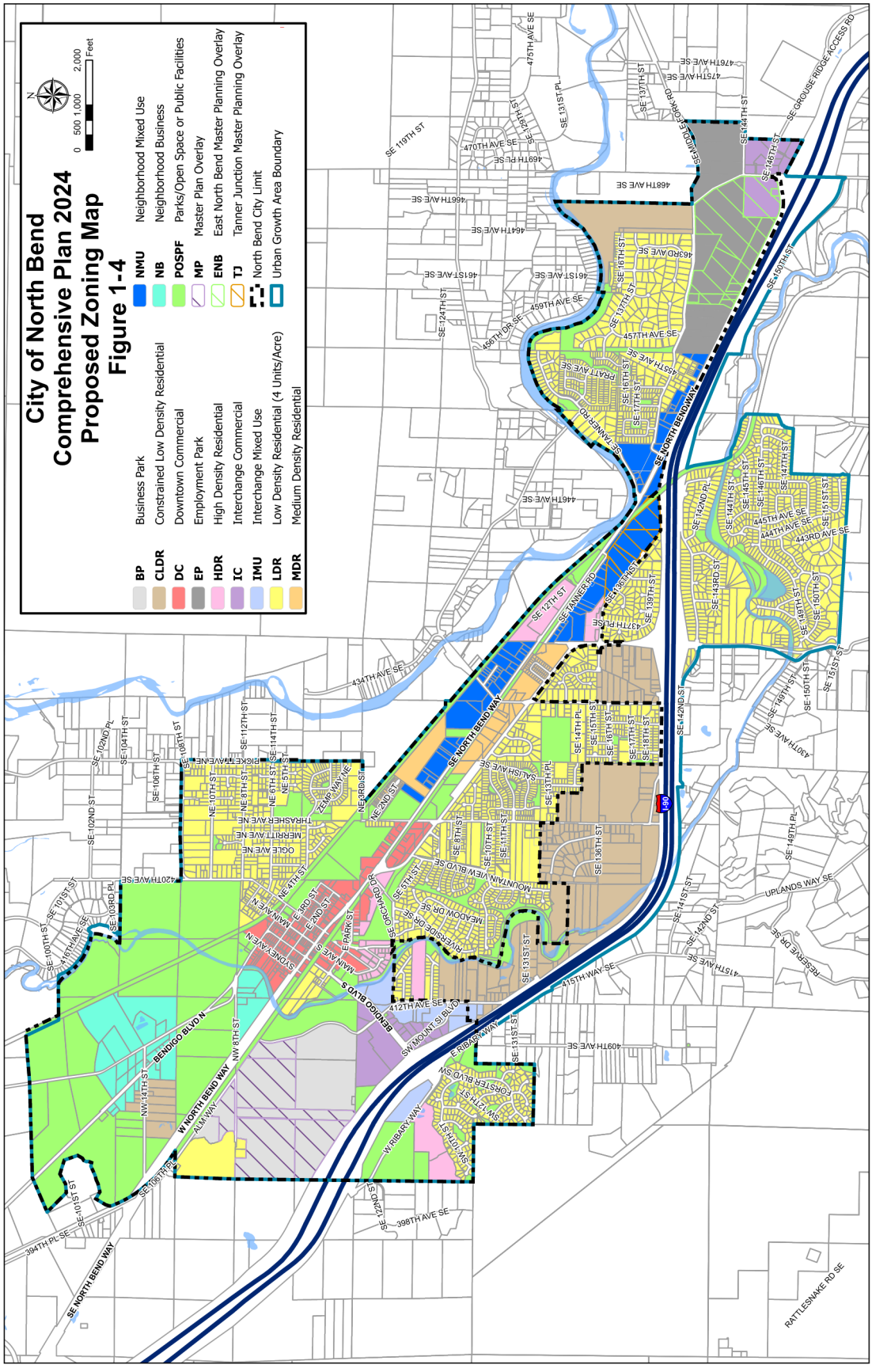
LU – 4.3 Promote land use development patterns that support the equitable siting of, and access to, services and community facilities.

LU – 4.4 In outreach and education activities and in the public process for land use decision making, strive to reach underrepresented and marginalized populations, including Tribes, and encourage their participation.

E. LAND USE AND ZONING DESIGNATIONS

How the City classifies uses of land within its incorporated boundary and its growth areas is important to the way the City will develop over the next twenty years. The zoning code is designed to implement the principles of the *North Bend Vision Plan* by promoting neighborhoods that are pedestrian-scale, predominately residential areas with mixed commercial and residential uses permitted in the commercial and industrial core of the City.

A general description of the City of North Bend's zoning code classifications are provided in the following sections. The zones provide the direction necessary to fulfill the City's vision for greater choice and expanded opportunity for residents and businesses, while also allowing the City to meet the population, employment, and affordable housing targets mandated by Countywide Planning Policies.


City of North Bend
Comprehensive Plan 2024
Proposed Zoning Map
Figure 1-4
0 500 1,000 2,000 Feet
BP Business Park
CLDR Constrained Low Density Residential
DC Downtown Commercial
EP Employment Park
HDR High Density Residential
IC Interchange Commercial
IMU Interchange Mixed Use
LDR Low Density Residential (4 Units/Acre)
MDR Medium Density Residential
NMU Neighborhood Mixed Use
NB Neighborhood Business
POSPF Parks/Open Space or Public Facilities
MP Master Plan Overlay
ENB East North Bend Master Planning Overlay
TJ Tanner Junction Master Planning Overlay
North Bend City Limit
Urban Growth Area Boundary
SE NORTH BEND WAY
SE 12TH ST
SE TANNER RD
SE 139TH ST
SE 137TH PLACE
434TH AVE SE
SE 104TH ST
SE 102ND PL
SE 108TH ST
SE 106TH ST
SE 102ND ST
SE 112TH ST
SE 114TH ST
NE 10TH ST
NE 6TH ST
NE 5TH ST
NE 3RD ST
NE 2ND ST
NE 4TH ST
E 3RD ST
E 2ND ST
E PARK ST
MAIN AVE S
BENDIGO BLVD S
BENDIGO BLVD N
W NORTH BEND WAY
NW 8TH ST
NW 14TH ST
SE 106TH PL
SE 101ST ST
SE 100TH ST
416TH AVE SE
420TH AVE SE
SE 103RD PL
394TH PL SE
398TH AVE SE
SE 122ND ST
SW MOUNT SI BLVD
E RIBARY WAY
W RIBARY WAY
SW 12TH ST
SW 10TH ST
409TH AVE SE
412TH AVE SE
415TH WAY SE
SE 131ST ST
SE 131ST PL
SE 136TH ST
SE 141ST ST
SE 142ND ST
SE 141ST PL
SE 145TH ST
SE 146TH ST
SE 147TH ST
SE 149TH ST
SE 150TH ST
SE 151ST ST
SE 143RD ST
SE 144TH ST
SE 142ND PL
445TH AVE SE
444TH AVE SE
443RD AVE SE
430TH AVE SE
URPLANDS WAY SE
RESERVE DR SE
MEADOW DR SE
RIVERSIDE DR SE
MOUNTAIN VIEW BLVD SE
GALISH AVE SE
SE 8TH ST
SE 5TH ST
SE 13TH PL
SE 14TH PL
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E.1 Residential Land Use

Much of North Bend is identified as Residential Neighborhoods (see **Map 1-3**. Residential zones provide for both single-family and multi-family housing with a range of densities while also accommodating appropriately scaled commercial nodes within proximity to residential areas. Locating these uses in a "mixed-use core" within walking distance of the neighborhoods in a deliberate, pedestrian-scaled pattern, encourages people to walk and bicycle and makes for a safer and more vibrant neighborhood. New residential development is encouraged to evolve according to traditional settlement patterns, with higher densities concentrated in the "unconstrained" areas and the "mixed use core" area, and gradually diminishing at the neighborhood's edges. All residential zones (definitions below) create attractive and satisfying environments for family and household life, ensure adequate services are provided, and provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors. In addition, these zones promote a traditional neighborhood development pattern and scale which serves to maintain and enhance the existing character and pedestrian orientation.

Low-Density Residential (LDR)

Low-Density Residential designations provide for neighborhoods of predominately single-family structures at a maximum density of four dwelling units per acre. This zoning designation can accommodate for other uses that are compatible with single-family residences, including accessory dwelling units and some percentage of cottage housing within a planned neighborhood district.

Constrained Low Density Residential (CLDR)

Constrained Low Density Residential is a designation for single-family residential use that is recognized for having larger lots or development constraints, such as frequently flooded areas, geologically hazardous areas, river and stream corridors, channel migration areas, wetlands, and native wildlife and fish habitat. Density in this area is expected to reach a maximum of two dwelling units per acre. The CLDR area includes properties located within the floodplain and floodway areas adjacent to the South Fork of the Snoqualmie River, and includes properties within the UGA, characterized by larger lot sizes and in keeping with the small town and natural character recognized as important in the city's vision statement.

Medium Density Residential (MDR)

The Medium Density Residential zoning designation provides for innovative housing types on smaller lot sizes with increased densities to create greater diversity for residents of North Bend. MDR is comprised of predominately single-family smaller detached housing in the form of cottages, as well as attached housing within smaller-scale buildings consistent with single-family neighborhood character at densities between Low Density Residential and High Density Residential.

High-Density Residential (HDR)

High-Density Residential zoning designations provides for attractive and satisfying pedestrian-friendly neighborhoods and/or areas of predominantly multi-family structures allowing for a mix of housing types, including affordable housing.

E.2 Parks, Open Space, and Public Facilities

Parks / Open Space or Public Facilities (POSPF)

The Parks Open Space or Public Facilities designation will include all public parks, schools and community facilities, as well as developed trails and other public recreational corridors and lands, and privately owned open space lands such as homeowners association parks, stormwater, and critical area tracts. Through the City's Parks and Open Space Element, property to be acquired for future parks or trails may be designated "future" Parks, Open Space, and Public Facilities. The "future" Park's designation may be applied without changing the underlying zoning.

The POSPF zoning may be segregated to distinguish lands designated primarily for parks and open space from lands designated primarily for public facilities. Agriculture, forestry, galleries, gardens and museums, cemeteries, as well as governmental offices are permitted.

E.3 Employment

The Employment Park and Business Park designations include areas where the future employment growth for North Bend will occur. These designations provide for development of large and small business to meet the twenty-year job target identified for North Bend by the Growth Management Planning Council. An important consideration for the development regulations is the need for parcels of sufficient size, with few constraints, that can provide efficient use of land to meet job targets. Activities promoted in this designation could include indoor fabrication, research and development, finance and other service-related businesses, and distribution facilities.

Business Park
The Business Park designation located on the west end of North Bend is intended to provide areas for light industrial and limited commercial uses that are compatible with adjoining land use districts, including offices, light manufacturing, warehouse and distribution and research and development. The business park zone is constrained by the presence of floodplain along the valley floor as well as topography and critical areas that may limit larger-scale development opportunities. A Master Plan Overlay District covers much of the Business Park designation reflecting the need to carefully plan the mix of uses in consideration of environmental constraints, traffic circulation, adjacent uses, and other factors.

Employment Park
The Employment Park designation located on the east end of North Bend is also intended light industrial and commercial uses that are compatible with adjoining land use districts, however some heavier industrial uses and retail uses will be accommodated here as well. An East North Bend Master Plan Overlay District covers much of the Employment Park designation reflecting the need to carefully plan the mix of uses in consideration of traffic circulation, adjacent uses, and the geographical context of the proximity to Interstate 90 and the entrance to the Middle Fork recreational area,

E.4 Commercial

Downtown Commercial (DC)
The Downtown Commercial designation will be the focus of services, entertainment, specialty retail, and mixed-use development. Development will be encouraged to conform to traditional northwest vernacular architecture and color palette, front onto streets, include pedestrian amenities, promote alternative transportation by providing bicycle racks and facilities, and develop shared parking facilities. Multi-storied development will be permitted to include residential and/or professional office uses above the street level. By promoting and enhancing commercial land uses within the historic, or traditional downtown area, redevelopment activities are encouraged which can prepare the North Bend downtown for the opportunities of the next century.

Interchange Commercial (IC)
The Interchange Commercial designation provides for business activities that typically serve the travel and tourist trade while also supplying goods and services in larger scale commercial development.

The Interchange Commercial zone provides for services to the traveling public, as well as larger scale commercial activities.

Interchange Mixed-Use (IMU)
The Interchange Mixed-Use zoning designation provides a modified set of permitted “interchange commercial” activities to protect residential uses adjacent to Interchange Commercial zoning districts.

The Interchange Mixed-Use occurs where Interchange Commercial (IC) zoning is near residential (LDR, HDR) zoning. The purpose of this zoning is to provide a transitional zoning district to act as a buffer between Interchange Commercial and Residential zoning. The transitional area provides for a limited set of interchange commercial uses that are more compatible with adjacent residentially zoned parcels.

Neighborhood Mixed Use (NMU)
The Neighborhood Mixed Use zone is a commercial zoning district intended to allow a variety of small-scale retail centers for shops providing goods to serve the everyday needs of the surrounding population, where residential development can be encouraged.

Neighborhood Business (NB)
The Neighborhood Business zone is intended to allow a variety of retail and service uses at a scale and intensity compatible with environmental constraints including floodplain and critical areas, and adjacency to agricultural and park uses at Tollgate Farm Park and Meadowbrook Farm.

LU - Goal 4: ***Focus future employment growth in designated economic opportunity areas including the downtown, the South Fork interchange and employment park area and the East North Bend Way to Edgewick corridor.***

Policies:

LU - 4.1 Implement a high level of design and retention of the City's unique visual quality to areas zoned for commercial or industrial land uses through review and implementation of the adopted Commercial and Industrial Design Standards.

LU – 4.2 Promote pedestrian-scale development by utilizing shared driveways or existing roads and providing pedestrian-level amenities.

F. MASTER PLAN OVERLAY DISTRICTS (MPODs)

The North Bend Municipal Code (NBMC) Master Plan Overlay Districts (MPODs) provide a process by which a specific planned mix of uses and layout may be provided through a master plan to address unique site-specific opportunities and constraints. The underlying land use designation for these areas has not changed but in most cases they have been given special considerations for types of uses, approximate locations for open spaces, public streets and access points. The Planning Commission or property owner may docket consideration of an overlay zone. The first and initial land use development application for any parcel within an MPOD shall show consistency with the overlay district. Additional MPODs may be adopted over time and incorporated into the NBMC and zoning map amendments.

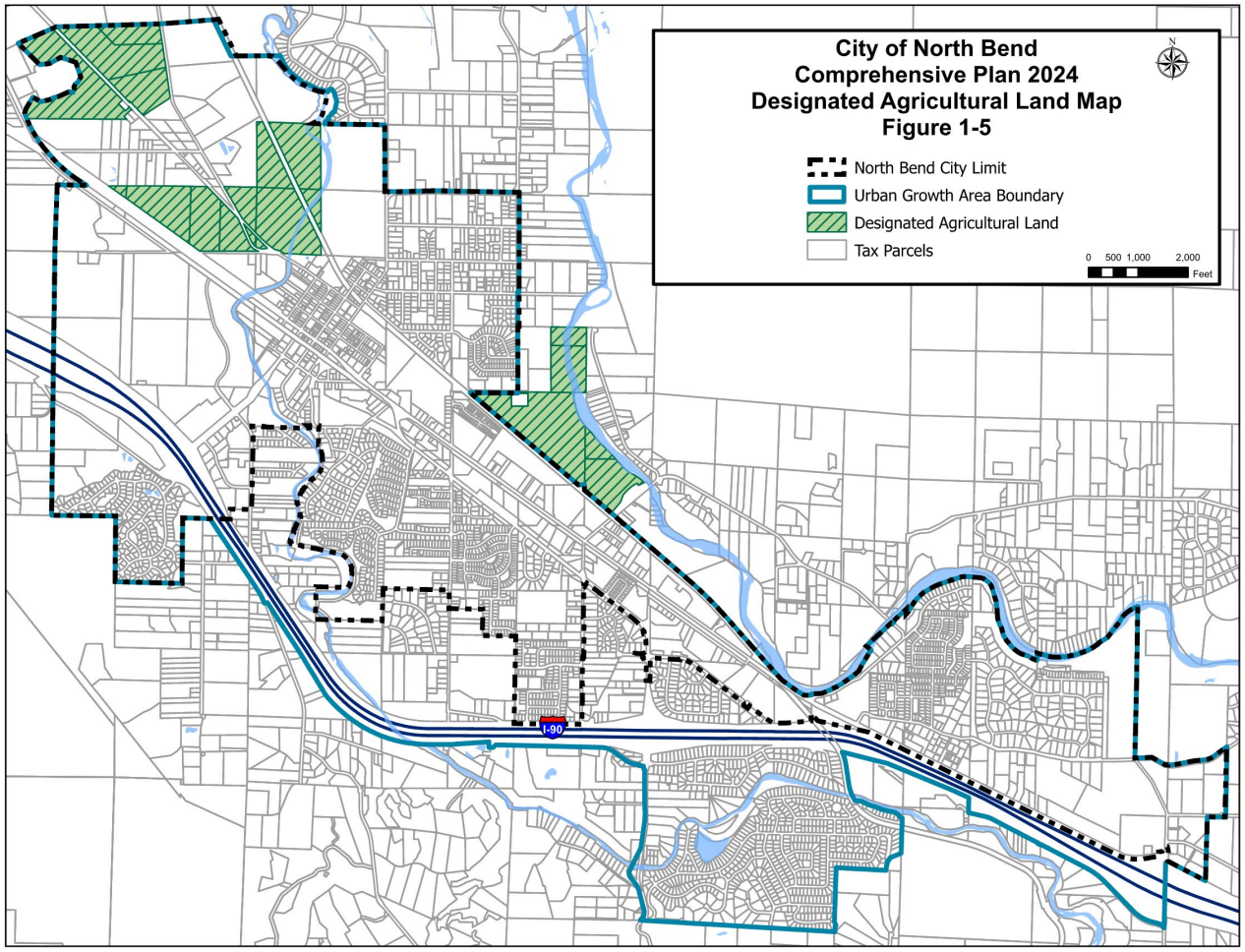
G. NATURAL RESOURCE LANDS

The protection and management of natural resource lands both inside and outside the North Bend Urban Growth Area (UGA) is a concern of the City of North Bend. Both forestry and agriculture play a large role in North Bend's history, helping to form a part of its identity and character. Within City Limits, ongoing agriculture exists at Tollgate Farm, and to a limited extent at Meadowbrook Farm, both public properties purchased with King County Conservation Futures Tax grant funding and protected for permanent open space, passive outdoor recreation and agricultural use under deed restrictions on the properties. Immediately outside of City Limits and the City's Urban Growth Area, ongoing agriculture exists on the Stringfellow Farm just east of the Snoqualmie Valley Trail. The Growth Management Act (GMA) in RCW 36.70A.020(8) addresses Natural Resource Industries in planning goal # 8 in order to:

> Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

The City can help protect and sustain agricultural uses consistent with WAC 365-196-480 by requiring notices on title on property adjacent to designated agricultural lands to caution potential buyers that they may experience noise, dust, odors and other inconveniences due to farming and/or forestry operations, encouraging the development of small-scale agricultural uses at Tollgate Farm and other areas as appropriate, and ensuring appropriate land use transitions adjacent to agricultural lands, including permitted uses and intensities, buffers, and other measures.

Figure 1-5 depicts designated Agricultural Lands within and adjacent to the City of North Bend.



LU Goal 5: Protect existing resource lands and support agricultural uses important to the history and character of North Bend.

Policies:

LU – 5.1	Support the development of small-scale agricultural uses at Tollgate Farm to preserve the history of agriculture in the Snoqualmie Valley.
LU – 5.2	Maintain Right-to-Farm and Forestry regulations to support maintenance of natural resource lands within and around the North Bend UGA and protect farm and forestry operations from nuisance laws.
LU – 5.3	Require Notice on Title of residential properties adjacent to designated agricultural lands to notify owners of potentially incompatible activities at the time of development approval.
LU – 5.4	Require landscape buffers for development on properties adjacent to certain designated agricultural lands to protect agricultural activities from impacts from potentially incompatible future urban land uses.
LU - 5.5	Seek opportunities for City-County cooperative acquisition, development or shared maintenance of key sites that provide scenic and recreational benefits for City Residents.

H. GROWTH TARGETS AND POPULATION PROJECTION

H.1 Growth Targets

The Growth Management Act[2] requires Washington cities and counties to measure their land supply (in acres) and land capacity for both housing units and jobs in order to ensure these cities and counties have sufficient capacity to accommodate forecasted growth for a 20-year period. North Bend has analyzed preceding years and forecasted capacity for the future anticipated growth and found there is adequate land available for housing and employment target numbers. Future development and build-out analysis assumes highest and best use of lands, which is not always achievable or realized with each individual development.

The current targets established by the Growth Management Planning Council (GMPC) are for the planning period 2019-2044. The Growth Management Act requires cities to plan for sufficient areas and densities for growth anticipated to occur in a twenty-year period. By adopting this plan in the year 2024, the City is fulfilling the GMA requirement.

The King County Countywide Planning Policies identifies a **housing target of 1,748 net new dwelling units** and **employment target of 2,218 net new jobs** for North Bend for the years 2019–2044. Since 2019, North Bend has permitted 772 total new dwelling units and established approximately 406 jobs through commercial and residential developments; an additional 976 dwelling units and 1,812 jobs are needed to reach the adopted housing and employment targets. A 2024 Land Capacity Analysis (LCA) was performed by LDC, Inc. (appendix 1), which found that North Bend has the **capacity for 1,110 new dwelling units and 6,543 new jobs on developable land in the city based on the City's existing 2021 zoning map, therefore exceeding the adopted targets by 134 units and 4,731 jobs respectively.**

In the LCA, additional analysis to satisfy GMA housing element requirements[3] revealed housing capacity deficits for households with incomes less than 50% of the Area Median Income (AMI).based on the City's then-current 2021 zoning map. The City of North Bend proposed an alternative zoning map which resulted in projected housing capacity increasing by 694 units and projected employment capacity decreasing by 314 jobs. The proposed alternative zoning was adopted as a part of the 2024 Comprehensive Plan amendments.

2024 LCA Housing and Employment Capacity Alternate Zoning Comparison

	Housing (units)		Employment (jobs)	
	2023 Base Zoning	2024 Proposed Alternative Zoning	2023 Base Zoning	2024 Proposed Alternative Zoning
2019-2044 Target	*1,748*	*1,748*	*2,218*	*2,218*
2019-2023 Permitted Growth	772	772	406	406
Remaining Target	**976**	**976**	**1,812**	**1,812**
2024 LCA capacity	1,110	1,904	6,543	6,229
Capacity Surplus (or deficit)	**134**	**928**	**4,731**	**4,417**

H.2. Population growth and 2044 projection

The overall population in North Bend has increased significantly over the past twenty years, as demonstrated in Figure H.2.A, below. The population remained stable between 2000 and 2008 before steadily increasing from 2008-2022. The annual population growth rate since 2010 for the City of North Bend is 3.18% per year, which outpaces

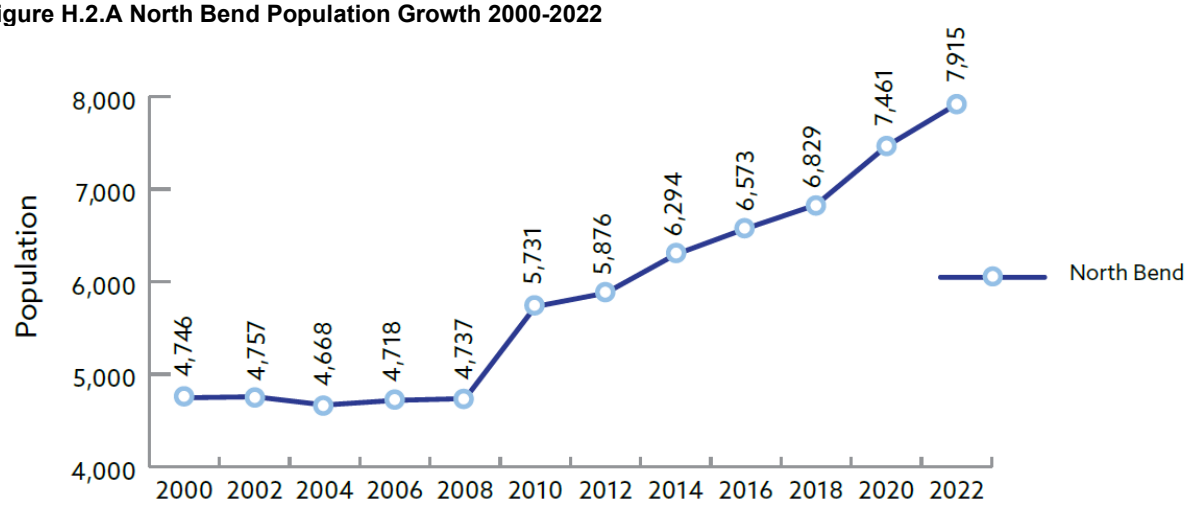
[2] The Washington Legislature enacted the Growth Management Act (GMA) in 1990 to guide planning for growth and development. It has been regularly amended to further define requirements and to advance coordination among local governments.

[3] RCW 36.70A.070(2)(a)

King County's growth rate of 2.39%. In 2022, the population was 7,915, which increased by 13% since 2019 and 67% since 2000. Additional data on the City's population growth and associated demographic information can be found in the City of North Bend Housing Needs Assessment (Blueline, March 2023), included as an appendix to the Housing Element.

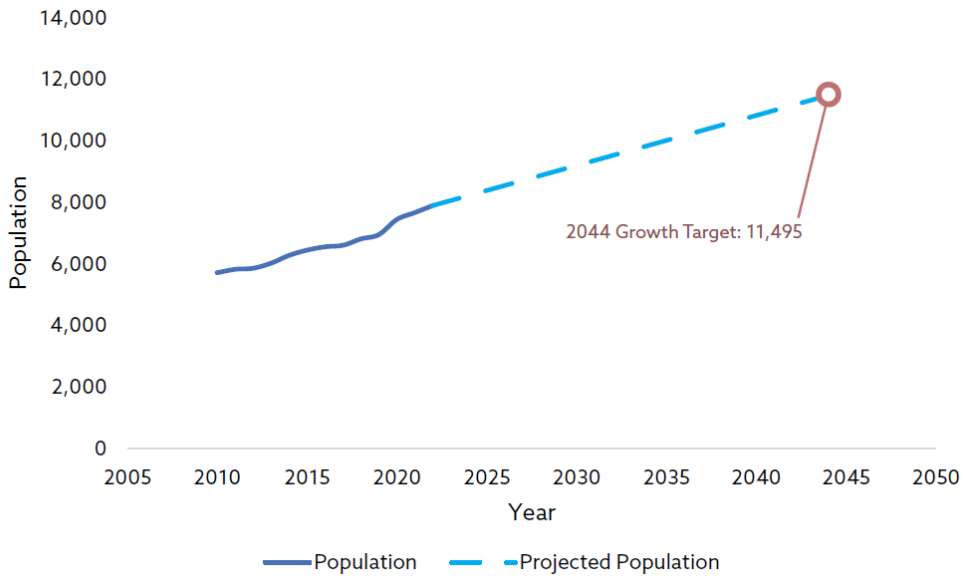
Based on North Bend's average household size of 2.67 people and OFM's 2018 population estimates, North Bend's projected 2044 population will be 11,495 people, assuming the average household size remains the same, as illustrated in Figure H.2.B, below.

Figure H.2.A North Bend Population Growth 2000-2022



Source: OFM, 2021. Postcensal Estimates of April 1 Population, 1960 to Present. OFM, 2020. Intercensal Estimate of April 1 Population, 2010-2020. OFM, 2020. Intercensal Estimate of April 1 Population, 2000-2010.

Figure H.2.B North Bend 2044 Population Projection



Source: OFM. (2021). Postcensal Estimates of April 1 Population, 1960 to Present; OFM. (2021). Intercensal Estimates of April 1 Population, 1960 to Present; Puget Sound Regional Council, 2017; King County, 2021.

Refer to the 2024 LCA (Appendix X) for a detailed review analysis of methodology, assumptions, and results.

I. Directions for Future Growth

I.1 Urban Growth Area Annexation

The City's UGA offers many opportunities to provide high quality City services to future residents and businesses. Over the next twenty years, the City will entertain a variety of requests for annexation by property owners who value North Bend's services and recognize the need for City utilities and amenities in order to develop or redevelop their properties in an ecologically responsible manner. The purpose of the annexation goals and policies included in this Plan is to establish parameters which facilitate the smooth transition from King County to North Bend jurisdiction when areas within the UGA seek to be annexed by the City.

Annexation of property within the UGA should benefit the City, its residents, and property owners. The City benefits by its ability to hold new development to City standards, to extend its boundary in a logical manner, to expand its economic tax base, and to provide opportunities for new residential development that meet the needs of underserved populations. Property owners and new residents gain the ability to participate in local government, which directly impacts their lives and property. They also gain access to local services including building and land use controls and City water and sewer systems.

Annexation which occurs before an area is ready to develop can overextend and cause inefficiencies in the provision of City services. Annexation can also act as an impetus for establishing urban densities and may encourage development before it is appropriate. Property owners may seek annexation if they can meet the annexation criteria outlined in Chapter 35A.14 RCW, and if they can establish the merit to their proposal to the satisfaction of the City.

When deciding whether to annex areas of the UGA, the City considers:

- the annexation policies below;
- the City's ability to provide City services;
- consistency with City population and employment targets;
- achievement of logical, regular boundaries;
- development potential of area to be annexed; and
- identification of existing or potential community.

I.1.a Residential

Additional specific measures will be proposed to ensure consistency of new growth with adopted population and employment targets. To comply with concurrency standards and achieve urban densities, extension of water and sewer would be necessary for all new development in the City. The City evaluates the potential to accommodate new residential development by infilling within the current City limits or on case-by-case basis at the time it is presented with an annexation proposal. Before accepting residential annexation proposals, the City will make a determination if required services have been extended to existing areas of the City in sufficient quantity to accommodate remaining growth targets. If the serviced land has not been created inside the City, the annexation shall be subject to compliance with the policies outlined below and with the annexation criteria in Chapter 35A.14 RCW.

LU - Goal 6: ***Develop agreements with King County to apply City-compatible development standards that will guide UGA land development prior to annexation.***

Policies:

LU - 6.1 Require that unincorporated land that is adjacent to the City boundary be annexed to the City at the time development is proposed. The extension of City services to an area will not occur without that area first seeking annexation into the City.

LU - 6.2 Encourage the County to allow unincorporated land that is located in the UGA, but is not adjacent to the City boundary and is not practical to annex, to develop subject to compliance with City Comprehensive Plan designations, zoning and other development standards, and impact mitigation requirements.

LU - 6.3 Include in interlocal agreements provisions regarding protection of sensitive land areas and environmental reviews, transportation system planning, and design and building permits for projects at specified threshold levels.

LU - 6.4 Pursue interlocal agreements with King County to address issues of potential concern to the City within the Urban Growth Area.

LU – 6.5 Evaluate proposed utility service extensions to ensure that development enabled by the utility extension is consistent with City development standards and policies of the Comprehensive Plan specifically including population and employment growth targets.

LU - Goal 7: ***Annex areas within the Urban Growth Area consistent with the goals and policies of this Plan, the interlocal agreement policies of this Plan, and the general annexation policies listed below.***

Policies:

LU - 7.1 Encourage growth and development consistent with the City's ability to provide adequate and efficient services and facilities and the City's desire to maintain high quality service provisions in areas to be annexed.

LU - 7.2 Encourage economic growth consistent with the long-range financial position of the City and its residents in all annexation considerations.

LU - 7.3 Consider the opportunity to promote a healthy mix of residential, commercial, industrial, and parks and open space land uses when areas seek annexation.

LU - 7.4 Consider the opportunity with the annexation to help address City needs concerning racial and social equity, housing affordability, and access to opportunity.

LU – 7.5 Ensure outreach to the community concerning annexation proposals and consider the level of community interest before moving forward with annexations.

LU – 7.6 Provide for urban services within the City's Urban Growth Boundary at time of annexation.

LU – 7.7 Seek to expand the area of annexation proposed when such an expansion is based on natural features, would serve to make the City boundaries more regular, or where the area to be served is a logical extension of City service capabilities and is within the UGA.

LU – 7.8 If an Urban Growth Boundary modification is pursued through King County, analyze and encourage exchange of ecologically sensitive or important areas such as floodplains, critical areas, and wildlife habitat areas, for areas that are not as constrained.

LDC Surveying Engineering Planning

Land Capacity Analysis

CITY OF NORTH BEND

October 2024

Prepared for:

City of North Bend
Community Development Department
Rebecca Deming - Director

Prepared by:

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Executive Summary

This Land Capacity Analysis (LCA) evaluates the inventory of developable and redevelopable land within the jurisdiction of the City of North Bend (North Bend), estimating whether the city can meet its projected growth targets. The assessment aims to understand available land for development, how it can be utilized to achieve projected growth targets, and identifies potential changes needed to achieve the land capacity to accommodate future housing and employment needs.

This LCA determined that North Bend has sufficient employment capacity for the 2024-2044 planning period (planning period) but lacks adequate capacity to meet projected housing needs for very low and extremely low-income households. To address this housing deficit, North Bend planned zoning changes. These changes include adding 664 units of housing capacity to the Low-Rise Multifamily density category, which would accommodate affordable housing needs for households earning less than 50% AMI, as well as other income categories.

This memorandum provides detailed background, methodology, and findings that update the city's capacity for housing and employment, building upon the Urban Growth Capacity Report (UGCR).

Background

North Bend is required to estimate its land capacity to support anticipated growth over the planning period in the land use element of its Comprehensive Plan (WAC 365-196-405).

In cities within King County, LCA relies on findings from the UGCR. The UGCR is an assessment completed by King County that helps determine the amount of land suitable for development within the County, evaluates each city's capacity for growth, and projects the future housing and employment capacity for each city. The UGCR bases its findings on recent development activity data provided by cities within King County.

King County and the cities within the county work together to create the UGCR. This report, last updated in 2021[1], evaluated the amount of land suitable for urban development and capacity-for growth within each jurisdiction and was based on a measurement of recent actual development activity; this is often referred to as the Buildable Lands Program (RCW 36.70A.215). The County uses data provided by each city to conduct an inventory of land that is vacant or underutilized and uses that data to estimate housing and employment capacity per zone within each jurisdiction. These data form the basis for updating the analysis of land capacity.

Land Capacity Analysis Overview

An LCA identifies the remaining developable and redevelopable land within a city's jurisdiction that may be used to achieve the city's growth targets. An LCA utilizes data available from the County Assessor, County Buildable Lands Report (King County UGCR), local permitting activities, and other available reports and resources to quantify the City's development potential for employment and housing and evaluate necessary changes to achieve the land capacity necessary to accommodate all housing and employment needs.

Washington Department of Commerce (Commerce) has developed guidance on conducting LCAs; see Guidance for Updating your Housing Element, which is specific to housing capacity related to House Bill

[1] The 2021 Buildable Lands Report is based on an inventory of permits and property status as of January 2020 (King County Urban Growth Capacity Report, June 2021, pg. 18).

(HB) 1220, and Urban Growth Area Guidebook, which addresses both housing and employment capacity in relation to the Growth Management Act (GMA).

In partnership with LDC, the City has analyzed development capacity for the planning period according to Commerce guidance. In this LCA Memorandum (memo), findings from the LCA are reported according to Commerce guidance with underlying analysis performed according to the King County UGCR methodology[2].

Land Capacity Analysis Methodology

The 2021 King County UGCR performed capacity analysis through the following steps:

- Phase One – Achieved Densities
- Phase Two – Land Supply
- Phase Three – Initial Capacity
- Phase Four – Final Capacity

This LCA incorporated these phases into its analysis as indicated below:

Phase One – Achieved Densities

Density assumptions from the 2021 UGCR were re-evaluated for this LCA; however, recently achieved densities confirmed the previous assumptions so no changes were made. Density assumptions used in the LCA are reported in Table 25. Additionally, the abbreviations of zoning designations referred to throughout this memo are not consistent with the current North Bend zoning code at the time of writing. They are based on changes to the structure of the zoning code that includes revised zone names – see Table 26 for a cross-over of the old and new zone abbreviations.

Phase Two – Land Supply

Parcels in North Bend were assessed for development potential. Parcels determined to have capacity were either vacant or evaluated to be redevelopable[3]. The following assessments were included to determine available land supply:

1. Critical Areas – This LCA did not include additional analysis of critical areas. The coverage of critical areas that were identified in the data reported to King County for the 2021 UGCR is summarized on the parcel level and included in this analysis.
2. Pipeline Projects – Parcels associated with development projects that were permitted after May of 2023 or those that are currently in the permitting process were removed from the analysis and their proposed residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.
3. Permitted Projects – Parcels associated with development projects that were permitted between January 2019 and May 2023 were removed from the analysis and their achieved residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.

In this analysis buildable land capacity was inferred from the findings of the 2021 UGCR. This was accomplished by applying the land capacity designations of *Vacant*, *Vacant Singe Unit*, and *Redevelopable* from those parcels with capacity in the 2021 UGCR to the City of North Bend's parcels[4] and correcting them based on development permits for building construction and demolition in North Bend. Additionally, current

[2] Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 16-27)
[3] For definitions of vacant and redevelopable parcels, see Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 20)
[4] Parcel dataset used is from May of 2023.

King County Assessor property improvement data was incorporated to ensure redevelopable properties had exiting development accounted for.

Phase Three – Initial Capacity

Data of parcels with identified capacity were combined and attributed by zone, these data include number of Vacant Single Unit Parcels, Gross Acres, Critical Areas (acres), existing residential units, and existing commercial building square-footage. Net developable acres (Gross Acres – Critical Areas) were then calculated for each zone, and zoning assumptions including metrics such as assumed density, percent of right-of-way, etc. (see Appendix A) were applied to calculate the maximum build potential in residential units and commercial building square footage.

Phase Four – Final Capacity

The existing residential units or commercial building square footage was subtracted from maximum build potential to yield the net capacity which can result in negative numbers due to non-conforming uses being displaced. Finally, residential units and/or commercial building square footage from pipeline projects were added to their respective zones which yields Final Capacity.

This Final Capacity becomes the input for Step 1 of the Commerce LCA guidance (discussed on page six of this memo).

- Land Capacity Analysis Results on next page -

Land Capacity Analysis Results

The LCA produced projections of future capacity for housing and employment. The remainder of this memo will review the LCA's outcomes and options related to the North Bend 2024 Comprehensive Plan Update.

Housing and Employment Targets 2020-2044

According to the King County Countywide Planning Policies (amended August 15, 2023), North Bend has the following housing and employment targets to plan for during the 2024 Comprehensive Plan update:

- Housing Target: 1,748 residential units
- Employment Target: 2,218 jobs

Current Development

North Bend provided data for land development that has occurred since 2019. The 2019-2023 Permits table and the Growth Targets Progress table (Table 1 and Table 2, respectively) summarize the amount and type of building activity that was permitted in North Bend between January 2019 and April 2023. Any development applications not yet permitted as of April 2023 will be incorporated later in the LCA as Pipeline Projects.

2019-2023 Permits	
Development	**Quantity**
Single-Family Detached	396 Units
Townhouse[5]	144 Units
Cottage	3 Units
Duplex	4 Units
Accessory Dwelling Unit (ADU)	1 Unit
Multi-Family	224 Units
Total Residential	**772 Residential Units**
Commercial Building	238,656 square feet
Total Commercial	**406 Estimated Jobs[6]**

Table 1 - 2019-2023 Permits

Permitted units and jobs can be directly counted against North Bend's current growth targets because they have effectively increased capacity for housing and employment.

Growth Targets Progress	
Housing Target	*1,748*
2019-2023 Permitted Growth	772
Target Remaining	**976**
Employment Target	*2,218*
2019-2023 Permitted Growth	406
Target Remaining	**1,812**

[5] For the purposes of this analysis townhouses include units permitted as triplexes or fourplexes.
[6] Estimated jobs from permitted development are based on a combination of density assumptions and local knowledge to approximate jobs provided by each development.

Table 2 - Growth Targets Progress

Employment Capacity

Employment capacity is provided by vacant and redevelopable land, and pipeline projects. Assumptions of floor-area-ratio (FAR) are applied to developable land to estimate potential commercial building square-footage; assumptions of employment density are applied to estimate the potential jobs yielded by development.

Commercial Capacity	**Commercial Capacity (Jobs)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
NMU-MPOD	0	3	0	-3
NB	328	0	100	428
NMU	333	0	102	435
NMU - Redevelopable	504	11	0	493
DC	787	173	0	614
BP	789	7	971	1,753
EP	1,360	7	0	1,353
IC	993	23	60	1,030
IMU	442	34	0	408
POSPF	0	0	32	32
Total	**5,536**	**258**	**1,265**	**6,543**

Table 3 - Commercial Capacity (Jobs)

Employment capacity in North Bend is sufficient to satisfy its employment growth targets. The NMU, DC, BP, and EP zones have the highest volume of initial capacity and a large portion of North Bend's growth target is provided by permitted and pipeline projects. A total of approximately 1,671 jobs are anticipated to be provided through these developments.

With developable land providing approximately 5,278 jobs, and permitted and pipeline projects together providing approximately 1,671 jobs, North Bend is expected to exceed its adopted growth target by 4,731 jobs.

Employment	**Jobs**
Target 2019-2044	*2,218*
2019-2023 Permitted Growth	406
Pipeline projects	1,265
Zoned Employment capacity	5,278
Total Employment Capacity	**6,949**
Employment Capacity Surplus (or deficit)	**4,731**

Table 4 - Employment

Housing Capacity

Per the GMA, the LCA needs to take into consideration capacity for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing[7]. These special needs housing types will be referenced throughout the LCA, their definitions from the GMA are available in the Housing Type table (Table 5):

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	Residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Table 5 - Housing Type

North Bend has adopted targets to add an additional 1,748 residential units and 334 emergency beds by 2044. These targets incorporate needs for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market-rate housing. King County ordinance 19660, adopted August 15th, 2023, establishes North Bend's housing growth target allocations. The Permanent Housing (Units) by Affordability *(AMI)* table (Table 6) outlines permanent housing targets by income and emergency housing target in number of beds.

Permanent Housing (Units) by Affordability (AMI)								Emergency Housing (Beds)
0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	Total	
Non-PSH	PSH							
433	228	121	221	98	111	536	1,748	334 beds

Table 6 - Permanent Housing (Units) by Affordability (AMI)

[7] RCW 36.70A.070(2)(c)

To demonstrate compliance with HB 1220, housing capacity is reported according to Commerce guidance[8]; this guidance outlines the demonstration of housing capacity through the following steps:

1. Summarize land capacity by zone
2. Categorize zones by allowed housing types and density level
3. Relate zone categories to potential income levels and housing types served
4. Summarize capacity by zone category
5. Compare projected housing needs to capacity
6. (If a deficit is found) Implement actions to increase capacity for one or more housing needs then re-assess capacity (Step 1) based on actions.

1. Summarize land capacity by zone

Using HB 1220 and HB 1337 North Bend has identified capacity for all housing needs in three areas:

1. Zoned capacity – capacity from vacant and redevelopable land or from pipeline development projects
2. Accessory Dwelling Unit Capacity (HB 1337) – potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates
3. Emergency Housing Capacity (HB 1220) – capacity for the City to provide for emergency housing needs based on available land and other opportunities

Zoned Capacity

Residential Capacity	**Residential Capacity (Units)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
CLDR	21	0	40	61
LDR - Constrained	51	(14)	0	37
LDR	261	(53)	0	208
MDR	357	(17)	0	340
HDR	10	0	0	10
NMU-MPOD	9	(2)	0	7
NMU	76	0	0	76
NMU - Redevelopable[9]	6	(2)	0	4
DC	270	0	0	270
BP	0	0	0	0
EP	0	0	0	0
IC	0	0	0	0
IMU	0	0	0	0
Total	**1,061**	**(88)**	**40**	**1,013**

Table 7 - Residential Capacity

[8] Guidance for Updating your Housing Element (Book 2). Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

[9] The NDU zone has separate assumptions for redevelopable land, depicted on its own row for this analysis (see Table 25).

Accessory Dwelling Unit Capacity (House Bill 1337)

Recent changes in State law now mandate cities to permit up to two ADUs on all lots within zones designated for single-family homes, in North Bend those are the CLDR, LDR, MDR, and HDR zoning districts, encompassing 3,412 tax parcels. After excluding parcels deemed unsuitable due to current uses or containing critical areas, 2,831 lots are eligible for construction. Additionally, lots projected to be developed in single-family zones are included, increasing the total available lots for ADU construction to 3,103.

Commerce recommends estimating the projected number of newly constructed ADUs based on the real-estate market of the jurisdiction[10]. North Bend assumed a 2.5% participation rate, accounting for property owners who lack the financial resources or desire to build ADUs. Estimated participation rate was chosen based on North Bend's history of permitting ADUs and the anticipated increase in ADU development activity that will result from changes implemented by HB 1337. North Bend assumed an average of 1.25 ADUs per lot and while there are no lots identified in North Bend that have more than one ADU currently, when factoring in the new requirements of HB 1337 lots with two ADUs could exist in the future. Applying this analysis, North Bend has capacity for 97 ADUs on 78 lots.

ADU Development Capacity				
Available Lots	Participation Rate	Potential ADU Lots	ADUs per Lot	2044 ADU Capacity
3,103	2.50%	78	1.25	97

Table 8 - ADU Development Capacity

Emergency Housing Capacity (House Bill 1220)

HB 1220 includes requirements for Emergency Needs Housing capacity. These requirements are applicable to all jurisdictions that have been assigned Emergency Needs Housing targets, of which North Bend has been assigned 334 beds. The bill requires that jurisdictions allow for siting of indoor emergency housing or indoor emergency housing shelters where hotels are allowed or within "a majority of zones within a one-mile proximity to transit.".

At time of writing, North Bend allows hotels as a permitted use in the NMU, IC, IMU, NBU, EP zoning districts and is required to demonstrate land capacity for emergency housing in addition to permanent housing if emergency housing is not allowed outright in all these zones. As of the writing of this analysis, North Bend has land use regulations for Emergency Housing "Indoor Emergency Shelter" and "Indoor Emergency Housing" and requires both uses to obtain a Conditional Use Permit for their operation.

Based on the City's current development regulations and developable land identified in this LCA, Emergency Housing capacity was assessed through an Emergency Housing Land Capacity Analysis (EHLCA). In an EHLCA, land for capacity is identified based on the zoning use code table found in NMBC 18.10.030; due to the uncertainty of the Conditional Use process, only zones where the above listed emergency housing uses are outright permitted will be considered to have capacity for these housing needs. Additionally, residential and non-residential capacity are treated differently in an EHLCA; land identified for permanent residential development capacity can also be counted for emergency housing capacity but land identified for emergency housing capacity in commercial zones must be removed from the non-residential capacity in those zones. This difference is due to the assumptions behind the creation of the permanent and emergency housing targets which assume that if all permanent housing needs are met emergency housing should no longer be necessary and could be re-purposed.

[10] Guidance for Updating your Housing Element (Book 2) - p. 28. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Table 9 shows all zones evaluated in the EHLCA, their use code table level of permit approval, and any emergency housing capacity identified in them and compares the total identified emergency housing capacity to the City's emergency housing target.

Emergency Housing Capacity									
Zone	EH Use Code Table	Residential EH Acres	Commercial EH Acres	Total EH Acres	Density (beds/acre)	Capacity (beds)	Total Capacity	Total Need	Capacity Surplus (or Deficit)
CLDR	No	0.00	0.00	0.00	0	0	0	334	(334)
LDR - Constrained	No	0.00	0.00	0.00	0	0			
LDR	No	0.00	0.00	0.00	0	0			
MDR	No	0.00	0.00	0.00	0	0			
HDR	Conditional Use	0.00	0.00	0.00	0	0			
NMU-MPOD	Conditional Use	0.00	0.00	0.00	0	0			
NMU	Conditional Use	0.00	0.00	0.00	0	0			
NMU - Redevelopable	Conditional Use	0.00	0.00	0.00	0	0			
DC	*	0.00	0.00	0.00	0	0			
BP	No	0.00	0.00	0.00	0	0			
EP	No	0.00	0.00	0.00	0	0			
IC	Conditional Use	0.00	0.00	0.00	0	0			
IMU	Conditional Use	0.00	0.00	0.00	0	0			
NB	Conditional Use	0.00	0.00	0.00	0	0			
POSPF	Conditional Use	0.00	0.00	0.00	0	0			

Table 9 - Emergency Housing Capacity

The initial EHLCA based on existing conditions identified no capacity for emergency housing uses, leaving a total capacity deficit of 334 beds. To address this deficit, North Bend needs to plan for an additional 334 beds by 2044 to meet emergency housing needs.

Housing Capacity Subtotal

Housing capacity by zoning, pipeline projects, and ADU construction contributes toward North Bend's total housing target of 1,748 residential units by 2044. Without factoring in housing needs by income brackets, North Bend has capacity for 1,8829 residential units providing a surplus of 134 units of residential capacity.

Housing Capacity Subtotal	**Units**
Target 2020-2044	*1,748*
2020-2023 Permitted Growth	772
Pipeline projects	40
Zoned Housing capacity	973
ADU Capacity	97
Total Housing Capacity	**1,882**
Housing Capacity Surplus (or deficit)	**134**

Table 10 – Housing Capacity Subtotal

2. Categorize zones by allowed housing types and density level

Commerce has established a framework to assess potential housing affordability. This involves compiling permitted housing types and maximum allowed densities for each zone, categorizing them into "Zone Categories." These categories help gauge how effectively the identified capacity in the LCA serves the housing needs of all demographics.

Housing costs and affordability can vary significantly by housing type, and housing types and densities are determined in part by zoning and other local development regulations. For example, subsidized affordable housing projects are most feasible to produce in low-rise or mid-rise multifamily zones that allow for multi-unit housing production, such as apartment buildings. [11]

The Zone Categories table (Table 11) shows zone categories from Commerce guidance that are applicable to zones in North Bend.

Zone Category	**Typical Housing Types Allowed**
Low Density	Detached single-family homes
Moderate Density	Townhomes, duplex, triplex, quadplex
Low-Rise Multifamily	Walk-up apartments or condominiums (2 to 3 floors)

Table 11 - Zone Categories

[11] Guidance for Updating your Housing Element (Book 2) - p. 30. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Based on this framework, North Bend's residential zones can be classified into the following categories:

North Bend Residential Zone Density Categories			
Zone	Housing Types Allowed	Max Density Allowed	Assigned Zone Density Category
HDR	Detached single-family homes, Townhomes, Duplexes, Triplexes, Fourplexes, Apartments	21 du/ac	Low-Rise Multifamily
NMU	Apartments	15 du/ac	Low-Rise Multifamily
NMU - Redevelopable	Apartments	15 du/ac	Low-Rise Multifamily
DC	Apartments	32 du/ac	Low-Rise Multifamily
IC	Apartments	15 du/ac	Low-Rise Multifamily
IMU	Apartments	32 du/ac	Low-Rise Multifamily
MDR	Detached single-family homes, Duplexes, Cottages	14 du/ac	Moderate Density
NMU-MPOD	Detached single-family homes	4 du/ac	Low Density
CLDR	Detached single-family homes	2 du/ac	Low Density
LDR - Constrained	Detached single-family homes, Cottages	2 du/ac	Low Density
LDR	Detached single-family homes, Cottages	4 du/ac	Low Density

Table 12 - North Bend Residential Zone Density Categories

3. Relate zone categories to potential income levels and housing types served

The types of housing allowed in a zone can influence which income levels' housing needs are met. The Zone Category Incomes Served table (Table 14) shows the potential income levels served by different housing types, whether market rate or subsidized, based on a standard table from Commerce[12]. Income levels are determined by the Area Median Income (AMI). Income levels are based on the Area Median Income (AMI), see Income Levels based on AMI table (Table 13) for details.

Income Levels	
Income Level	**Relative AMI**
Extremely Low Income	<=30% AMI
Very Low Income	>30% and <=50% AMI
Low Income	>50% and <=80% AMI
Moderate Income	>80% and <=120% AMI
High Income	>120% AMI

Table 13 - Income Levels based on AMI

Zone Category Incomes Served				
Zone Category	Housing Types Served	Lowest Potential Income Level Served		Assumed Affordable Income Level for LCA
		Market Rate	With Subsidies	
Low Density	Single-Family Detached	High Income	Not feasible at scale	High Income
Moderate Density	Townhomes, duplex, triplex, quadplex	High Income	Not feasible at scale	High Income
Low-Rise Multifamily	Walk-up apartments, condominiums, PSH (2-3 floors)	Low Income	Extremely Low - Very Low Income	Low - Extremely Low Income and PSH
ADUs (all zones)	ADUs on developed residential lots	Moderate Income	N/A	Moderate Income

Table 14 - Zone Category Incomes Served

[12] Guidance for Updating your Housing Element (Book 2) - Exhibit 13, p. 33. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

4. Summarize capacity by zone category

Zoned Capacity

Zoned capacity is derived from developable or redevelopable land as identified in the LCA. The Zoned Capacity by Density table (Table 15) shows zoned capacity from the LCA, compiled based on the density category.

Zoned Capacity by Density			
Zone	Capacity (LCA)	Zone Density Category	Capacity in Zone Density Category
HDR	10	Low-Rise	360
NMU	80		
DC	270		
IC	0		
IMU	0		
MDR	340	Moderate Density	340
NBU-MPOD	7	Low Density	273
LDR	208		
LDR - Constrained	37		
CLDR	21		
ADUs (any zone)	97	ADUs	97
Total	**1,167**		

Table 15 - Zoned Capacity by Density

Permitted Housing Growth

Housing development projects completed between 2019 and 2023 are included as permitted capacity. The units developed from these projects are the most reliable measure of North Bend's progress toward its housing targets. Units are categorized by their development form and affordability. Two of the included projects provided income-restricted units (two at <50% AMI and 30 at <80% AMI). Although some units were provided as townhomes[13], all these units are categorized in the "Low-rise Multifamily" density category for this analysis. The 2019-2023 Permitted Housing Growth table (Table 16) shows permitted housing growth used in the LCA, compiled by density category.

2019-2023 Permitted housing Growth			
Type	Permitted Units	Density Category	Capacity Built Density Category
Income Restricted (<50% AMI)	2	Low-Rise Multifamily	2
Income Restricted (<80% AMI)	30	Low-Rise Multifamily	30
Multi-Family	199	Low-Rise Multifamily	199
Duplex	4	Moderate Density	148
Townhouse	144		
Cottage	3	Low Density	392
Single-Family Detatched	389		
ADU	1	ADU	1
Total	**772**		

Table 16 - 2019-2023 Permitted housing Growth

[13] See River Run Apartments and Habitat for Humanity - Tyler Town development.

Pipeline Capacity

Pipeline projects are not included in this categorization. Detailed information about the built condition or proposed pipeline projects provides a more accurate measure of the income levels being served. At the time of this LCA, one residential development in the permitting pipeline planned to provide 40 single-family detached units, categorized as Low Density units.

North Bend's projected housing needs by income bracket were compared to the LCA findings to determine if there is sufficient capacity to accommodate needs at all income levels. The first two columns in the Income Housing Target Capacity table (Table 17) transpose data from the tables on the previous pages (Table 15 and Table 16); the remaining columns show calculations based on the category capacity established on the previous page. Some of the income categories are served by more than one Zone Category. Since zone density assumptions are based on the lowest potential income served, zoned density is assumed to serve the highest income bracket with a deficit first; this is expressed through math included in parentheses with each zoned capacity numbered combined from more than one Zone Category.

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	169	**(611)**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Low-Rise Multifamily and ADUs	200	0	97	**88**
>100 - 120%	111						
>120%	536	536	Moderate and Low Density	540	40	613	**657**
Total	**1,748**			**772**	**40**	**1,070**	

Table 17 - Income Housing Target Capacity Summary

Sufficient Capacity

The current zoned and pipeline capacity is sufficient to meet the needs of low to high-income households (incomes greater than 80% AMI). This capacity is primarily achieved through the substantial area of moderate-density developable land and the significant number of single-family residential units permitted since 2019.

Insufficient Capacity

Current housing capacity falls short of meeting the needs of very low and extremely low-income households (both PSH and non-PSH). Between 2019 and 2023, the city did not experience any non-market or subsidized

housing development. Additionally, the land zoned for densities that support affordable housing development is in short supply, making it infeasible to meet the projected needs of all households earning less than 50% AMI.

Income Level	Extremely Low Income (PSH)	Extremely Low Income (Non-PSH)	Very Low Income
Capacity Surplus (or Deficit)	**(611)**		

Table 18 – Housing Capacity Deficit

The surplus of residential units for high income households does not alleviate the shortfall in housing capacity for other income brackets. To address this shortfall, North Bend needs to plan for an additional 611 residential units by 2044 to meet the housing needs of very low and extremely low-income households (both PSH and non-PSH).

Additionally, the EHLCA summarized on pages 11-12 did not identify any emergency housing capacity resulting in a deficit of the total target of 334 beds by 2044.

5. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

North Bend has demonstrated sufficient capacity to meet its 2044 housing target for high-to-low-income households but falls short of its target for very low and extremely low-income households as well as emergency housing. To address these housing capacity deficits, North Bend has planned zoning changes. The following section outlines the changes and assesses their impacts on housing and employment capacity.

- Alternative Zoning on next page -

Alternative Zoning

The alternative zoning changes were comprehensively evaluated for every base parcel in North Bend. Similar to the base LCA, the land capacity designations from the 2021 UGCR remain unchanged, but new zoning designations are applied according to the changes. The Zoned Acres – Alternative Summary table (Table 19) illustrates the changes to the gross acreage of each zone as implemented by the alternative zoning.

Zoned Acres - Alternative Summary			
Zone	Area (Acres)		
	Base Zoning	Alternative Zoning	
		Total Acres	Change Addition or (Reduction)
CLDR	374.8	359.3	(15.47)
LDR - Constrained	176.5	175.2	(1.33)
LDR	964.6	941.7	(22.82)
MDR	60.4	56.3	(4.11)
HDR	37.1	51.9	14.75
NMU-MPOD	10.4	0.0	(10.36)
NB	101.5	101.5	0.00
NMU	53.1	124.2	71.18
DC	66.7	81.9	15.19
BP	312.2	186.2	(125.99)
EP	145.1	132.2	(12.86)
IC	76.8	73.5	(3.25)
IMU	39.7	39.7	0.00
POSPF	727.7	822.7	95.06
ROW	13.8	13.8	0.00
Total	**3,160.3**	**3,160.3**	

Table 19 - Zoned Acres - Alternative Summary

The alternative zoning primarily focuses on increasing development capacity in North Bend's mixed-use zones. This includes reducing areas designated as low-density residential and purely commercial zones, while enhancing a few zones with higher density residential and commercial development standards. As part of these changes, land previously in the NMU-MPOD zone has been rezoned to LDR to better align with neighborhood priorities within that special planning area. Additionally, parcels dedicated to open space have been rezoned to the POSPF zone to better reflect planned land use in North Bend.

The alternative zoning includes adjustments to the zoning use code table and dimensional regulations. Zoning code changes to the use code table were proposed to address the emergency housing capacity deficit identified in the initial LCA. These changes include allowing emergency housing uses as a permitted use in the EP, IC, IMU, and NB zones.

Proposed amendments to dimensional regulations were aimed at better facilitating residential development in the IC and IMU zones. Previously, the IC zone prohibited nearly all residential land uses and the IMU zone allows multi-family but limits building height to 30 feet. To address these limitations on residential development, North Bend will implement code revisions to allow second floor residential and mixed-use development in the IC zone and an increased height limit in the IMU zone. These revisions are

intended to promote multi-family and mixed use development that is able to serve lower income households. Considering these revisions, analysis of the alternative zoning includes revised assumptions including a mixed-use approach for the IC and IMU zones; revisions are documented in Table 32 of the revised LCA assumptions.

- Alternative Zoning Results on next page -

Alternative Zoning Results

In this analysis, the capacity of the alternative zoning is summarized and presented in a format consistent with how housing and employment capacity were presented in the LCA. This comparison will assess the capacity outcomes of the alternative zoning against those determined under previous zoning in the LCA.

Employment Capacity

The employment capacity identified in the LCA exceeded North Bend's employment growth targets. However, the alternative zoning plan included reducing the area designated for BP, EP, IC, and IMU zones to accommodate housing capacity needs and revised assumptions for emergency housing development in EP, IC, IMU, and NB zones. These zoning adjustments resulted in changes to the projected employment capacity. The Employment Capacity – Alternative Zoning Summary table (Table 20) provides a summary of these capacity changes and compares them against the employment growth target.

Employment Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Jobs	Change Addition or (Reduction)
NMU-MPOD	-3[14]	0	3
NB	328	328	0
NMU	333	1163	830
NMU - Redevelopable	493	625	132
DC	614	1223	609
BP	782	85	(697)
EP	1353	1153	(200)
IC	970	357	(613)
IMU	408	79	(329)
Total	**5,278**	**4,964**	**(314)**
2019-2023 Permitted Growth	406	406	
Pipeline projects	1,265	1,265	
Total Employment Capacity	**6,949**	**6,635**	
(Employment Target)	(2,218)	(2,218)	
Employment Capacity Surplus (or deficit)	**4,731**	**4,417**	

Table 20 - Employment Capacity - Alternative Zoning Summary

Although the area of the IMU zone remained unchanged and the IC zone was reduced by only 3.25 acres, both zones experienced significant reductions in capacity due to the mixed-use split outlined in the new zoning assumptions (Table 27). While the alternative zone boundaries resulted in a net increase of job capacity of approximately 21 jobs, overall job capacity decreased a net 314 due to a 10% reduction of developable land in the EP, IC, IMU, and NB zones due to the allowance of emergency housing in those zones. Under the alternative zoning there is still a substantial surplus of employment capacity.

[14] Negative values represent existing commercial buildings that are on land identified as redevelopable but redevelopment assumes 100% residential.

Housing Capacity

To demonstrate housing capacity for the alternative zoning, it should encompass affordable housing options for all economic segments. The evaluation of housing capacity will follow the LCA process using assumptions and guidance from Commerce. The alternative involves changes to the zoning map without altering existing zone regulations, thereby obviating the need to re-evaluate Steps 2 and 3 for capacity demonstration. Step 6 was addressed in this memo's analysis of growth targets for the alternative. The analysis of housing capacity for growth alternatives will include the following steps:

1. Summarize land capacity by zone.
4. Summarize capacity by zone category.
5. Compare projected housing needs to capacity.

1. Summarize land capacity by zone

The alternative resulted in different outcomes for zoned, ADU, and emergency housing capacity.

Zoned Capacity

The Housing Capacity – Alternative Zoning Summary table (Table 21) summarizes zoned housing capacity identified from the alternative zoning comparing it to the capacity identified in the LCA. Zoned capacity represents the net result of initial units minus displaced units.

Housing Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Units	Change Addition or (Reduction)
CLDR	21	21	0
LDR - Constrained	37	37	0
LDR	208	245	37
MDR	340	340	0
HDR	10	10	0
NMU-MPOD	7	0	(7)
NMU	76	267	191
NMU - Redevelopable	4	5	1
DC	270	472	202
BP	0	0	0
EP	0	0	0
IC	0	134	134
IMU	0	136	136
Total	**973**	**1,667**	**694**
2019-2023 Permitted Growth	772	772	
Pipeline projects	40	40	
ADU Capacity	97	98	
Total Housing Capacity	**1,882**	**2,577**	
(Housing Target)	(1,748)	(1,748)	
Housing Capacity Surplus (or deficit)	**134**	**829**	

Table 21 - Housing Capacity - Alternative Zoning Summary

Accessory Dwelling Unit Capacity (HB 1337)

Projected ADU capacity fluctuated due to rezones affecting the future production of single-family lots which could potentially develop with ADUs. The alternatives analysis utilized the same assumptions as the LCA: 2.5% participation factor for available lots and 1.25 ADUs constructed per participating lot. The ADU Development Capacity – Alternative Summary table (Table 22) outlines ADU capacity for each alternative.

ADU Development Capacity - Alternative Summary		
	Base Zoning	Alternative Zoning
Available Lots	3,103	3,144
Potential ADU Lots	78	79
2044 ADU Capacity	**97**	**98**

Table 22 - ADU Development Capacity - Alternative Summary

Emergency Housing Capacity (House Bill 1220)

The Emergency Housing Capacity – Alternative Zoning table (Table 23) summarizes emergency housing capacity identified from the alternative zoning. Proposed changes to the zoning use code table have allowed emergency housing uses to be outright permitted in the EP, IC, IMU, and NB zones and removed development regulations on emergency housing restricting its occupancy and spacing.

The portion of land considered developable for residential development in these zones is entered in the "Residential EH Acres" column and the portion of land considered developable for non-residential development that was removed from non-residential capacity in these zones is entered in the "Commercial EH Acres". Based on examples provided by Commerce, land that was identified to have capacity for emergency housing was assumed to be developed at a density of 18 beds per acre; this is a conservative assumption that could fit the form of many emergency housing types including:

- Emergency congregate shelters
- Hotel conversions
- Tiny home villages

- Table 23 on next page -

Emergency Housing Capacity – Alternative Zoning									
Zone	EH Use Code Table	Residential EH Acres	Commercial EH Acres[15]	Total EH Acres	Density (beds/acre)	Capacity (beds)	Total Capacity	Total Need	Capacity Surplus (or Deficit)
CLDR	No	0.00	0.00	0.00	0	0	378	334	44
LDR - Constrained	No	0.00	0.00	0.00	0	0			
LDR	No	0.00	0.00	0.00	0	0			
MDR	No	0.00	0.00	0.00	0	0			
HDR	Conditional Use	0.00	0.00	0.00	0	0			
NMU-MPOD	No	0.00	0.00	0.00	0	0			
NMU	No	0.00	0.00	0.00	0	0			
NMU - Redevelopable	No	0.00	0.00	0.00	0	0			
DC	*	0.00	0.00	0.00	0	0			
BP	No	0.00	0.00	0.00	0	0			
EP	Permitted	0.00	6.25	6.25	18	112			
IC	Permitted	8.96	0.90	9.86	18	177			
IMU	Permitted	4.26	0.18	4.44	18	80			
NB	Permitted	0.00	0.50	0.50	18	9			
POSPF	Conditional Use	0.00	0.00	0.00	0	0			

Table 23 - Emergency Housing Capacity – Alternative Zoning

Utilizing reasonable assumptions, the alternative zoning increased emergency housing capacity sufficiently to meet the emergency housing target of 334 beds by 2044.

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU construction contributes toward the City's total housing target of 1,748 residential units by 2044. Without considering housing needs for income brackets, total housing capacity provided by alternative zoning exceeds housing targets by 829 units.

Housing	Base Zoning	Alternative Zoning
2019-2044 Housing Target	*1,748*	*1,748*
2019-2023 Permitted Growth	772	772
Pipeline projects	40	40
Zoned Housing capacity	973	1,667
ADU Capacity	97	98
Total Housing Capacity	**1,882**	**2,577**
Housing Capacity Surplus (or deficit)	**134**	**829**

Table 24 - Housing - Base and Alternative Zoning

[15] Includes 10% of developable non-residential land in zones with emergency housing capacity.

4. Summarize capacity by zone category

Zone density categories identified in the LCA are applicable in the analysis of the alternatives. Zoned, pipeline, and built capacity were totaled by zone density category; zoned capacity had different quantities than were presented in the LCA; built and pipeline capacity were not affected by the zoning changes.

The Zoned Capacity by Density – Alternative Comparison table (Table 25) shows zoned capacity from the alternative LCA and compiles them based on the zone density category.

Zoned Capacity by Density - Alternative Comparison						
Zone Density Category	Zone	Base Zoning		Alternative Zoning		
		Zoned Capacity	Capacity in Zone Density Category	Zoned Capacity	Capacity in Zone Density Category	Change Addition or (Reduction)
Low-Rise Multifamily	DC	10	360	10	1,024	664
	NMU	80		272		
	HDR	270		472		
	IC	0		134		
	IMU	0		136		
Moderate Density	MDR	340	340	340	340	0
Low Density	NMU-MPOD	7	273	0	303	30
	LDR	208		245		
	LDR - Constrained	37		37		
	CLDR	21		21		
ADUs	ADUs (any zone)	97	97	98	98	1
	Total	**1,167**		**1,864**		

Table 25 - Zoned Capacity by Density - Alternative Comparison

The alternative zoning significantly increased housing capacity in the "Low-Rise Multi-family" density category. It more than doubled the projected housing capacity in the NMU zone, nearly doubled the capacity in the DC zone, and introduced 270 units of mixed-use development potential between the IC and IMU zones, resulting in a total increase of 664 units over the base zoning in that category. Moderate changes in unit projections were observed in the Low Density category and for ADUs, while no change was projected for the Moderate Density category.

5. Compare projected housing needs to capacity

The alternative zoning analysis compared capacity projections to projected housing needs to assess the impact of changes on North Bend's overall housing capacity relative to its projected needs. The first two columns in the Income Housing Target Capacity Summary – Alternative Zoning table (Table 26) transpose data from the table on the previous page (Table 25), while the remaining columns present calculations based on the category capacity established earlier.

Income Housing Target Capacity Summary - Alternative Zoning							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	833	**53**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Moderate Density and ADUs	200	0	98	**89**
>100 - 120%	111						
>120%	536	536	Low Density	540	40	643(340+303)	**687**
Total	**1,748**			**772**	**40**	**1,765**	

Table 26 - Income Housing Target Capacity Summary - Alternative Zoning

The alternative zoning significantly increased housing capacity in the Low-Rise Multifamily zone density category by expanding the DC and NMU zones and revising the IC and IMU zones to promote residential development. The additional capacity provided by the alternative is adequate to meet North Bend's affordable housing targets.

The Affordable Housing Target Capacity – Alternative Comparison table (Table 27) presents the final affordable housing target results from both the base zoning and the alternative for comparison. The alternative offers ample capacity to meet all of North Bend's projected affordable housing needs without reducing housing capacity in any income category. While it does not fully meet the projected housing need, the alternative enhances the availability of developable land capable of supporting affordable housing.

Affordable Housing Target Capacity - Alternative Comparison					
Income Levels	Aggregated Housing Needs	Base Capacity		Alternative Zoning	
		Total Capacity	Capacity Surplus (or Deficit)	Total Capacity	Capacity Surplus (or Deficit)
0 - 50% PSH & Non-PSH	782	158	**(611)**	835	**53**
>50 - 80%	221	221	**0**	221	**0**
>80 - 120%	209	297	**88**	298	**89**
>120%	536	1,193	**657**	1,223	**687**
	1,748	**1,882**		**2,577**	

Table 27 - Affordable Housing Target Capacity - Alternative Comparison

Sufficient Capacity

Both the base capacity and the alternative zoning meet the projected needs for low-to-moderate income households and emergency housing needs. The alternative zoning performed better than the base zoning in every income category except for low-income, where both provided the minimum necessary to meet projected needs. Specifically, the alternative zoning added 664 more units of Low-Rise Multifamily housing capacity, which is adequate to address North Bend's affordable housing needs for households with incomes less than 50% AMI. Additionally, the alternative increased low density and ADU housing capacity by replacing the NMU-MPOD zone with LDR.

Insufficient Capacity

Analysis of the alternative zoning identified sufficient affordable housing capacity for the 2044 housing targets, no shortfalls were identified in this analysis.

- Adequate Provisions on next page -

Adequate Provisions

GMA requirements for housing elements include a demonstration of adequate provisions for needed housing development which involves a broad review of development regulations, zoning, funding gaps, and comprehensive plan policies.

RCW 36.70A.070(2)(d) *"Makes adequate provisions for existing and projected needs of all economic segments of the community, including:*
(i) Incorporating consideration for low, very low, extremely low, and moderate-income households;
(ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
(iii) Consideration of housing locations in relation to employment location; and
(iv) Consideration of the role of accessory dwelling units in meeting housing needs;"

Commerce has prepared a checklist to assist cities in identifying and addressing this requirement of the GMA called "Appendix B: Adequate provisions checklists"; this checklist reviews many subjects in housing policy and development regulations within the following categories:

- Moderate Density Housing Barriers
- Low-Rise or Mid-Rise Housing Barriers
- PSH and Emergency Housing Barriers
- Accessory Dwelling Unit (ADU) Barriers
- Addressing Affordable Housing Funding Gaps

The following narrative has been prepared to summarize the findings of LDC's assessment of the City of North Bend's development code for barriers to housing availability and the programs or actions needed to overcome these barriers within the categories outlined in the "Appendix B: Adequate provisions checklists".

Moderate Density Housing Barriers

North Bend's zoning ordinance includes provisions for Moderate Density Housing in its residential and commercial zones. The City's use code table permits Cottages, Townhomes, Duplexes, Triplexes, and Fourplexes in their residential zones; many of these uses are permitted in only the HDR and IMU zones which does limit development potential for moderate density housing in other residential zones. The City's low density residential zones (LDR, CLDR, and MR) have relatively large minimum lot sizes typical of residential development on the edges of small cities, but the HDR and IMU zones have small minimum lot sizes and have maximum lot sizes as well which is favorable for the development of moderate density housing types. Setbacks and impervious cover limits are generally accommodating to moderate density housing types and provide options for developers. Definitions for some moderate density housing types are missing or overlap; townhome is not defined within NMBC 18.06 and the only building with multiple units permitted to be on separate lots per this chapter is a duplex. The maximum building height for residential development in the IMU zone is five feet less than in most residential zones which the City has observed noticeably restricts development in this zone. Parking requirements for multifamily uses not in the DC zone require two parking spaces per each unit with two or more beds which may pose a barrier to moderate density housing development. All new residential development in the City is subject to design standards in NMBC 18.34; while necessary, design standards like these can often complicate the development process and could disincentivize denser development. Additionally, since townhomes are not clearly defined in NMBC 18.06 it is difficult to determine how to apply these design standards to their development.

An increase to the maximum building height in the IMU zone was outlined in the above-described alternative zoning changes and the City plans to adopt these changes before the end of 2024. To address the remaining potential barriers to moderate density housing development, the City could consider

amending its minimum parking requirements for Multifamily units outside the DC zone (found in NBMC 18.16.090) and revising its Design Standards to accommodate smaller scale multifamily developments such as Duplexes and Triplexes independent of the existing standards for multifamily developments.

Low-Rise or Mid-Rise Housing Barriers

North Bend's zoning ordinance includes provisions for Low-rise Housing in its residential and commercial zones. In addition to the multifamily housing types listed above, multifamily housing structures greater than four units are permitted in the HDR, DC, and IMU zones and residential over commercial apartments are permitted in the NB zone in addition to the previously listed zones. Development in the DC zones utilizes a form-based code that permits a wide range of development potential and is composed of clear standards and guidelines. The same design review mentioned in moderate density housing above is applicable to low-rise housing but is better suited to the scale of development and would likely not pose as a barrier to low-rise housing development. The same issue with the maximum building height in the IMU zone impacting moderate density housing also impacts low-rise housing development potential. Additionally, multifamily structures in the HDR, NB, and IMU zones are limited to 10 units per structure which could limit low-rise housing development on smaller in-fill parcels.

An increase to the maximum building height in the IMU zone was outlined in the above-described alternative zoning changes and the City plans to adopt these changes before the end of 2024. No other potential barriers to Low-rise development were identified; the City is not required to identify barriers to Mid-rise housing development.

PSH and Emergency Housing Barriers

HB 1220 introduced new Emergency Needs Housing Requirements applicable to all jurisdictions with assigned Emergency Needs Housing targets. The City has been allocated a target of 334 emergency beds. The bill mandates that jurisdictions must allow indoor emergency housing or shelters where hotels are permitted or within "a majority of zones within a one-mile proximity to transit.".

At time of writing, North Bend's land use regulations allow for certain emergency housing types, such as "Indoor Emergency Shelter", "Indoor Emergency Housing", and "Permanent Supportive Housing" but only as a conditional use in some of their zones. Additionally, these supportive housing types are subject to special performance standards in NMBC 18.10.050 that substantially restrict supportive housing developments through limitations of occupancy and buffers from other supportive housing uses.

To address these barriers to emergency housing development, the City has proposed amendments to its zoning use code table to allow emergency housing uses as an outright permitted use in the EP, IC, IMU, and NB zones as well as remove the restrictive performance standards from emergency housing development in those zones. The City is also has proposed revisions to the use code table to allow permanent supportive housing as an outright permitted use in residential zones as well as remove the restrictive performance standards from permanent supportive housing development in those zones.

Accessory Dwelling Unit (ADU) Barriers

HB 1337 is a Washington State law aimed at increasing housing availability by streamlining the development of Accessory Dwelling Units (ADUs) and aims to reduce barriers to ADU development, promoting more flexible zoning and permitting processes to help address the housing crisis in the state.

North Bend's municipal code outlines clear regulations for developing Accessory Dwelling Units (ADUs) within the City's Low-Density Residential (LDR) zoning. The code also allows for smaller setback requirements and flexibility in placing accessory structures.

While North Bend's regulations do not hinder ADU development, other city code requirements do create barriers. The Land Use Performance Standards section conflicts with HB 1337, which mandates that

jurisdictions allow two ADUs per lot in urban growth areas and set a minimum size of 1,000 square feet for each ADU. In contrast, North Bend permits only one ADU and limits its size to 10% of the lot area or 800 square feet. Additionally, the city lacks clear and accessible information about the permitting process and associated fees. Although there are guidelines for permit submissions, more straightforward details about the overall process and timelines are needed.

The City's off-street parking requirements also present additional barriers for ADUs. While the code clearly outlines the number of parking spaces and their locations, it does not address lot size or proximity to transit. To comply with HB 1337, the city needs to incorporate these provisions into the code.

Addressing Affordable Housing Funding Gaps

In addressing affordable housing funding gaps, North Bend provides two funding options within their municipal code. First, under the affordable housing property tax levy (RCW 84.52.105), the City of North Bend provides Sales and Use Tax for Affordable Housing (Chapter 3.10 NBMC) which establishes sales and use tax specifically for funding affordable housing initiatives. This chapter outlines the authority for the city to impose an additional sales tax of 0.1% on retail sales and use within the city limits. The revenue generated is designated for projects that create or improve affordable housing options, supporting efforts to address housing shortages and enhance housing stability for residents.

Second, within the provisions of the Multifamily Tax Exemption (MFTE) program under RCW 84.14, Chapter 3.78 of the North Bend Municipal Code outlines the Multifamily Property Tax Exemption program in which provides tax incentives for the development of multifamily housing that includes affordable units. This chapter specifies eligibility criteria for developers, including the requirement to designate a percentage of units as affordable for low- and moderate-income households. The exemption can last for up to 12 years, encouraging the construction of more multifamily housing and helping to address local housing needs.

The City should continue to search for additional affordable housing funding solutions and consider adopting impact fees or fees in-leu-of provision of affordable housing for market rate development.

Conclusion

In collaboration with LDC, North Bend has conducted an analysis of development capacity for the 2024-2044 planning period following the King County UGCR methodology and Commerce guidance, incorporating new State regulations under HB 1220. This LCA updates the capacity reported in the 2021 UGCR and documents North Bend's progress towards its Housing and Employment growth targets.

The LCA determined that North Bend has adequate employment capacity for the 2024-2044 period but lacked sufficient capacity to meet the projected housing needs for very low and extremely low-income households and emergency housing needs. To address this housing capacity deficit, North Bend planned zoning changes including changes to the zoning map and development regulations. These changes added 664 units of housing capacity to the Low-Rise Multifamily density category, which is sufficient to accommodate the City's affordable housing needs for households with incomes less than 50% AMI, as well as all other income categories, an additional 378 beds of emergency housing capacity was identified from the changes. With the chosen alternative zoning, the City has demonstrated sufficient capacity for development of jobs and housing and adequate provisions for housing development consistent with RCW 36.70A.070(2).

Table 28 - North Bend 2024 Base LCA Zone Assumptions

North Bend 2024 LCA Base Zone Assumptions											
Old Zone Names	New Zone Names	Zone Type	Residential		Employment				Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Emergency Housing Deduction	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	0%	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	0%	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	0%	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	0%	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	0%	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	0%	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	0%	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	0%	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	0%	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	0%	8%	8%	16%
IC	**IC**	NON-RES	0%	0	100%	0.4	350	0%	8%	8%	16%
IMU	**IMU**	NON-RES	0%	0	100%	0.75	450	0%	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	0%	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%

Table 29 - North Bend 2024 Alternative LCA Zone Assumptions

North Bend 2024 LCA Alternative Zone Assumptions											
Old Zone Names	New Zone Names	Zone Type	Residential		Employment				Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Emergency Housing Deduction	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	0%	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	0%	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	0%	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	0%	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	0%	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	0%	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	0%	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	0%	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	0%	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	10%	8%	8%	16%
IC	**IC**	MIX	50%	15	50%	0.4	350	10%	8%	8%	16%
IMU	**IMU**	MIX	70%	32	30%	0.75	450	10%	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	10%	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%

Staff Report and Planning Commission Recommendation for Updates to the Land Use Element of the Comprehensive Plan and North Bend Zoning Map

Meeting Date: September 18, 2024

Proponent: City of North Bend

Staff Recommendation: A Motion to recommend City Council approval of the proposed updated Land Use Element of the Comprehensive Plan and associated Zoning Map Amendment for adoption with the rest of the 2024 Comprehensive Plan Update.

I. Purpose of proposed amendments:

The City of North Bend is proposing amendments to the Land Use Element of the Comprehensive Plan and associated amendments to the North Bend Zoning Map. Amendments are being prepared as a part of the broader 2024 periodic update to the North Bend Comprehensive Plan, as required under RCW 36.70A.

Proposed amendments include the following:

1. Update to the housing and employment growth targets provided to the City by the Puget Sound Regional Council, and corresponding population projection.
2. Updates to policies for consistency with amendments to the Growth Management Act, Multicounty Planning Policies, and King County Countywide Planning Policies that have occurred since the time of the last update to the Comprehensive Plan in 2015.
3. Revisions to land use designations (and corresponding revisions to the draft Zoning Map) addressing residential growth capacity for various housing types necessary to meet the City's required residential growth targets, which have now been broken down into multiple income brackets, as well as zoning map revisions requested by property owners through the docket process.
4. A new Natural Resources section incorporating policies and provisions from the existing Natural Resources Element, which is being eliminated in the updated 2024 Comprehensive Plan.
5. A Land Acknowledgement and a new section on Tribal Coordination.
6. A new section on Equity in Land Use.
7. Associated minor edits to update outdated information.

A redline version, showing all amendments and comments describing changes, is attached as Exhibit A. A clean version is attached as Exhibit B.

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for Comprehensive Plan and 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**. Negative environmental impacts are not anticipated from adopting the updates to the Land Use Element, Housing Element, and Zoning Map. The proposed amendments support an increased allowance for development of housing types affordable for employees working in retail and service jobs within the community, potentially reducing commute distances for such employees, many of whom need to commute from out of the area as they cannot afford local housing. Reducing commuting may have positive environmental impacts associated with reduced greenhouse gas emissions and other pollutants generated from motor vehicle use. State Environmental Policy Act review will be conducted for the Comprehensive Plan update as a whole, which will provide opportunity for further consideration of environmental impacts of the Comprehensive Plan including this Element prior to its adoption.

2. **Economic Impacts**. The amendments support an increased allowance for development of housing types affordable to persons in lower-income brackets, which are necessary for housing for employees working in retail and service jobs within the community, often referred to as workforce housing. Such housing is necessary to support the staff needed for local businesses that rely on this labor force, as well as for teachers, firefighters, and many other positions that serve the community. As such, the amendments provide a positive economic benefit and support a balanced community.

3. **Cultural Impacts**. No significant cultural impacts are anticipated from the amendments. The draft amendments include new policies addressing cultural resources and coordination with Tribes, as well as a new Equity section that includes policies aimed at bringing underrepresented and marginalized populations more into the planning process. Specific future projects that are subject to City permitting requirements will be subject to cultural resource reviews as appropriate, which will plan for addressing potential cultural resource impacts. State Environmental Policy Act review will be conducted for the Comprehensive Plan which will provide opportunity for further consideration of cultural impacts of the Comprehensive Plan including this Element, prior to its adoption before the end of 2024.

4. **Impacts to Surrounding Properties**. The Elements apply City-wide, however the Zoning Map amendments do include zoning revisions to specific properties, which have been noticed about the proposed changes for opportunity to provide comment at the public hearing. Different uses allowed within these zones may increase the intensity of development allowed on such properties. The City's development regulations including lighting regulations, landscape regulations, building setbacks, and height limits are intended to minimize and mitigate impacts of adjacent development to other properties. Future projects that are located on and/or adjacent to properties subject to the revised zoning will be subject to public notification and permitting requirements, which will include evaluation of potential impacts to such properties consistent with State Environmental Policy Act review and review against City development regulations at the time of application and review for such projects.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan

In accordance with NBMC 20.08.080, Comprehensive Plan and development regulation amendments must be evaluated for compliance with the Comprehensive Plan. The proposed amendments are provided consistent with Multicounty Planning Policies, Countywide Planning Policies, and requirements of the Growth Management Act pertinent to land use and housing requirements, including updated population projections and growth targets.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)
In accordance with NBMC 20.08.080, Comprehensive Plan amendments must be evaluated for compliance with the North Bend Municipal Code. Corresponding amendments will be prepared to the North Bend Municipal Code implementing the amendments to the Land Use Element to ensure consistency.

V. Planning Commission 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 existing Land Use Element in the Comprehensive Plan dates to 2015 and needs to be updated consistent with state law (see below). The Zoning map needs to be revised for consistency with the updated Comprehensive Plan Elements including Land Use Designations and Zoning necessary to meet growth targets.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
   Yes. The proposed update is necessary to ensure consistency with requirements of the Growth Management Act (GMA) and Puget Sound Regional Council (PSRC), as a required component of the City's periodic major update to the Comprehensive Plan due at the end of this year. Consistency with the GMA and PSRC Vision 2050 is required for certification of the City's Comprehensive Plan by PSRC for eligibility for various state and federal grants, which the City may rely on to fund municipal projects. Without such certification and use of grants, the City would need to fund a much larger share of the cost of these improvements.
3. Is the proposed change the best means for meeting the identified public need?
   Yes.
4. Will the proposed change result in a net benefit to the community?
   Yes. An updated Land Use Element consistent with requirements of the Growth Management Act and Countywide Planning Policies will keep the City eligible for important grant sources that fund local infrastructure and park improvements. Providing amendments to Land Use Designations and Zoning to accommodate required housing targets will help facilitate the development of housing affordable to individuals that work within the community who might not otherwise afford to live here, resulting in a more complete, balanced community. The proposed revisions will result in a net benefit to the community.

VI. Summary Findings:

1. Pursuant to RCW 36.70A.106, the draft Land Use Element and Zoning Map was provided to the Department of Commerce - Growth Management Services via the Secure Access Washington portal on July 1, 2024.

2. State Environmental Policy Act Review will occur for the 2024 Comprehensive Plan updates as a whole, including this draft Utilities Element update, at a later date. SEPA Determination will be required prior to final adoption by Council of the Comprehensive Plan.

3. A public hearing has been scheduled for the September 18, 2024 Planning Commission meeting and was duly noticed and published in the Valley Record. Comments were received and edits provided by City staff in consideration of the comments. The draft amendments and comments received considered by the Planning Commission in the draft proposed.

4. The Planning Commission reviewed the draft amendments at their September 4 and September 18 meetings.

5. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*.

6. The proposed amendments are consistent with and effectively carry out the policies of and requirements for the Comprehensive Plan.

CONCLUSION AND STAFF RECOMMENDATION:

Based on findings above, Staff recommends approval of the proposed amendments to the Land Use Element of the Comprehensive Plan, attached as Exhibit A and B, and the amended Zoning Map, attached as Exhibit C.

PLANNING COMMISSION RECOMMENDATION

Based on the findings above and public comments received, the North Bend Planning Commission recommends **approval** of the proposed amendments to the Land Use Element of the Comprehensive Plan, attached as Exhibit A and B, and the amended Zoning Map, attached as Exhibit C.

Exhibit A: Draft Land Use Element – Redline
Exhibit B: Draft Land Use Element - Clean
Exhibit C: Draft Zoning Map
Exhibit D: Land Capacity Analysis
Exhibit E: Public Comments received (both Land Use and Housing Element)

CHAPTER 1: LAND USE ELEMENT

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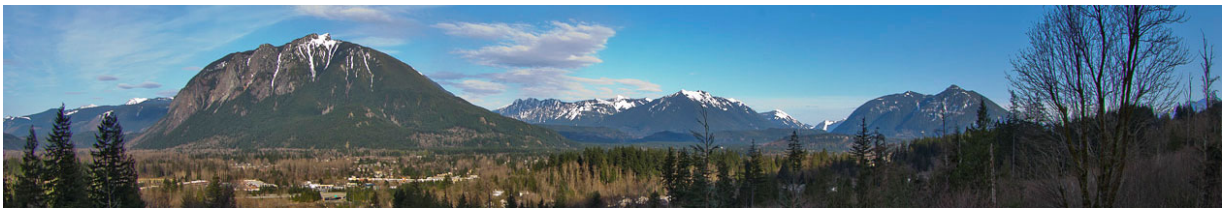
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CHAPTER 1: LAND USE ELEMENT



A. INTRODUCTION

A.1 Land Acknowledgement

The foundation of this community began a very long time before the municipal incorporation of the City of North Bend. Recognizing this long and deep history is important in putting into context North Bend's culture and identity and our relationship to the land and to those around us. A land acknowledgement helps to set this context and to guide the City's efforts as we work to protect the environment, steward our collective resources, preserve our history, and plan for our future, as articulated in this Comprehensive Plan.

> *The City of North Bend is located on the ancestral indigenous land of the Coast Salish people who have sovereign, inherent Tribal rights across this land, specifically the Snoqualmie Indian Tribe (sdukʷalbixʷ). We thank these caretakers of this land who have lived and continue to live here since time immemorial and share with them a commitment to steward this land and its natural resources for future generations.*

A.~~1~~ 2 Purpose and Intent

The Land Use Element provides a long-range guide to the development of North Bend and its Urban Growth Area (UGA). Its purpose is to ensure that an adequate supply of land, a desired mix of uses, and employment opportunities are available for the successful implementation of the other elements of the Comprehensive plan. The element translates the vision of the City into a plan and directs development in North Bend over the next twenty years by introducing strategies that will retain and enhance small-town character, environmental health, and cultural and economic sustainability.

The Land Use Element of the Comprehensive Plan examines the character and quality of existing development in both the City limits and the unincorporated areas of the UGA. It identifies, trends, and projects potential growth within recognized opportunity areas. It also proposes the distribution, location, and extent of land used for various land use classifications. It considers both the state mandates of the Growth Management Act (GMA) as well as appropriate Countywide Planning Policies in King County. It presents the community's principal themes of preservation of its small town character with its desire to protect environmentally sensitive lands as growth occurs. Finally, it formulates the guiding goals and policies designed to shape the community into its acknowledged vision.

The Land Use Element sets general land use designations for the City and its UGA. Land use designations are intended to provide predictability to residents and property owners about the nature of land use within North Bend and provide the necessary planning tools to decision makers to make decisions about development applications. As mandated by the GMA, the Land Use Element accommodates the Growth Management Planning Council population and employment targets assigned to North Bend.

~~The Land Use Element is the result of a series of planning efforts first started in 1988. Subsequent community forums sponsored by the City's Planning Commission, and the City's adoption in 1993 of principles found in the *North Bend Vision Plan* (see Appendix 10-1) all led to the first Land Use Element adopted in 1995. The Land Use Element was subsequently revised in 2002, 2004 and 2007.~~

A.~~3~~2 North Bend's Vision

The community of North Bend wants to preserve its ~~rural character,~~ environment, natural beauty~~,~~ and small town scale and character. The residents of the community also desire to enhance the built environment of the downtown, the riverfront and community parks, new and existing residential neighborhoods, and the community's gateways.

A.~~4~~3 VISION ~~2040~~ 2050

The Puget Sound Regional Council (PSRC) VISION ~~2040~~ 2050 is a regional strategy for accommodating the growth expected to happen in the region by ~~2040~~2050. VISION ~~2040~~2050 is a long-range plan for maintaining a healthy

region while promoting the well-being of the citizens and communities, economic vitality, equity, affordability, and a healthy environment. ~~VISION 2040 identifies ways to reduce greenhouse gas emissions and requires no net loss of critical areas. VISION 2040 includes provisions that ensure that a healthy environment remains available for future generations in our city.~~ Vision 2050 is disseminated from PSRC to member counties (including King County) through Multicounty Planning Policies (MPPs).

The North Bend Comprehensive Plan Elements address each of the policy areas in VISION ~~2040~~2050. VISION ~~2040~~2050 has policies that ~~address habitat protection, water conservation, air quality, and climate change~~provide a unified framework for counties to collaboratively address regional issues including: population growth, housing affordability and displacement, transportation, climate change impacts, environmental protection, and ~~many~~ others. North Bend's Comprehensive Plan has been updated based on residential and employment targets that align with VISION 2050~~2040~~. Chapter 3 of the North Bend Comprehensive Plan, the Housing Element, identifies the number of housing units in the City for the year ~~2031~~2044, and also includes affordable housing goals. North Bend's Comprehensive Plan supports a sustainable approach to growth and future development.

The Comprehensive Plan and North Bend Municipal Code (NBMC) support low-impact development techniques for landscaping and stormwater. The Comprehensive Plan calls for urban development in the downtown core and includes design guidelines for mixed-use and transit-oriented development. The Housing Element commits to expanding housing options to meet the diverse needs of both current and future residents of all incomes ~~at multiple income brackets~~ consistent with the~~King County Countywide Planning Policy~~ City's adopted affordable housing targets as outlined in the King County Countywide Planning Policies (CPPs) ~~for North Bend~~. The Economic Development Element in the Plan supports creating jobs and maintaining a high quality of life. The Transportation and Sustainability Elements advance cleaner and more sustainable mobility, with provisions for complete streets and green streets. In addition, the City has programs and strategies that support multimodal travel.

B. REGULATORY SETTING

B.1 Growth Management

Under the Growth Management Act (RCW 36.70A.070) a Land Use Element is required to address the following:

- distribution/location/extent of land uses (agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other land use);
- population densities, building intensities and estimates of future population growth;
- protection of the quality and quantity of ground water used for public water supplies; and
- drainage, flooding and stormwater runoff within and nearby the jurisdiction as well as guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state.

B.2 Countywide Planning Policies

The King County Countywide Planning Policies (CPP's) provide a countywide vision and serve as a framework for each jurisdiction to develop a comprehensive plan consistent with the overall vision for the future of King County. North Bend is located outside the larger metropolitan UGA to the west, which includes nearby cities such as Issaquah, Bellevue, Kirkland, Redmond and Woodinville; however the City has its own designated UGA boundary. Within the designated UGA, North Bend shall provide urban services, residential densities, and a mix of land uses that will provide for residential and economic growth for the next twenty years. The full list of CPP's is available on King County's website at: https://kingcounty.gov/en/dept/executive/governance-leadership/performance-strategy-budget/regional-planning/cpps~~http://www.kingcounty.gov/property/permits/codes/growth/GMPC/CPPs.aspx~~.

The Land Use Element also recognizes the Growth Management Planning Council (GMPC) growth and employment targets for the City as a key component to its direction. The GMPC, working with all metropolitan jurisdictions, identified household and job growth targets based on the land capacity of each city and its identified UGA that would accommodate its portion of the State Office of Financial Management's (OFM) projected growth for the region.

B.3 Tribal Coordination

Multiple Puget Sound area tribes have federally adjudicated treaty rights in the North Bend vicinity. These treaties protect traditional ways of life through preserving the right of tribes to fish at all usual and accustomed stations and hunt and gather in all open and unclaimed land. The Snoqualmie Tribe additionally has reservation land and significant facilities, investments, and services in close proximity to the City of North Bend's jurisdictional area. RCW 36.70A.040 outlines a voluntary coordination approach for tribes as a part of planning for the update of Comprehensive Plans. The City of North Bend will work to actively solicit input and participation by local tribes when updating the City's Comprehensive Plan, as well as to increase communication, collaboration, and consultation with tribes on issues of mutual interest and concern and on actions that may impact tribal interests or treaty rights.

C. LAND USE

C.1 History and Existing Development Patterns

North Bend's development pattern is the result of its spectacular setting in the upper Snoqualmie Valley between Mount Si and Rattlesnake Ridge, at the foothills of the Cascades. The Snoqualmie River defines a rich and environmentally sensitive river valley. The Snoqualmie Tribe and its ancestors recognized this ideal natural context, establishing settlements and managing a broad, open prairie ideal for building and sustaining community life. Later ~~The historic~~ development activities of farms, pasture lands and timber harvesting, and the existing built environment including the Interstate 90 interchanges, are all influences molding the City's present and future development.

The river valley floor is relatively flat and has developed with the most intensive land uses such as those located in downtown, east of downtown along North Bend Way, and the freeway interchanges at Exit 31 and Exit 34. These areas contain the heart of the City's retail, ~~manufacturing~~ employment park and commercial districts, as well as the highest density residential developments. Lower density residential, protected open space and rural pasture lands comprise the balance of land activities within the City, its UGA, and surrounding unincorporated lands.

~~This~~ The rich and long history of life of the Snoqualmie Tribe and its ancestors here and early settler reliance on the area's abundant natural resources is a guide to defining the City's future, where the natural setting of North Bend continues as the key component to the City's identity and heritage.

C.2 Natural Features

The natural setting of North Bend within the broad Snoqualmie Valley allows ample opportunities for residential living with a small town feel, supportive services, and sub-regional employment centers. At the same time, development constraints such as aquifer recharge areas, rivers, streams, floodplains, wetlands, steep slopes, and geologically unstable soil define the existing development limits and predict the shape of future development activity along key corridors.

The North Bend UGA occupies a very small percentage of the entire upper Snoqualmie River basin (above the falls), but its location on the valley floor close to the outlet for the upper Snoqualmie basin makes it vulnerable to major flooding, which can damage residences or other property. Implementing development and management practices that acknowledge the impact of the river and its tributaries is critical for the health and safety of existing and future residents. Associated wetlands are key natural resource areas for enhancing water quality, providing important fish and wildlife habitat, and serving as water retention and flood storage areas. They provide opportunities to maintain the natural geologic systems of the area and their related habitat functions.

Additional information on the City's predominant natural features and their importance to the future development of the City is given in detail in the Critical Areas Element and the Shoreline Element. Review of drainage, flooding, and stormwater run-off in North Bend, as well as protection of the quality and quantity of groundwater intended for public use is addressed in the Critical Areas Element of the North Bend Comprehensive plan. To the extent necessary to comply with RCW 36.70A.070(1), the Critical Areas Element is incorporated by reference in this Land Use Element. ~~North Bend's Shoreline Master Program (SMP) was most recently amended in 2012~~. Shoreline designations shall coordinate future land development and permitted uses with the Shoreline designations identified in the Shoreline Master Plan.

In addition to the City's geographic features, the City's existing tree canopy and many mature and significant trees serve as a significant natural asset that contributes to the livability of the community through stormwater mitigation, cooling, and other climate resilient benefits. Planning for protection of the City's tree canopy is provided in the Urban Forestry section of the Energy and Sustainability Element.

Also notable with North Bend's natural and forested surroundings is an increased risk of wildfire and an associated need to plan accordingly. Addressing this risk and the risks of other natural hazards are policies within the City's Energy and Sustainability Element.

C.3 Built Environment

The historic development pattern of the City is along its east-west spine. The City's downtown commercial area developed along the old east-west SR-10 corridor (also known as the ~~'Old State Highway' or~~ 'Sunset Highway'). In part, this 'Sunset Highway' first came to North Bend via Snoqualmie on the Boalch road alignment. The original route was subsequently moved to the present alignment of SR-202 then replaced with the old east-west SR-10 corridor now called North Bend Way. When Interstate 90 was completed in 1973 south of downtown North Bend, the original SR 10 assumed the function of a local access arterial route. Early residential neighborhoods clustered around the downtown employment node and were generally platted along the grid system, which gave definition and form to the urban

environment. Other, typically rural land uses were scattered throughout the Upper Valley and are still evident today along the minor and major arterials as a mix of large lot rural residences with small commercial and industrial land uses.

The completion of the I-90 interchanges propelled new land uses forward by the mid-1980s in response to the commercial opportunities created by interstate transportation access. The principal impact at the Exit 31 South Fork interchange was the emergence of retail sales outlets and services that cater to both the visitor population and to the City and the surrounding area. With the distribution center for Nintendo at Exit 31 and the Genie facility at Exit 34, and the zoning of additional Employment Park lands for similar uses, the City has additional employment opportunities in the South Fork Neighborhood, as well as the vacant lands along North Bend Way in the Tanner and Edgewick Neighborhoods. The I-90 corridor is a Designated National Scenic Byway which gets international tourism promotion from the Federal Scenic Byways Program. The Mountains to Sound Greenway Trust (MTSGT) and City of North Bend work together on enhancement projects throughout the City primarily funded through the Snoqualmie Watershed Forum by the King County Flood Control District. The MTSGT strives to protect and enhance the I-90 corridor greenway. The City of North Bend received 'Tree City USA'[1] in 2011 and has reached certification every year since.

Many of the existing, older commercial and residential structures show signs of age, particularly in the downtown neighborhood area. Maintaining the City's charm and appeal as a vital rural center will require additional attention to the rehabilitation and maintenance of its existing developed areas and structures. In part, the maintenance and repair of the City's infrastructure forms the foundation for this work.

C.4 Historic and Cultural Preservation

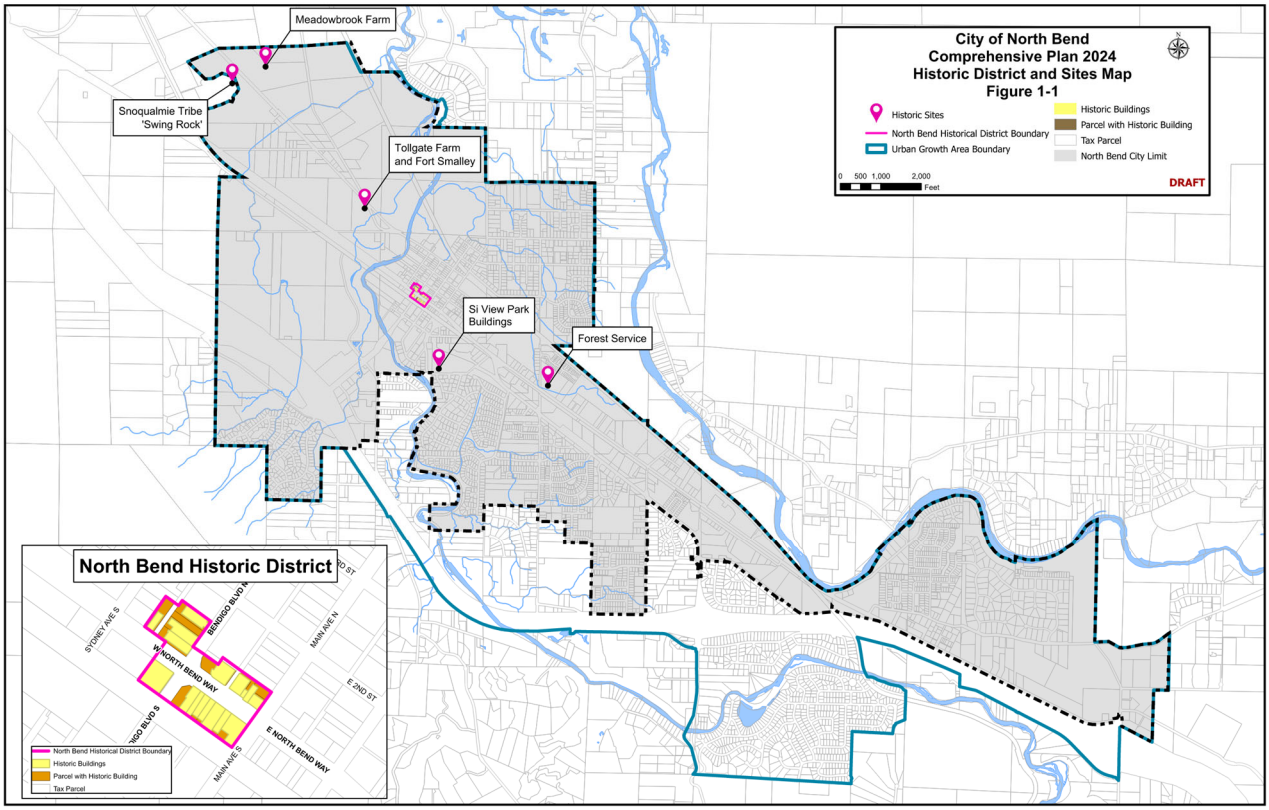
One of the goals of the Comprehensive Plan is to help promote historic and cultural preservation within the City. Several sections of the Land Use Element reference key historic sites (see **Table C.4**) that deserve public intervention for protection. Some examples include the historic Tollgate and Meadowbrook Farms which are now in public ownership, and the historic downtown commercial district which was formally designated in 2000. Preservation of heritage sites helps to maintain the City's aesthetic and cultural diversity and provides continuity with its past. Heritage sites include buildings, properties, natural areas, and structures of cultural significance. Identifying heritage resources and determining appropriate measures for their protection, preservation, or restoration is an ongoing process involving the King County Landmarks Commission, the City of North Bend, the Snoqualmie Tribe, and state and federal agencies. **(See Figure 1-14)**

TABLE C.4 INVENTORY OF HISTORIC SITES

Name	Location	King County Survey File Number
Tollgate Farm	North Bend	0740
Si View Park Buildings	North Bend	0848
Fort Smalley	Tollgate Farm on SR-202	0015
Meadowbrook Farm	North Bend and Snoqualmie	N/A*
Milwaukee Railroad Bridge (since removed)	North of North Bend on South Fork of Snoqualmie River	0018
Downtown Commercial Historic District	Downtown North Bend	HRI#1567
Snoqualmie Tribe "Swing Rock"	Highway 202	N/A*
Forest Service Complex	North Bend Way	N/A*

* Sites not included in King County's historic survey designation but are important to the identity of North Bend.

[1] Tree City USA is a national program that acknowledges cities who meet four standards of sound urban forestry management: maintaining a tree board or department; having a community tree ordinance; spending at least $2 per capita on urban forestry; and celebrating Arbor Day.



In order to facilitate the City's continued preservation of key area landmarks, the City will support the development of a process that identifies, evaluates, and protects its local historic and cultural resources.

The City works closely with the King County Historic Preservation Program to implement the City's historic preservation ordinance. This may include entering into an interlocal agreement with the County to provide for the designation of a commission of landmarks within the City. The City should also work closely with Mountains to Sound Greenway to support its efforts to create a network of greenway buffers and interpretative signs which inform and celebrate the local history. Opportunities for interpretive facilities for existing designated historic sites and structures should be pursued, as well as the opportunity to work with the City of Snoqualmie and Snoqualmie Tribe on the Meadowbrook Farm property for significant interpretative venues. Local historic and interpretive avenues are greatly fostered within the City of North Bend through its support of the efforts of the Snoqualmie Valley Historical Museum. This support should continue and expand as the museum considers future plans to restore or expand its facility in North Bend. The museum offers an accessible and unique avenue for retaining and expanding the community's awareness of its historic and cultural roots.

In addition to historic sites, it is important to protect Critical Cultural Resources. Critical Cultural Resources are archaeological objects of high cultural significance to the Snoqualmie people and/or other Tribes. Critical Cultural Resources as trees are often western red cedar; however, historical and traditional practices include other species, such as big-leaf maple or cottonwood. Archaeologists use the phrase Culturally Modified Tree, but it is not the preferred term for the Snoqualmie Tribe. The defining characteristic of a Critical Cultural Resource is the visibility of past human modification. Typical modifications on Critical Cultural Resources include tree branches, bark and even tree clusters. These living historical markers and resources are an identifiable connection to locations and places of cultural/historical/archaeological significance for Tribes.



Historic Images of North Bend (left to right): Log trucks going through downtown and a Historic Downtown Building.

C.5 Land Use Types
The Land Use Element identifies the type, location, and intensity of the following distinct land uses and includes discussion of mixed uses among these categories.

- ***Residential Land Uses:*** Residential land uses include low- to high-density housing and cottage housing.
- ***Commercial Land Uses:*** Commercial land uses include retail, services and office.
- ***Employment Park Land Uses:*** Office parks, high technology business parks, warehouses, heavy industrial, and manufacturing businesses are included in the discussion of employment-generating land uses.
- ***Parks, Open Space, and Public Facilities Land Uses:*** These areas include recreational open space, active and passive parks uses, and publicly owned facilities.
- ***Mixed-Use:*** Mixed-use refers to the combining of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Typically this is accomplished in the following way; 1) A structure with ground floor retail/commercial or service uses and the above floors occupied by residential use; 2) A structure which provides retail/commercial or service use in the portion fronting the public street with attached residential or office uses behind; and 3) Multiple structures on one site which provide retail/commercial or service uses in the structure(s) fronting the public street or public realm, and residential and/or office uses in separate structure(s) behind. Mixed-use development opportunities are recognized as a key plan component in creating revitalization of the existing built environment and spurring new development opportunities. Benefits of mixed use developments include but are not limited to: 1) allowing citizens to live, work and shop within a close proximity to each use; 2) creating activity within the district or neighborhood during longer periods of the day; 3) creating housing options and housing diversity; 3) promoting pedestrian activity and reduced auto dependency and 4) creating a sense of place.

C.6 Community Design and Mixed Use
Traditional zoning separated homes from employment, shopping and commercial spaces. Commercial and industrial spaces were concentrated in large centers oriented towards the freeway and the automobile. Population growth and traffic congestion created a need to accommodate a better mix of uses where people can live, work and shop. Mixed-use development can provide a better jobs to housing balance and provide citizens with the option to live closer to work, thus making walking, biking and transit choices more abundant. Mixed-use buildings as described under C.5 above are a combination of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Mixed use is permitted and encouraged in the Downtown Commercial (DC) zone, Neighborhood Business Zones (NB) and through ~~Planned Neighborhood Development Review in the Employment Park I (EP-1) zone~~Master Plans developed consistent with City regulations governing such process.

LU - Goal 1: ***Preserve North Bend's small town qualities and its natural environment, while allowing for growth and development.***

Policies:

LU - 1.1 Ensure consistency with applicable requirements of the Growth Management Act, Multicounty Planning Policies, and Countywide Planning Policies when updating the Land Use Element and other relevant elements of the Comprehensive Plan.

LU – 1.2 Ensure opportunity for tribal collaboration and participation when updating the City's Comprehensive Plan and in other land use planning processes, and increase communication and consultation with tribes on issues that may impact tribal interests and treaty rights.

LU - 1.3 Accommodate the City's required residential and employment growth targets and ensure a well-planned balance of residential and commercial growth that can support a jobs-housing balance, and amend land use and zoning designations when necessary to accommodate such targets.

LU – 1.4 Encourage infill residential development within the existing incorporated area in an effort to reduce sprawl and create more housing options.

LU - 1.~~2~~5 Allow development to occur within the identified Urban Growth Area as City services become available and adopted annexation policies are met when it is consistent with adopted population and employment growth targets.

LU - 1.~~3~~6 Locate new residential land uses in environmentally unconstrained areas where public services are available or nearby to increase walkability and reduce greenhouse gas emissions.

LU - 1.~~4~~7 Encourage retention of natural habitat in residential developments by providing sustainable landscaping, making Low Impact Development the preferred stormwater approach for site development, requiring set-asides for connecting open spaces, and by creating zoning incentives.

LU - 1.8 Plan for wildlife habitat linkages and wildlife-conscious development practices in land use and development patterns.

LU – 1.~~5~~9 Develop a Citywide Gateway Plan, and associated regulations, to create attractive City entrances that highlight the community's small town character.

LU – 1.10 Plan for development patterns that minimize pollution and greenhouse gas emissions and increase physical activity by facilitating bicycle and pedestrian mobility and supporting increased densities in areas accessible to transit.

~~LU – 1.6 Revise the zoning map for Parks, Open Space or Public Facilities Zoned properties to reflect the primary use of the property as either Parks/Open Space or Public Facilities.~~

LU - Goal 2: Protect, conserve and enhance the historic and cultural heritage of North Bend.

Policies:

LU - 2.1 Coordinate and cooperate with local, state and national historic and cultural preservation organizations, and the Snoqualmie Tribe, in order to promote and protect historic and cultural preservation within the City.

LU – 2.2 Develop criteria to establish a system of priorities for the preservation of historic, archeological and culturally significant properties and Critical Cultural Resources.

LU – 2.3 Work with the Snoqualmie Valley Historical Society to make historic and cultural resources available in order to raise awareness of the richness of cultural diversity and to encourage retention of personal and community heritage.

LU – 2.4 Promote a mutually supportive relationship between historic and cultural preservation and economic development.

LU – 2.5 Incorporate the preservation of sites and structures of historic, cultural, and archeological significance as a part of the aesthetic and environmental consideration in site design and subdivision plan reviews.

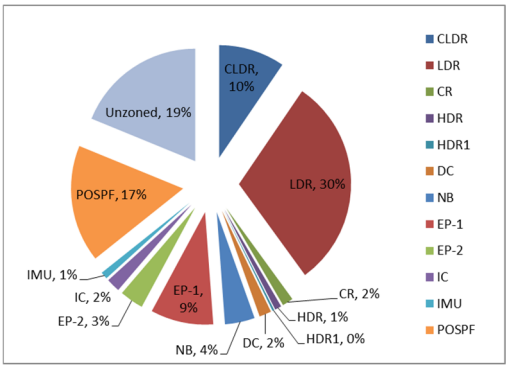
LU – 2.6 Consult with the King County Historic Preservation Program and the Snoqualmie Tribe to determine and implement appropriate levels of archaeological review for development proposals to ensure the protection of cultural resources.

D. LAND USE CHARACTERISTICS, DISTRIBUTION AND LOCATION OF LAND USES

D.1 Distribution of Land Use Designations

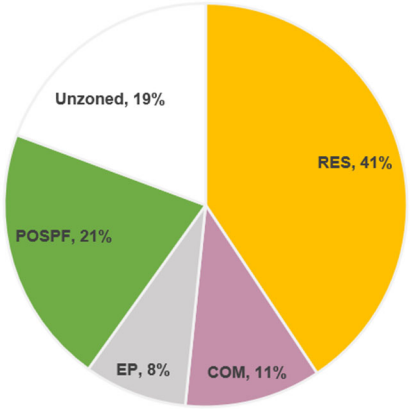
~~Table D.1.A Distribution of Land Uses – 2015~~

~~LAND AREA BY ZONING (City and UGA)~~			
~~Abbrv.~~	~~Zoning District~~	~~Acres~~	~~Total (%)~~
~~CLDR~~	~~Constrained Low Density Residential~~	~~368~~	~~10%~~
~~CR~~	~~Cottage Residential~~	~~61~~	~~2%~~
~~LDR~~	~~Low Density Residential~~	~~1177~~	~~30%~~
~~HDR~~	~~High Density Residential (HDR)~~	~~37~~	~~1%~~
~~HDR~~	~~High Density Residential with Density Restrictions~~	~~10~~	~~0%~~
~~DC~~	~~Downtown Commercial~~	~~67~~	~~2%~~
~~IC~~	~~Interchange Commercial~~	~~77~~	~~2%~~
~~IMU~~	~~Interchange Mixed-Use~~	~~40~~	~~1%~~
~~NB~~	~~Neighborhood Business~~	~~167~~	~~4%~~
~~EP-1~~	~~Employment Park – 1~~	~~350~~	~~9%~~
~~EP-2~~	~~Employment Park – 2~~	~~133~~	~~3%~~
~~POSPF~~	~~Park / Open Space / Public Facilities~~	~~652~~	~~17%~~
~~Un-zoned~~	~~Un-Zoned Areas (right of way / river)~~	~~728~~	~~19%~~
	~~TOTAL~~	~~3866~~	~~100%~~
	~~Source: City of North Bend GIS (Geographic Information System)~~		

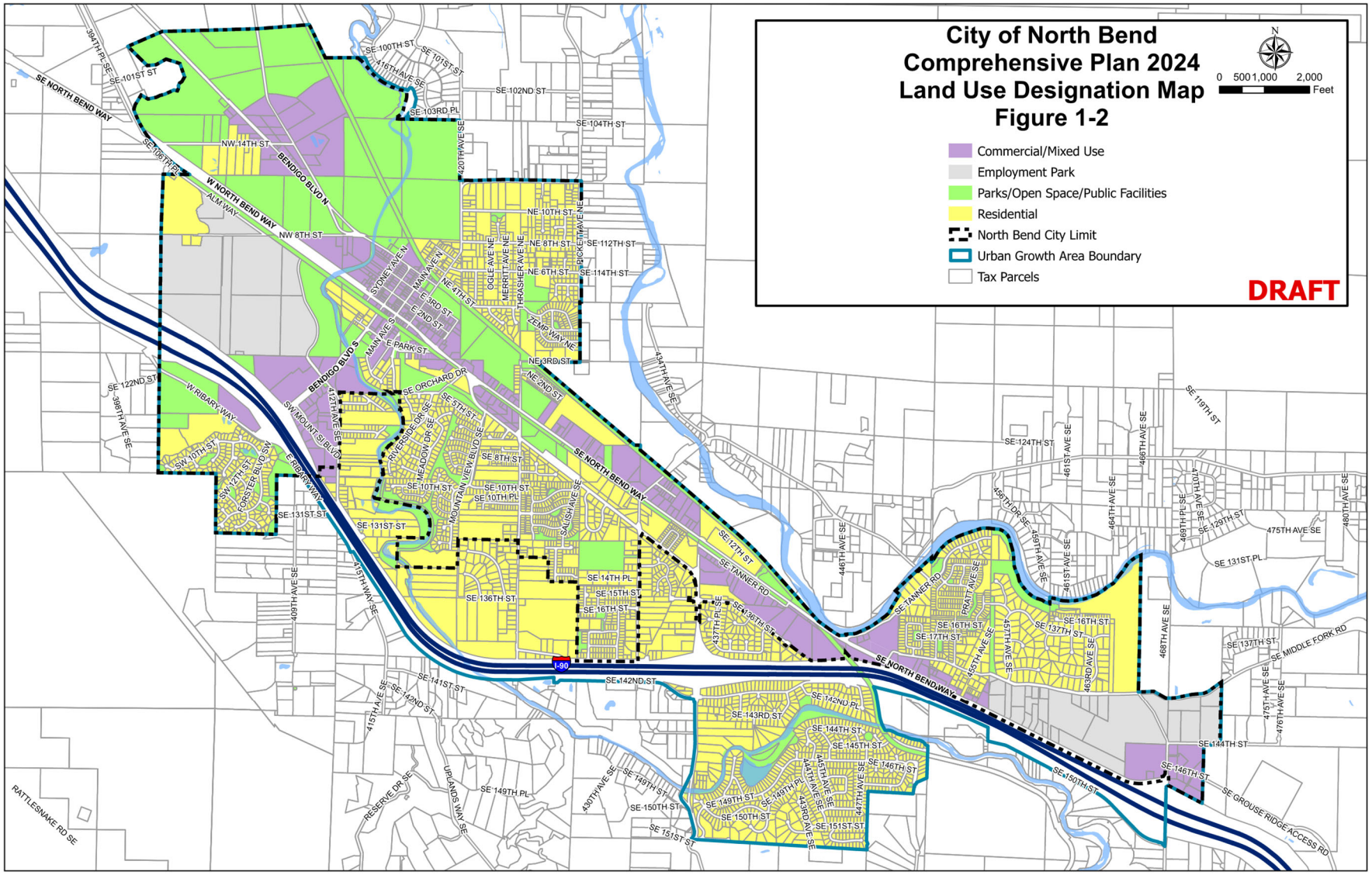


Land Area by Land Use Designation (City Limits and UGA)			
Abbreviation	**Land Use Designation**	**Acres**	**Total (%)**
RES	Residential	1565	41%
COM	Commercial/Mixed Use	421	11%
EP	Employment Park	318	8%
POSPF	Park/Open Space / Public Facility	799	21%
Unzoned	Unzoned/ROW/Waterbody	744	19%
	Total	**3847**	**100%**

Land Area by Land Use Designation (City Limits and UGA)



The City of North Bend with its UGA is approximately 3,868 acres in size. The predominant land use activities, as classified on the current ~~zoning~~ land use designation map, are residential uses. **(See Figure 1-~~2~~1)**


City of North Bend
Comprehensive Plan 2024
Land Use Designation Map
Figure 1-2
N
0 500 1,000 2,000
Feet
Commercial/Mixed Use
Employment Park
Parks/Open Space/Public Facilities
Residential
North Bend City Limit
Urban Growth Area Boundary
Tax Parcels
DRAFT
SE NORTH BEND WAY
W NORTH BEND WAY
BENDIGO BLVD N
BENDIGO BLVD S
SE 100TH ST
SE 101ST ST
SE 102ND ST
SE 103RD PL
SE 104TH ST
SE 112TH ST
SE 114TH ST
NW 14TH ST
NW 8TH ST
NE 10TH ST
NE 8TH ST
NE 6TH ST
NE 4TH ST
NE 3RD ST
NE 2ND ST
E 3RD ST
E 2ND ST
E PARK ST
SE ORCHARD DR
SE 5TH ST
SE 8TH ST
SE 10TH ST
SE 10TH PL
SE 122ND ST
SE 124TH ST
SE 129TH ST
SE 131ST ST
SE 131ST PL
SE 136TH ST
SE 12TH ST
SE TANNER RD
SE 14TH PL
SE 15TH ST
SE 16TH ST
SE 16TH ST
SE 17TH ST
SE 137TH ST
SE 137TH ST
SE MIDDLE FORK RD
SE 141ST ST
SE 142ND ST
SE 142ND PL
SE 143RD ST
SE 144TH ST
SE 144TH ST
SE 145TH ST
SE 146TH ST
SE 146TH ST
SE 149TH PL
SE 149TH ST
SE 149TH PL
SE 150TH ST
SE 150TH ST
SE 150TH ST
SE 151ST ST
SE 151ST ST
SE 119TH ST
SE GROUSE RIDGE ACCESS RD
394TH PL SE
398TH AVE SE
409TH AVE SE
412TH AVE SE
415TH AVE SE
416TH AVE SE
420TH AVE SE
430TH AVE SE
434TH AVE SE
442ND AVE SE
443RD AVE SE
444TH AVE SE
445TH AVE SE
446TH AVE SE
447TH AVE SE
451ST AVE SE
457TH AVE SE
461ST AVE SE
463RD AVE SE
464TH AVE SE
466TH AVE SE
468TH AVE SE
475TH AVE SE
476TH AVE SE
480TH AVE SE
496TH DR SE
496TH PL SE
499TH PL SE
SW 10TH ST
SW 12TH ST
FORSTER BLVD SW
SW MOUNT SI BLVD
W RIBARY WAY
E RIBARY WAY
MOUNTAIN VIEW BLVD SE
MEADOW DR SE
RIVERRIDGE DR SE
SAMISH AVE SE
PRATT AVE SE
SYDNEY AVE N
MAIN AVE N
MAIN AVE S
OGLE AVE NE
MERRITT AVE NE
THRASHER AVE NE
BIGELOW AVE NE
ZEMPEL WAY NE
ALM WAY
RESERVE DR SE
URLANDS WAY SE
RATTLESNAKE RD SE
I-90

D.2 Parks, Open Space and Public Facilities

The City identifies land useful for public purposes within the Parks, Open Space, and Public Facilities Land Use Designation and zone. About ~~17~~21% percent of the UGA land area~~, or 652 acres,~~ is now used for parks, open space and public facilities, a relatively high percentage compared with most communities, but consistent with the high priority residents have placed on maintaining the City's rural and small town character. This zone also includes City offices and properties, schools, Si View Park, the City's wastewater treatment plant, and the fire station, as well as designated tracts for the protection of critical areas, public lands for future levy setbacks, and other public purposes. Other key components of open space include the Meadowbrook and Tollgate Farms, which together have been designated by North Bend to serve as an urban separator between the Cities of North Bend and Snoqualmie. The preservation of land identified as environmentally critical areas, open space, and parks provides a variety of functions such as: providing access to the Snoqualmie River and its tributaries; providing visual relief from the built environment; retaining areas for wildlife habitat and stormwater retention; creating opportunities for study of the natural environment; supporting recreation opportunities; and linking the City with its historic past.

To adequately protect such critical land uses, the North Bend Municipal Code has specific zoning categories to identify and retain areas which function as either parks or open space. The Parks Element identifies recreational resources and provides specific policies, while establishing level of service standards for this important component of North Bend's amenities. (See the Parks Element of the Comprehensive Plan for more information.)

The City is well served by a diverse range of public facilities developed to meet the needs of its residents as well as the needs of those living in adjacent unincorporated King County. Facilities include: a King County public library (1994), a post office (1994), a public works Complex (2002), ~~and~~ a ~~new~~ fire station (2012), and a city hall (2018).

North Bend has a variety of public programs offered at public facilities. The North Bend Depot and associated historic train activities link North Bend to the City of Snoqualmie. In addition, the historic train provides tourist activities, which help generate economic activity. The Senior Center has a rich variety of programs and activities. The Si View Park complex has the only public pool in the Upper Valley and offers many classes and camps year round. The Snoqualmie Valley Historical Museum has a depth of high quality programs, resources, and displays. (See the Capital Facilities Element and Parks Element for more information on parks, open space and public facilities.)

D.3 Residential Land Use

The majority of the land area within the City of North Bend has been designated for residential land uses, ranging from constrained low-density residential areas to high-density residential. For further information on population growth projections and planning for and accommodating residential growth targets, see section H of this Element, Growth Targets. ~~According to the 2010 Census, 5,731 people live in North Bend in a total of 2,348 housing units, an increase of 459 housing units since 2000. The 2013 population estimate is 6,236 (a 7.1% increase from 2010).[2] The City has continued to see a steady rise in development since 2013 and expects the population within the City could increase another 7% with the projects currently under review.~~

~~The 2010 Census shows that 471 homes (24% of the existing housing stock) in the City were constructed prior to 1959. Between 1960 and 1989 493 homes (25% of the existing housing stock) were constructed. Half of the existing housing stock in the City was constructed since 1990 (990 units, or 51%). Nearly all units in the City are served by public water systems, while only 75% are served with public sewer. (See the Housing Element for more information and Table H.2.A below for a summary of residential and permit plat activity.)~~

D.4 Commercial Districts and Employment Centers

North Bend offers a variety of jobs to persons residing both inside and outside the City limits. Commercial Districts and Employment Centers are predominately concentrated along Bendigo Boulevard and North Bend Way and Boalch Avenue NW, as well as on the east and west side of the City in lands zoned ~~EP-1 and EP-2.~~Business Park and Employment Park.

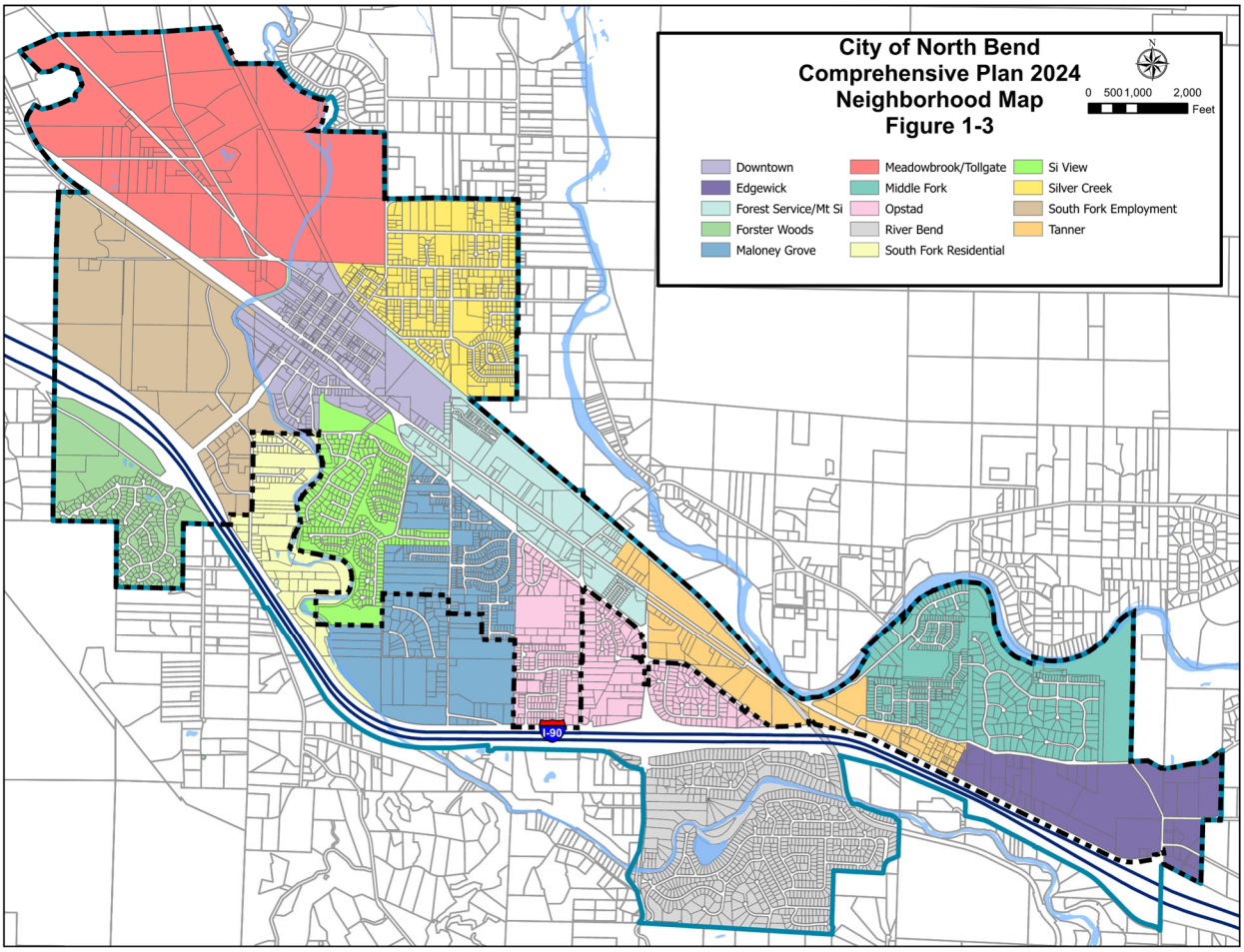
D.5 Neighborhood Planning Areas

For Comprehensive Plan purposes, the City has been divided into fourteen neighborhood planning areas identified in **Figure 1-3.** These neighborhoods have been established to create land use patterns that will help the City maintain its existing rural character, natural beauty and small town scale, as well as to identify neighborhood-specific planning and design issues and establish policies that help create identity, community, and a sense of place. These neighborhoods are characterized by pedestrian orientation and are linked by the City's existing and planned network of pedestrian and bicycle trails.

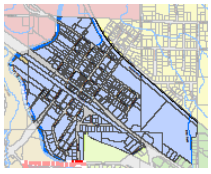
~~[2] United State Census Bureau 2009-2013 American Community Survey.~~

The potential for the creation of future neighborhood-specific plans will enable neighborhood residents to have a voice in the direction their neighborhood may take. Anything from the identification of needed neighborhood amenities to the development of neighborhood signage programs can be explored within the context of the neighborhood planning process.

Figure 1-3 shows all of the City's neighborhoods as currently designated. In concert with the Transportation Element and the Parks Element, the City should strive to seek land to accommodate neighborhood greenways and bike paths that both connect and articulate each neighborhood's identity. Development of future comprehensive neighborhood signage programs may help distinguish the neighborhoods' unique characteristics.



Downtown Neighborhood



The Downtown Neighborhood includes the historic commercial downtown and the original town plat of North Bend, with a mix of commercial and residential uses. The Downtown Neighborhood contains several areas of vacant and re-developable land envisioned for infill projects and is one of the City's key employment centers for future commercial growth. The City has encouraged investment and improvement in the downtown through a number of ways.

Neighborhood size is generally defined by the walking distance to the neighborhood center. The Downtown Neighborhood has been designated in such a way that jobs, housing and services may be readily available to the local residents, often within walking distance. By encouraging a walkable downtown, a sense of community is affirmed, automotive pollutants are reduced, healthy lifestyles are encouraged, and human interaction is fostered. In addition, the City seeks to reduce urban sprawl as it encourages compact development, helping preserve the natural lands adjacent to the City.

The identification and development of the Downtown Neighborhood within the City occurred with several goals in mind. First, the downtown can be compact and comprised of structures of varying scale. Clustering is to be encouraged to help minimize impacts of conflicting land uses while enhancing the natural features or open spaces within a proposed development. Second, development within the downtown must respect the historic and architectural styles and patterns of development. Streetscape and pedestrian scale are some of the additional components required by the Residential, Commercial, Mixed-Use and Industrial Design Standards adopted May 18, 2010.

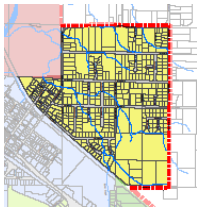
In 2000, the City established the Downtown Commercial Historic District, covering seventeen historic buildings. This designation, administered through an interlocal agreement with the King County Historic Preservation Program, is intended to preserve and restore the historic character of the District. The Downtown Commercial Historic District is supported by several programs designed to stimulate maintenance and redevelopment of the designated structures.

In 2008, the City adopted a Downtown Master Plan. This plan identifies key development opportunity sites, specific infrastructure improvements, traffic and parking recommendations, and regulatory measures to help achieve the plan goals. In addition to the recommendations in the Downtown Master Plan, a future city hall, civic center, and plaza are envisioned in the downtown core, which can serve as a catalyst for further economic development and as a venue for community events. The Downtown Master Plan also recommends gateway features that are intended to draw people in and establish a sense of arrival. The City has achieved many of the Near-Term Projects and Actions identified in the Implementation Timeline of the Downtown Master Plan. These include projects such as: a roundabout at North Bend Way/Cedar Falls; way-finding signs; invasive vegetation removal at Riverfront Park; Downing Avenue Extension; intersection control at Park and North Bend Way; and garbage screening along McClellan, In addition, a new Visitor Information Center (VIC) was built in 2014 at the corner of Bendigo Blvd and Park Street.

The City also supports further investment in its downtown core through economic development strategies that foster a synergistic mix of retail, restaurant, nightlife, and service uses, clear and concise guidelines for development, and by developing incentives for infill and redevelopment such as expedited permit processes and reduced impact fees.

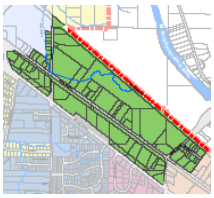
In other areas of the Downtown Neighborhood, infill and redevelopment of underutilized properties is expected to occur as property values increase relative to the value of existing structures. Supporting higher-density residential in the Downtown Neighborhood is key to fostering both pedestrian-oriented development and additional market support for further commercial uses. Mixed-use developments are particularly suitable for the Downtown Neighborhood and should be supported and encouraged through appropriate policies.

Silver Creek Neighborhood



The Silver Creek Neighborhood is characterized by predominately single-family development, and further development should be limited to low-density residential in recognition of the established neighborhood character, its location within the floodplain, and the proximity of a number of floodway channels and critical areas associated with Silver Creek. Effort should be made to secure additional park land adjoining to E.J. Roberts Park as development is proposed. The additional park land will serve the growing number of residents using the park facilities in the Silver Creek Neighborhood.

Forest Service/Mount Si Neighborhood



The Forest Service/Mount Si Neighborhood is a residential and commercial mixed neighborhood located southeast of downtown. The neighborhood is bisected by North Bend Way and the vacant Burlington Northern Railroad corridor/Tanner Trail, with residential uses predominantly south of North Bend Way and commercial uses north of North Bend Way. Primary existing public uses include the US Forest Service Ranger Station Complex, the City of North Bend Public Works site, and Fire Station 87.

Formerly Highway 10, this area developed along its length as an auto-oriented commercial strip, with motels, service stations, restaurants, and mobile home parks. As such, it exhibits the effect of auto-oriented "strip commercial" development with numerous egress and ingress points from North Bend Way. These multiple curb cuts are detrimental to public safety, impede the smooth flow of traffic, discourage walking and bicycling, and should be reduced over time through shared-driveways required as a part of redevelopment. Effort should also be made to ensure protection of significant trees located between North Bend Way and Cedar Falls Way, which form a distinct part of the neighborhood's character.

The neighborhood contains significant vacant and redevelopable areas which are envisioned for the development of cottage and medium density housing south of North Bend Way, and commercial and mixed use development ~~a mix of commercial and residential uses~~ north of North Bend Way.

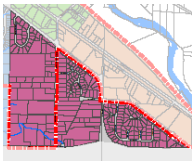
A key intersection within this neighborhood is at East North Bend Way and SE Mount Si Road. This intersection provides access to the Mt. Si Trailhead. Because this trailhead is a regional draw, attracting over one hundred thousand people each year, retail and commercial opportunities are abundant. This neighborhood will see a demand for Neighborhood Business type uses, serving both the recreationalists and local clientele, and serving as a future neighborhood center. Retail and commercial uses should be pedestrian friendly, concentrated at the intersection, with parking located to rear. Mixed-use development consisting of retail/commercial and residential is encouraged. ~~Residential uses on the north side of North Bend Way at this intersection should be limited to the second story and/or located to the rear of the retail uses.~~

Riverbend Neighborhood



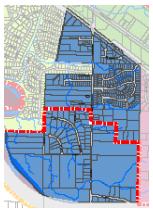
The Riverbend Neighborhood is a residential neighborhood in the Urban Growth Area south of I-90 Exit 32. The neighborhood has been largely built-out, with remaining single-family residential infill and redevelopment potential on existing larger residential lots off 436th Ave. SE. Private parks within the Riverbend neighborhood provide gathering places, and a golf course with associated restaurant and commercial uses provide additional services just outside the UGA. The Snoqualmie Valley Trail provides an important pedestrian and bicycle link under I-90 from the Riverbend Neighborhood to downtown and other parts of the City.

Opstad Neighborhood



The Opstad Neighborhood is a residential neighborhood located southeast of downtown and directly south of the Mount Si Neighborhood. The neighborhood contains lower density single-family homes, Opstad Elementary School, and areas of vacant and redevelopable land. Much of the neighborhood has been "established" by existing residential subdivision patterns and should remain as low-density residential.

Maloney Grove Neighborhood



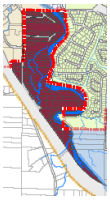
The Maloney Grove Neighborhood is a residential neighborhood located southeast of downtown and directly west of the Opstad Neighborhood. The southern edge of the neighborhood is bounded by the I-90 right-of-way. The area contains lower density single-family residences. This neighborhood contains areas of vacant and redevelopable land envisioned for low-density residential development. Southern areas of the neighborhood are constrained by the floodplain and floodway. Development of trails along the South Fork levee as redevelopment of these properties occur would provide important extensions of the City's trail network and enable a safe pedestrian and bicycle connection to other areas of the City.

Si View Neighborhood



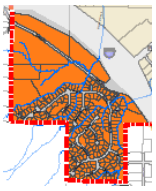
The Si View Neighborhood is a residential neighborhood located south of downtown and northwest of the Maloney Grove Neighborhood. The western edge of the neighborhood is defined by the South Fork of the Snoqualmie River. The neighborhood has been largely built-out, and contains minimal area of vacant or redevelopable land, which is envisioned for single family residential use. Portions of the neighborhood are constrained by the floodplain and floodway. The neighborhood center is identified as Si View Park.

South Fork Residential



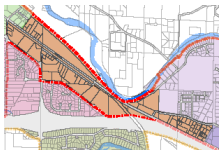
The South Fork Neighborhood is a residential neighborhood located in the City's UGA, south of downtown and east of the South Fork Interchange area. It contains the existing subdivisions of Shamrock Park and Berry Estates. The neighborhood is bounded to the east by the South Fork of the Snoqualmie River. The neighborhood center is identified as the Exit 31 interchange commercial area within the South Fork Neighborhood to the west. Future development in the neighborhood is constrained by its location within the floodplain, some portions of which are in the floodway. ~~Zoning in the neighborhood should be limited to low-density residential to be compatible with the established development pattern and constraints of the floodplain.~~

Forster Woods Neighborhood



The Forster Woods Neighborhood is a residential neighborhood located southwest of downtown and southwest of the I-90 Exit 31 interchange. The area contains the Forster Woods subdivision, both single-family and multi-family, Tennant Trailhead Park, and additional vacant ~~residential and~~ commercial land with moderate development constraints. Adjacent to the freeway intersection, vacant parcels would be developed as land uses suitable to the interchange~~, such as mixed use designations to be compatible with adjoining residential areas. Existing environmental constraints must be addressed in any future development that occurs here. The remaining undeveloped lands in the Forster Woods Neighborhood area is proposed at LDR 4 (gross) units per acre on the south side of W. Ribary Way and HDR with a density restriction covenant on the north side of W. Ribary Way~~.

The Tanner Neighborhood

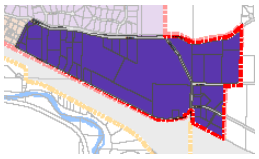


The Tanner Neighborhood is a predominantly ~~light industrial~~ commercial neighborhood located southeast of the Forest Service/Mt. Si Neighborhood and the Edgewick Interchange.

The neighborhood contains significant vacant and redevelopable land suitable for commercial and light-industrial uses and is an area anticipated to accommodate additional employment growth. Special overlay districts within areas of this neighborhood recognize unique site characteristics such as the presence of the Snoqualmie Valley Trail and the King County Tanner Landing Park, and ~~therefore~~ could allow for a mix of residential and commercial/light industrial uses that wouldn't otherwise be permitted (see Overlay Districts section below).

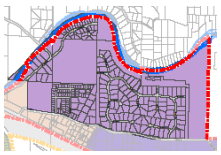
The King County Snoqualmie Valley Trail provides an important pedestrian link through this neighborhood, connecting multiple parts of the City and encouraging bicycle and pedestrian transportation. The future Tanner Trail, within the Burlington Northern Railroad corridor, will provide a similar link along North Bend Way, and future developments that abut or contain this corridor should be constructed to align with and incorporate the trail into the design of the development. The area also has important scenic qualities with views of the Middle Fork of the Snoqualmie River and Mount Si. Interpretive or historic signage would be appropriate, located in key areas along the corridor to give perspective on the natural and human histories of the area, including that of the Tanner Mill and the former Northern Pacific (Burlington Northern) and Milwaukee Road Railroad Lines.

The Edgewick Neighborhood



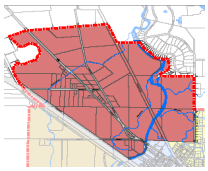
The Edgewick Neighborhood is a predominantly light-industrial neighborhood between SE 140th Street and North Bend Way at the eastern end of the City, and is one of the City's key employment areas anticipated to accommodate future employment growth. The neighborhood contains significant vacant and redevelopable land suitable for light-industrial and office park development. This area has great potential for increased job development due to its flat topography and excellent freeway access, and proximity to the Seattle metropolitan area. Attention to the most appropriate zoning classifications and land uses is also a significant issue, as the *North Bend Vision Plan* clearly articulates the City's desire to manage new commercial development with attention to the scale and intensity suitable for a small city. Employment-generating uses should be given preference over larger-scale warehousing and storage uses. The East North Bend Master Plan Overlay District provides additional planning and land use guidance to ensure a well-coordinated mix of office, employment park, research and industrial, and light manufacturing uses, and to coordinate vehicular circulation and site design to minimize adverse impacts to adjacent residential areas and nearby schools. The commercial areas at the Exit 34 interchange form the neighborhood center. Because 468th Ave. SE serves as the gateway to the popular Middle Fork recreation area, special attention should be paid to ensure that building and site design within this area—although it may be light industrial—retains a small town character and scale consistent with the City's vision statement.

The Middle Fork Neighborhood



The Middle Fork Neighborhood is a residential neighborhood bounded to the north by the Middle Fork of the Snoqualmie River. The City will require that future development of this area provide public access to the Middle Fork of the Snoqualmie River with pedestrian trails that connect residential areas to the river where possible. Remaining development within the Middle Fork Neighborhood should remain as low-density residential.

Meadowbrook/Tollgate Neighborhood

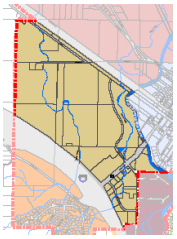


The Meadowbrook/Tollgate Neighborhood is chiefly characterized by the preserved Meadowbrook and Tollgate Farms~~, and is designated as an urban separator~~. Both Meadowbrook Farm and Tollgate Farm are managed consistent with master plans that were developed for each property, as public park and open space areas intended to preserve scenic, historic, and cultural resources, and to be developed for lower intensity recreational activities, with a portion of Tollgate Farm also being developed for active recreation. (See the master plan for each property for more information.)

~~The retention of open space and passive and active recreation within the Meadowbrook/Tollgate Urban Separator is an important priority for the City. The urban separator designation has been supported by designating the neighborhood as a development rights transfer sending zone.~~

The Meadowbrook neighborhood contains some housing units as well as limited commercial and manufacturing land uses. The neighborhood contains areas of vacant and redevelopable land, and is envisioned as a mix of low-density~~of~~ residential uses and lower-intensity commercial uses. ~~Much of the area outside of the publicly owned properties remains vacant. However, t~~This neighborhood is not anticipated to accommodate higher-intensity commercial growth, ~~based on the objectives of the Urban Separator Overlay Zone~~to ensure compability with the adjacent agricultural and open space uses at Tollgate Farm and Meadowbrook Farm. Future development in the neighborhood is also constrained by wetland, stream and floodplain critical areas.

South Fork Employment



A commercial and light-industrial neighborhood, the South Fork neighborhood includes the Exit 31 interchange commercial area and the large vacant and redevelopable properties between I-90 and North Bend Way in the western end of the City. This neighborhood is one of the City's primary employment centers and is anticipated to accommodate much of the City's future employment growth. Key existing uses include Nintendo and North Bend Premium Outlets to the west of Bendigo Boulevard, and the Mountain Valley Center east of Bendigo Boulevard. The neighborhood also serves as a primary gateway into the rest of the City. Maintaining and enhancing the streetscape along Bendigo Boulevard with landscape, lighting, signage, and sidewalk improvements consistent with recommendations in the Downtown Master Plan will help draw people from this area into downtown.

Policies for light industrial lands are intended to provide guidance toward identifying adequate land area for job growth and creation, developing parameters to help reduce conflicts between adjoining land uses and providing direction for new development to exhibit sensitivity to the natural environment. Uses in the Interchange Mixed-Use zone are to be limited to less intensive commercial activities that will be more compatible with the residential zoning district surrounding the interchange.

D.6 INCOMPATIBLE LAND USES

The City of North Bend's Comprehensive Plan and development regulations need to reduce incompatibility between residential and commercial or industrial land uses in the North Bend UGA. Reducing and/or mitigating compatibility of land uses between adjacent residential and non-residential properties is fundamental to sound land use planning. To improve compatibility between residential and non-residential properties, the City development code shall include enhanced setbacks, additional landscaping, and enhanced design guidelines as well as limitation on permitted uses in specified locations. The objective of the development code will be to provide buffering as necessary to preserve and enhance the character of residential zoning districts. ~~Establishment of the Interchange Mixed Use (IMU) zoning district and a Transitional Landscape Area (TLA), will achieve the reduction of incompatibility between residential and commercial or industrial uses. (See Section F below for a further description of these overlay zones.)~~

LU - Goal 3: ***Maintain residential quality and neighborhood livability suitable for residents of North Bend.***

Policies:

LU - 3.1 Encourage the development of human-scale neighborhoods planned to be easily accessed by pedestrians, bicycles, and transit ~~for civic, cultural and/or recreational activities~~to increase walkability and reduce greenhouse gas emissions.

LU - 3.2 Encourage retention of existing open spaces and the creation of a citywide, linked open space network that integrates neighborhoods, provides access for all to clean healthy environments, ~~in order to retain the existing rural character within residential neighborhoods~~ protects natural resources and increases resilience to climate change impacts. Prioritize acquisitions and improvements in neighborhoods with historical underinvestment and disproportionally impacted communities.

LU - 3.3 Utilize adopted multi-family and single family design guidelines which help to promote high quality residential development.

LU - 3.4 Protect neighborhoods from adverse impacts such as junk vehicles or other nuisances by actively enforcing City codes.

LU - 3.5 Support new transit opportunities linked to residential growth.

LU – 3.6 As needed work with neighborhood residents to help define each neighborhood's character and address each neighborhood's challenges.

LU – 3.7 Promote walkways and bikeways within new residential developments that can be linked to existing or proposed trails and walkways.

LU – 3.8 Reduce sprawl by creating development regulations that allow smaller lot infill development at a scale and intensity that ~~preserves~~ complements existing neighborhoods.

LU – 3.9 Protect residential zoning districts from adverse impacts created by land uses permitted in adjoining commercial or industrial zoning districts.

~~LU – 3.10 Preserve the "established" character in existing neighborhoods that are significantly built out by zoning for infill development to occur at densities that are consistent with the existing development pattern.~~

~~LU – 3.11 Protect the public health and safety by limiting single-family residential infill development in floodplain areas outside of the downtown commercial zone to Low Density Residential and Constrained Low Density Residential zones.~~

LU – 3.10~~12~~ Limit new multi-family dwellings constructed in the Downtown Commercial zone to the second story or above when constructed in the downtown core.

D.7 EQUITY IN LAND USE

Historic and traditional land use practices, policies, and zoning can impact the ability of individuals and households to access housing and services, participate in land use decision making, and remain within their homes and communities, often disproportionally affecting marginalized populations. Such populations include people with low incomes, people with language access needs, Black, Indigenous, and People of Color (BIPOC) communities, and people with disabilities. Intentional policies and programs are necessary to address such impacts and counter intentional and unintentional biases against such populations. Additional policies addressing equity are found in the Housing Element and the Energy and Sustainability Element.

LU Goal 4 Foster equity in land use development and decision making.

LU – 4.1 Ensure that all residents, regardless of race, social, or economic status, have a clean and healthy environment. Identify, mitigate, and correct for unavoidable negative impacts of public actions that disproportionally affect residents and neighborhoods impacted by existing and historical racial, social, environmental and economic inequities, and who have limited resources or capacity to adapt to a changing environment.

LU – 4.2 Develop and use tools that consider equity impacts when establishing plans or policies for outcomes that might disproportionally impact marginalized populations.

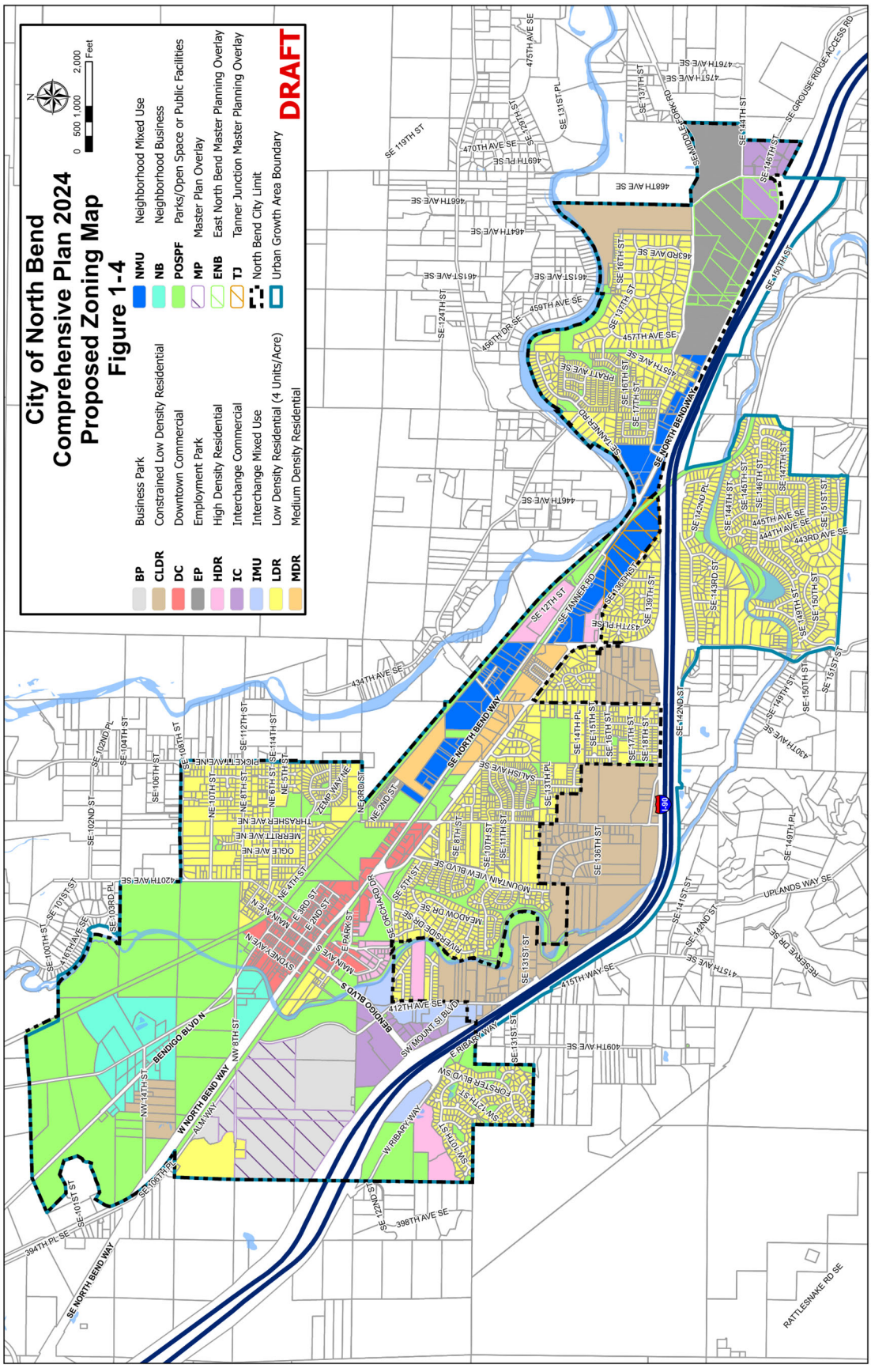
LU – 4.3 Promote land use development patterns that support the equitable siting of, and access to, services and community facilities.

LU – 4.4 In outreach and education activities and in the public process for land use decision making, strive to reach underrepresented and marginalized populations, including Tribes, and encourage their participation.

E. LAND USE AND ZONING DESIGNATIONS

How the City classifies uses of land within its incorporated boundary and its growth areas is important to the way the City will develop over the next twenty years. The ~~present~~ zoning code is designed to implement the principles of the *North Bend Vision Plan* by promoting neighborhoods that are pedestrian-scale, predominately residential areas with mixed commercial and residential uses permitted in the commercial and industrial core of the City.

A general description of the City of North Bend's zoning code classifications are provided in the following sections. The zones provide the direction necessary to fulfill the City's vision for greater choice and expanded opportunity for residents and businesses, while also allowing the City to meet the population, employment, and affordable housing targets mandated by Countywide Planning Policies.


City of North Bend
Comprehensive Plan 2024
Proposed Zoning Map
Figure 1-4
DRAFT
0 500 1,000 2,000 Feet
BP Business Park
CLDR Constrained Low Density Residential
DC Downtown Commercial
EP Employment Park
HDR High Density Residential
IC Interchange Commercial
IMU Interchange Mixed Use
LDR Low Density Residential (4 Units/Acre)
MDR Medium Density Residential
NMU Neighborhood Mixed Use
NB Neighborhood Business
POSPF Parks/Open Space or Public Facilities
MP Master Plan Overlay
ENB East North Bend Master Planning Overlay
TJ Tanner Junction Master Planning Overlay
North Bend City Limit
Urban Growth Area Boundary

E.1 Residential Land Use

Much of North Bend is identified as Residential Neighborhoods (see **Map 1-34**). Residential zones provide for both single-family and multi-family housing with a range of densities while also accommodating appropriately scaled commercial nodes within proximity to residential areas. Locating these uses in a "mixed-use core" within walking distance of the neighborhoods in a deliberate, pedestrian-scaled pattern, encourages people to walk and bicycle and makes for a safer and more vibrant neighborhood. New residential development is encouraged to evolve according to traditional settlement patterns, with higher densities concentrated in the "unconstrained" areas and the "mixed use core" area, and gradually diminishing at the neighborhood's edges. All residential zones (definitions below) create attractive and satisfying environments for family and household life, ensure adequate services are provided, and provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors. In addition, these zones promote a traditional neighborhood development pattern and scale which serves to maintain and enhance the existing character and pedestrian orientation.

Low-Density Residential (LDR)

Low-Density Residential designations provide for neighborhoods of predominately single-family structures at a maximum density of four dwelling units per acre. This zoning designation can accommodate for other uses that are compatible with single-family residences, including accessory dwelling units and some percentage of cottage housing within a planned neighborhood district.

Constrained Low Density Residential (CLDR)

Constrained Low Density Residential is a portion of the Low-Density Residential designation for single-family residential use that is recognized for having larger lots or development constraints, such as frequently flooded areas, geologically hazardous areas, river and stream corridors, channel migration areas, wetlands, and native wildlife and fish habitat. Density in this area is expected to reach a maximum of two dwelling units per acre. The CLDR area includes properties located within the floodplain and floodway areas adjacent to the South Fork of the Snoqualmie River, and includes properties within the UGA, characterized by larger lot sizes and in keeping with the ruralsmall town and natural character recognized as important in the city's vision statement.

Cottage Residential (CR)Medium Density Residential (MDR)

Cottage ResidentialThe Medium Density Residential zoning designation provides for innovative housing types on smaller lot sizes with increased densities to create greater diversity for residents of North Bend. MDRCR is comprised of predominately single-family smaller detached housing in the form of cottages, though some attached housing is allowed as well as attached housing within smaller-scale buildings consistent with single-family neighborhood character at densities between Low Density Residential and High Density Residential.

High-Density Residential (HDR)

High-Density Residential zoning designations provides for attractive and satisfying pedestrian-friendly neighborhoods and/or areas of predominantly multi-family structures allowing for a mix of housing types, including affordable housing.

E.2 Parks, Open Space, and Public Facilities

Parks / Open Space or Public Facilities (POSPF)

The Parks Open Space or Public Facilities designation will include all public parks, schools and community facilities, as well as developed trails and other public recreational corridors and lands, and privately owned open space lands such as homeowners association parks, stormwater, and critical area tracts. Through the City's Parks and Open Space Element, property to be acquired for future parks or trails may be designated "future" Parks, Open Space, and Public Facilities. The "future" Park's designation may be applied without changing the underlying zoning.

The POSPF zoning may be segregated to distinguish lands designated primarily for parks and open space from lands designated primarily for public facilities. Agriculture, forestry, galleries, gardens and museums, cemeteries, as well as governmental offices are permitted.

E.3 Employment

Employment Park (EP-1 & EP-2)

The Employment Park and Business Park designations include areas where the future employment growth for North Bend will occur. Theise designations provides for development of large and small business to meet the twenty-year job target identified for North Bend by the Growth Management Planning Council. An important consideration for the development regulations is the need for parcels of sufficient size, with few constraints, that can provide efficient use of

land to meet job targets. Activities promoted in this designation could include indoor fabrication, research and development, finance and other service-related businesses, and distribution facilities. ~~Typical heavier industrial uses will be accommodated here as well.~~

Business Park
The Business Park designation located on the west end of North Bend is intended to provide areas for light industrial and limited commercial uses that are compatible with adjoining land use districts, including offices, light manufacturing, warehouse and distribution and research and development. The business park zone is constrained by the presence of floodplain along the valley floor as well as topography and critical areas that may limit larger-scale development opportunities. A Master Plan Overlay District covers much of the Business Park designation reflecting the need to carefully plan the mix of uses in consideration of environmental constraints, traffic circulation, adjacent uses, and other factors.

Employment Park
The Employment Park designation located on the east end of North Bend is also intended light industrial and commercial uses that are compatible with adjoining land use districts, however some heavier industrial uses and retail uses will be accommodated here as well. An East North Bend Master Plan Overlay District covers much of the Employment Park designation reflecting the need to carefully plan the mix of uses in consideration of traffic circulation, adjacent uses, and the geographical context of the proximity to Interstate 90 and the entrance to the Middle Fork recreational area,

E.4 Commercial

Downtown Commercial (DC)
The Downtown Commercial designation will be the focus of services, entertainment, specialty retail, and mixed-use development. Development will be encouraged to conform to traditional northwest vernacular architecture and color palette, front onto streets, include pedestrian amenities, promote alternative transportation by providing bicycle racks and facilities, and develop shared parking facilities. Multi-storied development will be permitted to include residential and/or professional office uses above the street level. By promoting and enhancing commercial land uses within the historic, or traditional downtown area, redevelopment activities are encouraged which can prepare the North Bend downtown for the opportunities of the next century.

Interchange Commercial (IC)
The Interchange Commercial designation provides for business activities that typically serve the travel and tourist trade while also supplying goods and services in larger scale commercial development.

The Interchange Commercial zone provides for services to the traveling public, as well as larger scale commercial activities.

Interchange Mixed-Use (IMU)
The Interchange Mixed-Use zoning designation provides a modified set of permitted “interchange commercial” activities to protect residential uses adjacent to Interchange Commercial zoning districts.

The Interchange Mixed-Use occurs where Interchange Commercial (IC) zoning is near residential (LDR, HDR) zoning. The purpose of this zoning is to provide a transitional zoning district to act as a buffer between Interchange Commercial and Residential zoning. The transitional area provides for a limited set of interchange commercial uses that are more compatible with adjacent residentially zoned parcels.

Neighborhood ~~Business (NB)~~Mixed Use (NMU)
The Neighborhood ~~Business zone~~Mixed Use zone is a commercial zoning district intended to allow a variety of small-scale retail centers for shops providing goods to serve the everyday needs of the surrounding population, where residential ~~mixed use~~ ~~where mixed use~~ development can be encouraged.

Neighborhood Business (NB)
The Neighborhood Business zone is intended to allow a variety of retail and service uses at a scale and intensity compatible with environmental constraints including floodplain and critical areas, and adjacency to agricultural and park uses at Tollgate Farm Park and Meadowbrook Farm.

LU - Goal 4: ***Focus future employment growth in designated economic opportunity areas including the downtown, the South Fork interchange and employment park area and the East North Bend Way to Edgewick corridor.***

Policies:

LU - 4.1 Implement a high level of design and retention of the City's unique visual quality to areas zoned for commercial or industrial land uses through review and implementation of the adopted Commercial and Industrial Design Standards.

LU – 4.2 Promote pedestrian-scale development by utilizing shared driveways or existing roads and providing pedestrian-level amenities.

F. MASTER PLAN OVERLAY DISTRICTS (MPODs)

The North Bend Municipal Code (NBMC) Master Plan Overlay Districts (MPODs) provide a process by which a specific planned mix of uses and layout may be provided through a master plan to address unique site-specific opportunities and constraints. The underlying ~~zoning~~ land use designation for these areas has not changed but in most cases they have been given special considerations for types of uses, approximate locations for open spaces, public streets and access points. The Planning Commission or property owner may docket consideration of an overlay zone. The first and initial land use development application for any parcel within an MPOD shall show consistency with the overlay district.

~~***Urban Separator Overlay District***~~
~~The City has established an Urban Separator Overlay District (USOD) **(Figure 1-2)** for the land enclosed by the Meadowbrook and Tollgate Farms including the "constrained" land lying east of the Tollgate Farm and west of the South Fork of the Snoqualmie River between SR-202 and West North Bend Way. Urban Separators are corridors of land that define community or municipal identities and boundaries, provide visual breaks in the urban landscape, and link parks and open space within and outside the North Bend UGA. (See the NBMC for more information.)~~

~~**Transitional Landscape Area**~~
~~*The Transitional Landscape Area (TLA) includes specific locations along I-90 and key arterials and collector streets within North Bend and its UGA, which, require appropriate landscape transitions to buffer incompatible uses and sustain the City's natural assets for continued economic prosperity and quality of life and support the regional efforts along the I-90 corridor to maintain it as a National Scenic Byway. (See the NBMC for more information.)*~~

~~***Planned Neighborhood District***~~
~~The Planned Neighborhood Overlay District (PND) encourages a variety of residential housing types, sizes, and pricing. It provides flexibility to bulk and dimensional standards (except density).The PND applies to all Cottage Residential (CR) development; LDR development that proposes any cottage homes; and in any zone where a mix of residential housing types is proposed. (See the NBMC for more information.)~~

~~***Additional MPOD***~~
Additional MPODs may be adopted over time and incorporated into the NBMC and zoning map amendments. ~~Currently, the NBMC has three additional MPOD: Limited Commercial Overlay District (LCOD), the Tanner Landing Master Plan Overlay District (Tanner Landing MPOD), and the East North Bend Master Plan Overlay District (ENB MPOD). (See the NBMC for more information.)~~

~~**LU - Goal 5: Maintain an Urban Separator Overlay District in the Meadowbrook / Tollgate Neighborhood.**~~

~~**Policies:**~~

~~LU – 5.1 Support the Urban Separator Overlay District (area and boundaries), to include the Meadowbrook / Tollgate Neighborhood to protect the resource land uses occurring there, protect the neighborhood as a corridor of land that defines the municipal identity and boundaries, provide a visual break in the urban landscape, and link parks and open space within and outside the North Bend UGA.~~

~~LU – 5.2 Design the Urban Separator Overlay District covering the Meadowbrook / Tollgate Neighborhood to include and link parks and other lands that contain significant environmentally sensitive features, provide wildlife habitat or critical resource protection, contain defining physical features, and contain historic resources.~~

~~LU – 5.3 The residential density for residential zoned land designated in the Urban Separator Overlay District covering the Meadowbrook / Tollgate Neighborhood should be consistent with minimum build-out in the zoning district.~~

~~LU – 5.4 The level of density for assignment of Transfer of Development Rights should be the minimum in the zoning build-out.~~

~~***LU – Goal 6: Maintain a Transitional Landscape Area.***~~

~~**Policies:**~~

~~LU – 6.1 Maintain a Transitional Landscape Area which requires enhanced landscaping to help buffer incompatible uses.~~

~~LU – 6.2 Sustain the City's natural assets for continued economic prosperity and quality of life.~~

~~LU – 6.3 Support the regional efforts along the I-90 corridor, a designated National Scenic Byway, which gets international tourism promotion from the Federal Scenic Byways Program.~~

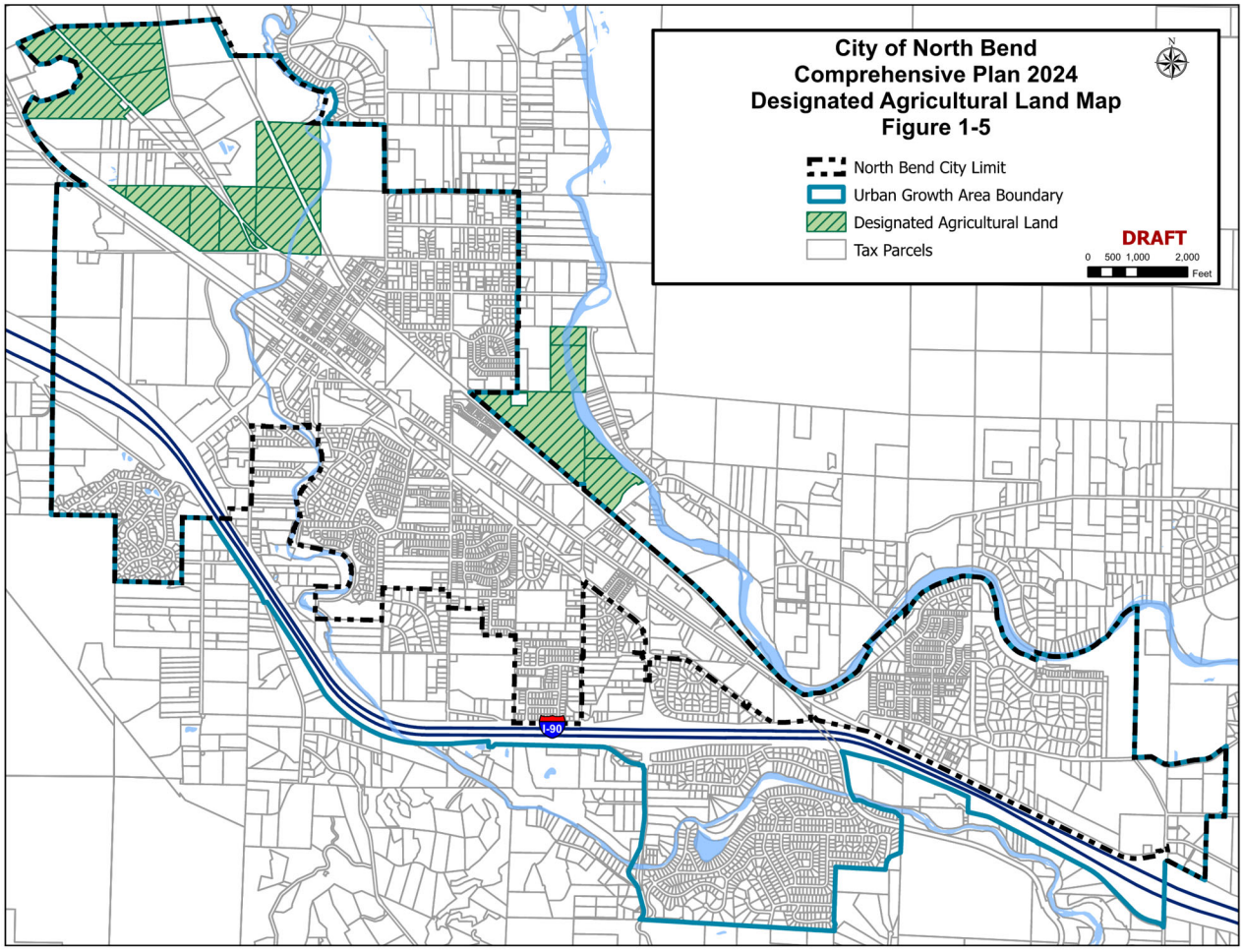
G. NATURAL RESOURCE LANDS

The protection and management of natural resource lands both inside and outside the North Bend Urban Growth Area (UGA) is a concern of the City of North Bend. Both forestry and agriculture play a large role in North Bend's history, helping to form a part of its identity and character. Within City Limits, ongoing agriculture exists at Tollgate Farm, and to a limited extent at Meadowbrook Farm, both public properties purchased with King County Conservation Futures Tax grant funding and protected for permanent open space, passive outdoor recreation and agricultural use under deed restrictions on the properties. Immediately outside of City Limits and the City's Urban Growth Area, ongoing agriculture exists on the Stringfellow Farm just east of the Snoqualmie Valley Trail. The Growth Management Act (GMA) in RCW 36.70A.020(8) addresses Natural Resource Industries in planning goal # 8 in order to:

> Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

The City can help protect and sustain agricultural uses consistent with WAC 365-196-480 by requiring notices on title on property adjacent to designated agricultural lands to caution potential buyers that they may experience noise, dust, odors and other inconveniences due to farming and/or forestry operations, encouraging the development of small-scale agricultural uses at Tollgate Farm and other areas as appropriate, and ensuring appropriate land use transitions adjacent to agricultural lands, including permitted uses and intensities, buffers, and other measures.

Figure 1-5 depicts designated Agricultural Lands within and adjacent to the City of North Bend.



LU Goal 5: Protect existing resource lands and support agricultural uses important to the history and character of North Bend.

Policies:

LU – 5.1 Support the development of small-scale agricultural uses at Tollgate Farm to preserve the history of agriculture in the Snoqualmie Valley.

LU – 5.2 Maintain Right-to-Farm and Forestry regulations to support maintenance of natural resource lands within and around the North Bend UGA and protect farm and forestry operations from nuisance laws.

LU – 5.3 Require Notice on Title of residential properties adjacent to designated agricultural lands to notify owners of potentially incompatible activities at the time of development approval.

LU – 5.4 Require landscape buffers for development on properties adjacent to certain designated agricultural lands to protect agricultural activities from impacts from potentially incompatible future urban land uses.

LU - 5.5 Seek opportunities for City-County cooperative acquisition, development or shared maintenance of key sites that provide scenic and recreational benefits for City Residents.

G. TRANSFER OF DEVELOPMENT RIGHTS

A Transfer of Development Rights (TDR) program provides a means to purchase and sell residential development credits from lands that provide public benefit. The TDR program is voluntary – property owners may choose not to participate in the program. Landowners receive the financial benefit from selling development rights without having to develop or sell the land itself. The landowner retains all other rights of title and private use of the property, subject to conformance with the TDR agreement in place. Permanently preserved land is established through a conservation easement without cost to taxpayers or added regulations to landowners, and public access is not required. The credits are transferred from the property that is preserved, known as the "sending site," to a "receiving site."

The adopted TDR program for North Bend will allow individuals to purchase and sell development credits from lands that provide a public benefit. In North Bend, the lands that can transfer development rights presently include properties in an Urban Separator Overlay District and specified environmentally sensitive lands including the floodway, channel migration areas, wetlands, streams, and their buffers. Designated receiving sites are currently focused in the Downtown Commercial. Through TDR, landowners can receive financial compensation without developing or selling their land and the public can receive permanent preservation of the land. Specific sending site areas and receiving site areas for the transfer of development rights are designated in the development regulations.

LU - Goal 7: Maintain and Promote the Transfer of Development Rights Program.

Policies:

LU – 7.1 Maintain a Transfer of Development Rights program to create the opportunity for preservation of selected urban separator, resource, and sensitive area land from development and redirect development to the appropriate land areas.

LU – 7.2 Adopt regulatory incentives to encourage Transfer Development Rights from sending site areas and purchase of development rights in receiving site areas.

H. GROWTH TARGETS AND POPULATION PROJECTION ~~AND BUILDABLE LANDS~~

H.1 Growth Targets

The Growth Management Act[3] requires Washington cities and counties to measure their land supply (in acres) and land capacity for both housing units and jobs in order to ensure these cities and counties have sufficient capacity to accommodate forecasted growth for a 20~~-~~year period. North Bend has analyzed preceding years and forecasted capacity for the future anticipated growth~~,~~ and found there is adequate land available for housing and employment target numbers. Future development and build-out analysis assumes highest and best use of lands, which is not always achievable or realized with each individual development.

The current targets established by the Growth Management Planning Council (GMPC) are for the planning period 2019-2044. The Growth Management Act requires cities to plan for sufficient areas and densities for growth anticipated to occur in a twenty~~-~~year period. By adopting this plan in the year 2024, the City is fulfilling the GMA requirement.

The ~~2014~~ King County ~~Buildable Lands Report~~Countywide Planning Policies identifies a **housing target of 1,748~~665~~ net new dwelling units** and **employment target of 2,218~~1,050~~ net new jobs** for North Bend for the years 2019~~06~~–2044~~31~~. ~~S As shown in Table H.1, s~~ince 2019~~06~~, North Bend has permitted 772~~234~~ total ~~net~~ new ~~housing~~ dwelling units and established approximately 406 jobs through commercial and residential developments; an additional 976 dwelling units and 1,812 jobs are needed ~~, requiring an additional 431 units by 2031~~ to reach the ~~target housing units~~adopted housing and employment targets. ~~As shown in Table H.4.B, the 2035 analysis found that North Bend has the **capacity for 2,331 new housing units, exceeding the target with a surplus of 1,666 units**.~~ A 2024 Land Capacity Analysis (LCA) was performed by LDC, Inc. (appendix ~~X~~1), ~~As shown in Table H.5, the analysis also~~ which~~and~~ found that North Bend has the **capacity for 1,207~~,092~~ new ~~jobs~~ dwelling units and 6,543 new jobs ~~within the boundaries of~~on developable land in the city based on the City's existing 2021 zoning map, therefore exceeding the adopted targets by 231 units and ~~target with a surplus of~~ 4,731~~6,042~~ jobs respectively**.

In the LCA, additional analysis to satisfy GMA housing element requirements[4] revealed housing capacity deficits for households with incomes less than 50% of the Area Median Income (AMI).based on the City's then-current 2021 zoning map. The City of North Bend proposed an alternative zoning map which resulted in projected housing and employment capacity increasing by 697 units and 21 jobs respectively. The proposed alternative zoning was adopted ~~on XX/XX/XXXX.~~
as a part of the 2024 Comprehensive Plan amendments.

2024 LCA Housing and Employment Capacity Alternate Zoning Comparison

-	Housing (units)		Employment (jobs)	
	2023 Base Zoning	2024 Proposed Alternative Zoning	2023 Base Zoning	2024 Proposed Alternative Zoning
2019-2044 Target	*1,748*	*1,748*	*2,218*	*2,218*
2019-2023 Permitted Growth	772	772	406	406
Remaining Target	**976**	**976**	**1,812**	**1,812**
2024 LCA capacity	1,207	1,904	6,543	6,564
Capacity Surplus (or deficit)	**231**	**928**	**4,731**	**4,752**

[3] The Washington Legislature enacted the Growth Management Act (GMA) in 1990 to guide planning for growth and development. It has been regularly amended to further define requirements and to advance coordination among local governments.
[4] RCW 36.70A.070(2)(a)

The current targets established by the Growth Management Planning Council (GMPC) are for the planning period 2006-2031. The Growth Management Act requires cities to plan for sufficient areas and densities for growth anticipated to occur in a twenty year period. In order to plan for the twenty year period, 2015-2035, the housing and employment growth targets have been extended to 2035. North Bend's **housing target for 2006-2035 is 771 new units** (subtracting the 234 new houses constructed since 2006 makes the target 537), and **employment target is 1,218**. As shown in Table H.5, the 2035 analysis found that North Bend has capacity for 2,331 new housing units and capacity for 7,092 new jobs, therefore North Bend **exceeds the 2035 household targets with a surplus of 1,560 units and exceeds the employment targets with a surplus of 5,874 jobs**.

H.1 ResidentialGrowth Target Progress

From 2006 to 2014, 234 net new units were permitted in the City of North Bend.

Total Net New Units:
234

H.2 Residential Development Activity

Table H.2 shows the residential permit and plat activity, and densities achieved, from 1996 to 2014. The densities that were achieved in past developments are shown in **Table H.2** and are used to predict future residential densities (see **Table H.8.A**).

Table H.2 Residential Permit and Plat Activity 1996-2014

	Residential Permit Activity						Residential Plat Activity					
Year	Single-Family Zones			Multi-Family and Mixed Use Zones			Single-family Zones			Multi-Family and Mixed Use Zones		
	Net Acres Permitted	Total Number of Units	Avg. Permit Density (net) (du / acre)	Net Acres Permitted	Total Number of Units	Avg. Permit Density (du / acre)	Net Acres Platted	Total Number of Lots	Avg. Plat Density (lots / acre)	Net Acres Platted	Total Number of Lots	Avg. Plat Density (lots / acre)
1996-2000	69.01	287.00	**4.20**	8.95	233.00	**26.00**	4.35	16.00	**3.70**	N/A	0	**N/A**
2001-2005	3.44	15	**4.36**	N/A	0	**N/A**	1.95	6	**3.08**	N/A	0	**N/A**
2006-2014	40.40	245	**6.06**	1.36	7	**5.14**	47.96	262	**5.47**	0.68	4	**5.91**

H.3 Residential Land Supply 2015

As shown in Table H.3, before deducting constraints, the City of North bend has about 558 gross acres of vacant and redevelopable residential land within its current city limits. There are also approximately 263 gross acres of land available in the UGA. Altogether there are about 822 gross acres potentially available for residential development within the City and its UGA. Once deductions for critical areas and public purpose are accounted for, there are approximately 320 net acres in the City and 138 net acres in the UGA for residential land supply.

A market factor is the assumption for the variability of land that will not be on the market at any given time. There is not enough data or a high degree of variability to provide a solid market factor at this time. If a 5% market factor were applied, residential land supply would go from 459 total adjusted net acres to 436 total adjusted net acres, a reduction of 23 acres. The 5% assumption used in this example is based on development trends observed recently in North Bend.

Table H.3: Residential Land Supply – 2015

Residential Land Supply – 2015						
		Deductions				
Land Characteristics	Gross Acres	Critical Areas Acres	Public Purpose %	Net Acres	Market Factor %	Adjusted Net Acres
SF Vacant	228.138	39.25	33%	126.557	0%	126.557
SF Redevelopable	276.472	42.335	33%	156.874	0%	156.874

MF Vacant	11.135	1.265	33%	6.613	0%	6.613
MF Redevelopable	1.482	0	33%	0.993	0%	0.993
Mixed Use Vacant	23.704	NOTE 1	10-20%	16.924	0%	16.924
Mixed Use Redevelopable	18.014	NOTE 1	0-20%	12.507	0%	12.507
Sub Total: Current City Land Supply	**558.945**	**82.850**	-	**320.467**	-	**320.467**
UGA SF Vacant	51.962	20.773	33%	20.897	0%	20.897
UGA SF Redevelopable	211.541	35.803	33%	117.745	0%	117.745
Sub Total: Current UGA Land Supply	263.503	56.576	-	138.641	-	138.641
Total: Residential Land Supply	***822.448***	***139.426***	-	***459.108***	-	***459.108***

Note 1
All deductions for Critical Areas, Public Purpose (ROW, Parks, Utilities), and Buildable Areas with a "No Change" assumption have been applied before division into commercial/residential acres. This has been done due to the development assumptions applied in conjunction with North Bend Zoning and Overlay District specifics.

H.4 Residential Capacity

The 2014 King County Buildable Lands Report identifies a housing target of 665 additional units in North Bend for the years 2006–2031. North Bend has achieved 35% of this with a remaining target of 431 net new households (see **Table H.4.B**). Per **Table H.4.A,** the 2015 Comprehensive Plan zoning 2035 analysis found that North Bend has the capacity for 2,009 new housing units within the current City boundaries and is therefore able to accommodate the 2031 target of 665 new units as well as the 2035 target of 771 new units. There is an additional capacity of 322 units in the UGA based on North Bend's planned zoning after annexation to the City. The total capacity in North Bend and its UGA is 2,331 units.

Table H.4.A: Summary of Development Capacity (2015)

Residential Development Capacity – 2015			
Zoning	**Housing Capacity (Units) on:**		
	Vacant Land	**Redevelopable Land**	**Total**
Single Family			
LDR - City	413	554	997
LDR - UGA	11	153	164
Constrained LDR - City	62	15	77
Constrained LDR - UGA	37	121	159
CR - City	239	121	360
ADU's @ 5% in City	21	29	50
Units lost in commercial redevelopment	0	0	0
Subtotal - City	**734**	**749**	**1484**
Subtotal - UGA	**49**	**274**	**322**

-	-	-	-
Multifamily			
HDR - City	6	11	17
HDR w/density restrictions - City	45	0	45
Units lost in commercial development	0	0	0
Subtotal - City	**51**	**11**	**62**
-	-	-	-
Mixed - Use			
DC - City	105	-1	104
NB - City	146	82	228
EP-1 Tanner Landing Overlay - City	0	58	58
EP-1 Tanner Junction Overlay - City	99	0	99
DC/NB/EP-1 Zones - City Units lost in commercial redevelopment	0	-22	-22
IC/IMU/EP-2 Zones – City Units lost in commercial redevelopment	0	-5	-5
Subtotal - City	**350**	**112**	**463**
Total - City	***1136***	***873***	***2009***
Total - UGA	***49***	***274***	***322***
Grand Total - City and UGA	**1185**	**1147**	**2331**

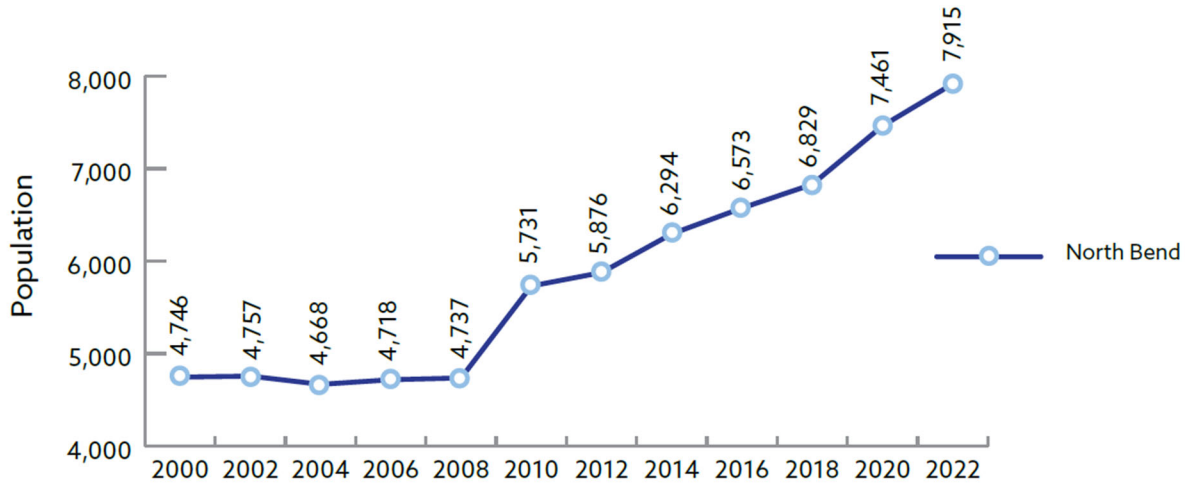
As shown in Table H.4.B, the city has achieved 35% of its target due to the 234 new housing units permitted since 2006. As of May 8, 2015 North Bend has approximately 700 single-family, cottage and multi-family units in the pipeline under review, which means that the City should reach the housing target well ahead of the twenty-five year projection.

H.2. Population growth and 2044 projection

The overall population in North Bend has increased significantly over the past twenty years, as demonstrated in Figure H.2.A, below. The population remained stable between 2000 and 2008 before steadily increasing from 2008-2022. The annual population growth rate since 2010 for the City of North Bend is 3.18% per year, which outpaces King County's growth rate of 2.39%. In 2022, the population was 7,915, which increased by 13% since 2019 and 67% since 2000. Additional data on the City's population growth and associated demographic information can be found in the City of North Bend Housing Needs Assessment (Blueline, March 2023), included as an appendix to the Housing Element.

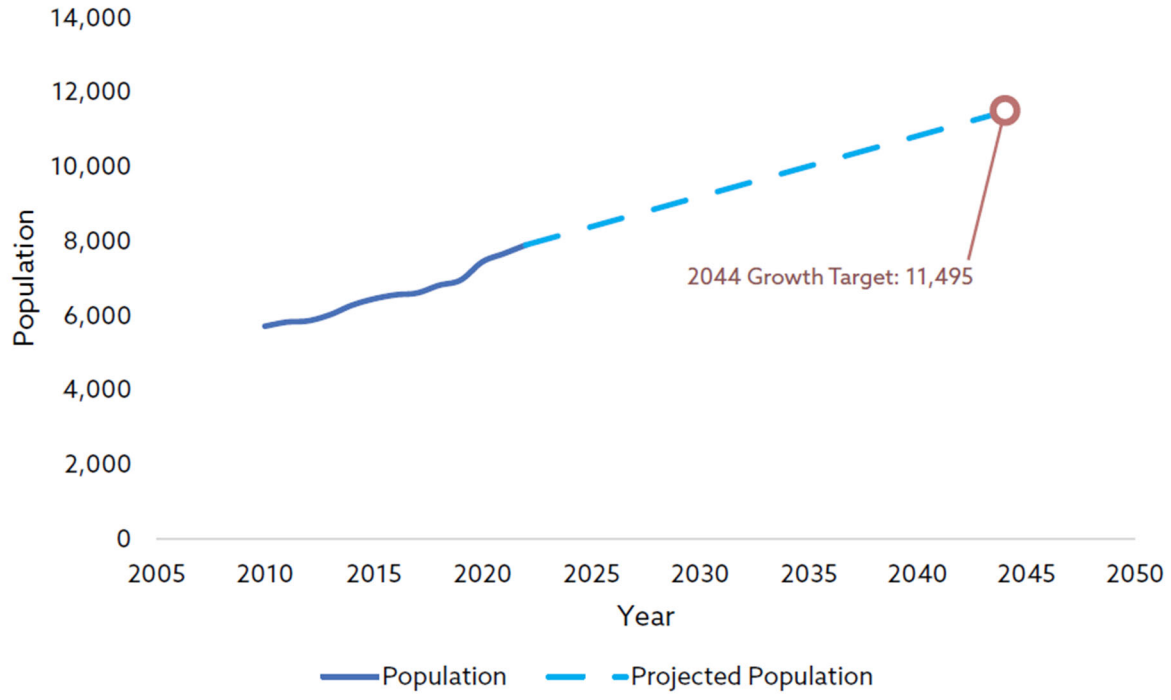
Based on North Bend's average household size of 2.67 people and OFM's 2018 population estimates, North Bend's projected 2044 population will be 11,495 people, assuming the average household size remains the same, as illustrated in Figure H.2.B, below.

Figure H.2.A North Bend Population Growth 2000-2022



Source: OFM, 2021. Postcensal Estimates of April 1 Population, 1960 to Present. OFM, 2020. Intercensal Estimate of April 1 Population, 2010-2020. OFM, 2020. Intercensal Estimate of April 1 Population, 2000-2010.

Figure H.2.B North Bend 2044 Population Projection



Source: OFM. (2021). Postcensal Estimates of April 1 Population, 1960 to Present; OFM. (2021). Intercensal Estimates of April 1 Population, 1960 to Present; Puget Sound Regional Council, 2017; King County, 2021.

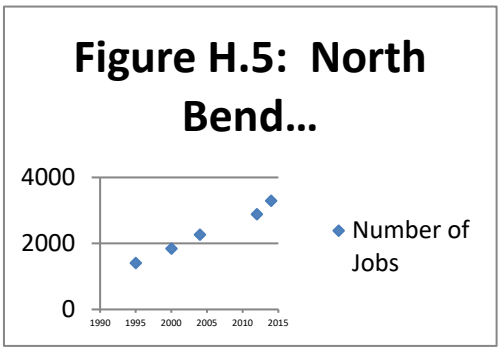
Population projections for City and UGA in 2035 are estimated to be 14,401. This is based on an additional 2,808 units at 2.22 people per renter-occupied household and 2.8 people per owner-occupied household[5]. According to the 2010 Decennial census North Bend is currently at a ratio of 60.8% owner-occupied to 39.2% renter-occupied. Using this ratio it is assumed that the City in 2035 (2,331 units) would have 1,417.248 owner-occupied units and 913.752 renter-occupied units. Using the estimate household size of 2.22 people per renter-occupied and 2.8 people per owner-occupied household, this adds an additional 5,978 people to North Bend's estimated 2010 City and UGA population estimate of 8,423 people, totaling 14,401 people. (Note this does not take into account potential units lost to commercial redevelopment)

Table H.4.B: Residential Capacity to Growth Targets – 2015

Residential Capacity in Relation to Target					
Net New Units:2006-2015	25-Year Housing Target	Percent Achieved	Remaining Target	**Current Capacity (units)**	Surplus or (Deficit) in Relation to Target
219	665	33%	446	**2,331**	1,885

H.5 Job Capacity Analysis and Employment in Relation to Target

The Growth Management Planning Council (GMPC) assigned Job Growth Target for North Bend is 1,050 net new jobs. As shown in Table H.5, the 2015 Comprehensive Plan zoning 2035 analysis found that North Bend has the capacity for 7,092 new jobs within the current City boundaries as of 2015, therefore exceeding both the 2031 and 2035 targets. All potential employment zones are within the current city limits, no employment zones remain within the UGA. Under the current zoning there is surplus of 6,042 jobs for the 2031 employment target and a surplus of 2,689 for the 2035 employment target. A history of North Bend Employment is shown in **Figure H.5.**[6]



Employment population projections for the City and UGA in 2035 are assumed to be 7,122. The 2010 Decennial US Census Data reports 3,191 persons over the age of 16 are employed in the labor force (the data does not show if employed inside or outside the City, but the average travel time to work is 26.2 minutes,[7] so it is assumed a large number do not work in North Bend). Assuming 1.4 persons per household over the age of 16 are employed[8] and 2,808 housing units are added in the planning period, there would be an additional 3,931 employed residents for a total employed population in 2035 of 7,122. The capacity of 7,092 new jobs, in addition to the existing 3,191 jobs (totaling 10,283 jobs), is enough to accommodate the future employment needs of the City in 2035 using current trends.

[5] Source: 2010 U.S. Decennial Census Data Report.
[6] PSRC derives the Employment numbers from the Quarterly Census of Employment and Wages (QCEW) that employers report, by law, to the Washington State Employment Security Department.
[7] Source: 2010 U.S. Decennial Census Data Report
[8] Number derived from the 2009-2013 American Community Survey (ACS) 5-Year Estimates which reports 3,191 people over 16 years of age to be in the labor force (employed). Taking this number and dividing it by the number of 2,257 estimated households in North Bend (2009–2013 ACS 5-Year Estimates) there are an average 1.4 persons per household, above 16, in the labor force.

Table H.5: Job Capacity 2015

Job Capacity – 2015			
Zoning	Employment Capacity (Jobs) on: Vacant Land	Redevelopable Land	Total
Commercial			
IC – City	489	0	489
IMU – City	331	0	331
Subtotal – City	**820**	**0**	**820**
Industrial			
EP-1 – City	2452	458	2910
EP-2 – City	1377	142	1518
Subtotal - City	**3829**	**600**	**4428**
Mixed-Use			
DC – City	319	34	353
NB – City	553	325	877
EP-1 Tanner Landing Overlay – City	0	183	183
EP-1 Tanner Junction Overlay – City	430	0	430
Subtotal – City	**1301**	**542**	**1843**
Grand Total – City	***5950***	***1142***	***7092***

H.6 Commercial and Industrial Development

As shown in **Table H.6,** North Bend had 15.63 acres developed for commercial and industrial development between 2006 and 2014 (with an achieved floor area ratio (FAR)[9] of 0.08). This is a 41% decrease from 26.50 acres in 2001 to 2005 (with an achieved FAR of 0.13).

Table H.6: Commercial and Industrial Development Activity 2001-2014

	Commercial and Industrial Development Activity:						
Years		Gross Site Area	Constraints	Net Site Area	Net Site Area	Floor Area	Achieved FAR
		Acres	Acres	Acres	Square Feet	Square Feet	Floor Area / Net Site Area in Sq. Ft.
2001 – 2005	Commercial	21.20	14.03	7.17	312,499	59,782	.19
	Industrial (Tanner Electric Substation)	5.30	2.04	3.26	142,006	-	-
	Total Commercial & Industrial Development	**26.50**	**16.07**	**10.43**	**454,505**	**59,782**	**.13**
2006 – 2014	Commercial	11.51	0.0	11.51	501,325	53,563	0.11
	Industrial	4.12	0	4.12	179,467	1,200	0.01
	Total Commercial & Industrial Development	**15.63**	**0**	**15.63**	**680,792**	**54,763**	**0.08**

H.7 Commercial and Industrial Land Supply

As shown in Table H.7 after deducting constraints, the City of North Bend has 250 net acres of vacant and redevelopable commercial, industrial, and mixed-use land within the current City boundaries. A market factor is the

[9] A floor area ratio (FAR) is the ratio of a building's total floor area to the size of the piece of land it is built on.

assumption for the variability of land that will not be on the market at any given time. There is not enough data or a high degree of variability to provide a solid market factor at this time. If a 10% market factor were applied, commercial and industrial land supply would go from 250 total adjusted net acres to 225 total adjusted net acres, a reduction of 25 acres. A 10% market factor is used for this example based on recently development trends observed by the City of North Bend.

Table H.7: Commercial and Industrial Land Supply – 2015

Commercial And Industrial Land Supply – 2015						
		Deductions				
Land Characteristics	Gross Acres	Critical Area Acres	Public Purpose (ROW, Parks/OS, Utilities) %	Net Acres	Market Factor %	Adjusted Net Acres
Commercial Vacant	41.865	14.965	20%	21.521	0%	21.521
Commercial Redevelopable	0.000	0.000	20%	0.000	0%	0.000
Industrial Vacant	258.837	56.694	20%	161.715	0%	161.715
Industrial Redevelopable	55.345	24.211	20%	24.909	0%	24.909
Mixed-Use Vacant	65.114	NOTE 1	10–20%	28.951	0%	28.951
Mixed-Use Redevelopable	19.509		0–20%	13.549	0%	13.549
Total: City Current Land Supply	**440.670**	**95.870**		**250.645**		**250.645**

Note 1
All deductions for Critical Areas, Public Purpose (ROW, Parks, Utilities), and Buildable Areas with a "No Change" assumption have been applied before division into commercial/residential acres. This has been done due to the development assumptions applied in conjunction with North Bend Zoning and Overlay District specifics.

H.8 Future Achieved and Assumed Development

Tables below represent the assumed densities North Bend used to calculate capacity within the current City limits. As shown in Table H.8.A, the LDR zone achieved a higher net density than assumed before the zoning regulations were modified. As shown in Table H.8.B, there has not been significant development to back up the assumed and achieved densities.

Table H.8.A: Assumed Future Residential Densities – 2015

Zoning	Achieved DUs/Acre (net)	Assumed DUs/Acre	Reasons/Documentation for Differences Between Achieved and Assumed DU/Acre
LDR	5.47	4	Majority of development has been in new plats. Zoning regulations have been modified to increase the minimum lot size and average lot size to reduce density. Assumed density is the gross density allowed by the zoning district.
CR	6.6	8	Only 2 projects have received preliminary approval to date, mid-range was chosen for assumptions. A 37 lot project has received preliminary plat approval at 6.43 DU per gross acre density. A 55 lot project has received preliminary plat approval at 6.8 DU per gross acre density.
CLDR	No Activity	2	No Activity.
HDR	No Activity	12	No Activity. No pipeline projects to date.
DC	5.91	16	Minimal Activity. Duplex and single family units. One mixed use development in the pipeline.

NB	No Activity	16	No Activity. One 12-unit project in the pipeline.

Table H.8.B: Assumed Future Non-Residential Densities

Zoning	Achieved FAR	Assumed FAR	Reasons/Documentation for Differences Achieved and Assumed FAR
DC (Total)	0.32	1.5	Minimal Activity. Three projects since 2005. FAR is the baseline allowed in the Development Standards regulations.
EP-1	0.01	.40	Minimal Activity. One permit that is not representative of zoning district potential.
EP-2	No Data	0.50	No Activity. Baseline maximum calculated.
IC	0.14	0.35	Minimal Activity that added additional footprint to an existing developed site. Not representative development that is allowed in the zone.
MU	0.08	0.35	Minimal Activity that added a small % of additional space to the Mountain Valley Center. Binding Site Plan.
NB	0.68	0.75	Minimal Activity – One permit for a two story office building.
PCSPF (Total)	0.13	None	No development assumed in this category with the exception of public infrastructure.

H.9 Methodology for Calculation

The following section describes the methodology used to calculate capacity for housing units and jobs.[10]

H.9.A Definition of Vacant and Redevelopable Land (North Bend)

Table H.9 summarizes the technical definitions used by all jurisdictions in the Buildable Lands Program to identify vacant and redevelopable parcels of land. Multiple columns reflect different methods used to screen for redevelopable land. Further detail about the methodologies employed by individual jurisdictions can be obtained by contacting the planning department for King County or the City of North Bend.

Table H.9.A: Definition of Vacant and Redevelopable Land – 2006

Vacant Land	Single-Family Redevelopable	Multi-Family Redevelopable	Mixed-Use Redevelopable	Commercial/Industrial Development
"Vacant" per city LU inventory	Parcel area > 0.5 acres	Existing use is SF residential	% of parcels where existing use is SF residential	All single-family usage goes away

Refer to the 2024 LCA (Appendix X) for a detailed review analysis of methodology, assumptions, and results.

H.9.B Deductions for Critical Areas, ROWs, Public Purposes, and Market Factors (North Bend)

Table H.9.B summarizes the methodology used by most jurisdictions through buildable lands to account for several factors that were assumed to reduce the supply of land that is theoretically developable.

Critical areas includes streams and rivers (ST), wetlands (WL), slopes and slide and erosion hazards (SL), flood hazards (FH), seismic hazards (SM), wildlife habitat (WH), and shorelines (SH). The data was derived from the City Critical Area's map. A GIS overlay analysis was used to deduct the Critical Areas.

Future Right-of-Way & Public Purposes are shown as percentages and are assumptions about the proportion of land, which is not constrained by critical areas that will likely be needed for future rights-of-way and land that will likely be needed for future public uses, such as drainage facilities and parks. For single family zones a 33% deduction was applied, and for all other zones a 20% deduction was applied.

[10] For additional information refer to the 2014 King County Buildable Lands Report, http://www.kingcounty.gov/property/permits/codes/2014%20KC%20Buildable%20Lands%20Report.aspx.

~~Market Factors are shown in percentages and are assumptions about the proportion of land, which is not constrained by critical areas and not needed for future ROWs or public purposes, that is not likely to be available for development during the planning period. A zero percent market factor was applied to all zones.~~

~~H.9.C Assumed Future Square Feet of Floor Area per Employee (North Bend)~~
~~A summary of the assumptions made by the City of North Bend (as shown in Table H.5) about the capability of commercial and industrial space to house future employees:~~
~~500 to 550 square feet of floor area per employee in the commercial/office use category.~~
~~400 to 1000 square feet of floor area per employee in the industrial/warehouse use category.~~

~~The range indicates that different assumptions were made depending on the zone based on King County Buildable Lands reporting of what has occurred in the area.~~

I. Directions for Future Growth

I.1 Urban Growth Area Annexation
The City's UGA offers many opportunities to provide high quality City services to future residents and businesses. Over the next twenty years, the City will entertain a variety of requests for annexation by property owners who value North Bend's services and recognize the need for City utilities and amenities in order to develop or redevelop their properties in an ecologically responsible manner. The purpose of the annexation goals and policies included in this Plan is to establish parameters which facilitate the smooth transition from King County to North Bend jurisdiction when areas within the UGA seek to be annexed by the City.

Annexation of property within the UGA should benefit the City, its residents, and property owners. The City benefits by its ability to hold new development to City standards, to extend its boundary in a logical manner, to expand its economic tax base, and to provide opportunities for new residential development that meet the needs of underserved populations. Property owners and new residents gain the ability to participate in local government, which directly impacts their lives and property. They also gain access to local services including building and land use controls and City water and sewer systems.

Annexation which occurs before an area is ready to develop can overextend and cause inefficiencies in the provision of City services. Annexation can also act as an impetus for establishing urban densities and may encourage development before it is appropriate. Property owners may seek annexation if they can meet the annexation criteria outlined in Chapter 35A.14 RCW, and if they can establish the merit to their proposal to the satisfaction of the City.

When deciding whether to annex areas of the UGA, the City considers:

- the annexation policies below;
- the City's ability to provide City services;
- consistency with City population and employment targets;
- achievement of logical, regular boundaries;
- development potential of area to be annexed; and
- identification of existing or potential community.

I.1.a Residential
Additional specific measures will be proposed to ensure consistency of new growth with adopted population and employment targets. To comply with concurrency standards and achieve urban densities, extension of water and sewer would be necessary for all new development in the City. The City evaluates the potential to accommodate new residential development by infilling within the current City limits or on case-by-case basis at the time it is presented with an annexation proposal. Before accepting residential annexation proposals, the City will make a determination if required services have been extended to existing areas of the City in sufficient quantity to accommodate remaining growth targets. If the serviced land has not been created inside the City, the annexation shall be subject to compliance with the policies outlined below and with the annexation criteria in Chapter 35A.14 RCW.

LU - Goal ~~68~~: ***Develop agreements with King County to apply City-compatible development standards that will guide UGA land development prior to annexation.***

Policies:

LU - ~~68~~.1 Require that unincorporated land that is adjacent to the City boundary be annexed to the City at the time development is proposed. The extension of City services to an area will not occur without that area first seeking annexation into the City.

LU - ~~68~~.2 ~~Consider allowing~~Encourage the County to allow unincorporated land that is located in the UGA, but is not adjacent to the City boundary and is not practical to annex, to develop subject to compliance with City Comprehensive Plan designations, zoning and other development standards, and impact mitigation requirements.

LU - ~~68~~.3 Include in interlocal agreements provisions regarding protection of sensitive land areas and environmental reviews, transportation system planning, and design and building permits for projects at specified threshold levels.

LU - ~~68~~.4 Pursue interlocal agreements with King County to address issues of potential concern to the City within the Urban Growth Area.

LU – 6~~8~~.5 Evaluate proposed utility service extensions to ensure that development enabled by the utility extension is consistent with City development standards and policies of the Comprehensive Plan specifically including population and employment growth targets.

LU - Goal 7~~9~~: ***Annex areas within the Urban Growth Area consistent with the goals and policies of this Plan, the interlocal agreement policies of this Plan, and the general annexation policies listed below.***

Policies:

LU - 7~~9~~.1 Encourage growth and development consistent with the City's ability to provide adequate and efficient services and facilities and the City's desire to maintain high quality service provisions in areas to be annexed.

LU - 7~~9~~.2 Encourage economic growth consistent with the long-range financial position of the City and its residents in all annexation considerations.

LU - 7~~9~~.3 Consider the opportunity to promote a healthy mix of residential, commercial, industrial, and parks and open space land uses when areas seek annexation.

LU - 7.4 Consider the opportunity with the annexation to help address City needs concerning racial and social equity, housing affordability, and access to opportunity.

LU ~~-~~ 7.5~~9.4~~ ~~Work with property owners to preserve the existing neighborhood character and identity consistent with the goals and policies of the Comprehensive Plan in annexation proposals.~~Ensure outreach to the community concerning annexation proposals and consider the level of community interest before moving forward with annexations.

LU ~~-~~ 7.6~~9.5~~ Provide for urban services within the City's Urban Growth Boundary at time of annexation.

LU ~~-~~ 7.7~~9.6~~ Seek to expand the area of annexation proposed when such an expansion is based on natural features, would serve to make the City boundaries more regular, or where the area to be served is a logical extension of City service capabilities and is within the UGA.

LU – 7.8 If an Urban Growth Boundary modification is pursued through King County, analyze and encourage exchange of ecologically sensitive or important areas such as floodplains, critical areas, and wildlife habitat areas, for areas that are not as constrained.

CHAPTER 1: LAND USE ELEMENT

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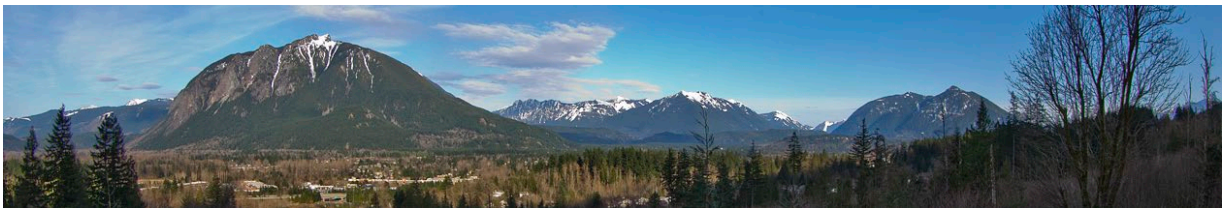
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CHAPTER 1: LAND USE ELEMENT



A. INTRODUCTION

A.1 Land Acknowledgement

The foundation of this community began a very long time before the municipal incorporation of the City of North Bend. Recognizing this long and deep history is important in putting into context North Bend's culture and identity and our relationship to the land and to those around us. A land acknowledgement helps to set this context and to guide the City's efforts as we work to protect the environment, steward our collective resources, preserve our history, and plan for our future, as articulated in this Comprehensive Plan.

> *The City of North Bend is located on the ancestral indigenous land of the Coast Salish people who have sovereign, inherent Tribal rights across this land, specifically the Snoqualmie Indian Tribe (sduk^{w}albix^{w}). We thank these caretakers of this land who have lived and continue to live here since time immemorial and share with them a commitment to steward this land and its natural resources for future generations.*

A.2 Purpose and Intent

The Land Use Element provides a long-range guide to the development of North Bend and its Urban Growth Area (UGA). Its purpose is to ensure that an adequate supply of land, a desired mix of uses, and employment opportunities are available for the successful implementation of the other elements of the Comprehensive plan. The element translates the vision of the City into a plan and directs development in North Bend over the next twenty years by introducing strategies that will retain and enhance small-town character, environmental health, and cultural and economic sustainability.

The Land Use Element of the Comprehensive Plan examines the character and quality of existing development in both the City limits and the unincorporated areas of the UGA. It identifies, trends, and projects potential growth within recognized opportunity areas. It also proposes the distribution, location, and extent of land used for various land use classifications. It considers both the state mandates of the Growth Management Act (GMA) as well as appropriate Countywide Planning Policies in King County. It presents the community's principal themes of preservation of its small town character with its desire to protect environmentally sensitive lands as growth occurs. Finally, it formulates the guiding goals and policies designed to shape the community into its acknowledged vision.

The Land Use Element sets general land use designations for the City and its UGA. Land use designations are intended to provide predictability to residents and property owners about the nature of land use within North Bend and provide the necessary planning tools to decision makers to make decisions about development applications. As mandated by the GMA, the Land Use Element accommodates the Growth Management Planning Council population and employment targets assigned to North Bend.

A.3 North Bend's Vision

The community of North Bend wants to preserve its environment, natural beauty and small town scale and character. The residents of the community also desire to enhance the built environment of the downtown, the riverfront and community parks, new and existing residential neighborhoods, and the community's gateways.

A.4 VISION 2050

The Puget Sound Regional Council (PSRC) VISION 2050 is a regional strategy for accommodating the growth expected to happen in the region by 2050. VISION 2050 is a long-range plan for maintaining a healthy region while promoting the well-being of the citizens and communities, economic vitality, equity, affordability, and a healthy environment. Vision 2050 is disseminated from PSRC to member counties (including King County) through Multicounty Planning Policies (MPPs).

The North Bend Comprehensive Plan Elements address each of the policy areas in VISION 2050. VISION 2050 has policies that provide a unified framework for counties to collaboratively address regional issues including: population growth, housing affordability and displacement, transportation, climate change impacts, environmental protection, and

others. North Bend's Comprehensive Plan has been updated based on residential and employment targets that align with VISION 2050. Chapter 3 of the North Bend Comprehensive Plan, the Housing Element, identifies the number of housing units in the City for the year 2044, and also includes affordable housing goals. North Bend's Comprehensive Plan supports a sustainable approach to growth and future development.

The Comprehensive Plan and North Bend Municipal Code (NBMC) support low-impact development techniques for landscaping and stormwater. The Comprehensive Plan calls for urban development in the downtown core and includes design guidelines for mixed-use and transit-oriented development. The Housing Element commits to expanding housing options to meet the diverse needs of both current and future residents of all incomes consistent with the City's adopted affordable housing targets as outlined in the King County Countywide Planning Policies (CPPs). The Economic Development Element in the Plan supports creating jobs and maintaining a high quality of life. The Transportation and Sustainability Elements advance cleaner and more sustainable mobility, with provisions for complete streets and green streets. In addition, the City has programs and strategies that support multimodal travel.

B. REGULATORY SETTING

B.1 Growth Management

Under the Growth Management Act (RCW 36.70A.070) a Land Use Element is required to address the following:

- distribution/location/extent of land uses (agriculture, timber production, housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other land use);
- population densities, building intensities and estimates of future population growth;
- protection of the quality and quantity of ground water used for public water supplies; and
- drainage, flooding and stormwater runoff within and nearby the jurisdiction as well as guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state.

B.2 Countywide Planning Policies

The King County Countywide Planning Policies (CPP's) provide a countywide vision and serve as a framework for each jurisdiction to develop a comprehensive plan consistent with the overall vision for the future of King County. North Bend is located outside the larger metropolitan UGA to the west, which includes nearby cities such as Issaquah, Bellevue, Kirkland, Redmond and Woodinville; however the City has its own designated UGA boundary. Within the designated UGA, North Bend shall provide urban services, residential densities, and a mix of land uses that will provide for residential and economic growth for the next twenty years. The full list of CPP's is available on King County's website at: https://kingcounty.gov/en/dept/executive/governance-leadership/performance-strategy-budget/regional-planning/cpps.

The Land Use Element also recognizes the Growth Management Planning Council (GMPC) growth and employment targets for the City as a key component to its direction. The GMPC, working with all metropolitan jurisdictions, identified household and job growth targets based on the land capacity of each city and its identified UGA that would accommodate its portion of the State Office of Financial Management's (OFM) projected growth for the region.

B.3 Tribal Coordination

Multiple Puget Sound area tribes have federally adjudicated treaty rights in the North Bend vicinity. These treaties protect traditional ways of life through preserving the right of tribes to fish at all usual and accustomed stations and hunt and gather in all open and unclaimed land. The Snoqualmie Tribe additionally has reservation land and significant facilities, investments, and services in close proximity to the City of North Bend's jurisdictional area. RCW 36.70A.040 outlines a voluntary coordination approach for tribes as a part of planning for the update of Comprehensive Plans. The City of North Bend will work to actively solicit input and participation by local tribes when updating the City's Comprehensive Plan, as well as to increase communication, collaboration, and consultation with tribes on issues of mutual interest and concern and on actions that may impact tribal interests or treaty rights.

C. LAND USE

C.1 History and Existing Development Patterns

North Bend's development pattern is the result of its spectacular setting in the upper Snoqualmie Valley between Mount Si and Rattlesnake Ridge, at the foothills of the Cascades. The Snoqualmie River defines a rich and environmentally sensitive river valley. The Snoqualmie Tribe and its ancestors recognized this ideal natural context, establishing settlements and managing a broad, open prairie ideal for building and sustaining community life. Later development activities of farms, pasture lands and timber harvesting, and the existing built environment including the Interstate 90 interchanges, are all influences molding the City's present and future development.

The river valley floor is relatively flat and has developed with the most intensive land uses such as those located in downtown, east of downtown along North Bend Way, and the freeway interchanges at Exit 31 and Exit 34. These areas contain the heart of the City's retail, employment park and commercial districts, as well as the highest density residential developments. Lower density residential, protected open space and rural pasture lands comprise the balance of land activities within the City, its UGA, and surrounding unincorporated lands.

The rich and long history of life of the Snoqualmie Tribe and its ancestors here and early settler reliance on the area's abundant natural resources is a guide to defining the City's future, where the natural setting of North Bend continues as the key component to the City's identity and heritage.

C.2 Natural Features

The natural setting of North Bend within the broad Snoqualmie Valley allows ample opportunities for residential living with a small town feel, supportive services, and sub-regional employment centers. At the same time, development constraints such as aquifer recharge areas, rivers, streams, floodplains, wetlands, steep slopes, and geologically unstable soil define the existing development limits and predict the shape of future development activity along key corridors.

The North Bend UGA occupies a very small percentage of the entire upper Snoqualmie River basin (above the falls), but its location on the valley floor close to the outlet for the upper Snoqualmie basin makes it vulnerable to major flooding, which can damage residences or other property. Implementing development and management practices that acknowledge the impact of the river and its tributaries is critical for the health and safety of existing and future residents. Associated wetlands are key natural resource areas for enhancing water quality, providing important fish and wildlife habitat, and serving as water retention and flood storage areas. They provide opportunities to maintain the natural geologic systems of the area and their related habitat functions.

Additional information on the City's predominant natural features and their importance to the future development of the City is given in detail in the Critical Areas Element and the Shoreline Element**.** Review of drainage, flooding, and stormwater run-off in North Bend, as well as protection of the quality and quantity of groundwater intended for public use is addressed in the Critical Areas Element of the North Bend Comprehensive plan. To the extent necessary to comply with RCW 36.70A.070(1), the Critical Areas Element is incorporated by reference in this Land Use Element. . Shoreline designations shall coordinate future land development and permitted uses with the Shoreline designations identified in the Shoreline Master Plan.

In addition to the City’s geographic features, the City’s existing tree canopy and many mature and significant trees serve as a significant natural asset that contributes to the livability of the community through stormwater mitigation, cooling, and other climate resilient benefits. Planning for protection of the City’s tree canopy is provided in the Urban Forestry section of the Energy and Sustainability Element.

Also notable with North Bend’s natural and forested surroundings is an increased risk of wildfire and an associated need to plan accordingly. Addressing this risk and the risks of other natural hazards are policies within the City’s Energy and Sustainability Element.

C.3 Built Environment

The historic development pattern of the City is along its east-west spine. The City's downtown commercial area developed along the old east-west SR-10 corridor (also known as the ‘Sunset Highway’). In part, this ‘Sunset Highway’ first came to North Bend via Snoqualmie on the Boalch road alignment. The original route was subsequently moved to the present alignment of SR-202 then replaced with the old east-west SR-10 corridor now called North Bend Way. When Interstate 90 was completed in 1973 south of downtown North Bend, the original SR 10 assumed the function of a local access arterial route. Early residential neighborhoods clustered around the downtown employment node and were generally platted along the grid system, which gave definition and form to the urban environment. Other, typically rural land uses were scattered throughout the Upper Valley and are still evident today along the minor and major arterials as a mix of large lot rural residences with small commercial and industrial land uses.

The completion of the I-90 interchanges propelled new land uses forward by the mid-1980s in response to the commercial opportunities created by interstate transportation access. The principal impact at the Exit 31 South Fork interchange was the emergence of retail sales outlets and services that cater to both the visitor population and to the City and the surrounding area. With the distribution center for Nintendo at Exit 31 and the Genie facility at Exit 34, and the zoning of additional Employment Park lands for similar uses, the City has additional employment opportunities in the South Fork Neighborhood, as well as the vacant lands along North Bend Way in the Tanner and Edgewick Neighborhoods. The I-90 corridor is a Designated National Scenic Byway which gets international tourism promotion from the Federal Scenic Byways Program. The Mountains to Sound Greenway Trust (MTSGT) and City of North Bend work together on enhancement projects throughout the City primarily funded through the Snoqualmie Watershed Forum by the King County Flood Control District. The MTSGT strives to protect and enhance the I-90 corridor greenway. The City of North Bend received 'Tree City USA'[1] in 2011 and has reached certification every year since.

Many of the existing, older commercial and residential structures show signs of age, particularly in the downtown neighborhood area. Maintaining the City's charm and appeal as a vital rural center will require additional attention to the rehabilitation and maintenance of its existing developed areas and structures. In part, the maintenance and repair of the City's infrastructure forms the foundation for this work.

C.4 Historic and Cultural Preservation

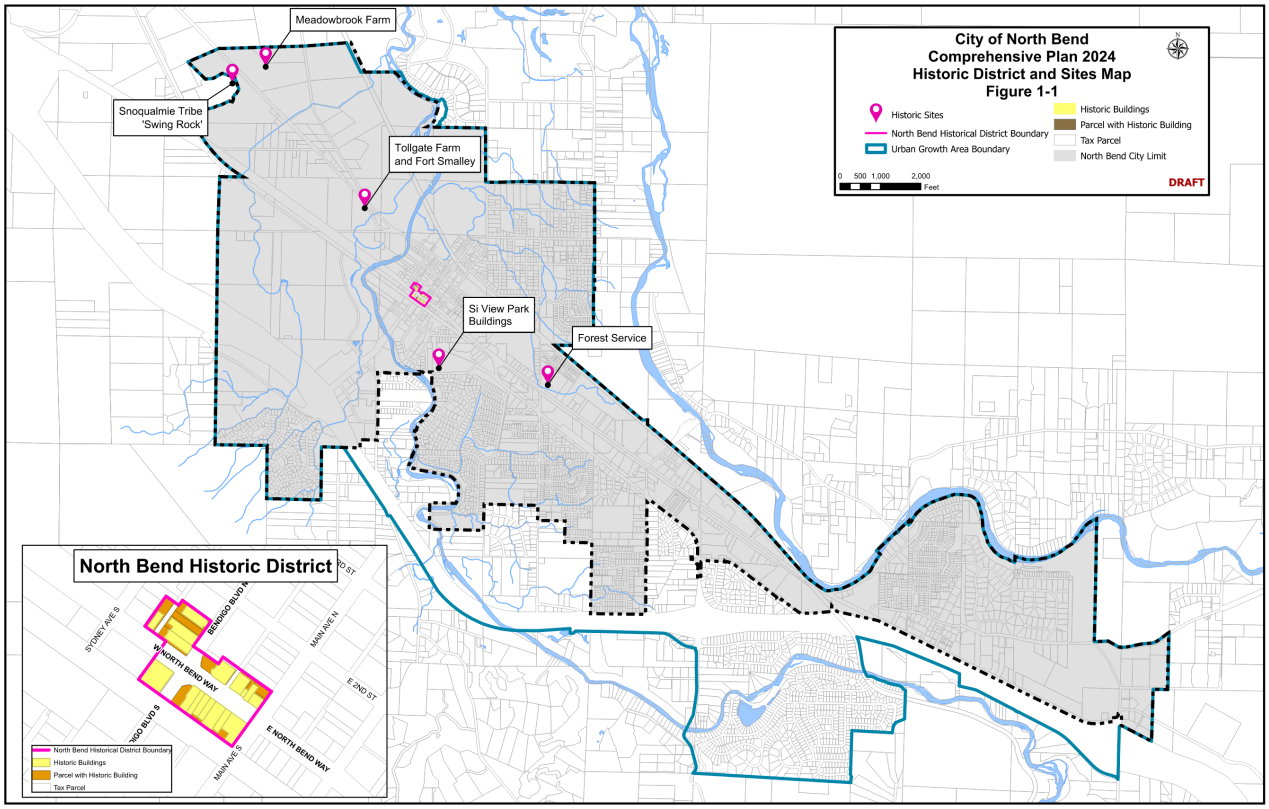
One of the goals of the Comprehensive Plan is to help promote historic and cultural preservation within the City. Several sections of the Land Use Element reference key historic sites (see **Table C.4**) that deserve public intervention for protection. Some examples include the historic Tollgate and Meadowbrook Farms which are now in public ownership, and the historic downtown commercial district which was formally designated in 2000. Preservation of heritage sites helps to maintain the City's aesthetic and cultural diversity and provides continuity with its past. Heritage sites include buildings, properties, natural areas, and structures of cultural significance. Identifying heritage resources and determining appropriate measures for their protection, preservation, or restoration is an ongoing process involving the King County Landmarks Commission, the City of North Bend, the Snoqualmie Tribe, and state and federal agencies. **(See Figure 1-1)**

TABLE C.4 INVENTORY OF HISTORIC SITES

Name	Location	King County Survey File Number
Tollgate Farm	North Bend	0740
Si View Park Buildings	North Bend	0848
Fort Smalley	Tollgate Farm on SR-202	0015
Meadowbrook Farm	North Bend and Snoqualmie	N/A*
Milwaukee Railroad Bridge (since removed)	North of North Bend on South Fork of Snoqualmie River	0018
Downtown Commercial Historic District	Downtown North Bend	HRI#1567
Snoqualmie Tribe "Swing Rock"	Highway 202	N/A*
Forest Service Complex	North Bend Way	N/A*

* Sites not included in King County's historic survey designation but are important to the identity of North Bend.

[1] Tree City USA is a national program that acknowledges cities who meet four standards of sound urban forestry management: maintaining a tree board or department; having a community tree ordinance; spending at least $2 per capita on urban forestry; and celebrating Arbor Day.



In order to facilitate the City's continued preservation of key area landmarks, the City will support the development of a process that identifies, evaluates, and protects its local historic and cultural resources.

The City works closely with the King County Historic Preservation Program to implement the City's historic preservation ordinance. This may include entering into an interlocal agreement with the County to provide for the designation of a commission of landmarks within the City. The City should also work closely with Mountains to Sound Greenway to support its efforts to create a network of greenway buffers and interpretative signs which inform and celebrate the local history. Opportunities for interpretive facilities for existing designated historic sites and structures should be pursued, as well as the opportunity to work with the City of Snoqualmie and Snoqualmie Tribe on the Meadowbrook Farm property for significant interpretative venues. Local historic and interpretive avenues are greatly fostered within the City of North Bend through its support of the efforts of the Snoqualmie Valley Historical Museum. This support should continue and expand as the museum considers future plans to restore or expand its facility in North Bend. The museum offers an accessible and unique avenue for retaining and expanding the community's awareness of its historic and cultural roots.

In addition to historic sites, it is important to protect Critical Cultural Resources. Critical Cultural Resources are archaeological objects of high cultural significance to the Snoqualmie people and/or other Tribes. Critical Cultural Resources as trees are often western red cedar; however, historical and traditional practices include other species, such as big-leaf maple or cottonwood. Archaeologists use the phrase Culturally Modified Tree, but it is not the preferred term for the Snoqualmie Tribe. The defining characteristic of a Critical Cultural Resource is the visibility of past human modification. Typical modifications on Critical Cultural Resources include tree branches, bark and even tree clusters. These living historical markers and resources are an identifiable connection to locations and places of cultural/historical/archaeological significance for Tribes.



Historic Images of North Bend (left to right): Log trucks going through downtown and a Historic Downtown Building.

C.5 Land Use Types
The Land Use Element identifies the type, location, and intensity of the following distinct land uses and includes discussion of mixed uses among these categories.

- ***Residential Land Uses:*** Residential land uses include low- to high-density housing and cottage housing.
- ***Commercial Land Uses:*** Commercial land uses include retail, services and office.
- ***Employment Park Land Uses:*** Office parks, high technology business parks, warehouses, heavy industrial, and manufacturing businesses are included in the discussion of employment-generating land uses.
- ***Parks, Open Space, and Public Facilities Land Uses:*** These areas include recreational open space, active and passive parks uses, and publicly owned facilities.
- ***Mixed-Use:*** Mixed-use refers to the combining of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Typically this is accomplished in the following way; 1) A structure with ground floor retail/commercial or service uses and the above floors occupied by residential use; 2) A structure which provides retail/commercial or service use in the portion fronting the public street with attached residential or office uses behind; and 3) Multiple structures on one site which provide retail/commercial or service uses in the structure(s) fronting the public street or public realm, and residential and/or office uses in separate structure(s) behind. Mixed-use development opportunities are recognized as a key plan component in creating revitalization of the existing built environment and spurring new development opportunities. Benefits of mixed use developments include but are not limited to: 1) allowing citizens to live, work and shop within a close proximity to each use; 2) creating activity within the district or neighborhood during longer periods of the day; 3) creating housing options and housing diversity; 3) promoting pedestrian activity and reduced auto dependency and 4) creating a sense of place.

C.6 Community Design and Mixed Use
Traditional zoning separated homes from employment, shopping and commercial spaces. Commercial and industrial spaces were concentrated in large centers oriented towards the freeway and the automobile. Population growth and traffic congestion created a need to accommodate a better mix of uses where people can live, work and shop. Mixed-use development can provide a better jobs to housing balance and provide citizens with the option to live closer to work, thus making walking, biking and transit choices more abundant. Mixed-use buildings as described under C.5 above are a combination of retail/commercial/office and/or service uses with residential use in the same building or on the same site. Mixed use is permitted and encouraged in the Downtown Commercial (DC) zone, Neighborhood Business Zones (NB) and through Master Plans developed consistent with City regulations governing such process.

LU - Goal 1: ***Preserve North Bend's small town qualities and its natural environment, while allowing for growth and development.***

Policies:

LU - 1.1	Ensure consistency with applicable requirements of the Growth Management Act, Multicounty Planning Policies, and Countywide Planning Policies when updating the Land Use Element and other relevant elements of the Comprehensive Plan.
LU – 1.2	Ensure opportunity for tribal collaboration and participation when updating the City's Comprehensive Plan and in other land use planning processes, and increase communication and consultation with tribes on issues that may impact tribal interests and treaty rights.
LU - 1.3	Accommodate the City's required residential and employment growth targets and ensure a well-planned balance of residential and commercial growth that can support a jobs-housing balance, and amend land use and zoning designations when necessary to accommodate such targets.
LU – 1.4	Encourage infill residential development within the existing incorporated area in an effort to reduce sprawl and create more housing options.
LU - 1.5	Allow development to occur within the identified Urban Growth Area as City services become available and adopted annexation policies are met when it is consistent with adopted population and employment growth targets.
LU - 1.6	Locate new residential land uses in environmentally unconstrained areas where public services are available or nearby to increase walkability and reduce greenhouse gas emissions.
LU - 1.7	Encourage retention of natural habitat in residential developments by providing sustainable landscaping, making Low Impact Development the preferred stormwater approach for site development, requiring set-asides for connecting open spaces, and by creating zoning incentives.
LU - 1.8	Plan for wildlife habitat linkages and wildlife-conscious development practices in land use and development patterns.
LU – 1.9	Develop a Citywide Gateway Plan, and associated regulations, to create attractive City entrances that highlight the community's small town character.
LU – 1.10	Plan for development patterns that minimize pollution and greenhouse gas emissions and increase physical activity by facilitating bicycle and pedestrian mobility and supporting increased densities in areas accessible to transit.

LU - Goal 2: ***Protect, conserve and enhance the historic and cultural heritage of North Bend.***

Policies:

LU - 2.1	Coordinate and cooperate with local, state and national historic and cultural preservation organizations, and the Snoqualmie Tribe, in order to promote and protect historic and cultural preservation within the City.
LU – 2.2	Develop criteria to establish a system of priorities for the preservation of historic, archeological and culturally significant properties and Critical Cultural Resources.
LU – 2.3	Work with the Snoqualmie Valley Historical Society to make historic and cultural resources available in order to raise awareness of the richness of cultural diversity and to encourage retention of personal and community heritage.
LU – 2.4	Promote a mutually supportive relationship between historic and cultural preservation and economic development.
LU – 2.5	Incorporate the preservation of sites and structures of historic, cultural, and archeological significance as a part of the aesthetic and environmental consideration in site design and subdivision plan reviews.

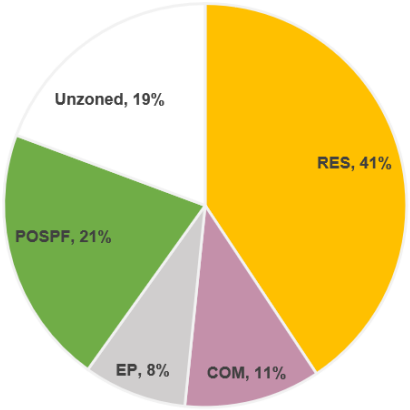
LU – 2.6 Consult with the King County Historic Preservation Program and the Snoqualmie Tribe to determine and implement appropriate levels of archaeological review for development proposals to ensure the protection of cultural resources.

D. LAND USE CHARACTERISTICS, DISTRIBUTION AND LOCATION OF LAND USES

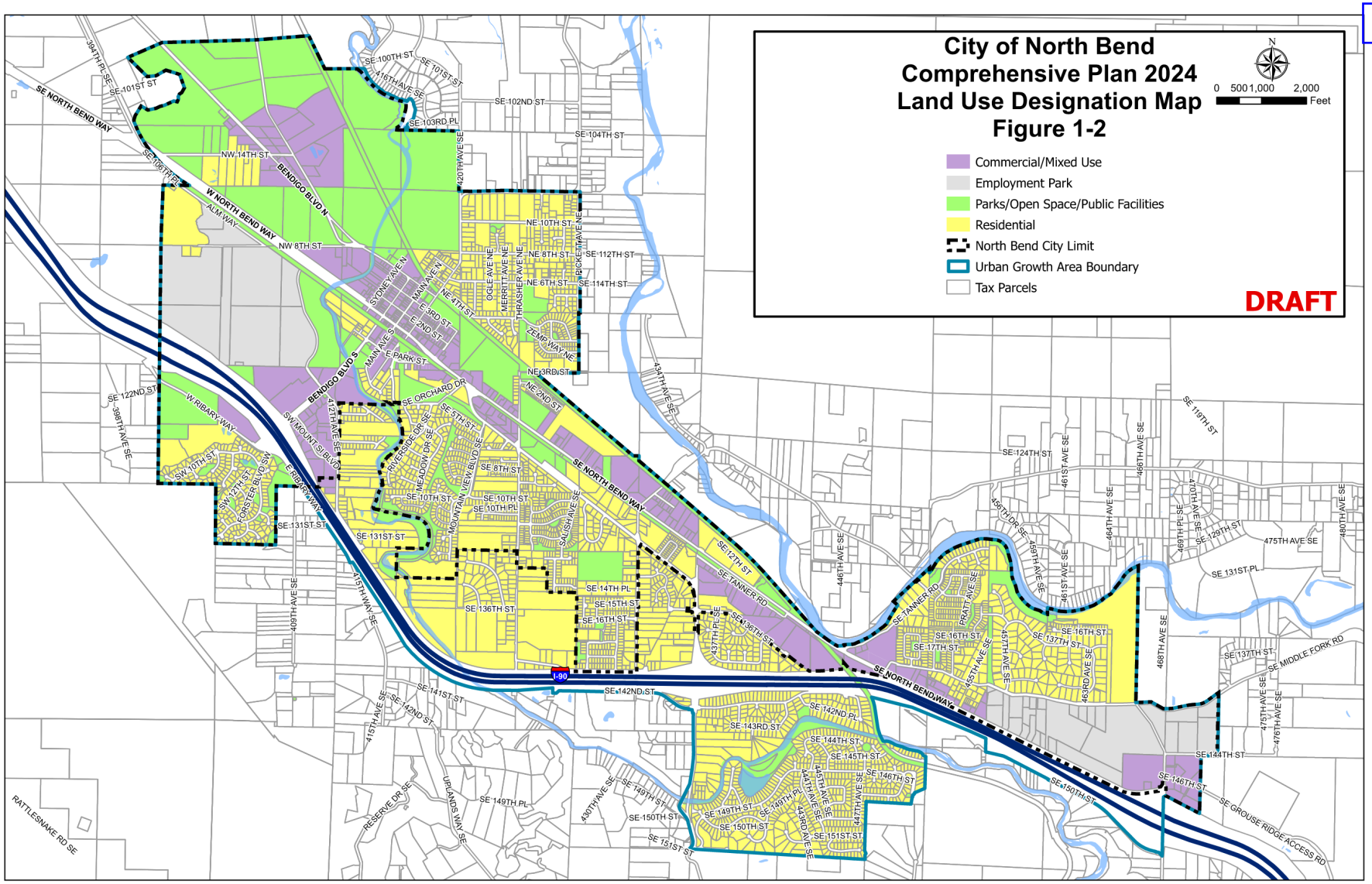
D.1 Distribution of Land Use Designations

Land Area by Land Use Designation (City Limits and UGA)			
Abbreviation	**Land Use Designation**	**Acres**	**Total (%)**
RES	Residential	1565	41%
COM	Commercial/Mixed Use	421	11%
EP	Employment Park	318	8%
POSPF	Park/Open Space / Public Facility	799	21%
Unzoned	Unzoned/ROW/Waterbody	744	19%
	Total	**3847**	**100%**

Land Area by Land Use Designation (City Limits and UGA)



The City of North Bend with its UGA is approximately 3,868 acres in size. The predominant land use activities, as classified on the current land use designation map, are residential uses. **(See Figure 1-1)**



Agenda Hom

Council Packet November 5, 2024

D.2 Parks, Open Space and Public Facilities
About 21% percent of the UGA land area is now used for parks, open space and public facilities, a relatively high percentage compared with most communities, but consistent with the high priority residents have placed on maintaining the City's rural and small town character. This zone includes City offices and properties, schools, Si View Park and the fire station. Other key components of open space include the Meadowbrook and Tollgate Farms, which together have been designated by North Bend to serve as an urban separator between the Cities of North Bend and Snoqualmie. The preservation of land identified as environmentally critical areas, open space, and parks provides a variety of functions such as: providing access to the Snoqualmie River and its tributaries; providing visual relief from the built environment; retaining areas for wildlife habitat and stormwater retention; creating opportunities for study of the natural environment; supporting recreation opportunities; and linking the City with its historic past.

To adequately protect such critical land uses, the North Bend Municipal Code has specific zoning categories to identify and retain areas which function as either parks or open space. The Parks Element identifies recreational resources and provides specific policies, while establishing level of service standards for this important component of North Bend's amenities. (See the Parks Element of the Comprehensive Plan for more information.)

The City is well served by a diverse range of public facilities developed to meet the needs of its residents as well as the needs of those living in adjacent unincorporated King County. Facilities include: a King County public library (1994), a post office (1994), a public works Complex (2002), a fire station (2012), and a city hall (2018).

North Bend has a variety of public programs offered at public facilities. The North Bend Depot and associated historic train activities link North Bend to the City of Snoqualmie. In addition, the historic train provides tourist activities, which help generate economic activity. The Senior Center has a rich variety of programs and activities. The Si View Park complex has the only public pool in the Upper Valley and offers many classes and camps year round. The Snoqualmie Valley Historical Museum has a depth of high quality programs, resources, and displays. (See the Capital Facilities Element and Parks Element for more information on parks, open space and public facilities.)

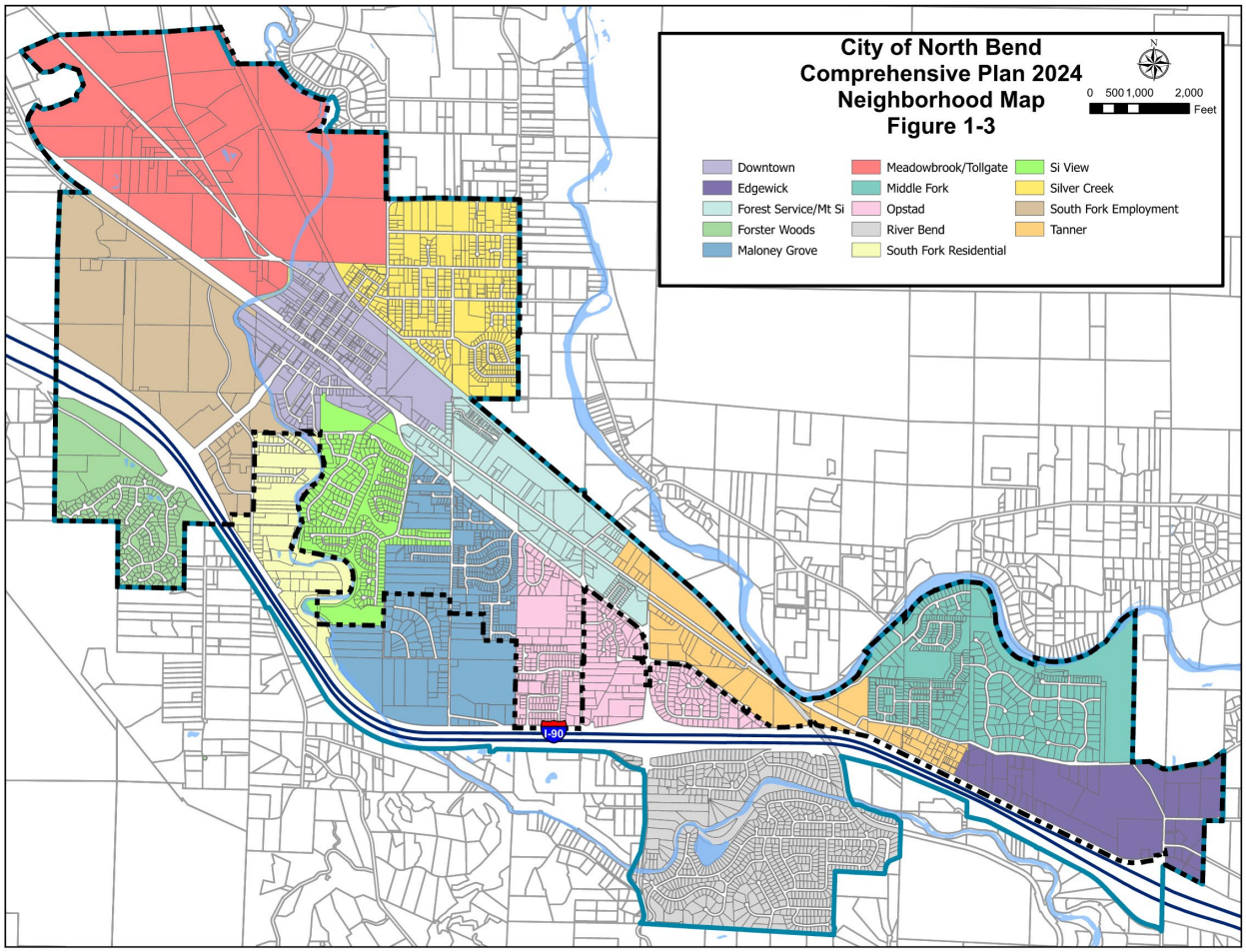
D.3 Residential Land Use
The majority of the land area within the City of North Bend has been designated for residential land uses, ranging from constrained low-density residential areas to high-density residential. For further information on population growth projections and planning for and accommodating residential growth targets, see section H of this Element, Growth Targets.

D.4 Commercial Districts and Employment Centers
North Bend offers a variety of jobs to persons residing both inside and outside the City limits. Commercial Districts and Employment Centers are predominately concentrated along Bendigo Boulevard and North Bend Way and Boalch Avenue NW, as well as on the east and west side of the City in lands zoned Business Park and Employment Park.

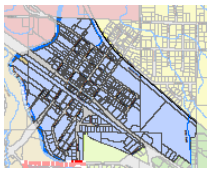
D.5 Neighborhood Planning Areas
For Comprehensive Plan purposes, the City has been divided into fourteen neighborhood planning areas identified in **Figure 1-3.** These neighborhoods have been established to create land use patterns that will help the City maintain its existing rural character, natural beauty and small town scale, as well as to identify neighborhood-specific planning and design issues and establish policies that help create identity, community, and a sense of place. These neighborhoods are characterized by pedestrian orientation and are linked by the City's existing and planned network of pedestrian and bicycle trails.

The potential for the creation of future neighborhood-specific plans will enable neighborhood residents to have a voice in the direction their neighborhood may take. Anything from the identification of needed neighborhood amenities to the development of neighborhood signage programs can be explored within the context of the neighborhood planning process.

Figure 1-3 shows all of the City's neighborhoods as currently designated. In concert with the Transportation Element and the Parks Element, the City should strive to seek land to accommodate neighborhood greenways and bike paths that both connect and articulate each neighborhood's identity. Development of future comprehensive neighborhood signage programs may help distinguish the neighborhoods' unique characteristics.



Downtown Neighborhood



The Downtown Neighborhood includes the historic commercial downtown and the original town plat of North Bend, with a mix of commercial and residential uses. The Downtown Neighborhood contains several areas of vacant and re-developable land envisioned for infill projects and is one of the City's key employment centers for future commercial growth. The City has encouraged investment and improvement in the downtown through a number of ways.

Neighborhood size is generally defined by the walking distance to the neighborhood center. The Downtown Neighborhood has been designated in such a way that jobs, housing and services may be readily available to the local residents, often within walking distance. By encouraging a walkable downtown, a sense of community is affirmed, automotive pollutants are reduced, healthy lifestyles are encouraged, and human interaction is fostered. In addition, the City seeks to reduce urban sprawl as it encourages compact development, helping preserve the natural lands adjacent to the City.

The identification and development of the Downtown Neighborhood within the City occurred with several goals in mind. First, the downtown can be compact and comprised of structures of varying scale. Clustering is to be encouraged to help minimize impacts of conflicting land uses while enhancing the natural features or open spaces within a proposed development. Second, development within the downtown must respect the historic and architectural styles and patterns of development. Streetscape and pedestrian scale are some of the additional components required by the Residential, Commercial, Mixed-Use and Industrial Design Standards adopted May 18, 2010.

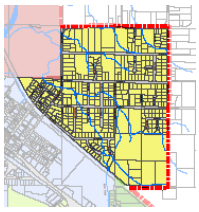
In 2000, the City established the Downtown Commercial Historic District, covering seventeen historic buildings. This designation, administered through an interlocal agreement with the King County Historic Preservation Program, is intended to preserve and restore the historic character of the District. The Downtown Commercial Historic District is supported by several programs designed to stimulate maintenance and redevelopment of the designated structures.

In 2008, the City adopted a Downtown Master Plan. This plan identifies key development opportunity sites, specific infrastructure improvements, traffic and parking recommendations, and regulatory measures to help achieve the plan goals. In addition to the recommendations in the Downtown Master Plan, a future city hall, civic center, and plaza are envisioned in the downtown core, which can serve as a catalyst for further economic development and as a venue for community events. The Downtown Master Plan also recommends gateway features that are intended to draw people in and establish a sense of arrival. The City has achieved many of the Near-Term Projects and Actions identified in the Implementation Timeline of the Downtown Master Plan. These include projects such as: a roundabout at North Bend Way/Cedar Falls; way-finding signs; invasive vegetation removal at Riverfront Park; Downing Avenue Extension; intersection control at Park and North Bend Way; and garbage screening along McClellan, In addition, a new Visitor Information Center (VIC) was built in 2014 at the corner of Bendigo Blvd and Park Street.

The City also supports further investment in its downtown core through economic development strategies that foster a synergistic mix of retail, restaurant, nightlife, and service uses, clear and concise guidelines for development, and by developing incentives for infill and redevelopment such as expedited permit processes and reduced impact fees.

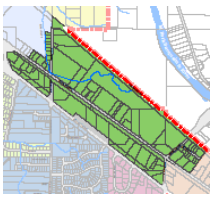
In other areas of the Downtown Neighborhood, infill and redevelopment of underutilized properties is expected to occur as property values increase relative to the value of existing structures. Supporting higher-density residential in the Downtown Neighborhood is key to fostering both pedestrian-oriented development and additional market support for further commercial uses. Mixed-use developments are particularly suitable for the Downtown Neighborhood and should be supported and encouraged through appropriate policies.

Silver Creek Neighborhood



The Silver Creek Neighborhood is characterized by predominately single-family development, and further development should be limited to low-density residential in recognition of the established neighborhood character, its location within the floodplain, and the proximity of a number of floodway channels and critical areas associated with Silver Creek. Effort should be made to secure additional park land adjoining to E.J. Roberts Park as development is proposed. The additional park land will serve the growing number of residents using the park facilities in the Silver Creek Neighborhood.

Forest Service/Mount Si Neighborhood



The Forest Service/Mount Si Neighborhood is a residential and commercial mixed neighborhood located southeast of downtown. The neighborhood is bisected by North Bend Way and the vacant Burlington Northern Railroad corridor/Tanner Trail, with residential uses predominantly south of North Bend Way and commercial uses north of North Bend Way. Primary existing public uses include the US Forest Service Ranger Station Complex, the City of North Bend Public Works site, and Fire Station 87.

Formerly Highway 10, this area developed along its length as an auto-oriented commercial strip, with motels, service stations, restaurants, and mobile home parks. As such, it exhibits the effect of auto-oriented "strip commercial" development with numerous egress and ingress points from North Bend Way. These multiple curb cuts are detrimental to public safety, impede the smooth flow of traffic, discourage walking and bicycling, and should be reduced over time through shared-driveways required as a part of redevelopment. Effort should also be made to ensure protection of significant trees located between North Bend Way and Cedar Falls Way, which form a distinct part of the neighborhood's character.

The neighborhood contains significant vacant and redevelopable areas which are envisioned for the development of cottage and medium density housing south of North Bend Way, and commercial and mixed use development north of North Bend Way.

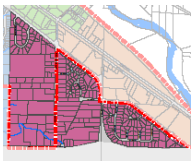
A key intersection within this neighborhood is at East North Bend Way and SE Mount Si Road. This intersection provides access to the Mt. Si Trailhead. Because this trailhead is a regional draw, attracting over one hundred thousand people each year, retail and commercial opportunities are abundant. This neighborhood will see a demand for Neighborhood Business type uses, serving both the recreationalists and local clientele, and serving as a future neighborhood center. Retail and commercial uses should be pedestrian friendly, concentrated at the intersection, with parking located to rear. Mixed-use development consisting of retail/commercial and residential is encouraged.

Riverbend Neighborhood



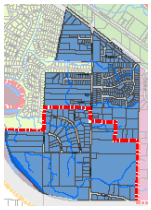
The Riverbend Neighborhood is a residential neighborhood in the Urban Growth Area south of I-90 Exit 32. The neighborhood has been largely built-out, with remaining single-family residential infill and redevelopment potential on existing larger residential lots off 436th Ave. SE. Private parks within the Riverbend neighborhood provide gathering places, and a golf course with associated restaurant and commercial uses provide additional services just outside the UGA. The Snoqualmie Valley Trail provides an important pedestrian and bicycle link under I-90 from the Riverbend Neighborhood to downtown and other parts of the City.

Opstad Neighborhood



The Opstad Neighborhood is a residential neighborhood located southeast of downtown and directly south of the Mount Si Neighborhood. The neighborhood contains lower density single-family homes, Opstad Elementary School, and areas of vacant and redevelopable land. Much of the neighborhood has been "established" by existing residential subdivision patterns and should remain as low-density residential.

Maloney Grove Neighborhood



The Maloney Grove Neighborhood is a residential neighborhood located southeast of downtown and directly west of the Opstad Neighborhood. The southern edge of the neighborhood is bounded by the I-90 right-of-way. The area contains lower density single-family residences. This neighborhood contains areas of vacant and redevelopable land envisioned for low-density residential development. Southern areas of the neighborhood are constrained by the floodplain and floodway. Development of trails along the South Fork levee as redevelopment of these properties occur would provide important extensions of the City's trail network and enable a safe pedestrian and bicycle connection to other areas of the City.

Si View Neighborhood



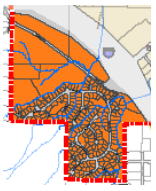
The Si View Neighborhood is a residential neighborhood located south of downtown and northwest of the Maloney Grove Neighborhood. The western edge of the neighborhood is defined by the South Fork of the Snoqualmie River. The neighborhood has been largely built-out, and contains minimal area of vacant or redevelopable land, which is envisioned for single family residential use. Portions of the neighborhood are constrained by the floodplain and floodway. The neighborhood center is identified as Si View Park.

South Fork Residential



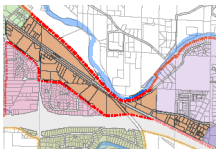
The South Fork Neighborhood is a residential neighborhood located in the City's UGA, south of downtown and east of the South Fork Interchange area. It contains the existing subdivisions of Shamrock Park and Berry Estates. The neighborhood is bounded to the east by the South Fork of the Snoqualmie River. The neighborhood center is identified as the Exit 31 interchange commercial area within the South Fork Neighborhood to the west. Future development in the neighborhood is constrained by its location within the floodplain, some portions of which are in the floodway.

Forster Woods Neighborhood



The Forster Woods Neighborhood is a residential neighborhood located southwest of downtown and southwest of the I-90 Exit 31 interchange. The area contains the Forster Woods subdivision, both single-family and multi-family, Tennant Trailhead Park, and additional vacant commercial land with moderate development constraints. Adjacent to the freeway intersection, vacant parcels would be developed as land uses suitable to the interchange.

The Tanner Neighborhood

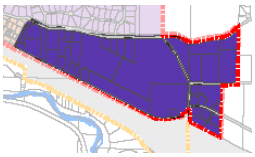


The Tanner Neighborhood is a predominantly commercial neighborhood located southeast of the Forest Service/Mt. Si Neighborhood and the Edgewick Interchange.

The neighborhood contains significant vacant and redevelopable land suitable for commercial and light-industrial uses and is an area anticipated to accommodate additional employment growth. Special overlay districts within areas of this neighborhood recognize unique site characteristics such as the presence of the Snoqualmie Valley Trail and the King County Tanner Landing Park, and could allow for a mix of residential and commercial/light industrial uses that wouldn't otherwise be permitted (see Overlay Districts section below).

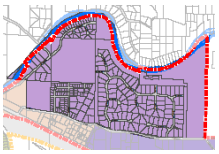
The King County Snoqualmie Valley Trail provides an important pedestrian link through this neighborhood, connecting multiple parts of the City and encouraging bicycle and pedestrian transportation. The future Tanner Trail, within the Burlington Northern Railroad corridor, will provide a similar link along North Bend Way, and future developments that abut or contain this corridor should be constructed to align with and incorporate the trail into the design of the development. The area also has important scenic qualities with views of the Middle Fork of the Snoqualmie River and Mount Si. Interpretive or historic signage would be appropriate, located in key areas along the corridor to give perspective on the natural and human histories of the area, including that of the Tanner Mill and the former Northern Pacific (Burlington Northern) and Milwaukee Road Railroad Lines.

The Edgewick Neighborhood



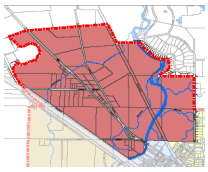
The Edgewick Neighborhood is a predominantly light-industrial neighborhood between SE 140th Street and North Bend Way at the eastern end of the City, and is one of the City's key employment areas anticipated to accommodate future employment growth. The neighborhood contains significant vacant and redevelopable land suitable for light-industrial and office park development. This area has great potential for increased job development due to its flat topography and excellent freeway access, and proximity to the Seattle metropolitan area. Attention to the most appropriate zoning classifications and land uses is also a significant issue, as the *North Bend Vision Plan* clearly articulates the City's desire to manage new commercial development with attention to the scale and intensity suitable for a small city. Employment-generating uses should be given preference over larger-scale warehousing and storage uses. The East North Bend Master Plan Overlay District provides additional planning and land use guidance to ensure a well-coordinated mix of office, employment park, research and industrial, and light manufacturing uses, and to coordinate vehicular circulation and site design to minimize adverse impacts to adjacent residential areas and nearby schools. The commercial areas at the Exit 34 interchange form the neighborhood center. Because 468th Ave. SE serves as the gateway to the popular Middle Fork recreation area, special attention should be paid to ensure that building and site design within this area—although it may be light industrial—retains a small town character and scale consistent with the City's vision statement.

The Middle Fork Neighborhood



The Middle Fork Neighborhood is a residential neighborhood bounded to the north by the Middle Fork of the Snoqualmie River. The City will require that future development of this area provide public access to the Middle Fork of the Snoqualmie River with pedestrian trails that connect residential areas to the river where possible. Remaining development within the Middle Fork Neighborhood should remain as low-density residential.

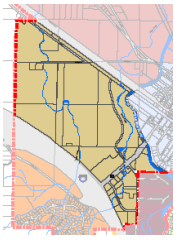
Meadowbrook/Tollgate Neighborhood



The Meadowbrook/Tollgate Neighborhood is chiefly characterized by the preserved Meadowbrook and Tollgate Farms. Both Meadowbrook Farm and Tollgate Farm are managed consistent with master plans that were developed for each property, as public park and open space areas intended to preserve scenic, historic, and cultural resources, and to be developed for lower intensity recreational activities, with a portion of Tollgate Farm also being developed for active recreation. (See the master plan for each property for more information.)

The Meadowbrook neighborhood contains some housing units as well as limited commercial and manufacturing land uses. The neighborhood contains areas of vacant and redevelopable land, and is envisioned as a mix of low-density residential uses and lower-intensity commercial uses. This neighborhood is not anticipated to accommodate higher-intensity commercial growth, to ensure compability with the adjacent agricultural and open space uses at Tollgate Farm and Meadowbrook Farm. Future development in the neighborhood is also constrained by wetland, stream and floodplain critical areas.

South Fork Employment



A commercial and light-industrial neighborhood, the South Fork neighborhood includes the Exit 31 interchange commercial area and the large vacant and redevelopable properties between I-90 and North Bend Way in the western end of the City. This neighborhood is one of the City's primary employment centers and is anticipated to accommodate much of the City's future employment growth. Key existing uses include Nintendo and North Bend Premium Outlets to the west of Bendigo Boulevard, and the Mountain Valley Center east of Bendigo Boulevard. The neighborhood also serves as a primary gateway into the rest of the City. Maintaining and enhancing the streetscape along Bendigo Boulevard with landscape, lighting, signage, and sidewalk improvements consistent with recommendations in the Downtown Master Plan will help draw people from this area into downtown.

Policies for light industrial lands are intended to provide guidance toward identifying adequate land area for job growth and creation, developing parameters to help reduce conflicts between adjoining land uses and providing direction for new development to exhibit sensitivity to the natural environment. Uses in the Interchange Mixed-Use zone are to be limited to less intensive commercial activities that will be more compatible with the residential zoning district surrounding the interchange.

D.6 INCOMPATIBLE LAND USES

The City of North Bend's Comprehensive Plan and development regulations need to reduce incompatibility between residential and commercial or industrial land uses in the North Bend UGA. Reducing and/or mitigating compatibility of land uses between adjacent residential and non-residential properties is fundamental to sound land use planning. To improve compatibility between residential and non-residential properties, the City development code shall include enhanced setbacks, additional landscaping, and enhanced design guidelines as well as limitation on permitted uses in specified locations. The objective of the development code will be to provide buffering as necessary to preserve and enhance the character of residential zoning districts.

LU - Goal 3: ***Maintain residential quality and neighborhood livability suitable for residents of North Bend.***

Policies:

LU - 3.1	Encourage the development of human-scale neighborhoods planned to be easily accessed by pedestrians, bicycles, and transit to increase walkability and reduce greenhouse gas emissions.
LU - 3.2	Encourage retention of existing open spaces and the creation of a citywide, linked open space network that integrates neighborhoods, provides access for all to clean healthy environments, protects natural resources and increases resilience to climate change impacts. Prioritize acquisitions and improvements in neighborhoods with historical underinvestment and disproportionally impacted communities.
LU - 3.3	Utilize adopted multi-family and single family design guidelines which help to promote high quality residential development.
LU - 3.4	Protect neighborhoods from adverse impacts such as junk vehicles or other nuisances by actively enforcing City codes.
LU - 3.5	Support new transit opportunities linked to residential growth.
LU – 3.6	As needed work with neighborhood residents to help define each neighborhood's character and address each neighborhood's challenges.
LU – 3.7	Promote walkways and bikeways within new residential developments that can be linked to existing or proposed trails and walkways.
LU – 3.8	Reduce sprawl by creating development regulations that allow smaller lot infill development at a scale and intensity that complements existing neighborhoods.
LU – 3.9	Protect residential zoning districts from adverse impacts created by land uses permitted in adjoining commercial or industrial zoning districts.
LU – 3.10	Limit new multi-family dwellings constructed in the Downtown Commercial zone to the second story or above when constructed in the downtown core.

D.7 EQUITY IN LAND USE

Historic and traditional land use practices, policies, and zoning can impact the ability of individuals and households to access housing and services, participate in land use decision making, and remain within their homes and communities, often disproportionally affecting marginalized populations. Such populations include people with low incomes, people with language access needs, Black, Indigenous, and People of Color (BIPOC) communities, and people with disabilities. Intentional policies and programs are necessary to address such impacts and counter intentional and unintentional biases against such populations. Additional policies addressing equity are found in the Housing Element and the Energy and Sustainability Element.

LU Goal 4 ***Foster equity in land use development and decision making.***

LU – 4.1 Ensure that all residents, regardless of race, social, or economic status, have a clean and healthy environment. Identify, mitigate, and correct for unavoidable negative impacts of public actions that disproportionally affect residents and neighborhoods impacted by existing and historical racial, social, environmental and economic inequities, and who have limited resources or capacity to adapt to a changing environment.

LU – 4.2 Develop and use tools that consider equity impacts when establishing plans or policies for outcomes that might disproportionally impact marginalized populations.

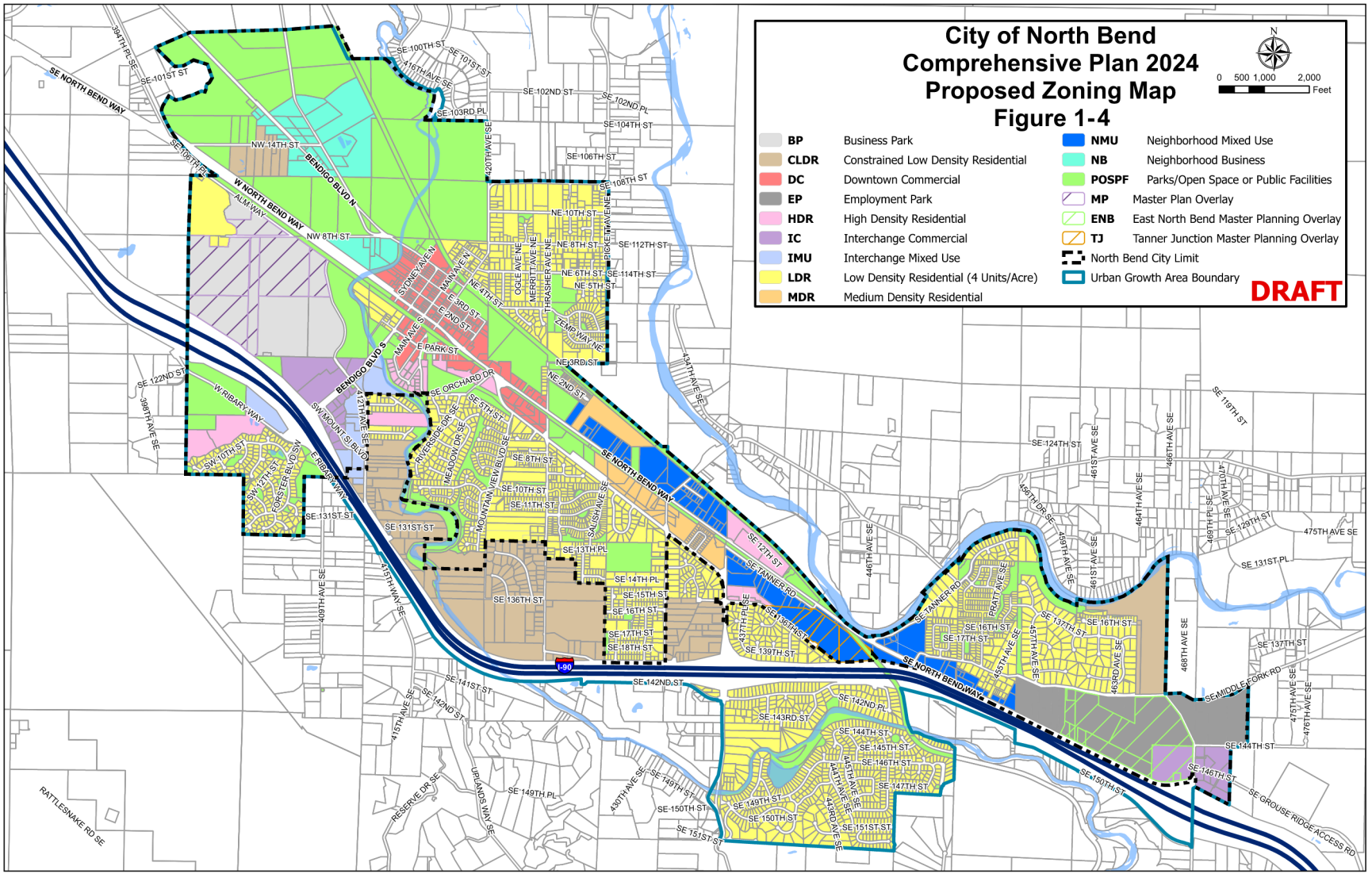
LU – 4.3 Promote land use development patterns that support the equitable siting of, and access to, services and community facilities.

LU – 4.4 In outreach and education activities and in the public process for land use decision making, strive to reach underrepresented and marginalized populations, including Tribes, and encourage their participation.

E. LAND USE AND ZONING DESIGNATIONS

How the City classifies uses of land within its incorporated boundary and its growth areas is important to the way the City will develop over the next twenty years. The zoning code is designed to implement the principles of the *North Bend Vision Plan* by promoting neighborhoods that are pedestrian-scale, predominately residential areas with mixed commercial and residential uses permitted in the commercial and industrial core of the City.

A general description of the City of North Bend's zoning code classifications are provided in the following sections. The zones provide the direction necessary to fulfill the City's vision for greater choice and expanded opportunity for residents and businesses, while also allowing the City to meet the population, employment, and affordable housing targets mandated by Countywide Planning Policies.



Agenda Hom

Council Packet November 5, 2024

E.1 Residential Land Use

Much of North Bend is identified as Residential Neighborhoods (see **Map 1-3**. Residential zones provide for both single-family and multi-family housing with a range of densities while also accommodating appropriately scaled commercial nodes within proximity to residential areas. Locating these uses in a "mixed-use core" within walking distance of the neighborhoods in a deliberate, pedestrian-scaled pattern, encourages people to walk and bicycle and makes for a safer and more vibrant neighborhood. New residential development is encouraged to evolve according to traditional settlement patterns, with higher densities concentrated in the "unconstrained" areas and the "mixed use core" area, and gradually diminishing at the neighborhood's edges. All residential zones (definitions below) create attractive and satisfying environments for family and household life, ensure adequate services are provided, and provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors. In addition, these zones promote a traditional neighborhood development pattern and scale which serves to maintain and enhance the existing character and pedestrian orientation.

Low-Density Residential (LDR)

Low-Density Residential designations provide for neighborhoods of predominately single-family structures at a maximum density of four dwelling units per acre. This zoning designation can accommodate for other uses that are compatible with single-family residences, including accessory dwelling units and some percentage of cottage housing within a planned neighborhood district.

Constrained Low Density Residential (CLDR)

Constrained Low Density Residential is a designation for single-family residential use that is recognized for having larger lots or development constraints, such as frequently flooded areas, geologically hazardous areas, river and stream corridors, channel migration areas, wetlands, and native wildlife and fish habitat. Density in this area is expected to reach a maximum of two dwelling units per acre. The CLDR area includes properties located within the floodplain and floodway areas adjacent to the South Fork of the Snoqualmie River, and includes properties within the UGA, characterized by larger lot sizes and in keeping with the small town and natural character recognized as important in the city's vision statement.

Medium Density Residential (MDR)

The Medium Density Residential zoning designation provides for innovative housing types on smaller lot sizes with increased densities to create greater diversity for residents of North Bend. MDR is comprised of predominately single-family smaller detached housing in the form of cottages, as well as attached housing within smaller-scale buildings consistent with single-family neighborhood character at densities between Low Density Residential and High Density Residential.

High-Density Residential (HDR)

High-Density Residential zoning designations provides for attractive and satisfying pedestrian-friendly neighborhoods and/or areas of predominantly multi-family structures allowing for a mix of housing types, including affordable housing.

E.2 Parks, Open Space, and Public Facilities

Parks / Open Space or Public Facilities (POSPF)

The Parks Open Space or Public Facilities designation will include all public parks, schools and community facilities, as well as developed trails and other public recreational corridors and lands, and privately owned open space lands such as homeowners association parks, stormwater, and critical area tracts. Through the City's Parks and Open Space Element, property to be acquired for future parks or trails may be designated "future" Parks, Open Space, and Public Facilities. The "future" Park's designation may be applied without changing the underlying zoning.

The POSPF zoning may be segregated to distinguish lands designated primarily for parks and open space from lands designated primarily for public facilities. Agriculture, forestry, galleries, gardens and museums, cemeteries, as well as governmental offices are permitted.

E.3 Employment

The Employment Park and Business Park designations include areas where the future employment growth for North Bend will occur. These designations provide for development of large and small business to meet the twenty-year job target identified for North Bend by the Growth Management Planning Council. An important consideration for the development regulations is the need for parcels of sufficient size, with few constraints, that can provide efficient use of land to meet job targets. Activities promoted in this designation could include indoor fabrication, research and development, finance and other service-related businesses, and distribution facilities.

Business Park
The Business Park designation located on the west end of North Bend is intended to provide areas for light industrial and limited commercial uses that are compatible with adjoining land use districts, including offices, light manufacturing, warehouse and distribution and research and development. The business park zone is constrained by the presence of floodplain along the valley floor as well as topography and critical areas that may limit larger-scale development opportunities. A Master Plan Overlay District covers much of the Business Park designation reflecting the need to carefully plan the mix of uses in consideration of environmental constraints, traffic circulation, adjacent uses, and other factors.

Employment Park
The Employment Park designation located on the east end of North Bend is also intended light industrial and commercial uses that are compatible with adjoining land use districts, however some heavier industrial uses and retail uses will be accommodated here as well. An East North Bend Master Plan Overlay District covers much of the Employment Park designation reflecting the need to carefully plan the mix of uses in consideration of traffic circulation, adjacent uses, and the geographical context of the proximity to Interstate 90 and the entrance to the Middle Fork recreational area,

E.4 Commercial

Downtown Commercial (DC)
The Downtown Commercial designation will be the focus of services, entertainment, specialty retail, and mixed-use development. Development will be encouraged to conform to traditional northwest vernacular architecture and color palette, front onto streets, include pedestrian amenities, promote alternative transportation by providing bicycle racks and facilities, and develop shared parking facilities. Multi-storied development will be permitted to include residential and/or professional office uses above the street level. By promoting and enhancing commercial land uses within the historic, or traditional downtown area, redevelopment activities are encouraged which can prepare the North Bend downtown for the opportunities of the next century.

Interchange Commercial (IC)
The Interchange Commercial designation provides for business activities that typically serve the travel and tourist trade while also supplying goods and services in larger scale commercial development.

The Interchange Commercial zone provides for services to the traveling public, as well as larger scale commercial activities.

Interchange Mixed-Use (IMU)
The Interchange Mixed-Use zoning designation provides a modified set of permitted “interchange commercial” activities to protect residential uses adjacent to Interchange Commercial zoning districts.

The Interchange Mixed-Use occurs where Interchange Commercial (IC) zoning is near residential (LDR, HDR) zoning. The purpose of this zoning is to provide a transitional zoning district to act as a buffer between Interchange Commercial and Residential zoning. The transitional area provides for a limited set of interchange commercial uses that are more compatible with adjacent residentially zoned parcels.

Neighborhood Mixed Use (NMU)
The Neighborhood Mixed Use zone is a commercial zoning district intended to allow a variety of small-scale retail centers for shops providing goods to serve the everyday needs of the surrounding population, where residential development can be encouraged.

Neighborhood Business (NB)
The Neighborhood Business zone is intended to allow a variety of retail and service uses at a scale and intensity compatible with environmental constraints including floodplain and critical areas, and adjacency to agricultural and park uses at Tollgate Farm Park and Meadowbrook Farm.

LU - Goal 4: ***Focus future employment growth in designated economic opportunity areas including the downtown, the South Fork interchange and employment park area and the East North Bend Way to Edgewick corridor.***

Policies:

LU - 4.1 Implement a high level of design and retention of the City's unique visual quality to areas zoned for commercial or industrial land uses through review and implementation of the adopted Commercial and Industrial Design Standards.

LU – 4.2 Promote pedestrian-scale development by utilizing shared driveways or existing roads and providing pedestrian-level amenities.

F. MASTER PLAN OVERLAY DISTRICTS (MPODs)

The North Bend Municipal Code (NBMC) Master Plan Overlay Districts (MPODs) provide a process by which a specific planned mix of uses and layout may be provided through a master plan to address unique site-specific opportunities and constraints. The underlying land use designation for these areas has not changed but in most cases they have been given special considerations for types of uses, approximate locations for open spaces, public streets and access points. The Planning Commission or property owner may docket consideration of an overlay zone. The first and initial land use development application for any parcel within an MPOD shall show consistency with the overlay district. Additional MPODs may be adopted over time and incorporated into the NBMC and zoning map amendments.

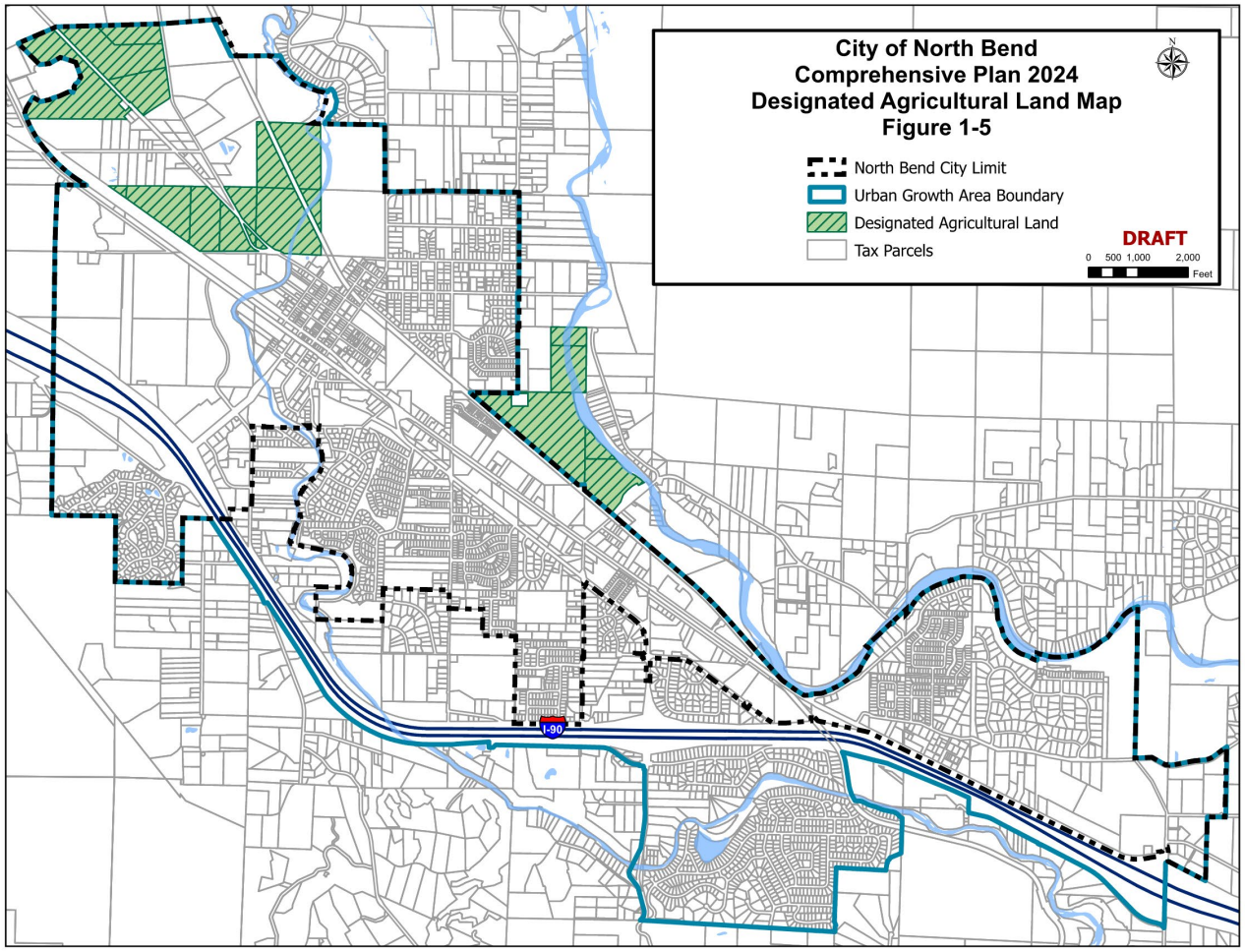
G. NATURAL RESOURCE LANDS

The protection and management of natural resource lands both inside and outside the North Bend Urban Growth Area (UGA) is a concern of the City of North Bend. Both forestry and agriculture play a large role in North Bend's history, helping to form a part of its identity and character. Within City Limits, ongoing agriculture exists at Tollgate Farm, and to a limited extent at Meadowbrook Farm, both public properties purchased with King County Conservation Futures Tax grant funding and protected for permanent open space, passive outdoor recreation and agricultural use under deed restrictions on the properties. Immediately outside of City Limits and the City's Urban Growth Area, ongoing agriculture exists on the Stringfellow Farm just east of the Snoqualmie Valley Trail. The Growth Management Act (GMA) in RCW 36.70A.020(8) addresses Natural Resource Industries in planning goal # 8 in order to:

> Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

The City can help protect and sustain agricultural uses consistent with WAC 365-196-480 by requiring notices on title on property adjacent to designated agricultural lands to caution potential buyers that they may experience noise, dust, odors and other inconveniences due to farming and/or forestry operations, encouraging the development of small-scale agricultural uses at Tollgate Farm and other areas as appropriate, and ensuring appropriate land use transitions adjacent to agricultural lands, including permitted uses and intensities, buffers, and other measures.

Figure 1-5 depicts designated Agricultural Lands within and adjacent to the City of North Bend.



LU Goal 5: Protect existing resource lands and support agricultural uses important to the history and character of North Bend.

Policies:

LU – 5.1	Support the development of small-scale agricultural uses at Tollgate Farm to preserve the history of agriculture in the Snoqualmie Valley.
LU – 5.2	Maintain Right-to-Farm and Forestry regulations to support maintenance of natural resource lands within and around the North Bend UGA and protect farm and forestry operations from nuisance laws.
LU – 5.3	Require Notice on Title of residential properties adjacent to designated agricultural lands to notify owners of potentially incompatible activities at the time of development approval.
LU – 5.4	Require landscape buffers for development on properties adjacent to certain designated agricultural lands to protect agricultural activities from impacts from potentially incompatible future urban land uses.
LU - 5.5	Seek opportunities for City-County cooperative acquisition, development or shared maintenance of key sites that provide scenic and recreational benefits for City Residents.

H. GROWTH TARGETS AND POPULATION PROJECTION

H.1 Growth Targets

The Growth Management Act[2] requires Washington cities and counties to measure their land supply (in acres) and land capacity for both housing units and jobs in order to ensure these cities and counties have sufficient capacity to accommodate forecasted growth for a 20-year period. North Bend has analyzed preceding years and forecasted capacity for the future anticipated growth and found there is adequate land available for housing and employment target numbers. Future development and build-out analysis assumes highest and best use of lands, which is not always achievable or realized with each individual development.

The current targets established by the Growth Management Planning Council (GMPC) are for the planning period 2019-2044. The Growth Management Act requires cities to plan for sufficient areas and densities for growth anticipated to occur in a twenty-year period. By adopting this plan in the year 2024, the City is fulfilling the GMA requirement.

The King County Countywide Planning Policies identifies a **housing target of 1,748 net new dwelling units** and **employment target of 2,218 net new jobs** for North Bend for the years 2019–2044. Since 2019, North Bend has permitted 772 total new dwelling units and established approximately 406 jobs through commercial and residential developments; an additional 976 dwelling units and 1,812 jobs are needed to reach the adopted housing and employment targets. A 2024 Land Capacity Analysis (LCA) was performed by LDC, Inc. (appendix 1), which found that North Bend has the **capacity for 1,207 new dwelling units and 6,543 new jobs on developable land in the city based on the City's existing 2021 zoning map, therefore exceeding the adopted targets by 231 units and 4,731 jobs respectively.**

In the LCA, additional analysis to satisfy GMA housing element requirements[3] revealed housing capacity deficits for households with incomes less than 50% of the Area Median Income (AMI).based on the City's then-current 2021 zoning map. The City of North Bend proposed an alternative zoning map which resulted in projected housing and employment capacity increasing by 697 units and 21 jobs respectively. The proposed alternative zoning was adopted as a part of the 2024 Comprehensive Plan amendments.

2024 LCA Housing and Employment Capacity Alternate Zoning Comparison

	Housing (units)		Employment (jobs)	
	2023 Base Zoning	2024 Proposed Alternative Zoning	2023 Base Zoning	2024 Proposed Alternative Zoning
2019-2044 Target	*1,748*	*1,748*	*2,218*	*2,218*
2019-2023 Permitted Growth	772	772	406	406
Remaining Target	**976**	**976**	**1,812**	**1,812**
2024 LCA capacity	1,207	1,904	6,543	6,564
Capacity Surplus (or deficit)	**231**	**928**	**4,731**	**4,752**

H.2. Population growth and 2044 projection

The overall population in North Bend has increased significantly over the past twenty years, as demonstrated in Figure H.2.A, below. The population remained stable between 2000 and 2008 before steadily increasing from 2008-2022. The annual population growth rate since 2010 for the City of North Bend is 3.18% per year, which outpaces

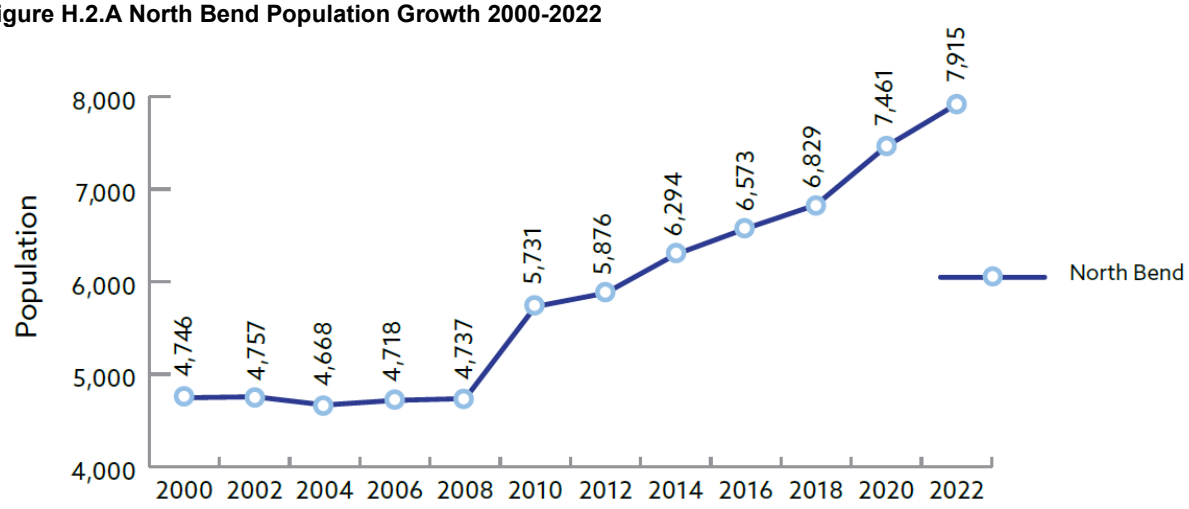
[2] The Washington Legislature enacted the Growth Management Act (GMA) in 1990 to guide planning for growth and development. It has been regularly amended to further define requirements and to advance coordination among local governments.

[3] RCW 36.70A.070(2)(a)

King County's growth rate of 2.39%. In 2022, the population was 7,915, which increased by 13% since 2019 and 67% since 2000. Additional data on the City's population growth and associated demographic information can be found in the City of North Bend Housing Needs Assessment (Blueline, March 2023), included as an appendix to the Housing Element.

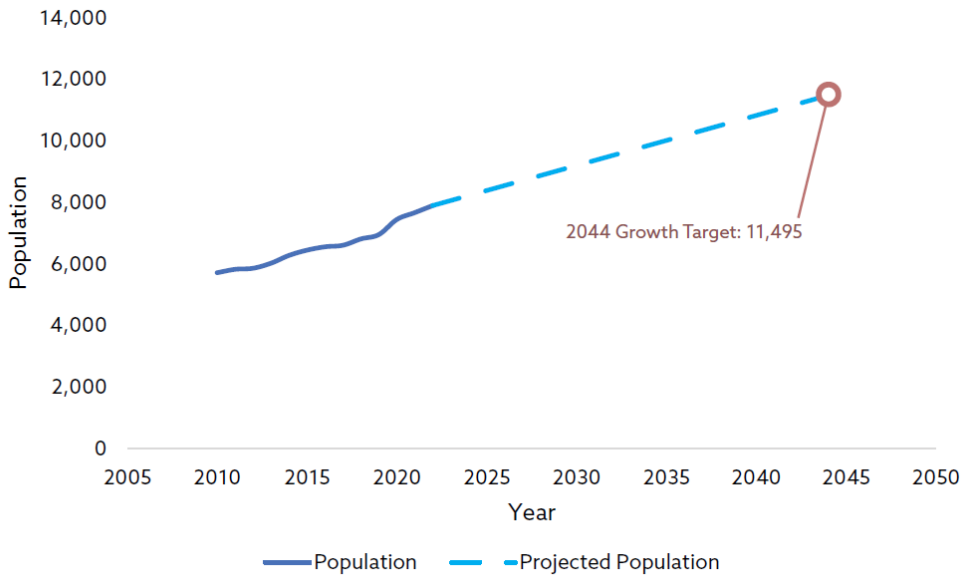
Based on North Bend's average household size of 2.67 people and OFM's 2018 population estimates, North Bend's projected 2044 population will be 11,495 people, assuming the average household size remains the same, as illustrated in Figure H.2.B, below.

Figure H.2.A North Bend Population Growth 2000-2022



Source: OFM, 2021. Postcensal Estimates of April 1 Population, 1960 to Present. OFM, 2020. Intercensal Estimate of April 1 Population, 2010-2020. OFM, 2020. Intercensal Estimate of April 1 Population, 2000-2010.

Figure H.2.B North Bend 2044 Population Projection



Source: OFM. (2021). Postcensal Estimates of April 1 Population, 1960 to Present; OFM. (2021). Intercensal Estimates of April 1 Population, 1960 to Present; Puget Sound Regional Council, 2017; King County, 2021.

Refer to the 2024 LCA (Appendix X) for a detailed review analysis of methodology, assumptions, and results.

I. Directions for Future Growth

I.1 Urban Growth Area Annexation
The City's UGA offers many opportunities to provide high quality City services to future residents and businesses. Over the next twenty years, the City will entertain a variety of requests for annexation by property owners who value North Bend's services and recognize the need for City utilities and amenities in order to develop or redevelop their properties in an ecologically responsible manner. The purpose of the annexation goals and policies included in this Plan is to establish parameters which facilitate the smooth transition from King County to North Bend jurisdiction when areas within the UGA seek to be annexed by the City.

Annexation of property within the UGA should benefit the City, its residents, and property owners. The City benefits by its ability to hold new development to City standards, to extend its boundary in a logical manner, to expand its economic tax base, and to provide opportunities for new residential development that meet the needs of underserved populations. Property owners and new residents gain the ability to participate in local government, which directly impacts their lives and property. They also gain access to local services including building and land use controls and City water and sewer systems.

Annexation which occurs before an area is ready to develop can overextend and cause inefficiencies in the provision of City services. Annexation can also act as an impetus for establishing urban densities and may encourage development before it is appropriate. Property owners may seek annexation if they can meet the annexation criteria outlined in Chapter 35A.14 RCW, and if they can establish the merit to their proposal to the satisfaction of the City.

When deciding whether to annex areas of the UGA, the City considers:

- the annexation policies below;
- the City's ability to provide City services;
- consistency with City population and employment targets;
- achievement of logical, regular boundaries;
- development potential of area to be annexed; and
- identification of existing or potential community.

I.1.a Residential
Additional specific measures will be proposed to ensure consistency of new growth with adopted population and employment targets. To comply with concurrency standards and achieve urban densities, extension of water and sewer would be necessary for all new development in the City. The City evaluates the potential to accommodate new residential development by infilling within the current City limits or on case-by-case basis at the time it is presented with an annexation proposal. Before accepting residential annexation proposals, the City will make a determination if required services have been extended to existing areas of the City in sufficient quantity to accommodate remaining growth targets. If the serviced land has not been created inside the City, the annexation shall be subject to compliance with the policies outlined below and with the annexation criteria in Chapter 35A.14 RCW.

LU - Goal 6: ***Develop agreements with King County to apply City-compatible development standards that will guide UGA land development prior to annexation.***

Policies:

LU - 6.1 Require that unincorporated land that is adjacent to the City boundary be annexed to the City at the time development is proposed. The extension of City services to an area will not occur without that area first seeking annexation into the City.

LU - 6.2 Encourage the County to allow unincorporated land that is located in the UGA, but is not adjacent to the City boundary and is not practical to annex, to develop subject to compliance with City Comprehensive Plan designations, zoning and other development standards, and impact mitigation requirements.

LU - 6.3 Include in interlocal agreements provisions regarding protection of sensitive land areas and environmental reviews, transportation system planning, and design and building permits for projects at specified threshold levels.

LU - 6.4 Pursue interlocal agreements with King County to address issues of potential concern to the City within the Urban Growth Area.

LU – 6.5 Evaluate proposed utility service extensions to ensure that development enabled by the utility extension is consistent with City development standards and policies of the Comprehensive Plan specifically including population and employment growth targets.

LU - Goal 7: ***Annex areas within the Urban Growth Area consistent with the goals and policies of this Plan, the interlocal agreement policies of this Plan, and the general annexation policies listed below.***

Policies:

LU - 7.1 Encourage growth and development consistent with the City's ability to provide adequate and efficient services and facilities and the City's desire to maintain high quality service provisions in areas to be annexed.

LU - 7.2 Encourage economic growth consistent with the long-range financial position of the City and its residents in all annexation considerations.

LU - 7.3 Consider the opportunity to promote a healthy mix of residential, commercial, industrial, and parks and open space land uses when areas seek annexation.

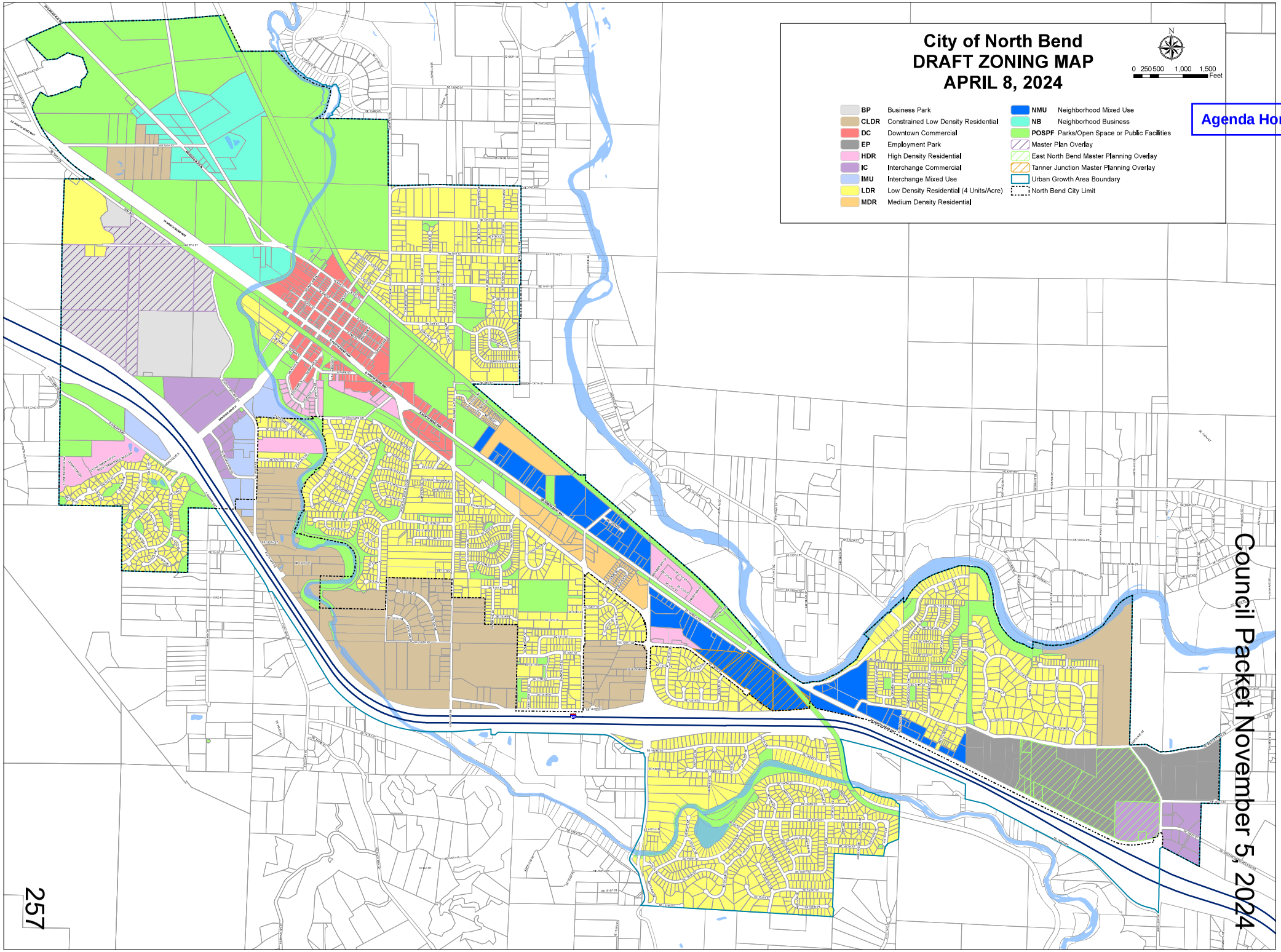
LU - 7.4 Consider the opportunity with the annexation to help address City needs concerning racial and social equity, housing affordability, and access to opportunity.

LU – 7.5 Ensure outreach to the community concerning annexation proposals and consider the level of community interest before moving forward with annexations.

LU – 7.6 Provide for urban services within the City's Urban Growth Boundary at time of annexation.

LU – 7.7 Seek to expand the area of annexation proposed when such an expansion is based on natural features, would serve to make the City boundaries more regular, or where the area to be served is a logical extension of City service capabilities and is within the UGA.

LU – 7.8 If an Urban Growth Boundary modification is pursued through King County, analyze and encourage exchange of ecologically sensitive or important areas such as floodplains, critical areas, and wildlife habitat areas, for areas that are not as constrained.



Agenda Hom

Council Packet November 5, 2024

Land Capacity Analysis Memo

To: Rebecca Deming, Community Development Director, City of North Bend

From: Dane Jepsen, Associate Planner, LDC Inc.
Joshua Kester, Associate Planner, LDC Inc.
Ciara Ortiz, Permit Technician, LDC Inc.

CC: Mark Riley, Senior Vice President, LDC Inc.

Date: July 5, 2024

Re: City of North Bend 2024 Land Capacity Analysis

Executive Summary

This Land Capacity Analysis (LCA) evaluates the inventory of developable and redevelopable land within the jurisdiction of the City of North Bend (North Bend), estimating whether the city can meet its projected growth targets. The assessment aims to understand available land for development, how it can be utilized to achieve projected growth targets, and identifies potential changes needed to achieve the land capacity to accommodate future housing and employment needs.

This LCA determined that North Bend has sufficient employment capacity for the 2024-2044 planning period (planning period) but lacks adequate capacity to meet projected housing needs for very low and extremely low-income households. To address this housing deficit, North Bend proposed alternative zoning measures. These changes include adding 664 units of housing capacity to the Low-Rise Multifamily density category, which would accommodate affordable housing needs for households earning less than 50% AMI, as well as other income categories.

This memorandum provides detailed background, methodology, and findings that update the city's capacity for housing and employment, building upon the Urban Growth Capacity Report (UGCR).

Background

North Bend is required to estimate its land capacity to support anticipated growth over the planning period in the land use element of its Comprehensive Plan (WAC 365-196-405).

In cities within King County, LCA relies on findings from the UGCR. The UGCR is an assessment completed by King County that helps determine the amount of land suitable for development within the County, evaluates each city's capacity for growth, and projects the future housing and employment capacity for each city. The UGCR bases its findings on recent development activity data provided by cities within King County.

King County and the cities within the county work together to create the UGCR. This report, last updated in 2021[1], evaluated the amount of land suitable for urban development and capacity-for growth within each jurisdiction and was based on a measurement of recent actual development activity; this is often referred to as the Buildable Lands Program (RCW 36.70A.215). The County uses data provided by each city to conduct an inventory of land that is vacant or underutilized and uses that data to estimate housing and

[1] The 2021 Buildable Lands Report is based on an inventory of permits and property status as of January 2020 (King County Urban Growth Capacity Report, June 2021, pg. 18).

employment capacity per zone within each jurisdiction. These data form the basis for updating the analysis of land capacity.

Land Capacity Analysis Overview

An LCA identifies the remaining developable and redevelopable land within a city's jurisdiction that may be used to achieve the city's growth targets. An LCA utilizes data available from the County Assessor, County Buildable Lands Report (King County UGCR), local permitting activities, and other available reports and resources to quantify the City's development potential for employment and housing and evaluate necessary changes to achieve the land capacity necessary to accommodate all housing and employment needs.

Washington Department of Commerce (Commerce) has developed guidance on conducting LCAs; see Guidance for Updating your Housing Element, which is specific to housing capacity related to House Bill (HB) 1220, and Urban Growth Area Guidebook, which addresses both housing and employment capacity in relation to the Growth Management Act (GMA).

In partnership with LDC, the City has analyzed development capacity for the planning period according to Commerce guidance. In this LCA Memorandum (memo), findings from the LCA are reported according to Commerce guidance with underlying analysis performed according to the King County UGCR methodology[2].

Land Capacity Analysis Methodology

The 2021 King County UGCR performed capacity analysis through the following steps:

- Phase One – Achieved Densities
- Phase Two – Land Supply
- Phase Three – Initial Capacity
- Phase Four – Final Capacity

This LCA incorporated these phases into its analysis as indicated below:

Phase One – Achieved Densities

Density assumptions from the 2021 UGCR were re-evaluated for this LCA; however, recently achieved densities confirmed the previous assumptions so no changes were made. Density assumptions used in the LCA are reported in Table 25. Additionally, the abbreviations of zoning designations referred to throughout this memo are not consistent with the current North Bend zoning code at the time of writing. They are based on proposed changes to the structure of the zoning code that includes revised zone names – see Table 26 for a cross-over of the old and new zone abbreviations.

Phase Two – Land Supply

Parcels in North Bend were assessed for development potential. Parcels determined to have capacity were either vacant or evaluated to be redevelopable[3]. The following assessments were included to determine available land supply:

1. Critical Areas – This LCA did not include additional analysis of critical areas. The coverage of critical areas that were identified in the data reported to King County for the 2021 UGCR is summarized on the parcel level and included in this analysis.

[2] Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 16-27)
[3] For definitions of vacant and redevelopable parcels, see Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 20)

2. Pipeline Projects – Parcels associated with development projects that were permitted after May of 2023 or those that are currently in the permitting process were removed from the analysis and their proposed residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.
3. Permitted Projects – Parcels associated with development projects that were permitted between January 2019 and May 2023 were removed from the analysis and their achieved residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.

In this analysis buildable land capacity was inferred from the findings of the 2021 UGCR. This was accomplished by applying the land capacity designations of *Vacant*, *Vacant Singe Unit*, and *Redevelopable* from those parcels with capacity in the 2021 UGCR to the City of North Bend's parcels[4] and correcting them based on development permits for building construction and demolition in North Bend. Additionally, current King County Assessor property improvement data was incorporated to ensure redevelopable properties had exiting development accounted for.

Phase Three – Initial Capacity

Data of parcels with identified capacity were combined and attributed by zone, these data include number of Vacant Single Unit Parcels, Gross Acres, Critical Areas (acres), existing residential units, and existing commercial building square-footage. Net developable acres (Gross Acres – Critical Areas) were then calculated for each zone, and zoning assumptions including metrics such as assumed density, percent of right-of-way, etc. (see Appendix A) were applied to calculate the maximum build potential in residential units and commercial building square footage.

Phase Four – Final Capacity

The existing residential units or commercial building square footage was subtracted from maximum build potential to yield the net capacity which can result in negative numbers due to non-conforming uses being displaced. Finally, residential units and/or commercial building square footage from pipeline projects were added to their respective zones which yields Final Capacity.

This Final Capacity becomes the input for Step 1 of the Commerce LCA guidance (discussed on page six of this memo).

[4] Parcel dataset used is from May of 2023.

Land Capacity Analysis Results

The LCA produced projections of future capacity for housing and employment. The remainder of this memo will review the LCA's outcomes and options related to the North Bend 2024 Comprehensive Plan Update.

Housing and Employment Targets 2020-2044

According to the King County Countywide Planning Policies (amended August 15, 2023), North Bend has the following housing and employment targets to plan for during the 2024 Comprehensive Plan update:

- Housing Target: 1,748 residential units
- Employment Target: 2,218 jobs

Current Development

North Bend provided data for land development that has occurred since 2019. The 2019-2023 Permits table and the Growth Targets Progress table (Table 1 and Table 2, respectively) summarize the amount and type of building activity that was permitted in North Bend between January 2019 and April 2023. Any development applications not yet permitted as of April 2023 will be incorporated later in the LCA as Pipeline Projects.

2019-2023 Permits	
Development	**Quantity**
Single-Family Detached	396 Units
Townhouse[5]	144 Units
Cottage	3 Units
Duplex	4 Units
Accessory Dwelling Unit (ADU)	1 Unit
Multi-Family	224 Units
Total Residential	**772 Residential Units**
Commercial Building	238,656 square feet
Total Commercial	**406 Estimated Jobs[6]**

Table 1 - 2019-2023 Permits

Permitted units and jobs can be directly counted against North Bend's current growth targets because they have effectively increased capacity for housing and employment.

Growth Targets Progress	
Housing Target	*1,748*
2019-2023 Permitted Growth	772
Target Remaining	**976**
Employment Target	*2,218*
2019-2023 Permitted Growth	406

[5] For the purposes of this analysis townhouses include units permitted as triplexes or fourplexes.
[6] Estimated jobs from permitted development are based on a combination of density assumptions and local knowledge to approximate jobs provided by each development.

Target Remaining	**1,812**

Table 2 - Growth Targets Progress

Employment Capacity

Employment capacity is provided by vacant and redevelopable land, and pipeline projects. Assumptions of floor-area-ratio (FAR) are applied to developable land to estimate potential commercial building square-footage; assumptions of employment density are applied to estimate the potential jobs yielded by development.

Commercial Capacity	**Commercial Capacity (Jobs)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
NMU-MPOD	0	3	0	-3
NB	328	0	100	428
NMU	333	0	102	435
NMU - Redevelopable	504	11	0	493
DC	787	173	0	614
BP	789	7	971	1,753
EP	1,360	7	0	1,353
IC	993	23	60	1,030
IMU	442	34	0	408
POSPF	0	0	32	32
Total	**5,536**	**258**	**1,265**	**6,543**

Table 3 - Commercial Capacity (Jobs)

Employment capacity in North Bend is sufficient to satisfy its employment growth targets. The NMU, DC, BP, and EP zones have the highest volume of initial capacity and a large portion of North Bend's growth target is provided by permitted and pipeline projects. A total of approximately 1,671 jobs are anticipated to be provided through these developments.

With developable land providing approximately 5,278 jobs, and permitted and pipeline projects together providing approximately 1,671 jobs, North Bend is expected to exceed its adopted growth target by 4,731 jobs.

Employment	**Jobs**
Target 2019-2044	*2,218*
2019-2023 Permitted Growth	406
Pipeline projects	1,265
Zoned Employment capacity	5,278
Total Employment Capacity	**6,949**
Employment Capacity Surplus (or deficit)	**4,731**

Table 4 - Employment

Housing Capacity

Per the GMA, the LCA needs to take into consideration capacity for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing[7]. These special needs housing types will be referenced throughout the LCA, their definitions from the GMA are available in the Housing Type table (Table 5):

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	Residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Table 5 - Housing Type

North Bend has adopted targets to add an additional 1,748 residential units and 334 emergency beds by 2044. These targets incorporate needs for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market-rate housing. King County ordinance 19660, adopted August 15th, 2023, establishes North Bend's housing growth target allocations. The Permanent Housing (Units) by Affordability *(AMI)* table (Table 6) outlines permanent housing targets by income and emergency housing target in number of beds.

Permanent Housing (Units) by Affordability (AMI)								Emergency Housing (Beds)
0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	Total	
Non-PSH	PSH							
433	228	121	221	98	111	536	1,748	334 beds

Table 6 - Permanent Housing (Units) by Affordability (AMI)

[7] RCW 36.70A.070(2)(c)

To demonstrate compliance with HB 1220, housing capacity is reported according to Commerce guidance[8]; this guidance outlines the demonstration of housing capacity through the following steps:

1. Summarize land capacity by zone
2. Categorize zones by allowed housing types and density level
3. Relate zone categories to potential income levels and housing types served
4. Summarize capacity by zone category
5. Compare projected housing needs to capacity
6. (If a deficit is found) Implement actions to increase capacity for one or more housing needs then re-assess capacity (Step 1) based on actions.

1. Summarize land capacity by zone

Using HB 1220 and HB 1337 North Bend has identified capacity for all housing needs in three areas:

1. Zoned capacity – capacity from vacant and redevelopable land or from pipeline development projects
2. Accessory Dwelling Unit Capacity (HB 1337) – potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates
3. Emergency Housing Capacity (HB 1220) – capacity for the City to provide for emergency housing needs based on available land and other opportunities

Zoned Capacity

Residential Capacity	**Residential Capacity (Units)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
CLDR	21	0	40	61
LDR - Constrained	51	(14)	0	37
LDR	261	(53)	0	208
MDR	357	(17)	0	340
HDR	10	0	0	10
NMU-MPOD	9	(2)	0	7
NMU	76	0	0	76
NMU - Redevelopable[9]	6	(2)	0	4
DC	270	0	0	270
BP	0	0	0	0
EP	0	0	0	0
IC	0	0	0	0
IMU	0	0	0	0
Total	**1,061**	**(88)**	**40**	**1,013**

Table 7 - Residential Capacity

[8] Guidance for Updating your Housing Element (Book 2). Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

[9] The NMU zone has separate assumptions for redevelopable land, depicted on its own row for this analysis (see Table 25).

Accessory Dwelling Unit Capacity (House Bill 1337)

Recent changes in State law now mandate cities to permit up to two ADUs on all lots within zones designated for single-family homes, in North Bend those are the CLDR, LDR, MDR, and HDR zoning districts, encompassing 3,412 tax parcels. After excluding parcels deemed unsuitable due to current uses or containing critical areas, 2,831 lots are eligible for construction. Additionally, lots projected to be developed in single-family zones are included, increasing the total available lots for ADU construction to 3,103.

Commerce recommends estimating the projected number of newly constructed ADUs based on the real-estate market of the jurisdiction[10]. North Bend assumed a 5% participation rate, accounting for property owners who lack the financial resources or desire to build ADUs. Estimated participation rate was chosen based on North Bend's history of permitting ADUs and the anticipated increase in ADU development activity that will result from changes implemented by HB 1337. North Bend assumed an average of 1.25 ADUs per lot and while there are no lots identified in North Bend that have more than one ADU currently, when factoring in the new requirements of HB 1337 lots with two ADUs could exist in the future. Applying this analysis, North Bend has capacity for 194 ADUs on 155 lots.

ADU Development Capacity				
Available Lots	Participation Rate	Potential ADU Lots	ADUs per Lot	2044 ADU Capacity
3,103	5.00%	155	1.25	194

Table 8 - ADU Development Capacity

Emergency Housing Capacity (House Bill 1220)

HB 1220 includes requirements for Emergency Needs Housing capacity. These requirements are applicable to all jurisdictions that have been assigned Emergency Needs Housing targets, of which North Bend has been assigned 334 beds. The bill requires that jurisdictions allow for siting of indoor emergency housing or indoor emergency housing shelters where hotels are allowed or within "a majority of zones within a one-mile proximity to transit."

North Bend allows hotels as a permitted use in the NMU, IC, IMU, NB, EP-1 zoning districts and is required to demonstrate land capacity for emergency housing in addition to permanent housing if emergency housing is not allowed outright in all these zones. As of the writing of this analysis, North Bend has land use regulations for Emergency Housing "Indoor Emergency Shelter" and "Indoor Emergency Housing" and requires both uses to obtain a Conditional Use Permit for their operation.

To comply with the requirements of HB 1220, North Bend will need to update its Land Use Table to allow Emergency Housing as a permitted use in all zones that allow hotels, including as conditional uses, or demonstrate emergency housing capacity through an emergency housing LCA as outlined in Sections 3 and 4 of HB 1220.

[10] Guidance for Updating your Housing Element (Book 2) - p. 28. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Housing Capacity Subtotal

Housing capacity by zoning, pipeline projects, and ADU construction contributes toward North Bend's total housing target of 1,748 residential units by 2044. Without factoring in housing needs by income brackets, North Bend has capacity for 1,979 residential units providing a surplus of 231 units of residential capacity.

Housing Capacity Subtotal	**Units**
Target 2020-2044	*1,748*
2020-2023 Permitted Growth	772
Pipeline projects	40
Zoned Housing capacity	973
ADU Capacity	194
Total Housing Capacity	**1,979**
Housing Capacity Surplus (or deficit)	**231**

Table 9 – Housing Capacity Subtotal

2. Categorize zones by allowed housing types and density level

Commerce has established a framework to assess potential housing affordability. This involves compiling permitted housing types and maximum allowed densities for each zone, categorizing them into "Zone Categories." These categories help gauge how effectively the identified capacity in the LCA serves the housing needs of all demographics.

Housing costs and affordability can vary significantly by housing type, and housing types and densities are determined in part by zoning and other local development regulations. For example, subsidized affordable housing projects are most feasible to produce in low-rise or mid-rise multifamily zones that allow for multi-unit housing production, such as apartment buildings. [11]

The Zone Categories table (Table 10) shows zone categories from Commerce guidance that are applicable to zones in North Bend.

Zone Category	**Typical Housing Types Allowed**
Low Density	Detached single-family homes
Moderate Density	Townhomes, duplex, triplex, quadplex
Low-Rise Multifamily	Walk-up apartments or condominiums (2 to 3 floors)

Table 10 - Zone Categories

[11] Guidance for Updating your Housing Element (Book 2) - p. 30. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Based on this framework, North Bend's residential zones can be classified into the following categories:

North Bend Residential Zone Density Categories			
Zone	Housing Types Allowed	Max Density Allowed	Assigned Zone Density Category
HDR	Detached single-family homes, Townhomes, Duplexes, Triplexes, Fourplexes, Apartments	21 du/ac	Low-Rise Multifamily
NMU	Apartments	15 du/ac	Low-Rise Multifamily
NMU - Redevelopable	Apartments	15 du/ac	Low-Rise Multifamily
DC	Apartments	32 du/ac	Low-Rise Multifamily
IC	Apartments	15 du/ac	Low-Rise Multifamily
IMU	Apartments	32 du/ac	Low-Rise Multifamily
MDR	Detached single-family homes, Duplexes, Cottages	14 du/ac	Moderate Density
NMU-MPOD	Detached single-family homes	4 du/ac	Low Density
CLDR	Detached single-family homes	2 du/ac	Low Density
LDR - Constrained	Detached single-family homes, Cottages	2 du/ac	Low Density
LDR	Detached single-family homes, Cottages	4 du/ac	Low Density

Table 11 - North Bend Residential Zone Density Categories

3. Relate zone categories to potential income levels and housing types served

The types of housing allowed in a zone can influence which income levels' housing needs are met. The Zone Category Incomes Served table (Table 13) shows the potential income levels served by different housing types, whether market rate or subsidized, based on a standard table from Commerce[12]. Income levels are determined by the Area Median Income (AMI); see Table 12 for details. Income levels are based on the Area Median Income (AMI), see Income Levels based on AMI table (Table 12) for details.

Income Levels	
Income Level	**Relative AMI**
Extremely Low Income	<=30% AMI
Very Low Income	>30% and <=50% AMI
Low Income	>50% and <=80% AMI
Moderate Income	>80% and <=120% AMI
High Income	>120% AMI

Table 12 - Income Levels based on AMI

[12] Guidance for Updating your Housing Element (Book 2) - Exhibit 13, p. 33. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Zone Category Incomes Served				
Zone Category	Housing Types Served	Lowest Potential Income Level Served		Assumed Affordable Income Level for LCA
		Market Rate	With Subsidies	
Low Density	Single-Family Detached	High Income	Not feasible at scale	High Income
Moderate Density	Townhomes, duplex, triplex, quadplex	Moderate Income	Not feasible at scale	Moderate Income
Low-Rise Multifamily	Walk-up apartments, condominiums, PSH (2-3 floors)	Low Income	Extremely Low - Very Low Income	Low - Extremely Low Income and PSH
ADUs (all zones)	ADUs on developed residential lots	Moderate Income	N/A	Moderate Income

Table 13 - Zone Category Incomes Served

4. Summarize capacity by zone category

Zoned Capacity

Zoned capacity is derived from developable or redevelopable land as identified in the LCA. The Zoned Capacity by Density table (Table 14) shows zoned capacity from the LCA, compiled based on the density category.

Zoned Capacity by Density			
Zone	Capacity (LCA)	Zone Density Category	Capacity in Zone Density Category
HDR	10	Low-Rise	360
NMU	80		
DC	270		
IC	0		
IMU	0		
MDR	340	Moderate Density	340
NBU-MPOD	7	Low Density	273
LDR	208		
LDR - Constrained	37		
CLDR	21		
ADUs (any zone)	194	ADUs	194
Total	**1,167**		

Table 14 - Zoned Capacity by Density

Permitted Housing Growth

Housing development projects completed between 2019 and 2023 are included as permitted capacity. The units developed from these projects are the most reliable measure of North Bend's progress toward its housing targets. Units are categorized by their development form and affordability. Two of the included projects provided income-restricted units (two at <50% AMI and 30 at <80% AMI). Although some units were provided as townhomes[13], all these units are categorized in the "Low-rise Multifamily" density category for this analysis. The 2019-2023 Permitted Housing Growth table (Table 15) shows permitted housing growth used in the LCA, compiled by density category.

2019-2023 Permitted Housing Growth			
Type	Permitted Units	Density Category	Capacity Built Density Category
Income Restricted (<50% AMI)	2	Low-Rise Multifamily	2
Income Restricted (<80% AMI)	30	Low-Rise Multifamily	30
Multi-Family	98	Low-Rise Multifamily	98
Duplex	4	Moderate Density	148
Townhouse	144		
Cottage	3	Low Density	392
Single-Family Detached	389		
ADU	1	ADU	1
Total	**671**		

Table 15 - 2019-2023 Permitted Housing Growth

Pipeline Capacity

Pipeline projects are not included in this categorization. Detailed information about the built condition or proposed pipeline projects provides a more accurate measure of the income levels being served. At the time of this LCA, one residential development in the permitting pipeline planned to provide 40 single-family detached units, categorized as Low Density units.

[13] See River Run Apartments and Habitat for Humanity - Tyler Town development.

North Bend's projected housing needs by income bracket were compared to the LCA findings to determine if there is sufficient capacity to accommodate needs at all income levels. The first two columns in the Income Housing Target Capacity table (Table 16) transpose data from the tables on the previous pages (Table 14 and Table 15); the remaining columns show calculations based on the category capacity established on the previous page.

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	169	**(611)**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Moderate Density and ADUs	149	0	534	**474**
>100 - 120%	111						
>120%	536	536	Low Density	392	40	273	**169**
Total	**1,748**			**573**	**40**	**1,167**	

Table 16 - Income Housing Target Capacity Summary

Sufficient Capacity

The current zoned and pipeline capacity is sufficient to meet the needs of low to high-income households (incomes greater than 80% AMI). This capacity is primarily achieved through the substantial area of moderate-density developable land and the significant number of single-family residential units permitted since 2019.

Insufficient Capacity

Current housing capacity falls short of meeting the needs of very low and extremely low-income households (both PSH and non-PSH). Between 2019 and 2023, the city did not experience any non-market or subsidized housing development. Additionally, the land zoned for densities that support affordable housing development is in short supply, making it infeasible to meet the projected needs of all households earning less than 50% AMI.

Income Level	Extremely Low Income (PSH)	Extremely Low Income (Non-PSH)	Very Low Income
Capacity Surplus (or Deficit)	(611)		

Table 17 – Housing Capacity Deficit

The surplus of residential units for high-to-moderate-income households does not alleviate the shortfall in housing capacity for other income brackets. To address this shortfall, North Bend needs to plan for an additional 611 residential units by 2044 to meet the housing needs of very low and extremely low-income households (both PSH and non-PSH).

5. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

North Bend has demonstrated sufficient capacity to meet its 2044 housing target for high-to-low-income households but falls short of its target for very low and extremely low-income households. To address this housing capacity deficit, North Bend has evaluated alternative zoning options. The following section outlines the proposed changes and assesses their impacts on housing and employment capacity.

Alternative Zoning

The proposed alternative zoning changes were comprehensively evaluated for every base parcel in North Bend. Similar to the base LCA, the land capacity designations from the 2021 UGCR remain unchanged, but new zoning designations are applied according to the proposed changes. The Zoned Acres – Alternative Summary table (Table 17) illustrates the changes to the gross acreage of each zone as proposed by the alternative zoning.

Zoned Acres - Alternative Summary			
Zone	Area (Acres)		
	Base Zoning	Alternative Zoning	
		Total Acres	Change Addition or (Reduction)
CLDR	374.8	359.3	(15.47)
LDR - Constrained	176.5	175.2	(1.33)
LDR	964.6	941.7	(22.82)
MDR	60.4	56.3	(4.11)
HDR	37.1	51.9	14.75
NMU-MPOD	10.4	0.0	(10.36)
NB	101.5	101.5	0.00
NMU	53.1	124.2	71.18
DC	66.7	81.9	15.19
BP	312.2	186.2	(125.99)
EP	145.1	132.2	(12.86)
IC	76.8	73.5	(3.25)
IMU	39.7	39.7	0.00
POSPF	727.7	822.7	95.06
ROW	13.8	13.8	0.00
Total	**3,160.3**	**3,160.3**	

Table 18 - Zoned Acres - Alternative Summary

The proposed alternative zoning primarily focuses on increasing development capacity in North Bend's mixed-use zones. This includes reducing areas designated as low-density residential and purely commercial zones, while enhancing a few zones with higher density residential and commercial development standards. As part of these changes, land previously in the NMU-MPOD zone has been rezoned to LDR to better align with neighborhood priorities within that special planning area. Additionally, parcels dedicated to open space have been rezoned to the POSPF zone to better reflect planned land use in North Bend.

Furthermore, the alternative zoning introduces adjustments to the zoning code aimed at better facilitating residential development in the IC and IMU zones. Currently, the IC zone prohibits nearly all residential land uses and the IMU zone allows multi-family but limits building height to 30 feet. To address these limitations on residential development, North Bend has proposed code revisions to allow second floor residential and mixed-use development in the IC zone and an increased height limit in the IMU zone. These proposed revisions are intended to promote multi-family and mixed use development that is able to serve lower income households. Considering these revisions, analysis of the proposed alternative zoning includes revised assumptions including a mixed-use approach for the IC and IMU zones; revisions are documented in Table 27 of the revised LCA assumptions.

Alternative Zoning Results

In this analysis, the capacity of the alternative zoning is summarized and presented in a format consistent with how housing and employment capacity were presented in the LCA. This comparison will assess the capacity outcomes of the proposed growth alternatives against those determined under existing zoning in the LCA.

Employment Capacity

The employment capacity identified in the LCA exceeded North Bend's employment growth targets. However, the alternative zoning plan included reducing the area designated for BP, EP, IC, and IMU zones to accommodate housing capacity needs. These zoning adjustments resulted in changes to the projected employment capacity. The Employment Capacity – Alternative Zoning Summary table (Table 18) provides a summary of these capacity changes and compares them against the employment growth target.

Employment Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Jobs	Change Addition or (Reduction)
NMU-MPOD	-3[14]	0	3
NB	328	328	0
NMU	333	1163	830
NMU - Redevelopable	493	625	132
DC	614	1223	609
BP	782	85	(697)
EP	1353	1353	0
IC	970	423	(547)
IMU	408	99	(309)
Total	**5,278**	**5,299**	**21**
2019-2023 Permitted Growth	406	406	
Pipeline projects	1,265	1,265	
Total Employment Capacity	**6,949**	**6,970**	
(Employment Target)	(2,218)	(2,218)	
Employment Capacity Surplus (or deficit)	**4,731**	**4,752**	

Table 19 - Employment Capacity - Alternative Zoning Summary

Although the area of the IMU zone remained unchanged and the IC zone was reduced by only 3.25 acres, both zones experienced significant reductions in capacity due to the mixed-use split outlined in the new zoning assumptions (Table 27). Despite the reduction in area for certain commercial zones, the analysis of the proposed alternative zoning identified adequate capacity to meet future employment targets, resulting in an additional 21 jobs compared to existing zoning.

[14] Negative values represent existing commercial buildings that are on land identified as redevelopable but redevelopment assumes 100% residential.

Housing Capacity

To demonstrate housing capacity for the proposed alternative zoning, it should encompass affordable housing options for all economic segments. The evaluation of housing capacity will follow the LCA process using assumptions and guidance from Commerce. The proposed alternative involves changes to the zoning map without altering existing zone regulations, thereby obviating the need to re-evaluate Steps 2 and 3 for capacity demonstration. Step 6 was addressed in this memo's analysis of growth targets for the proposed alternative. The analysis of housing capacity for growth alternatives will include the following steps:

1. Summarize land capacity by zone.
4. Summarize capacity by zone category.
5. Compare projected housing needs to capacity.

1. Summarize land capacity by zone

The proposed alternative resulted in different outcomes for zoned and ADU capacity. Housing capacity for the proposed growth alternatives was identified in Zoned capacity and ADU capacity.

Zoned Capacity

The Housing Capacity – Alternative Zoning Summary table (Table 20) summarizes zoned housing capacity identified from the proposed alternative zoning comparing it to the capacity identified in the LCA. Zoned capacity represents the net result of initial units minus displaced units.

Housing Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Units	Change Addition or (Reduction)
CLDR	21	21	0
LDR - Constrained	37	37	0
LDR	208	245	37
MDR	340	340	0
HDR	10	10	0
NMU-MPOD	7	0	(7)
NMU	76	267	191
NMU - Redevelopable	4	5	1
DC	270	472	202
BP	0	0	0
EP	0	0	0
IC	0	134	134
IMU	0	136	136
Total	**973**	**1,667**	**694**
2019-2023 Permitted Growth	772	772	
Pipeline projects	40	40	
ADU Capacity	194	197	
Total Housing Capacity	**1,979**	**2,676**	
(Housing Target)	(1,748)	(1,748)	
Housing Capacity Surplus (or deficit)	**231**	**928**	

Table 20 - Housing Capacity - Alternative Zoning Summary

Accessory Dwelling Unit Capacity (HB 1337)

Projected ADU capacity fluctuated between the proposed growth alternatives due to rezones affecting the future production of single-family lots which could potentially develop with ADUs. The alternatives analysis utilized the same assumptions as the LCA: 5% participation factor for available lots and 1.25 ADUs constructed per participating lot. The ADU Development Capacity – Alternative Summary table (Table 21) outlines ADU capacity for each alternative.

ADU Development Capacity - Alternative Summary		
	Base Zoning	Alternative Zoning
Available Lots	3,103	3,144
Potential ADU Lots	155	157
2044 ADU Capacity	**194**	**197**

Table 21 - ADU Development Capacity - Alternative Summary

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU construction contributes toward the City's total housing target of 1,748 residential units by 2044. Without considering housing needs for income brackets, total housing capacity provided by proposed alternative zoning exceeds housing targets by 928 units.

Housing	**Base Zoning**	**Alternative Zoning**
2019-2044 Housing Target	*1,748*	*1,748*
2019-2023 Permitted Growth	772	772
Pipeline projects	40	40
Zoned Housing capacity	973	1,667
ADU Capacity	194	197
Total Housing Capacity	**1,979**	**2,676**
Housing Capacity Surplus (or deficit)	**231**	**928**

Table 22 - Housing - Base and Alternative Zoning

4. Summarize capacity by zone category

Zone density categories identified in the LCA are applicable in the analysis of the proposed growth alternatives. Zoned, pipeline, and built capacity were totaled by zone density category; zoned capacity had different quantities than were presented in the LCA; built and pipeline capacity were not affected by the proposed alternatives.

The Zoned Capacity by Density – Alternative Comparison table (Table 23) shows zoned capacity from the alternative LCA and compiles them based on the zone density category.

Zoned Capacity by Density - Alternative Comparison						
Zone Density Category	Zone	Base Zoning		Alternative Zoning		
		Zoned Capacity	Capacity in Zone Density Category	Zoned Capacity	Capacity in Zone Density Category	Change Addition or (Reduction)
Low-Rise Multifamily	DC	10	360	10	1,024	664
	NMU	80		272		
	HDR	270		472		
	IC	0		134		
	IMU	0		136		
Moderate Density	MDR	340	340	340	340	0
Low Density	NMU-MPOD	7	273	0	303	30
	LDR	208		245		
	LDR - Constrained	37		37		
	CLDR	21		21		
ADUs	ADUs (any zone)	194	194	197	197	3
	Total	**1,167**		**1,864**		

Table 23 - Zoned Capacity by Density - Alternative Comparison

The proposed alternative zoning significantly increased housing capacity in the "Low-Rise Multi-family" density category. It more than doubled the projected housing capacity in the NMU zone, nearly doubled the capacity in the DC zone, and introduced 270 units of mixed-use development potential between the IC and IMU zones, resulting in a total increase of 664 units over the base zoning in that category. Moderate changes in unit projections were observed in the Low Density category and for ADUs, while no change was projected for the Moderate Density category.

5. Compare projected housing needs to capacity

The alternative zoning analysis compared capacity projections to projected housing needs to assess the impact of changes on North Bend's overall housing capacity relative to its projected needs. The first two columns in the Income Housing Target Capacity Summary – Alternative Zoning table (Table 24) transpose data from the table on the previous page (Table 23), while the remaining columns present calculations based on the category capacity established earlier.

Income Housing Target Capacity Summary - Alternative Zoning							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	833	**53**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Moderate Density and ADUs	149	0	537	**477**
>100 - 120%	111						
>120%	536	536	Low Density	392	40	303	**199**
Total	**1,748**			**573**	**40**	**1,864**	

Table 24 - Income Housing Target Capacity Summary - Alternative Zoning

The proposed alternative zoning significantly increased housing capacity in the Low-Rise Multifamily zone density category by expanding the DC and NMU zones and revising the IC and IMU zones to promote residential development. The additional capacity provided by the proposed alternative is adequate to meet North Bend's affordable housing targets.

The Affordable Housing Target Capacity – Alternative Comparison table (Table 25) presents the final affordable housing target results from both the base zoning and the proposed alternative for comparison. The proposed alternative offers ample capacity to meet all of North Bend's projected affordable housing needs without reducing housing capacity in any income category. While it does not fully meet the projected housing need, the alternative enhances the availability of developable land capable of supporting affordable housing.

Affordable Housing Target Capacity - Alternative Comparison					
Income Levels	Aggregated Housing Needs	Base Capacity		Alternative Zoning	
		Total Capacity	Capacity Surplus (or Deficit)	Total Capacity	Capacity Surplus (or Deficit)
0 - 50% PSH & Non-PSH	782	171	**(611)**	835	**53**
>50 - 80%	221	221	**0**	221	**0**
>80 - 120%	209	683	**474**	686	**477**
>120%	536	705	**169**	735	**199**
	1,748	**1,780**		**2,477**	

Table 25 - Affordable Housing Target Capacity - Alternative Comparison

Sufficient Capacity

Both the base capacity and the proposed alternative zoning meet the projected needs for low-to-moderate income households. The alternative zoning performed better than the base zoning in every income category except for low-income, where both provided the minimum necessary to meet projected needs. Specifically, the alternative zoning added 664 more units of Low-Rise Multifamily housing capacity, which is adequate to address North Bend's affordable housing needs for households with incomes less than 50% AMI. Additionally, the alternative increased low density and ADU housing capacity by replacing the NMU-MPOD zone with LDR.

Insufficient Capacity

Analysis of the proposed alternative zoning identified sufficient affordable housing capacity for the 2044 housing targets, no shortfalls were identified in this analysis.

Conclusion

In collaboration with LDC, North Bend has conducted an analysis of development capacity for the 2024-2044 planning period following the King County UGCR methodology and Commerce guidance, incorporating new State regulations under HB 1220. This LCA updates the capacity reported in the 2021 UGCR and documents North Bend's progress towards its Housing and Employment growth targets.

The LCA determined that North Bend has adequate employment capacity for the 2024-2044 period but lacks sufficient capacity to meet the projected housing needs for very low and extremely low-income households. To address this housing capacity deficit, North Bend proposed alternative zoning measures. These changes added 664 units of housing capacity to the Low-Rise Multifamily density category, which is sufficient to accommodate the City's affordable housing needs for households with incomes less than 50% AMI, as well as all other income categories.

Table 26 - North Bend 2024 Base LCA Zone Assumptions

North Bend 2024 LCA Base Zone Assumptions										
Old Zone Names	New Zone Names	Zone Type	Residential		Employment			Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	8%	8%	16%
IC	**IC**	NON-RES	0%	0	100%	0.4	350	8%	8%	16%
IMU	**IMU**	NON-RES	0%	0	100%	0.75	450	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%

Table 27 - North Bend 2024 Alternative LCA Zone Assumptions

North Bend 2024 LCA Alternative Zone Assumptions										
Old Zone Names	New Zone Names	Zone Type	Residential		Employment			Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	8%	8%	16%
IC	**IC**	NON-RES	50%	15	50%	0.4	350	8%	8%	16%
IMU	**IMU**	NON-RES	70%	32	30%	0.75	450	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%

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2024 Land Use and Housing Comments

1. Snoqualmie Tribe, August 9, 2024
2. Puget Sound Regional Council (PSRC), August 15, 2024
3. State of Washington Department of Fish and Wildlife, August 21, 2024
4. Washington Department of Commerce, October 9, 2024
5. Affordable Housing Committee, King County, October 3, 2024
6. Michael Thomas, September 18, 2024
7. Jean Buckner, Friends of the Snoqualmie Valley Trail and River, September 18, 2024
8. North Bend Industrial Park LLC and Crown Lakes LLC c/o Cherie Cooper, September 18, 2024

August 9, 2024

Rebecca Deming,
Community and Economic Development Director
P.O. Box 896
North Bend WA 98045

Re. Snoqualmie Tribe's Review and Feedback on Draft Land Use and Housing Elements

Dear Ms. Deming,

Thank you for the opportunity to participate in the City of North Bend's (City) Comprehensive Plan Update process. The Snoqualmie Tribe's historic and current presence in the Snoqualmie Valley and the current boundaries of the City of North Bend dictate that the Tribe maintains broad interests in the City's planning. Upon our review of the draft Land Use and Housing Elements, we recognize the updates are well thought out and inclusionary of the Tribe. The following feedback includes comments, information, and suggested language to consider for these Elements.

Chapter 1: Land Use Element

A.1 Land Acknowledgement
We would like to commend the City for including a Land Acknowledgement in the Land Use Element. Since we currently share the lands of the Upper Snoqualmie Valley, we offer the following language to better mirror this relationship:

We acknowledge that we are on the Indigenous Land of Coast Salish peoples who have sovereign, inherent Tribal rights to this land, specifically the Snoqualmie Indian Tribe (sduk^{w}albix^{w}). We thank these caretakers of this land who have lived and continue to live here since time immemorial.

B.3 Tribal Coordination
We are especially pleased to see this added section on special coordination with tribes on land use matters. Efforts around protecting significant tribal resources when making land use decisions are of utmost importance, particularly Critical Cultural Resources (CCRs), which includes the resource formerly called Culturally Modified Trees (CMTs). The following is a narrative describing this expanded term to be considered for some inclusion into this Element (perhaps in C4 – Historic and Cultural Preservation).

> A Critical Cultural Resource (CCR) is an archaeological object of high cultural significance to the Snoqualmie people. CCRs as trees are often western red cedar; however, historical and

traditional practices include other species, such as big-leaf maple or cottonwood. Archaeologists use the phrase Culturally Modified Tree (CMT), but it is not the preferred term for the Snoqualmie Tribe.

The defining characteristic of a CCR is the visibility of past human modification. Typical modifications on CCRs include tree branches, bark, and even tree clusters. These living historical markers and resources are an identifiable connection to locations and places of cultural/historical/archaeological significance for the Tribe.

C.2 Natural Features

While noted of the forested surroundings in the context of wildfire risk, there should be an inclusion of the existing tree canopy and mature and significant trees within the City as a valuable natural asset that contributes to the livability of the community through stormwater mitigation, cooling, and other climate resilient benefits.

C.1 History and Existing Development Patterns

Acknowledging the Tribe's relationship with the unique landscape above Snoqualmie Falls, which includes the 6-mile prairie known as *baqwab*, and stating that relationship influences land use decisions, captured in the following new statements, is much appreciated: *"The Snoqualmie Tribe and its ancestors recognized this ideal natural context, establishing settlements and managing a broad, open prairie ideal for building and sustaining community life...The rich and long history of life of the Snoqualmie Tribe and its ancestors here and early settler reliance on the area's abundant natural resources is a guide to defining the City's future, where the natural setting of North Bend continues as the key component to the City's identity and heritage."*

C.4 Historic and Cultural Preservation and C.6 Community Design and Mixed Use

We appreciate the inclusion of the Tribe as an invested party to engage in appropriate cultural preservation efforts, historic site designations, and community design, including the new strategy LU 2.6.

D.7 Equity in Land Use

With "Indigenous" stated as a marginalized population in the introductory paragraph, we would like to see an objective/strategy to seek specific engagement with the Tribe for applicable land use processes. An expansion of LU 4.4 is recommended.

Chapter 3: Housing Element

While the concept of stewardship may be addressed in other Elements, the Tribe encourages that some language be considered for the Housing Element. Our vision is that the Tribe was and will continue to be stewards of the land and work to maintain a harmonious relationship with the land and waters of the Snoqualmie Valley and Salish Sea basin. Continuing that legacy and relationship, it is important to be responsible stewards of natural resources so that future generations enjoy and benefit from them as we do today. It is equally important to recognize that resources exist for the benefit of not only humans, but also for wildlife and the broader ecosystem as well.

Introduction

One statement of note is "The GMA requires a housing element ensuring the vitality and character of established residential neighborhoods." This concept could arguably include mature landscapes and natural features contributing to North Bend's character - and should extend to all new residential development and converted zoning for residential. The key will be striking a balance between meeting the higher density needs and maintaining community character.

Items f and h (displacement) under that statement may impact tribal members in the community. We would like more clarification on how that is addressed in the updated Housing Element.

Again, we appreciate the opportunity to review these proposed updates so early in the process. We are excited to see the City's desire for engagement and collaboration with the Tribe on land use and housing matters and look forward to continuing the dialogue for our shared community.

Sincerely,

DocuSigned by:
Jaime Martin
55ECFF68F5D44FA...

Jaime Martin
Executive Director of Governmental Affairs & Special Projects
Snoqualmie Tribe

Puget Sound Regional Council

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August 15, 2024

Mike McCarty, Principal Planner
City of North Bend Community and Economic Development
920 SE Cedar Falls Way
North Bend, WA 98045

Subject: PSRC Comments on City of North Bend Draft Comprehensive Plan

Dear Mr. McCarty,

Thank you for providing an opportunity for the Puget Sound Regional Council (PSRC) to review the City of North Bend draft comprehensive plan. We appreciate that the city has invested a substantial amount of time and effort in developing the draft plan and appreciate the chance to review while in draft form. This timely collaboration provides an opportunity to review plan elements for the 2024 comprehensive plan and prepares the city well for certification by PSRC once the full plan has been adopted.

We suggest the city consider the following comments as further work is completed for the comprehensive plan update to align with VISION 2050 and the Growth Management Act. We previously reviewed the Transportation element and provided comments in November 2022. We appreciate the city's work to address previous comments on this element.

We reviewed the draft plan using the VISION 2050 Consistency Tool. Key sections of the consistency tool are listed below on the left along with relevant comments on the draft plan on the right:

Housing

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Increase housing supply and densities to meet the region's current and projected needs at all income levels	The draft plan should document capacity for emergency housing and emergency shelter. RCW

Plan Review Consistency Tool	PSRC Comment on Draft Plan
consistent with the Regional Growth Strategy (MPP-H-1)	36.70A.070(2)(c) states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, and describe it in the housing element. Commerce's Guidance for Updating Your Housing Element (Book 2) is a useful resource on documenting housing capacity.
	The draft plan indicates the city currently lacks sufficient capacity for its housing need allocations. The draft plan includes proposed land use changes to remedy this gap. Following through to provide sufficient capacity for housing will be important in finalizing the plan update.
Address affordable housing needs by developing a housing needs assessment and evaluating the effectiveness of existing housing policies, and documenting strategies to achieve housing targets and affordability goals. This includes documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations (H-Action-4)	The plan should provide documentation of potential regulatory and financial barriers to affordable housing. Commerce's adequate provisions checklist can also help document this work. The city's Housing Action Plan includes important information on existing housing conditions and strategies to support housing development. The draft housing element should incorporate the Housing Action Plan by reference and clearly point to where to find more complete information on GMA requirements, such as the land capacity analysis, displacement risk, racially disparate impacts data, and adequate provisions.

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Identify and begin to undo local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect and areas of disinvestment and infrastructure availability. Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations and work with communities to develop anti-displacement strategies in when planning for growth (MPP-H-12, H-Action-6)	Analysis of policies that may have led to racially disparate impacts, exclusion, and displacement should be included in the draft plan or accompanying housing analysis. Commerce's Racially Disparate Impact Guidance provides additional information on how to approach analysis of exclusion and racially disparate impacts. PSRC's Community Profiles also include data measures to assess racially disparate impacts in housing, and UW's mapping provides a resource on racially restrictive covenants in North Bend. The city should also work to identify more specific policies to address residential displacement.

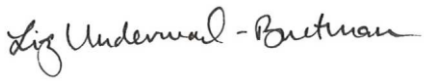
Environment / Climate Change

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Identify and address the impacts of climate change and natural hazards on the region to increase resilience (MPP-CC-7-10, CC-Action-4)	The city should consider identifying specific hazards to the community as well as resilience policies related to climate change. The Puget Sound Hazard map provides information for individual jurisdictions. This identification may be required by HB 1181 in 2029.

PSRC has resources available to assist the city in addressing these comments and inform development of the draft plan. We have provided links to online documents in this letter, and additional resources related to the plan review process can also be found at https://www.psrc.org/planning-2050/vision/vision-2050-planning-resources.

We appreciate all the work the city is doing and the opportunity to review and provide comments. We are happy to continue working with you as the draft progresses through the adoption process. If you have any questions or need additional information, please contact me at 206-464-6174 or LUnderwood-Bultmann@psrc.org.

Sincerely,



Liz Underwood-Bultmann, Growth Management Planning
Puget Sound Regional Council

cc: Review Team, Growth Management Services, Department of Commerce

State of Washington
Department of Fish and Wildlife, Region 4
Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

August 21, 2024

Mike McCarty, AICP, Principal Planner
920 SE Cedar Falls Way
North Bend, WA 98045
Mmccarty@northbendwa.gov

RE: Case # 2022-C-204 WDFW comments regarding North Bend's draft Housing and Land Use elements

Dear Mr. McCarty,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on the draft Land Use and Housing elements of North Bend's Comprehensive Plan as part of the current periodic update. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provide input into the implications of land use decisions. We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions.

Table 1. Recommended changes to proposed policy language.

Policy Number	Policy Language (with WDFW suggestions in red)	WDFW Comment
Housing		
H – 1.11 Page 14 of 17	Encourage affordable housing near transit and green spaces, as well as commercial spaces, including but not limited to colocation of working-wage housing with job opportunities.	We recommend emphasis be placed on ensuring equity in access to green spaces. This may be addressed by requiring set-asides for open space tracts within all housing project applications. As North Bend's Parks and Open Space (chapter 8) states, "Establish park, recreation, wildlife habitat and open space standards for residential development, including on-site and/or off-site dedication requirements, and adopt them in land use codes. Such standards should require that all new single-family and multi-family developments

		provide a minimum percentage, to be determined, of net site area for appropriate park, recreation, wildlife habitat and open space areas and improvements...". It is important to restate this sentiment within the Housing Element.
H – 2.3 Page 15 of 17	Seek to create or to retain and protect links to a Citywide Trail System that connects neighborhoods with areas of commerce and areas that cross jurisdictional boundaries in an effort to promote alternative transportation systems with the added benefit of supporting habitat corridor linkages to better facilitate wildlife movement throughout North Bend.	To pursue the reduction of wildlife collisions and conflict- a paramount priority in relation to elk within North Bend- it is important to plan for habitat corridor linkages as housing density increases. During redevelopment or new development project planning, we recommend identifying key wildlife movement areas and acquiring these corridors. We also suggest identifying key wildlife collision areas for future roadway improvements. Additionally, open spaces within neighborhoods should be designed to connect with neighboring open spaces, ensuring pedestrian trail linkages and facilitating wildlife movement. Site plans should demonstrate efforts to create interconnected parks, open spaces, and habitat corridors, rather than isolated and disconnected patches of land that offer little recreational or habitat advantages. For resources, see The Washington Wildlife Habitat Connectivity Working Group, WSDOT's Reducing the risk of wildlife collisions website as well as Wildlife Habitat Connectivity Consideration in Fish Barrier Removal Projects, Montana Fish, Wildlife, and Parks' How to Build Fence with Wildlife in Mind, and WDFW's website.
H – 2.4 Page 15 of 17	Ensure infrastructure plans are developed concurrently with adopted housing plans, both of which shall take into consideration future climate-related hazards.	Protecting infrastructure and the services they provide from climate impacts helps ensure community resilience. It is vital to site new infrastructure and housing outside of areas that will be impacted by climate-related stressors. We suggest updating zoning to allow new development only in low-risk areas and assess risk when new infrastructure is proposed. For assessing future conditions, see Climate Mapping for a Resilient Washington, as well as FEMA's Resilience Analysis and Planning Tool (RAPT) for resources in visualizing these hazard areas. For further context, FEMA's Flood Insurance Rate Map (FIRM) modeling does not take climate change projections into consideration. We suggest North Bend supplement FIRM maps with regulations that take climate change projections into consideration. For example, King County

		regulations place 'Flood Protection Elevations' three feet above base flood elevation for development within flood-prone areas.
H – Goal 7 Suggested Policy	Ensure that equitable housing initiatives avoid areas currently experiencing or projected to experience climate-related hazards, such as flooding.	We recommend that current and future climate change hazards be taken into account when planning for equity. Specifically, affordable housing should not be located in areas prone to flooding or other climate-related hazards, as the frequency of these events is likely to increase.
Land Use		
LU - 1.4 Page 8 of 27	Encourage retention of natural habitat in residential developments by providing sustainable landscaping, making Low Impact Development (LID) the preferred and most commonly used approach to site development, requiring set asides for connecting open spaces, and by creating zoning incentives.	See comments related to H – 1.11 Page 14 of 17 above. Additionally, we recommend requiring Low Impact Development (LID) standards for all developments, especially near waterways. North Bend's distinct geographic location along the south fork and middle fork Snoqualmie River underscores the distinct obligation (interlocal agreement) to preserve, rehabilitate, and re-establish salmon habitat. Especially in growing urban setting such as North Bend, LID can provide far-reaching support in attaining salmon recovery goals.
LU-1.6 Page 8 of 27	Plan for development patterns that minimize pollution and greenhouse gas emissions and increase physical activity as well as wildlife habitat linkages by facilitating bicycle and pedestrian mobility and wildlife conscious developmental practices, while also ~~and~~ supporting increased densities in areas accessible to transit.	See comments in relation to H – 2.3 above.
LU-3.1 Page 16 of 27	Encourage the development of human-scale neighborhoods planned to be compatible with wildlife movement and to be easily accessed by pedestrians, bicycles, and transit to increase walkability and reduce greenhouse gas emissions.	See comment above.
LU-3.2 Page 16 of 27	Encourage retention of existing open spaces and the creation of a citywide, linked open space network that integrates	We greatly appreciate the inclusion of this policy and look forward to how it shapes municipal code revisions into the future.

	neighborhoods, provides access for all to clean healthy environments, protects natural resources and increases resilience to climate change impacts. Prioritize acquisitions and improvements in neighborhoods with historical underinvestment and disproportionally impacted communities.	
LU Goal 5 Page 23 of 27 Suggested Policy	Require activities follow Best Management Practices that when used collectively provide riparian protection, source control and filtration to prevent contributing pollutants to surface and ground waters to conserve important habitat areas for salmonids while maintaining working lands.	We suggest the inclusion of the adjacent policy to provide actionable language to protect and sustain critical area value and function adjacent to resource lands. This policy is taken from WDFW's Land Use Planning for Salmon, Steelhead, and Trout. Please see also the guidelines outlined in the document Balancing Fish, Farm, Flood in King County's Snoqualmie Watershed Project. Additional resources to address this policy's goals include the Nature Conservancy's Farming for Wildlife program within the Skagit Delta. This program's intent is to discover how habitat rotation can be compatible with crop rotations. An additional program that addresses similar avenues for sustainable agriculture is the Nature Conservancy's publication, Leading at the Edge.
LU Goal 6 Page 26 of 27 Suggested Policy	If the UGA needs to be modified, analyze and encourage swapping UGA areas in ecologically important areas for those that are not ecologically sensitive.	It is important to prioritize growth in areas that will not result in a loss of critical area ecosystem values and functions. Critical Areas should be subtracted out of UGA expansion areas for future development speculation. This policy suggestion is taken from the Sound Choices Checklist.
LU Goal 6 Page 26 of 27 Suggested Policy	Create a prioritization list for areas that should be considered for Transfer of Development Rights (TDR), conservation easements, or acquisition as a land use development tool to prevent sprawl, preserve rural resource lands, protect intact ecosystems, and meet the vision of the City's designated centers.	It is important to develop incentives and establish programs that will support placing the right growth in the right place. The adjacent policy example suggests methodologies that utilize tools for preserving and protecting habitats and species that currently persist on the landscape while concentrating growth in more suitable locations.

Please see the Sound Choices Checklist for additional guidance for all elements of the Comp Plan.

Thank you for taking time to consider our recommendations to better reflect the best available science for fish and wildlife habitat and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or resources at any time during this process, please don't hesitate to contact me or the Region Land Use Lead, Morgan Krueger at morgan.krueger@dfw.wa.gov.

Sincerely,



Timothy Stapleton
Washington Department of Fish and Wildlife
Region 4 – Habitat Program Manager

CC:
Morgan Krueger, Region 4 Land Use Lead (morgan.krueger@dfw.wa.gov)
Kara Whittaker, Land Use Conservation and Policy Section Manager (kara.whittaker@dfw.wa.gov)
Marian Berejikian, Environmental Planner (marian.berejikian@dfw.wa.gov)
Kirk Lakey, Assistant Regional Habitat Program Manager (kirk.lakey@dfw.wa.gov)
Kevin Lee, Habitat Biologist (kevin.lee@dfw.wa.gov)
Region 4 Central District Planning Inbox (R4CPlanning@dfw.wa.gov)
Lexine Long, WA Department of Commerce (lexine.long@commerce.wa.gov)

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • 360-725-4000
www.commerce.wa.gov

October 9, 2024

Mayor Mary Miller and City Council
City of North Bend
c/o Mike McCarty, AICP, Principal Planner
920 SE Cedar Falls Way
North Bend, WA 98045

Sent via electronic mail: mmccarty@northbendwa.gov

Re: Periodic Update to North Bend City's 60-day Notice of Intent to Adopt Amendment to comply with RCW 36.70A.130 under submittal number 2024-S-7241

Dear Mayor Miller and Council Members:

Thank you for the opportunity to comment on the City of North Bend's draft 2024 comprehensive plan. Growth Management Services received the proposed amendments on July 11, 2024 with subsequent updates, and processed them with material identification number 2024-S-7241.

Your submission represents a great deal of work and substantial progress towards the 2024 periodic update of your comprehensive plan due December 31, 2024. We especially appreciate details of each sub-area and the general readability and flow of each draft element.

We have focused our review on the specific comprehensive plan elements listed below, and have included our comments, recommendations, and corresponding citations from the periodic update and expanded housing checklists (in *italics*) under each section.

1. Critical Areas Element

   The draft Critical Areas Element is required to include provisions for Best Available Science (BAS). The existing wetland mapping references "potential wetlands 1991" as the provisions for BAS, which are outdated. We recommend modifying the draft critical areas element to include reference to updated BAS. See WAC 365-190-080 for additional guidance.

   Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically

hazardous areas. In developing these policies, the city must have included the best available science (BAS) to protect the functions and values of critical areas, and give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.030(6), RCW 36.70A.172, WAC 365-190-080

2. Housing Element

Please find our comments below related to the city's Land Capacity Analysis Memo:

a. Within the "Accessory Dwelling Unit Capacity", pp. 8, the assumptions for future ADU development are high given the permitting data provided on pp. 12. We suggest giving special consideration to strategies to incentivize ADU development, given their intended importance in meeting the city's future housing needs, or else considering whether other zoning changes could support development of more housing units affordable at 80-120% AMI.

b. Within the "Emergency Housing Capacity", pp. 8, we thank you for identifying needed updates to the land use table to meet state requirements for emergency housing. Please be aware that updated guidance requires an emergency housing LCA showing sufficient capacity to meet identified needs, regardless of any restrictions on emergency housing and shelter. This analysis should be included as a part of the adopted version of this LCA.

c. Within the "Alternative Zoning Results", pp. 16-21, we thank you for your detailed analysis of alternative zoning to increase housing capacity for the lowest income segments. Please ensure that all necessary amendments to the zoning code needed to implement these changes are adopted prior to or along with the final comprehensive plan (RCW 36.70A.115(1)).

Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing.(see RCW 36.70A.070(2)(c) amended in 2021, WAC 365-196-410(e) and (f)

3. Capital Facilities Plan (CFP) Element

Based on the city's September 27, 2024, response, we understand that the City Council passed a resolution authorizing approval of the Capital Facilities Element on May 7, 2024, and the city indicates it will address the following during the 5-year implementation progress report or sooner:

a. In review of the draft CFP, considerable information is provided on inventory, needs, and level of service. There is limited information or analysis on serving underserved areas. Please consider including policy which addresses planning for facilities and improvements in underserved areas, which is necessary for the comprehensive plan and to improve the Capital Facilities Element.

Policies or procedures to ensure capital budget decisions are in conformity with the comprehensive plan. RCW 36.70A.120

b. During our review we were unable to locate a 6-year Capital Improvement Plan (CIP), as required by the GMA. We recommend including 6-year plans for all forms of capital facilities (city and non-city owned).

A six-year plan (at least) that will finance such capital facilities within projected funding capacities and identify sources of public money to finance planned capital facilities. RCW 36.70A.070(3)(d), RCW 36.70A.120, WAC 365-196

4. Transportation Element

We understand that the City is working to compile both the existing and new and transportation elements into a single new transportation element. We look forward to the opportunity to review your draft transportation element when it is available.

As a friendly reminder, copies of adopted plans shall be submitted to Commerce within ten days after final adoption (RCW 36.70A.106(2)).

Congratulations to you, your planning commission, staff, and involved citizens for the good work represented by your update. If you have any questions about our comments or any other growth management issues, please contact me at carol.holman@commerce.wa.gov or (360) 725-2706.

We extend our continued support to North Bend City in achieving the goals of growth management.

Sincerely,

Carol Holman, MUP
Western Regional Manager
Growth Management Services

cc: David Andersen, AICP, Managing Director, Growth Management Services
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services
Anne Fritzel, AICP, Housing Section Manager, Growth Management Services
Laura Hodgson, Housing Planning and Data Manager, Growth Management Services
King County, Affordable Housing Committee
Erika Harris, AICP, Puget Sound Regional Council

Affordable Housing Committee

KING COUNTY GROWTH MANAGEMENT PLANNING COUNCIL

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Thatcher Imboden
Sound Transit

Ryan Makinster
Washington Multi-Family Housing Association

Sunaree Marshall
On behalf of King County Executive Dow Constantine

Ryan McIrvin
Renton Councilmember, Sound Cities Association

Cathy Moore
City of Seattle Councilmember

Teresa Mosqueda
King County Councilmember

Lynne Robinson
Bellevue Mayor, Sound Cities Association

Veronica Shakotko
Master Builders Association of King and Snohomish Counties

Robin Walls
King County Housing Authority

Maiko Winkler-Chin
On behalf of Seattle Mayor Bruce Harrell

October 3, 2024

Jamie Burrell
Senior Planner
City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045

Dear Ms. Burrell,

Thank you for submitting the City of North Bend's draft 2024 Comprehensive Plan Update to the Affordable Housing Committee's (AHC) Housing-focused Draft Comprehensive Plan Review Program for review on July 26, 2024. On behalf of the AHC, I am sending you this summary of our review and recommendations.

Background

The AHC is a subcommittee of the Growth Management Planning Council (GMPC), consisting of representatives of King County and its cities, housing providers, area employers, and others. By direction of the GMPC, the AHC now conducts a housing-focused review of all King County jurisdictions' draft periodic comprehensive plan updates, assessing the draft plans for alignment with the King County Countywide Planning Policies (CPP) Housing Chapter goals and policies prior to plan adoption.

As you know, our county is experiencing a deep and persistent housing shortage. In 2021, the State of Washington adopted House Bill 1220, which amended the Growth Management Act, requiring local governments to plan for and accommodate housing that is affordable to all income levels, including emergency housing. In response to this state mandate and local interest in improving the effectiveness of local housing plans and policies, the AHC led a two-year process to amend the King County CPPs.

The result was a significant update to the CPP Housing Chapter, which was recommended by the GMPC, adopted by the King County Council, and ratified by the cities in 2023. The goals of both the statute and this implementation work are to encourage cities and King County to work together to provide a full range of affordable, accessible, healthy, and safe housing choices to every resident in King County.

This review is guided by Housing-focused Comprehensive Plan Review Standards, as adopted by GMPC Motion 23-2. In summary, the AHC review seeks to determine whether each jurisdiction's draft plan and submission materials:

1. address all CPP Housing Chapter policies;
2. articulate implementation strategies for relevant CPP Housing Chapter Policies; and
3. lay out meaningful policies that, taken together, support the jurisdiction's ability to equitably meet housing needs.

This program is still relatively new and evolving, and your engagement helps the AHC understand how jurisdictions are seeking to address their housing needs while aligning with the recent changes at the state, regional, and county levels.

The AHC acknowledges the substantial amount of time and effort that went into North Bend's draft comprehensive plan. During review, the AHC noted that many of North Bend's plans, policies, analyses, and implementation strategies align well with CPP Housing Chapter policies. In particular, North Bend's implementation details describe a Request for Proposals currently open for an organization, entity, or consortium to develop and manage long-term income-restricted rental units on a half-acre publicly owned property in the city's downtown. This project is a concrete demonstration of North Bend's commitment to planning for and accommodating its housing needs and increasing the supply of and prioritizing resources for income-restricted housing, in alignment with CPPs H-1, H-10, and H-14.

Below, the AHC includes recommendations necessary for North Bend to align with the CPP Housing Chapter policies.

Recommendations to Align with the CPP Housing Chapter

The AHC recommends North Bend take the following actions to align its draft comprehensive plan with CPP Housing Chapter goals and policies.

1. Meaningfully plan for and accommodate permanent supportive housing (CPP H-1)

Relevant Countywide Planning Policies

CPP H-1 requires North Bend plan for and accommodate 1,748 net new housing units, including 228 permanent supportive housing units.

North Bend's Proposal and AHC Findings

North Bend's Housing Element policy H-5.4 commits the jurisdiction to encouraging the provision of a sufficient supply of permanent supportive housing. The AHC appreciates North Bend's stated intent to accommodate its permanent supportive housing needs.

However, the AHC is concerned that the City applies a different requirement for permanent supportive housing than it does to housing generally and is therefore not meaningfully planning for and accommodating its permanent supportive housing needs. Specifically, the Housing Action Plan provided to the AHC for review states that permanent supportive housing units within the city are "conditionally permitted in all zones except for Industrial EP-2 and Public Facilities POSPF" (page 294). RCW 36.130.020(1) states that a city "…may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally."[1] The AHC finds that permanent supportive housing is affordable housing and therefore North Bend cannot require conditional use permits if they do not also do so for housing in general.

> **Recommendation 1:** In order to meaningfully plan for and accommodate its permanent supportive housing needs, North Bend should align its development code to comply with RCW 36.130.020(1) to ensure North Bend is not imposing a different set of requirements on permanent supportive housing than housing generally.

[1] RCW 36.130.020. [link]

2. Complete the housing inventory and analysis (CPP H-3)

Relevant Countywide Planning Policies

CPP H-3 directs jurisdictions to conduct a housing inventory and analysis to help identify and address the greatest needs as well as summarize the findings in the Housing Element.

North Bend's Proposal and AHC Findings

While North Bend's submission includes many data points and substantive analysis, the AHC could not find specific information required by H-3(d), (f), (g), and (m). This includes:

d) percentage of residential land zoned for moderate- and high-density housing and accessory dwelling units in the jurisdiction;

f) income (median and by area median income (AMI) bracket) by race/ethnicity;

g) age by race/ethnicity; and

m) the housing needs of communities experiencing disproportionate harm of housing inequities including Black, Indigenous, and People of Color (BIPOC).

This analysis should inform additional comprehensive plan policy responses and strategies. For example, analysis responsive to CPP H-3(m) could help North Bend identify specific solutions to repair harm done to BIPOC households, as required by CPP H-9.

> **Recommendation 2:** North Bend should include all inventory and analysis components as required by H-3 in the comprehensive plan and summarize the findings in the Housing Element. This additional analysis should inform additional comprehensive plan policy responses and strategies.

3. Identify sufficient capacity of land for emergency housing needs (CPPs H-1 and H-11)

Relevant Countywide Planning Policies

CPP H-1 requires North Bend plan for and accommodate 1,748 net new housing units, including 334 emergency housing beds. CPP H-11 requires jurisdictions identify sufficient capacity of land for housing including housing for low-, very low-, and extremely low-income households and emergency housing.

North Bend's Proposal and AHC Findings

The "Direction for Housing Policies" section of North Bend's draft Housing Element commits North Bend to working with King County and providers of "special needs" housing to ensure that housing for persons with special needs, including emergency housing, can be accommodated in North Bend (page 11). Additionally, North Bend's H-Goal 5 states that it will "support and provide for the availability of housing for residents of North Bend with special housing needs, including supportive housing and emergency housing needs." The AHC commends North Bend for its commitment to accommodating emergency housing. However, North Bend did not include an emergency housing capacity analysis. Without this analysis, the AHC cannot determine if North Bend is planning for and accommodating its emergency housing need and has sufficient land capacity to accommodate its emergency housing allocation.

Recommendation 3: To align with CPPs H-1 and H-11, North Bend should show sufficient land capacity for its allocated emergency housing needs. North Bend should follow Washington State Department of Commerce's guidance for completing a land capacity analysis for emergency housing.

Conclusion and AHC Resources

Thank you again for your submission to the Committee's Housing-focused Draft Comprehensive Plan Review Program. AHC members valued the opportunity to review North Bend's draft 2024 Comprehensive Plan Update and related submission materials. North Bend's participation in the plan review program is instrumental in the broader work of the Committee to empower local jurisdictions to address the affordable housing crisis in King County.

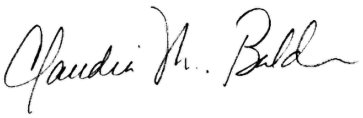
AHC staff are happy to assist North Bend in addressing these recommendations. For immediate resources and guidance on aligning with the CPP Housing Chapter, refer to the:

- Engrossed 2021 King County CPPs;
- AHC Housing-focused Draft Comprehensive Plan Review Program Guide; and
- King County Resources for Documenting the Local History of Racially Exclusive and Discriminatory Land Use and Housing Practices.

The AHC would also like to acknowledge that North Bend may be challenged to address recommendations in this letter before the state-mandated deadline for comprehensive plan adoption of December 31, 2024, and may potentially adopt a comprehensive plan in 2024 that is not in alignment with the CPP Housing Chapter. In that case, the City is encouraged to amend its plan in 2025 to incorporate AHC feedback and bring its plan into alignment with the CPP Housing Chapter policies.

If you have questions or need additional information regarding aligning with the CPP Housing Chapter, please contact lead staff for the AHC plan review program, Carson Hartmann, at AHCplanreview@kingcounty.gov or 206-848-0681.

Sincerely,



Claudia Balducci
Affordable Housing Committee Chair
King County Councilmember, District 6

CC Dow Constantine
Growth Management Planning Council Chair
King County Executive

Laura Hodgson
Senior Planner

Washington State Department of Commerce

Plan Review Team
Puget Sound Regional Council

Plan Review Team
King County Affordable Housing Committee

From:	mthomas bangstick.net
To:	Planning
Cc:	Hannah Thiel; James Boevers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Subject:	Planning Commission 9/18 Comment-Housing Element
Date:	Wednesday, September 18, 2024 3:58:33 PM

[Some people who received this message don't often get email from mthomas@bangstick.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I have the following comments and/or questions for the housing element.

1. On page 11 & 12 housing outside the city limits but within the UGA should be identified as to key areas, type, and number of housing units.

2. Unclear where to add suggest two policies/statements with respect to increasing ADU stock:

- Pursue working with HOAs to permit ADUs within their communities and assist with planning, parking, stormwater design, sewerage design, and similar

- Pursue sewer subsidies for those adding ADUs; for the unsewered investigate subsidies for sewer extensions, sewerage design, studies, ULID formation, and the like

Thanks

Michael Thomas
1231 LaForest Drive SE

From:	mthomas bangstick.net
To:	Planning
Cc:	Hannah Thiel; James Boevers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Subject:	Planning Commission 9/18 Comment-Land Use Element
Date:	Wednesday, September 18, 2024 1:58:21 PM

[Some people who received this message don't often get email from mthomas@bangstick.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I have the following comments and/or questions, where there is a question it would be appreciated for the commissioner(s) to ask staff.

1. Propose LU 1.11 Encourage amenities (restaurants, shopping, parks, commercial entertainment, musuems, and the like) to better serve the eastern residents of the city and visitors and give preference to uses that promote North Bend as a nature destination and the gateway to the Middlefork.

2. LU 3.6 add "HOAs as applicable"... eg work with residents and HOAs....

3. Request to strike "heavier industrial uses and" from the paragraph on Employment Park zoning pg. 24

Question:

Does Riverbend (currently outside city limits but inside the UGA) currently count toward housing unit goals? Is it possible to identify residential and jobs outside city limits but within the UGA as potential future growth as part of land use figures?

Thanks

Michael Thomas
1231 LaForest Drive SE

From: Jean Buckner
To: Mike McCarty
Cc: Sam White; Rebecca Deming; Jamie Burrell
Subject: RE: My Public Comments for Sept 18th PC Meeting/Agenda Items
Date: Wednesday, September 18, 2024 3:48:17 PM
Attachments: Resolution 2097 2024 Economic Development Element - comments.pdf
Land Use Element 2024 Draft Clean 9-10-2024_20240912100012583O - comments.pdf
Public Comments for Land Use and Housing Elements_20240912101645193O - comments.pdf
Resolution 2072 - Adoption Parks Element for 2024 Comp Plan- comments.pdf

---

Sorry about that Mike. I thought I sent them to both CC and PC, but I only sent them to CC. Attached are the relevant highlighted documents. I've highlighted sections I think are important; you can scan the 4 documents quickly by turning on the PDF thumbnail sidebar (you'll see my highlights). The highlighted sections support the comments I sent earlier this afternoon. Also, following are some added Policy language I would also like to add to my public comments. . I'm usually better organized – but have been very busy prepping for the DA vote. Might someone be able to sit down with me to discuss these documents and highlights over the next week or so? It would be optimal to have one more hearing on these elements if possible.

E.g. items in the Parks element, starting on page 17

Policies:

3.1 Require that all new development projects contribute to public open space improvements either on or off-site as identified in the adopted Parks Element.

> a. Establish park, recreation, wildlife habitat and open space standards for residential development, including on-site and/or off-site dedication requirements, and adopt them in land use codes. Such standards should require that all new single-family and multi-family developments provide a minimum percentage, to be determined, of net site area for appropriate park, recreation, wildlife habitat and open space areas and improvements. Standards should address the percentage required for both passive and active uses. Net site area shall be exclusive of street/utility rights of way, setbacks, parking areas, and utility facilities, including but not limited to storm, water, or sewer.

3.2 Evaluate public acquisition of private open spaces as opportunity and funding is available, and pursue the concept of tax incentives for privately held open space.

1. Pursue protection of strategic open space properties by using a variety of protection methods.
2. Methods should include non-regulatory methods (e.g. fee-simple purchase, conservation easements, donations, purchase and leaseback, etc.); regulatory methods (e.g. limited development, land dedication, site design, cluster design, impact-fees); and incentive approaches (e.g. current use taxation; transfer of development rights, land- transfers; user fees).

c. The City and its partners should pursue grants and other outside funding to enable proactive resource protection and development.

On Thu, Sep 12, 2024 at 11:09 AM <jean.buckner@comcast.net> wrote:
See https://northbendwa.gov/238/Comprehensive-Plan

From: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Sent: Wednesday, September 18, 2024 3:22 PM
To: Jean Buckner <jean.buckner@comcast.net>
Cc: Sam White <swhite@northbendwa.gov>; Rebecca Deming <RDeming@northbendwa.gov>; Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: RE: My Public Comments for Sept 18th PC Meeting/Agenda Items

Jean,
We do not see any comments associated with your highlights in the attached documents you sent us. Please resend in a format that directly shows comments if you wish to submit this for the hearing.

Sincerely,
Mike

Mike McCarty, AICP
Principal Planner
City of North Bend Community and Economic Development
920 SE Cedar Falls Way
North Bend, WA 98045
(425) 888-7649

From: Sam White <swhite@northbendwa.gov>
Sent: Monday, September 16, 2024 1:52 PM
To: Rebecca Deming <RDeming@northbendwa.gov>; Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: Fw: My Public Comments for Sept 18th PC Meeting/Agenda Items

Hi,

We received public comment for our upcoming Planning Commission meeting (9/18/2024), but city staff was not included.

Thus, I'm forwarding them to you.

Thanks.

Sam

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Monday, September 16, 2024 1:38 PM
To: Brian Fitzgibbon <BFitzgibbon@northbendwa.gov>; Juliano Pereira <JPereira@northbendwa.gov>; Sam White <swhite@northbendwa.gov>; Olivia Moe <OMoe@northbendwa.gov>; James Boevers <JBoevers@northbendwa.gov>; Stephen Matlock <smatlock@northbendwa.gov>; Hannah Thiel <HThiel@northbendwa.gov>
Subject: My Public Comments for Sept 18th PC Meeting/Agenda Items

You don't often get email from jean.buckner@comcast.net. Learn why this is important

Honorable Planning Commission Members, the highlights on the attached Comp Plan Elements and Resolution are relevant to the September 18th Planning Commission Agenda regarding Comp Plan Review. Given the complexity of these issues, I am requesting additional meetings to provide adequate time for community input on these and other Comp Plan elements. To save your time, the highlights can be easily found using the panes that are generally to the left of your screen when documents are opened. I have also included the following email just sent to the City Council regarding a related item that contains information that may also be of interest to Planning Commissioners.

Best,
Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: **The Friends of The Snoqualmie Valley Trail and River**
Website: http://fosvtr.org/
46226 SE 139th Pl North Bend WA

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Monday, September 16, 2024 1:10 PM
To: 'council@northbendwa.gov' <council@northbendwa.gov>; 'mmiller@northbendwa.gov' <mmiller@northbendwa.gov>
Cc: 'SOPPEDAL@NORTHBENDWA.GOV' <SOPPEDAL@NORTHBENDWA.GOV>; 'jean.buckner@comcast.net' <jean.buckner@comcast.net>
Subject: King County Parcel # 132308-9020 Development Agreement Issues//Comp Plan Inconsistencies

Honorable Mayor Mary Miller and North Bend Council Members, the following and attached regard City Council's September 17th Agenda item # 13.

King County Parcel # 132308-9020 Issues/Comp Plan Inconsistencies
(https://gismaps.kingcounty.gov/parcelviewer2/)
Summary of Key Issues with the Proposed Development Agreement (DA)
Formerly called "The Auto Mall"*

The proposed Development Agreement (DA) (start on page 13 here: https://northbendwa.gov/ArchiveCenter/ViewFile/Item/6635) raises several serious concerns that need to be addressed before the City Council moves forward with approval. These issues impact public health, environmental protections, and compliance with city regulations. The development is also incongruent with attached Comp Plan language (use side panes to quickly find highlighted sections).

1. **Inadequate Application Information**

- Problem: The DA does not comply with North Bend Municipal Code (NBMC) application requirements, which demand details such as permitted uses, protection of critical areas, stormwater management, and more. These elements are missing because no specific project is proposed.
- Why It Matters: Without a clear project plan, approving the DA is premature and leaves too much speculation. The city is being asked to approve and budget around an agreement before knowing the full scope and impact of the development.

2. **Approval Conditions Are Premature**

- Problem: The DA is being brought forward before there is a fully fleshed-out project, violating city code that expects an actual project—complete with site plans and specific uses—before a DA is approved.
- Why It Matters: This is a "cart before the horse" scenario. Approving the DA without concrete details could lock the city into an agreement that doesn't serve the best interests of the community.

3. **Environmental Review Concerns (SEPA)**

- Problem: The DA defers State Environmental Policy Act (SEPA) review, stating that it will occur with the development proposal and master plan, not as part of this agreement.
- Why It Matters: This approach could mean that the DA itself will never undergo a full environmental review, leaving critical environmental impacts unaddressed early in the process.

4. **Public Health and Safety Protections (RCW 36.70B.170(4))**

- Problem: The DA lacks the necessary language to address "serious threats" to public health and safety, as required by state law. The DA instead references a city code that only refers to "imminent" threats—a higher and more difficult standard to meet.
- Why It Matters: Without this important clause, the city may lack authority to enforce new regulations that protect public health and safety in the future.

5. **Absurd Claims Regarding Economic Impact**

- Problem: The DA packet references questionable claims of creating 600 jobs and $74M in increased property value. With no detail outlined in the DA, how accurate can these estimates be? Also, while property value may increase for this parcel, the development may lead to lower property values in nearby neighborhoods. Also, how will the impact of additional built space impact the existing problem of empty buildings in North Bend?
- Why It Matters: These inflated numbers may pressure the City Council into making hasty decisions based on unrealistic projections rather than sound analysis. The decrease in property values of surrounding neighborhoods should also be taken into account.

The DA also does not fit within North Bends Vision and Brand Statements or with key elements of North Bend's Comp Plan (per attached highlighted elements and resolutions):

> **Vision Statement**: The vision for North Bend is centered on preservation and enhancement. The community seeks to preserve its natural beauty and small-town scale while enhancing the built environment of downtown, riverfront, community parks, residential neighborhoods, and the community's gateways.
>
> **Brand Statement**: North Bend presents itself as a highly livable small town that is the premier outdoor recreation destination in the Puget Sound Region, described with the phrase "Easy to Reach...Hard to Leave."
>
> **Comp Plan Elements**: (See 5 highlighted elements and resolutions attached)

- Why It Matters: Developments that fall outside of the City's official Vision and Brand statements and Comp Plan Elements encourage a hodgepodge approach to development that pushes North Bend toward a look and feel of just another disorganized small town and reduce citizens quality of life as well as visitor experience. Most residents of North Bend believe that North Bend can be so much more by promoting and protecting the area's natural beauty and our quality of life.

***

VOTE NO or vote to delay this item until these issues are resolved. The current DA lacks transparency and specificity and does not comply with North Bend Municipal Code (NBMC) application requirements, which demand details such as permitted uses, protection of critical areas, stormwater management, and more. It is also incongruent with North Bend Comp Plan elements per attached.

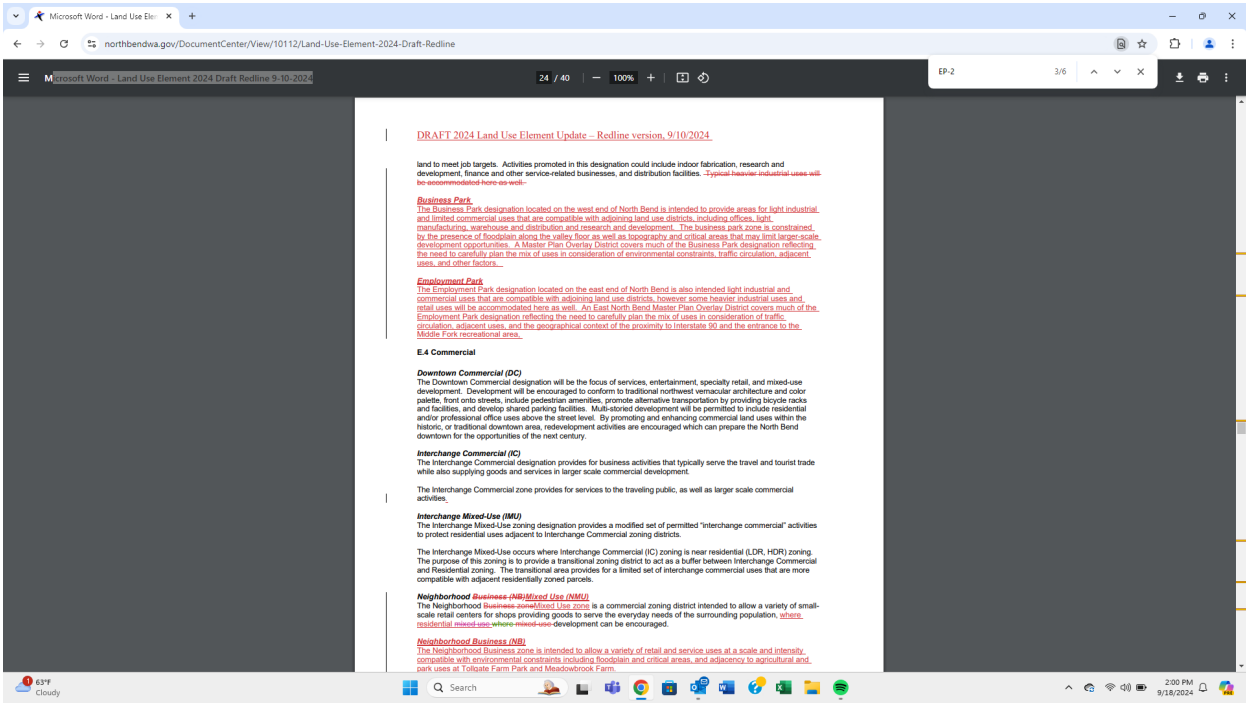
***"The Auto Mall" the term "Auto Mall" was used to describe this project from individuals both inside and outside of the City. The developer claims this is inaccurate and informally mentioned tractor and construction vehicles/equipment sales as a possible component. The DA has no description of what could be included – which is troubling in and of itself.**

Susie, please include tis in the packet as public comment.
Best,
Jean

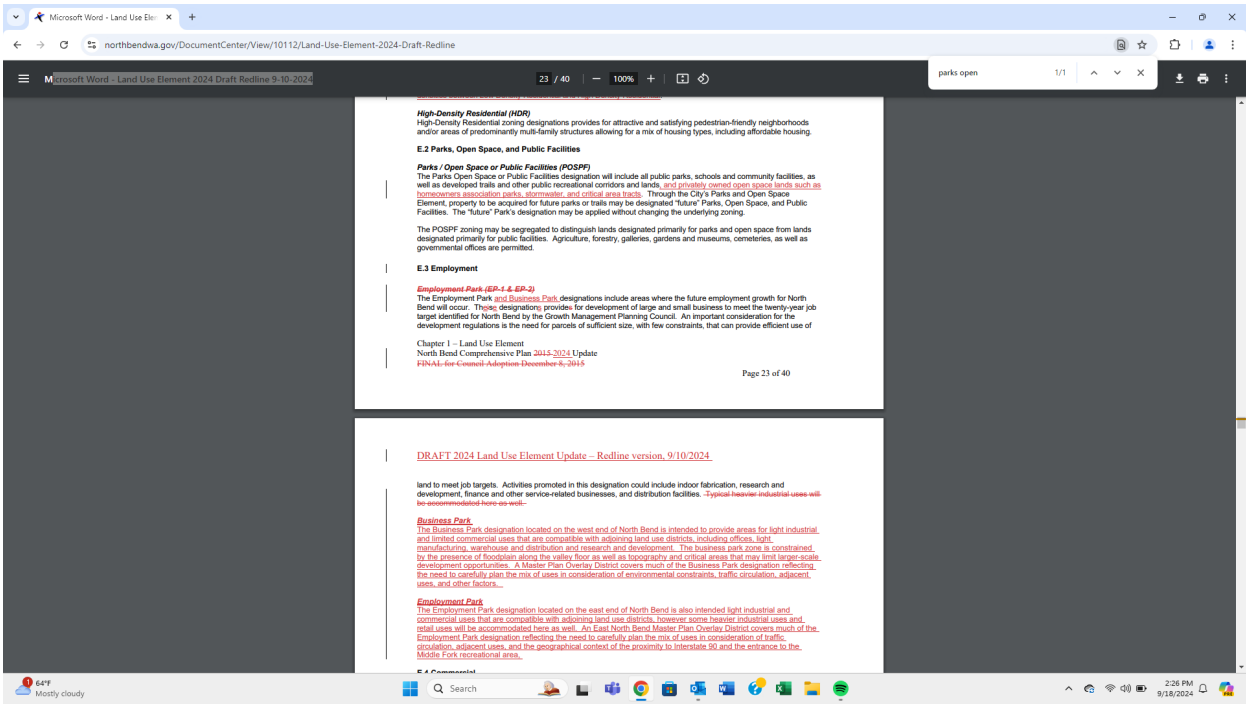
Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: **The Friends of The Snoqualmie Valley Trail and River**
Website: http://fosvtr.org/
46226 SE 139th Pl North Bend WA

From: jean.buckner@comcast.net
To: Planning; Hannah Thiel; James Bowers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Cc: Jamie Burrell; jean.buckner@comcast.net
Subject: Public Comment from Jean Buckner/Friends of the Snoqualmie Valley Trail and River and resident of nearby neighborhood
Date: Wednesday, September 18, 2024 2:57:07 PM
Attachments: image001.png
image002.png
image003.png

The EP -2 designation (on the East side of North Bend) is incongruent with the sections of the Master Plan sent earlier this week and incompatible with the nearby school and neighborhoods. We further find the new language allowing "heavier industrial uses" to be even more incongruent and incompatible and represent a greater environmental risk to the school, neighborhoods and River. See " Employment Park" redline in the screenshot below from page 24 of 40 from the Land Use Element 2024 Draft Redline 9-10-2024). Nearby neighborhoods also stand to have their property values reduced as a function of the inappropriate EP 2 zoning. It may have fit back in 1988 when it was set, but with the addition of the school and neighborhoods, the overall character of the area is no longer congruent with the EP2 designation. A "mixed use" zone is more appropriate for the land now designated as EP-2. We will be submitting paperwork to request a zoning change for the area. Also, see second question below the following screenshot about the meaning of language under "Parks and Open Space" and it's relevance for the Wood River neighborhood / HOA?



Also, please explain the City's intent regarding the addition of the following redlined language from page 23 of the draft (See "Parks/Open Space or Public Facilities(POSPF)" language below.) What is the intent of this language for neighborhood/HOA owned trails etc.?



Best,

Jean Buckner, President – Friends of the Snoqualmie Valley Trail and River
Homeowner – Wood River Neighborhood
46226 SE 139th Pl
North Bend, WA

From: Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>

Sent: Wednesday, September 18, 2024 1:29 PM
To: jean.buckner@comcast.net
Subject: RE: Remote Access to tonight's Planning Commission Meeting

Hi Jean,

Join the zoom link in the invite. We do not allow remote comments, but you can submit something in writing ahead of the meeting.

Thank you,

Jamie Burrell
Senior Planner
City of North Bend
425-888-7642

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Wednesday, September 18, 2024 1:16 PM
To: Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: Remote Access to tonight's Planning Commission Meeting

Good afternoon Jamie, I'd like to attend tonight's Planning Commission Meeting remotely. How do I sign up for that?

Best,

Jean

Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: The Friends of The Snoqualmie Valley Trail and River
Website: http://fosvtr.org/
GoFundMe: https://www.gofundme.com/Friends-of-The-Snoqualmie-Valley-Trail-and-River

From: Cherie Cooper
To: Brian Fitzgibbon; Juliano Pereira; Sam White; Olivia Moe; James Boevers; Stephen Matlock; Hannah Thiel
Cc: Jamie Burrell; James Henderson; Mike McCarty; Victoria Hoenig; Chris Rohrbach
Subject: Wednesday September 18, 2024 Planning Commission Packet, items #4 and #5 on the agenda
Date: Wednesday, September 18, 2024 6:22:57 AM
Attachments: Neighborhoods North Bend, WA - Official Website.pdf
MAPS Hoenig Family 8 parcels zoned EP-1 Planning Commission Email.pdf
20132014 Owner"s Application for The Tanner Junction MPOD PC packet July 2013 with shared access.pdf
Tanner Junction Overlay prior to the 2016 City Council removing the HDR allowance.pdf
072022 City of North Bend Proposal for re-allocation of water service to include the Hoenig Family"s 8 parcels Planning Commission Email.pdf
City of North Bend Parcels zoned EP1 or NB to convert to NMU zoning.pdf

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September 18, 2024

Greetings and Good Day Commissioners,

An aside from the September 18th Planning Commission Packet you have as your guidepost for the task ("asks") that you all have at hand in this evening's Planning Commission Meeting; is this property owner packet as well. If you will please peruse this information to become acquainted with 28.82 acres owned by North Bend Industrial Park LLC and Crown Lakes LLC.

The Property Profile: (Maps attached for reference)

28.82 acres zoned EP-1: Tanner Junction Overlay District. Eight (8) contiguous parcels.

North Bend Way is the northern boundary of roadway frontage. 136th is the southern boundary of roadway frontage.

North Bend Industrial Park LLC owns Five (5) parcels of the 8 in total. Parcel #'s: 1423089184 (5 acres), 1423089183 (5.34 acres), 1423089185 (9.30 acres), 1423089186 (.68 acres), and 142308-9181 (.08 acres)

Crown Lakes LLC owns Three (3) of the 8 in total. Parcel #'s: 1423089188 (.60 acres), 1423089187 (.24 acres), and 1423089073 (7.46 acres)

The City of North Bend requires a Master Plan Development proposal be submitted for Development consideration, in addition to the underlying zone's pre-existing allowances and building restrictions, and in addition to the language of the Tanner Junction Overlay which restricts certain light industrial and manufacturing allowances in EP-1. Tanner Junction Overlay language which reads as follows: "certain light industrial and manufacturing uses permitted by the underlying zone (EP-1) could be inconsistent with the recreational uses and residential character of the immediate area."

Note: "the residential character of the immediate area" includes the residential character that th

is in an Unincorporated King County residential neighborhood adjacent to 136 , as well as two (2) recent build-out projects on property previously owned by the Dahlgren Family (200 HDR units), and Mr. Hibbs (129 MDU's) with some small percentage of the 129 units set aside as "affordable" housing" rentals. Both property owners had the same North Bend City Council approved overlay of HDR/EP-1. Both North Bend City Council approved developments have included to date, "no commercial development (EP-1)" on either build site. Leaving our 28.82 acres in the Tanner Neighborhood, as the "fix-all" or "cure-all" to what is on the table now for the Planning Commission to advise the City's Council how best to proceed with its 2024 Comp Plan in the "elements" of: Land Use and Housing

The property owner names and/or the property advocate's name most familiar to the City are: Gordon and Victoria Hoenig, and Cherie Cooper (the daughter of Gordon and Victoria Hoenig).

A History of the 28.82 since it was purchased in 2003/2004 from Puget Western:

2009: **The City of North Bend annexed 28.82 acres owned by North Bend Industrial Park LLC and Crown Lakes LLC.**

2010: NBIP LLC and Crown Lakes LLC fully supported a (bulk) property owner's approval of ULID #6. ULID #6 assessments began in May of 2012. The property owner's $1M ULID #6 Assessment will be paid in full, no later than May of 2030.

When Gordon and Victoria Hoenig purchased the 28.82 acres in 2003/2004, Sallal Water Association was, and still is the property's Water Service Provider in the City of North Bend, Washington. The City of North Bend would prefer for the property owner to apply through proper channels of the state, to have the City of North Bend be approved as the property's Water Service Provider for whomever will be the Developer/Builder of the 28.82 acres.

2014: Gordon Hoenig applied to the City of North Bend for an HDR/EP-1 Overlay. The Tanner Junction Overlay is still in existence, though in 2016 the City Council of North Bend approved an Ordinance which took away the HDR allowance of residential buildings on the property. Gordon and Victoria Hoenig never received the City's notification that this change in the 2016 Council's mindset was to be inevitable, no matter if the private **landowner** had concerns or **a serious** questioning of such a hasty and blind-side of choice at the City Council level of North Bend City government.

Side Note Interjection: A similar type of "decision" or action plan (be it a subliminal or a deliberate affront to private property rights) is about to occur through the chain of processes the Commissioners have listed as items #4 and #5 on the 9/18/2024 Planning Commission Agenda. Changing an owner's property zoning from EP-1 to NMU, to further along "in

the approval process" the City's requirement of a 2024 Comprehensive Plan submittal to King County. The City of North Bend's 2024 Comprehensive Plan submittal to King County by the end of this year, for the City of North Bend to secure its 2024 King County Comprehensive Plan Certification.

2015: The 28.82 acres (8 parcels) were For Sale by Owner. Plenty of interest. Plenty of Developer/Builder concerns with the City of North Bend.

(*2023): The 28.82 acres are listed with Commercial Brokerage Hughes Marino. The site is still actively listed today.

2021: City Administrator David Miller suggested to Gordon and Victoria Hoenig that they submit a thumbnail Master Plan Development proposal for his and the City's consideration of a potential mixed-use project (a residential and commercial mix – like the 2014 HDR/EP-1 overlay would have allowed for in the form of a pre-existing template/guidepost for a master plan development).

The Hoenig's consulted with and hired a team mix of known and respected professionals in their fields – Architects, Surveyors, Engineers, and Land Use Planners -- to create what some staff at the City are familiar with as the former rendering of a master plan named Alpine Crossing. A master plan rendering as one example of a mixed-use development project, not a Developer or a Builder's proposal.

City Administrator David Miller and Public Works Director Mark Rigos encouraged Gordon and Victoria Hoenig to use the "Alpine Crossing" master plan rendering, to apply to Sallal Water Association for a Certificate of Water "approval or denial". The objective of North Bend's City Staff was to have in writing that Sallal Water Association could not provide water in its service area for a master plan development project that would build out on 28.82 acres on North Bend Way.

2022: In February, Sallal Water Association denied North Bend Industrial Park LLC and Crown Lakes LLC a Certificate of Water. Sallal had no water to service any small, medium or large sized development project in its water service area.

2023: June 6th The City of North Bend and Sallal Water Association mutually agreed to a Water Share Agreement. It is anticipated that by the mid to late summer of 2025, both Sallal Water Association and the City of North Bend will have an adequate water supply and the necessary reserves to service the 28.82 acres.

In the meantime, 28.82 acres zoned EP-1 with "sewer" available has been nearly useless for the property owner to continue to subsidize (responsibly) ULID #6, the years of 2021-2025 at

the owner's expense of $70K in assessment fees per year. No Water. No Sewer.

Some representatives of the City might project as his/her expert counsel, land holding expenses are the typical and normal cost of doing business as a private property owner. That's simple enough to claim in theory, but not as honest or accurate as one might like to assume, if he or she is not the one "walking in the shoes" of a land owner having to take it all in stride whilst 28.82 acres of prime real estate in an exceptional location are in a "time out" until all conditions and terms of engagement are just right by the standards, visions and timeline of a City's government being ready to sit down at the table to welcome, encourage and support a master plan project on North Bend Way that is attractive to the City's residents (8,000 +) in context with what is still missing in North Bend, as far as business/commercial services for the community and good-paying jobs for the community.

In the meantime, Developer and Builder interest in the 28.82 acres via a Brokerage representative and the property's owners engaging with dozens of qualified land Developers has been a mixed bag experience. Each and every time the 2 and 3 way conversations have ended on a same note, with the Developer and/or Builder advising Gordon and Victoria Hoenig that a development/build proposal cannot pencil out to make sense for a Developer/Builder to invest in North Bend considering all of "the asks" from the City (multiple departments and/or the heads of city departments) for a Development Project to be approved on the 28.82 acres zoned EP-1 --- at the City Council's intake for consideration of a development project. Said another way, before a proposal of any Development Project can even get close to the North Bend City Council seeing it or knowing about its existence, the Developer and the Developer's Proposal dies somewhere at some introductory stage in the intake of the pipeline process.

Important for the Planning Commissioners to note is that these veteran and well-known Developer/Builders have gone to other EP-1 zoned sites, to build out a "commercial" project on other "less hassle" sites in the City of North Bend – at the West and the East ends of the City.

Your role as (volunteer) Planning Commissioners is clear to us.

We want you to have all the information possible at your disposal to make an informed and responsible decision for the City.

For the past decade my role as the property owner's daughter has been to advocate for my family who owns 28.82 acres on North Bend Way in North Bend, Washington.

To advocate for our family's property rights and the sale of our property for a development project that is a win-win-win-win --- City of North Bend, Property Owner, Developer, and City of North Bend residents -- is what I have as a work package presentation for you all to review

and examine, in advance of the decision(s) you will make this Wednesday evening.

With respect to a rezone of all EP-1 parcels to NMU in the City of North Bend, what does anyone really know of this "new" zone creation? I know it is a means to an end for the City of North Bend to receive its 2024 Comprehensive Plan Certification. I can guess at what some of the allowances will be for the build and a development plan based upon what I already know of the existing NB zone.

"At a height restriction of 35', residential will be allowed as an approved **build** on only the 2nd floor of a building that will have commercial/retail/restaurant on its ground floor."

We know from the dozens of Developer/Builders we've spoken with over the years that this is not a zone model that they would come back to discuss with us, to potentially reconsider building in the City of North Bend, Washington.

As far as what we know about the "housing" element that the City needs to accommodate per King County's advisement for a King County 2024 Comprehensive Plan Certification, the City needs to show King County where it will be possible inside the City of North Bend, to build an additional 462 units of (affordable, not market rate) residential housing.

I've attached a document wherein I've noted some basic stats for every single parcel in the City of North Bend designated for a rezone to NMU –- aka the potentials of land use and parcels for where 462 residential units would be allowable to build in the City of North Bend.

The particulars of parcels in very close proximity to our 8 undeveloped (vacant land) parcels zoned EP-1, there are already existing buildings/new built structures. How practical or believable is it with construction, to expect that there would be a builder/developer/independent contractor interested to build, "a residential product" on the 2nd floor" of a pre-existing or a finished new construction building?

That said, our 28.82 acres of EP-1 zoning is a blank canvas so to speak. Where we are located with all of the other dark blue patches (soon to be NMU) on the map (see attached map for the quick reference) is the potential of 208/462 residential units.

Limiting residential units to being built on a 2nd floor only (NMU) is yet another incumbrance, covenant, restriction, limitation, challenge or hazard to add to the list of our aforementioned hurdles in owing the property with the City wielding its influence over time in company with the City Council's personal perspectives or objectives also playing a role in determining the property's viability in any sale or no sale to a Developer/Builder.

Commissioners, as the Owners and Owner Representative of Eight (8) parcels of "critical" and

developable acreage in the City of North Bend, we have watched you in 2023-2024 work hand in hand with City Planners and the staff of North Bend's Community and Economic Development Department to achieve the end result of submitting to the Council for its approval, what will be the final work product to submit to King County for North Bend's 2024 Comprehensive Plan Certification.

We value and highly respect the incredible work that all of you do as Planning Commissioners.

At Wednesday Evening's meeting, can the Commissioners and/or staff relay to us the following:

What benefit and/or improvement will it be to our land, its market value, its allowable uses, and its viability of interest to the Development/Builder community; if agenda Items #4 and #5 are approved by the Planning Commission to move forward in process to the City's Council, for the esteemed members of North Bend's City Council to approve a rezone of our 28.82 acres to NMU?

Thank you for your time.

Respectfully,

Gordon and Victoria Hoenig

Cherie Cooper

Note: Cherie Cooper will be present at the Planning Commission meeting this evening via Zoom

From: Chris Rohrbach
To: Planning
Subject: Wednesday September 18, 2024 Planning Commission Meeting, items #4 and #5 on the agenda - Public Comment
Date: Wednesday, September 18, 2024 7:47:47 AM

Some people who received this message don't often get email from chris@hughesmarino.com. Learn why this is important

Dear North Bend Planning Commission,

I hope this message finds you well. My name is Chris Rohrbach, Senior Vice President at Hughes Marino, and I am currently representing the Hoenig family and their partners in the sale of their 28.82-acre property within the City of North Bend.

I have read the owner letter that was sent to the Commissioners, and as the property owners' broker, I would like to echo some of the comments already addressed in the letter.

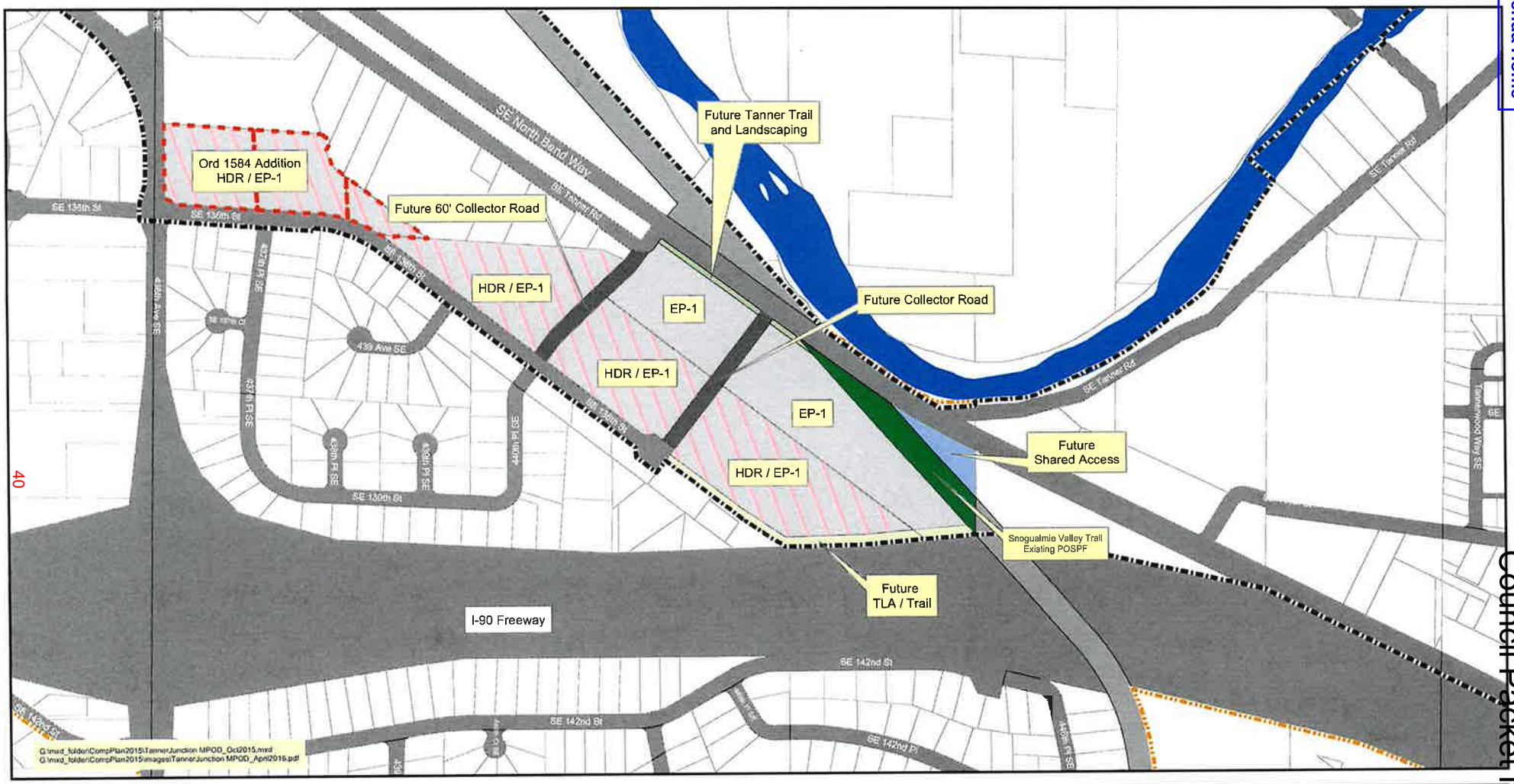
I have concerns regarding the City's restrictive development criteria and permitted use codes as well as the fees associated with development that make developing anything on that site cost prohibitive. These are the main factors which are hindering potential development on this property in my opinion. As a broker, I have witnessed significant interest from developers who are keen to invest in the North Bend market, but many are dissuaded by the current regulatory and financial barriers associated with such development. One such developer said that the fees associated with the traffic studies alone are more than what they can typically underwrite for their entire budget related to costs that go directly to the municipality they are developing in.

I believe that with more realistic zoning and development requirements and competitive fee structures, the City could foster more sustainable growth while benefiting the local economy and community. The restrictive zoning and permitted uses coupled with above "market" fees have been the biggest hurdles to finding a viable developer for the site in question.

Thank you for your time and consideration.

Chris Rohrbach
Senior Vice President
License #117138
+1 206.795.5155 Mobile
+1 844.662.6635 Office

HUGHES MARINO
hughesmarino.com



Legend

- Ordinance 1584 Addition: HDR / EP-1 Overlay Addition

Tanner Junction MPOD

- EP-1
- HDR / EP-1
- HDR
- Future 60' Collector Road Ordinance 1584
- Future Tanner Trail
- TLA / Trail
- Snoqualmie Valley Trail POSPF
- Future Shared Access
- North Bend City Limits
- North Bend Urban Growth Area Boundary
- Streams
- Rivers or Lakes
- Parcels

0 250 500 1,000 Feet

City of North Bend

Tanner Junction Master Planning Overlay District (MPOD)

Figure 18.10.025-3

Map Updated April 25, 2016
Map Produced July 16, 2013

Neighborhoods North Bend, WA - Official Website.pdf

THE TANNER NEIGHBORHOOD

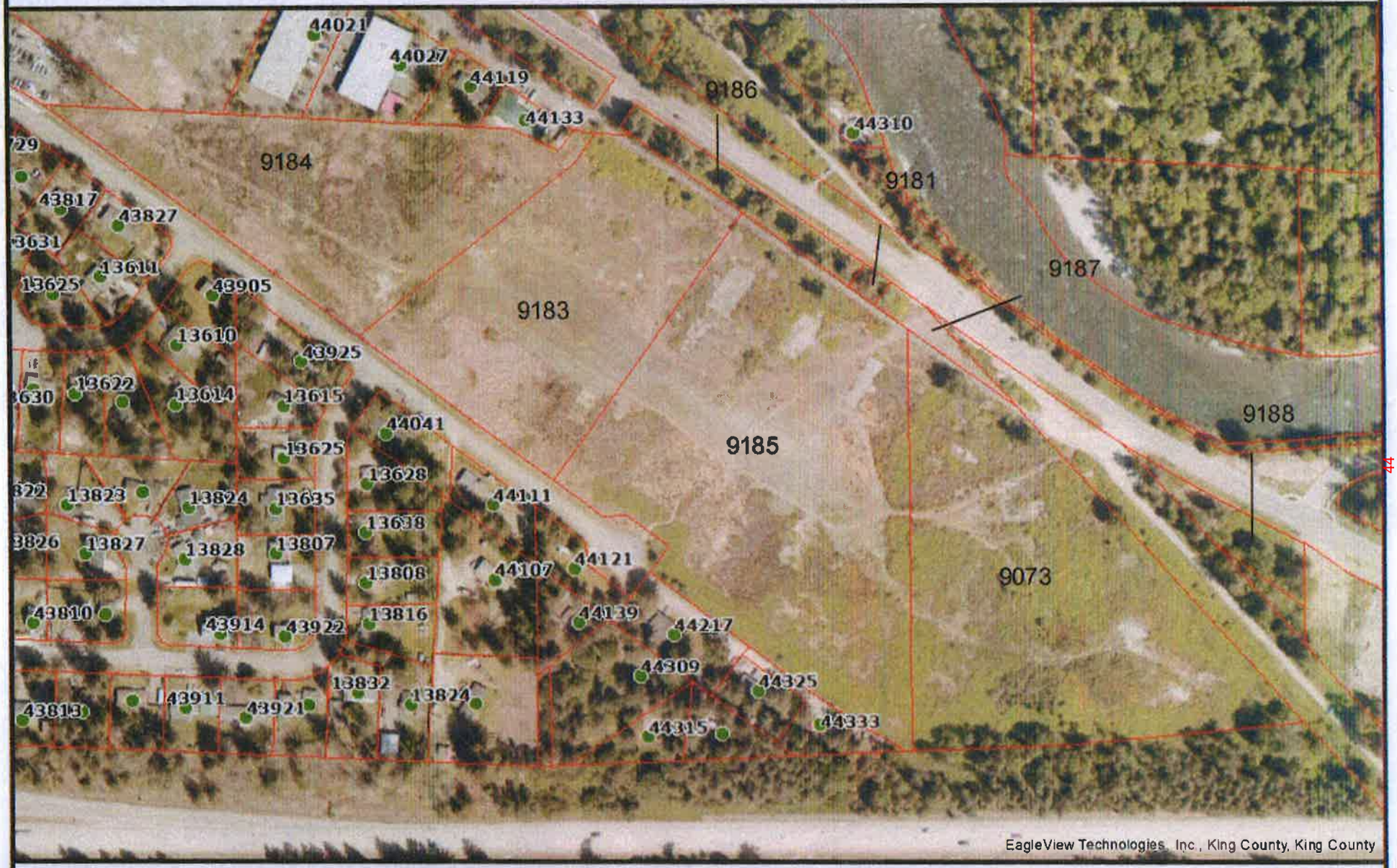
The Tanner Neighborhood is a predominantly light-industrial neighborhood located southeast of the Forest Service/Mt. Si Neighborhood and the Edgewick Interchange.

The neighborhood contains significant vacant and redevelopable land suitable for commercial and light-industrial uses and is an area anticipated to accommodate additional employment growth. Special overlay districts within areas of this neighborhood recognize unique site characteristics such as the presence of the Snoqualmie Valley Trail and the King County Tanner Landing Park, and therefore allow for a mix of residential and commercial/light industrial uses that wouldn't otherwise be permitted (see Overlay Districts section below).

The King County Snoqualmie Valley Trail provides an important pedestrian link through this neighborhood, connecting multiple parts of the City and encouraging bicycle and pedestrian transportation. The future Tanner Trail, within the Burlington Northern Railroad corridor, will provide a similar link along North Bend Way, and future developments that abut or contain this corridor should be constructed to align with and incorporate the trail into the design of the development. The area also has important scenic qualities with views of the Middle Fork of the Snoqualmie River and Mount Si. Interpretive or historic signage would be appropriate, located in key areas along the corridor to give perspective on the natural and human histories of the area, including that of the Tanner Mill and the former Northern Pacific (Burlington Northern) and Milwaukee Road Railroad Lines.

THE MIDDLE FORK NEIGHBORHOOD

Title



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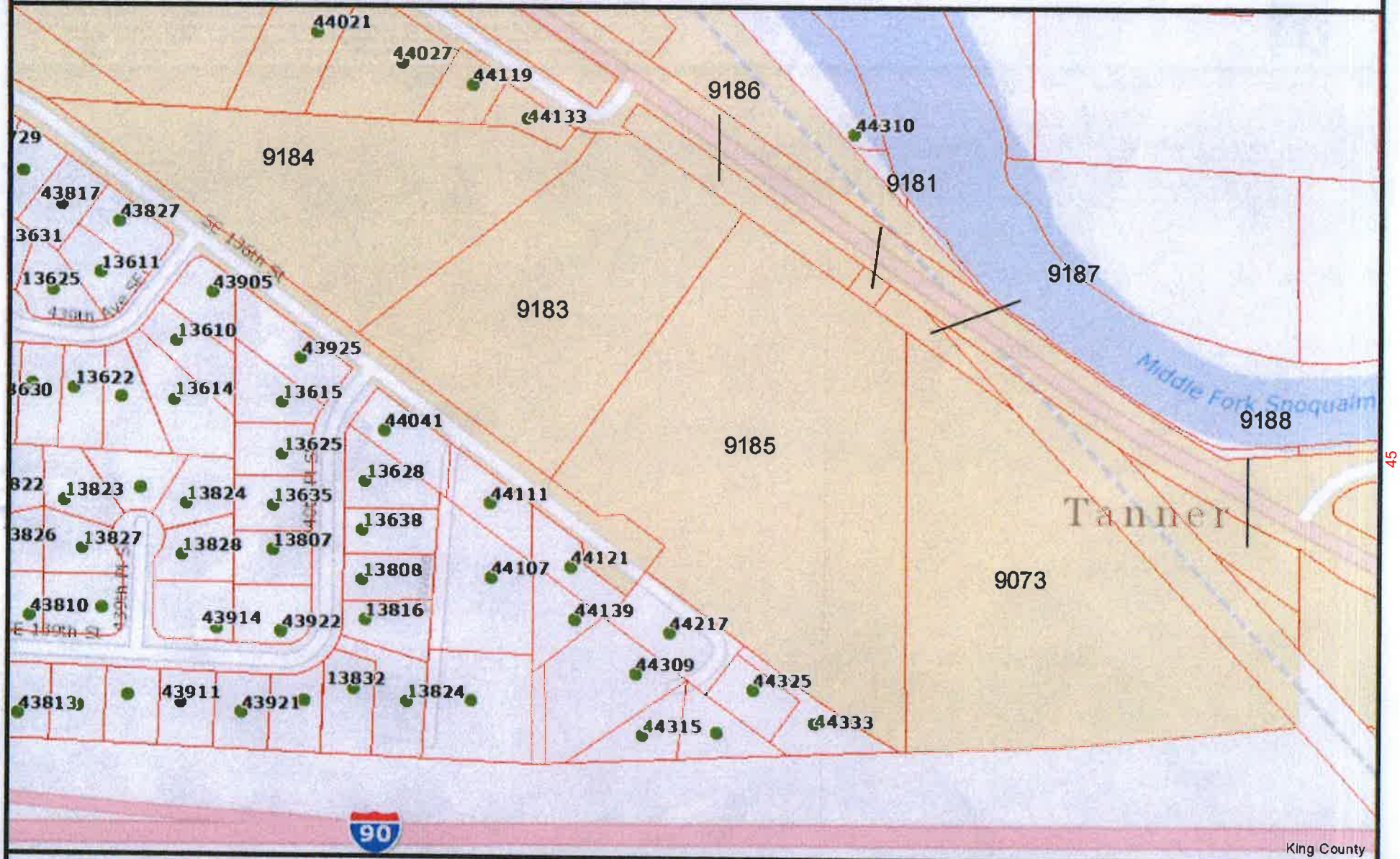
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King County

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Title



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Date: 8/22/2024

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King County

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City of North Bend
Primary Parcel Address Map

Legend

- City Limits
- Streams
- River, Lake or Pond
- Parcels
- Right of Ways

N W E

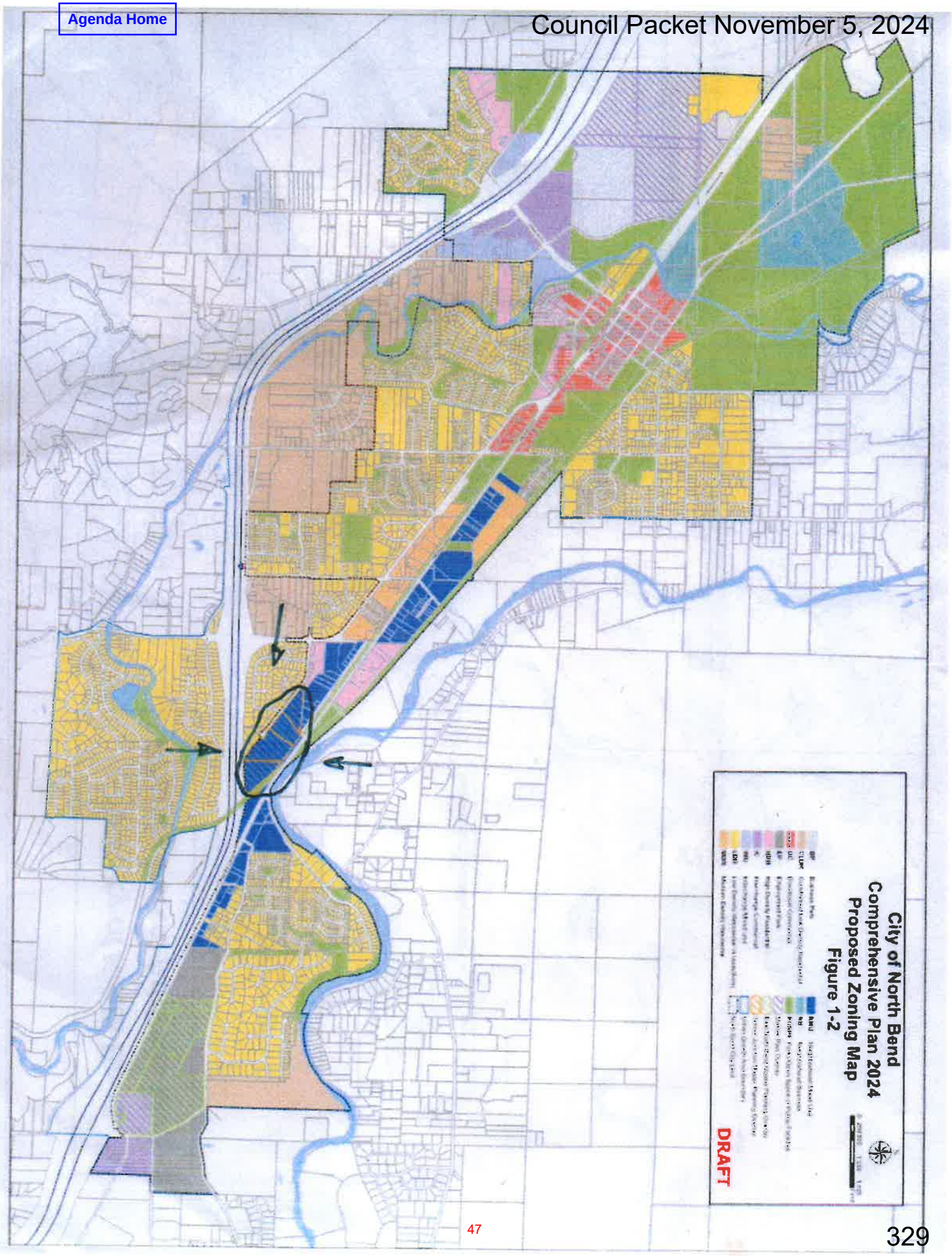
0 1,000 2,000 4,000 Feet

Forster Woods Multi-Family Detail

- Stone Brook Drive SW 935 - 1016, 962 - 984
- SW Jade Ln 903 - 921
- SW Granite Ln 901 - 909, 902 - 916
- Stone Creek Circle SW 1550 - 1620
- 1525
- Quartz Drive SW 931 - 979, 930 - 990
- Rock Creek Ridge Blvd SW 1539 - 1559
- Rock Creek Ridge Blvd SW 1560 - 1606
- Rock Creek Ridge Blvd SW 1625 - 1653, 1646 - 1678

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City of North Bend
Comprehensive Plan 2024
Proposed Zoning Map
Figure 1-2
DRAFT

City of North Bend Parcels with the zoning of EP-1 (#1 - #28) and NB (#29 - #66), identified by the Community and Economic Development Department for NMU rezone (CONB 2024 Comprehensive Plan- Land Use element/Zoning-Housing "new" and/or "affordable")

1) Parcel 1423089137 (EP-1) Chinook Lumber 4.22 acres

2) Parcel 1423089025 (EP-1) Single Family Residence .92 acres

3) Parcel 1423089090 (EP-1) Single Family Residence (mobile home) .97 acres

*4) Parcel 1423089068 (EP-1) Vector/Alpental Logistics 5.40 acres

*5) Parcel 1423089009 (EP-1) 17,600 sq ft Light Industrial Mfg - 5 connected buildings 1 acre (Sallal Water Assoc used to lease space in one of the buildings)

*6) Parcel 1423089060 (EP-1) 13,176 sq ft Light Industrial Mfg - 3 connected buildings 1.02 acres (Fastenal is in one of the buildings)

*7) Parcel 1423089045 (EP-1) Single Family Residence .34 acres

*8) Parcel 1423089039 (EP-1) Cabinetry Business (light industrial mfg. building) .23 acres

* Note 4 - 8 above are parcels previously owned by Gordon and Victoria Hoenig (no partners)

9) our 8 parcels of undeveloped (raw land) (EP-1) 28.82 acres

10) Parcel 1423089032 (EP-1) Tanner Electric Substation 3.42 acres

11) Parcel 1423089038 (EP-1) Upper Skagit Indian Tribe Single Family Residence .49 acres

12) Parcel 1423089061 (EP-1) Upper Skagit Indian Tribe Single Family Residence .48 acres

13) Parcel 1423089084 (EP-1) Upper Skagit Indian Tribe Single Family Residence .37 acres

14) Parcel 1423089155 (EP-1) Upper Skagit Indian Tribe Mini Storage 10.86 acres

15) Parcel 1423089150 (EP-1) Vacant Land (wooded) .79 acres

16) Parcel 1423089074 (EP-1) Vacant Land (not cleared) Proposed Land Use Project 2021-0406 Bio Therapeutic/Micro Current Technology, Inc. 2.40 acres

17) Parcel 1423089065 (EP-1) Single Family Residence .80 acres

18) Parcel 1423089084 (EP-1) CR Construction Storage Bldg. 1.47 acres

19) Parcel 1423089030 (EP-1) 1,272 sq ft Warehouse Office .58 acres

20) Parcel 1523089077 (EP-1) APS Inc. Office/Warehouse .79 acres

21) Parcel 1523089032 (EP-1) Single Family Residence .48 acres

22) Parcel 1523089117 (EP-1) Mt. Si Montessori School .37 acres

23) Parcel 1523089188 (EP-1) Single Family Residential used as an Office Bldg. .75 acres

24) Parcel 1523089109 (EP-1) Fury Construction 2.38 acres

25) Parcel 1523089037 (EP-1) Rainier Asphalt & Concrete 1.60 acres

26) Parcel 1523089157 (EP-1) 5-unit Apartment (4 buildings) .54 acres

27) Parcel 1523089060 (EP-1) Single Family Residence .57 acres

28) Parcel 1523089223 (EP-1) Construction Storage Yard 2 acres

****

29) Parcel 1023089186 (NB) Steven Loo Cascade Heated Storage 2.10 acres

30) Parcel 1023089056 (NB) Richard & Virginia McConkey North Bend Auto Parts NAPA .53 acres

31) Parcel 1023089272 (NB) Karakoram Properties LLC Karakoram Splitboard Bindings 1.33 acres

32) Parcel 1023089270 (NB) Off Camber LLC The Line Bikes Experience .51 acres

33) Parcel 1023089271 (NB) Alpine Fitness .81 acres

34) Parcel 1023089035 (NB) John & Kimberly Graham The Meadows Mobile Home Park 4.08 acres

35) Parcel 1023089052 (NB) Albert Lee III Single Family Residence .43 acres

36) Parcel 1023089032 (NB) Albert Lee III Single Family Residence 1.65 acres

37) Parcel 1023089049 (NB) Albert Lee III Single Family Residence 1.19 acres

38) Parcel 1023089151 (NB) Dennis Lynelle Smitty's Towing .73 acres

39) Parcel 1023089187 (NB) Mt. Si MHP LLC Mt. Si Mobile Home Estates 9.10 acres

40) Parcel 1023089160 (NB) Rowley Enterprises Inc. Vacant Land 1.25 acres

41) Parcel 1023089076 (NB) Rowley Enterprises Inc. North Bend Storage being used as a Mobile Home Park 4.42 acres

42) Parcel 1523089083 (NB) Rowley Enterprises Inc. Parking for a Sales Lot 1.59 acres

43) Parcel 1523089095 (NB) Jason Lee Mt. Si Hotel 1.35 acres

44) Parcel 8621700015 (NB) Michael Sailing vacant lot .19 acres

45) Parcel 8621700070 (NB) Arnold Pena Single Family Residence .50 acres

46) Parcel 8621700020 (NB) Irish Kieran Single Family Residence .18 acres

47) Parcel 8621700010 (NB) Marino Laurel North Bend Sand & Gravel 1.09 acres

48) Parcel 8621700025 (NB) Mountain Rescue Council vacant lot .17 acres

49) Parcel 8621700030 (NB) Mountain Rescue Council Seattle Mountain Rescue Center .19 acres

50) Parcel 8621700065 (NB) Steven Crabb Single Family Residence .29 acres

51) Parcel 8621700060 (NB) Samuel, Jacob and Olivi Snipes .24 acres

52) Parcel 8621700055 (NB) Dan Crocker Single Family Residence .23 acres

53) Parcel 8621700055 (NB) Dan Crocker Timberline Mini Storage & Shop .65 acres

54) Parcel 8621790005 (NB) Pacific Commercial Property Management Bigg Dogg Firearms & North Bend Automotive 1.10 acres

55) Parcel 8621700050 (NB) Western Gateway LLC Wilderness Glass .19 acres

56) Parcel 8621790045 (NB) Debra Bridges-Karolides Single Family Residence .19 acres

57) Parcel 8621700035 (NB) Debra Bridges-Karolides vacant lot .37 acres

58) Parcel 1323089066 (NB) Dan & Leilani Fleming vacant lot .54 acres

59) Parcel 1323089031 (NB) Howard McIntyre Mt. Si Tavern .33 acres

60) Parcel 1323089050 (NB) An-Ying Shun LLC new commercial build project under construction .55 acres

61) Parcel 1323089061 (NB) 45414NE LLC Apartments .33 acres

62) Parcel 1323089077 (NB) 45414NE LLC Single Family Residence .59 acres

63) Parcel 1323089147 (NB) Triple 60 Partners LLC vacant land? 1.55 acres

64) Parcel 1323089047 (NB) Harry & Pauline Buhler vacant land 1.24 acres

65) Parcel 1323089095 (NB) Triple 60 Partners LLC vacant land .22 acres

66) Parcell1323089094 (NB) Triple 60 Partners LLC a boat stored in a carport .25 acres

18.10.025 C.4 TANNER JUNCTION MPOD

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

a. Purpose. Due to the proximity of the Snoqualmie Valley Trail that passes through the site and the single-family low-density residential neighborhood immediately across SE 136th Street to the south of the site, certain light industrial and manufacturing uses permitted by the underlying EP-1 zone could be inconsistent with the recreational uses and residential character of the immediate area. A master plan overlay district establishes a site plan and mix of uses more compatible with these adjacencies. Should an applicant wish to propose a site layout or mix of uses alternative to that provided by the MPOD, the applicant may apply for a development agreement pursuant to Chapter 18.27 NBMC. Such development agreement shall not preclude other parcels within the MPOD from achieving conformance to the provisions of the MPOD.

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

i. There shall be a maximum of two access locations into the primary parcel from North Bend Way, including the collector street described below. The separate triangular shaped eastern parcel ending in 9188 may have shared access with the adjoining parcel to the east onto SE North Bend Way, to allow for adequate separation from Tanner Road. An additional access point may be considered only for emergency access purposes or if warranted by a traffic study. Public and private access locations shall include minimum five-foot-wide sidewalks and minimum five-foot-wide planter strips at the intersection with North Bend Way (or 10' landscape strip and extension of Tanner Trail as described below), and may transition from there to alternative standards within the private development.

ii. A public north-south through street shall bisect the site in the western half of the parcel to connect SE 136th Street with North Bend Way, in the location identified on Figure C.

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

1

(B) The north-south through street shall be constructed according to the standard for collector streets in Chapter 19.05 NBMC, Design and Construction Standards for Streets, or as otherwise determined necessary by the City Engineer.

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

iii. A public trail, constructed per the trail construction standards in NBMC 17.25.065, shall be constructed along the southern boundary of the site, and within the TLA, to connect SE 136th Street to the Snoqualmie Valley Trail. A public access trail easement containing the trail corridor shall be provided to the City, prior to final building permit approval for development on the affected parcel.

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

c. Any land use permit associated with properties within this overlay zone shall install a pedestrian crossing over North Bend Way providing a connection to Tanner Trail and Snoqualmie Valley Trail. The pedestrian crossing shall include at a minimum: a perpendicular crosswalk at SE North Bend Way with reflective bumps and/or lights. Further safety measures may be determined necessary by the City through the development review process.

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

ii. Trail Parking of not less than 3 spaces shall be provided as part of the any development application and shall be constructed in conjunction with the development. A bike rack is also encouraged.

d. Allowable Uses and Bulk and Dimensional Standards.

i. Uses within the Tanner Junction MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure C. Approximately 350' feet of the southern half of the Parcels No. 1423089183, 1423089185 and 1423089073 may be

comprised of HDR uses and/or EP-1 uses, except single-family detached, cottage housing and senior housing is not allowed within this overlay. Any EP-1 uses shall provide a 20 foot type I landscape transition area, pursuant to NBMC 18.18 Table 1, when located adjacent to HDR use within the site.

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

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

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

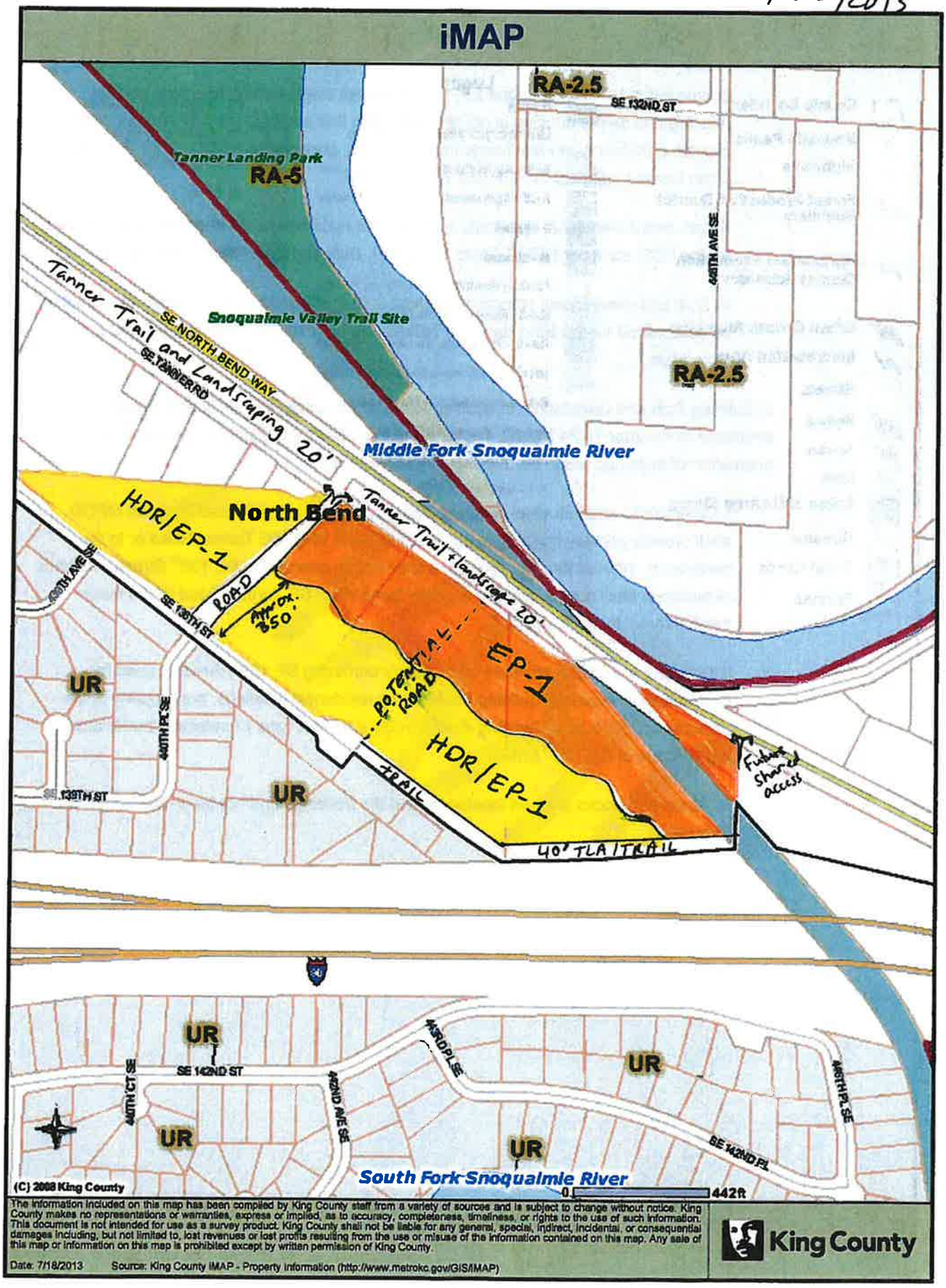
i. Commercial and industrial buildings constructed within the Tanner Junction MPOD shall provide primary frontage to either North Bend Way, SE Tanner Road or to the north-south internal through street, but shall not be oriented to SE 136th Street. The back of buildings shall not be oriented to North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

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

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

DRAFT

For PC 7/25/2013



City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-118	
Resolution Authorizing Adoption of the Housing Element Update for the 2024 North Bend Comprehensive Plan	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – Jamie Burrell	X
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	
Timeline: Immediate		

Attachments: Resolution, Exhibit A – Draft Housing Element (clean version), Staff Report and Planning Commission Recommendation containing Redline Version, Comments Received and Exhibits

SUMMARY STATEMENT:

As a part of the major 2024 update to the North Bend Comprehensive Plan, City Staff prepared amendments to the Housing Element. The effort began in early 2022 with a City and Valley wide Housing Needs Assessment which included a Citywide survey, a Housing Action Plan in 2023 with an open house, a Workshop in early 2024, and three Council Workstudies.

Staff confirmed with Affordable Housing Committee (AHC), Commerce and PSRC that these amendments meet GMA, HB 1120 and HB 1337 by accommodating the deficiency of 611 units identified in the very low and extremely low households which the City is required to plan for and accommodate if a project were to come forward. Additional new sections on Housing Capacity Analysis and Zoning Updates and History of Discriminatory Practices were added.

The Planning Commission reviewed the amendments at the August 21, 2024 and September 18, 2024, meetings, including holding a public hearing on September 18, 2024. The Planning Commission provided a recommendation to approve the amendments on September 18, 2024.

A clean version of the draft Housing Element is attached along with the Resolution. The Staff Report, also attached, provides a redline version (showing all amendments and comments describing changes), together with public comments received.

City Staff recommends approval of the update to the Housing Element, prior to formal adoption of the 2024 Comprehensive Plan by the City Council, which will incorporate the Housing Element. SEPA review has concluded for the Comprehensive Plan and no comments were received.

APPLICABLE BRAND GUIDELINES: Sustainably managed growth, consistent delivery of quality basic services, and commitment to invest in the City and foster community engagement and pride.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at the October 22, 2024 City Council Workstudy.

RECOMMENDED ACTION: **MOTION to approve AB24-118, a resolution authorizing adoption of the Housing Element for the 2024 North Bend Comprehensive Plan.**

City Council Agenda Bill

RECORD OF COUNCIL ACTION		
Meeting Date	***Action***	***Vote***
November 5, 2024		

RESOLUTION

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING ADOPTION OF THE HOUSING ELEMENT FOR THE 2024 NORTH BEND COMPREHENSIVE PLAN

WHEREAS, the City is required to prepare a Comprehensive Plan ("Plan") under the Growth Management Act ("the GMA") and is required by RCW 36.70A.040 to implement the Plan with development regulations that are consistent with the Plan; and

WHEREAS, RCW 36.70A.130 requires the City to review and, if needed, revise the Plan and development regulations on a periodic basis to ensure the Plan and regulations comply with the GMA and remain up-to-date; and

WHEREAS, City staff have prepared proposed amendments to the Housing Element; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments to the Housing Element on September 18, 2024; and

WHEREAS, the Planning Commission recommended approval of the amendments to the Housing Element at its September 18, 2024 meeting; and

WHEREAS, in accordance with WAC 365-196-630, a *Notification of Intention to Adopt Comprehensive Plan Amendments* was sent to the State of Washington Department of Commerce and to other State agencies on July 8, 2024, for a required 60-day review period; and

WHEREAS, environmental review required under the State Environmental Policy Act occurred in conjunction with the environmental review for the 2024 Plan update; and

WHEREAS, the public process for the proposed amendments to the Housing Element provided for early and continuous public participation opportunities including posting the draft amendment on the City of North Bend website for public review, corresponding with multiple outside agencies for input on the amendments, and holding meetings before the Planning Commission, including a public hearing; and

WHEREAS, the amendments to the Housing Element have been prepared in compliance with applicable City policy and State laws;

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

Section 1. Approval of Proposed Amendment: The City Council approves the proposed amendments to the Housing Element, attached hereto as Exhibit A and by this reference incorporated herein.

Section 2. Authorization of Comprehensive Plan Amendments: The City Council hereby directs that the amendments to the Housing Element approved in Section 1 of this Resolution and attached as Exhibit A hereto be included as part of a future ordinance in which all the 2024 Comprehensive Plan amendments are collectively adopted.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF NOVEMBER, 2024.

CITY OF NORTH BEND:

_____

Mary Miller, Mayor

APPROVED AS TO FORM:

_____

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective:
Posted:

_____

Susie Oppedal, City Clerk

CHAPTER 3: HOUSING ELEMENT

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CHAPTER 3: HOUSING ELEMENT



INTRODUCTION

The Housing Element of the Comprehensive Plan sets policies that will guide future housing development, by both public and private sectors, to meet the long-range housing needs of the community and to respond to the objectives of the Growth Management Act. The policies are written to support opportunities for developing housing for all income groups and for a variety of lifestyle choices. The plan considers the condition of existing housing stock and the provision of a variety of housing types and densities to meet the needs of the population while seeking to retain the small town lifestyle that is so important to the community. The plan also seeks to develop policies that encourage the development of recognizable neighborhoods with supportive amenities such as parks, trail connections and open space.

It is the intention of the City, through its Housing Plan Element policies, to offer its residents a mix of attractive, safe, and well-maintained neighborhoods which contain a variety of housing options that are available without discrimination. Neighborhoods must be appealing, well kept, safe and close to city services, amenities, schools, jobs, and institutions.

The Housing Element was developed in accordance with the Growth Management Act, RCW 36.70A.070, WAC 365-195-310 (Housing Element Requirements), and the King County Countywide Planning Policies.

The GMA requires a housing element[1] ensuring the vitality and character of established residential neighborhoods, that:

a. Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including:
    i. Units for moderate, low, very low, and extremely low-income households; and
    ii. Emergency housing, emergency shelters, and permanent supportive housing;
b. Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;
c. Identifies sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing,

[1] RCW 36.70A.070(2)

and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes;

d. Makes adequate provisions for existing and projected needs of all economic segments of the community, including:
    i. Incorporating consideration for low, very low, extremely low, and moderate-income households;
    ii. Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
    iii. Consideration of housing locations in relation to employment location; and
    iv. Consideration of the role of accessory dwelling units in meeting housing needs;
e. Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
    i. Zoning that may have a discriminatory effect;
    ii. Disinvestment; and
    iii. Infrastructure availability;
f. Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
g. Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
h. Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

King County Countywide Planning Policies (CPPs) provide local direction to implement the GMA's mandate for consideration of housing for all economic segments of the population. The CPP's housing goals are either directly or indirectly applicable to North Bend. The CPP's are available on the King County Regional Planning website.

The King County CPPs define an overarching goal for housing:

Provide a full range of affordable, accessible, healthy, and safe housing choices to every resident in King County. All jurisdictions work to:

- preserve, improve, and expand their housing stock;
- promote fair and equitable access to housing for all people; and
- take actions that eliminate race-, place-, ability-, and income-based housing disparities

Community Engagement Findings

As detailed further in the Housing Action Plan and Appendix B of the Plan 435 responses were received from the survey (5.5% of the population). 87% of the survey respondents were white. There was a lack of input received overall and renters were less represented. 17.5% of respondents rent while 63% indicated they owned their home. Community interviews were conducted, and students were engaged with a drawing contest. The City handed out fliers regarding the survey to nearly all business including downtown, grocery stores, fast food, and more. The City received written responses from Senior Center

members, held numerous open houses and attended Kiwanis & Rotary meetings. As shown in the Housing Needs Assessment 47% of renters are cost burdened and 16% of homeowners are. Most of North Bend residents commute out of the City for work and most that work in the City do not live here. Access to affordable housing, help to pay for home repairs, and help to pay for utilities all received interest from 12% of the sample.

Inventory & Analysis

In order to get the most accurate data the city hired blueline to prepare a Housing Needs Assessment for the City of North Bend, and a Regional Housing Needs Assessment for the Snoqualmie Valley. The North Bend Housing Needs Assessment includes Community Overview, Housing Conditions, and Gap Analysis. The North Bend Housing Needs Assessment and Snoqualmie Valley Housing Needs Assessment can be found at the City's Housing Website and included by reference.

The key takeaways of the Housing Needs Assessment include:

Housing Inventory

- North Bend has a total of 2,792 housing units. About 66% are single-family residential units.
- About 36% of North Bend's households are 2-person households
- Approximately 83% of housing was built before 1999 and is at least 20 years old
- About 91% of permits issued since 2010 were for single-family homes, though the number of multifamily permits increased in 2018 and 2019

Housing Ownership

- Of the total housing units, 66% or 1,745, are owner-occupied
- An estimate 100% of the group aged between 75 to 84 years are homeowners
- In 2021, the median home value was $760,430, nearly double the median home value in 2010 of $382,083

Rental Housing

- A third, 34% or 919 units, of North Bend's housing stock is rental units
- The group aged 85 is 86% of renters, and 72% of those under 35 years of age rent.
- In 2020, the median rent in North Bend was $1,424, nearly $270 less than King County median rent of $1,695

Subsidized Housing

- North Bend has three properties that provide subsidized, income-restricted rental units providing 68 units to the elderly and 20 to families.

Housing Needed to Accommodate Future Growth

- In 2018, the City added 51 new housing units
- From 2010 to 2019, the City added an annual average of 67 housing units, on track with the growth rate needed to satisfy the 2044 housing target.

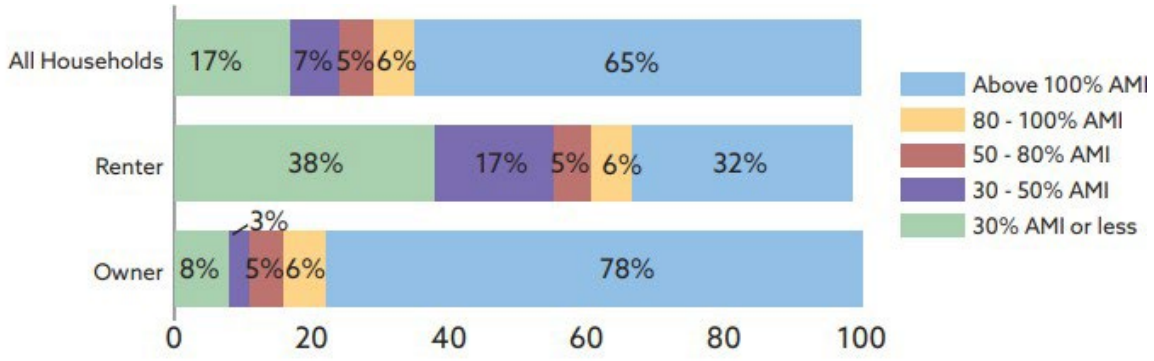
Diversity of Housing Choices

- Most households are occupied by two people (36%)
- Some households are occupied by one person (24%)
- Of the households occupied by one person, 36% are older adults, and 34% are in other, or non-family, non-elderly adult households, including those living alone or with housemates. This makes them the most severely cost burdened.
- Three developments contain 88 units, most of which are one-bedroom units targeted towards families and the elderly.

HUD Location Affordability Index

- A very low-income individual spends 117% of their income on housing and transportation.
- Everyone in North Bend spends at least 30% of their income on housing and transportation.

North Bend currently has 60% of all lands zoned for some type of residential use, with 14% available for moderate to high density in the DC, MDR and HDR NB, IMU and IC. The City allows ADU's on single family lots and will follow state law changes to be consistent with the allowance for 2 per lot. Per Exhibit 4 of the HNA the City 66% (1,745) households are owner occupied and 34% (919) households are renter occupied. Per Exhibit 7 of the HNA median household income for all households is $119,392.00, family income household type is $156,619.00 and non-family household type is $32,217.00. From the data we have it is clear that renter households experience more impact to housing costs and are at a higher risk of displacement. Senior housing has been identified as a need, as well as transitional housing for those that are homeless. Per Exhibit 8 of the HNA cost burdened households are summarized as follows:



Source: HUD Office of Policy Development and Research Comprehensive Housing Affordability Strategy, 2019. Data for North Bend city, Washington. Year Selected: 2015-2019 ACS

The City also completed a Housing Action Plan which includes important additional information on existing housing conditions and strategies to support housing development. A Housing Framework Review located in Appendix D of the Housing Action Plan details regulatory review and consistency with the GMA, King County Countywide Planning Policies and North Bend policies and regulations. Part 3 of the HAP includes Housing Toolkit and Strategies that provide details on how to address displacement risk in particular see Strategy B for preventing displacement to vulnerable communities. To address racially disparate impacts new Goal 7 and related policies including Policy H 7.2 below address the gap identified in the HAP. The HAP can be found at the City's Housing Website.

DIRECTION FOR HOUSING POLICIES

The Housing Element of the Comprehensive Plan outlines the City's direction or response to three basic objectives:

1. The need to provide adequate capacity for residential growth to meet regional growth targets;
2. The need to encourage the development of a wide variety of housing alternatives to meet the needs of a diverse population; and
3. The need to foster opportunities that provide housing of all economic segments of the population, especially affordable housing.

The City can influence the local housing market through a variety of means:

- by directing the location and amount of land available for residential development;

- by amending its ordinances and codes to affect the size, type, and design of new and renovated housing;
- by building amenities that attract quality residential development; and
- by seeking financial resources and partnerships which can help meet the objectives of maintaining the City's existing housing stock and providing affordable housing.

Housing type	**Definition from RCW**
Affordable Housing RCW 84.14.010	"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

The CPP's require all jurisdictions to have the capacity to accommodate housing and employment targets. North Bend's net housing target for 2024-2044 is 1,748 new houses. While much of the demand for housing will be met by new housing construction, rehabilitation of existing older structures and selective infill development within existing neighborhoods will also help satisfy this future demand.

Some of the future demand for housing will be for persons with special housing needs including those seeking group homes, emergency or transitional housing, senior housing, single room occupancy housing and so on. The City will work with the County to ensure that housing for persons with special needs can be accommodated here. The City will also work with providers of special needs housing to site new facilities or adapt to reuse other residential or non-residential buildings.

Recent State Law changes include updated definitions and requirements for Affordable Housing, Permanent Supportive Housing (PSH), and Emergency Housing. The table below outlines State definitions for these housing types:

King County has distributed growth targets pertaining to these housing types through adoption of the CPPs that were developed in coordination with jurisdictions in the county. King County ordinance 19660, adopted August 15th, 2023, establishes the City's housing growth target allocations; the table below outlines permanent housing targets by income and emergency housing target in beds. Emergency housing and emergency shelters are not subject to restrictive regulations and are outright permitted in zones that allow hotels for the provision of emergency housing capacity.

AMI Income Bracket							Emergency Needs Housing
0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	
PSH*	Non-PSH						
228	433	121	221	98	111	536	334 beds

*PSH – Permanent Supportive Housing

The income brackets that these targets are established in are based on the Area Median Income (AMI), as defined by the Department of Housing and Urban Development (HUD).

HUD Income Brackets	
Relative Income	**Income Bracket**
Extremely Low Income	0-30% AMI
Very Low Income	30-50% AMI
Low Income	50-80% AMI
Moderate Income	8-100% AMI
Greater than AMI	>100% AMI

The City can plan to provide housing for households within each income bracket by prioritizing current zoning designations that are likely to support housing types affordable to households in each bracket. In its LCA, the City identified local housing types and zones that provide housing affordable to each income bracket; this was done according to guidance provided by the Washington Department of Commerce[2].

The following table summarizes which income bracket each housing type is likely to provide affordable housing for and which zones those housing types are likely to be constructed in to meet current and future housing needs:

Supported Housing Types		
Income Bracket	**Housing Type**	**Zones supporting this Housing Type**
>120%	Single-Family Detached	CLDR and LDR
>80 - 120%	Townhomes, duplex, triplex, quadplex	MDR

[2] guidance for Housing Element updates

0 - 80% and PSH	Walk-up apartments, condominiums, PSH (2-3 floors)	DC, NMU, and HDR
>50 - 80%	ADUs on developed residential lots	Infill in all zones

The City of North Bend is committed to meeting the future demand for housing through the following strategies:

Expansion of City Limits:

The City of North Bend will accommodate increased population growth through annexations of land within its UGA. The North Bend UGA boundary is shown in Map 1-1 of the Land Use Element, North Bend Land Use Designations. The UGA will permit the City to grow to the south to I-90. These areas contain existing low-density residential and some open rural land uses. The remaining undeveloped land within the UGA will provide additional capacity to meet the City's new housing demand over the next 20 years.

- Acknowledge the growth capacity of potential annexation areas
- Align annexation strategy and growth targets
- Administratively adjust growth targets upon annexation

Infill Housing Within Existing Residential Areas:

This strategy would encourage additional housing on remaining lots within the City limits and existing residential areas. This strategy would permit development of smaller lots that are compatible with the existing neighborhood scale and character, helping to maintain and increase the vitality of these neighborhoods over time. Plats of smaller lots located within the existing city limits could allow for innovative housing types such as cottages, that would blend with surrounding homes and be more affordable, as well as other small, fee-simple units.

Mixed-Use Development:

Mixed-use development is a mix of different land uses in an area, on a property or within a single building such as commercial use first floor with residential above. Redevelopment of existing commercial areas would permit the development of housing over retail shops or adjacent to commercial uses. Mixed-use in the downtown will encourage transit by providing increased density to support alternate modes of transportation.

The City permits the creation of low intensity home businesses that encourages entrepreneurship without changing the character of existing neighborhoods. The City promotes concurrent commercial/residential uses in the DC and NMU zones that do not negatively impact the quality of life of adjacent neighbors. Mixed-use strategies are encouraged within a number of zoning districts through “Planned Neighborhood Development” review.

Mix of Housing Types:

Mixed-use development may also take the form of a mix of housing types within existing or yet-to-be-established neighborhoods. The goal of creating varied residential developments is to provide housing choices, integrate income and age groups, and encourage affordability. A variety in housing types should be permitted when the existing neighborhood character can be maintained or enhanced. An overall objective of the City is to work towards meeting Countywide Planning Policies on affordability by providing a mix of housing types in new and infill development. The City has established a Medium Density Residential (MDR) zone that allows smaller lot sizes at higher densities.

Critical to the success of neighborhoods with mixed housing types is attention to scale and neighborhood character, the provision of adequate parking and the concurrent creation of mini parks supported by the homeowners, expansion of existing City parks, or fee in-lieu option for smaller plats to meet the needs of new residents.



Figure 3-1: New LDR Development with attention to open space, scale, parking and neighborhood character.

As North Bend's population changes, so will its demographic profile. To respond to the expected changes in the population, lifestyles, and the rising cost of housing, the City should provide opportunities for a mix of housing types including townhouses, duplexes, small lot single family innovative housing including cottage housing and other alternative types of housing that would blend with surrounding homes and be more affordable, accessory dwelling units and mixed-use residential and commercial development. All new development should both meet the City's goal of retaining its small town charm and rural appeal and serve the future and current housing needs of all residents regardless of income or race. Accomplishing this objective will be achieved in part by the creation and retention of integrated systems of open spaces, bikeways and pedestrian paths.

Manufactured and Mobile Homes:

North Bend has approximately 113 mobile homes within the city limits based on 2022 Census data. These structures are located primarily in two mobile home parks located along North Bend Way and one on Bendigo Boulevard N. These mobile home parks provide a source of affordable housing, both rental and owner-occupied. Mobile home parks should provide safe and healthy neighborhoods and be adequately served with utilities and city amenities.

Manufactured homes, which are produced in factory-controlled settings and shipped to a housing site for assembly, can provide an affordable alternative to the conventional site-built single family home. By state law the City must permit manufactured housing that conforms to uniform codes in areas of the City with adequate utility service and capacity where they meet city zoning codes and are placed on permanent foundations.

AFFORDABLE HOUSING

"Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and

creating a region that is livable for all residents, economically prosperous, and environmentally sustainable. (Puget Sound Regional Council, Vision 2050)

The City of North Bend is committed to providing development opportunities for affordable and low-income housing. Housing is considered affordable when the total housing costs, including basic utilities, does not exceed 30 percent of the household income, this applies to renters and owners. Residents need assistance with the escalating cost of housing to ensure they have access to housing which best meets their needs. At time of plan adoption, the City has already progressed significantly on its housing targets for households with incomes greater than 50% AMI through recent developments. The City has identified sufficient capacity to meet the remaining housing targets (including housing affordable to households making less than 50% AMI) through land use map and development regulation revisions incorporated in this plan, see the Land Use Capacity analysis. for more details.

Concurrent with the need to provide safe, decent, and affordable housing is the need to ensure that lower income residents have equal access to the provision of social, recreational and community services.

Preservation of Existing Affordable Housing:

Older homes in existing neighborhoods, accessory units, mobile homes, shared housing, and existing subsidized housing currently provide affordable housing opportunities for some residents. Preservation of the existing affordable housing stock is critical to maintaining access to those sources. The City will seek ways of maintaining and increasing the availability of low-income housing through pursuit of Grant funds, developing links with affordable housing providers not currently operating in North Bend, and the consideration of developing or partnering with a Housing Authority, either alone or in conjunction with other valley cities, that could be charged with meeting residents' housing needs. The City will also work to enforce its building and maintenance codes to ensure that the existing housing stock provides decent, safe, and sanitary housing.

Subsidized Housing:

The City of North Bend currently has approximately 114 units of subsidized rental housing located in the downtown area. The Sno-Ridge Apartments (39) are exclusively senior housing, the Cascade Park apartments (27) is for seniors and disabled persons under 62, the Si View Court Apartments (20) are exclusively for families, and the River Run Apartments development includes income restricted housing (28). Additionally, Habitat of Humanity built 7 for ownership affordable units. This housing was developed through federal, state, and King County housing assistance programs. The City will continue to seek housing assistance programs to meet the needs of its low-income population while seeking to preserve its existing stock of subsidized housing.



Figure 3-2: Cascade Park Apartments for seniors and disabled persons under 62.

Zoning Incentives:

Zoning incentives are a key mechanism to encourage the development of affordable housing through the private market. Incentives can include density bonuses, forgiveness or reduction of impact fees or permit costs, and streamlined permit and development review processes. Amendments to the zoning codes can also provide new mechanisms for development to contribute to a low-income housing trust fund for future affordable housing production.

Non-Profit Housing Organizations:

Non-profit housing organizations can provide opportunities for developing low-income housing in the communities they serve. These organizations can assist in preservation and rehabilitation of existing housing or construction of new housing and acquisition of property for housing. The City of North Bend will encourage these organizations to become active housing partners in the North Bend community. The City can act as a catalyst to encourage the organization and participation of these groups and as a conduit through which to seek additional government support.

Accessory Housing and Housing Sharing:

Accessory housing is a means of providing additional housing in new and existing neighborhoods. Larger homes can often accommodate a rental unit without causing negative impacts in an existing neighborhood. State Law changes in 2023 require the City to allow up to two ADUs per lot in with the option for separate sale[3]. ADUs can be added to a developed parcel with an existing single-family home, and they may provide a lower cost housing option in areas where housing is typically more expensive, providing a way to help pay for a mortgage.

[3] https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1337.SL.pdf?q=20230602124224

Opportunities for shared housing can be encouraged by promoting local recognition of groups or agencies that assist in linking a housing provider with those seeking housing.

HOUSING FOR SPECIAL NEEDS

Federal and State law mandates that cities provide the same residential opportunities to individuals of special needs as are available to single family residences. These individuals may be part of group homes and require some assistance in their day-to-day living, such as the physically or mentally disabled, victims of domestic violence, substance abusers, people living with AIDS, youth at risk, and seniors. Family living situations, institutional settings, social service programs and assisted housing, specifically excluding Secure Community Transition Facilities as defined in Washington State law, all serve a portion of those with special needs. The Federal Fair Housing Act (Chapter 151B) includes all individuals with special needs and states that no individual shall be denied the opportunity for safe and independent living. In addition, the Washington Housing Policy Act states that a "decent home in a healthy, safe environment for every resident of the State" shall be provided (RCW 43.185B.009).

The Housing Element supports goals and policies that provide equal and fair housing access for all residents of North Bend, including special needs residents. In order to provide housing opportunities for residents of special needs, the City shall work with public and private agencies to provide opportunities and services that would not be available otherwise to these residents. In addition, the City shall provide for these residences by continuing to support codes and ordinances which allow for a variety of housing opportunities, as well as encouraging the increase of social support services within the city and surrounding area. Adding flexibility to the City's land use code to allow group homes and home-based care is also a significant opportunity available to the City for meeting the demand for special needs housing.

SENIOR HOUSING AND AGING IN PLACE

The population age distribution in North Bend has fluctuated over the last decade. The median age in North Bend has declined slightly from 42 years in 2010 to 39 years in 2020. Since 2010, the percentage of the population under 19 years of age and between 35 to 54 years of age has declined while the remaining population groups have been increasing. There are more residents aged over 55 years of age in North Bend now than there were in 2010. The City will need to accommodate this growing senior population by enabling the development of additional senior and assisted living housing, and by supporting the uses and needs of those residents. There are a rising number of challenges that communities, families and individuals face as the population over 60 increases. Communities can address these challenges by striving to become elderly-friendly. Elderly-friendly communities address the basic needs, optimize health and well-being, promote social and civic engagement, and increase independence for all people, but especially people who are frail or have disabilities.[4] An aging-friendly community is also a community that is livable for all ages. These communities can be created by improving health care quality for older adults and adults with disabilities, addressing basic needs (education, housing, transportation, financial empowerment, and food security) that improve health and well-being, increase independence for older adults, and promote age readiness.

[4] Center for Home Care Policy and Research/Visiting Nurse Service of New York, *The AdvantAge Initiative.*

HOUSING CAPACITY ANALYSIS AND ZONING UPDATES

The City partnered with LDC, Inc to assess the City's ability to meet its project housing need identified in the HNA and the King County Countywide Planning Policies (CPPs). This assessment was done through a Land Capacity Analysis (LCA) which assesses an inventory of the developable and redevelopable land within a city's jurisdiction and determines whether the city can accommodate its projected growth targets. This assessment allows the city to gain a better understanding of how much land is available for development, how the city can utilize the available land to meet the projected growth targets, and highlights potential changes needed to achieve the land capacity necessary to accommodate all housing and employment needs projected for the city.

This LCA initially identified the City of North Bend's (City) housing capacity was deficient for Households making less than 50% AMI. This shortage was due to the lack of available developable land for low-income serving housing solutions and required the City to adjust the zoning map and development regulations to accommodate an additional 611 residential units by 2044. The City developed plans to revise the zoning map and development regulations to ensure there is sufficient capacity provided for these housing needs. The changes to the zoning map and development regulation implemented as a part of the 2024 Comprehensive Plan Update include:

- Re-zoning of Single-Family Residential Land on North Bend Way to Downtown Commercial.
- Allow a height up to 35 feet for residential development in the IMU zone
- Re-zone a portion of the EP-1 zone along North Bend Way to Neighborhood Mixed Use
- Allow for second story residential development in the IC zone where the Outlet mall is located, through future development of a master plan in partnership with the property owner.
- Allow two Accessory Dwelling units per lot where single Family homes are permitted.

The LCA revaluated affordable housing capacity based on the revisions to the zoning map and development regulations and identified an additional 694 units of housing capacity, this increased the City's housing capacity for households making less than 50% AMI to a total of 833 dwelling units, thus providing sufficient capacity for all income targets. The table below shows how the City's housing targets are addressed by the existing development since 2020 and the capacity identified in the alternative zoning.

Affordable Housing Capacity-Target Comparison

Household Income	0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	Total
	Non-PSH	PSH						
Adopted Targets	433	228	121	221	98	111	536	1,748
2020-2023 Permitted Growth	2		30	200			540	772
Alternative Zoning Capacity	833		191	98			683	1,805

Capacity Surplus (or Deficit)	**53**	**0**	**89**	**687**	**829**

HISTORY OF DISCRIMINATORY PRACTICES IN HOUSING

Historically, private property owners, lending institutions, and federal, state, and local governments implemented strategies to restrict access to housing, land, and neighborhoods to people based on their race, nation of origin, and sometimes religion. These strategies perpetuated racial segregation and wealth inequities throughout the country and in North Bend. Some of these policies and practices known to have been enforced or practiced in King County include Indigenous land dispossession, the Alien Land Law, Japanese internment and incarceration, racial restrictive covenants, and discriminatory lending practices

that led to disproportionate access to homeownership. While federal, state, and local governments outlawed many of these overtly racist housing practices in the twentieth century, their legacy lives on through low-density zoning and large minimum lot requirements, lack of affordable housing investment in urban unincorporated areas, and lack of tenant protections. To the past, North Bend's zoning code did not prioritize types of high- and middle-density housing types, which limits housing supply and housing choice and leads to unaffordable housing prices that disproportionately impact low-income communities, of which Black, Indigenous, and People of Color are most overly represented in. However recent changes have encouraged more mixed use and higher density housing, especially in the downtown near services.

GOALS AND POLICIES

H - Goal 1: ***Encourage a variety of housing types and densities compatibly located to meet the demands of a diverse population.***

Policies:

H - 1.1 Encourage the development of single-family residential infill that would blend with surrounding homes and be more affordable and be compatible with existing neighborhoods within the city limits.

H - 1.2 Encourage the provision of a diversity of housing types including income-restricted housing and sizes to meet the needs of a wide range of economic levels, age groups and household make-up.

H - 1.3 Encourage a mix of housing types, models and densities, including but not limited to income levels outlined in the countywide policy.

H - 1.4 Create incentives for developers to include affordable housing voluntarily in new developments. Including but not limited to investigating the feasibility of incentive-based zoning schemas for affordable housing.

H - 1.5 Encourage non-profit housing providers to pursue housing development opportunities that supply affordable housing while providing a high-quality residential living environment.

H - 1.6 Work with King County to develop affordable housing opportunities within the Snoqualmie Valley communities.

H - 1.7 Reduce impact fees for residential developments that include affordable housing for those with low or very low-incomes.

H – 1.8 Seek housing assistance programs to meet the needs of low-income or other special-needs city residents, while seeking to preserve the existing subsidized housing currently located within the city.

H - 1.9 Work with the King County Housing Authority and other low-income housing providers to provide affordable units to households at or below 80% of median income by the end of the target period.

H – 1.10 Work with other governmental agencies to develop methods that can streamline the residential permit review process to reduce the impact on affordable housing development.

H – 1.11 Encourage affordable housing near transit and green spaces, as well as commercial spaces, including but not limited to colocation of working-wage housing with job opportunities.

H – 1.12 Monitor and assess the City's success in meeting housing needs to accommodate its 20-year population allocation at least every 5 years and revise strategies if projected housing needs are not on target to be met.

H - Goal 2: ***Promote residential neighborhoods that contain the necessary public amenities and support facilities that contribute to a high quality of life for North Bend residents.***

Policies:

H – 2.1 Consider development of parks and recreational facilities jointly with the School District and Si View Metropolitan Park District.

H – 2.2 Encourage the formation of neighborhood or homeowners associations to help develop a sense of community within a particular neighborhood.

H – 2.3 Seek to create or to retain and protect links to a Citywide Trail System that connects neighborhoods with areas of commerce and areas that cross jurisdictional boundaries in an effort to promote alternative transportation systems with the added benefit of supporting habitat corridor linkages to better facilitate wildlife movement throughout North Bend.

H – 2.4 Ensure infrastructure plans are developed concurrently with adopted housing plans, both of which shall take into consideration future climate-related hazards.

H - Goal 3: ***The City should encourage the preservation and rehabilitation of the existing housing stock as a means of providing affordable housing.***

Policies:

H - 3.1 Enforce building maintenance codes, and health and safety codes for the City's housing stock.

H - 3.2 Encourage the preservation of affordable older residential structures to maintain the available housing stock.

H - 3.3 Work to preserve and physically improve existing mobile home parks as a means of preserving affordable housing.

H - 3.4 Seek ways of maintaining and increasing the availability of low-income housing through pursuit of Community Development Block Grant funds for housing repair and maintenance, developing links with affordable housing providers.

H – 3.5 Encourage preservation of the existing stock of mobile home parks as a viable source of affordable and permanent supportive housing.

H – 3.6 Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation.

H - Goal 4: ***The City of North Bend should provide adequate land capacity for forecasted population and residential growth within its city limits and Urban Growth Area in order to promote stable housing prices, foster affordability and broaden housing choices.***

Policies:

H – 4.1 Allow for flexibility in housing development in order to meet population forecasts.

H – 4.2 Focus efforts to increase moderate- and higher-density housing in or near Downtown and other commercial districts where jobs, supporting services, and multi-modal transportation choices can be provided.

H – 4.3 Provide affordable housing with new housing development by creating incentives in zoning regulations that implement the countywide planning policies

H – 4.4 Provide areas for mixed use and high density housing to support a wide range of housing options at all economic segments for residents.

H – 4.5 Continue to allow cottage housing as infill development at higher densities outside of the established zones" as established in the development standards or consider additional similar policies. .

H – 4.6 Continue to consider mixed use development, which includes either a mix of residential densities or a mix of residential and compatible non-residential land uses through Master Planning and/or Development Agreements.

H – 4.7 Consider the Regional Growth Strategy while managing the City's jobs/housing balance

H – 4.8 Use available reports to identify and update policies which do not effectively help achieve housing targets and goals for affordability.

H – 4.9 Support and allow the development of a variety of housing types including long-term income restricted housing that increases the availability of housing affordable to all economic segments of the city's population.

H- Goal 5: ***Support and provide for the availability of housing for residents of North Bend with special housing needs,, including supportive housing and emergency housing needs.***

Policies

H – 5.1 Support the preservation and development of special needs housing in North Bend that serves both city residents and those in surrounding communities.

H – 5.2 Encourage and promote partnerships with public and private agencies, as well as developers, that provide funding for housing opportunities for those with special needs.

H – 5.3 Evaluate potential regulatory obstacles utilizing Commerce's adequate provisions checklist and adopt necessary amendments to ensure that codes or ordinances do not restrict development of special needs housing within North Bend.

H - 5.4 Encourage the provision of a sufficient supply of permanent supportive housing and special needs housing. Such housing should be dispersed throughout North Bend while avoiding the creation of impacts from inappropriate scale and design. Clustering of special needs housing may be allowed if proximity to public transportation, medical facilities or other essential services is necessary.

H – 5.5 North Bend will prioritize 0-30% AMI Permanent Supportive Housing and facilitate that housing as much as possible.

H-Goal 6: ***Support and provide for the ability to age in place safely, independently and comfortably, regardless of age, income or ability level.***

Policies:

H – 6.1 Empower older adults, their families, and other consumers to make informed decisions and to easily access available services

H – 6.2 Enable older adults to age in their place of choice with appropriate services

H – 6.3 Prepare North Bend for an aging population

H – 6.4 Strive to make the City of North Bend accessible, safe, and inclusive for children, youth, families, adults, and the elderly

H – 6.5 Allow people to age in place, be it in their homes or neighborhoods, by encouraging the development of neighborhoods that provide a mix of housing typologies and sizes to accommodate a broad range of lifestyles and abilities.

H – 6.6 Encourage and support accessible design and housing strategies, such as ADUs, that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

H – Goal 7: ***Promote social justice and reduce racial disparities through equitable access to housing in North Bend.***

Policies:

H – 7.1 Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect, disinvestment, and infrastructure availability. Demonstrate how current strategies are addressing impacts of those racially exclusive and discriminatory policies and practices.

H – 7.2 Document and recognize historic racially exclusive and discriminatory land use and housing practices, consistent with local and regional fair housing reports and other resources through support from State planning grants.

H – 7.3 Use periodic housing needs analysis and displacement risk reports to identify and update policies which do not effectively help achieve housing targets and regional goals for affordability, inclusivity, and environmental justice in planning for housing.

H – 7.4 Prevent discrimination and encourage fair and equitable access to housing for all persons in accordance with state and federal law.

H – 7.5 Ensure that equitable housing initiatives avoid areas currently experiencing or projected to experience climate-related hazards, such as flooding and other hazards identified in Washington Department of Ecology's Risk MAP.

Staff Report and Planning Commission Recommendation for Updates to the Housing Element of the Comprehensive Plan

Meeting Date: September 18, 2024

Proponent: City of North Bend

Staff Recommendation: A Motion to recommend City Council approval of the proposed updated Housing Element of the Comprehensive Plan for adoption with the rest of the 2024 Comprehensive Plan Update.

I. Purpose of proposed amendments:

The City of North Bend is proposing amendments to the Housing Element of the Comprehensive Plan. Amendments are being prepared as a part of the broader 2024 periodic update to the North Bend Comprehensive Plan, as required under RCW 36.70A.

Proposed amendments include the following:

1. Update to the housing and employment growth targets provided to the City by the Puget Sound Regional Council, and corresponding population projection.
2. Updates to policies for consistency with amendments to the Growth Management Act, Multicounty Planning Policies, and King County Countywide Planning Policies that have occurred since the time of the last update to the Comprehensive Plan in 2015.
3. Updates to address residential growth capacity for various housing types necessary to meet the City's required residential growth targets, which have now been broken down into multiple income brackets.
4. Affordable Housing Updates and required zone and code changes to meet required targets.
5. Discussion in changes in Accessory Dwelling Unit (ADU) laws.
6. A new Housing Capacity Analysis and Zoning Updates section
7. A new History of Discriminatory Practices in Housing section
8. Associated minor edits to update outdated information.

A redline version, showing all amendments and comments describing changes, is linked as Exhibit A.

II. Impacts of Proposed Amendment

NBMC 20.08.070 and .080 requires that applications for Comprehensive Plan and 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**. Negative environmental impacts are not anticipated from adopting the updates to the Housing Element. The proposed amendments support an increased allowance for development of housing types affordable for employees working in retail and service jobs within the community, potentially reducing commute distances for such employees, many of whom need to commute from out of the area as they cannot

afford local housing. Reducing commuting may have positive environmental impacts associated with reduced greenhouse gas emissions and other pollutants generated from motor vehicle use. State Environmental Policy Act review will be conducted for the Comprehensive Plan update as a whole, which will provide opportunity for further consideration of environmental impacts of the Comprehensive Plan including this Element prior to its adoption.

2. **Economic Impacts**. The amendments support an increased allowance for development of housing types affordable to persons in lower-income brackets, which are necessary for housing for employees working in retail and service jobs within the community, often referred to as workforce housing. Such housing is necessary to support the staff needed for local businesses that rely on this labor force, as well as for teachers, firefighters, and many other positions that serve the community. As such, the amendments provide a positive economic benefit and support a balanced community.

3. **Cultural Impacts**. No significant cultural impacts are anticipated from the amendments. The draft amendments include new policies addressing cultural resources and coordination with Tribes, as well as a new Equity section that includes policies aimed at bringing underrepresented and marginalized populations more into the planning process. Specific future projects that are subject to City permitting requirements will be subject to cultural resource reviews as appropriate, which will plan for addressing potential cultural resource impacts. State Environmental Policy Act review will be conducted for the Comprehensive Plan which will provide opportunity for further consideration of cultural impacts of the Comprehensive Plan including this Element, prior to its adoption before the end of 2024.

4. **Impacts to Surrounding Properties**. The Elements apply City-wide, however the Zoning Map amendments do include zoning revisions to specific properties, which have been noticed about the proposed changes for opportunity to provide comment at the public hearing. Different uses allowed within these zones may increase the intensity of development allowed on such properties. The City's development regulations including lighting regulations, landscape regulations, building setbacks, and height limits are intended to minimize and mitigate impacts of adjacent development to other properties. Future projects that are located on and/or adjacent to properties subject to the revised zoning will be subject to public notification and permitting requirements, which will include evaluation of potential impacts to such properties consistent with State Environmental Policy Act review and review against City development regulations at the time of application and review for such projects.

III. Compatibility of Proposed Amendment with North Bend Comprehensive Plan
In accordance with NBMC 20.08.080, Comprehensive Plan and development regulation amendments must be evaluated for compliance with the Comprehensive Plan. The proposed amendments are provided consistent with Multicounty Planning Policies, Countywide Planning Policies, and requirements of the Growth Management Act pertinent to land use and housing requirements, including updated population projections and growth targets.

IV. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)
In accordance with NBMC 20.08.080, Comprehensive Plan amendments must be evaluated for compliance with the North Bend Municipal Code. Corresponding amendments will be prepared to the North Bend Municipal Code implementing the amendments to the Housing Element to ensure consistency.

V. Planning Commission 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 existing Housing Element in the Comprehensive Plan dates to 2015 and needs to be updated consistent with state law (see below). The Zoning map needs to be revised for consistency with the updated Comprehensive Plan Elements including Land Use Designations and Zoning necessary to meet growth targets.

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

   Yes. The proposed update is necessary to ensure consistency with requirements of the Growth Management Act (GMA) and Puget Sound Regional Council (PSRC), as a required component of the City's periodic major update to the Comprehensive Plan due at the end of this year. Consistency with the GMA and PSRC Vision 2050 is required for certification of the City's Comprehensive Plan by PSRC for eligibility for various state and federal grants, which the City may rely on to fund municipal projects. Without such certification and use of grants, the City would need to fund a much larger share of the cost of these improvements.

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

   Yes.

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

   Yes. An updated Housing Element consistent with requirements of the Growth Management Act and Countywide Planning Policies will keep the City eligible for important grant sources that fund local infrastructure and park improvements. Providing amendments to Land Use Designations and Zoning to accommodate required housing targets will help facilitate the development of housing affordable to individuals that work within the community who might not otherwise afford to live here, resulting in a more complete, balanced community. The proposed revisions will result in a net benefit to the community.

VI. Summary Findings:

1. Pursuant to RCW 36.70A.106, the draft Land Use Element and Zoning Map was provided to the Department of Commerce - Growth Management Services via the Secure Access Washington portal on July 8, 2024.

2. State Environmental Policy Act Review will occur for the 2024 Comprehensive Plan updates as a whole, including this draft Housing Element update, at a later date. SEPA Determination will be required prior to final adoption by Council of the Comprehensive Plan.

3. A public hearing has been scheduled for the September 18, 2024 Planning Commission meeting and was duly noticed and published in the Valley Record. Comments were received and considered by the Planning Commission in the draft proposed. Comments are attached in Exhibit E.

4. The Planning Commission reviewed the draft amendments at their August 21, 2024 and September 18, 2024 meetings.

5. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*.

6. The proposed amendments are consistent with and effectively carry out the policies of and requirements for the Comprehensive Plan.

CONCLUSION AND STAFF RECOMMENDATION:

Based on findings above, Staff recommends approval of the proposed amendments to the Housing Element of the Comprehensive Plan, attached as Exhibit A.

PLANNING COMMISSION RECOMMENDATION

Based on the findings above and public comments received, the North Bend Planning Commission recommen**ds approval o**f the proposed amendments to the Housing Element of the Comprehensive Plan, attached as Exhibit A and Exhibit B.

Exhibit A: Draft Housing Element – Redline
Exhibit B: Draft Zoning Map
Exhibit C: Land Capacity Analysis
Exhibit D: Comments Received

CHAPTER 3: HOUSING ELEMENT

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CHAPTER 3: HOUSING ELEMENT



INTRODUCTION

The Housing Element of the Comprehensive Plan sets policies that will guide future housing development, by both public and private sectors, to meet the ~~long range~~long-range housing needs of the community and to respond to the objectives of the Growth Management Act. The policies are written to support opportunities for developing housing for all income groups and for a variety of lifestyle choices. The plan considers the condition of existing housing stock and the provision of a variety of housing types and densities to meet the needs of the population while seeking to retain the small town ~~life style~~lifestyle that is so important to the community. The plan also seeks to develop policies that encourage the development of recognizable neighborhoods with supportive amenities such as parks, trail connections and open space.

It is the intention of the City, through its Housing Plan Element policies, to offer its residents a mix of attractive, safe, and well-maintained neighborhoods which contain a variety of housing options that are available without discrimination. Neighborhoods must be appealing, well kept, safe and close to city services, amenities, schools, jobs, and institutions.

The Housing Element was developed in accordance with the Growth Management Act, RCW 36.70A.070, WAC 365-195-310 (Housing Element Requirements), and the King County Countywide Planning Policies.

~~To fulfill requirements set forth by the Washington Growth Management Act, a Housing Element ensuring the vitality and character of established residential neighborhoods includes the following information:~~

~~1. an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth;~~, ~~including affordable, emergency, and supportive housing types.~~

~~2. a statement of the goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing including single-family residences;~~

~~3. identification of sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and~~

~~4. provision for existing and projected housing needs of all economic segments of the population.~~

The GMA requires a housing element[1] ensuring the vitality and character of established residential neighborhoods, that:

a. Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including:
   i. Units for moderate, low, very low, and extremely low-income households; and
   ii. Emergency housing, emergency shelters, and permanent supportive housing;
b. Includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, and within an urban growth area boundary, moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes;
c. Identifies sufficient capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes;
d. Makes adequate provisions for existing and projected needs of all economic segments of the community, including:
   i. Incorporating consideration for low, very low, extremely low, and moderate-income households;
   ii. Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
   iii. Consideration of housing locations in relation to employment location; and
   iv. Consideration of the role of accessory dwelling units in meeting housing needs;
e. Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:
   i. Zoning that may have a discriminatory effect;
   ii. Disinvestment; and
   iii. Infrastructure availability;
f. Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions;
g. Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and
h. Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate-income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.

King County Countywide Planning Policies (CPPs) provide local direction to implement the GMA's mandate for consideration of ~~affordable~~ housing for all economic segments of the population. ~~Following~~

[1] RCW 36.70A.070(2)

~~is a paraphrased listing of the CPP's housing goals with direct applicability to North Bend. The number of each referenced goal is cited.~~ The CPP's housing goals are either directly or indirectly ~~Other CPPs may be indirectly~~ applicable to North Bend. The ~~full list of~~ CPP's are~~is~~ available on the King County ~~DDES~~ Regional Planning website.~~http://www.kingcounty.gov/property/permits/codes/growth/GMPC/CPPs.aspx.~~

The King County CPPs define an overarching goal for housing:

Provide a full range of affordable, accessible, healthy, and safe housing choices to every resident in King County. All jurisdictions work to:

- preserve, improve, and expand their housing stock;
- promote fair and equitable access to housing for all people; and
- take actions that eliminate race-, place-, ability-, and income-based housing disparities

- ~~H-2: Jurisdictions are to address the need for housing affordable to households at less than 30% AMI (very low-income), recognizing that this is where the greatest needs exists, and addressing this need will require funding, policies and collaborative actions by all jurisdictions working individually and collectively.~~
- ~~H-4: Provide zoning capacity within each jurisdiction in the Urban Growth Area for a range of housing types and densities, sufficient to accommodate each jurisdiction's overall housing targets and, where applicable, housing growth targets in designated Urban Centers.~~
- ~~H-5: Adopt policies, strategies, actions and regulations at the local and countywide levels that promote housing supply, affordability, and diversity, including those that address a significant share of the countywide need for housing affordable to very low, low, and moderate income households (refer to CPP document for associated strategies)~~
- ~~H-8: Tailor housing policies and strategies to local needs, conditions and opportunities, recognizing the unique strengths and challenges of different cities and sub-regions.~~
- ~~H-12: Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and by reducing exposure to harmful environments.~~
- ~~H-18: Review and amend, a minimum every five years, the countywide and local housing policies and strategies, especially where monitoring indicates that adopted strategies are not resulting in adequate affordable housing to meet the jurisdiction's share of the countywide need.~~

Community Engagement Findings

As detailed further in the Housing Action Plan and Appendix B of the Plan 435 responses were received from the survey (5.5% of the population). 87% of the survey respondents were white. There was a lack of input received overall and renters were less represented. 17.5% of respondents rent while 63% indicated they owned their home. Community interviews were conducted, and students were engaged with a drawing contest. The City handed out fliers regarding the survey to nearly all business including downtown, grocery stores, fast food, and more. The City received written responses from Senior Center members, held numerous open houses and attended Kiwanis & Rotary meetings. As shown in the Housing Needs Assessment 47% of renters are cost burdened and 16% of homeowners are. Most of North Bend residents commute out of the City for work and most that work in the City do not live here. Access to affordable housing, help to pay for home repairs, and help to pay for utilities all received interest from 12% of the sample.

Inventory & Analysis

Commented [JB1]: Text added to this section per AHC comments related to CPP H-3 (Inventory and Analysis) and CPP H-8 (Community Engagement)0

In order to get the most accurate data the city hired blueline to prepare a Housing Needs Assessment for the City of North Bend, and a Regional Housing Needs Assessment for the Snoqualmie Valley. The

North Bend Housing Needs Assessment includes Community Overview, Housing Conditions, and Gap Analysis. The North Bend Housing Needs Assessment and Snoqualmie Valley Housing Needs Assessment can be found at the City's Housing Website and included by reference.

The key takeaways of the Housing Needs Assessment include:

Housing Inventory

- North Bend has a total of 2,792 housing units. About 66% are single-family residential units.
- About 36% of North Bend's households are 2-person households
- Approximately 83% of housing was built before 1999 and is at least 20 years old
- About 91% of permits issued since 2010 were for single-family homes, though the number of multifamily permits increased in 2018 and 2019

Housing Ownership

- Of the total housing units, 66% or 1,745, are owner-occupied
- An estimate 100% of the group aged between 75 to 84 years are homeowners
- In 2021, the median home value was $760,430, nearly double the median home value in 2010 of $382,083

Rental Housing

- A third, 34% or 919 units, of North Bend's housing stock is rental units
- The group aged 85 is 86% of renters, and 72% of those under 35 years of age rent.
- In 2020, the median rent in North Bend was $1,424, nearly $270 less than King County median rent of $1,695

Subsidized Housing

- North Bend has three properties that provide subsidized, income-restricted rental units providing 68 units to the elderly and 20 to families.

Housing Needed to Accommodate Future Growth

- In 2018, the City added 51 new housing units
- From 2010 to 2019, the City added an annual average of 67 housing units, on track with the growth rate needed to satisfy the 2044 housing target.

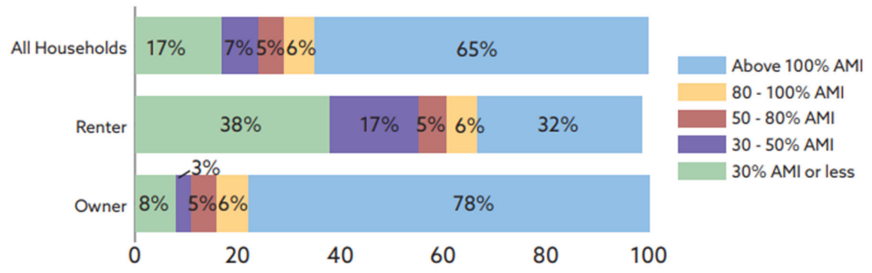
Diversity of Housing Choices

- Most households are occupied by two people (36%)
- Some households are occupied by one person (24%)
- Of the households occupied by one person, 36% are older adults, and 34% are in other, or non-family, non-elderly adult households, including those living alone or with housemates. This makes them the most severely cost burdened.
- Three developments contain 88 units, most of which are one-bedroom units targeted towards families and the elderly.

HUD Location Affordability Index

- A very low-income individual spends 117% of their income on housing and transportation.
- Everyone in North Bend spends at least 30% of their income on housing and transportation.

North Bend currently has 60% of all lands zoned for some type of residential use, with 14% available for moderate to high density in the DC, MDR and HDR NB, IMU and IC. The City allows ADU's on single family lots and will follow state law changes to be consistent with the allowance for 2 per lot. Per Exhibit 4 of the HNA the City 66% (1,745) households are owner occupied and 34% (919) households are renter occupied. Per Exhibit 7 of the HNA median household income for all households is $119,392.00, family income household type is $156,619.00 and non-family household type is $32,217.00. From the data we have it is clear that renter households experience more impact to housing costs and are at a higher risk of displacement. Senior housing has been identified as a need, as well as transitional housing for those that are homeless. Per Exhibit 8 of the HNA cost burdened households are summarized as follows:



Source: HUD Office of Policy Development and Research Comprehensive Housing Affordability Strategy, 2019. Data for North Bend city, Washington. Year Selected: 2015-2019 ACS

The City also completed a Housing Action Plan which includes important additional information on existing housing conditions and strategies to support housing development. A Housing Framework Review located in Appendix D of the Housing Action Plan details regulatory review and consistency with the GMA, King County Countywide Planning Policies and North Bend policies and regulations. Part 3 of the HAP includes Housing Toolkit and Strategies that provide details on how to address displacement risk in particular see Strategy B for preventing displacement to vulnerable communities. To address racially disparate impacts new Goal 7 and related policies including Policy H 7.2 below address the gap identified in the HAP. The HAP can be found at the City's Housing Website.

~~utilized multiple data sources. Where possible the decennial 2010 Census data was used. The decennial Census is conducted in years ending with '0' and provides very accurate detail, but not the range of data needed at times. When data was needed that is not collected in the decennial data the 5-Year American Community Survey (ACS) was utilized. The 5-Year ACS collects data for 60 months to compile precise and reliable data. It is also the only survey that analyzes small communities, with a population less than 20,000.~~

~~According to the 2010 Census the population of North Bend was 5,731, with 2,348 households within the City limits, an increase of 21% from 2000. There was an average household size of 2.57. Of these 2,348 households 2,210 were occupied leaving 138 vacant. In 2010 there were 1,344 (57.2%) owner occupied 866 (36.7%) renter occupied units.~~

~~**Table 3-1: City of North Bend Data**~~				
~~**Year**~~	~~Population~~	~~Number of Households[2]~~	~~# of owner occupied units*~~	~~# of renter occupied units~~
~~**1990**~~	~~2,578~~	~~1,044~~	~~572 (54.8%)~~	~~471 (45.2%)~~
~~**2000**~~	~~4,746~~	~~1,954~~	~~1,079 (57%)~~	~~762 (41%)~~
~~**2010**~~	~~5,731~~	~~2,348~~	~~1,344 (57.2%)~~	~~866 (36.7%)~~

~~*The percentage of owner/renter occupied units does not add up to 100% due to vacant units.~~

~~[2] The Census defines households in two categories: "Family households" consists of a householder and one or more other people related to the householder by birth, marriage or adoption; "Non-family households" consist of people living alone and households which do not have any members related to the householder.~~

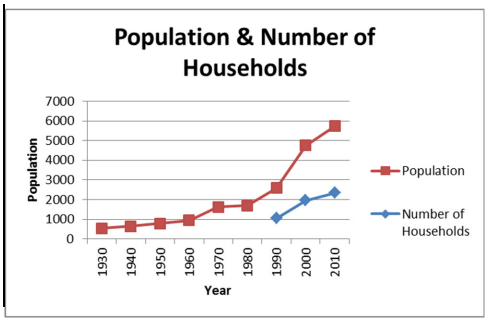


Figure 3-2: Data Source: 2010 U.S. Census

~~Between 2010 and 2014 there were 241 new housing units constructed. This is a significant increase in new housing compared to the previous decade (Table 3-2). In 2009 North Bend emerged from a 10 year building moratorium. The moratorium was established in 1999 as part of an agreement with Washington State's Department of Ecology when North Bend learned that the city had exceeded its share of water and to avoid fines the city agreed to not allow new residential construction. Ten years later the city secured additional water rights and building was allowed to resume.~~

~~Much of the City's housing was constructed prior to 1980. As the housing stock ages, the need will increase for rehabilitation of the oldest structures. Table 3-2 shows the age of the housing stock in the City of North Bend.~~

~~TABLE 3-2. AGE OF HOUSING STOCK*~~

~~Year Structure Built~~	~~**Units Constructed**~~	~~Percent~~
~~2010-2014**~~	~~241~~	~~8.8%~~
~~2000-2009~~	~~106~~	~~3.9%~~
~~1990-1999~~	~~990~~	~~36.5%~~
~~1980-1989~~	~~547~~	~~20.1%~~
~~1970-1979~~	~~259~~	~~9.5%~~
~~1960-1969~~	~~125~~	~~4.6%~~
~~1950-1959~~	~~145~~	~~5.3%~~
~~1940-1949~~	~~101~~	~~3.7%~~
~~1939 or earlier~~	~~201~~	~~7.4%~~
~~Total~~	~~2715~~	

~~*Data from 2009-2013 ACS 5-Year Survey~~
~~**The number of structures from 2010-2014 was derived from building permits issued at North Bend Community and Economic Development Department, therefore it is higher than the 2009-2013 ACS Census that does not include more recent developments.~~



~~A ranch house built in the 70's. (Silver Creek Neighborhood)~~



~~New single family development built in the late 90's. (New Si View)~~



Apartment complex built in late 80's.



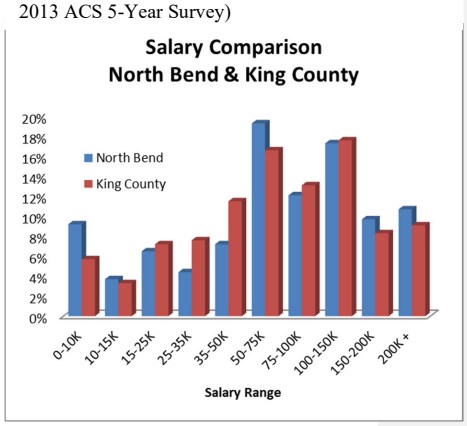
Multi-family housing with variety of housing options (2000). (Rock Creek Development)

Figure 3-3: Typical existing housing in North Bend.

The median household income in North Bend was $74,788 with 11.2 percent of the families or 13.5 percent of the individuals having incomes below the poverty level.[3] This income level indicates that the City must be responsive to the need of its residents to secure safe, decent, and affordable housing. Working with other housing providers including developers, the County, non-profits, State, or other agencies, the City must ensure that adequate provisions are made so that all economic segments of the community can find the housing it needs.

North Bend can meet the housing needs of its low-income residents by working with housing providers to rehabilitate or develop new housing units that are affordable. The adopted Countywide Planning Policies (CPPs) include affordable housing guidelines based on the median income for King County.

Figure 3-4: Salary Comparison between the City of North Bend and King County (Data Source: 2009-2013 ACS 5-Year Survey)



For the planning period, the City will have to develop multiple affordable strategies that can help generate an adequate supply of units affordable to low income city residents.

DIRECTION FOR HOUSING POLICIES

The Housing Element of the Comprehensive Plan outlines the City's direction or response to three basic objectives:

1. The need to provide adequate capacity for residential growth to meet regional growth targets;
2. The need to encourage the development of a wide variety of housing alternatives to meet the needs of a diverse population; and
3. The need to foster opportunities that provide housing of all economic segments of the population, especially affordable housing.

The City can influence the local housing market through a variety of means:

[3] 2009-2013 American Community Survey (ACS) 5-Year Estimates

- by directing the location and amount of land available for residential development;
- by amending its ordinances and codes to affect the size, type, and design of new and renovated housing;
- by building amenities that attract quality residential development; and
- by seeking financial resources and partnerships which can help meet the objectives of maintaining the City's existing housing stock and providing affordable housing.

The CPP's require all jurisdictions to have the capacity to accommodate housing and employment targets. North Bend's net housing target for 2024-2044~~12-2031~~ is ~~649~~1,748 new houses. ~~North Bends net job target for 2006-2031 is 1,050 new jobs.~~ While much of the demand for housing will be met by new housing construction, rehabilitation of existing older structures and selective infill development within existing neighborhoods will also help satisfy this future demand.

Some of the future demand for housing will be for persons with special housing needs including those seeking group homes, emergency or transitional housing, senior housing, single room occupancy housing and so on. The City will work with the County to ensure that housing for persons with special needs can be accommodated here. The City will also work with providers of special needs housing to site new facilities or adapt to reuse other residential or non-residential buildings.

Recent State Law changes include updated definitions and requirements for Affordable Housing, Permanent Supportive Housing (PSH), and Emergency Housing. The table below outlines State definitions for these housing types:

King County has distributed growth targets pertaining to these housing types through adoption of the

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

CPPs that were developed in coordination with jurisdictions in the county. King County ordinance 19660, adopted August 15th, 2023, establishes the City's housing growth target allocations; the table below outlines permanent housing targets by income and emergency housing target in beds. Emergency housing and emergency shelters are not subject to restrictive regulations and are outright permitted in zones that allow hotels for the provision of emergency housing capacity.

Commented [JB2]: Added per PSRC comment

AMI Income Bracket							Emergency Needs Housing
0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	
PSH*	Non-PSH						
228	433	121	221	98	111	536	334 beds

*PSH – Permanent Supportive Housing

The income brackets that these targets are established in are based on the Area Median Income (AMI), as defined by the Department of Housing and Urban Development (HUD).

HUD Income Brackets	
Relative Income	**Income Bracket**
Extremely Low Income	0-30% AMI
Very Low Income	30-50% AMI
Low Income	50-80% AMI
Moderate Income	8-100% AMI
Greater than AMI	>100% AMI

The City can plan to provide housing for households within each income bracket by prioritizing current zoning designations that are likely to support housing types affordable to households in each bracket. In its LCA, the City identified local housing types and zones that provide housing affordable to each income bracket; this was done according to guidance provided by the Washington Department of Commerce[4].

The following table summarizes which income bracket each housing type is likely to provide affordable housing for and which zones those housing types are likely to be constructed in to meet current and future housing needs:

Supported Housing Types		
Income Bracket	**Housing Type**	**Zones supporting this Housing Type**
>120%	Single-Family Detached	CLDR and LDR
>80 - 120%	Townhomes, duplex, triplex, quadplex	MDR
0 - 80% and PSH	Walk-up apartments, condominiums, PSH (2-3 floors)	DC, NMU, and HDR
>50 - 80%	ADUs on developed residential lots	Infill in all zones

The City of North Bend is committed to meeting the future demand for housing through the following strategies:

Expansion of City Limits:

The City of North Bend will accommodate increased population growth through annexations of land within its UGA. The North Bend UGA boundary is shown in Map 1-1 of the Land Use Element, North Bend Land Use Designations. The UGA will permit the City to grow to the south to I-90. These areas contain existing low-density residential and some open rural land uses. The remaining undeveloped land within the UGA will provide additional capacity to meet the City's new housing demand over the next 20 years.

[4] guidance for Housing Element updates

Infill Housing Within Existing Residential Areas:

This strategy would encourage additional housing on remaining lots within the City limits and existing residential areas. This strategy would permit development of smaller lots that are compatible with the existing neighborhood scale and character, helping to maintain and increase the vitality of these neighborhoods over time. Plats of smaller lots located within the existing city limits could allow for innovative housing types such as cottages, that would blend with surrounding homes and be more affordable, as well as other small, fee-simple units.

Mixed-Use Development:

Mixed-use development is a mix of different land uses in an area, on a property or within a single building such as commercial use first floor with residential above. Redevelopment of existing commercial areas would permit the development of housing over retail shops or adjacent to commercial uses. Mixed-use in the downtown will encourage transit by providing increased density to support alternate modes of transportation.

The City permits the creation of low intensity home businesses that encourages entrepreneurship without changing the character of existing neighborhoods. The City promotes concurrent commercial/residential uses in the DC and ~~NB~~ NMU zones that do not negatively impact the quality of life of adjacent neighbors. Mixed-use strategies are encouraged within a number of zoning districts through "Planned Neighborhood Development" review.

Mix of Housing Types:

Mixed-use development may also take the form of a mix of housing types within existing or yet-to-be-established neighborhoods. The goal of creating varied residential developments is to provide housing choices, integrate income and age groups, and encourage affordability. A variety in housing types should be permitted when the existing neighborhood character can be maintained or enhanced. An overall objective of the City is to work towards meeting Countywide Planning Policies on affordability by providing a mix of housing types in new and infill development. ~~The City is presently at a ratio of 66 percent owner occupied to 34 percent renter occupied. To further encourage diversity, the~~The City has established a ~~Cottage Residential (CR)~~ Medium Density Residential (MDR) zone that allows smaller lot sizes at higher densities.

Critical to the success of neighborhoods with mixed housing types is attention to scale and neighborhood character, the provision of adequate parking and the concurrent creation of mini parks supported by the homeowners, expansion of existing City parks, or fee in-lieu option for smaller plats to meet the needs of new residents.



Figure 3-1: New LDR Development with attention to open space, scale, parking and neighborhood character.

As North Bend's population changes, so will its demographic profile. To respond to the expected changes in the population, lifestyles, and the rising cost of housing, the City should provide opportunities for a mix of housing types including townhouses, duplexes, small lot single family innovative housing including cottage housing and other alternative types of housing that would blend with surrounding homes and be more affordable, accessory dwelling units and mixed-use residential and commercial development. All new development ~~must~~ should both meet ~~the market demand as well as meet~~ the City's goal of retaining its small town charm and rural appeal and serve the future and current housing needs of all residents regardless of income or race. Accomplishing this objective will be achieved in part by the creation and retention of integrated systems of open spaces, bikeways and pedestrian paths.

Manufactured and Mobile Homes:

N~~As of 2022 N~~orth Bend has approximately 113 mobile homes within the city limits based on 2022 Census data. These structures are located primarily in two mobile home parks located along North Bend Way and one on Bendigo Boulevard N. These mobile home parks provide a source of affordable housing, both rental and owner-occupied. Mobile home parks should provide safe and healthy neighborhoods and be ~~must demonstrate that they are safe and have~~ adequately served with utilities and city amenities.

Manufactured homes, which are produced in factory-controlled settings and shipped to a housing site for assembly, can provide an affordable alternative to the conventional site-built single family home. By state law the City must permit manufactured housing that conforms to uniform codes in areas of the City with adequate utility service and capacity where they meet city zoning codes and are placed on permanent foundations.

AFFORDABLE HOUSING

"Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable. ~~Housing is a basic need for every individual. Our [region's] success depends on ensuring the availability of a variety of housing types and densities, as well as an adequate supply of housing affordable at all income levels, to meet the diverse needs of both current and future residents."~~ (Puget Sound Regional Council, Vision 20~~5~~40)

The City of North Bend is committed to providing development opportunities for affordable and low-income housing. Housing is considered a~~A~~ffordable ~~housing is defined as~~ when the total housing costs, including basic utilities, does not exceed 30 percent of the household income, this applies to renters and owners ~~limit. (for renters, 50 percent or less of the county median family income, adjusted for family size, and for owners, 80 percent or less of the county median family income, adjusted for family size for owners) (WAC 365-196-210(e)(i)(C) (i-v)).~~ Residents need assistance with the escalating cost of housing to ensure they have access to housing which best meets their needs. At time of plan adoption, the City has already progressed significantly on its housing targets for households with incomes greater than 50% AMI through recent developments. The City has identified sufficient capacity to meet the remaining housing targets (including housing affordable to households making less than 50% AMI) through land use map and development regulation revisions incorporated in this plan, see the Land Use Capacity analysis. for more details. ~~North Bend was slightly under the capacity for targeted units for providing housing below 80% Area Medium Income (AMI). North Bend meets and exceeds the goals for 80% and higher AMI.~~

Commented [JB3]: Added per PSRC comment

Concurrent with the need to provide safe, decent, and affordable housing is the need to ensure that lower income residents have equal access to the provision of social, recreational and community services.

Preservation of Existing Affordable Housing:

Older homes in existing neighborhoods, accessory units, mobile homes, shared housing, and existing subsidized housing currently provide affordable housing opportunities for some residents. Preservation of the existing affordable housing stock is critical to maintaining access to those sources. The City will seek ways of maintaining and increasing the availability of low-income housing through pursuit of Grant funds, developing links with affordable housing providers not currently operating in North Bend, and the consideration of developing or partnering with a Housing Authority, either alone or in conjunction with other valley cities, that could be charged with meeting residents' housing needs. The City will also work to enforce its building and maintenance codes to ensure that the existing housing stock provides decent, safe, and sanitary housing.

Subsidized Housing:

The City of North Bend currently has approximately 114 ~~90~~ units of subsidized rental housing located in the downtown area. The Sno-Ridge Apartments (39) are exclusively senior housing, the Cascade Park apartments (27) is for seniors and disabled persons under 62, ~~and~~ the Si View Court Apartments (20) are exclusively for families, and the River Run Apartments development includes income restricted housing (28). Additionally, Habitat of Humanity built 7 for ownership affordable units. This housing was developed through federal, state, and King County housing assistance programs. The City will continue to seek housing assistance programs to meet the needs of its low-income population while seeking to preserve its existing stock of subsidized housing.



Figure 3-2: Cascade Park Apartments for seniors and disabled persons under 62.

Zoning Incentives:

Zoning incentives are a key mechanism to encourage the development of affordable housing through the private market. Incentives can include density bonuses, forgiveness or reduction of impact fees or permit costs, and streamlined permit and development review processes. Amendments to the zoning codes can also provide new mechanisms for development to contribute to a low-income housing trust fund for future affordable housing production.

Non-Profit Housing Organizations:

Non-profit housing organizations can provide opportunities for developing low-income housing in the communities they serve. These organizations can assist in preservation and rehabilitation of existing housing or construction of new housing and acquisition of property for housing. The City of North Bend will encourage these organizations to become active housing partners in the North Bend community. The City can act as a catalyst to encourage the organization and participation of these groups and as a conduit through which to seek additional government support.

Accessory Housing and Housing Sharing:

Accessory housing is a means of providing ~~additional affordable residential units~~additional housing in new and existing neighborhoods. Larger homes can often accommodate a rental unit without causing negative impacts in an existing neighborhood. ~~The City identifies appropriate standards for accessory housing units and has developed the regulatory means to accommodate them.~~ State Law changes in 2023 require the City to allow up to two ADUs per lot in with the option for separate sale[5]. ADUs can be added to a developed parcel with an existing single-family home, and they may provide a lower cost housing option in areas where housing is typically more expensive, providing a way to help pay for a mortgage. Opportunities for shared housing can be encouraged by promoting local recognition of groups or agencies that assist in linking a housing provider with those seeking housing.

HOUSING FOR SPECIAL NEEDS

Federal and State law mandates that cities provide the same residential opportunities to individuals of special needs as are available to single family residences. These individuals may be part of group homes and require some assistance in their day-to-day living, such as the physically or mentally disabled, victims of domestic violence, substance abusers, people living with AIDS, youth at risk, and seniors. Family living situations, institutional settings, social service programs and assisted housing, specifically excluding Secure Community Transition Facilities as defined in Washington State law, all serve a portion of those with special needs. The Federal Fair Housing Act (Chapter 151B) includes all individuals with special needs and states that no individual shall be denied the opportunity for safe and independent living. In addition, the Washington Housing Policy Act states that a "decent home in a healthy, safe environment for every resident of the State" shall be provided (RCW 43.185B.009).

The Housing Element supports goals and policies that provide equal and fair housing access for all residents of North Bend, including special needs residents. In order to provide housing opportunities for residents of special needs, the City shall work with public and private agencies to provide opportunities and services that would not be available otherwise to these residents. In addition, the City shall provide for these residences by continuing to support codes and ordinances which allow for a variety of housing opportunities, as well as encouraging the increase of social support services within the city and

[5] https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1337.SL.pdf?q=20230602124224

surrounding area. Adding flexibility to the City's land use code to allow group homes and home-based care is also a significant opportunity available to the City for meeting the demand for special needs housing.

SENIOR HOUSING AND AGING IN PLACE

The population age distribution in North Bend has fluctuated over the last decade. The median age in North Bend has declined slightly from 42 years in 2010 to 39 years in 2020. Since 2010, the percentage of the population under 19 years of age and between 35 to 54 years of age has declined while the remaining population groups have been increasing. There are more residents aged over 55 years of age in North Bend now than there were in 2010. The City will need to accommodate this growing senior population by enabling the development of additional senior and assisted living housing, and by supporting the uses and needs of those residents. There are a rising number of challenges that communities, families and individuals face as the population over 60 increases. Communities can address these challenges by striving to become elderly-friendly. Elderly-friendly communities address the basic needs, optimize health and well-being, promote social and civic engagement, and increase independence for all people, but especially people who are frail or have disabilities.[6] An aging-friendly community is also a community that is livable for all ages. These communities can be created by improving health care quality for older adults and adults with disabilities, addressing basic needs (education, housing, transportation, financial empowerment, and food security) that improve health and well-being, increase independence for older adults, and promote age readiness.

HOUSING CAPACITY ANALYSIS AND ZONING UPDATES

The City partnered with LDC, Inc to assess the City's ability to meet its project housing need identified in the HNA and the King County Countywide Planning Policies (CPPs). This assessment was done through a Land Capacity Analysis (LCA) which assesses an inventory of the developable and redevelopable land within a city's jurisdiction and determines whether the city can accommodate its projected growth targets. This assessment allows the city to gain a better understanding of how much land is available for development, how the city can utilize the available land to meet the projected growth targets, and highlights potential changes needed to achieve the land capacity necessary to accommodate all housing and employment needs projected for the city.

This LCA initially identified the City of North Bend's (City) housing capacity was deficient for Households making less than 50% AMI. This shortage was due to the lack of available developable land for low-income serving housing solutions and required the City to adjust the zoning map and development regulations to -accommodate an additional 611 residential units by 2044. The City developed plans to revise the zoning map and development regulations to ensure there is sufficient capacity provided for these housing needs. The changes to the zoning map and development regulation implemented as a part of the 2024 Comprehensive Plan Update include:

- Re-zoning of Single Family Residential Land on North Bend Way to Downtown Commercial.
- Allow a height up to 35 feet for residential development in the IMU zone
- Re-zone a portion of the EP-1 zone along North Bend Way to Neighborhood Mixed Use
- Allow for second story residential development in the IC zone where the Outlet mall is located, through future development of a master plan in partnership with the property owner.

[6] Center for Home Care Policy and Research/Visiting Nurse Service of New York, *The AdvantAge Initiative.*

- Allow two Accessory Dwelling units per lot where single Family homes are permitted.

Affordable Housing Capacity-Target Comparison								
	0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	Total
	Non-PSH	PSH						
Adopted Targets	433	228	121	221	98	111	536	1,748
Capacity Surplus (or Deficit)	**52**		**0**	**89**			**687**	**828**

HISTORY OF DISCRIMINATORY PRACTICES IN HOUSING

Historically, private property owners, lending institutions, and federal, state, and local governments implemented strategies to restrict access to housing, land, and neighborhoods to people based on their race, nation of origin, and sometimes religion. These strategies perpetuated racial segregation and wealth inequities throughout the country and in North Bend. Some of these policies and practices known to have been enforced or practiced in King County include Indigenous land dispossession, the Alien Land Law, Japanese internment and incarceration, racial restrictive covenants, and discriminatory lending practices that led to disproportionate access to homeownership. While federal, state, and local governments outlawed many of these overtly racist housing practices in the twentieth century, their legacy lives on through low-density zoning and large minimum lot requirements, lack of affordable housing investment in urban unincorporated areas, and lack of tenant protections. To~~n~~ the past, North Bend's zoning code did not ~~previously~~ prioritize ~~incentivize allowable~~ types of high- and middle-density housing types, which limits housing supply and housing choice and leads to unaffordable housing prices that disproportionately impact low-income communities, of which Black, Indigenous, and People of Color are most overly represented in. However recent changes has encouraged more mixed use and higher density housing, especially in the downtown near services.

GOALS AND POLICIES

H - Goal 1: ***Encourage a variety of housing types and densities compatibly located to meet the demands of a diverse population.***

Policies:

H - 1.1 Encourage the development of single-family residential infill that would blend with surrounding homes and be more affordable and be compatible with existing neighborhoods within the city limits.

H - 1.2 Encourage the provision of a diversity of housing types including income-restricted housing and sizes to meet the needs of a wide range of economic levels, age groups and household make-up.

Commented [JB4]: Added per AHC comment

H - 1.3 Encourage a mix of housing types, models and densities, including but not limited to income levels outlined in the countywide policy.

H - 1.4 Create incentives for developers to include affordable housing voluntarily in new developments. Including but not limited to investigating the feasibility of incentive based zoning schemas for affordable housing.

H - 1.5 Encourage non-profit housing providers to pursue housing development opportunities that supply affordable housing while providing a high quality residential living environment.

H - 1.6 Work with King County to develop affordable housing opportunities within the Snoqualmie Valley communities.

H - 1.7 Reduce impact fees for residential developments that include affordable housing for those with low or very low-incomes.

H – 1.8 Seek housing assistance programs to meet the needs of low-income or other special-needs city residents, while seeking to preserve the existing subsidized housing currently located within the city.

H - 1.9 Work with the King County Housing Authority and other low income housing providers to provide affordable units to households at or below 80% of median income by the end of the target period ~~(2022)~~.

H – 1.10 Work with other governmental agencies to develop methods that can streamline the residential permit review process to reduce the impact on affordable housing development.

H – 1.11 Encourage affordable housing near transit and green spaces, as well as commercial spaces, including but not limited to colocation of working-wage housing with job opportunities.

Commented [JB5]: WDFW comment

H – 1.12 Monitor and assess the City's success in meeting housing needs to accommodate its 20-year population allocation at least every 5 years and revise strategies if projected housing needs are not on target to be met.

H - Goal 2: ***Promote residential neighborhoods that contain the necessary public amenities and support facilities that contribute to a high quality of life for North Bend residents.***

Policies:

H – 2.1 Consider development of parks and recreational facilities jointly with the School District and Si View Metropolitan Park District.

H – 2.2 Encourage the formation of neighborhood or homeowners associations to help develop a sense of community within a particular neighborhood.

H – 2.3 Seek to create or to retain and protect links to a Citywide Trail System that connects neighborhoods with areas of commerce and areas that cross jurisdictional boundaries in an effort to promote alternative transportation systems with the added benefit of supporting habitat corridor linkages to better facilitate wildlife movement throughout North Bend.

Commented [JB6]: WDFW comment

H – 2.4 Ensure infrastructure plans are developed concurrently with adopted housing plans, both of which shall take into consideration future climate-related hazards.

Commented [JB7]: WDFW comment

H - Goal 3: ***The City should encourage the preservation and rehabilitation of the existing housing stock as a means of providing affordable housing.***

Policies:

H - 3.1 Enforce building maintenance codes, and health and safety codes for the City's housing stock.

H - 3.2 Encourage the preservation of affordable older residential structures to maintain the available housing stock.

H - 3.3 Work to preserve and physically improve existing mobile home parks as a means of preserving affordable housing.

H - 3.4 Seek ways of maintaining and increasing the availability of low-income housing through pursuit of Community Development Block Grant funds for housing repair and maintenance, developing links with affordable housing providers.

H – 3.5 Encourage preservation of the existing stock of mobile home parks as a viable source of affordable and permanent supportive housing.

H – 3.6 Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation.

H - Goal 4: ***The City of North Bend should provide adequate land capacity for forecasted population and residential growth within its city limits and Urban Growth Area in order to promote stable housing prices, foster affordability and broaden housing choices.***

Policies:

H – 4.1 Allow for ~~density~~ flexibility in housing development in order to meet population forecasts.

H – 4.2 ~~Promote opportunities for infill housing within the downtown area that provide a mix of housing types, prices, and densities.~~ Focus efforts to increase moderate- and higher-density housing in or near Downtown and other commercial districts where jobs, supporting services, and multi-modal transportation choices can be provided.

H – 4.3 Provide affordable housing with new housing development by creating incentives in zoning regulations that implement the countywide planning policies~~Develop zoning regulations that will provide incentives to implement county wide planning policy targets for housing affordability as new housing development is permitted.~~

H – 4.4 Provide areas for mixed use and high density housing to support a wide range of housing options at all economic segments for residents.

H – 4.5 Continue to allow ~~accessory units, shared housing,~~ cottage housing as~~,~~ infill development at higher densities outside of the ~~"~~established zones" as established in the development standards or consider additional similar policies. ~~or "constrained areas" and mixed use development, which includes either a mix of residential densities or a mix of residential and commercial land uses in specifically designated areas~~.

H – 4.6 Continue to consider mixed use development, which includes either a mix of residential densities or a mix of residential and compatible non-residential land uses through Master Planning and/or Development Agreements.

H – 4.7 Consider the Regional Growth Strategy while managing the City's jobs/housing balance

H – 4.8 Use available reports to identify and update policies which do not effectively help achieve housing targets and goals for affordability.

H – 4.9 Support and allow the development of a variety of housing types including long-term income restricted housing that increases the availability of housing affordable to all economic segments of the city's population.

Commented [JB8]: New addition per AHC to meet CPP H-10 and H-14

H- Goal 5: ***Support and provide for the availability of housing for residents of North Bend with special housing needs,~~ excluding Secure Community Transition Facilities as defined in Washington State Law~~, including supportive housing and emergency housing needs.***

Policies

H – 5.1 Support the preservation and development of special needs housing in North Bend that serves both city residents and those in surrounding communities.

H – 5.2 Encourage and promote partnerships with public and private agencies, as well as developers, that provide funding for housing opportunities for those with special needs.

H – 5.3 Evaluate potential regulatory obstacles utilizing Commerce's adequate provisions checklist and adopt necessary amendments to ensure that codes or ordinances do not restrict development of special needs housing within North Bend.

H - 5.4 Encourage the provision of a sufficient supply of permanent supportive housing and special needs housing. Such housing should be dispersed throughout North Bend while avoiding the creation of impacts from inappropriate scale and design. Clustering of special needs housing may be allowed if proximity to public transportation, medical facilities or other essential services is necessary.

H – 5.5 North Bend will prioritize 0-30% AMI Permanent Supportive Housing and facilitate that housing as much as possible.

Commented [JB9]: New policy per AHC

H-Goal 6: ***Support and provide for the ability to age in place safely, independently and comfortably, regardless of age, income or ability level.***

Policies:

H – 6.1 Empower older adults, their families, and other consumers to make informed decisions and to easily access available services

H – 6.2 Enable older adults to age in their place of choice with appropriate services

H – 6.3 Prepare North Bend for an aging population

H – 6.4 Strive to make the City of North Bend accessible, safe, and inclusive for children, youth, families, adults, and the elderly

H – 6.5 Allow people to age in place, be it in their homes or neighborhoods, by encouraging the development of neighborhoods that provide a mix of housing typologies and sizes to accommodate a broad range of lifestyles and abilities.

H – 6.6 Encourage and support accessible design and housing strategies, such as ADUs, that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

H – Goal 7: ***Promote social justice and reduce racial disparities through equitable access to housing in North Bend.***

Policies:

H – 7.1 Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect, disinvestment, and infrastructure availability. Demonstrate how current strategies are addressing impacts of those racially exclusive and discriminatory policies and practices.

H – 7.2 Document and recognize historic racially exclusive and discriminatory land use and housing practices, consistent with local and regional fair housing reports and other resources through support from State planning grants.

H – 7.3 Use periodic housing needs analysis and displacement risk reports to identify and update policies which do not effectively help achieve housing targets and regional goals for affordability, inclusivity, and environmental justice in planning for housing.

Commented [JB10]: Added per PSRC comment.

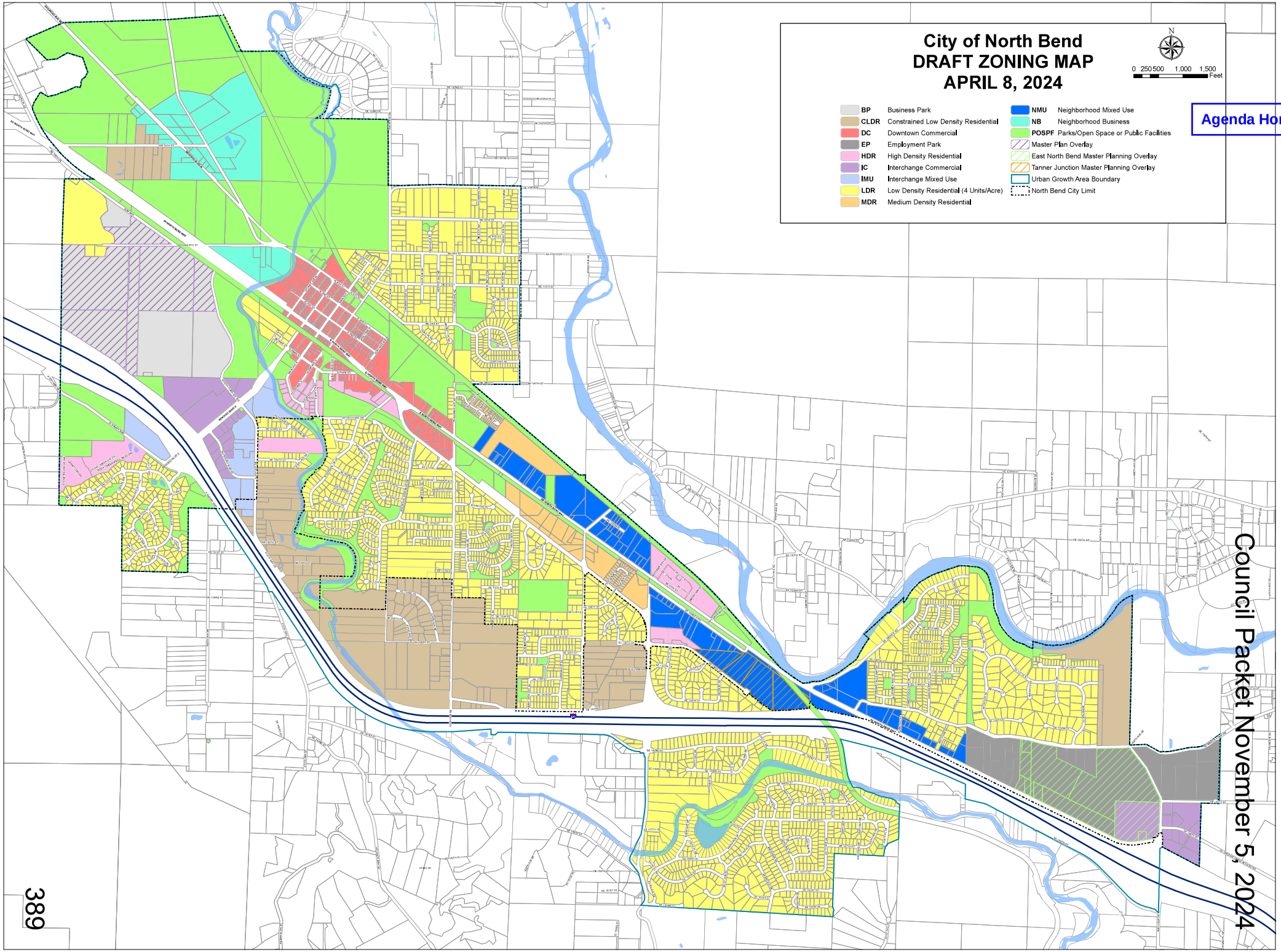
H – 7.4 Prevent discrimination and encourage fair and equitable access to housing for all persons in accordance with state and federal law.

H – 7.5 Ensure that equitable housing initiatives avoid areas currently experiencing or projected to experience climate-related hazards, such as flooding and other hazards identified in Washington Department of Ecology's Risk MAP.

Commented [JB11]: WDFW comment

APPENDICES:

1. Housing Action Plan, https://northbendwa.gov/documentcenter/view/9389
2. Housing Needs Assessment, https://northbendwa.gov/documentcenter/view/8975
3. Land Capacity Analysis
4. Racially Desperate Impacts (RDI) analysis


City of North Bend
DRAFT ZONING MAP
APRIL 8, 2024
N
0 250 500 1,000 1,500
Feet
BP Business Park
CLDR Constrained Low Density Residential
DC Downtown Commercial
EP Employment Park
HDR High Density Residential
IC Interchange Commercial
IMU Interchange Mixed Use
LDR Low Density Residential (4 Units/Acre)
MDR Medium Density Residential
NMU Neighborhood Mixed Use
NB Neighborhood Business
POSPF Parks/Open Space or Public Facilities
Master Plan Overlay
East North Bend Master Planning Overlay
Tanner Junction Master Planning Overlay
Urban Growth Area Boundary
North Bend City Limit

LDC Surveying Engineering Planning

Land Capacity Analysis

CITY OF NORTH BEND

October 2024

Prepared for:

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Executive Summary

This Land Capacity Analysis (LCA) evaluates the inventory of developable and redevelopable land within the jurisdiction of the City of North Bend (North Bend), estimating whether the city can meet its projected growth targets. The assessment aims to understand available land for development, how it can be utilized to achieve projected growth targets, and identifies potential changes needed to achieve the land capacity to accommodate future housing and employment needs.

This LCA determined that North Bend has sufficient employment capacity for the 2024-2044 planning period (planning period) but lacks adequate capacity to meet projected housing needs for very low and extremely low-income households. To address this housing deficit, North Bend planned zoning changes. These changes include adding 664 units of housing capacity to the Low-Rise Multifamily density category, which would accommodate affordable housing needs for households earning less than 50% AMI, as well as other income categories.

This memorandum provides detailed background, methodology, and findings that update the city's capacity for housing and employment, building upon the Urban Growth Capacity Report (UGCR).

Background

North Bend is required to estimate its land capacity to support anticipated growth over the planning period in the land use element of its Comprehensive Plan (WAC 365-196-405).

In cities within King County, LCA relies on findings from the UGCR. The UGCR is an assessment completed by King County that helps determine the amount of land suitable for development within the County, evaluates each city's capacity for growth, and projects the future housing and employment capacity for each city. The UGCR bases its findings on recent development activity data provided by cities within King County.

King County and the cities within the county work together to create the UGCR. This report, last updated in 2021[1], evaluated the amount of land suitable for urban development and capacity-for growth within each jurisdiction and was based on a measurement of recent actual development activity; this is often referred to as the Buildable Lands Program (RCW 36.70A.215). The County uses data provided by each city to conduct an inventory of land that is vacant or underutilized and uses that data to estimate housing and employment capacity per zone within each jurisdiction. These data form the basis for updating the analysis of land capacity.

Land Capacity Analysis Overview

An LCA identifies the remaining developable and redevelopable land within a city's jurisdiction that may be used to achieve the city's growth targets. An LCA utilizes data available from the County Assessor, County Buildable Lands Report (King County UGCR), local permitting activities, and other available reports and resources to quantify the City's development potential for employment and housing and evaluate necessary changes to achieve the land capacity necessary to accommodate all housing and employment needs.

Washington Department of Commerce (Commerce) has developed guidance on conducting LCAs; see Guidance for Updating your Housing Element, which is specific to housing capacity related to House Bill

[1] The 2021 Buildable Lands Report is based on an inventory of permits and property status as of January 2020 (King County Urban Growth Capacity Report, June 2021, pg. 18).

(HB) 1220, and Urban Growth Area Guidebook, which addresses both housing and employment capacity in relation to the Growth Management Act (GMA).

In partnership with LDC, the City has analyzed development capacity for the planning period according to Commerce guidance. In this LCA Memorandum (memo), findings from the LCA are reported according to Commerce guidance with underlying analysis performed according to the King County UGCR methodology[2].

Land Capacity Analysis Methodology

The 2021 King County UGCR performed capacity analysis through the following steps:

- Phase One – Achieved Densities
- Phase Two – Land Supply
- Phase Three – Initial Capacity
- Phase Four – Final Capacity

This LCA incorporated these phases into its analysis as indicated below:

Phase One – Achieved Densities

Density assumptions from the 2021 UGCR were re-evaluated for this LCA; however, recently achieved densities confirmed the previous assumptions so no changes were made. Density assumptions used in the LCA are reported in Table 25. Additionally, the abbreviations of zoning designations referred to throughout this memo are not consistent with the current North Bend zoning code at the time of writing. They are based on changes to the structure of the zoning code that includes revised zone names – see Table 26 for a cross-over of the old and new zone abbreviations.

Phase Two – Land Supply

Parcels in North Bend were assessed for development potential. Parcels determined to have capacity were either vacant or evaluated to be redevelopable[3]. The following assessments were included to determine available land supply:

1. Critical Areas – This LCA did not include additional analysis of critical areas. The coverage of critical areas that were identified in the data reported to King County for the 2021 UGCR is summarized on the parcel level and included in this analysis.
2. Pipeline Projects – Parcels associated with development projects that were permitted after May of 2023 or those that are currently in the permitting process were removed from the analysis and their proposed residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.
3. Permitted Projects – Parcels associated with development projects that were permitted between January 2019 and May 2023 were removed from the analysis and their achieved residential units and/or commercial building square footage were used in Phase 4 of the LCA Methodology.

In this analysis buildable land capacity was inferred from the findings of the 2021 UGCR. This was accomplished by applying the land capacity designations of *Vacant*, *Vacant Singe Unit*, and *Redevelopable* from those parcels with capacity in the 2021 UGCR to the City of North Bend's parcels[4] and correcting them based on development permits for building construction and demolition in North Bend. Additionally, current

[2] Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 16-27)
[3] For definitions of vacant and redevelopable parcels, see Appendix A to the 2021 King County Urban Growth Capacity Report, Ch. 2 Methodology and Guidance Overview (p. 20)
[4] Parcel dataset used is from May of 2023.

King County Assessor property improvement data was incorporated to ensure redevelopable properties had exiting development accounted for.

Phase Three – Initial Capacity

Data of parcels with identified capacity were combined and attributed by zone, these data include number of Vacant Single Unit Parcels, Gross Acres, Critical Areas (acres), existing residential units, and existing commercial building square-footage. Net developable acres (Gross Acres – Critical Areas) were then calculated for each zone, and zoning assumptions including metrics such as assumed density, percent of right-of-way, etc. (see Appendix A) were applied to calculate the maximum build potential in residential units and commercial building square footage.

Phase Four – Final Capacity

The existing residential units or commercial building square footage was subtracted from maximum build potential to yield the net capacity which can result in negative numbers due to non-conforming uses being displaced. Finally, residential units and/or commercial building square footage from pipeline projects were added to their respective zones which yields Final Capacity.

This Final Capacity becomes the input for Step 1 of the Commerce LCA guidance (discussed on page six of this memo).

- Land Capacity Analysis Results on next page -

Land Capacity Analysis Results

The LCA produced projections of future capacity for housing and employment. The remainder of this memo will review the LCA's outcomes and options related to the North Bend 2024 Comprehensive Plan Update.

Housing and Employment Targets 2020-2044

According to the King County Countywide Planning Policies (amended August 15, 2023), North Bend has the following housing and employment targets to plan for during the 2024 Comprehensive Plan update:

- Housing Target: 1,748 residential units
- Employment Target: 2,218 jobs

Current Development

North Bend provided data for land development that has occurred since 2019. The 2019-2023 Permits table and the Growth Targets Progress table (Table 1 and Table 2, respectively) summarize the amount and type of building activity that was permitted in North Bend between January 2019 and April 2023. Any development applications not yet permitted as of April 2023 will be incorporated later in the LCA as Pipeline Projects.

2019-2023 Permits	
Development	**Quantity**
Single-Family Detached	396 Units
Townhouse[5]	144 Units
Cottage	3 Units
Duplex	4 Units
Accessory Dwelling Unit (ADU)	1 Unit
Multi-Family	224 Units
Total Residential	**772 Residential Units**
Commercial Building	238,656 square feet
Total Commercial	**406 Estimated Jobs[6]**

Table 1 - 2019-2023 Permits

Permitted units and jobs can be directly counted against North Bend's current growth targets because they have effectively increased capacity for housing and employment.

Growth Targets Progress	
Housing Target	*1,748*
2019-2023 Permitted Growth	772
Target Remaining	**976**
Employment Target	*2,218*
2019-2023 Permitted Growth	406
Target Remaining	**1,812**

[5] For the purposes of this analysis townhouses include units permitted as triplexes or fourplexes.
[6] Estimated jobs from permitted development are based on a combination of density assumptions and local knowledge to approximate jobs provided by each development.

Table 2 - Growth Targets Progress

Employment Capacity

Employment capacity is provided by vacant and redevelopable land, and pipeline projects. Assumptions of floor-area-ratio (FAR) are applied to developable land to estimate potential commercial building square-footage; assumptions of employment density are applied to estimate the potential jobs yielded by development.

Commercial Capacity	**Commercial Capacity (Jobs)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
NMU-MPOD	0	3	0	-3
NB	328	0	100	428
NMU	333	0	102	435
NMU - Redevelopable	504	11	0	493
DC	787	173	0	614
BP	789	7	971	1,753
EP	1,360	7	0	1,353
IC	993	23	60	1,030
IMU	442	34	0	408
POSPF	0	0	32	32
Total	**5,536**	**258**	**1,265**	**6,543**

Table 3 - Commercial Capacity (Jobs)

Employment capacity in North Bend is sufficient to satisfy its employment growth targets. The NMU, DC, BP, and EP zones have the highest volume of initial capacity and a large portion of North Bend's growth target is provided by permitted and pipeline projects. A total of approximately 1,671 jobs are anticipated to be provided through these developments.

With developable land providing approximately 5,278 jobs, and permitted and pipeline projects together providing approximately 1,671 jobs, North Bend is expected to exceed its adopted growth target by 4,731 jobs.

Employment	**Jobs**
Target 2019-2044	*2,218*
2019-2023 Permitted Growth	406
Pipeline projects	1,265
Zoned Employment capacity	5,278
Total Employment Capacity	**6,949**
Employment Capacity Surplus (or deficit)	**4,731**

Table 4 - Employment

Housing Capacity

Per the GMA, the LCA needs to take into consideration capacity for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market rate housing[7]. These special needs housing types will be referenced throughout the LCA, their definitions from the GMA are available in the Housing Type table (Table 5):

Housing type	Definition from RCW
Affordable Housing RCW 84.14.010	Residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.
Permanent Supportive Housing (PSH) RCW 36.70A.030	Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.
Emergency Housing RCW 36.70A.030	Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Table 5 - Housing Type

North Bend has adopted targets to add an additional 1,748 residential units and 334 emergency beds by 2044. These targets incorporate needs for Affordable Housing, Permanent Supportive Housing, and Emergency Housing, as well as needs for traditional market-rate housing. King County ordinance 19660, adopted August 15th, 2023, establishes North Bend's housing growth target allocations. The Permanent Housing (Units) by Affordability *(AMI)* table (Table 6) outlines permanent housing targets by income and emergency housing target in number of beds.

Permanent Housing (Units) by Affordability (AMI)								Emergency Housing (Beds)
0 - 30%		30 - 50%	50 - 80%	80 - 100%	100 - 120%	120% Plus	Total	
Non-PSH	PSH							
433	228	121	221	98	111	536	1,748	334 beds

Table 6 - Permanent Housing (Units) by Affordability (AMI)

[7] RCW 36.70A.070(2)(c)

To demonstrate compliance with HB 1220, housing capacity is reported according to Commerce guidance[8]; this guidance outlines the demonstration of housing capacity through the following steps:

1. Summarize land capacity by zone
2. Categorize zones by allowed housing types and density level
3. Relate zone categories to potential income levels and housing types served
4. Summarize capacity by zone category
5. Compare projected housing needs to capacity
6. (If a deficit is found) Implement actions to increase capacity for one or more housing needs then re-assess capacity (Step 1) based on actions.

1. Summarize land capacity by zone

Using HB 1220 and HB 1337 North Bend has identified capacity for all housing needs in three areas:

1. Zoned capacity – capacity from vacant and redevelopable land or from pipeline development projects
2. Accessory Dwelling Unit Capacity (HB 1337) – potential capacity for the construction of ADUs on existing and future residential lots based on assumed production rates
3. Emergency Housing Capacity (HB 1220) – capacity for the City to provide for emergency housing needs based on available land and other opportunities

Zoned Capacity

Residential Capacity	**Residential Capacity (Units)**			
Zone	**Initial**	**(Displaced)**	**Pipeline**	**Total**
CLDR	21	0	40	61
LDR - Constrained	51	(14)	0	37
LDR	261	(53)	0	208
MDR	357	(17)	0	340
HDR	10	0	0	10
NMU-MPOD	9	(2)	0	7
NMU	76	0	0	76
NMU - Redevelopable[9]	6	(2)	0	4
DC	270	0	0	270
BP	0	0	0	0
EP	0	0	0	0
IC	0	0	0	0
IMU	0	0	0	0
Total	**1,061**	**(88)**	**40**	**1,013**

Table 7 - Residential Capacity

[8] Guidance for Updating your Housing Element (Book 2). Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

[9] The NDU zone has separate assumptions for redevelopable land, depicted on its own row for this analysis (see Table 25).

Accessory Dwelling Unit Capacity (House Bill 1337)

Recent changes in State law now mandate cities to permit up to two ADUs on all lots within zones designated for single-family homes, in North Bend those are the CLDR, LDR, MDR, and HDR zoning districts, encompassing 3,412 tax parcels. After excluding parcels deemed unsuitable due to current uses or containing critical areas, 2,831 lots are eligible for construction. Additionally, lots projected to be developed in single-family zones are included, increasing the total available lots for ADU construction to 3,103.

Commerce recommends estimating the projected number of newly constructed ADUs based on the real-estate market of the jurisdiction[10]. North Bend assumed a 2.5% participation rate, accounting for property owners who lack the financial resources or desire to build ADUs. Estimated participation rate was chosen based on North Bend's history of permitting ADUs and the anticipated increase in ADU development activity that will result from changes implemented by HB 1337. North Bend assumed an average of 1.25 ADUs per lot and while there are no lots identified in North Bend that have more than one ADU currently, when factoring in the new requirements of HB 1337 lots with two ADUs could exist in the future. Applying this analysis, North Bend has capacity for 97 ADUs on 78 lots.

ADU Development Capacity				
Available Lots	Participation Rate	Potential ADU Lots	ADUs per Lot	2044 ADU Capacity
3,103	2.50%	78	1.25	97

Table 8 - ADU Development Capacity

Emergency Housing Capacity (House Bill 1220)

HB 1220 includes requirements for Emergency Needs Housing capacity. These requirements are applicable to all jurisdictions that have been assigned Emergency Needs Housing targets, of which North Bend has been assigned 334 beds. The bill requires that jurisdictions allow for siting of indoor emergency housing or indoor emergency housing shelters where hotels are allowed or within "a majority of zones within a one-mile proximity to transit.".

At time of writing, North Bend allows hotels as a permitted use in the NMU, IC, IMU, NBU, EP zoning districts and is required to demonstrate land capacity for emergency housing in addition to permanent housing if emergency housing is not allowed outright in all these zones. As of the writing of this analysis, North Bend has land use regulations for Emergency Housing "Indoor Emergency Shelter" and "Indoor Emergency Housing" and requires both uses to obtain a Conditional Use Permit for their operation.

Based on the City's current development regulations and developable land identified in this LCA, Emergency Housing capacity was assessed through an Emergency Housing Land Capacity Analysis (EHLCA). In an EHLCA, land for capacity is identified based on the zoning use code table found in NMBC 18.10.030; due to the uncertainty of the Conditional Use process, only zones where the above listed emergency housing uses are outright permitted will be considered to have capacity for these housing needs. Additionally, residential and non-residential capacity are treated differently in an EHLCA; land identified for permanent residential development capacity can also be counted for emergency housing capacity but land identified for emergency housing capacity in commercial zones must be removed from the non-residential capacity in those zones. This difference is due to the assumptions behind the creation of the permanent and emergency housing targets which assume that if all permanent housing needs are met emergency housing should no longer be necessary and could be re-purposed.

[10] Guidance for Updating your Housing Element (Book 2) - p. 28. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Table 9 shows all zones evaluated in the EHLCA, their use code table level of permit approval, and any emergency housing capacity identified in them and compares the total identified emergency housing capacity to the City's emergency housing target.

Emergency Housing Capacity									
Zone	EH Use Code Table	Residential EH Acres	Commercial EH Acres	Total EH Acres	Density (beds/acre)	Capacity (beds)	Total Capacity	Total Need	Capacity Surplus (or Deficit)
CLDR	No	0.00	0.00	0.00	0	0	0	334	(334)
LDR - Constrained	No	0.00	0.00	0.00	0	0			
LDR	No	0.00	0.00	0.00	0	0			
MDR	No	0.00	0.00	0.00	0	0			
HDR	Conditional Use	0.00	0.00	0.00	0	0			
NMU-MPOD	Conditional Use	0.00	0.00	0.00	0	0			
NMU	Conditional Use	0.00	0.00	0.00	0	0			
NMU - Redevelopable	Conditional Use	0.00	0.00	0.00	0	0			
DC	*	0.00	0.00	0.00	0	0			
BP	No	0.00	0.00	0.00	0	0			
EP	No	0.00	0.00	0.00	0	0			
IC	Conditional Use	0.00	0.00	0.00	0	0			
IMU	Conditional Use	0.00	0.00	0.00	0	0			
NB	Conditional Use	0.00	0.00	0.00	0	0			
POSPF	Conditional Use	0.00	0.00	0.00	0	0			

Table 9 - Emergency Housing Capacity

The initial EHLCA based on existing conditions identified no capacity for emergency housing uses, leaving a total capacity deficit of 334 beds. To address this deficit, North Bend needs to plan for an additional 334 beds by 2044 to meet emergency housing needs.

Housing Capacity Subtotal

Housing capacity by zoning, pipeline projects, and ADU construction contributes toward North Bend's total housing target of 1,748 residential units by 2044. Without factoring in housing needs by income brackets, North Bend has capacity for 1,8829 residential units providing a surplus of 134 units of residential capacity.

Housing Capacity Subtotal	**Units**
Target 2020-2044	*1,748*
2020-2023 Permitted Growth	772
Pipeline projects	40
Zoned Housing capacity	973
ADU Capacity	97
Total Housing Capacity	**1,882**
Housing Capacity Surplus (or deficit)	**134**

Table 10 – Housing Capacity Subtotal

2. Categorize zones by allowed housing types and density level

Commerce has established a framework to assess potential housing affordability. This involves compiling permitted housing types and maximum allowed densities for each zone, categorizing them into "Zone Categories." These categories help gauge how effectively the identified capacity in the LCA serves the housing needs of all demographics.

Housing costs and affordability can vary significantly by housing type, and housing types and densities are determined in part by zoning and other local development regulations. For example, subsidized affordable housing projects are most feasible to produce in low-rise or mid-rise multifamily zones that allow for multi-unit housing production, such as apartment buildings. [11]

The Zone Categories table (Table 11) shows zone categories from Commerce guidance that are applicable to zones in North Bend.

Zone Category	**Typical Housing Types Allowed**
Low Density	Detached single-family homes
Moderate Density	Townhomes, duplex, triplex, quadplex
Low-Rise Multifamily	Walk-up apartments or condominiums (2 to 3 floors)

Table 11 - Zone Categories

[11] Guidance for Updating your Housing Element (Book 2) - p. 30. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

Based on this framework, North Bend's residential zones can be classified into the following categories:

North Bend Residential Zone Density Categories			
Zone	Housing Types Allowed	Max Density Allowed	Assigned Zone Density Category
HDR	Detached single-family homes, Townhomes, Duplexes, Triplexes, Fourplexes, Apartments	21 du/ac	Low-Rise Multifamily
NMU	Apartments	15 du/ac	Low-Rise Multifamily
NMU - Redevelopable	Apartments	15 du/ac	Low-Rise Multifamily
DC	Apartments	32 du/ac	Low-Rise Multifamily
IC	Apartments	15 du/ac	Low-Rise Multifamily
IMU	Apartments	32 du/ac	Low-Rise Multifamily
MDR	Detached single-family homes, Duplexes, Cottages	14 du/ac	Moderate Density
NMU-MPOD	Detached single-family homes	4 du/ac	Low Density
CLDR	Detached single-family homes	2 du/ac	Low Density
LDR - Constrained	Detached single-family homes, Cottages	2 du/ac	Low Density
LDR	Detached single-family homes, Cottages	4 du/ac	Low Density

Table 12 - North Bend Residential Zone Density Categories

3. Relate zone categories to potential income levels and housing types served

The types of housing allowed in a zone can influence which income levels' housing needs are met. The Zone Category Incomes Served table (Table 14) shows the potential income levels served by different housing types, whether market rate or subsidized, based on a standard table from Commerce[12]. Income levels are determined by the Area Median Income (AMI). Income levels are based on the Area Median Income (AMI), see Income Levels based on AMI table (Table 13) for details.

Income Levels	
Income Level	**Relative AMI**
Extremely Low Income	<=30% AMI
Very Low Income	>30% and <=50% AMI
Low Income	>50% and <=80% AMI
Moderate Income	>80% and <=120% AMI
High Income	>120% AMI

Table 13 - Income Levels based on AMI

Zone Category Incomes Served				
Zone Category	Housing Types Served	Lowest Potential Income Level Served		Assumed Affordable Income Level for LCA
		Market Rate	With Subsidies	
Low Density	Single-Family Detached	High Income	Not feasible at scale	High Income
Moderate Density	Townhomes, duplex, triplex, quadplex	High Income	Not feasible at scale	High Income
Low-Rise Multifamily	Walk-up apartments, condominiums, PSH (2-3 floors)	Low Income	Extremely Low - Very Low Income	Low - Extremely Low Income and PSH
ADUs (all zones)	ADUs on developed residential lots	Moderate Income	N/A	Moderate Income

Table 14 - Zone Category Incomes Served

[12] Guidance for Updating your Housing Element (Book 2) - Exhibit 13, p. 33. Washington State Department of Commerce. https://www.commerce.wa.gov/serving-communities/growth-management/growth-management-topics/planning-for-housing/updating-gma-housing-elements/

4. Summarize capacity by zone category

Zoned Capacity

Zoned capacity is derived from developable or redevelopable land as identified in the LCA. The Zoned Capacity by Density table (Table 15) shows zoned capacity from the LCA, compiled based on the density category.

Zoned Capacity by Density			
Zone	Capacity (LCA)	Zone Density Category	Capacity in Zone Density Category
HDR	10	Low-Rise	360
NMU	80		
DC	270		
IC	0		
IMU	0		
MDR	340	Moderate Density	340
NBU-MPOD	7	Low Density	273
LDR	208		
LDR - Constrained	37		
CLDR	21		
ADUs (any zone)	97	ADUs	97
Total	**1,167**		

Table 15 - Zoned Capacity by Density

Permitted Housing Growth

Housing development projects completed between 2019 and 2023 are included as permitted capacity. The units developed from these projects are the most reliable measure of North Bend's progress toward its housing targets. Units are categorized by their development form and affordability. Two of the included projects provided income-restricted units (two at <50% AMI and 30 at <80% AMI). Although some units were provided as townhomes[13], all these units are categorized in the "Low-rise Multifamily" density category for this analysis. The 2019-2023 Permitted Housing Growth table (Table 16) shows permitted housing growth used in the LCA, compiled by density category.

2019-2023 Permitted housing Growth			
Type	Permitted Units	Density Category	Capacity Built Density Category
Income Restricted (<50% AMI)	2	Low-Rise Multifamily	2
Income Restricted (<80% AMI)	30	Low-Rise Multifamily	30
Multi-Family	199	Low-Rise Multifamily	199
Duplex	4	Moderate Density	148
Townhouse	144		
Cottage	3	Low Density	392
Single-Family Detatched	389		
ADU	1	ADU	1
Total	**772**		

Table 16 - 2019-2023 Permitted housing Growth

[13] See River Run Apartments and Habitat for Humanity - Tyler Town development.

Pipeline Capacity

Pipeline projects are not included in this categorization. Detailed information about the built condition or proposed pipeline projects provides a more accurate measure of the income levels being served. At the time of this LCA, one residential development in the permitting pipeline planned to provide 40 single-family detached units, categorized as Low Density units.

North Bend's projected housing needs by income bracket were compared to the LCA findings to determine if there is sufficient capacity to accommodate needs at all income levels. The first two columns in the Income Housing Target Capacity table (Table 17) transpose data from the tables on the previous pages (Table 15 and Table 16); the remaining columns show calculations based on the category capacity established on the previous page. Some of the income categories are served by more than one Zone Category. Since zone density assumptions are based on the lowest potential income served, zoned density is assumed to serve the highest income bracket with a deficit first; this is expressed through math included in parentheses with each zoned capacity numbered combined from more than one Zone Category.

Income Housing Target Capacity Summary							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	169	**(611)**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Low-Rise Multifamily and ADUs	200	0	97	**88**
>100 - 120%	111						
>120%	536	536	Moderate and Low Density	540	40	613	**657**
Total	**1,748**			**772**	**40**	**1,070**	

Table 17 - Income Housing Target Capacity Summary

Sufficient Capacity

The current zoned and pipeline capacity is sufficient to meet the needs of low to high-income households (incomes greater than 80% AMI). This capacity is primarily achieved through the substantial area of moderate-density developable land and the significant number of single-family residential units permitted since 2019.

Insufficient Capacity

Current housing capacity falls short of meeting the needs of very low and extremely low-income households (both PSH and non-PSH). Between 2019 and 2023, the city did not experience any non-market or subsidized

housing development. Additionally, the land zoned for densities that support affordable housing development is in short supply, making it infeasible to meet the projected needs of all households earning less than 50% AMI.

Income Level	Extremely Low Income (PSH)	Extremely Low Income (Non-PSH)	Very Low Income
Capacity Surplus (or Deficit)	**(611)**		

Table 18 – Housing Capacity Deficit

The surplus of residential units for high income households does not alleviate the shortfall in housing capacity for other income brackets. To address this shortfall, North Bend needs to plan for an additional 611 residential units by 2044 to meet the housing needs of very low and extremely low-income households (both PSH and non-PSH).

Additionally, the EHLCA summarized on pages 11-12 did not identify any emergency housing capacity resulting in a deficit of the total target of 334 beds by 2044.

5. (If deficit is found) Implement actions to increase capacity for one or more housing needs. Then re-assess capacity (Step 1) based on actions.

North Bend has demonstrated sufficient capacity to meet its 2044 housing target for high-to-low-income households but falls short of its target for very low and extremely low-income households as well as emergency housing. To address these housing capacity deficits, North Bend has planned zoning changes. The following section outlines the changes and assesses their impacts on housing and employment capacity.

- Alternative Zoning on next page -

Alternative Zoning

The alternative zoning changes were comprehensively evaluated for every base parcel in North Bend. Similar to the base LCA, the land capacity designations from the 2021 UGCR remain unchanged, but new zoning designations are applied according to the changes. The Zoned Acres – Alternative Summary table (Table 19) illustrates the changes to the gross acreage of each zone as implemented by the alternative zoning.

Zoned Acres - Alternative Summary			
Zone	Area (Acres)		
	Base Zoning	Alternative Zoning	
		Total Acres	Change Addition or (Reduction)
CLDR	374.8	359.3	(15.47)
LDR - Constrained	176.5	175.2	(1.33)
LDR	964.6	941.7	(22.82)
MDR	60.4	56.3	(4.11)
HDR	37.1	51.9	14.75
NMU-MPOD	10.4	0.0	(10.36)
NB	101.5	101.5	0.00
NMU	53.1	124.2	71.18
DC	66.7	81.9	15.19
BP	312.2	186.2	(125.99)
EP	145.1	132.2	(12.86)
IC	76.8	73.5	(3.25)
IMU	39.7	39.7	0.00
POSPF	727.7	822.7	95.06
ROW	13.8	13.8	0.00
Total	**3,160.3**	**3,160.3**	

Table 19 - Zoned Acres - Alternative Summary

The alternative zoning primarily focuses on increasing development capacity in North Bend's mixed-use zones. This includes reducing areas designated as low-density residential and purely commercial zones, while enhancing a few zones with higher density residential and commercial development standards. As part of these changes, land previously in the NMU-MPOD zone has been rezoned to LDR to better align with neighborhood priorities within that special planning area. Additionally, parcels dedicated to open space have been rezoned to the POSPF zone to better reflect planned land use in North Bend.

The alternative zoning includes adjustments to the zoning use code table and dimensional regulations. Zoning code changes to the use code table were proposed to address the emergency housing capacity deficit identified in the initial LCA. These changes include allowing emergency housing uses as a permitted use in the EP, IC, IMU, and NB zones.

Proposed amendments to dimensional regulations were aimed at better facilitating residential development in the IC and IMU zones. Previously, the IC zone prohibited nearly all residential land uses and the IMU zone allows multi-family but limits building height to 30 feet. To address these limitations on residential development, North Bend will implement code revisions to allow second floor residential and mixed-use development in the IC zone and an increased height limit in the IMU zone. These revisions are

intended to promote multi-family and mixed use development that is able to serve lower income households. Considering these revisions, analysis of the alternative zoning includes revised assumptions including a mixed-use approach for the IC and IMU zones; revisions are documented in Table 32 of the revised LCA assumptions.

- Alternative Zoning Results on next page -

Alternative Zoning Results

In this analysis, the capacity of the alternative zoning is summarized and presented in a format consistent with how housing and employment capacity were presented in the LCA. This comparison will assess the capacity outcomes of the alternative zoning against those determined under previous zoning in the LCA.

Employment Capacity

The employment capacity identified in the LCA exceeded North Bend's employment growth targets. However, the alternative zoning plan included reducing the area designated for BP, EP, IC, and IMU zones to accommodate housing capacity needs and revised assumptions for emergency housing development in EP, IC, IMU, and NB zones. These zoning adjustments resulted in changes to the projected employment capacity. The Employment Capacity – Alternative Zoning Summary table (Table 20) provides a summary of these capacity changes and compares them against the employment growth target.

Employment Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Jobs	Change Addition or (Reduction)
NMU-MPOD	-3[14]	0	3
NB	328	328	0
NMU	333	1163	830
NMU - Redevelopable	493	625	132
DC	614	1223	609
BP	782	85	(697)
EP	1353	1153	(200)
IC	970	357	(613)
IMU	408	79	(329)
Total	**5,278**	**4,964**	**(314)**
2019-2023 Permitted Growth	406	406	
Pipeline projects	1,265	1,265	
Total Employment Capacity	**6,949**	**6,635**	
(Employment Target)	(2,218)	(2,218)	
Employment Capacity Surplus (or deficit)	**4,731**	**4,417**	

Table 20 - Employment Capacity - Alternative Zoning Summary

Although the area of the IMU zone remained unchanged and the IC zone was reduced by only 3.25 acres, both zones experienced significant reductions in capacity due to the mixed-use split outlined in the new zoning assumptions (Table 27). While the alternative zone boundaries resulted in a net increase of job capacity of approximately 21 jobs, overall job capacity decreased a net 314 due to a 10% reduction of developable land in the EP, IC, IMU, and NB zones due to the allowance of emergency housing in those zones. Under the alternative zoning there is still a substantial surplus of employment capacity.

[14] Negative values represent existing commercial buildings that are on land identified as redevelopable but redevelopment assumes 100% residential.

Housing Capacity

To demonstrate housing capacity for the alternative zoning, it should encompass affordable housing options for all economic segments. The evaluation of housing capacity will follow the LCA process using assumptions and guidance from Commerce. The alternative involves changes to the zoning map without altering existing zone regulations, thereby obviating the need to re-evaluate Steps 2 and 3 for capacity demonstration. Step 6 was addressed in this memo's analysis of growth targets for the alternative. The analysis of housing capacity for growth alternatives will include the following steps:

1. Summarize land capacity by zone.
4. Summarize capacity by zone category.
5. Compare projected housing needs to capacity.

1. Summarize land capacity by zone

The alternative resulted in different outcomes for zoned, ADU, and emergency housing capacity.

Zoned Capacity

The Housing Capacity – Alternative Zoning Summary table (Table 21) summarizes zoned housing capacity identified from the alternative zoning comparing it to the capacity identified in the LCA. Zoned capacity represents the net result of initial units minus displaced units.

Housing Capacity - Alternative Zoning Summary			
Zone	Base Zoning	Alternative Zoning	
		Total Units	Change Addition or (Reduction)
CLDR	21	21	0
LDR - Constrained	37	37	0
LDR	208	245	37
MDR	340	340	0
HDR	10	10	0
NMU-MPOD	7	0	(7)
NMU	76	267	191
NMU - Redevelopable	4	5	1
DC	270	472	202
BP	0	0	0
EP	0	0	0
IC	0	134	134
IMU	0	136	136
Total	**973**	**1,667**	**694**
2019-2023 Permitted Growth	772	772	
Pipeline projects	40	40	
ADU Capacity	97	98	
Total Housing Capacity	**1,882**	**2,577**	
(Housing Target)	(1,748)	(1,748)	
Housing Capacity Surplus (or deficit)	**134**	**829**	

Table 21 - Housing Capacity - Alternative Zoning Summary

Accessory Dwelling Unit Capacity (HB 1337)

Projected ADU capacity fluctuated due to rezones affecting the future production of single-family lots which could potentially develop with ADUs. The alternatives analysis utilized the same assumptions as the LCA: 2.5% participation factor for available lots and 1.25 ADUs constructed per participating lot. The ADU Development Capacity – Alternative Summary table (Table 22) outlines ADU capacity for each alternative.

ADU Development Capacity - Alternative Summary		
	Base Zoning	Alternative Zoning
Available Lots	3,103	3,144
Potential ADU Lots	78	79
2044 ADU Capacity	**97**	**98**

Table 22 - ADU Development Capacity - Alternative Summary

Emergency Housing Capacity (House Bill 1220)

The Emergency Housing Capacity – Alternative Zoning table (Table 23) summarizes emergency housing capacity identified from the alternative zoning. Proposed changes to the zoning use code table have allowed emergency housing uses to be outright permitted in the EP, IC, IMU, and NB zones and removed development regulations on emergency housing restricting its occupancy and spacing.

The portion of land considered developable for residential development in these zones is entered in the "Residential EH Acres" column and the portion of land considered developable for non-residential development that was removed from non-residential capacity in these zones is entered in the "Commercial EH Acres". Based on examples provided by Commerce, land that was identified to have capacity for emergency housing was assumed to be developed at a density of 18 beds per acre; this is a conservative assumption that could fit the form of many emergency housing types including:

- Emergency congregate shelters
- Hotel conversions
- Tiny home villages

- Table 23 on next page -

Emergency Housing Capacity – Alternative Zoning									
Zone	EH Use Code Table	Residential EH Acres	Commercial EH Acres[15]	Total EH Acres	Density (beds/acre)	Capacity (beds)	Total Capacity	Total Need	Capacity Surplus (or Deficit)
CLDR	No	0.00	0.00	0.00	0	0	378	334	44
LDR - Constrained	No	0.00	0.00	0.00	0	0			
LDR	No	0.00	0.00	0.00	0	0			
MDR	No	0.00	0.00	0.00	0	0			
HDR	Conditional Use	0.00	0.00	0.00	0	0			
NMU-MPOD	No	0.00	0.00	0.00	0	0			
NMU	No	0.00	0.00	0.00	0	0			
NMU - Redevelopable	No	0.00	0.00	0.00	0	0			
DC	*	0.00	0.00	0.00	0	0			
BP	No	0.00	0.00	0.00	0	0			
EP	Permitted	0.00	6.25	6.25	18	112			
IC	Permitted	8.96	0.90	9.86	18	177			
IMU	Permitted	4.26	0.18	4.44	18	80			
NB	Permitted	0.00	0.50	0.50	18	9			
POSPF	Conditional Use	0.00	0.00	0.00	0	0			

Table 23 - Emergency Housing Capacity – Alternative Zoning

Utilizing reasonable assumptions, the alternative zoning increased emergency housing capacity sufficiently to meet the emergency housing target of 334 beds by 2044.

Housing Capacity Subtotal

Housing capacity provided by zoning, pipeline projects, and ADU construction contributes toward the City's total housing target of 1,748 residential units by 2044. Without considering housing needs for income brackets, total housing capacity provided by alternative zoning exceeds housing targets by 829 units.

Housing	Base Zoning	Alternative Zoning
2019-2044 Housing Target	*1,748*	*1,748*
2019-2023 Permitted Growth	772	772
Pipeline projects	40	40
Zoned Housing capacity	973	1,667
ADU Capacity	97	98
Total Housing Capacity	**1,882**	**2,577**
Housing Capacity Surplus (or deficit)	**134**	**829**

Table 24 - Housing - Base and Alternative Zoning

[15] Includes 10% of developable non-residential land in zones with emergency housing capacity.

4. Summarize capacity by zone category

Zone density categories identified in the LCA are applicable in the analysis of the alternatives. Zoned, pipeline, and built capacity were totaled by zone density category; zoned capacity had different quantities than were presented in the LCA; built and pipeline capacity were not affected by the zoning changes.

The Zoned Capacity by Density – Alternative Comparison table (Table 25) shows zoned capacity from the alternative LCA and compiles them based on the zone density category.

Zoned Capacity by Density - Alternative Comparison						
Zone Density Category	Zone	Base Zoning		Alternative Zoning		
		Zoned Capacity	Capacity in Zone Density Category	Zoned Capacity	Capacity in Zone Density Category	Change Addition or (Reduction)
Low-Rise Multifamily	DC	10	360	10	1,024	664
	NMU	80		272		
	HDR	270		472		
	IC	0		134		
	IMU	0		136		
Moderate Density	MDR	340	340	340	340	0
Low Density	NMU-MPOD	7	273	0	303	30
	LDR	208		245		
	LDR - Constrained	37		37		
	CLDR	21		21		
ADUs	ADUs (any zone)	97	97	98	98	1
	Total	**1,167**		**1,864**		

Table 25 - Zoned Capacity by Density - Alternative Comparison

The alternative zoning significantly increased housing capacity in the "Low-Rise Multi-family" density category. It more than doubled the projected housing capacity in the NMU zone, nearly doubled the capacity in the DC zone, and introduced 270 units of mixed-use development potential between the IC and IMU zones, resulting in a total increase of 664 units over the base zoning in that category. Moderate changes in unit projections were observed in the Low Density category and for ADUs, while no change was projected for the Moderate Density category.

5. Compare projected housing needs to capacity

The alternative zoning analysis compared capacity projections to projected housing needs to assess the impact of changes on North Bend's overall housing capacity relative to its projected needs. The first two columns in the Income Housing Target Capacity Summary – Alternative Zoning table (Table 26) transpose data from the table on the previous page (Table 25), while the remaining columns present calculations based on the category capacity established earlier.

Income Housing Target Capacity Summary - Alternative Zoning							
Income Level	Projected Housing Need	Aggregated Housing Needs	Zone Categories Serving These Needs	2020-2023 Permitted Growth	Total Pipeline Capacity	Total Zoned Capacity	Capacity Surplus (or Deficit)
0 - 30% PSH	228	782	Low-Rise Multifamily	2	0	833	**53**
0 - 30% Non-PSH	433						
>30 - 50%	121						
>50 - 80%	221	221	Low-Rise Multifamily	30	0	191	**0**
>80 - 100%	98	209	Moderate Density and ADUs	200	0	98	**89**
>100 - 120%	111						
>120%	536	536	Low Density	540	40	643(340+303)	**687**
Total	**1,748**			**772**	**40**	**1,765**	

Table 26 - Income Housing Target Capacity Summary - Alternative Zoning

The alternative zoning significantly increased housing capacity in the Low-Rise Multifamily zone density category by expanding the DC and NMU zones and revising the IC and IMU zones to promote residential development. The additional capacity provided by the alternative is adequate to meet North Bend's affordable housing targets.

The Affordable Housing Target Capacity – Alternative Comparison table (Table 27) presents the final affordable housing target results from both the base zoning and the alternative for comparison. The alternative offers ample capacity to meet all of North Bend's projected affordable housing needs without reducing housing capacity in any income category. While it does not fully meet the projected housing need, the alternative enhances the availability of developable land capable of supporting affordable housing.

Affordable Housing Target Capacity - Alternative Comparison					
Income Levels	Aggregated Housing Needs	Base Capacity		Alternative Zoning	
		Total Capacity	Capacity Surplus (or Deficit)	Total Capacity	Capacity Surplus (or Deficit)
0 - 50% PSH & Non-PSH	782	158	**(611)**	835	**53**
>50 - 80%	221	221	**0**	221	**0**
>80 - 120%	209	297	**88**	298	**89**
>120%	536	1,193	**657**	1,223	**687**
	1,748	**1,882**		**2,577**	

Table 27 - Affordable Housing Target Capacity - Alternative Comparison

Sufficient Capacity

Both the base capacity and the alternative zoning meet the projected needs for low-to-moderate income households and emergency housing needs. The alternative zoning performed better than the base zoning in every income category except for low-income, where both provided the minimum necessary to meet projected needs. Specifically, the alternative zoning added 664 more units of Low-Rise Multifamily housing capacity, which is adequate to address North Bend's affordable housing needs for households with incomes less than 50% AMI. Additionally, the alternative increased low density and ADU housing capacity by replacing the NMU-MPOD zone with LDR.

Insufficient Capacity

Analysis of the alternative zoning identified sufficient affordable housing capacity for the 2044 housing targets, no shortfalls were identified in this analysis.

- Adequate Provisions on next page -

Adequate Provisions

GMA requirements for housing elements include a demonstration of adequate provisions for needed housing development which involves a broad review of development regulations, zoning, funding gaps, and comprehensive plan policies.

RCW 36.70A.070(2)(d) *"Makes adequate provisions for existing and projected needs of all economic segments of the community, including:*
(i) Incorporating consideration for low, very low, extremely low, and moderate-income households;
(ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;
(iii) Consideration of housing locations in relation to employment location; and
(iv) Consideration of the role of accessory dwelling units in meeting housing needs;"

Commerce has prepared a checklist to assist cities in identifying and addressing this requirement of the GMA called "Appendix B: Adequate provisions checklists"; this checklist reviews many subjects in housing policy and development regulations within the following categories:

- Moderate Density Housing Barriers
- Low-Rise or Mid-Rise Housing Barriers
- PSH and Emergency Housing Barriers
- Accessory Dwelling Unit (ADU) Barriers
- Addressing Affordable Housing Funding Gaps

The following narrative has been prepared to summarize the findings of LDC's assessment of the City of North Bend's development code for barriers to housing availability and the programs or actions needed to overcome these barriers within the categories outlined in the "Appendix B: Adequate provisions checklists".

Moderate Density Housing Barriers

North Bend's zoning ordinance includes provisions for Moderate Density Housing in its residential and commercial zones. The City's use code table permits Cottages, Townhomes, Duplexes, Triplexes, and Fourplexes in their residential zones; many of these uses are permitted in only the HDR and IMU zones which does limit development potential for moderate density housing in other residential zones. The City's low density residential zones (LDR, CLDR, and MR) have relatively large minimum lot sizes typical of residential development on the edges of small cities, but the HDR and IMU zones have small minimum lot sizes and have maximum lot sizes as well which is favorable for the development of moderate density housing types. Setbacks and impervious cover limits are generally accommodating to moderate density housing types and provide options for developers. Definitions for some moderate density housing types are missing or overlap; townhome is not defined within NMBC 18.06 and the only building with multiple units permitted to be on separate lots per this chapter is a duplex. The maximum building height for residential development in the IMU zone is five feet less than in most residential zones which the City has observed noticeably restricts development in this zone. Parking requirements for multifamily uses not in the DC zone require two parking spaces per each unit with two or more beds which may pose a barrier to moderate density housing development. All new residential development in the City is subject to design standards in NMBC 18.34; while necessary, design standards like these can often complicate the development process and could disincentivize denser development. Additionally, since townhomes are not clearly defined in NMBC 18.06 it is difficult to determine how to apply these design standards to their development.

An increase to the maximum building height in the IMU zone was outlined in the above-described alternative zoning changes and the City plans to adopt these changes before the end of 2024. To address the remaining potential barriers to moderate density housing development, the City could consider

amending its minimum parking requirements for Multifamily units outside the DC zone (found in NBMC 18.16.090) and revising its Design Standards to accommodate smaller scale multifamily developments such as Duplexes and Triplexes independent of the existing standards for multifamily developments.

Low-Rise or Mid-Rise Housing Barriers

North Bend's zoning ordinance includes provisions for Low-rise Housing in its residential and commercial zones. In addition to the multifamily housing types listed above, multifamily housing structures greater than four units are permitted in the HDR, DC, and IMU zones and residential over commercial apartments are permitted in the NB zone in addition to the previously listed zones. Development in the DC zones utilizes a form-based code that permits a wide range of development potential and is composed of clear standards and guidelines. The same design review mentioned in moderate density housing above is applicable to low-rise housing but is better suited to the scale of development and would likely not pose as a barrier to low-rise housing development. The same issue with the maximum building height in the IMU zone impacting moderate density housing also impacts low-rise housing development potential. Additionally, multifamily structures in the HDR, NB, and IMU zones are limited to 10 units per structure which could limit low-rise housing development on smaller in-fill parcels.

An increase to the maximum building height in the IMU zone was outlined in the above-described alternative zoning changes and the City plans to adopt these changes before the end of 2024. No other potential barriers to Low-rise development were identified; the City is not required to identify barriers to Mid-rise housing development.

PSH and Emergency Housing Barriers

HB 1220 introduced new Emergency Needs Housing Requirements applicable to all jurisdictions with assigned Emergency Needs Housing targets. The City has been allocated a target of 334 emergency beds. The bill mandates that jurisdictions must allow indoor emergency housing or shelters where hotels are permitted or within "a majority of zones within a one-mile proximity to transit.".

At time of writing, North Bend's land use regulations allow for certain emergency housing types, such as "Indoor Emergency Shelter", "Indoor Emergency Housing", and "Permanent Supportive Housing" but only as a conditional use in some of their zones. Additionally, these supportive housing types are subject to special performance standards in NMBC 18.10.050 that substantially restrict supportive housing developments through limitations of occupancy and buffers from other supportive housing uses.

To address these barriers to emergency housing development, the City has proposed amendments to its zoning use code table to allow emergency housing uses as an outright permitted use in the EP, IC, IMU, and NB zones as well as remove the restrictive performance standards from emergency housing development in those zones. The City is also has proposed revisions to the use code table to allow permanent supportive housing as an outright permitted use in residential zones as well as remove the restrictive performance standards from permanent supportive housing development in those zones.

Accessory Dwelling Unit (ADU) Barriers

HB 1337 is a Washington State law aimed at increasing housing availability by streamlining the development of Accessory Dwelling Units (ADUs) and aims to reduce barriers to ADU development, promoting more flexible zoning and permitting processes to help address the housing crisis in the state.

North Bend's municipal code outlines clear regulations for developing Accessory Dwelling Units (ADUs) within the City's Low-Density Residential (LDR) zoning. The code also allows for smaller setback requirements and flexibility in placing accessory structures.

While North Bend's regulations do not hinder ADU development, other city code requirements do create barriers. The Land Use Performance Standards section conflicts with HB 1337, which mandates that

jurisdictions allow two ADUs per lot in urban growth areas and set a minimum size of 1,000 square feet for each ADU. In contrast, North Bend permits only one ADU and limits its size to 10% of the lot area or 800 square feet. Additionally, the city lacks clear and accessible information about the permitting process and associated fees. Although there are guidelines for permit submissions, more straightforward details about the overall process and timelines are needed.

The City's off-street parking requirements also present additional barriers for ADUs. While the code clearly outlines the number of parking spaces and their locations, it does not address lot size or proximity to transit. To comply with HB 1337, the city needs to incorporate these provisions into the code.

Addressing Affordable Housing Funding Gaps

In addressing affordable housing funding gaps, North Bend provides two funding options within their municipal code. First, under the affordable housing property tax levy (RCW 84.52.105), the City of North Bend provides Sales and Use Tax for Affordable Housing (Chapter 3.10 NBMC) which establishes sales and use tax specifically for funding affordable housing initiatives. This chapter outlines the authority for the city to impose an additional sales tax of 0.1% on retail sales and use within the city limits. The revenue generated is designated for projects that create or improve affordable housing options, supporting efforts to address housing shortages and enhance housing stability for residents.

Second, within the provisions of the Multifamily Tax Exemption (MFTE) program under RCW 84.14, Chapter 3.78 of the North Bend Municipal Code outlines the Multifamily Property Tax Exemption program in which provides tax incentives for the development of multifamily housing that includes affordable units. This chapter specifies eligibility criteria for developers, including the requirement to designate a percentage of units as affordable for low- and moderate-income households. The exemption can last for up to 12 years, encouraging the construction of more multifamily housing and helping to address local housing needs.

The City should continue to search for additional affordable housing funding solutions and consider adopting impact fees or fees in-leu-of provision of affordable housing for market rate development.

Conclusion

In collaboration with LDC, North Bend has conducted an analysis of development capacity for the 2024-2044 planning period following the King County UGCR methodology and Commerce guidance, incorporating new State regulations under HB 1220. This LCA updates the capacity reported in the 2021 UGCR and documents North Bend's progress towards its Housing and Employment growth targets.

The LCA determined that North Bend has adequate employment capacity for the 2024-2044 period but lacked sufficient capacity to meet the projected housing needs for very low and extremely low-income households and emergency housing needs. To address this housing capacity deficit, North Bend planned zoning changes including changes to the zoning map and development regulations. These changes added 664 units of housing capacity to the Low-Rise Multifamily density category, which is sufficient to accommodate the City's affordable housing needs for households with incomes less than 50% AMI, as well as all other income categories, an additional 378 beds of emergency housing capacity was identified from the changes. With the chosen alternative zoning, the City has demonstrated sufficient capacity for development of jobs and housing and adequate provisions for housing development consistent with RCW 36.70A.070(2).

Table 28 - North Bend 2024 Base LCA Zone Assumptions

North Bend 2024 LCA Base Zone Assumptions											
Old Zone Names	New Zone Names	Zone Type	Residential		Employment				Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Emergency Housing Deduction	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	0%	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	0%	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	0%	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	0%	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	0%	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	0%	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	0%	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	0%	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	0%	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	0%	8%	8%	16%
IC	**IC**	NON-RES	0%	0	100%	0.4	350	0%	8%	8%	16%
IMU	**IMU**	NON-RES	0%	0	100%	0.75	450	0%	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	0%	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%

Table 29 - North Bend 2024 Alternative LCA Zone Assumptions

North Bend 2024 LCA Alternative Zone Assumptions											
Old Zone Names	New Zone Names	Zone Type	Residential		Employment				Plat Deductions (%)		Market Factor
			Mixed-Use Split	Density (Du/ac)	Mixed-Use Split	Density (FAR)	Density (SF/Jobs)	Emergency Housing Deduction	Right of Way	Public Purpose	
CLDR	**CLDR**	RES	100%	2	0%	0	0	0%	10%	12%	30%
LDR - Constrained	**LDR - Constrained**	RES	100%	2	0%	0	0	0%	10%	12%	10%
LDR	**LDR**	RES	100%	4	0%	0	0	0%	10%	12%	10%
CR	**MDR**	RES	100%	14	0%	0	0	0%	10%	12%	4%
HDR	**HDR**	RES	100%	21	0%	0	0	0%	0%	5%	10%
NB-MPOD	**NMU-MPOD**	MIX	100%	4	0%	0	500	0%	10%	12%	10%
NB	**NMU**	MIX	50%	15	50%	0.75	500	0%	8%	8%	16%
NB - Redevelopable	**NMU - Redevelopable**	MIX	5%	15	95%	0.75	500	0%	8%	8%	16%
DC	**DC**	MIX	70%	32	30%	1.5	300	0%	8%	8%	16%
EP-1	**BP**	NON-RES	0%	0	100%	0.3	800	0%	8%	8%	16%
EP-2	**EP**	NON-RES	0%	0	100%	0.3	600	10%	8%	8%	16%
IC	**IC**	MIX	50%	15	50%	0.4	350	10%	8%	8%	16%
IMU	**IMU**	MIX	70%	32	30%	0.75	450	10%	8%	8%	16%
NB-2	**NB**	NON-RES	0%	0	100%	0.75	500	10%	8%	8%	16%
POSPF	**POSPF**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%
ROW	**ROW**	NON-RES	0%	0	0%	0	0	0%	0%	0%	0%

2024 Land Use and Housing Comments

1. Snoqualmie Tribe, August 9, 2024
2. Puget Sound Regional Council (PSRC), August 15, 2024
3. State of Washington Department of Fish and Wildlife, August 21, 2024
4. Washington Department of Commerce, October 9, 2024
5. Affordable Housing Committee, King County, October 3, 2024
6. Michael Thomas, September 18, 2024
7. Jean Buckner, Friends of the Snoqualmie Valley Trail and River, September 18, 2024
8. North Bend Industrial Park LLC and Crown Lakes LLC c/o Cherie Cooper, September 18, 2024

Docusign Envelope ID: 26FA7E6D-4072-4177-886C-B6BF05EC6366

August 9, 2024

Rebecca Deming,
Community and Economic Development Director
P.O. Box 896
North Bend WA 98045

Re. Snoqualmie Tribe's Review and Feedback on Draft Land Use and Housing Elements

Dear Ms. Deming,

Thank you for the opportunity to participate in the City of North Bend's (City) Comprehensive Plan Update process. The Snoqualmie Tribe's historic and current presence in the Snoqualmie Valley and the current boundaries of the City of North Bend dictate that the Tribe maintains broad interests in the City's planning. Upon our review of the draft Land Use and Housing Elements, we recognize the updates are well thought out and inclusionary of the Tribe. The following feedback includes comments, information, and suggested language to consider for these Elements.

Chapter 1: Land Use Element

A.1 Land Acknowledgement

We would like to commend the City for including a Land Acknowledgement in the Land Use Element. Since we currently share the lands of the Upper Snoqualmie Valley, we offer the following language to better mirror this relationship:

We acknowledge that we are on the Indigenous Land of Coast Salish peoples who have sovereign, inherent Tribal rights to this land, specifically the Snoqualmie Indian Tribe (sduk^{w}albix^{w}). We thank these caretakers of this land who have lived and continue to live here since time immemorial.

B.3 Tribal Coordination

We are especially pleased to see this added section on special coordination with tribes on land use matters. Efforts around protecting significant tribal resources when making land use decisions are of utmost importance, particularly Critical Cultural Resources (CCRs), which includes the resource formerly called Culturally Modified Trees (CMTs). The following is a narrative describing this expanded term to be considered for some inclusion into this Element (perhaps in C4 – Historic and Cultural Preservation).

> A Critical Cultural Resource (CCR) is an archaeological object of high cultural significance to the Snoqualmie people. CCRs as trees are often western red cedar; however, historical and

traditional practices include other species, such as big-leaf maple or cottonwood. Archaeologists use the phrase Culturally Modified Tree (CMT), but it is not the preferred term for the Snoqualmie Tribe.

The defining characteristic of a CCR is the visibility of past human modification. Typical modifications on CCRs include tree branches, bark, and even tree clusters. These living historical markers and resources are an identifiable connection to locations and places of cultural/historical/archaeological significance for the Tribe.

C.2 Natural Features

While noted of the forested surroundings in the context of wildfire risk, there should be an inclusion of the existing tree canopy and mature and significant trees within the City as a valuable natural asset that contributes to the livability of the community through stormwater mitigation, cooling, and other climate resilient benefits.

C.1 History and Existing Development Patterns

Acknowledging the Tribe's relationship with the unique landscape above Snoqualmie Falls, which includes the 6-mile prairie known as *baqwab*, and stating that relationship influences land use decisions, captured in the following new statements, is much appreciated: *"The Snoqualmie Tribe and its ancestors recognized this ideal natural context, establishing settlements and managing a broad, open prairie ideal for building and sustaining community life...The rich and long history of life of the Snoqualmie Tribe and its ancestors here and early settler reliance on the area's abundant natural resources is a guide to defining the City's future, where the natural setting of North Bend continues as the key component to the City's identity and heritage."*

C.4 Historic and Cultural Preservation and C.6 Community Design and Mixed Use

We appreciate the inclusion of the Tribe as an invested party to engage in appropriate cultural preservation efforts, historic site designations, and community design, including the new strategy LU 2.6.

D.7 Equity in Land Use

With "Indigenous" stated as a marginalized population in the introductory paragraph, we would like to see an objective/strategy to seek specific engagement with the Tribe for applicable land use processes. An expansion of LU 4.4 is recommended.

Chapter 3: Housing Element

While the concept of stewardship may be addressed in other Elements, the Tribe encourages that some language be considered for the Housing Element. Our vision is that the Tribe was and will continue to be stewards of the land and work to maintain a harmonious relationship with the land and waters of the Snoqualmie Valley and Salish Sea basin. Continuing that legacy and relationship, it is important to be responsible stewards of natural resources so that future generations enjoy and benefit from them as we do today. It is equally important to recognize that resources exist for the benefit of not only humans, but also for wildlife and the broader ecosystem as well.

Introduction

One statement of note is "The GMA requires a housing element ensuring the vitality and character of established residential neighborhoods." This concept could arguably include mature landscapes and natural features contributing to North Bend's character - and should extend to all new residential development and converted zoning for residential. The key will be striking a balance between meeting the higher density needs and maintaining community character.

Items f and h (displacement) under that statement may impact tribal members in the community. We would like more clarification on how that is addressed in the updated Housing Element.

Again, we appreciate the opportunity to review these proposed updates so early in the process. We are excited to see the City's desire for engagement and collaboration with the Tribe on land use and housing matters and look forward to continuing the dialogue for our shared community.

Sincerely,

DocuSigned by:
Jaime Martin
55ECFF68F5D44FA...

Jaime Martin
Executive Director of Governmental Affairs & Special Projects
Snoqualmie Tribe

Puget Sound Regional Council

1201 Third Avenue, Suite 500, Seattle, WA 98101-3055 | psrc.org | 206-464-7090

August 15, 2024

Mike McCarty, Principal Planner
City of North Bend Community and Economic Development
920 SE Cedar Falls Way
North Bend, WA 98045

Subject: PSRC Comments on City of North Bend Draft Comprehensive Plan

Dear Mr. McCarty,

Thank you for providing an opportunity for the Puget Sound Regional Council (PSRC) to review the City of North Bend draft comprehensive plan. We appreciate that the city has invested a substantial amount of time and effort in developing the draft plan and appreciate the chance to review while in draft form. This timely collaboration provides an opportunity to review plan elements for the 2024 comprehensive plan and prepares the city well for certification by PSRC once the full plan has been adopted.

We suggest the city consider the following comments as further work is completed for the comprehensive plan update to align with VISION 2050 and the Growth Management Act. We previously reviewed the Transportation element and provided comments in November 2022. We appreciate the city's work to address previous comments on this element.

We reviewed the draft plan using the VISION 2050 Consistency Tool. Key sections of the consistency tool are listed below on the left along with relevant comments on the draft plan on the right:

Housing

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Increase housing supply and densities to meet the region's current and projected needs at all income levels	The draft plan should document capacity for emergency housing and emergency shelter. RCW

Plan Review Consistency Tool	PSRC Comment on Draft Plan
consistent with the Regional Growth Strategy (MPP-H-1)	36.70A.070(2)(c) states jurisdictions must ensure sufficient capacity for all housing types, including emergency housing and emergency shelter, and describe it in the housing element. Commerce's Guidance for Updating Your Housing Element (Book 2) is a useful resource on documenting housing capacity.
	The draft plan indicates the city currently lacks sufficient capacity for its housing need allocations. The draft plan includes proposed land use changes to remedy this gap. Following through to provide sufficient capacity for housing will be important in finalizing the plan update.
Address affordable housing needs by developing a housing needs assessment and evaluating the effectiveness of existing housing policies, and documenting strategies to achieve housing targets and affordability goals. This includes documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations (H-Action-4)	The plan should provide documentation of potential regulatory and financial barriers to affordable housing. Commerce's adequate provisions checklist can also help document this work. The city's Housing Action Plan includes important information on existing housing conditions and strategies to support housing development. The draft housing element should incorporate the Housing Action Plan by reference and clearly point to where to find more complete information on GMA requirements, such as the land capacity analysis, displacement risk, racially disparate impacts data, and adequate provisions.

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Identify and begin to undo local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including zoning that may have a discriminatory effect and areas of disinvestment and infrastructure availability. Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations and work with communities to develop anti-displacement strategies in when planning for growth (MPP-H-12, H-Action-6)	Analysis of policies that may have led to racially disparate impacts, exclusion, and displacement should be included in the draft plan or accompanying housing analysis. Commerce's Racially Disparate Impact Guidance provides additional information on how to approach analysis of exclusion and racially disparate impacts. PSRC's Community Profiles also include data measures to assess racially disparate impacts in housing, and UW's mapping provides a resource on racially restrictive covenants in North Bend. The city should also work to identify more specific policies to address residential displacement.

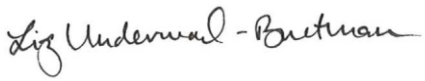
Environment / Climate Change

Plan Review Consistency Tool	PSRC Comment on Draft Plan
Identify and address the impacts of climate change and natural hazards on the region to increase resilience (MPP-CC-7-10, CC-Action-4)	The city should consider identifying specific hazards to the community as well as resilience policies related to climate change. The Puget Sound Hazard map provides information for individual jurisdictions. This identification may be required by HB 1181 in 2029.

PSRC has resources available to assist the city in addressing these comments and inform development of the draft plan. We have provided links to online documents in this letter, and additional resources related to the plan review process can also be found at https://www.psrc.org/planning-2050/vision/vision-2050-planning-resources.

We appreciate all the work the city is doing and the opportunity to review and provide comments. We are happy to continue working with you as the draft progresses through the adoption process. If you have any questions or need additional information, please contact me at 206-464-6174 or LUnderwood-Bultmann@psrc.org.

Sincerely,



Liz Underwood-Bultmann, Growth Management Planning
Puget Sound Regional Council

cc: Review Team, Growth Management Services, Department of Commerce

State of Washington
Department of Fish and Wildlife, Region 4
Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

August 21, 2024

Mike McCarty, AICP, Principal Planner
920 SE Cedar Falls Way
North Bend, WA 98045
Mmccarty@northbendwa.gov

RE: Case # 2022-C-204 WDFW comments regarding North Bend's draft Housing and Land Use elements

Dear Mr. McCarty,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on the draft Land Use and Housing elements of North Bend's Comprehensive Plan as part of the current periodic update. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provide input into the implications of land use decisions. We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions.

Table 1. Recommended changes to proposed policy language.

Policy Number	Policy Language (with WDFW suggestions in red)	WDFW Comment
Housing		
H – 1.11 Page 14 of 17	Encourage affordable housing near transit and green spaces, as well as commercial spaces, including but not limited to colocation of working-wage housing with job opportunities.	We recommend emphasis be placed on ensuring equity in access to green spaces. This may be addressed by requiring set-asides for open space tracts within all housing project applications. As North Bend's Parks and Open Space (chapter 8) states, "Establish park, recreation, wildlife habitat and open space standards for residential development, including on-site and/or off-site dedication requirements, and adopt them in land use codes. Such standards should require that all new single-family and multi-family developments

		provide a minimum percentage, to be determined, of net site area for appropriate park, recreation, wildlife habitat and open space areas and improvements...". It is important to restate this sentiment within the Housing Element.
H – 2.3 Page 15 of 17	Seek to create or to retain and protect links to a Citywide Trail System that connects neighborhoods with areas of commerce and areas that cross jurisdictional boundaries in an effort to promote alternative transportation systems with the added benefit of supporting habitat corridor linkages to better facilitate wildlife movement throughout North Bend.	To pursue the reduction of wildlife collisions and conflict- a paramount priority in relation to elk within North Bend- it is important to plan for habitat corridor linkages as housing density increases. During redevelopment or new development project planning, we recommend identifying key wildlife movement areas and acquiring these corridors. We also suggest identifying key wildlife collision areas for future roadway improvements. Additionally, open spaces within neighborhoods should be designed to connect with neighboring open spaces, ensuring pedestrian trail linkages and facilitating wildlife movement. Site plans should demonstrate efforts to create interconnected parks, open spaces, and habitat corridors, rather than isolated and disconnected patches of land that offer little recreational or habitat advantages. For resources, see The Washington Wildlife Habitat Connectivity Working Group, WSDOT's Reducing the risk of wildlife collisions website as well as Wildlife Habitat Connectivity Consideration in Fish Barrier Removal Projects, Montana Fish, Wildlife, and Parks' How to Build Fence with Wildlife in Mind, and WDFW's website.
H – 2.4 Page 15 of 17	Ensure infrastructure plans are developed concurrently with adopted housing plans, both of which shall take into consideration future climate-related hazards.	Protecting infrastructure and the services they provide from climate impacts helps ensure community resilience. It is vital to site new infrastructure and housing outside of areas that will be impacted by climate-related stressors. We suggest updating zoning to allow new development only in low-risk areas and assess risk when new infrastructure is proposed. For assessing future conditions, see Climate Mapping for a Resilient Washington, as well as FEMA's Resilience Analysis and Planning Tool (RAPT) for resources in visualizing these hazard areas. For further context, FEMA's Flood Insurance Rate Map (FIRM) modeling does not take climate change projections into consideration. We suggest North Bend supplement FIRM maps with regulations that take climate change projections into consideration. For example, King County

		regulations place 'Flood Protection Elevations' three feet above base flood elevation for development within flood-prone areas.
H – Goal 7 Suggested Policy	Ensure that equitable housing initiatives avoid areas currently experiencing or projected to experience climate-related hazards, such as flooding.	We recommend that current and future climate change hazards be taken into account when planning for equity. Specifically, affordable housing should not be located in areas prone to flooding or other climate-related hazards, as the frequency of these events is likely to increase.
Land Use		
LU - 1.4 Page 8 of 27	Encourage retention of natural habitat in residential developments by providing sustainable landscaping, making Low Impact Development (LID) the preferred and most commonly used approach to site development, requiring set asides for connecting open spaces, and by creating zoning incentives.	See comments related to H – 1.11 Page 14 of 17 above. Additionally, we recommend requiring Low Impact Development (LID) standards for all developments, especially near waterways. North Bend's distinct geographic location along the south fork and middle fork Snoqualmie River underscores the distinct obligation (interlocal agreement) to preserve, rehabilitate, and re-establish salmon habitat. Especially in growing urban setting such as North Bend, LID can provide far-reaching support in attaining salmon recovery goals.
LU-1.6 Page 8 of 27	Plan for development patterns that minimize pollution and greenhouse gas emissions and increase physical activity as well as wildlife habitat linkages by facilitating bicycle and pedestrian mobility and wildlife conscious developmental practices, while also ~~and~~ supporting increased densities in areas accessible to transit.	See comments in relation to H – 2.3 above.
LU-3.1 Page 16 of 27	Encourage the development of human-scale neighborhoods planned to be compatible with wildlife movement and to be easily accessed by pedestrians, bicycles, and transit to increase walkability and reduce greenhouse gas emissions.	See comment above.
LU-3.2 Page 16 of 27	Encourage retention of existing open spaces and the creation of a citywide, linked open space network that integrates	We greatly appreciate the inclusion of this policy and look forward to how it shapes municipal code revisions into the future.

	neighborhoods, provides access for all to clean healthy environments, protects natural resources and increases resilience to climate change impacts. Prioritize acquisitions and improvements in neighborhoods with historical underinvestment and disproportionally impacted communities.	
LU Goal 5 Page 23 of 27 Suggested Policy	Require activities follow Best Management Practices that when used collectively provide riparian protection, source control and filtration to prevent contributing pollutants to surface and ground waters to conserve important habitat areas for salmonids while maintaining working lands.	We suggest the inclusion of the adjacent policy to provide actionable language to protect and sustain critical area value and function adjacent to resource lands. This policy is taken from WDFW's Land Use Planning for Salmon, Steelhead, and Trout. Please see also the guidelines outlined in the document Balancing Fish, Farm, Flood in King County's Snoqualmie Watershed Project. Additional resources to address this policy's goals include the Nature Conservancy's Farming for Wildlife program within the Skagit Delta. This program's intent is to discover how habitat rotation can be compatible with crop rotations. An additional program that addresses similar avenues for sustainable agriculture is the Nature Conservancy's publication, Leading at the Edge.
LU Goal 6 Page 26 of 27 Suggested Policy	If the UGA needs to be modified, analyze and encourage swapping UGA areas in ecologically important areas for those that are not ecologically sensitive.	It is important to prioritize growth in areas that will not result in a loss of critical area ecosystem values and functions. Critical Areas should be subtracted out of UGA expansion areas for future development speculation. This policy suggestion is taken from the Sound Choices Checklist.
LU Goal 6 Page 26 of 27 Suggested Policy	Create a prioritization list for areas that should be considered for Transfer of Development Rights (TDR), conservation easements, or acquisition as a land use development tool to prevent sprawl, preserve rural resource lands, protect intact ecosystems, and meet the vision of the City's designated centers.	It is important to develop incentives and establish programs that will support placing the right growth in the right place. The adjacent policy example suggests methodologies that utilize tools for preserving and protecting habitats and species that currently persist on the landscape while concentrating growth in more suitable locations.

Please see the Sound Choices Checklist for additional guidance for all elements of the Comp Plan.

Thank you for taking time to consider our recommendations to better reflect the best available science for fish and wildlife habitat and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or resources at any time during this process, please don't hesitate to contact me or the Region Land Use Lead, Morgan Krueger at morgan.krueger@dfw.wa.gov.

Sincerely,



Timothy Stapleton
Washington Department of Fish and Wildlife
Region 4 – Habitat Program Manager

CC:
Morgan Krueger, Region 4 Land Use Lead (morgan.krueger@dfw.wa.gov)
Kara Whittaker, Land Use Conservation and Policy Section Manager (kara.whittaker@dfw.wa.gov)
Marian Berejikian, Environmental Planner (marian.berejikian@dfw.wa.gov)
Kirk Lakey, Assistant Regional Habitat Program Manager (kirk.lakey@dfw.wa.gov)
Kevin Lee, Habitat Biologist (kevin.lee@dfw.wa.gov)
Region 4 Central District Planning Inbox (R4CPlanning@dfw.wa.gov)
Lexine Long, WA Department of Commerce (lexine.long@commerce.wa.gov)

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • 360-725-4000
www.commerce.wa.gov

October 9, 2024

Mayor Mary Miller and City Council
City of North Bend
c/o Mike McCarty, AICP, Principal Planner
920 SE Cedar Falls Way
North Bend, WA 98045

Sent via electronic mail: mmccarty@northbendwa.gov

Re: Periodic Update to North Bend City's 60-day Notice of Intent to Adopt Amendment to comply with RCW 36.70A.130 under submittal number 2024-S-7241

Dear Mayor Miller and Council Members:

Thank you for the opportunity to comment on the City of North Bend's draft 2024 comprehensive plan. Growth Management Services received the proposed amendments on July 11, 2024 with subsequent updates, and processed them with material identification number 2024-S-7241.

Your submission represents a great deal of work and substantial progress towards the 2024 periodic update of your comprehensive plan due December 31, 2024. We especially appreciate details of each sub-area and the general readability and flow of each draft element.

We have focused our review on the specific comprehensive plan elements listed below, and have included our comments, recommendations, and corresponding citations from the periodic update and expanded housing checklists (in *italics*) under each section.

1. Critical Areas Element

   The draft Critical Areas Element is required to include provisions for Best Available Science (BAS). The existing wetland mapping references "potential wetlands 1991" as the provisions for BAS, which are outdated. We recommend modifying the draft critical areas element to include reference to updated BAS. See WAC 365-190-080 for additional guidance.

   Policies to designate and protect critical areas including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically

hazardous areas. In developing these policies, the city must have included the best available science (BAS) to protect the functions and values of critical areas, and give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.030(6), RCW 36.70A.172, WAC 365-190-080

2. Housing Element

Please find our comments below related to the city's Land Capacity Analysis Memo:

a. Within the "Accessory Dwelling Unit Capacity", pp. 8, the assumptions for future ADU development are high given the permitting data provided on pp. 12. We suggest giving special consideration to strategies to incentivize ADU development, given their intended importance in meeting the city's future housing needs, or else considering whether other zoning changes could support development of more housing units affordable at 80-120% AMI.

b. Within the "Emergency Housing Capacity", pp. 8, we thank you for identifying needed updates to the land use table to meet state requirements for emergency housing. Please be aware that updated guidance requires an emergency housing LCA showing sufficient capacity to meet identified needs, regardless of any restrictions on emergency housing and shelter. This analysis should be included as a part of the adopted version of this LCA.

c. Within the "Alternative Zoning Results", pp. 16-21, we thank you for your detailed analysis of alternative zoning to increase housing capacity for the lowest income segments. Please ensure that all necessary amendments to the zoning code needed to implement these changes are adopted prior to or along with the final comprehensive plan (RCW 36.70A.115(1)).

Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing.(see RCW 36.70A.070(2)(c) amended in 2021, WAC 365-196-410(e) and (f)

3. Capital Facilities Plan (CFP) Element

Based on the city's September 27, 2024, response, we understand that the City Council passed a resolution authorizing approval of the Capital Facilities Element on May 7, 2024, and the city indicates it will address the following during the 5-year implementation progress report or sooner:

a. In review of the draft CFP, considerable information is provided on inventory, needs, and level of service. There is limited information or analysis on serving underserved areas. Please consider including policy which addresses planning for facilities and improvements in underserved areas, which is necessary for the comprehensive plan and to improve the Capital Facilities Element.

Policies or procedures to ensure capital budget decisions are in conformity with the comprehensive plan. RCW 36.70A.120

b. During our review we were unable to locate a 6-year Capital Improvement Plan (CIP), as required by the GMA. We recommend including 6-year plans for all forms of capital facilities (city and non-city owned).

A six-year plan (at least) that will finance such capital facilities within projected funding capacities and identify sources of public money to finance planned capital facilities. RCW 36.70A.070(3)(d), RCW 36.70A.120, WAC 365-196

4. Transportation Element

We understand that the City is working to compile both the existing and new and transportation elements into a single new transportation element. We look forward to the opportunity to review your draft transportation element when it is available.

As a friendly reminder, copies of adopted plans shall be submitted to Commerce within ten days after final adoption (RCW 36.70A.106(2)).

Congratulations to you, your planning commission, staff, and involved citizens for the good work represented by your update. If you have any questions about our comments or any other growth management issues, please contact me at carol.holman@commerce.wa.gov or (360) 725-2706.

We extend our continued support to North Bend City in achieving the goals of growth management.

Sincerely,

Carol Holman, MUP
Western Regional Manager
Growth Management Services

cc: David Andersen, AICP, Managing Director, Growth Management Services
Valerie Smith, AICP, Deputy Managing Director, Growth Management Services
Anne Fritzel, AICP, Housing Section Manager, Growth Management Services
Laura Hodgson, Housing Planning and Data Manager, Growth Management Services
King County, Affordable Housing Committee
Erika Harris, AICP, Puget Sound Regional Council

Affordable Housing Committee

KING COUNTY GROWTH MANAGEMENT PLANNING COUNCIL

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Thatcher Imboden
Sound Transit

Ryan Makinster
Washington Multi-Family Housing Association

Sunaree Marshall
On behalf of King County Executive Dow Constantine

Ryan McIrvin
Renton Councilmember, Sound Cities Association

Cathy Moore
City of Seattle Councilmember

Teresa Mosqueda
King County Councilmember

Lynne Robinson
Bellevue Mayor, Sound Cities Association

Veronica Shakotko
Master Builders Association of King and Snohomish Counties

Robin Walls
King County Housing Authority

Maiko Winkler-Chin
On behalf of Seattle Mayor Bruce Harrell

October 3, 2024

Jamie Burrell
Senior Planner
City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045

Dear Ms. Burrell,

Thank you for submitting the City of North Bend's draft 2024 Comprehensive Plan Update to the Affordable Housing Committee's (AHC) Housing-focused Draft Comprehensive Plan Review Program for review on July 26, 2024. On behalf of the AHC, I am sending you this summary of our review and recommendations.

Background

The AHC is a subcommittee of the Growth Management Planning Council (GMPC), consisting of representatives of King County and its cities, housing providers, area employers, and others. By direction of the GMPC, the AHC now conducts a housing-focused review of all King County jurisdictions' draft periodic comprehensive plan updates, assessing the draft plans for alignment with the King County Countywide Planning Policies (CPP) Housing Chapter goals and policies prior to plan adoption.

As you know, our county is experiencing a deep and persistent housing shortage. In 2021, the State of Washington adopted House Bill 1220, which amended the Growth Management Act, requiring local governments to plan for and accommodate housing that is affordable to all income levels, including emergency housing. In response to this state mandate and local interest in improving the effectiveness of local housing plans and policies, the AHC led a two-year process to amend the King County CPPs.

The result was a significant update to the CPP Housing Chapter, which was recommended by the GMPC, adopted by the King County Council, and ratified by the cities in 2023. The goals of both the statute and this implementation work are to encourage cities and King County to work together to provide a full range of affordable, accessible, healthy, and safe housing choices to every resident in King County.

This review is guided by Housing-focused Comprehensive Plan Review Standards, as adopted by GMPC Motion 23-2. In summary, the AHC review seeks to determine whether each jurisdiction's draft plan and submission materials:

1. address all CPP Housing Chapter policies;
2. articulate implementation strategies for relevant CPP Housing Chapter Policies; and
3. lay out meaningful policies that, taken together, support the jurisdiction's ability to equitably meet housing needs.

This program is still relatively new and evolving, and your engagement helps the AHC understand how jurisdictions are seeking to address their housing needs while aligning with the recent changes at the state, regional, and county levels.

The AHC acknowledges the substantial amount of time and effort that went into North Bend's draft comprehensive plan. During review, the AHC noted that many of North Bend's plans, policies, analyses, and implementation strategies align well with CPP Housing Chapter policies. In particular, North Bend's implementation details describe a Request for Proposals currently open for an organization, entity, or consortium to develop and manage long-term income-restricted rental units on a half-acre publicly owned property in the city's downtown. This project is a concrete demonstration of North Bend's commitment to planning for and accommodating its housing needs and increasing the supply of and prioritizing resources for income-restricted housing, in alignment with CPPs H-1, H-10, and H-14.

Below, the AHC includes recommendations necessary for North Bend to align with the CPP Housing Chapter policies.

Recommendations to Align with the CPP Housing Chapter

The AHC recommends North Bend take the following actions to align its draft comprehensive plan with CPP Housing Chapter goals and policies.

1. Meaningfully plan for and accommodate permanent supportive housing (CPP H-1)

Relevant Countywide Planning Policies

CPP H-1 requires North Bend plan for and accommodate 1,748 net new housing units, including 228 permanent supportive housing units.

North Bend's Proposal and AHC Findings

North Bend's Housing Element policy H-5.4 commits the jurisdiction to encouraging the provision of a sufficient supply of permanent supportive housing. The AHC appreciates North Bend's stated intent to accommodate its permanent supportive housing needs.

However, the AHC is concerned that the City applies a different requirement for permanent supportive housing than it does to housing generally and is therefore not meaningfully planning for and accommodating its permanent supportive housing needs. Specifically, the Housing Action Plan provided to the AHC for review states that permanent supportive housing units within the city are "conditionally permitted in all zones except for Industrial EP-2 and Public Facilities POSPF" (page 294). RCW 36.130.020(1) states that a city "…may not adopt, impose, or enforce requirements on an affordable housing development that are different than the requirements imposed on housing developments generally."[1] The AHC finds that permanent supportive housing is affordable housing and therefore North Bend cannot require conditional use permits if they do not also do so for housing in general.

> **Recommendation 1:** In order to meaningfully plan for and accommodate its permanent supportive housing needs, North Bend should align its development code to comply with RCW 36.130.020(1) to ensure North Bend is not imposing a different set of requirements on permanent supportive housing than housing generally.

[1] RCW 36.130.020. [link]

2. Complete the housing inventory and analysis (CPP H-3)

Relevant Countywide Planning Policies

CPP H-3 directs jurisdictions to conduct a housing inventory and analysis to help identify and address the greatest needs as well as summarize the findings in the Housing Element.

North Bend's Proposal and AHC Findings

While North Bend's submission includes many data points and substantive analysis, the AHC could not find specific information required by H-3(d), (f), (g), and (m). This includes:

d) percentage of residential land zoned for moderate- and high-density housing and accessory dwelling units in the jurisdiction;

f) income (median and by area median income (AMI) bracket) by race/ethnicity;

g) age by race/ethnicity; and

m) the housing needs of communities experiencing disproportionate harm of housing inequities including Black, Indigenous, and People of Color (BIPOC).

This analysis should inform additional comprehensive plan policy responses and strategies. For example, analysis responsive to CPP H-3(m) could help North Bend identify specific solutions to repair harm done to BIPOC households, as required by CPP H-9.

> **Recommendation 2:** North Bend should include all inventory and analysis components as required by H-3 in the comprehensive plan and summarize the findings in the Housing Element. This additional analysis should inform additional comprehensive plan policy responses and strategies.

3. Identify sufficient capacity of land for emergency housing needs (CPPs H-1 and H-11)

Relevant Countywide Planning Policies

CPP H-1 requires North Bend plan for and accommodate 1,748 net new housing units, including 334 emergency housing beds. CPP H-11 requires jurisdictions identify sufficient capacity of land for housing including housing for low-, very low-, and extremely low-income households and emergency housing.

North Bend's Proposal and AHC Findings

The "Direction for Housing Policies" section of North Bend's draft Housing Element commits North Bend to working with King County and providers of "special needs" housing to ensure that housing for persons with special needs, including emergency housing, can be accommodated in North Bend (page 11). Additionally, North Bend's H-Goal 5 states that it will "support and provide for the availability of housing for residents of North Bend with special housing needs, including supportive housing and emergency housing needs." The AHC commends North Bend for its commitment to accommodating emergency housing. However, North Bend did not include an emergency housing capacity analysis. Without this analysis, the AHC cannot determine if North Bend is planning for and accommodating its emergency housing need and has sufficient land capacity to accommodate its emergency housing allocation.

Recommendation 3: To align with CPPs H-1 and H-11, North Bend should show sufficient land capacity for its allocated emergency housing needs. North Bend should follow Washington State Department of Commerce's guidance for completing a land capacity analysis for emergency housing.

Conclusion and AHC Resources

Thank you again for your submission to the Committee's Housing-focused Draft Comprehensive Plan Review Program. AHC members valued the opportunity to review North Bend's draft 2024 Comprehensive Plan Update and related submission materials. North Bend's participation in the plan review program is instrumental in the broader work of the Committee to empower local jurisdictions to address the affordable housing crisis in King County.

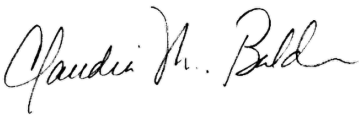
AHC staff are happy to assist North Bend in addressing these recommendations. For immediate resources and guidance on aligning with the CPP Housing Chapter, refer to the:

- Engrossed 2021 King County CPPs;
- AHC Housing-focused Draft Comprehensive Plan Review Program Guide; and
- King County Resources for Documenting the Local History of Racially Exclusive and Discriminatory Land Use and Housing Practices.

The AHC would also like to acknowledge that North Bend may be challenged to address recommendations in this letter before the state-mandated deadline for comprehensive plan adoption of December 31, 2024, and may potentially adopt a comprehensive plan in 2024 that is not in alignment with the CPP Housing Chapter. In that case, the City is encouraged to amend its plan in 2025 to incorporate AHC feedback and bring its plan into alignment with the CPP Housing Chapter policies.

If you have questions or need additional information regarding aligning with the CPP Housing Chapter, please contact lead staff for the AHC plan review program, Carson Hartmann, at AHCplanreview@kingcounty.gov or 206-848-0681.

Sincerely,



Claudia Balducci
Affordable Housing Committee Chair
King County Councilmember, District 6

CC Dow Constantine
Growth Management Planning Council Chair
King County Executive

Laura Hodgson
Senior Planner

Washington State Department of Commerce

Plan Review Team
Puget Sound Regional Council

Plan Review Team
King County Affordable Housing Committee

From:	mthomas bangstick.net
To:	Planning
Cc:	Hannah Thiel; James Boevers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Subject:	Planning Commission 9/18 Comment-Housing Element
Date:	Wednesday, September 18, 2024 3:58:33 PM

[Some people who received this message don't often get email from mthomas@bangstick.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I have the following comments and/or questions for the housing element.

1. On page 11 & 12 housing outside the city limits but within the UGA should be identified as to key areas, type, and number of housing units.

2. Unclear where to add suggest two policies/statements with respect to increasing ADU stock:

- Pursue working with HOAs to permit ADUs within their communities and assist with planning, parking, stormwater design, sewerage design, and similar

- Pursue sewer subsidies for those adding ADUs; for the unsewered investigate subsidies for sewer extensions, sewerage design, studies, ULID formation, and the like

Thanks

Michael Thomas
1231 LaForest Drive SE

From:	mthomas bangstick.net
To:	Planning
Cc:	Hannah Thiel; James Boevers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Subject:	Planning Commission 9/18 Comment-Land Use Element
Date:	Wednesday, September 18, 2024 1:58:21 PM

[Some people who received this message don't often get email from mthomas@bangstick.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I have the following comments and/or questions, where there is a question it would be appreciated for the commissioner(s) to ask staff.

1. Propose LU 1.11 Encourage amenities (restaurants, shopping, parks, commercial entertainment, musuems, and the like) to better serve the eastern residents of the city and visitors and give preference to uses that promote North Bend as a nature destination and the gateway to the Middlefork.

2. LU 3.6 add "HOAs as applicable"... eg work with residents and HOAs....

3. Request to strike "heavier industrial uses and" from the paragraph on Employment Park zoning pg. 24

Question:

Does Riverbend (currently outside city limits but inside the UGA) currently count toward housing unit goals? Is it possible to identify residential and jobs outside city limits but within the UGA as potential future growth as part of land use figures?

Thanks

Michael Thomas
1231 LaForest Drive SE

From: Jean Buckner
To: Mike McCarty
Cc: Sam White; Rebecca Deming; Jamie Burrell
Subject: RE: My Public Comments for Sept 18th PC Meeting/Agenda Items
Date: Wednesday, September 18, 2024 3:48:17 PM
Attachments: Resolution 2097 2024 Economic Development Element - comments.pdf
Land Use Element 2024 Draft Clean 9-10-2024_20240912100012583O - comments.pdf
Public Comments for Land Use and Housing Elements_20240912101645193O - comments.pdf
Resolution 2072 - Adoption Parks Element for 2024 Comp Plan- comments.pdf

---

Sorry about that Mike. I thought I sent them to both CC and PC, but I only sent them to CC. Attached are the relevant highlighted documents. I've highlighted sections I think are important; you can scan the 4 documents quickly by turning on the PDF thumbnail sidebar (you'll see my highlights). The highlighted sections support the comments I sent earlier this afternoon. Also, following are some added Policy language I would also like to add to my public comments. . I'm usually better organized – but have been very busy prepping for the DA vote. Might someone be able to sit down with me to discuss these documents and highlights over the next week or so? It would be optimal to have one more hearing on these elements if possible.

E.g. items in the Parks element, starting on page 17

Policies:

3.1 Require that all new development projects contribute to public open space improvements either on or off-site as identified in the adopted Parks Element.

> a. Establish park, recreation, wildlife habitat and open space standards for residential development, including on-site and/or off-site dedication requirements, and adopt them in land use codes. Such standards should require that all new single-family and multi-family developments provide a minimum percentage, to be determined, of net site area for appropriate park, recreation, wildlife habitat and open space areas and improvements. Standards should address the percentage required for both passive and active uses. Net site area shall be exclusive of street/utility rights of way, setbacks, parking areas, and utility facilities, including but not limited to storm, water, or sewer.

3.2 Evaluate public acquisition of private open spaces as opportunity and funding is available, and pursue the concept of tax incentives for privately held open space.

1. Pursue protection of strategic open space properties by using a variety of protection methods.
2. Methods should include non-regulatory methods (e.g. fee-simple purchase, conservation easements, donations, purchase and leaseback, etc.); regulatory methods (e.g. limited development, land dedication, site design, cluster design, impact-fees); and incentive approaches (e.g. current use taxation; transfer of development rights, land- transfers; user fees).

c. The City and its partners should pursue grants and other outside funding to enable proactive resource protection and development.

On Thu, Sep 12, 2024 at 11:09 AM <jean.buckner@comcast.net> wrote:
See https://northbendwa.gov/238/Comprehensive-Plan

From: Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>
Sent: Wednesday, September 18, 2024 3:22 PM
To: Jean Buckner <jean.buckner@comcast.net>
Cc: Sam White <swhite@northbendwa.gov>; Rebecca Deming <RDeming@northbendwa.gov>; Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: RE: My Public Comments for Sept 18th PC Meeting/Agenda Items

Jean,
We do not see any comments associated with your highlights in the attached documents you sent us. Please resend in a format that directly shows comments if you wish to submit this for the hearing.

Sincerely,
Mike

Mike McCarty, AICP
Principal Planner
City of North Bend Community and Economic Development
920 SE Cedar Falls Way
North Bend, WA 98045
(425) 888-7649

From: Sam White <swhite@northbendwa.gov>
Sent: Monday, September 16, 2024 1:52 PM
To: Rebecca Deming <RDeming@northbendwa.gov>; Mike McCarty <MMCCARTY@NORTHBENDWA.GOV>; Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: Fw: My Public Comments for Sept 18th PC Meeting/Agenda Items

Hi,

We received public comment for our upcoming Planning Commission meeting (9/18/2024), but city staff was not included.

Thus, I'm forwarding them to you.

Thanks.

Sam

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Monday, September 16, 2024 1:38 PM
To: Brian Fitzgibbon <BFitzgibbon@northbendwa.gov>; Juliano Pereira <JPereira@northbendwa.gov>; Sam White <swhite@northbendwa.gov>; Olivia Moe <OMoe@northbendwa.gov>; James Boevers <JBoevers@northbendwa.gov>; Stephen Matlock <smatlock@northbendwa.gov>; Hannah Thiel <HThiel@northbendwa.gov>
Subject: My Public Comments for Sept 18th PC Meeting/Agenda Items

You don't often get email from jean.buckner@comcast.net. Learn why this is important

Honorable Planning Commission Members, the highlights on the attached Comp Plan Elements and Resolution are relevant to the September 18th Planning Commission Agenda regarding Comp Plan Review. Given the complexity of these issues, I am requesting additional meetings to provide adequate time for community input on these and other Comp Plan elements. To save your time, the highlights can be easily found using the panes that are generally to the left of your screen when documents are opened. I have also included the following email just sent to the City Council regarding a related item that contains information that may also be of interest to Planning Commissioners.

Best,
Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: **The Friends of The Snoqualmie Valley Trail and River**
Website: http://fosvtr.org/
46226 SE 139th Pl North Bend WA

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Monday, September 16, 2024 1:10 PM
To: 'council@northbendwa.gov' <council@northbendwa.gov>; 'mmiller@northbendwa.gov' <mmiller@northbendwa.gov>
Cc: 'SOPPEDAL@NORTHBENDWA.GOV' <SOPPEDAL@NORTHBENDWA.GOV>; 'jean.buckner@comcast.net' <jean.buckner@comcast.net>
Subject: King County Parcel # 132308-9020 Development Agreement Issues//Comp Plan Inconsistencies

Honorable Mayor Mary Miller and North Bend Council Members, the following and attached regard City Council's September 17th Agenda item # 13.

King County Parcel # 132308-9020 Issues/Comp Plan Inconsistencies
(https://gismaps.kingcounty.gov/parcelviewer2/)
Summary of Key Issues with the Proposed Development Agreement (DA)
Formerly called "The Auto Mall"*

The proposed Development Agreement (DA) (start on page 13 here: https://northbendwa.gov/ArchiveCenter/ViewFile/Item/6635) raises several serious concerns that need to be addressed before the City Council moves forward with approval. These issues impact public health, environmental protections, and compliance with city regulations. The development is also incongruent with attached Comp Plan language (use side panes to quickly find highlighted sections).

1. **Inadequate Application Information**

- Problem: The DA does not comply with North Bend Municipal Code (NBMC) application requirements, which demand details such as permitted uses, protection of critical areas, stormwater management, and more. These elements are missing because no specific project is proposed.
- Why It Matters: Without a clear project plan, approving the DA is premature and leaves too much speculation. The city is being asked to approve and budget around an agreement before knowing the full scope and impact of the development.

2. **Approval Conditions Are Premature**

- Problem: The DA is being brought forward before there is a fully fleshed-out project, violating city code that expects an actual project—complete with site plans and specific uses—before a DA is approved.
- Why It Matters: This is a "cart before the horse" scenario. Approving the DA without concrete details could lock the city into an agreement that doesn't serve the best interests of the community.

3. **Environmental Review Concerns (SEPA)**

- Problem: The DA defers State Environmental Policy Act (SEPA) review, stating that it will occur with the development proposal and master plan, not as part of this agreement.
- Why It Matters: This approach could mean that the DA itself will never undergo a full environmental review, leaving critical environmental impacts unaddressed early in the process.

4. **Public Health and Safety Protections (RCW 36.70B.170(4))**

- Problem: The DA lacks the necessary language to address "serious threats" to public health and safety, as required by state law. The DA instead references a city code that only refers to "imminent" threats—a higher and more difficult standard to meet.
- Why It Matters: Without this important clause, the city may lack authority to enforce new regulations that protect public health and safety in the future.

5. **Absurd Claims Regarding Economic Impact**

- Problem: The DA packet references questionable claims of creating 600 jobs and $74M in increased property value. With no detail outlined in the DA, how accurate can these estimates be? Also, while property value may increase for this parcel, the development may lead to lower property values in nearby neighborhoods. Also, how will the impact of additional built space impact the existing problem of empty buildings in North Bend?
- Why It Matters: These inflated numbers may pressure the City Council into making hasty decisions based on unrealistic projections rather than sound analysis. The decrease in property values of surrounding neighborhoods should also be taken into account.

The DA also does not fit within North Bends Vision and Brand Statements or with key elements of North Bend's Comp Plan (per attached highlighted elements and resolutions):

> **Vision Statement**: The vision for North Bend is centered on preservation and enhancement. The community seeks to preserve its natural beauty and small-town scale while enhancing the built environment of downtown, riverfront, community parks, residential neighborhoods, and the community's gateways.
>
> **Brand Statement**: North Bend presents itself as a highly livable small town that is the premier outdoor recreation destination in the Puget Sound Region, described with the phrase "Easy to Reach...Hard to Leave."
>
> **Comp Plan Elements**: (See 5 highlighted elements and resolutions attached)

- Why It Matters: Developments that fall outside of the City's official Vision and Brand statements and Comp Plan Elements encourage a hodgepodge approach to development that pushes North Bend toward a look and feel of just another disorganized small town and reduce citizens quality of life as well as visitor experience. Most residents of North Bend believe that North Bend can be so much more by promoting and protecting the area's natural beauty and our quality of life.

***

VOTE NO or vote to delay this item until these issues are resolved. The current DA lacks transparency and specificity and does not comply with North Bend Municipal Code (NBMC) application requirements, which demand details such as permitted uses, protection of critical areas, stormwater management, and more. It is also incongruent with North Bend Comp Plan elements per attached.

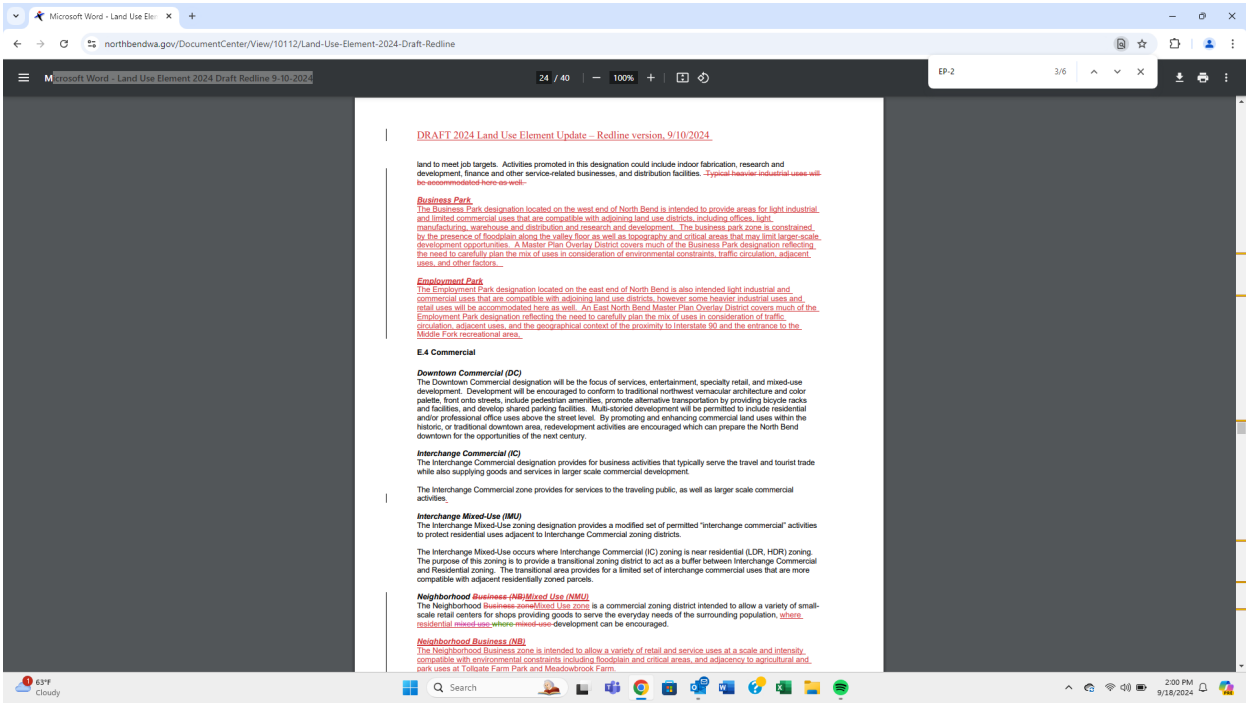
***"The Auto Mall" the term "Auto Mall" was used to describe this project from individuals both inside and outside of the City. The developer claims this is inaccurate and informally mentioned tractor and construction vehicles/equipment sales as a possible component. The DA has no description of what could be included – which is troubling in and of itself.**

Susie, please include tis in the packet as public comment.
Best,
Jean

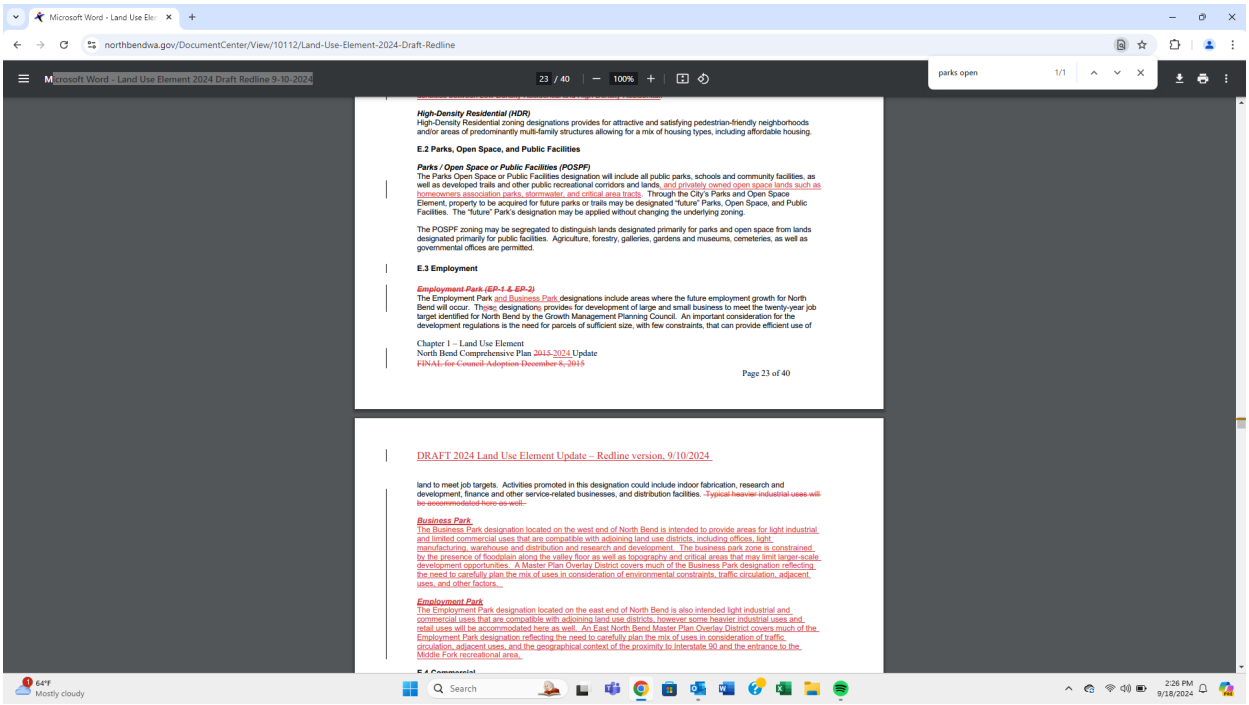
Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: **The Friends of The Snoqualmie Valley Trail and River**
Website: http://fosvtr.org/
46226 SE 139th Pl North Bend WA

From: jean.buckner@comcast.net
To: Planning; Hannah Thiel; James Bowers; Olivia Moe; Brian Fitzgibbon; Juliano Pereira; Sam White; Stephen Matlock
Cc: Jamie Burrell; jean.buckner@comcast.net
Subject: Public Comment from Jean Buckner/Friends of the Snoqualmie Valley Trail and River and resident of nearby neighborhood
Date: Wednesday, September 18, 2024 2:57:07 PM
Attachments: image001.png
image002.png
image003.png

The EP -2 designation (on the East side of North Bend) is incongruent with the sections of the Master Plan sent earlier this week and incompatible with the nearby school and neighborhoods. We further find the new language allowing "heavier industrial uses" to be even more incongruent and incompatible and represent a greater environmental risk to the school, neighborhoods and River. See " Employment Park" redline in the screenshot below from page 24 of 40 from the Land Use Element 2024 Draft Redline 9-10-2024). Nearby neighborhoods also stand to have their property values reduced as a function of the inappropriate EP 2 zoning. It may have fit back in 1988 when it was set, but with the addition of the school and neighborhoods, the overall character of the area is no longer congruent with the EP2 designation. A "mixed use" zone is more appropriate for the land now designated as EP-2. We will be submitting paperwork to request a zoning change for the area. Also, see second question below the following screenshot about the meaning of language under "Parks and Open Space" and it's relevance for the Wood River neighborhood / HOA?



Also, please explain the City's intent regarding the addition of the following redlined language from page 23 of the draft (See "Parks/Open Space or Public Facilities(POSPF)" language below.) What is the intent of this language for neighborhood/HOA owned trails etc.?



Best,

Jean Buckner, President – Friends of the Snoqualmie Valley Trail and River
Homeowner – Wood River Neighborhood
46226 SE 139th Pl
North Bend, WA

From: Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>

Sent: Wednesday, September 18, 2024 1:29 PM
To: jean.buckner@comcast.net
Subject: RE: Remote Access to tonight's Planning Commission Meeting

Hi Jean,

Join the zoom link in the invite. We do not allow remote comments, but you can submit something in writing ahead of the meeting.

Thank you,

Jamie Burrell
Senior Planner
City of North Bend
425-888-7642

From: Jean Buckner <jean.buckner@comcast.net>
Sent: Wednesday, September 18, 2024 1:16 PM
To: Jamie Burrell <JBURRELL@NORTHBENDWA.GOV>
Subject: Remote Access to tonight's Planning Commission Meeting

Good afternoon Jamie, I'd like to attend tonight's Planning Commission Meeting remotely. How do I sign up for that?

Best,

Jean

Jean Buckner, EdD - President of Friends of The Snoqualmie Valley Trail and River
Facebook: The Friends of The Snoqualmie Valley Trail and River
Website: http://fosvtr.org/
GoFundMe: https://www.gofundme.com/Friends-of-The-Snoqualmie-Valley-Trail-and-River

From: Cherie Cooper
To: Brian Fitzgibbon; Juliano Pereira; Sam White; Olivia Moe; James Boevers; Stephen Matlock; Hannah Thiel
Cc: Jamie Burrell; James Henderson; Mike McCarty; Victoria Hoenig; Chris Rohrbach
Subject: Wednesday September 18, 2024 Planning Commission Packet, items #4 and #5 on the agenda
Date: Wednesday, September 18, 2024 6:22:57 AM
Attachments: Neighborhoods North Bend, WA - Official Website.pdf
MAPS Hoenig Family 8 parcels zoned EP-1 Planning Commission Email.pdf
20132014 Owner"s Application for The Tanner Junction MPOD PC packet July 2013 with shared access.pdf
Tanner Junction Overlay prior to the 2016 City Council removing the HDR allowance.pdf
072022 City of North Bend Proposal for re-allocation of water service to include the Hoenig Family"s 8 parcels Planning Commission Email.pdf
City of North Bend Parcels zoned EP1 or NB to convert to NMU zoning.pdf

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September 18, 2024

Greetings and Good Day Commissioners,

An aside from the September 18th Planning Commission Packet you have as your guidepost for the task ("asks") that you all have at hand in this evening's Planning Commission Meeting; is this property owner packet as well. If you will please peruse this information to become acquainted with 28.82 acres owned by North Bend Industrial Park LLC and Crown Lakes LLC.

The Property Profile: (Maps attached for reference)

28.82 acres zoned EP-1: Tanner Junction Overlay District. Eight (8) contiguous parcels.

North Bend Way is the northern boundary of roadway frontage. 136th is the southern boundary of roadway frontage.

North Bend Industrial Park LLC owns Five (5) parcels of the 8 in total. Parcel #'s: 1423089184 (5 acres), 1423089183 (5.34 acres), 1423089185 (9.30 acres), 1423089186 (.68 acres), and 142308-9181 (.08 acres)

Crown Lakes LLC owns Three (3) of the 8 in total. Parcel #'s: 1423089188 (.60 acres), 1423089187 (.24 acres), and 1423089073 (7.46 acres)

The City of North Bend requires a Master Plan Development proposal be submitted for Development consideration, in addition to the underlying zone's pre-existing allowances and building restrictions, and in addition to the language of the Tanner Junction Overlay which restricts certain light industrial and manufacturing allowances in EP-1. Tanner Junction Overlay language which reads as follows: "certain light industrial and manufacturing uses permitted by the underlying zone (EP-1) could be inconsistent with the recreational uses and residential character of the immediate area."

Note: "the residential character of the immediate area" includes the residential character that th

is in an Unincorporated King County residential neighborhood adjacent to 136 , as well as two (2) recent build-out projects on property previously owned by the Dahlgren Family (200 HDR units), and Mr. Hibbs (129 MDU's) with some small percentage of the 129 units set aside as "affordable" housing" rentals. Both property owners had the same North Bend City Council approved overlay of HDR/EP-1. Both North Bend City Council approved developments have included to date, "no commercial development (EP-1)" on either build site. Leaving our 28.82 acres in the Tanner Neighborhood, as the "fix-all" or "cure-all" to what is on the table now for the Planning Commission to advise the City's Council how best to proceed with its 2024 Comp Plan in the "elements" of: Land Use and Housing

The property owner names and/or the property advocate's name most familiar to the City are: Gordon and Victoria Hoenig, and Cherie Cooper (the daughter of Gordon and Victoria Hoenig).

A History of the 28.82 since it was purchased in 2003/2004 from Puget Western:

2009: **The City of North Bend annexed 28.82 acres owned by North Bend Industrial Park LLC and Crown Lakes LLC.**

2010: NBIP LLC and Crown Lakes LLC fully supported a (bulk) property owner's approval of ULID #6. ULID #6 assessments began in May of 2012. The property owner's $1M ULID #6 Assessment will be paid in full, no later than May of 2030.

When Gordon and Victoria Hoenig purchased the 28.82 acres in 2003/2004, Sallal Water Association was, and still is the property's Water Service Provider in the City of North Bend, Washington. The City of North Bend would prefer for the property owner to apply through proper channels of the state, to have the City of North Bend be approved as the property's Water Service Provider for whomever will be the Developer/Builder of the 28.82 acres.

2014: Gordon Hoenig applied to the City of North Bend for an HDR/EP-1 Overlay. The Tanner Junction Overlay is still in existence, though in 2016 the City Council of North Bend approved an Ordinance which took away the HDR allowance of residential buildings on the property. Gordon and Victoria Hoenig never received the City's notification that this change in the 2016 Council's mindset was to be inevitable, no matter if the private **landowner** had concerns or **a serious** questioning of such a hasty and blind-side of choice at the City Council level of North Bend City government.

Side Note Interjection: A similar type of "decision" or action plan (be it a subliminal or a deliberate affront to private property rights) is about to occur through the chain of processes the Commissioners have listed as items #4 and #5 on the 9/18/2024 Planning Commission Agenda. Changing an owner's property zoning from EP-1 to NMU, to further along "in

the approval process" the City's requirement of a 2024 Comprehensive Plan submittal to King County. The City of North Bend's 2024 Comprehensive Plan submittal to King County by the end of this year, for the City of North Bend to secure its 2024 King County Comprehensive Plan Certification.

2015: The 28.82 acres (8 parcels) were For Sale by Owner. Plenty of interest. Plenty of Developer/Builder concerns with the City of North Bend.

(*2023): The 28.82 acres are listed with Commercial Brokerage Hughes Marino. The site is still actively listed today.

2021: City Administrator David Miller suggested to Gordon and Victoria Hoenig that they submit a thumbnail Master Plan Development proposal for his and the City's consideration of a potential mixed-use project (a residential and commercial mix – like the 2014 HDR/EP-1 overlay would have allowed for in the form of a pre-existing template/guidepost for a master plan development).

The Hoenig's consulted with and hired a team mix of known and respected professionals in their fields – Architects, Surveyors, Engineers, and Land Use Planners -- to create what some staff at the City are familiar with as the former rendering of a master plan named Alpine Crossing. A master plan rendering as one example of a mixed-use development project, not a Developer or a Builder's proposal.

City Administrator David Miller and Public Works Director Mark Rigos encouraged Gordon and Victoria Hoenig to use the "Alpine Crossing" master plan rendering, to apply to Sallal Water Association for a Certificate of Water "approval or denial". The objective of North Bend's City Staff was to have in writing that Sallal Water Association could not provide water in its service area for a master plan development project that would build out on 28.82 acres on North Bend Way.

2022: In February, Sallal Water Association denied North Bend Industrial Park LLC and Crown Lakes LLC a Certificate of Water. Sallal had no water to service any small, medium or large sized development project in its water service area.

2023: June 6th The City of North Bend and Sallal Water Association mutually agreed to a Water Share Agreement. It is anticipated that by the mid to late summer of 2025, both Sallal Water Association and the City of North Bend will have an adequate water supply and the necessary reserves to service the 28.82 acres.

In the meantime, 28.82 acres zoned EP-1 with "sewer" available has been nearly useless for the property owner to continue to subsidize (responsibly) ULID #6, the years of 2021-2025 at

the owner's expense of $70K in assessment fees per year. No Water. No Sewer.

Some representatives of the City might project as his/her expert counsel, land holding expenses are the typical and normal cost of doing business as a private property owner. That's simple enough to claim in theory, but not as honest or accurate as one might like to assume, if he or she is not the one "walking in the shoes" of a land owner having to take it all in stride whilst 28.82 acres of prime real estate in an exceptional location are in a "time out" until all conditions and terms of engagement are just right by the standards, visions and timeline of a City's government being ready to sit down at the table to welcome, encourage and support a master plan project on North Bend Way that is attractive to the City's residents (8,000 +) in context with what is still missing in North Bend, as far as business/commercial services for the community and good-paying jobs for the community.

In the meantime, Developer and Builder interest in the 28.82 acres via a Brokerage representative and the property's owners engaging with dozens of qualified land Developers has been a mixed bag experience. Each and every time the 2 and 3 way conversations have ended on a same note, with the Developer and/or Builder advising Gordon and Victoria Hoenig that a development/build proposal cannot pencil out to make sense for a Developer/Builder to invest in North Bend considering all of "the asks" from the City (multiple departments and/or the heads of city departments) for a Development Project to be approved on the 28.82 acres zoned EP-1 --- at the City Council's intake for consideration of a development project. Said another way, before a proposal of any Development Project can even get close to the North Bend City Council seeing it or knowing about its existence, the Developer and the Developer's Proposal dies somewhere at some introductory stage in the intake of the pipeline process.

Important for the Planning Commissioners to note is that these veteran and well-known Developer/Builders have gone to other EP-1 zoned sites, to build out a "commercial" project on other "less hassle" sites in the City of North Bend – at the West and the East ends of the City.

Your role as (volunteer) Planning Commissioners is clear to us.

We want you to have all the information possible at your disposal to make an informed and responsible decision for the City.

For the past decade my role as the property owner's daughter has been to advocate for my family who owns 28.82 acres on North Bend Way in North Bend, Washington.

To advocate for our family's property rights and the sale of our property for a development project that is a win-win-win-win --- City of North Bend, Property Owner, Developer, and City of North Bend residents -- is what I have as a work package presentation for you all to review

and examine, in advance of the decision(s) you will make this Wednesday evening.

With respect to a rezone of all EP-1 parcels to NMU in the City of North Bend, what does anyone really know of this "new" zone creation? I know it is a means to an end for the City of North Bend to receive its 2024 Comprehensive Plan Certification. I can guess at what some of the allowances will be for the build and a development plan based upon what I already know of the existing NB zone.

"At a height restriction of 35', residential will be allowed as an approved **build** on only the 2nd floor of a building that will have commercial/retail/restaurant on its ground floor."

We know from the dozens of Developer/Builders we've spoken with over the years that this is not a zone model that they would come back to discuss with us, to potentially reconsider building in the City of North Bend, Washington.

As far as what we know about the "housing" element that the City needs to accommodate per King County's advisement for a King County 2024 Comprehensive Plan Certification, the City needs to show King County where it will be possible inside the City of North Bend, to build an additional 462 units of (affordable, not market rate) residential housing.

I've attached a document wherein I've noted some basic stats for every single parcel in the City of North Bend designated for a rezone to NMU –- aka the potentials of land use and parcels for where 462 residential units would be allowable to build in the City of North Bend.

The particulars of parcels in very close proximity to our 8 undeveloped (vacant land) parcels zoned EP-1, there are already existing buildings/new built structures. How practical or believable is it with construction, to expect that there would be a builder/developer/independent contractor interested to build, "a residential product" on the 2nd floor" of a pre-existing or a finished new construction building?

That said, our 28.82 acres of EP-1 zoning is a blank canvas so to speak. Where we are located with all of the other dark blue patches (soon to be NMU) on the map (see attached map for the quick reference) is the potential of 208/462 residential units.

Limiting residential units to being built on a 2nd floor only (NMU) is yet another incumbrance, covenant, restriction, limitation, challenge or hazard to add to the list of our aforementioned hurdles in owing the property with the City wielding its influence over time in company with the City Council's personal perspectives or objectives also playing a role in determining the property's viability in any sale or no sale to a Developer/Builder.

Commissioners, as the Owners and Owner Representative of Eight (8) parcels of "critical" and

developable acreage in the City of North Bend, we have watched you in 2023-2024 work hand in hand with City Planners and the staff of North Bend's Community and Economic Development Department to achieve the end result of submitting to the Council for its approval, what will be the final work product to submit to King County for North Bend's 2024 Comprehensive Plan Certification.

We value and highly respect the incredible work that all of you do as Planning Commissioners.

At Wednesday Evening's meeting, can the Commissioners and/or staff relay to us the following:

What benefit and/or improvement will it be to our land, its market value, its allowable uses, and its viability of interest to the Development/Builder community; if agenda Items #4 and #5 are approved by the Planning Commission to move forward in process to the City's Council, for the esteemed members of North Bend's City Council to approve a rezone of our 28.82 acres to NMU?

Thank you for your time.

Respectfully,

Gordon and Victoria Hoenig

Cherie Cooper

Note: Cherie Cooper will be present at the Planning Commission meeting this evening via Zoom

From: Chris Rohrbach
To: Planning
Subject: Wednesday September 18, 2024 Planning Commission Meeting, items #4 and #5 on the agenda - Public Comment
Date: Wednesday, September 18, 2024 7:47:47 AM

Some people who received this message don't often get email from chris@hughesmarino.com. Learn why this is important

Dear North Bend Planning Commission,

I hope this message finds you well. My name is Chris Rohrbach, Senior Vice President at Hughes Marino, and I am currently representing the Hoenig family and their partners in the sale of their 28.82-acre property within the City of North Bend.

I have read the owner letter that was sent to the Commissioners, and as the property owners' broker, I would like to echo some of the comments already addressed in the letter.

I have concerns regarding the City's restrictive development criteria and permitted use codes as well as the fees associated with development that make developing anything on that site cost prohibitive. These are the main factors which are hindering potential development on this property in my opinion. As a broker, I have witnessed significant interest from developers who are keen to invest in the North Bend market, but many are dissuaded by the current regulatory and financial barriers associated with such development. One such developer said that the fees associated with the traffic studies alone are more than what they can typically underwrite for their entire budget related to costs that go directly to the municipality they are developing in.

I believe that with more realistic zoning and development requirements and competitive fee structures, the City could foster more sustainable growth while benefiting the local economy and community. The restrictive zoning and permitted uses coupled with above "market" fees have been the biggest hurdles to finding a viable developer for the site in question.

Thank you for your time and consideration.

Chris Rohrbach
Senior Vice President
License #117138
+1 206.795.5155 Mobile
+1 844.662.6635 Office

HUGHES MARINO
hughesmarino.com

Future Tanner Trail and Landscaping
Future Collector Road
Future Shared Access
Snoqualmie Valley Trail Existing POSPF
Future TLA / Trail
EP-1
HDR / EP-1
Future 60' Collector Road
Ord 1584 Addition HDR / EP-1
I-90 Freeway
SE North Bend Way
Tanner Rd
Tannerwood Way SE
SE Tanner Rd
436th Ave SE
437th Pl SE
438th Pl SE
439th Pl SE
440th Pl SE
SE 135th St
SE 136th St
SE 140th St
SE 142nd St
SE 142nd Pl
Legend
Ordinance 1584 Addition: HDR / EP-1 Overlay Addition
Tanner Junction MPOD
EP-1
HDR / EP-1
HDR
Future 60' Collector Road Ordinance 1584
Future Tanner Trail
TLA / Trail
Snoqualmie Valley Trail POSPF
Future Shared Access
North Bend City Limits
North Bend Urban Growth Area Boundary
Streams
Rivers or Lakes
Parcels
0
250
500
1,000
Feet
City of North Bend
Tanner Junction Master Planning Overlay District (MPOD)
Figure 18.10.025-3
Map Updated April 25, 2016
Map Produced July 16, 2013

Neighborhoods North Bend, WA - Official Website.pdf

THE TANNER NEIGHBORHOOD

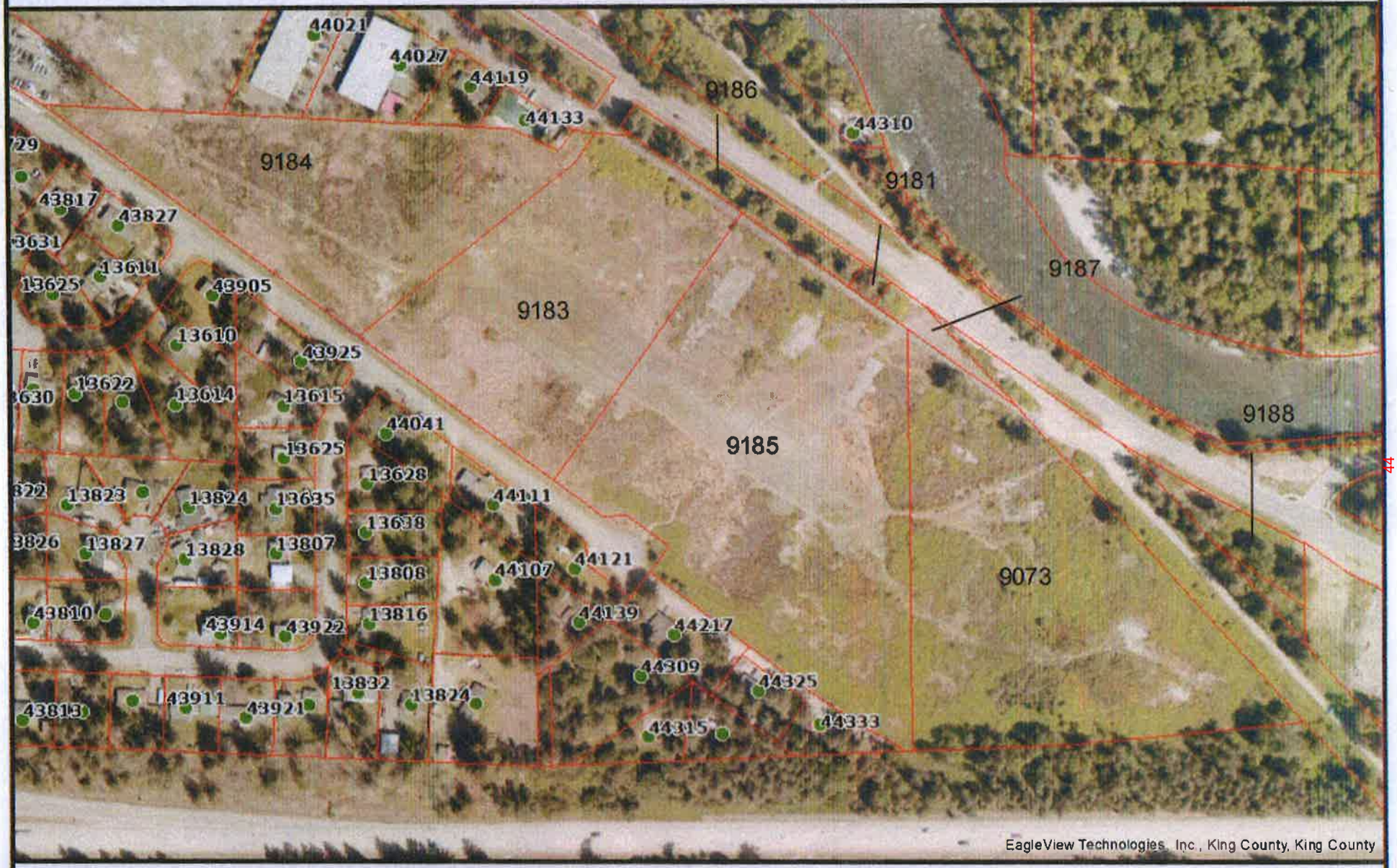
The Tanner Neighborhood is a predominantly light-industrial neighborhood located southeast of the Forest Service/Mt. Si Neighborhood and the Edgewick Interchange.

The neighborhood contains significant vacant and redevelopable land suitable for commercial and light-industrial uses and is an area anticipated to accommodate additional employment growth. Special overlay districts within areas of this neighborhood recognize unique site characteristics such as the presence of the Snoqualmie Valley Trail and the King County Tanner Landing Park, and therefore allow for a mix of residential and commercial/light industrial uses that wouldn't otherwise be permitted (see Overlay Districts section below).

The King County Snoqualmie Valley Trail provides an important pedestrian link through this neighborhood, connecting multiple parts of the City and encouraging bicycle and pedestrian transportation. The future Tanner Trail, within the Burlington Northern Railroad corridor, will provide a similar link along North Bend Way, and future developments that abut or contain this corridor should be constructed to align with and incorporate the trail into the design of the development. The area also has important scenic qualities with views of the Middle Fork of the Snoqualmie River and Mount Si. Interpretive or historic signage would be appropriate, located in key areas along the corridor to give perspective on the natural and human histories of the area, including that of the Tanner Mill and the former Northern Pacific (Burlington Northern) and Milwaukee Road Railroad Lines.

THE MIDDLE FORK NEIGHBORHOOD

Title



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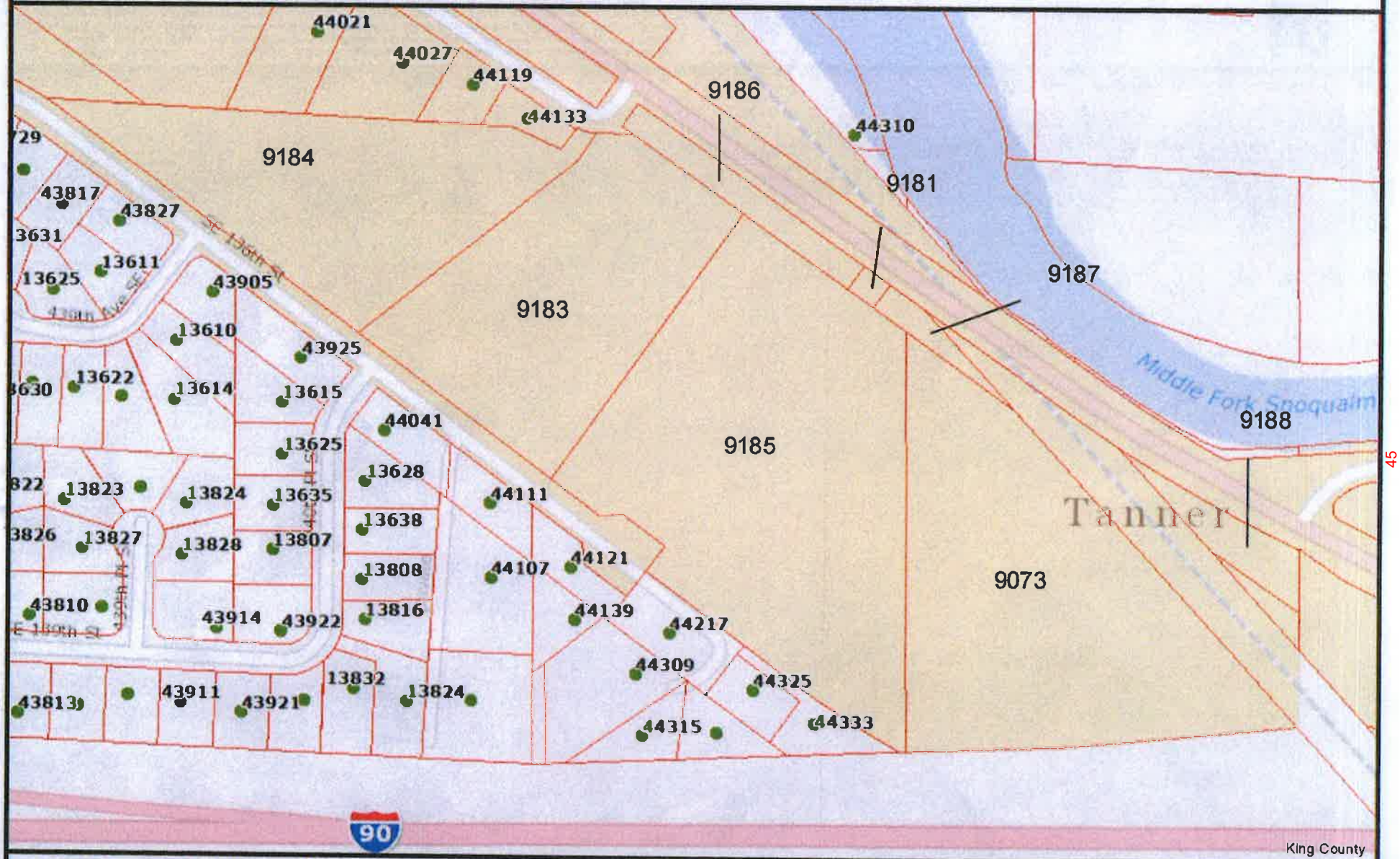
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Title



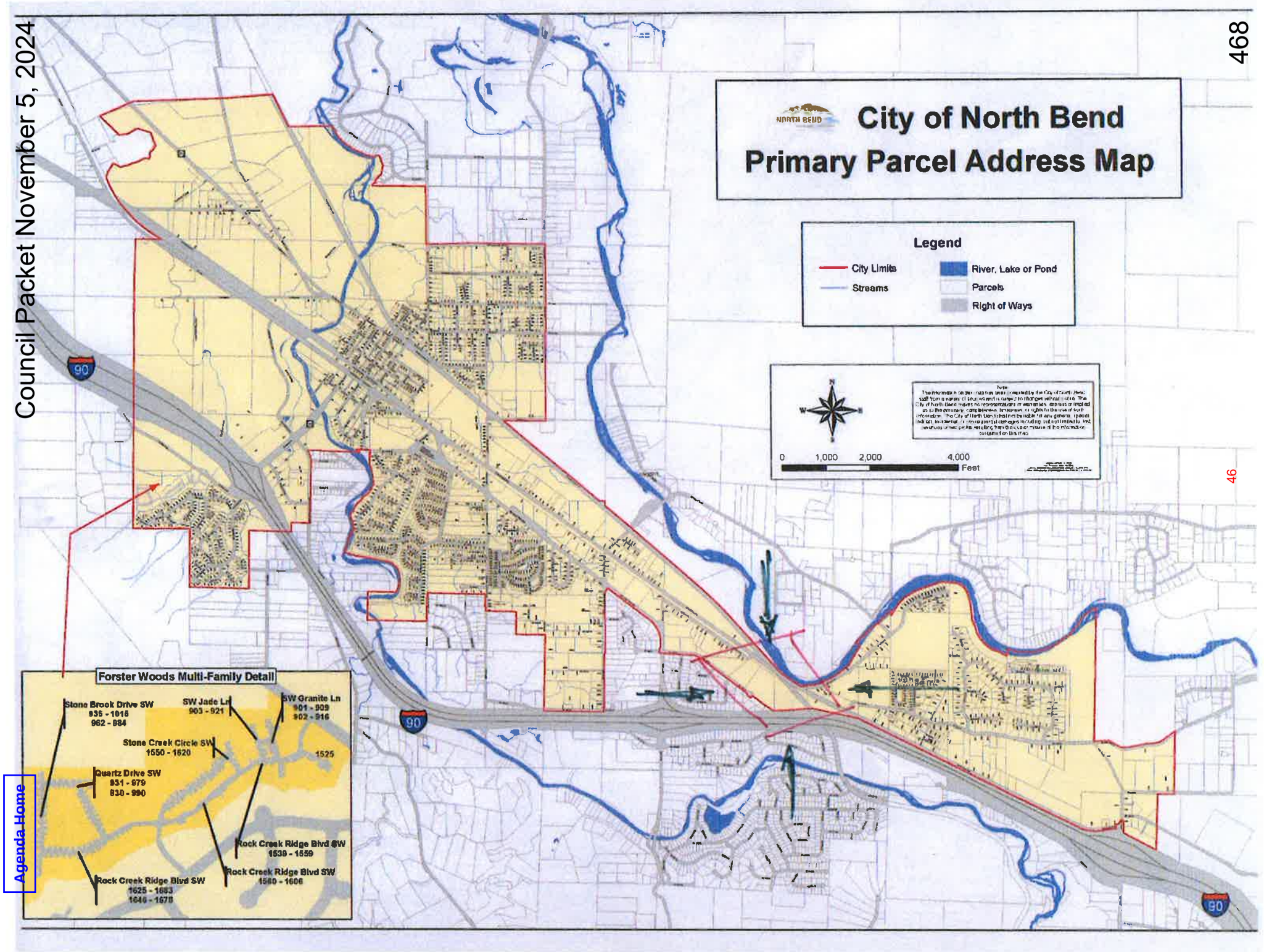
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Date: 8/22/2024

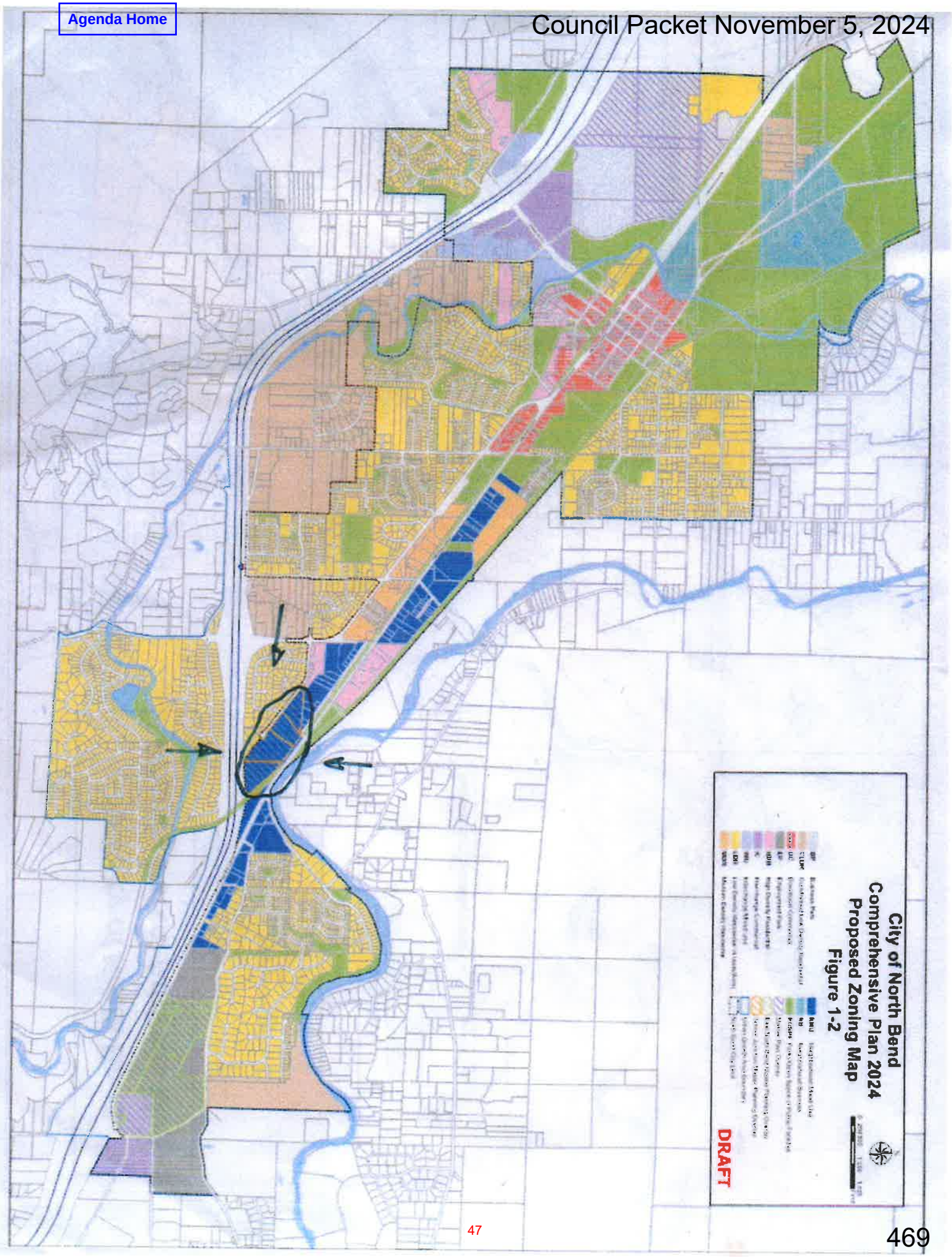
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King County

Agenda Home


City of North Bend
Primary Parcel Address Map
Legend
City Limits
Streams
River, Lake or Pond
Parcels
Right of Ways
0
1,000
2,000
4,000
Feet
Forster Woods Multi-Family Detail
Stone Brook Drive SW
935 - 1016
962 - 984
SW Jade Ln
903 - 921
SW Granite Ln
901 - 909
902 - 916
Stone Creek Circle SW
1550 - 1620
1525
Quartz Drive SW
931 - 979
930 - 990
Rock Creek Ridge Blvd SW
1539 - 1559
Rock Creek Ridge Blvd SW
1560 - 1606
Rock Creek Ridge Blvd SW
1625 - 1653
1646 - 1678
90

Agenda Home


City of North Bend
Comprehensive Plan 2024
Proposed Zoning Map
Figure 1-2
DRAFT

City of North Bend Parcels with the zoning of EP-1 (#1 - #28) and NB (#29 - #66), identified by the Community and Economic Development Department for NMU rezone (CONB 2024 Comprehensive Plan- Land Use element/Zoning-Housing "new" and/or "affordable")

1) Parcel 1423089137 (EP-1) Chinook Lumber 4.22 acres

2) Parcel 1423089025 (EP-1) Single Family Residence .92 acres

3) Parcel 1423089090 (EP-1) Single Family Residence (mobile home) .97 acres

*4) Parcel 1423089068 (EP-1) Vector/Alpental Logistics 5.40 acres

*5) Parcel 1423089009 (EP-1) 17,600 sq ft Light Industrial Mfg - 5 connected buildings 1 acre (Sallal Water Assoc used to lease space in one of the buildings)

*6) Parcel 1423089060 (EP-1) 13,176 sq ft Light Industrial Mfg - 3 connected buildings 1.02 acres (Fastenal is in one of the buildings)

*7) Parcel 1423089045 (EP-1) Single Family Residence .34 acres

*8) Parcel 1423089039 (EP-1) Cabinetry Business (light industrial mfg. building) .23 acres

* Note 4 - 8 above are parcels previously owned by Gordon and Victoria Hoenig (no partners)

9) our 8 parcels of undeveloped (raw land) (EP-1) 28.82 acres

10) Parcel 1423089032 (EP-1) Tanner Electric Substation 3.42 acres

11) Parcel 1423089038 (EP-1) Upper Skagit Indian Tribe Single Family Residence .49 acres

12) Parcel 1423089061 (EP-1) Upper Skagit Indian Tribe Single Family Residence .48 acres

13) Parcel 1423089084 (EP-1) Upper Skagit Indian Tribe Single Family Residence .37 acres

14) Parcel 1423089155 (EP-1) Upper Skagit Indian Tribe Mini Storage 10.86 acres

15) Parcel 1423089150 (EP-1) Vacant Land (wooded) .79 acres

16) Parcel 1423089074 (EP-1) Vacant Land (not cleared) Proposed Land Use Project 2021-0406 Bio Therapeutic/Micro Current Technology, Inc. 2.40 acres

17) Parcel 1423089065 (EP-1) Single Family Residence .80 acres

18) Parcel 1423089084 (EP-1) CR Construction Storage Bldg. 1.47 acres

19) Parcel 1423089030 (EP-1) 1,272 sq ft Warehouse Office .58 acres

20) Parcel 1523089077 (EP-1) APS Inc. Office/Warehouse .79 acres

21) Parcel 1523089032 (EP-1) Single Family Residence .48 acres

22) Parcel 1523089117 (EP-1) Mt. Si Montessori School .37 acres

23) Parcel 1523089188 (EP-1) Single Family Residential used as an Office Bldg. .75 acres

24) Parcel 1523089109 (EP-1) Fury Construction 2.38 acres

25) Parcel 1523089037 (EP-1) Rainier Asphalt & Concrete 1.60 acres

26) Parcel 1523089157 (EP-1) 5-unit Apartment (4 buildings) .54 acres

27) Parcel 1523089060 (EP-1) Single Family Residence .57 acres

28) Parcel 1523089223 (EP-1) Construction Storage Yard 2 acres

****

29) Parcel 1023089186 (NB) Steven Loo Cascade Heated Storage 2.10 acres

30) Parcel 1023089056 (NB) Richard & Virginia McConkey North Bend Auto Parts NAPA .53 acres

31) Parcel 1023089272 (NB) Karakoram Properties LLC Karakoram Splitboard Bindings 1.33 acres

32) Parcel 1023089270 (NB) Off Camber LLC The Line Bikes Experience .51 acres

33) Parcel 1023089271 (NB) Alpine Fitness .81 acres

34) Parcel 1023089035 (NB) John & Kimberly Graham The Meadows Mobile Home Park 4.08 acres

35) Parcel 1023089052 (NB) Albert Lee III Single Family Residence .43 acres

36) Parcel 1023089032 (NB) Albert Lee III Single Family Residence 1.65 acres

37) Parcel 1023089049 (NB) Albert Lee III Single Family Residence 1.19 acres

38) Parcel 1023089151 (NB) Dennis Lynelle Smitty's Towing .73 acres

39) Parcel 1023089187 (NB) Mt. Si MHP LLC Mt. Si Mobile Home Estates 9.10 acres

40) Parcel 1023089160 (NB) Rowley Enterprises Inc. Vacant Land 1.25 acres

41) Parcel 1023089076 (NB) Rowley Enterprises Inc. North Bend Storage being used as a Mobile Home Park 4.42 acres

42) Parcel 1523089083 (NB) Rowley Enterprises Inc. Parking for a Sales Lot 1.59 acres

43) Parcel 1523089095 (NB) Jason Lee Mt. Si Hotel 1.35 acres

44) Parcel 8621700015 (NB) Michael Sailing vacant lot .19 acres

45) Parcel 8621700070 (NB) Arnold Pena Single Family Residence .50 acres

46) Parcel 8621700020 (NB) Irish Kieran Single Family Residence .18 acres

47) Parcel 8621700010 (NB) Marino Laurel North Bend Sand & Gravel 1.09 acres

48) Parcel 8621700025 (NB) Mountain Rescue Council vacant lot .17 acres

49) Parcel 8621700030 (NB) Mountain Rescue Council Seattle Mountain Rescue Center .19 acres

50) Parcel 8621700065 (NB) Steven Crabb Single Family Residence .29 acres

51) Parcel 8621700060 (NB) Samuel, Jacob and Olivi Snipes .24 acres

52) Parcel 8621700055 (NB) Dan Crocker Single Family Residence .23 acres

53) Parcel 8621700055 (NB) Dan Crocker Timberline Mini Storage & Shop .65 acres

54) Parcel 8621790005 (NB) Pacific Commercial Property Management Bigg Dogg Firearms & North Bend Automotive 1.10 acres

55) Parcel 8621700050 (NB) Western Gateway LLC Wilderness Glass .19 acres

56) Parcel 8621790045 (NB) Debra Bridges-Karolides Single Family Residence .19 acres

57) Parcel 8621700035 (NB) Debra Bridges-Karolides vacant lot .37 acres

58) Parcel 1323089066 (NB) Dan & Leilani Fleming vacant lot .54 acres

59) Parcel 1323089031 (NB) Howard McIntyre Mt. Si Tavern .33 acres

60) Parcel 1323089050 (NB) An-Ying Shun LLC new commercial build project under construction .55 acres

61) Parcel 1323089061 (NB) 45414NE LLC Apartments .33 acres

62) Parcel 1323089077 (NB) 45414NE LLC Single Family Residence .59 acres

63) Parcel 1323089147 (NB) Triple 60 Partners LLC vacant land? 1.55 acres

64) Parcel 1323089047 (NB) Harry & Pauline Buhler vacant land 1.24 acres

65) Parcel 1323089095 (NB) Triple 60 Partners LLC vacant land .22 acres

66) Parcell1323089094 (NB) Triple 60 Partners LLC a boat stored in a carport .25 acres

18.10.025 C.4 TANNER JUNCTION MPOD

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

a. Purpose. Due to the proximity of the Snoqualmie Valley Trail that passes through the site and the single-family low-density residential neighborhood immediately across SE 136th Street to the south of the site, certain light industrial and manufacturing uses permitted by the underlying EP-1 zone could be inconsistent with the recreational uses and residential character of the immediate area. A master plan overlay district establishes a site plan and mix of uses more compatible with these adjacencies. Should an applicant wish to propose a site layout or mix of uses alternative to that provided by the MPOD, the applicant may apply for a development agreement pursuant to Chapter 18.27 NBMC. Such development agreement shall not preclude other parcels within the MPOD from achieving conformance to the provisions of the MPOD.

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

i. There shall be a maximum of two access locations into the primary parcel from North Bend Way, including the collector street described below. The separate triangular shaped eastern parcel ending in 9188 may have shared access with the adjoining parcel to the east onto SE North Bend Way, to allow for adequate separation from Tanner Road. An additional access point may be considered only for emergency access purposes or if warranted by a traffic study. Public and private access locations shall include minimum five-foot-wide sidewalks and minimum five-foot-wide planter strips at the intersection with North Bend Way (or 10' landscape strip and extension of Tanner Trail as described below), and may transition from there to alternative standards within the private development.

ii. A public north-south through street shall bisect the site in the western half of the parcel to connect SE 136th Street with North Bend Way, in the location identified on Figure C.

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

1

(B) The north-south through street shall be constructed according to the standard for collector streets in Chapter 19.05 NBMC, Design and Construction Standards for Streets, or as otherwise determined necessary by the City Engineer.

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

iii. A public trail, constructed per the trail construction standards in NBMC 17.25.065, shall be constructed along the southern boundary of the site, and within the TLA, to connect SE 136th Street to the Snoqualmie Valley Trail. A public access trail easement containing the trail corridor shall be provided to the City, prior to final building permit approval for development on the affected parcel.

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

c. Any land use permit associated with properties within this overlay zone shall install a pedestrian crossing over North Bend Way providing a connection to Tanner Trail and Snoqualmie Valley Trail. The pedestrian crossing shall include at a minimum: a perpendicular crosswalk at SE North Bend Way with reflective bumps and/or lights. Further safety measures may be determined necessary by the City through the development review process.

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

ii. Trail Parking of not less than 3 spaces shall be provided as part of the any development application and shall be constructed in conjunction with the development. A bike rack is also encouraged.

d. Allowable Uses and Bulk and Dimensional Standards.

i. Uses within the Tanner Junction MPOD are as established in NBMC 18.10.030 based on the corresponding zones identified in Figure C. Approximately 350' feet of the southern half of the Parcels No. 1423089183, 1423089185 and 1423089073 may be

comprised of HDR uses and/or EP-1 uses, except single-family detached, cottage housing and senior housing is not allowed within this overlay. Any EP-1 uses shall provide a 20 foot type I landscape transition area, pursuant to NBMC 18.18 Table 1, when located adjacent to HDR use within the site.

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

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

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

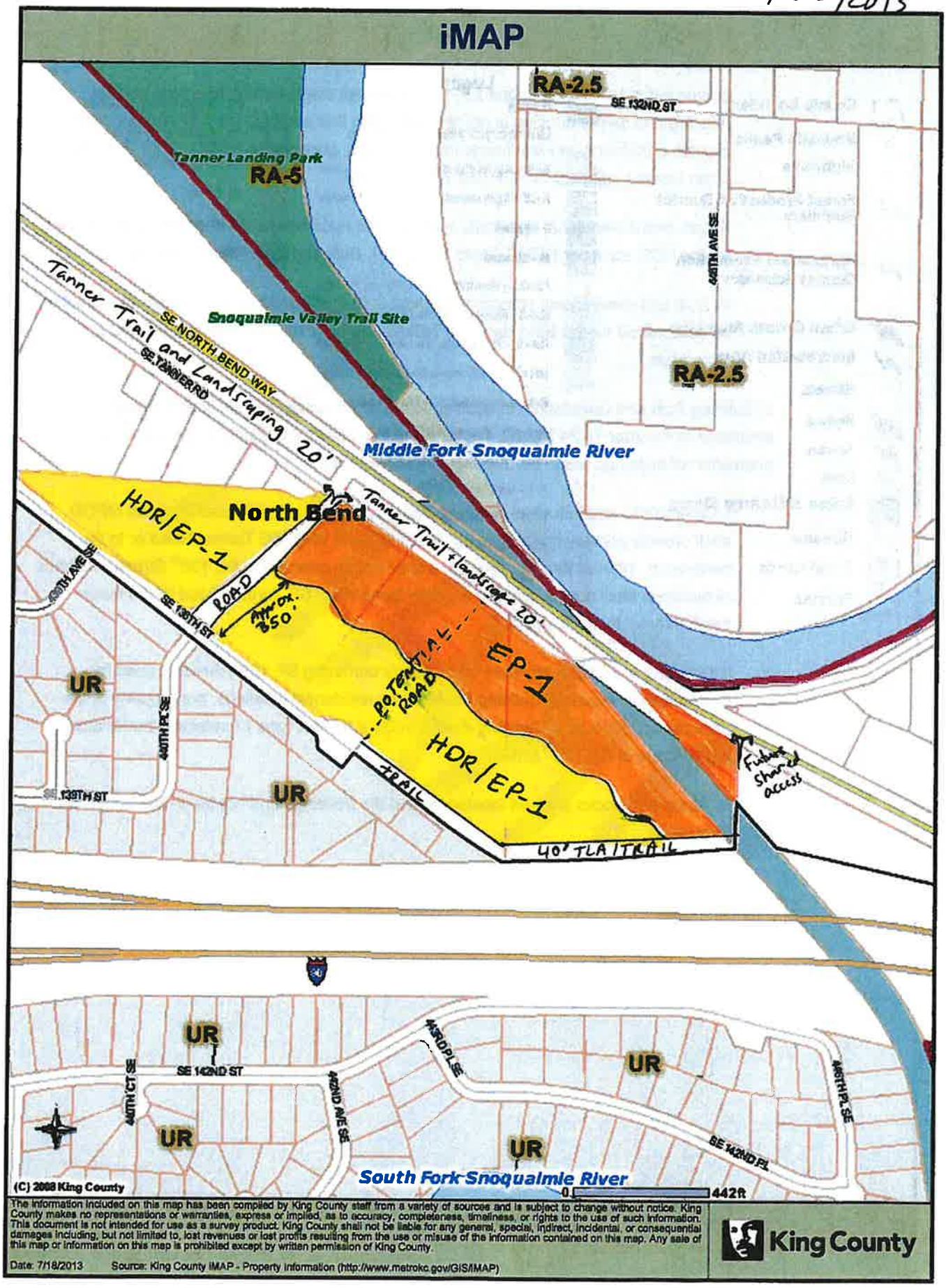
i. Commercial and industrial buildings constructed within the Tanner Junction MPOD shall provide primary frontage to either North Bend Way, SE Tanner Road or to the north-south internal through street, but shall not be oriented to SE 136th Street. The back of buildings shall not be oriented to North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

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

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

DRAFT

For PC 7/25/2013



City Council Agenda Bill

SUBJECT:	Agenda Date: November 5, 2024 AB24-119	
Ordinance Declaring an Emergency and Adopting a Moratorium on New Towing and Impound Uses Within the Employment Park 1 Zone	Department/Committee/Individual	
	Mayor Mary Miller	
	City Administrator – David Miller	
	City Attorney – Kendra Rosenberg	
	City Clerk – Susie Oppedal	
	Administrative Services – Lisa Escobar	
	Comm & Econ Development – James Henderson	
Cost Impact: N/A	Finance – Martin Chaw	
Fund Source: N/A	Public Works – Mark Rigos, P.E.	
Timeline: Immediate	CED Principal Planner – Mike McCarty	X
Attachments: Ordinance		

SUMMARY STATEMENT:

As a part of the statutorily required 2024 periodic update to the North Bend Comprehensive Plan, amendments are proposed to the North Bend Zoning Map that rezone approximately 37 property parcels within the existing Employment Park 1 (EP-1) Zone to Neighborhood Mixed Use (NMU), which is the new name for what is currently the Neighborhood Business Zone. On September 18, 2024, the North Bend Plan Commission recommended adoption of this proposed zoning amendment, which is necessary to provide additional residential capacity necessary for the City to plan for and accommodate its housing growth targets established by the Puget Sound Regional Council.

All the approximately 51 property parcels in the EP-1 Zone are located within a Category II Critical Aquifer Recharge Area, and portions of the EP-1 Zone are within wellhead protection areas constituting a 3,000-foot radius from North Bend Well Number 2 and Well Number 3. The City wishes to examine the potential detrimental impacts of towing and impound uses and operations on the aquifer that constitutes the public's drinking water supply.

Towing and impound is a permitted use within the EP1 Zone but is not a permitted use in the proposed NMU Zone. Towing and impound uses have several likely impacts that make it an inappropriate use in the proposed NMU Zone including the following:

- Incompatible adjacencies. The NMU zone is intended for commercial and mixed-use residential development. The impacts of a towing and impound yard include likely 24-hour operation, lighting, noise, and visual impacts that are not compatible with adjacent residential use. Impacts such as the sounds of diesel trucks, back-up beepers, and unloading and loading vehicles during late hours would likely lead to significant complaints from residents requiring code enforcement response.
- Water quality impacts to stormwater and groundwater. Towing and impound involves the delivery and storage of vehicles that may be damaged in accidents, which may leak oil and other fluids into groundwater. Wrecking yards are prohibited within Category I and Category II Critical Aquifer Recharge Areas per NBMC 14.07.030, and it is possible that towing and impound yards are likely to involve damaged automobiles with similar potential impacts to wrecking yards. Most of the City, including the EP-1 Zone and proposed NMU Zone, sits atop an aquifer that serves as the City's domestic water source, and contaminants from a towing and impound yard, particularly if over gravel surfaces, may threaten the quality of this water source.

To avoid the establishment of incompatible uses shortly before final adoption of the 2024 Comprehensive Plan and Zoning Map amendments, and allow time for the City to examine potential negative impacts to its water supply of towing and impound uses, an emergency moratorium would take immediate effect to

City Council Agenda Bill

prohibit the establishment, location, operation, and licensing of new towing and impound uses within the EP-1 Zone.

City Staff recommends approval of such a moratorium to prevent any incompatible uses that may create significant impacts to adjacent residents, reduce the potential for future non-conforming uses, ensure land uses consistent with the City's Comprehensive Plan, and to study whether new towing and impound uses could potentially negatively impact the City's drinking water supply.

Consistent with the requirements applicable to declaring an emergency and moratorium under RCW 36.70A.390, a public hearing will be scheduled to hear testimony on this issue within 60 days.

APPLICABLE BRAND GUIDELINES: Sustainably managed growth, and commitment to invest in the City and foster community engagement and pride.

COMMITTEE REVIEW AND RECOMMENDATION: This item was discussed at Executive Session at the October 15, 2024 City Council Meeting, at which time Council gave direction to bring this item forward for Council action.

RECOMMENDED ACTION: **MOTION to approve AB24-119, an ordinance declaring an emergency and adopting a moratorium on new towing and impound uses within the Employment Park 1 Zone, as a first and final reading.**

RECORD OF COUNCIL ACTION

Meeting Date	*Action*	*Vote*
November 5, 2024		

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, DECLARING AN EMERGENCY AND ADOPTING A SIX-MONTH MORATORIUM WITHIN THE CITY OF NORTH BEND ON THE ESTABLISHMENT, LOCATION, OPERATION OR LICENSING OF TOWING AND IMPOUND YARD USES IN THE EMPLOYMENT PARK 1 ZONING DISTRICT; DEFINING TERMS; AND PROVIDING FOR SEVERABILITY, AND PROVIDING THAT THE MORATORIUM WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE

WHEREAS, the City of North Bend ("City") is in the process of completing a periodic update to the North Bend Comprehensive Plan and development regulations as required under the Growth Management Act ("GMA"). Pursuant to RCW 36.70A.130, the City Council must approve such updates by December 31, 2024; and

WHEREAS, as a part of the statutorily required 2024 periodic update to the North Bend Comprehensive Plan, amendments are proposed to the North Bend Zoning Map that would rezone approximately 37 property parcels from Employment Park 1 (EP-1) Zone to Neighborhood Mixed Use (NMU); and

WHEREAS, on October 18, 2024, the City's Planning Commission recommended adoption of the proposed zoning amendment to rezone approximately 37 property parcels within the EP-1 Zone to NMU, which under GMA Section RCW 36.70A.115 is necessary to provide additional residential capacity for the City to plan for and accommodate its housing growth targets established by the Puget Sound Regional Council and to meet the State Office of Financial Management's twenty-year population forecast; and

WHEREAS, towing and impound yards are not an allowed use in the proposed NMU Zone. The NMU Zone is intended for commercial and mixed-use residential development. The impacts of a towing and impound yard include likely 24-hour operation, bright lighting, noise, and visual impacts that are incompatible with adjacent residential uses, such as the sounds of diesel trucks, back-up beepers, and unloading and loading vehicles during late hours; and

WHEREAS, the establishment of a moratorium is necessary to prevent incompatible land uses in the proposed NMU Zone that may create significant impacts to adjacent residents, reduce the potential for future non-conforming uses in the City, and ensure the formation of land uses consistent with the City's Comprehensive Plan, and

WHEREAS, the North Bend Municipal Code may have inadequate provisions to regulate towing and impound yard uses within Category I and Category II Critical Aquifer Recharge Areas in a manner that prevents harmful impacts to stormwater and groundwater, including possible impacts to the aquifer that serves as the City's domestic water source, because it is typical that towing and impound yards contain damaged automobiles that may discharge contaminants onto the ground that may migrate to water sources, particularly where towing and impound yards contain gravel ground surfaces; and

WHEREAS, all the approximately 51 property parcels in the EP-1 Zone are located within a Category II Critical Aquifer Recharge Area, and portions of the EP-1 Zone are within wellhead protection areas constituting a 3,000-foot radius from North Bend Well Number 2 and Well Number 3. The City wishes to examine the potential detrimental impacts of towing and impound yard uses and operations on the aquifer that constitutes the public drinking water supply; and

WHEREAS, the City wishes to temporarily prohibit the establishment of new towing and impound yard uses within the City's Category I and Category II Critical Aquifer Recharge Areas, and wellhead protection areas, to allow time for potential stormwater and groundwater impacts of such uses to be researched, studied and evaluated; and

WHEREAS, the City Council finds that the establishment, location, operation or licensing of tow and impound yards in the EP-1 Zoning District under the City's existing development regulations in the North Bend Municipal Code would be detrimental to public health, safety and welfare;

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

Section 1. Findings of Fact: The City Council adopts as findings of fact the recitals set forth above, all of which are incorporated herein by reference. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses, above.

Section 2. Moratorium Established: Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting in the Employment Park 1 (EP-1) Zoning District in the City of North Bend the establishment, location, operation or licensing of any towing and impound yard. No building permit or other development permit or approval shall be issued for any of the purposes or activities listed above, and no business license shall be granted or accepted while this moratorium is in effect. As used in this ordinance, the following term shall have the meaning set forth below:

A. "Towing and impound yard" means a facility designated for the temporary storage of vehicles consistent with RCW 46.55 that have been towed due to

traffic violations, such as illegal parking, arrest of the operator, or abandonment, or towed due to inoperability. Vehicles are stored only for a limited duration until they are reclaimed by the owners, moved to a vehicle repair, sales, or auction facility, or moved to a wrecking and salvage yard following insurance or other determinations.

Section 3. Effective Period for Renewal of the Moratorium: The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the City Council.

Section 4. Public Hearing: Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council will hold a public hearing and may adopt additional findings of fact regarding this moratorium within 60 days of the adoption of this ordinance.

Section 5. Referral to Staff: The Mayor is requested to direct City Staff to analyze the City's development regulations related to towing and impound yards, study potential groundwater and stormwater impacts related to towing and impound yards, and to prepare recommendations for consideration by the City Council.

Section 6. Severability: If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Effective Date: This ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF NOVEMBER, 2024.

CITY OF NORTH BEND:

_____

Mary Miller, Mayor

APPROVED AS TO FORM:

_____

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

_____

Susie Oppedal, City Clerk

Published:
Effective: